

## **CHARLOTTESVILLE CITY COUNCIL MEETING**

**March 7, 2022 at 4:00 PM**

**Electronic/virtual meeting**

### **Call to Order/Roll Call**

The Charlottesville City Council met in an electronic meeting on Monday, March 7, 2022, in accordance with a local ordinance amended and re-enacted on October 4, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Sena Magill, Michael Payne and Brian Pinkston.

On motion by Magill, seconded by Wade, Council voted 5-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

### **REPORTS**

#### **1. REPORT: Albemarle-Charlottesville Regional Jail renovation project report**

Martin Kumer, Superintendent of the Albemarle-Charlottesville Regional Jail, started the presentation with a brief history of the jail. He advised that the January 2022 Average Daily Population of 265 was the lowest that it has been in 20 years. He shared a timeline for the Facilities Conditions Assessment and Community Based Corrections Plan Study findings.

Tony Bell and Chris Roman, Mosley Architects, reviewed a timeline for key decision points once the needs assessment and Planning Study were submitted to the Department of Corrections in December 2021. Projected completion of the renovation project is November 2025 at an estimated total cost of \$49,021,414: of that, \$12,255,353 reimbursable (25 percent eligible costs) with \$36,766,061 total estimated cost to be split among three localities (Charlottesville City, Albemarle County and Nelson County).

Responding to Council questions, the presenters explained Trauma Informed Design, direct and indirect supervision, mental health pods, special purpose beds, elimination of bar-grade standards, and Covid-19 data.

Councilor Pinkston mentioned the benefits that the renovations will also have for jail staff. The resolution requiring a decision will come before Council in August or September 2022.

Councilor Magill explained that most of the decisions about recommendations occurred before she was appointed as the City Council representative to the regional jail board. She encouraged other localities to consider home/electronic incarceration (HEI).

## **CLOSED SESSION**

On motion by Magill at 4:57 p.m., seconded by Wade, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; 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 consideration of prospective candidates for appointment by Council to City boards and commissions

On motion by Magill, seconded by Wade, Council certified by the following vote: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; 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.

## **BUSINESS SESSION**

Having established quorum with all councilors present, Council observed a moment of silence.

## **ANNOUNCEMENTS (and Update from Blue Ridge Health Department)**

Vice Mayor Wade offered sympathy regarding the crisis facing Ukraine and Mayor Snook added that Charlottesville will likely see refugees within a month.

Dr. Denise Bonds, Blue Ridge Health Director provided an update on Covid-19. She shared a graph showing a general downward trend in cases. She advised that the Centers for Disease Control recently updated criteria for grading community Covid-19 levels and that the Charlottesville-Albemarle area is still listed as a High transmission area. Three components that factor into the rating are: 1) New COVID-19 cases per 100,000 people in the past seven days, 2) burden on the hospital: percent of staffed inpatient beds occupied by COVID-19 patients (7-day average), and 3) COVID-19 hospital admissions per 100,000.

She reported that the Omicron variant is prevalent, and the Delta variant no longer shows in the area. Adults with at least one vaccine dose is 75.5 percent and fully vaccinated is 73.1 percent (68.9 percent, including children). She shared safety guidelines and encouraged people to upgrade their masks. Dr. Bonds stated that community testing locations will close on March 15. She shared vaccination locations.

Mayor Snook asked Dr. Bonds for input on criteria to consider while planning to re-start in-person meetings. Dr. Bonds shared a few items for consideration:

- Will the meeting be hybrid with in-person and electronic options? Some people will still

not be able to be in person.

- Will masks be required? Council Chamber is typically crowded, and masks are encouraged.
- Is there an option to hold meetings in a larger or more open space?
- Metrics: weekly case counts over time trending down; hospital capacity strong with minimal Covid cases; and consider CDC metrics.
- Give lots of notice and advance warning so that people can plan.

Dr. Bonds will provide an update at the April 4 City Council meeting.

## **RECOGNITIONS/PROCLAMATIONS**

- **Resolution: Liberation Day – March 3**  
Vice Mayor Wade read a resolution from 2017 acknowledging March 3 as Liberation Day in Charlottesville, also a city employee holiday.
- **Proclamation: Festival of the Book Week, March 16-20, 2022**  
Mayor Snook proclaimed March 16-20, 2022 as Festival of the Book Week. Jane Kulow, Virginia Festival of the Book Director, made remarks.
- **Proclamation: Women's History Month**  
Councilor Magill read a proclamation for Women's History Month.
- **Proclamation: March for Meals Month**  
Mayor Snook presented a proclamation for March for Meals Month. Robin Goldstein, Meals on Wheels Executive Director, accepted the proclamation with remarks and encouraged community volunteers to work to help senior citizens.
- **Proclamation: Colorectal Cancer Awareness Month**  
Councilor Pinkston presented the proclamation. Dr. Thomas Loughran, UVA Cancer Center Director, made remarks and encouraged preventive measures.

