

## **CHARLOTTESVILLE CITY COUNCIL MEETING**

**April 19, 2021**

**Electronic/virtual meeting via Zoom**

### **5:30 PM CLOSED MEETING**

The Charlottesville City Council met in an electronic meeting on Monday, April 19, 2021, in accordance with local ordinance #O-21-026, adopted February 16, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 5:34 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

On motion by Councilor Hill, seconded by Councilor Snook, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates for appointment as city attorney, and for discussion and consideration of the removal of an individual previously appointed to the Region Ten Community Services Board.

On motion by Councilor Hill, seconded by Councilor Snook, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 6:32 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

### **6:30 PM REGULAR MEETING**

#### **CALL TO ORDER and ROLL CALL**

The Charlottesville City Council met in an electronic meeting on Monday, April 19, 2021, in accordance with local ordinances to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Walker called the meeting to order at 6:32 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

City Council observed a moment of silence.

### **AGENDA APPROVAL**

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council unanimously approved the meeting agenda.

### **ANNOUNCEMENTS**

Vice Mayor Magill announced that applications for boards and commission vacancies would be accepted through June 11 for Council consideration at the June 21 meeting.

### **RECOGNITIONS/PROCLAMATIONS**

Mayor Walker read a proclamation in honor of Fair Housing Month.

### **CONSENT AGENDA\***

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

1. MINUTES: March 1 regular meeting, March 4 budget work session, March 11 joint budget work session with City Schools
2. ORDINANCE: City of Charlottesville COVID Ordinance repeal (2nd reading)

**ORDINANCE REPEALING THE CITY'S ORDINANCE TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19 (AS AMENDED THROUGH FEBRUARY 16, 2021)**

3. ORDINANCE: Designation of trees for protection under the Tree Conservation Ordinance (2nd reading)

**ORDINANCE DESIGNATING CERTAIN TREES AS PROTECTED TREES UNDER THE CITY'S TREE CONSERVATION ORDINANCE**

4. RESOLUTION: Reprogramming FY2020-2021 Community Development Block Grant funds and Minor Action Plan Amendment
  - a. RESOLUTION: Amendment to Community Development Block Grant account - Reprogramming of Funds for FY 2020-2021 \$64,097.82

**RESOLUTION**  
**AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT**  
**Reprogramming of Funds for FY 2020-2021**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, pursuant to section 3 of CDBG Sub-recipient Agreements these funds have not met HUD spending deadlines and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Fund</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
218	1900364	Albemarle Housing Improvement Program	\$64,097.82		
218	1900399	CRHA Rental Relief		\$64,097.82	\$64,097.82
		<b>TOTALS:</b>	<b>\$64,097.82</b>	<b>\$64,097.82</b>	<b>\$64,097.82</b>

b. RESOLUTION: FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan

**RESOLUTION**  
**Approval of FY 2020-2021 Minor Annual Action Plan Amendment**

**BE IT RESOLVED**, that the Charlottesville City Council hereby approves the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. The reprogrammed CDBG and budget will be added into the 2020-2021 Annual Action Plan.

5. APPROPRIATION: Virginia Department of Criminal Justice Services (DCJS) Coronavirus Emergency Supplement Funding (CESF) Fiscal Year 2021 - \$50,000 (carried)

6. APPROPRIATION: Firehouse Subs Public Safety Grant \$26,971.10 (carried)

7. RESOLUTION: Donation of 1967 City Hall sign to the Albemarle Charlottesville Historic Society

**RESOLUTION  
APPROVING A DONATION OF SURPLUS PROPERTY  
TO THE CHARLOTTESVILLE ALBEMARLE HISTORICAL SOCIETY**

**WHEREAS**, the Charlottesville Albemarle Historical Society has requested the City to donate to it certain property, specifically a bronze sign containing the words “City Hall” originally purchased by the City in the late 1960’s (the “Sign”); and

**WHEREAS**, the Sign is currently in storage, the City has no plans to re-use the sign, and staff estimates the value of the sign to be three hundred dollars (\$300.00); and

**WHEREAS**, this City Council has authority pursuant to Virginia Code Sec. 15.2-951 to dispose of personal property, and City Council also has authority pursuant to Virginia Code Sec. 15.2-953 to make donations of property to certain charitable institutions, associations or nonprofits; and

**WHEREAS**, it is the determination of this City Council that the Charlottesville Albemarle Historical Society is a nonprofit entity to which the Council is authorized to make donations of property pursuant to Virginia Code Sec. 15.2-953; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE** that a bronze sign, containing the words “City Hall”, originally purchased by the City in the late 1960’s, is hereby donated to the Charlottesville Albemarle Historical Society.

8. REPORT: Rivanna Authorities Quarterly Report

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED the Consent Agenda, with Item #2 pulled by Mayor Walker for separate vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

At the request of Mayor Walker, Item #2 City of Charlottesville COVID Ordinance Repeal was pulled for a separate vote. On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED Item #2: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

## **CITY MANAGER RESPONSE TO COMMUNITY MATTERS**

City Manager Chip Boyles shared an update on the following community matters:

1. Regarding special events, he advised that special events applications were halted during the State of Emergency, and that staff was working on a way to identify safe uses of public areas so that applications may be considered again, possibly in a phased approach.
2. Regarding Rivanna River access, the Parks and Recreation Department worked with citizens and the business community to complete a repair project for stairs at Riverview Park providing access to the Rivanna River.
3. Regarding requests to open the public splash pads, he advised that per State mandate related to Covid-19, the splash pads remain closed.

