

## **CHARLOTTESVILLE CITY COUNCIL MEETING**

**March 6, 2023 at 4:00 p.m.**

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

**Virtual/electronic: Zoom**

The Charlottesville City Council met on Monday, March 6, 2023. The meeting was held in hybrid format with Council members and public seating in Council Chamber, and electronic participation on the Zoom webinar platform. Mayor Lloyd Snook called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Pinkston, seconded by Wade, Council by the following vote ADOPTED the meeting agenda: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

### **REPORTS**

#### **1. PRESENTATION: Update on Transportation Planning**

Ben Chambers, Transportation Planning Manager, made the presentation. The City's Transportation goals include:

- GOAL 1: Complete Streets
- GOAL 2: Coordination with Land Use and Community Design
- GOAL 3: Efficient Mobility and Access
- GOAL 4: Parking Supply and Management
- GOAL 5: Transit System
- GOAL 6: Regional Transportation
- GOAL 7: Sustainable Transportation Infrastructure
- GOAL 8: Infrastructure Funding

Using the 3 Cs of Transportation Planning: Comprehensive, Continuous, and Collaborative, Mr. Chambers was able to analyze the City's challenges with transportation planning. He reviewed city transportation planning activities and programs, focusing on the following topics:

- CAT Alternative Fuels Feasibility Study
- Safe Streets and Roads for All Action Plan
- Non-motorized Infrastructure Prioritization Process, and
- Dockless permit regulations revisit.

Council emphasized the need for public education on the use of dockless transportation, reporting misplaced units, and incentivizing proper use.

Mr. Chambers reviewed next steps and stated that the priority list should come before Council in Summer 2023. Council requested that the list of priorities be accessible to the public, and that regular updates on capital projects be provided to City Council.

## **CLOSED SESSION**

On motion by Pinkston, seconded by Wade, Council voted 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) to meet in closed session:

- as authorized by Virginia Code Section 2.2-3711(A)(1), to discuss the following appointments:
  1. To the Charlottesville Affordable Housing Fund Committee; and
  2. To certain board and committee seats; and
- as authorized by Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel retained by Council specifically regarding the City's collective bargaining negotiation process and subsequent agreements.

On motion by Pinkston, seconded by Payne, Council certified by the following vote: 5-0 (Ayes: Payne, Pinkston, Puryear, 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**

City Council began the Business Session by observing a moment of silence.

## **ANNOUNCEMENTS**

Councilor Payne announced that the deadline for real estate tax relief was extended to March 10.

Mayor Snook announced Fix a Leak Week.

Vice Mayor Wade announced the "My Help List" Contest by Mr. Alex-Zan.

Councilor Pinkston announced a climate action event "Acting on Climate Together" on March 15 at Carver Recreation Center.

## **RECOGNITIONS/PROCLAMATIONS**

- **PROCLAMATION: 2023 Virginia Festival of the Book, March 23-26**

Councilor Payne presented the proclamation to Kalela Williams.

- **PROCLAMATION: March for Meals Month**

Vice Mayor Wade presented the proclamation to Robin Goldstein, Executive Director of Meals on Wheels Charlottesville/Albemarle. Ms. Goldstein thanked everyone for the recognition and support.

- **PROCLAMATION: Multiple Sclerosis Awareness Month**

Councilor Puryear presented the proclamation to Ashley Collier who lives with Multiple

Sclerosis.

- **PROCLAMATION: Red Cross Month**

Councilor Pinkston presented the proclamation to Bill Brent of the American Red Cross, Charlottesville Chapter. Mr. Brent accepted and provided additional information about The American Red Cross’s partnership with the locality.

**BOARD/COMMISSION APPOINTMENTS**

Mayor Snook announced that Councilor Puryear will represent City Council on the Legislative Committee, Community Criminal Justice Board, Virginia First Cities, and the Charlottesville Community Scholarship Program. He also announced that he will represent Council on the Historic Resources Committee.

**2. RESOLUTION: Appointing CAHF Subcommittee Members and establishing staggered terms**

Deputy City Manager Sanders provided clarity regarding the appointment of one member to the open at-large community member seat.

