

## **CHARLOTTESVILLE CITY COUNCIL MEETING**

**June 21, 2022 at 4:00 PM**

**In person: Council Chamber, 605 E. Main Street**

**Virtual/electronic: Zoom**

The Charlottesville City Council met in an electronic meeting on Monday, June 21, 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 4:05 p.m. and Deputy Clerk of Council Maxicelia Robinson noted the following councilors present: Sena Magill, Michael Payne, Brian Pinkston, Mayor Lloyd Snook, and Vice Mayor Juandiego Wade.

On motion by Pinkston, seconded by Wade, Council voted unanimously to approve the agenda, moving Item #10, Resolution “Reconstituting the Charlottesville Planning Commission and appointing or reappointing its members for staggered terms” to a future Council meeting.

### **REPORTS**

#### **1. Presentation: City-owned properties**

City Redevelopment Manager, Brenda Kelley, gave a presentation identifying the number of City-owned and jointly owned parcels located within the City and Albemarle County. Ms. Kelley explained the current challenges of managing these properties and made the following recommendations for Council approval:

- (1) Develop a standard process to address acquisition and disposition of various types of properties appropriately.
- (2) Identify a departmental staff Point of Contact for those properties that require maintenance.
- (3) City staff will identify properties that may be developable. Staff will have further discussion on the usage, restrictions, etc. of each of the City-owned properties.

Councilors expressed their desire for improved management of City-owned properties, including the development of a land use ownership policy and a standard renter’s lease for City-owned spaces. Deputy City Manager of Operations, Sam Sanders acknowledged that the City Manager’s office is pursuing a partnership with the Piedmont Land Trust in his response to Councilor Payne’s query about a City Land Bank. Mr. Sanders summarized the process for the development of a City Land Bank, highlighting the establishment and funding of the Land Bank. The City Manager’s office will provide a follow-up report(s) to Council to determine next steps for the City’s land use.

#### **2. Presentation: Rivanna Water and Sewer Authority Central Water Line Project Update**

Executive Director of the Rivanna Water and Sewer Authority, Bill Mawyer, reported on the Community Water Supply Plan and provided an overview of the Central Water Line Project. The Scope of the Project is the construction of a five-mile water transmission main to be installed under existing City streets in a segmented process in the central corridor of the City. Construction is scheduled to take place from 2024 to 2028. The City’s total cost of the Central Water Line Project is 48% of the debt service fee for the Service Authority.

Mr. Mawyer presented an analysis of five alternate routes for the Water Line Project. Due to the disadvantages identified in each of the alternate routes, Mr. Mawyer recommended the central corridor of the City as the optimal location for the construction of the project.

### **CLOSED SESSION (Boards and Commissions; legal consultation)**

On motion by Wade, seconded by Pinkston, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none;) to meet in closed session as authorized by Virginia Code Section 2.2-3711(A)(1), (A)(7) and (A)(8), for consideration of: appointments by Council to the City's planning commission and other boards and commissions; legal consultation regarding compliance with requirements of Va. Code 15.2-2212 and related ordinances and resolutions; to discuss various pending litigation matters.

On motion by Wade, seconded by Magill, 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 a quorum, City Council began the business meeting with a moment of silence.

### **ANNOUNCEMENTS**

Mayor Snook announced the Charlottesville Scholarship Program fundraising campaign. He also announced the postponement of the Planning Commission appointments to July 18.

### **RECOGNITIONS/PROCLAMATIONS**

- **PROCLAMATION: OLLI at UVA Month**

Mayor Snook proclaimed July as OLLI at UVA Month. Genevieve Baer, Taylor Strauss, and Marian Brown accepted the proclamation with remarks.

- **PROCLAMATION: Pride Month**

Councilor Magill proclaimed June 2022 as Pride Month.

### **BOARD/COMMISSION APPOINTMENTS**

On motion by Payne, seconded by Magill, Council by the following vote APPROVED the following Boards and Commissions appointments: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: None).