## **COMMUNITY MATTERS**

Mayor Walker opened the floor for public comment. The following individuals spoke:

1. Emily Little shared a list of species lost during Coronavirus. She advised of the connection between biodiversity, habitat destruction and the climate crisis. She commended the city for designating a position to lead the Climate Action Plan.
2. Marcia Geyer, city resident, thanked the City Manager and City Council for funding a Climate Action Plan staff position. She shared information about the LEAP home weatherization program and Earth Week.
3. Lisa Glassco, city resident, spoke about the benefits of trees in urban areas.
4. Elizabeth Stark, city resident, spoke about permitting of special events.
5. Bill Emory, city resident, spoke of the support received from the City staff and over 200 volunteer hours from citizens to repair Rivanna River access stairs.
6. Tanesha Hudson requested that Council Chambers be re-opened, that special events permits be considered, and she spoke about social distancing rules not being followed at the Skate Park. She spoke about security at Charlottesville Redevelopment and Housing Authority properties and advised that the current contract with the security company would end at the end of April.
7. Robin Hoffman, city resident, spoke of the availability of free trees for Earth Day from the Department of Agriculture. She spoke about enjoying nature at the Rivanna River and encouraged people to pick up trash. She spoke about the science behind treating Coronavirus.
8. Adrienne Dent, city resident, expressed gratitude to Dr. Andrea Douglas of the Jefferson School African American Heritage Center for a recent community conversation about "Removing the Mask" and encouraged the public to visit the JSAAHC website to listen.

9. Don Gathers, city resident, wished a Happy Administrative Professionals Day on April 21. He spoke about gun violence around the country. He expressed interest in beginning conversations about statues.

At the request of Mayor Walker, Acting City Attorney Lisa Robertson shared information about the difference between special events and spontaneous demonstrations.

Councilor Hill thanked the community and staff who worked on the stair access point for the Rivanna River.

Mayor Walker shared concerns of keeping standards in line across the board for opening up Parks and Recreation facilities and activities. She shared that conversations were taking place regarding security at Charlottesville Redevelopment and Housing Authority properties.

## **ACTION ITEMS**

### **PUBLIC HEARING/RESOLUTION\*: First Amendment Monument lease**

Acting City Attorney Lisa Robertson shared a summary of the request. She clarified the name of the organization, The Bridge PAI (Progressive Arts Initiative).

Mayor Walker opened the public hearing. With no speakers coming forward, Mayor Walker closed the public hearing.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the resolution for the First Amendment Monument lease: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

## **RESOLUTION**

### **TO APPROVE A LEASE OF THE FIRST AMENDMENT MONUMENT ("COMMUNITY CHALKBOARD") AND RELATED PREMISES TO THE BRIDGE PROGRESSIVE ARTS INITIATIVE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE** that, having conducted a public hearing on the proposed lease of approximately 121 square feet of land on the Downtown Mall, in front of City Hall, to the Bridge Progressive Arts Initiative (inclusive of all monuments, structures and improvements therein located) this Council hereby approves the proposed lease, upon the terms and conditions set forth within the lease agreement presented to this Council for consideration on April 19, 2021. The City Manager is hereby authorized to execute the Lease on behalf of the City.

**ORDINANCE: Continuity of Government Ordinance re-enactment**

Acting City Attorney Lisa Robertson shared a summary of the request, which would be effective for a period of six months.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED the Continuity of Government Ordinance re-enactment: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

**ORDINANCE TO ASSURE CONTINUITY OF GOVERNMENT DURING THE COVID-19 PANDEMIC DISASTER BY ENACTING TEMPORARY CHANGES IN CERTAIN DEADLINES, MODIFYING PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES, AND AUTHORIZING OTHER EMERGENCY ACTIONS NECESSARY TO ASSURE SAFE AND EFFICIENT GOVERNMENT OPERATIONS**

**APPROPRIATION: House Bill 5005, Item 408 #1c: Public Safety and Homeland Security, Department of Criminal Justice Services – Local Police Department Funding - \$67,913 (carried)**

Chief RaShall Brackney provided a summary of the request, advising that the State distributed funding based on shares, percentages and headcount of personnel within the agencies. The funding was received in January and no local funding would be required.

Council agreed to carry the item forward for second reading on May 3, 2021.

**GENERAL BUSINESS**

There were no items of general business.

**OTHER BUSINESS**

1. Council discussed adding a section to the agenda template for City Manager Response to Councilors. The section would about the City Manager Response to Community Matters.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) to AMEND the Council Rules and Procedures to include a section of the meeting agenda template for City Manager Response to Councilors.

2. Pathways Program - Mayor Walker asked during the 4:00PM work session to discuss Pathways Program funding. She asked that additional funding be provided for the Pathways Program which provides funding for emergency needs. City Manager Boyles advised that he would be talking with Kaki Dimock, Director of Human Services, the following day to

discuss funding. Mayor Walker asked that a first reading be held at the April 27 work session for any funding appropriation that may be proposed.

### **MATTERS BY THE PUBLIC**

- Don Gathers, city resident, asked about honorary street signage for Black Lives Matter Boulevard.
- Robin Hoffman spoke in support of a speech made by Maxine Waters regarding the trial for Derek Chauvin in the death of George Floyd. She applauded community members who organized and rallied to show presence surrounding the trial.
- Katrina Cooper, city resident, spoke about the police department presence needed in public housing, and about safety protocols for handling unstable individuals.

Mr. Boyles shared information in response to Mr. Gathers' question, advising of a new signage standard adopted in October 2020. Vice Mayor Magill asked for consideration of a future celebration for honorary street designations made during the COVID pandemic.

Regarding the concern raised by Ms. Cooper, councilors discussed protocols for police response and discussed police reform efforts calling for police to use restraint in responding to calls, thus keeping individuals out of the criminal justice system as much as possible. Chief Brackney added that more details would be needed regarding the particular situation discussed.

The meeting adjourned at 8:06 p.m.

BY Order of City Council

BY Kyna Tomas, Clerk of Council