On motion by Pinkston, seconded by Puryear, Council by the following vote rescinded the appointment of two people made on February 21 and appointed Richard Fravel to the open seat: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

**RESOLUTION**

**Appointing the membership of the Charlottesville Affordable Housing Fund Committee**

**WHEREAS** on April 4, 2022, by resolution #R-22-039 the Charlottesville City Council established a new advisory body, to be known as “The Charlottesville Affordable Housing Fund Committee”, and

**WHEREAS** City Council desires to appoint the initial membership of the committee, and to make the appointments in a manner that will stagger the initial terms; **now, therefore,**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the following individuals are hereby appointed to serve on the Charlottesville Affordable Housing Fund Committee, for the terms specified below:

Seats	Expiration of Initial Term	Name
<b>Asterisk (*) denotes eligibility requirements</b>		
At Large Community Members (3)	12/31/2025 (3 years)	Philip D’Oronzio (appointed 1/17/23)
	12/31/2024 (2 years)	S. Lisa Herndon (appointed 1/17/23)

	12/31/ 2023 (1 year)	Richard Fravel (appointed 3/6/23)
Affordable Housing Beneficiaries* (3) (*must be a current resident of an affordable dwelling unit)	12/31/2025	Open
	12/31/2024	Open
	12/31/2023	Open
City Staff* (3) (*must be a full-time city employee)	Term coextensive with time in position	Housing Program Manager (Taylor Harvey-Ryan)
	Term coextensive with time in position	Finance Director (Chris Cullinan)
	Term coextensive with time in position	Human Services Director (Misty Graves)

**BE IT FURTHER RESOLVED** that each of these appointments is made subject to the provisions of City Code Chapter 2, Article I, Sec. 2-8 (Limitation on terms of members of boards and commissions). Upon the expiration of the initial terms specified above, all appointments and re-appointments shall be for two (2) year terms. Pursuant to City Code Sec. 2-8(c), an individual initially appointed to a term of less than two (2) years may thereafter serve four complete terms of two (2) years each. City staff seats will have no term limitation.

**BE IT FURTHER RESOLVED** that, if an individual appointed to serve as an affordable housing beneficiary becomes ineligible during their appointed term, that individual's seat shall be deemed to be vacant, and City Council will appoint an eligible individual to fill the unexpired portion of the term. If an individual appointed to serve a city staff seat leaves the designated position, the person hired to fill the position will also fill the seat vacancy.

**CONSENT AGENDA\***

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

- 3. MINUTES: February 28 joint Planning Commission-City Council work session**
- 4. RESOLUTION: Appointing CDBG Task Force Members and establishing staggered terms**

**RESOLUTION**

**Appointing the membership of the Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Task Force, Pursuant to City Code Section 2-417**

**WHEREAS** City Council desires to appoint the initial membership of the reconfigured task force, and to make the appointments in a manner that will stagger the initial terms; **now, therefore,**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the following individuals are hereby appointed to serve on the CDBG and HOME Task Force, for the terms specified below:

Seats	Expiration of Initial Term	Name
<b>Asterisk (*) denotes eligibility requirements</b>		
Pursuant to City Code 2-417 (b)(1), Five (5) CDBG/HOME Area Community Members* (*must reside within a HUD-identified income eligible area AND must reside within a City-Council designated priority neighborhood). These Neighborhoods are as follows:	Term Options: 12/31/25 (3 years) (1) 12/31/24 (2 years) (2) 12/31/23 (1 year) (2)	
Belmont Neighborhood	Select Term: 1yr; 2yrs; 3yrs	Open
Fifeville Neighborhood	12/31/2025	Jacquana Mason
10 <sup>th</sup> & Paige Neighborhood	Select Term: 1yr; 2yrs; 3yrs	Open
Ridge Street Neighborhood	Select Term: 1yr; 2yrs; 3yrs	Open
Rose Hill Neighborhood	12/31/2024	Sylethia Carr
At-Large Community Member (1)	12/31/2025	Helen Sporkin
Charlottesville Planning Commission Representative (1)	Term is coextensive with Planning Commission appointment	Phil D’Oronzio
School Board Representative (1)	Term is coextensive with School Board appointment	James Bryant
Public Service Program Representative* (1) (*must be a member of the governing board of the	12/31/2023	Connor Brew

**BE IT FURTHER RESOLVED** that each of these appointments is made subject to the provisions of City Code Chapter 2, Article XIII, Sec. 2-417 (Community development block grant and HOME task force). Upon the expiration of the initial terms specified above, all subsequent appointments and re-appointments shall be for terms of three years each. Pursuant to City Code Sec. 2-8(c), an individual initially appointed to a term of less than three years may thereafter serve two complete terms of two (2) years each.

**BE IT FURTHER RESOLVED** that, if an individual appointed to serve as an affordable housing beneficiary, an at-large community member or a public service program representative, becomes ineligible during their appointed term, that individual’s seat shall be deemed to be vacant, and City Council will appoint an eligible individual to fill the unexpired portion of the term.