- **Historic Resources Committee** – Sally Duncan, Laura Knott
- **Jefferson-Madison Regional Library Board** – Lisa Woolfork
- **Region Ten Community Services Board** – Richard Stott
- **Police Civilian Oversight Board** – Dashad Cooper

- **Retirement Commission** – Ben Cullop, Al Elias, Scott Hendrix, Lindsay Ideson
- **Sister Cities Commission** – Alicen Brown, Claire Denton-Spalding, Michael Grinnell, Edward Herring, Sylvia New Strawn
- **Youth Council** – Josephine Fischman

**CONSENT AGENDA\***

Deputy Clerk Maxicelia Robinson read the following Consent Agenda items into the record:

3. MINUTES: April 4 Council meeting, April 7 budget work session, April 12 special meeting, corrected minutes from February 1, 2021
4. RESOLUTION: Appropriating the amount of \$15,000 to be expended for the Local Emergency Management Performance Grant (2nd reading)

**RESOLUTION**

**Appropriating the amount of \$15,000 to be expended for the Local Emergency Management Performance Grant (LEMPG)**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of \$7,500 in federal pass-through funds;

**WHEREAS**, the grant award covers the period from July 1, 2021 through June 30, 2022;

**WHEREAS**, the City of Charlottesville will be required to provide matching funds (\$7,500) and that amount is available within the Citywide Reserve;

**WHEREAS**, the total funds, in the amount of \$15,000, will be used to support the update and finalization of an enterprise continuity of operations plan (COOP);

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500, be received as grant funding and the sum of \$7,500, be allocated from citywide reserves and be appropriated in the following manner:

**Revenues – \$15,000**

\$7,500	Fund: 209	Internal Order: 1900471	G/L: 430120 State/Fed pass thru
\$7,500	Fund: 209	Internal Order: 1900471	G/L: 498010 Transfer from Other Funds

**Expenditures – \$15,000**

\$15,000	Fund: 209	Internal Order: 1900471	G/L: 599999 Lump Sum
----------	-----------	-------------------------	----------------------

**Transfer Sender - \$7,500**

\$7,500	Fund: 105	Cost Center: 1631001000	G/L: 561209 Transfer to State Grants
---------	-----------	-------------------------	--------------------------------------

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$7,500 from the Virginia Department of Emergency Management.

5. ORDINANCE: Amending and reordaining Chapter 31 (Utilities) of the Code of the City of Charlottesville, 1990, as amended, to establish new utility rates and service fees for City gas, water and sanitary sewer (2nd reading)

**AN ORDINANCE AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES FOR CITY GAS, WATER AND SANITARY SEWER.**

6. RESOLUTION: Approving Community Development Block Grant 2020-2021 reprogramming of the Ridge Street Priority Neighborhood fund

**RESOLUTION**

**The FY 2020-2021 CDBG Action Plan Amendment to Reprogram the Community Development Block Grant Ridge Street Priority Neighborhood Taskforce Traffic Calming Project Funds for Expenditure of CDBG Funding on or before June 30, 2022.**

**WHEREAS** on May 7, 2018, the Charlottesville City Council approved a Consolidated Plan for the City of Charlottesville and the Thomas Jefferson Planning District, covering the period from July 1, 2018 through June 30, 2023, which sets forth a plan to provide support for certain community development needs—including, but not limited to—infrastructure needs, within those jurisdictions; and

**WHEREAS** the Consolidated Plan includes a citizen participation plan, and Sec. 2-419(10) specifies that, once City Council has approved and funded a program, any reprogramming and budgetary changes will be done consistent with the approved citizen participation plan;

**WHEREAS** the Consolidated Plan is implemented during the coverage period through certain “Action Plans”, including the “FY 2020-2021 Action Plan” previously approved by resolution of City Council on May 3, 2021; and

**WHEREAS** within the FY2020-2021 Action Plan the Charlottesville Ridge Street Priority Neighborhood was selected as a designated priority neighborhood for CDBG funding from the City, in the amount of \$85,830, to plan neighborhood improvement activities in the City of Charlottesville within the Ridge Street Priority Neighborhood, with a target of June 30, 2022 for expenditure of the funding in accordance with the approved project; and

**WHEREAS** the 10<sup>th</sup> and Page Kennon Williams Design services is requesting a modification of their approved project, in order to satisfy outstanding design costs for the Jenkins Park, while allowing for the timely expenditure of all awarded funding by June 30, 2022 (“contingency plan”), and federal regulations specify that this type of modification must be approved by City Council as a minor amendment of the City’s FY2020-2021 Action Plan (“Minor Amendment of the FY2020-2021 Action Plan”); and

**WHEREAS** the requested Minor Amendment of the FY2020-2021 Action Plan does not make any change to the amount of CDBG funding previously approved for the Ridge Street Priority Neighborhood; and

**WHEREAS** this Council is satisfied by the information presented within the staff report, that the proposed Minor Amendment of the FY2020-2021 Action Plan has been brought forward in accordance with the approved citizen participation plan, as required by City Code §2-419(10); now, therefore

**BE IT RESOLVED** that the Charlottesville City Council hereby approves a Minor Amendment of the City’s FY2020-2021 Action Plan, to authorize the Reprogramming of Ridge Street Priority Neighborhood Traffic Calming funds, which will assist the Charlottesville 10<sup>th</sup> and Page in meeting CDBG timeliness goals in accordance with federal regulations set forth at 24 CFR 570.902.