## **CONSENT AGENDA\***

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

2. January 26 Council retreat, February 2 joint budget work session with Schools
3. RESOLUTION: Appropriating funding of \$625,000 to a new Collective Bargaining Project account within the City's Capital Projects Fund (2nd reading)

**RESOLUTION**

**Appropriating Funding in the Amount of \$625,000 to a New Collective Bargaining Project Account within the City’s Capital Projects Fund**

**WHEREAS** the Charlottesville City Council previously appropriated funds within its Capital Projects Fund, in the amount of \$1,250,000, and authorized the funds to be expended for a Citywide Class and Compensation Study, and

**WHEREAS** pursuant to City Code Section 11-5, the City Manager hereby requests Council to make a special appropriation, to move funds within FY2022 which will not be needed to complete a Class and Compensation Study into a new Capital Projects Fund account designated for a Collective Bargaining Project, to be used for contractual and consulting expenses associated with the study, design, and implementation of a collective bargaining program for the City of Charlottesville;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that funding previously appropriated by City Council for expenditure in FY2022 for a Class and Compensation Study is hereby re-allocated and appropriated for expenditure in FY2022 to a Collective Bargaining account within the Capital Projects Fund, for contractual and consulting expenses associated with the study, design, and implementation of a collective bargaining program for the City of Charlottesville.

**Capital Projects Fund:**

**Transfer From:**

**Expenditures - \$625,000**

Fund: 426

Funded Program: P-01032

G/L Account: 599999

**Transfer To:**

**Expenditures - \$625,000**

Fund: 426

Funded Program: NEW CODE

G/L Account: 599999

- 4. ORDINANCE: Amending and re-ordaining Chapter 9 (Elections), Section 9-31 (Central Absentee Voter District) to change the location of the Central Absentee Voter Precinct from City Hall to CitySpace (carried to 2nd reading in May 2022)
- 5. REPORT: Historic Resources Committee status report on memorialization

Mayor Snook opened the floor for public comment on the consent agenda.

- Bill Goldeen, Charlottesville Area Transit bus driver, spoke in support of Item #3.
- David Koenig spoke in support of Item #3.
- David Broder, union president, spoke in support of Item #3.

On motion by Wade, seconded by Payne, Council by the following vote Adopted the Consent Agenda: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

## **CITY MANAGER REPORT**

Interim City Manager Michael C. Rogers announced future deployment of an Employee Satisfaction Survey, the kick-off meeting for the compensation study, and continued work on Collective Bargaining.

Deputy City Manager Ashley Marshall advised of four phases for the Classification and Compensation Study and stated that the consultants expect a full report to be available at the conclusion of Phase 4, which is estimated to take nine to ten months. She listed key jobs actively being filled: 1) Director of Communications and Public Engagement, 2) Director of Human Services, 3) Director of Information Technology, and 4) Director of Human Resources. She thanked staff who stepped up in key roles to ensure stability of operations.

Deputy City Manager Sam Sanders announced:

- 1) the Bennett's Village inclusive playground information-gathering event being hosted by the Parks and Recreation Department at Pen Park on March 14 and 15;
- 2) the Benjamin Tonsler Park public engagement sessions online and in-person on March 21 and 22;
- 3) He provided updates on three community priorities:
  - 5th Street Corridor Internal Working group continues to work on planning and Mr. Sanders has given approval to pursue SmartScale funding from VDOT for 5th Street, advising that all options will be on the table.
  - Regarding affordable housing he advised of a 4:00 p.m. work session on April 4;
  - Regarding the Climate Action Plan, he announced work session on April 18 and acknowledged work to be done to regroup efforts.

Mayor Snook stated that he was pleased to hear about efforts to move initiatives forward. Councilors thanked staff for stepping up.

## **COMMUNITY MATTERS**

1. Chris Meyer, city resident, acknowledged city staff who stepped in to fill vacant leadership roles in the interim. He asked for full funding for school reconfiguration and affordable housing. He encouraged a 10-cent increase in the real estate tax rate to help fund priorities.