**5. RESOLUTION: Re-establishing term dates for Police Civilian Oversight Board**

**RESOLUTION**

**Establishing the City Council’s February 21, 2023, Appointments to the Police Citizen Oversight Board (PCOB) and Confirming the Terms for PCOB Members on a Staggered Schedule, Pursuant to City Code Section Sec. 2-453**

**WHEREAS** City Council appointed members to the City’s PCOB on February 21, 2023, and such appointments are in compliance with City Code Sec. 2-453; and

**WHEREAS**, City Council desires to establish through Resolution the appointments and the respective terms of each appointed member; and

**WHEREAS**, the City Council seeks to stagger the terms; **now, therefore**,

**BE IT RESOLVED** by the Council of the City of Charlottesville that the following individuals are hereby appointed to serve on the PCOB, for the terms specified below:

<b>Seats</b>	<b>Term Expiration</b>	<b>Name</b>
<b>Asterisk (*) denotes eligibility requirements</b>		
The board shall reflect the demographic diversity of the City with seven (7) voting members and one (1) non-voting member pursuant to City Code Sec. 2-453 (b).	Three (3) year terms. Appointments and terms shall be subject to City Code Sec. 2-8.	
<b>Community Resident Member A</b> pursuant to City Code Sec. Sec. 2-453 (b)(1).	8/31/2026	Charles Fleming
<b>Community Resident Member B</b> pursuant to City Code Sec. Sec. 2-453 (b)(1).	8/31/2024	Lakeshia Washington
<b>Community Resident Member C</b> pursuant to City Code Sec. Sec. 2-453 (b)(1).	8/31/2024	James Watson
<b>Social Justice Organization Member</b> pursuant to City Code Sec. Sec. 2-453 (b)(2).	8/31/2026	Patricia Jones Turner
<b>City Resident At-Large Member A</b> pursuant to City Code Sec. Sec. 2-453 (b)(4).	8/31/2026	Susan Krischel

<b>City Resident At-Large Member B</b> pursuant to City Code Sec. Sec. 2-453 (b)(4).	8/31/2024	William Mendez
<b>City Resident At-Large Member C</b> pursuant to City Code Sec. Sec. 2-453 (b)(4).	8/31/2024	Jeffrey Fracher
<b>City Non-Voting Member</b> pursuant to City Code Sec. Sec. 2-453 (b)(3).	8/31/2026	George Dillard

**BE IT FURTHER RESOLVED** that each of these appointments is made subject to the provisions of City Code Chapter 2, Article XVI (Police Civilian Oversight Board). Upon the expiration of the terms specified above, all subsequent appointments and re-appointments shall be for terms of three years each. Pursuant to City Code Sec. 2-8(c), an individual initially appointed to a term of less than three years may thereafter serve two complete terms of three (3) years each.

**BE IT FURTHER RESOLVED** that, if an individual appointed to serve as a Community Resident Member, City Resident At-Large Member or a Social Justice Organization Member, becomes ineligible during their appointed term, that individual's seat shall be deemed to be vacant, and City Council will appoint an eligible individual to fill the unexpired portion of the term.

**6. RESOLUTION: Appropriating funds for reimbursement of United Way Community Resource Hotline Staff Costs - \$45,559.02 (2nd reading)**

**RESOLUTION**

**Appropriating the Amount of \$45,559.02 Received from The United Way, as reimbursement of Community Resource Hotline Staff Costs and Emergency Hotel Stays**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received reimbursement from the United Way of Greater Charlottesville in the amount of \$45,559.02;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$45,559.02 is hereby appropriated in the following manner:

**Revenues**

\$40,557.19 Fund: 213 Cost Center: 3411001000 G/L: 451022

\$5,002.83 Fund: 213 Cost Center 3411002000 G/L: 530102

**Expenditures**

\$40,557.19 Fund: 213 Cost Center: 3411001000 G/L: 599999

\$5,002.83 Fund: 213 Cost Center: 3411002000 G/L: 530102

**7. RESOLUTION: Considering a Critical Slope Waiver Application request at 1000 Cherry Avenue (Buford Middle School)**

**RESOLUTION**

**Granting a critical slope waiver for the properties located at 1000 Cherry Avenue**

**WHEREAS** The City of Charlottesville (“Landowner”) is the owner of certain land identified within the City of Charlottesville Real Estate Assessor’s records as Tax Map and Parcel Nos. 230192000, said parcels having current street addresses of 1000 Cherry Avenue (collectively, the “Subject Property”); and

**WHEREAS** the Subject Property contains critical slopes, over and within an area of approximately 1.55 acres, which is approximately 8.22% of the combined area of the Subject Property, and Landowner is requesting a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6)(b), in connection with the Owner’s plan to renovate and expand Buford Middle School and surrounding infrastructure on the Subject Property (the “Project”); and

**WHEREAS** the Project is described in more specific detail within the application materials submitted in connection with waiver application no. P22-0132, as required by City Code §34-1120(b)(6) (collectively, the “Application Materials”); and

**WHEREAS** the Planning Commission considered and recommended approval of this application at their February 14, 2023, meeting, subject to one condition proposed within the Staff Report, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that a waiver is hereby granted of the critical slopes requirements for the Project, to allow for the renovation and expansion Buford Middle School and surrounding infrastructure as described within the Application Materials, subject to the following condition:

(1) The applicant will work with the City’s Urban Forester on tree preservation and replanting.