- 7. RESOLUTION: Approving Community Development Block Grant – HOME Program 2022-2023 minor budget agreements
  - a. RESOLUTION: Amending HOME Investment Partnership accounts FY 2022-2023

**RESOLUTION  
AMENDING HOME INVESTMENT PARTNERSHIPS PROGRAM ACCOUNTS  
FY 2022-2023**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the HOME Investment Partnerships Program (HOME) funds on June 6, 2022; and

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the HOME 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 appropriated 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>
210	1900463	HOME Match		\$2,225.31	\$23,369.53
210	1900463	LEAP Assisted Home Performance		\$8,901.25	\$93,478.13
		<b>TOTALS:</b>			

- b. RESOLUTION: Amending Community Development Block Grant accounts FY 2022-2023

**RESOLUTION  
AMENDING COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNTS  
FY 2022-2023**

**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 on June 6, 2022; and

**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 appropriated to the respective accounts shown as

<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	1900464	Ridge ST Priority Neighborhood	\$7,981.82		\$178,394.34
218	1900465	CIC Microenterprise Scholarships	\$1,070.66		\$23,929.34
218	1900466	LEAP Workforce Development	\$1,290.36		\$28,839.64
218	1900467	PHAR Resident Involved Redevelopment	\$1,606.42		\$35,903.90
218	1900468	LVCA Workforce Tutoring	\$1,178.17		\$26,332.15
218	1900469	LEAP Solar Maintenance	\$1,723.77		\$38,526.23
218	3914001000	Administrative and Planning	\$3,712.80		\$82,981.40
		<b>TOTALS:</b>			<b>\$414,907</b>

8. ORDINANCE: Authorizing encroachment of a building constructed on property at 1622 East Market Street

**ORDINANCE AUTHORIZING ENCROACHMENT OF A BUILDING  
CONSTRUCTED ON PROPERTY IDENTIFIED ON CITY TAX MAP 56 AS  
PARCEL 117 HAVING THE ADDRESS OF 1622 EAST MARKET STREET**

9. ORDINANCE: Authorizing encroachment of a building constructed on property identified on tax map 30 as parcel 24 at the corner of Delevan Street and an unnamed 12-foot alley, together referred to as 301 7th Street SW

**ORDINANCE AUTHORIZING ENCROACHMENT OF A BUILDING  
CONSTRUCTED ON PROPERTY IDENTIFIED ON CITY TAX MAP 30 AS  
PARCEL 24 AT THE CORNER OF DELEVAN STREET AND AN UNNAMED 12-  
FOOT ALLEY**

10. RESOLUTION: Reconstituting the Charlottesville Planning Commission and appointing or reappointing its members for staggered terms (1 reading)

This item was removed during adoption of the meeting agenda.

11. RESOLUTION: Establishing a pool of funds in the amount of \$50,000, to be used for payment of refunds to licensed City businesses engaged in the same business activity as that considered by the Virginia Supreme Court on June 9, 2022 in Record Number 210414 (carried)

Mayor Snook opened the floor for public comment on the Consent Agenda.

- Tony Winter, owner of 1622 E. Market Street, requested Council's approval of Consent Agenda item #8.

On motion by Pinkston, 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 Rogers introduced the 4<sup>th</sup> Quarter budget report. He reported an approximately 14-million-dollar projected revenue surplus caused by increased tax collections and decreased expenditures. Mr. Rogers announced that the Department of Neighborhood Development continues to have a high number of job vacancies and that University of Virginia will provide staffing to assist the City in executing building permits and inspections through the fall. He noted concerns for improvements to the Downtown Mall and stated that there would be an upcoming report to Council regarding the matter.

