

CHARLOTTESVILLE CITY COUNCIL MEETING

May 2, 2022 at 4:00 PM

In person: Council Chamber, 605 E. Main Street

Virtual/electronic: Zoom

The Charlottesville City Council met in regular session using a hybrid meeting format with limited public seating in Council Chamber and full electronic access via Zoom on Monday, May 2, 2022, in accordance with a local ordinance amended and re-enacted on March 7, 2022, 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 at 4:03 p.m. 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 Wade, seconded by Magill, Council voted 5-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

REPORTS

1. Report: Thomas Jefferson Area Coalition for the Homeless (TJACH) 2022 Point in Time (PIT) count presentation

Anthony Haro, TJACH, made the presentation. Some points made in the presentation were:

- Every system is perfectly designed to get the results it gets
- Homelessness is a symptom of an unhealthy housing ecosystem
 - Without access to safe and affordable housing, people will fall out of housing and into homelessness
 - Without the availability for people to find new housing they can afford, they will remain in homelessness for longer amounts of time, contributing to Chronic Homelessness
 - Without adequate resources and services at every point along the housing continuum – from homeless services to subsidized housing, to affordable rentals, to home ownership - we see stagnation and lack of movement across the whole system

Mr. Haro presented the Point in Time count for the previous twelve years, noting a significant increase in the past year for individuals occupying emergency shelters, a steady number of unsheltered individuals since 2010, and a decline for individuals in transitional housing. The distribution of homelessness by gender was consistent with previous years. People over age 55 made up 30% of the PIT Count, 50 people. Black and African Americans were significantly over-represented in the homeless population, with 37% of the homeless population identified as Black. Additional data indicated:

- 12 Veterans experiencing homelessness
- 20% of adults reported experiencing domestic violence at some point in their past

- 32% of adults reported mental health conditions
- 57% of adults reported a chronic health condition or physical disability

Mr. Haro emphasized that homelessness is dynamic, and that the PIT count was conducted in one day, a snapshot.

- 68% of individuals were experiencing homelessness for the first time.
- In 2021, 47% of participants who exited homeless programs to a housed situation, exited to a hotel or to living with friends and family
- The average length of stay in emergency shelters was 136 days

Mr. Haro acknowledged a lack of turnover in shelters and advised that it is not enough to just help people get back into housing, but services must ensure that households find stability and remain in housing. He stated that a balanced and healthy housing ecosystem with opportunity and resources at each part along the continuum is the answer.

Mr. Wade asked about panhandling and Mr. Haro advised that people panhandle for a variety of reasons which do not always overlap with homelessness.

Mr. Payne asked about the service area and substance abuse reporting. Mr. Haro stated that although the service area included other localities, no individuals were identified as homeless except in Albemarle County and City of Charlottesville.

Ms. Magill asked about last known localities for unhoused individuals and Mr. Haro stated that the information is not currently collected.

Mr. Pinkston asked about funding, and Mr. Haro commented on many sources of funding.

Discussion continued about case management and project-based housing vouchers.

2. Report: Regional Emergency Communications Center and Marcus Alert 9-8-8

Sonny Saxton, Executive Director of the Emergency Services Communication Center, began the presentation on ensuring community access to emergency services, including persons experiencing mental health crisis. He was joined by Josh Powell, Manager of Support Services, who provided an overview of Emergency Communications Center core services, including the public safety radio system and computer aided dispatch. Mr. Powell shared data specifically related to 9-1-1 services.

The Emergency Communications Center is a consolidated center for Charlottesville, University of Virginia and Albemarle County, established in 1984, providing one call for Law, Fire and Emergency Medical Services.

Mr. Powell introduced the newer 9-8-8 call number for behavioral health response, which has not yet been activated while pilot programs are being tested in a few Virginia localities. Mr. Saxton

shared information about the Marcus Alert system:

- The Marcus Alert is named after Marcus-David Peters, a young, Black biology teacher; killed by Richmond police in 2018 amid a mental health crisis. The goal of the Marcus Alert is to provide a behavioral health response to behavioral health emergencies.
- Marcus Alert enhances services for people experiencing a crisis related to mental health, substance use, or developmental disability. Marcus Alert creates coordination between 911 and regional crisis call centers and establishes a specialized behavioral health response from law enforcement when responding to a behavioral health situation.