**8. RESOLUTION: Settlement for Opioid Related Claims (carried)**

**9. BY MOTION: Approving disposition of wood from Downtown Mall trees**

Mayor Snook opened the floor for public comment on the Consent Agenda. No speakers came forward.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) ADOPTED the Consent Agenda.

**CITY MANAGER REPORT**

Interim City Manager Rogers reported on the Employee Compensation Study and stated that the progress will take a while longer than the previously announced February 15 completion date. He acknowledged incidents of gun violence and the efforts of the police department. He stated that



Chief Kochis is looking into an emergency alert program for the city organization, and the Information Technology Department will look into alerts for citizens. He mentioned that the airport is extending service with new airlines. Mr. Rogers noted that collective bargaining will kick off later in Spring and that the Downtown Mall Committee had a productive meeting.

Mr. Sanders reported on SPCA concerns and plans to have the organization provide a report to City Council.

## **COMMUNITY MATTERS**

1. Downing Smith, city resident, thanked Mr. Rogers and the current City Council for putting the city on the right path. He urged Council to consider Mr. Rogers for the City Manager position. He spoke about poor treatment of police and requested a Police Appreciation Day and reinstating National Night Out. He spoke in support of The BUCK Squad and utilizing speed cameras around schools.
2. Dave Norris, city resident, spoke about the city's Zoning Ordinance as related to distribution of poverty and inequity in opportunity. He urged Council to insist on strong affordability provisions as they increase density in the city.
3. Elizabeth Stark, city resident, spoke about the impact of Pathways rent relief funds on residents and about the need for density in the upcoming Zoning rewrite.
4. Emily Smith, housing attorney with Legal Aid Justice Center; speaking on behalf of CLIHC (Charlottesville Low Income Housing Coalition), recommended more density in \_\_\_neighborhoods; more height; more affordability.
5. Laura Goldblatt, city resident, spoke about human impact of zoning. Using zoning to increase diversity, density and affordability.

## **ACTION ITEMS**

### **10. ORDINANCE: Re-precincting the City of Charlottesville (2nd reading)**

Taylor Yowell, Voter Registrar, stated that she received three concerns during the public comment period from concerned citizens. She reported on public education and awareness efforts and stated that the benefits outweigh the loss of a small amount of walkability.

Anne Hemenway, Electoral Board, spoke about benefits of bringing on several schools as precincts.

Katrina Callsen, attorney, stated that although names of schools may change, there would be no need to bring the item forward for Council action because of a name change since the location remains the same. The new precincts will go into effect April 7, 2023.

Councilors suggested a public education campaign if schools undergo name changes.

On motion by Pinkston, seconded by Wade, Council by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) APPROVED the ordinance.

**ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 9 (ELECTIONS),  
SECTION 9-1 (DESIGNATION AND BOUNDARIES OF WARDS),  
SECTION 9-27 (FIRST WARD), SECTION 9-28 (SECOND WARD),  
SECTION 9-29 (THIRD WARD),  
AND SECTION 9-30 (FOURTH WARD),  
TO CHANGE THE PRECINCT BOUNDARIES AND VOTING PLACES.**

**WHEREAS**, pursuant to Va. Code Section 24.2-307, City Council must be notified and undertake a precinct boundary revision process whenever the number of voters who voted in a precinct in an election for President of the United States exceeds 4,000, and

**WHEREAS**, the Johnson precinct in Charlottesville exceeded 4000 voters in a presidential election and several other precincts approached the same threshold, and

**WHEREAS**, large increases in voter registration since 2010 have created consistent logistical issues with two current polling places, Tonsler and Alumni Hall, and

**WHEREAS**, in 2021 and 2022 a Reprecincting Committee consisting of several community members, the Electoral Board Chair and the City Registrar, met to discuss the current polling places, number of voters at those places, where the population growth has occurred since 2010, where development was either underway or in the proposal state, and possible new polling places, and