Krisy Hammill, Budget Director, reported that increased personal property tax collections for the first half of 2022 and meals, lodging and sales taxes have contributed to the surplus. She noted that revenue from Parks and Recreation will be lower than projected because Recreations are not fully operational and that the City has received approximately \$163,000 of CARES funding from the Charlottesville City Schools to offset completed school projects that were in the Capital Improvement Plan. Ms. Hammill also noted a recent closing on a bond sale.

### **COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

1. John Hall, city resident, spoke about City transportation and transit shelters.
2. Andrew Shelton, city resident, requested that the City reopen the investigation on the city employee who attended the 2021 Insurrection at the Capitol and expressed his disagreement with the City's decision to continue to employ the individual.
3. Matthew Gillikin, city resident, expressed his lack of support for the acquisition of property at 921 East Jefferson Street.
4. Nancy Carpenter, city resident, disagreed with the acquisition of property at 921 East Jefferson Street and expressed the City's need for a year-round low-barrier emergency

shelter for men, women, and families. Ms. Carpenter recommended that Council take the following actions: (1) direct Interim City Manager Rogers to research specific transportation mechanisms to transport people from the Market Street or the Water Street garage based on age or mobility status, (2) work with the Thomas Jefferson Planning District Commission (TJPDC) to establish an emergency shelter, and (3) vote to deny the acquisition of property at 921 East Jefferson Street.

5. Katrina Turner, city resident, expressed concerns about the actions of the City employee who attended the January 6, 2021 insurrection at the US Capitol. She also asked for confirmation of whether the same employee was charged with brandishing a firearm in a separate incident and if 21 police officers took a leave of absence following the insurrection from January 5 to January 7, 2021.
6. Dede Smith, city resident, spoke in opposition of the location of the Central Water Line Project.

Mayor Snook acknowledged that he was unaware that a City employee attended the insurrection until recent weeks. He also said that five months prior to the insurrection the same employee was charged with brandishing a firearm but that the charges were dropped.

Councilor Payne stated that he too was only recently made aware through social media that a City employee had attended the insurrection.

City Manager Rogers confirmed that an internal investigation into the employee's actions is underway.

Councilor Magill noted that the Human Resources Director position was recently filled after being vacant for over a year and that city leaders are looking into implementing policies that may not have been in place before.

## **ACTION ITEMS**

### **12. PUBLIC HEARING/ORDINANCE: Considering a request for vacation and purchase of the adjacent unaccepted Right-of-Way for Oak Street at 321 6<sup>th</sup> Street (continued to July 18)**

City Attorney Lisa Robertson introduced the item, noting that the ordinance as presented would need correction prior to a Council vote; however, the public hearing could continue.

Mayor Snook opened the public hearing. With no speakers coming forward the public hearing was closed.

Councilor Magill voiced the desire to develop a policy for disposition of paper streets. Vice Mayor Wade responded that in his career as a transportation planner for the County, paper street situations were handled on a case-by-case basis and he stated that developing a policy regarding paper streets could be difficult because of varying circumstances surrounding paper streets.

Council accepted public comment from the owners of 321 6<sup>th</sup> Street, Portia Boggs and her

spouse.

City Council by unanimous consent continued this item to the July 18 Council meeting to vote on a corrected ordinance.

**13. PUBLIC HEARING/ORDINANCE: Considering a request to purchase an adjacent City Right-of-Way at 819 East Jefferson Street**

City Attorney Lisa Robertson presented the item.

Mayor Snook opened the Public Hearing.

- Tom Herring, owner of 815 East Jefferson Street, described the maintenance that has been performed on the property and discussed plans for potential changes to that portion of the property.

Mayor Snook closed the Public Hearing.

On motion by Payne, seconded by Pinkston, Council by the following vote DENIED the request to purchase an adjacent City Right-of-Way at 819 East Jefferson Street: 4-1 (Ayes: Magill, Payne, Pinkston, Snook; Noes: Wade).

**14. PUBLIC HEARING/ORDINANCE: Considering a request for the City to quitclaim its interest in a property line "gap" area at 1110 Preston Avenue**

David Jordan, surveyor for the requestors, presented the item.

Mayor Snook opened the public hearing. With no speakers coming forward the public hearing was closed.

City Attorney Lisa Robertson mentioned that the Ordinance states that the City will assume no responsibility for identifying the grantees for the quitclaim deed. The person receiving the conveyance will need to be determined before the City provides the deed.