2. Emily Dreyfus, representing Charlottesville Low Income Housing Coalition (CLIHC), spoke about the need to improve housing affordability. She shared CLIHC's top two recommendations: fully fund the Affordable Housing Plan, and pair robust tax increases with maximum tax and rent relief for very low income people.
3. Leah Puryear, city resident, requested a \$200,000 annual appropriation for the Jefferson School African American Heritage Center (JSAAHC) and fully fund city school reconfiguration.
4. Elizabeth Breeden, city resident, requested that Council include in the city budget the annual lease amount for the JSAAHC, and shared perspective about the Center's role in the community.
5. Susan Kruse, Executive Director of the Community Climate Collaborative, spoke about climate change and the need to move forward rapidly with a plan.
6. Moriah Wilkins, housing attorney with the Legal Aid Justice Center, spoke about the ongoing need for rent relief, about housing voucher limitations and she encouraged creative solutions to fully fund the Affordable Housing Plan.
7. Whitney Richardson with Dark Skies, Bright Kids spoke about creating an interactive planet walk on the Downtown Mall.
8. Robin Hoffman, city resident, announced that the Botanical Garden of the Piedmont volunteer group has begun meeting. She spoke about neighborhoods working together.
9. Andy Orban, city resident, spoke in support of full funding for the Buford Middle School reconfiguration.
10. Joy Johnson, city resident, requested full funding for affordable housing and school reconfiguration.

## **ACTION ITEMS**

### **6. PRESENTATION: Presentation of the FY2023 Adopted Budget from Charlottesville City Schools**

School Superintendent Royal Gurley introduced School Board Chair Lisa Torres, who began the School Budget presentation.

Chair Torres shared Strategic Plan Focus Areas for Schools:

- Academic excellence
- Safe and supportive schools
- Organizational supports

She shared priorities for Schools moving forward: 1) supporting mental health, 2) embracing English Language Learners, 3) acceleration of learning, 4) the national teacher shortage, 5) inflation, 6) reconfiguration, and 7) alignment of non-recurring Federal relief funds with non-recurring expenditures.

Kim Powell, Chief Operations Officer, provided the FY2023 Schools Adopted Budget overview, requesting from the City Budget \$4,216,341 for operational costs.

Ms. Torres stated for the record the School Board's request to keep \$75 Million funding in the City budget for school reconfiguration.

The meeting recessed at 8:31p.m. and reconvened at 8:36 p.m.

## **7. PRESENTATION: Presentation of the Proposed FY2023 City Budget**

Mr. Rogers began the presentation and noted that the budget document was released to the public earlier in the day. The balanced budget revenues and expenditures totaled \$216,171,432, with the current \$0.95/\$100 real estate tax rate. Some tax revenues were near pre-Covid levels.

Krisy Hammill, Senior Budget and Management Analyst, announced that the City received for the 29<sup>th</sup> time the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the FY 2022 budget. She presented budget revenue and expenditure details, as well as information about the impact of a Real Estate Tax increase and the impact of school reconfiguration on other projects and debt service. Ms. Hammill mentioned the budget's alignment with Council priorities:

1. An inclusive community of self-sufficient residents
2. A healthy and safe city
3. A beautiful and sustainable natural and built environment
4. A strong, creative and diversified economy
5. A well-managed and responsive organization

Vice Mayor Wade asked whether the budget included structural improvements to stay competitive. Mr. Rogers advised that the Compensation Study would be the guide. Mr. Wade asked about various agreements or contractual obligations.

Mayor Snook asked a series of questions to clarify information in the City Manager's budget letter to Council.

## **8. RESOLUTION: Approving a Special Use Permit at 2116 Angus Road**

Dannan O'Connell, City Planner, presented the request, which was recommended for approval by the Planning Commission.

On motion by Pinkston, seconded by Wade, Council by a vote of 5-0 APPROVED the Special Use Permit (Ayes: Magill, Payne, Pinkston; Noes: none).