**WHEREAS**, the Reprecincting Committee arrived at the attached proposed Map which eliminates Tonsler and Alumni Hall as polling places, proposes Jackson Via Elementary School and Charlottesville High School as new polling places, redraws precinct boundaries to distribute voters among the precincts, and amends ward descriptions to encapsulate those changes, and

**WHEREAS**, City Council had a first reading of the proposed ordinances changes during a public meeting held on January 17, 2023, and

**WHEREAS**, pursuant to Va. Code Section 24.2-129(B), City Council and the General Registrar accepted public comment via mail, email, fax, phone, or in person for a period greater than 30 days to allow the public the opportunity to provide input on the Map and proposed changes, and

**WHEREAS**, pursuant to Va. Code Section 24.2-129(B), City Council held a public hearing on February 6, 2023 to give the public an opportunity to comment on the Map and proposed precinct changes, and

**WHEREAS**, the Public Hearing and Public Comment Period were widely advertised to the public to promote participation, and

**WHEREAS**, no further amendments or changes were recommended for approval by City Council.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the City of Charlottesville's shall amend and re-ordain Chapter 9 (Elections) of the City Code to reflect the proposed Map which eliminates Tonsler and Alumni Hall as polling places, proposes Jackson Via Elementary School and Charlottesville High School as new polling places, redraws precinct boundaries to distribute voters among the precincts, and amends ward descriptions to encapsulate those changes.

**BE IT FURTHER ORDAINED** by the Council of the City of Charlottesville, Virginia that, pursuant to Va. Code Section 24.2-129(C), these precinct changes shall be published on the City of Charlottesville's web site and in the Daily Progress, and a 30 day waiting period will occur prior to enactment to allow affected voters to bring legal challenge.

**BE IT FURTHER ORDAINED** by the Council of the City of Charlottesville, Virginia that these ordinance changes shall be effective on April 7<sup>th</sup>, 2023.

**BE IT FURTHER ORDAINED** by the Council of the City of Charlottesville, Virginia that, after enactment, notice will be provided to all affected voters through direct mail, and

**BE IT FURTHER ORDAINED** by the Council of the City of Charlottesville, Virginia that, after enactment, the City and the General Registrar will comply with all relevant statutes and ensure proper notice and filing of precinct changes with applicable local and state departments.

**11. RESOLUTION: Appropriating funding from the Virginia Land Conservation Fund for Moores Creek Parkland Acquisition - \$175,000 (1 of 2 readings)**

This item was moved to a future meeting at staff request

**GENERAL BUSINESS**

**12. PRESENTATION: Presentation of the Charlottesville City Schools Fiscal Year 2024 Annual Budget proposal**

James Bryant, School Board Chair and Dr. Royal Gurley, Superintendent, presented the City Schools FY 2024 Annual Budget proposal with the following priorities:

- Building Up Foundational Skills
- Supporting Social, Emotional, and Mental Health for Students & Staff
- Meeting or Exceeding Competitive Staff Compensation & Benefits

Mr. Bryant emphasized the positive outcomes from collaboration and addressing needs from a holistic view.

In response to questions from Council, Ms. Renee Hoover, Director of Finance for Charlottesville City Schools addressed the funding error made at the State level and advised that the FY24 budget was built on the Governor's budget; Dr. Gurley stated that collective bargaining will not have an impact on the current budget; and Dr. Gurley shared data regarding students

using English as a Second Language services. Councilors commended the continuity of workforce development programming at CATEC and in the schools.

### **13. PRESENTATION: City Manager Presentation of the Proposed Fiscal Year 2024 City Budget**

Interim City Manager Michael C. Rogers introduced the budget presentation.

Krisy Hammill, Budget Director, demonstrated the interactive budget book on the City website at [www.Charlottesville.gov/budget](http://www.Charlottesville.gov/budget).

Mr. Rogers highlighted major budget themes:

- Strong Support for City Schools
- Furthers Council Priorities
- Invests in City Employees
- Preserves Quality Services
- Focuses on Organizational Improvements and Efficiencies
- Maintains all current tax rates

Ms. Hammill reviewed the Capital Improvement Program and shared the upcoming budget work session dates.

### **COMMUNITY MATTERS (2)**

Mayor Snook opened the floor for comments from the public.

- Andrea Massey, city resident, spoke in support of the recommendations from CLIHC for deeply affordable housing; more density in historically exclusionary neighborhoods; and increased height in more neighborhoods, tax abatements for affordable units and encouraging partnership with voucher providers.
- Joy Johnson, city resident, spoke in support of recommendations from CLIHC. She asked for definition of "affordable housing".

### **ADJOURNMENT**

Mayor Snook adjourned the meeting at 8:25 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council