On motion by Pinkston, seconded by Wade, Council by the following vote APPROVED the request for the City to quitclaim its interest in a property line "gap" area at 1110 Preston Avenue: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

**ORDINANCE APPROVING A QUITCLAIM OF ALL OF THE CITY'S RIGHT, TITLE AND INTEREST IN AND TO LAND SITUATED BETWEEN OR AMONG THE BOUNDARIES OF 1106 PRESTON AVENUE, 1108 PRESTON AVENUE, AND 1110 PRESTON AVENUE, UPON SATISFACTION OF SPECIFIED CONDITIONS**

**15. RESOLUTION: Acquisition of property at 921 East Jefferson Street**

Chris Engel, Director of Economic Development, presented the item.

During Council's discussion, Mr. Engel explained that the acquisition of property at 921 East Jefferson Street will help to relieve immediate parking capacity issues in the Downtown area but does not guarantee that the City will not need to revisit the option to demolish the Lucky Seven and Guadalajara buildings in the Downtown area and use the lots for surface parking.

Krisy Hammill, Budget Director, confirmed that the funds that will be used in this acquisition are bondable.

On motion by Pinkston, seconded by Wade, Council by the following vote APPROVED the acquisition of property at 921 East Jefferson Street: 4-1 (Ayes: Magill, Pinkston, Snook, Wade; Noes: Payne).

### **RESOLUTION**

#### **Approving terms for the acquisition of property at 921 East Jefferson Street by the City of Charlottesville**

**WHEREAS** GEWINN INVESTORS III, L.C. ("Owner") owns certain property known by present street numbering as 921 East Jefferson Street, Charlottesville, Virginia, designated on City of Charlottesville Real Estate Tax Map 53 as Parcel 266 (City Real Estate Tax Parcel Identification Number 530266000), and the owner has offered the property for sale; and

**WHEREAS** the City of Charlottesville ("City") is an interested purchaser of the property to be conveyed (the "Property"); and

**WHEREAS** Owner and the City have engaged in mutual discussions and have tentatively agreed to terms of a proposed agreement for the purchase and sale of the Property, including, among other terms, a purchase price of \$1,650,000, conditioned upon approval of said terms by the Charlottesville City Council; and

**WHEREAS** funds are available for the City's purchase of the Property, within Capital Improvement Fund Account P-1008; now, therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia **THAT**

1. The purchase and acquisition of the property known by present street numbering as 921 East Jefferson Street, Charlottesville, Virginia, designated on City of Charlottesville Real Estate Tax Map 53 as Parcel 266 (City Real Estate Tax Parcel Identification Number 530266000) ("Property") is hereby **APPROVED** upon the following terms:
  - a. Purchase Price: the proposed purchase price for the property is \$1,650,000;
  - b. Closing Date: closing would be scheduled to take place within 30 days of City Council's approval, within 5 days of executing a purchase agreement, the City will pay a deposit in the amount of \$25,000, to be held in escrow and which will be applied to the

Purchase Price at Closing.

- c. Clear title: at Closing, the City would receive insurable title to the Property, by special warranty deed. The Property will be acquired by the City in as-is condition.
  - d. Existing Leases: the City would agree to allow tenants currently occupying the Property pursuant to four unrecorded leases to remain on the Property through November 1, 2022, Seller will prepare an assignment of its interests in the leases to the City.
  - e. Seller Costs: Seller will pay its own attorneys fees, including preparation of the deed, preparation of a lien affidavit, costs associated with releasing deeds of trust or other existing liens, if any, and recordation taxes applicable to grantors, and other Closing documentation
  - f. City Costs: City is responsible for costs of title examination and title insurance, and all recording costs and recordation taxes other than the grantor's tax., and other Closing documentation necessary to complete the City's purchase
  - g. Taxes: Seller must pay all real estate taxes due on the Property, through the date of Closing.
  - h. Other terms: such other or further administrative, procedural or contractual provisions as deemed necessary by the City Attorney in order to effectuate a binding agreement for the purchase and sale of the Property upon the terms set forth in 1.a. through 1.g., preceding above.
2. Upon the approval of the City Attorney as to the form of a written Real Estate Purchase and Sale Agreement upon the terms stated in Section 1, above, the City Manager is hereby authorized to execute said agreement, and the City Attorney and City Manager are hereby authorized to execute any other necessary documents, in form approved by the City Attorney, as may be necessary to consummate the purchase of 921 East Jefferson Street by the City of Charlottesville upon the terms herein stated and to complete the settlement and closing of the purchase/sale transaction and the recordation of a deed conveying insurable title to the City of Charlottesville.