**RESOLUTION**  
**Approving a Special Use Permit for Increased Residential Density for**  
**Property Located at 2116-2118 Angus Road**

**WHEREAS**, in order to facilitate a specific development project, Dermo, LLC, (“Landowner”), has submitted application SP21-00006, requesting a Special Use Permit to increase allowed residential density on certain land fronting on Angus Road, identified on City Real Property Tax Map 40C as Parcel 8 and designated as City Real Estate Parcel No. 40C080000 (the “Subject Property”); and

**WHEREAS**, the purpose of the application is to allow an existing mixed use development to be modified as described within the application materials for SP21-00006, which materials describe a plan to provide six (6) residential dwelling units, with a total of 18 bedrooms, within an existing office building established on the Subject Property, in addition to twenty-one (21) existing dwelling units currently located within an apartment building located on the Subject Property (the “Project”); and,

**WHEREAS**, the additional 6 residential dwelling units would increase the Subject Property’s residential density from 25 to 33 dwelling units per acre, exceeding the current limits for “by-right” density on land zoned “B-1,” but this increased density is allowed by special use permit, as specified in City Code § 34-458(b), within the area of a mixed-use development site; and

**WHEREAS**, a joint public hearing on the proposed special use permit was conducted by the Planning Commission and City Council on February 8, 2022, following notice to the public and to adjacent property owners, as required by law, and following the joint public hearing, the Planning Commission voted on February 8, 2022, to recommend that City Council should approve the Rezoning; and

**WHEREAS**, this City Council has considered the details of the specific Project represented within the Landowner’s application materials for SP21-00006; has reviewed the NDS Staff Report, public comments, the Planning Commission’s recommendation, and the Comprehensive Plan; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the proposed special use permit and the proposed residential development density is consistent with the Comprehensive Plan; now, therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, pursuant to City Code § 34-458(b), a special use permit is hereby approved and granted to authorize the Project described within the application materials for SP21-00006, within the Subject Property, subject to the following conditions:



1. Residential density of development shall not exceed thirty-three (33) dwelling units per acre (DUA) within the area of the Subject Property.
2. The six (6) residential dwelling units authorized by this special use permit shall, collectively, have no more than 18 bedrooms.
3. Automatic fire sprinklers and alarms shall be provided within the building to be renovated (2116 Angus Road), in accordance with applicable requirements of the Virginia Uniform Statewide Building Code.

**9. RESOLUTION: Appropriating funds for the Cville Plans Together (Comp Plan) Project from the Small Area Plans Account within the City's Capital Projects Fund - \$188,810 (carried)**

James Freas, Director of Neighborhood Development Services, made a presentation regarding Cville Plans Together as related to the appropriation request and zoning re-write project timeline.

After discussion about the Housing Market Outcome Model and the Small Area Plan fund, Council agreed to move the item to the March 21 Consent Agenda for the second reading.

**10. RESOLUTION: Appropriating funds from the Virginia Department of Rail and Public Transportation to Charlottesville Area Transit - \$980,599 (carried)**

Garland Williams, Director of Transportation, made the presentation, advising that a revision to the FY2022 State funding means additional funds were received and that \$300,000 of those funds would fund the Feasibility Study for alternative fuel vehicles and develop the integration plan.

Following discussion, Council agreed to move the item to the March 21 Consent Agenda for the second reading.

**ORDINANCE\*: Consideration of action related to the local Continuity of Governance Ordinance**

Interim City Manager Rogers and City Attorney Lisa Robertson presented options for Council consideration. Mr. Rogers referenced an approaching deadline for deciding on a public meeting status during the locally declared emergency. Some considerations that Ms. Robertson mentioned were keeping local health guidelines and metrics in mind; looking at options for moving Council meetings to another location; creating safety plans per public body and location; making Council space safe for return; and considering safety measures for moving boards and commissions to suitable meeting spaces.

Councilor Payne expressed concern with a lack of specific timeline and metrics for moving to hybrid meetings.

Staff noted several items that affect the ability to conduct hybrid meetings, including staff capacity and technology in certain spaces.

On motion by Pinkston, seconded by Magill, and following discussion about opening meetings to the public with reasonable safeguards, Council by a vote of 5-0 APPROVED the ordinance (Ayes: Magill, Payne, Pinkston; Noes: none).

Ms. Robertson advised that the ordinance addresses delegation of authority to the Mayor and City Manager to come up with a safety plan for reopening Council meetings for in-person participation.

**ORDINANCE AMENDING AND RE-ENACTING CITY COUNCIL'S CONTINUITY OF GOVERNMENT ORDINANCE, FOR A SIX-MONTH PERIOD BEGINNING MARCH 8, 2022**

**GENERAL BUSINESS**

There were no items for general business discussion.

**OTHER BUSINESS**

There were no other business items or additional follow-up items for the City Manager.

**MATTERS BY THE PUBLIC**

- Gregory Weaver spoke in support of funding for Charlottesville Area Transit's vision for 15-minute service and sustainable transit, collective bargaining, and affordable housing.

The meeting adjourned at 10:25 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council