Mr. Saxton and Mr. Powell answered City Council questions and thanked Mayor Snook and Councilor Magill for their contributions on the Marcus Alert workgroup.

CLOSED SESSION

On motion by Magill., seconded by Payne, 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)(3)**, for discussion or consideration of the acquisition of real property within the City for a public purpose, and of the proposed disposition of publicly held property where discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy;
- Section **2.2-3711(A)(I)** for discussion or consideration of the assignment, appointment, or performance of the city manager and chief of police;
- Section **2.2-3711(A)(7)** for consultation with legal counsel regarding Civil Case No. CL 21-610 pending in Charlottesville Circuit Court, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City; and
- Section **2.2-3711(A)(8)** for consultation with legal counsel regarding matters relating to possible action by City Council pursuant to Virginia Code Section 63.2-314 for the provision of assistance to low- and moderate-income homeowners.

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 at 6:42 p.m., Council observed a moment of silence.

ANNOUNCEMENTS

Councilor Magill announced the winners of the My Help List contest presented by Mr. Alex Zan: Andrew Scott, 1st grader; Selah Powe, 4th grader; Kelsey Bryan, 7th grader; and Bernice Edwards, 10th grader.

RECOGNITIONS/PROCLAMATIONS

Mr. Pinkston recognized the Tom-Tom Festival for a successful event.

Mr. Snook also recognized the Dogwood Festival and Fridays After Five.

- **Proclamation: Older Americans Month**

Mayor Snook proclaimed May as Older Americans Month. Marta Keane, CEO of JABA (Jefferson Area Board for Aging) accepted with remarks and noted the 2022 theme: "Age My Way".

CONSENT AGENDA*

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

3. MINUTES: March 17 budget work session, March 23 budget public forum, March 31 budget work session, April 1 & 2 Council retreat
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 (2nd reading)

AN 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 CITY SPACE

5. ORDINANCE: Amending the Friendship Court (Phase 1) Loan Agreement (2nd reading)

ORDINANCE AMENDING AND RE-ENACTING THE FORGIVABLE LOAN AGREEMENT APPROVED BY ORDINANCE NO. O-20-145, TO ADD THE AMOUNT OF \$394,841 TO THE FORGIVABLE LOAN TO PIEDMONT HOUSING ALLIANCE FOR THE FRIENDSHIP COURT REDEVELOPMENT

6. RESOLUTION: Appropriating additional funding from the Virginia Department of Social Services for the VIEW Program - \$38,025 (carried)
7. RESOLUTION: Appropriating funding from the Virginia Department of Social Services for Child Abuse Prevention Month - \$1,000 (carried)
8. RESOLUTION: Approving a Special Use Permit at 209 Maury Avenue

**RESOLUTION GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY
LOCATED AT 209 MAURY STREET (TAX MAP PARCELS 170018002,
170018000, 170018001, 170018600, 170018500, and 170018400)**

WHEREAS Charlie Armstrong (“Owner”) is the owner of certain land identified by Tax Map Parcels 170018002, 170018000, 170018001, 170018600, 170018500, and 170018400 (collectively, the “Subject Property”), which have frontage on Maury Ave. and Stadium Road and is requesting a Special Use Permit to increase Dwelling Unit per Acre (“DUA”) density; and

WHEREAS; The Applicant seeks a Special Use Permit under City Code Sec. 34-420 to increase the density of the Property from a by-right twenty on (21) DUA condominium building to a forty-three (43) DUA condominium building; and

WHEREAS the Property is located within the R-3 (Residential) zoning district, a district in which, according to the Use Matrix set forth within City Code 34-420, increased DUA may be authorized by City Council by means of a special use permit; and

WHEREAS the Project is described in more detail within the application materials submitted in connection with SP22-00002, as required by City Code §34-158 (collectively, the “Application Materials”); and

WHEREAS the Planning Commission considered and recommended approval of this application at their April 12, 2022 meeting, subject to conditions set forth within the staff report prepared for that meeting;

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that it hereby approves a Special Use Permit for the Subject Property, to allow for an increase in Dwelling Units per Acre from twenty-one (21) Dwe, subject to the following conditions:

- (1) Up to forty-three (43) dwelling units per acre (DUA) are permitted on the Subject Properties.
- (2) Yard requirements shall be:
 - a. Front yard: thirty-one (31) feet.
 - b. Side yard (Corner along Maury Avenue): twenty (20) feet.
 - c. Side yard (western side): twenty-two (22) feet.
 - d. Rear yard: Twenty-five (25) feet.
- (3) A new seven (7) foot sidewalk with three (3) foot curbside buffer shall be constructed along Maury Avenue in accordance with the City’s Streets That Work Plan.
- (4) The applicant will work with the City’s Traffic Engineer to develop a Master Parking Plan for the site. This plan will be kept on file with the City and may be updated or altered from time to time with authorization of the City’s Traffic Engineer. The plan shall indicate how the developer will distribute available parking spots on site, how potential residents are informed of their parking opportunities, and any possible offsite parking arrangements for residents, etc....

On motion by Wade, seconded by Magill, 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 Rogers reported the following:

- A proposal for re-tooling the Charlottesville Housing Assistance Program will be presented on the May 16 City Council agenda for action.
- He provided feedback from a presentation at the Virginia Local Government Managers Association conference regarding Collective Bargaining as related to local governing bodies and school boards, stating that the 2020 legislative changes do not apply to elected school boards.
- Staff held a robust discussion last week with neighborhood associations.

Deputy City Manager Sam Sanders reported the following items:

- Regarding the Crescent Halls bus stop, advised that the move is on hold and he is working with JAUNT, Charlottesville Area Transit and residents to weigh options that will meet the service needs of residents.
- Regarding HOME-CDBG, staff is working on the citizen engagement plan and the task force function and representation, ensuring that they are working within objectives identified by the Department of Housing and Urban Development.

Deputy City Manager Ashley Marshall reported the following items:

- The Office of Equity and Inclusion is hosting a virtual Groundwater session in June for staff, focused on approaches to systemic racism. Consideration is being given to hosting a second session.
- From the City Treasurer, Real estate and personal property tax bills are being mailed, and the fee for electronic payments is being waived. They are working with the State Department to begin accepting applications for passports beginning July 1, 2022.
- The Office of Economic Development continues to implement the Recovery Roadmap, a plan for business recovery in Charlottesville. The Minority Business Program launched a Go-Startup cohort, a free entry level program for entrepreneurs who want to start their own businesses. May 1-7 is National Small Business Week.
- From the Department of Human Services, the Biennial Virginia Juvenile Crime Control Act funding contract was completed and submitted. The Westhaven Nursing Clinic Coordinator will be stepping down as of July 1 and recruitment will begin.

COMMUNITY MATTERS

Mayor Snook opened the floor for public comment.

1. Amanda Nelsen, city resident and professor, introduced a piece of artwork created by UVA students and ceded her time to student Johnny Lindberg who described the mural as a depiction of climate warming beginning in 1880 and going through present time. The postcards sewn together to create the mural also each express a community member's feelings about the climate crisis. He spoke in favor of a strong Climate Action Policy. Councilors followed up with questions.

There were no additional speakers.

ACTION ITEMS

2. RESOLUTION: Considering a Special Use Permit at 207 14th Street NW (1 reading)

Dannan O'Connell, City Planner, introduced the request. Staff recommended approval of the application, while the Planning Commission voted 4-2 to recommend the application be denied.

Councilor Pinkston asked a clarifying question about by-right development.

William Chapman, applicant, provided remarks regarding the proposed project and Council asked follow-up questions to Mr. Chapman and staff. After discussion the following action was taken.

On motion by Payne to DENY, seconded by Magill, Council by the following vote DENIED the Special Use Permit: 3-2 (Ayes: Magill, Payne, Snook; Noes: Pinkston, Wade).

OTHER BUSINESS

Councilor Payne requested an update on a timeline for Collective Bargaining. Mr. Rogers stated that he expects to award a contract before the end of the month and with the consultant craft an ordinance to present to Council late summer.

COMMUNITY MATTERS (2)

- John Sales, Charlottesville Redevelopment and Housing Authority Executive Director spoke in favor of Council's decision to deny the Special Use Permit at 207 14th Street NW.
- James Groves, city resident, spoke about the need for environmental sustainability action. He requested that the city stop subsidizing fossil fuels.
- Don Gathers, city resident, spoke about personal property taxes.

The meeting adjourned at 7:42 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council