**16. RESOLUTION: Accepting a Donated Memorial to August 12 and establishing criteria governing the use of Downtown Mall trees**

Deputy City Manager Ashley Marshall presented the item.

Councilor Magill volunteered to serve as the Council liaison for the project. City Attorney Lisa Robertson verified that the location of the project is not considered a space of public forum and that the Resolution for this item provides parameters for future requests of a similar nature.

On motion by Payne, seconded by Pinkston, Council by the following vote APPROVED

a Donated Memorial to August 12 and establishing criteria governing the use of Downtown Mall trees: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: None).

## **RESOLUTION**

### **Accepting a Donated Memorial Titled “The Story of Us: Reclaiming the Narrative of #Charlottesville through Portraits of Community Resilience” and establishing criteria governing use of the Downtown Mall trees**

WHEREAS this City Council has been contacted by an artist who is inspired to create an interactive photographic display of scenes from August 11-12, 2017, which the artist is willing to donate to the City as a memorial (“Memorial”);

WHEREAS the components of the Memorial would be attached to various trees along the Downtown Mall, accompanied by “QR Codes” that will allow the public to listen to audio recordings of individual stories about moments captured within the photographs, and

WHEREAS City Council finds and determines that the Downtown Mall trees are a natural resource that generally should not be utilized as a location for posting of signs or exhibits; however, City Council may occasionally, by resolution, authorize the trees to be used for artwork or memorial/ commemorative displays selected by the City Council;

WHEREAS City Council has carefully considered a collection of sample/representative photographs provided by the artist offering the Memorial, and Council hereby finds and determines that the photographs (which do not depict violence) portray individuals and circumstances directly related to the City’s history, are consistent with the esthetics, history and culture of the Downtown Mall, and effectively communicate and promote City Council’s Vision of a community of mutual respect, committed to racial and cultural diversity, inclusion, racial reconciliation, economic justice, and equity; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the privately financed and donated Memorial is hereby accepted for public display within the trees on the Downtown Mall, with setup commencing on or after August 1, 2022. A volunteer member of the City Council, together with the City’s Deputy City Manager for Diversity, Equity and Inclusion, shall work with the artist as Council’s representatives, to monitor the development of the final components of the Memorial, and, in the event that the developed components of the Memorial deviate from the character of the content presented to City Council by the artist’s representative sample photographs and descriptive materials, then the representatives shall notify City Council and Council hereby reserves the right to withdraw the acceptance set forth within this Resolution if the Memorial will not satisfy the criteria set forth within this Resolution; and

BE IT FURTHER RESOLVED that henceforth, City Council may occasionally, by resolution, authorize the Downtown Mall trees to be used for artwork or memorial/ commemorative displays selected by the City Council, when such artwork or display:

- (i) communicates or promotes one or more aspects of the City Council’s Vision Statement;
- (ii) is appropriate for the Downtown Mall, or a portion thereof, based on esthetics, history

and culture, and will not harm the trees, and

(iii) is either:

(A) directly related to the City's history, or

(B) donated by an individual or organization with longstanding community ties.

## **GENERAL BUSINESS**

### **17. REPORT: Thomas Jefferson Planning District Commission hazard mitigation presentation**

Emily Pelliccia, Charlottesville Fire Department Deputy Chief introduced the presenter Ian Baxter.

Mr. Baxter stated that the purpose of the Charlottesville's Natural Mitigation Plan is to prepare for natural disasters before they occur, thus reducing loss of life, property damage and disruption of commerce. He stated that the TJPDC is accepting public comment on the Mitigation Plan through June 30. At the conclusion of the public comment period the Plan will be submitted to the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) for review and will be brought back to Council for adoption in early 2023.

## **OTHER BUSINESS**

Councilor Pinkston asked the City Manager to follow up on the maintenance of trees adjacent to Mr. Tom Herring's property.

Councilor Payne restated a request for follow-up on the Human Resources issue discussed earlier in the meeting.

## **COMMUNITY MATTERS**

- Ang Conn, city resident, voiced her concern about the homelessness crisis in Charlottesville. She asked if the City will open cooling stations and expressed her discontent with the City's decision to continue to employ the individual who attended the 2021 insurrection at the US Capitol.

The meeting adjourned at 9:08 p.m.

BY Order of City Council

BY Maxicelia Robinson, Deputy Clerk of Council