

## **CHARLOTTESVILLE CITY COUNCIL MEETING**

**April 17, 2023 at 4:00 p.m.**

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

**Virtual/electronic: Zoom**

The Charlottesville City Council met on Monday, April 17, 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 all councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Pinkston, seconded by Payne, Council unanimously ADOPTED the meeting agenda.

### **REPORTS**

#### **1. PRESENTATION: CATEC presentation by Dr. Royal Gurley**

Dr. Royal Gurley, Charlottesville City Schools Superintendent, provided an update on the transition plan for CATEC (Charlottesville-Albemarle Technical Education Center).

To ensure a smooth transition, Dr. Gurley stated that he has established regular meetings with Dr. Matthew Haas, Superintendent of Albemarle County Schools, and subcommittees have been formed to work on various components of the transition plan: finance, human resources, instruction and partnership, infrastructure/facilities, information technology, staff transition planning, programming for students, etc. He noted that CATEC Director Stephanie Carter, who is part of the transition team, tendered her resignation on April 14. The plan is to leave the name CATEC and change the "A" to "Area" and the desire is for there to be no disruptions for Albemarle County Public Schools and Charlottesville City Schools students and CATEC staff.

Dr. Gurley answered questions from Council regarding the sequence of events, course offerings, localities served, demand for services, how the situation occurred, and how to move forward should Albemarle County choose to pull their students from programming.

Kim Powell, Chief Operating Officer for Charlottesville City Schools, answered questions about budget projections. She stated that adult programming is self-sustaining.

Mayor Snook expressed concern about the sustainability of student programming at a cost that does not include operational costs. Councilor Pinkston expressed concern about the need to enhance services related to adult CTE (Career Technical Education). Mayor Snook suggested a joint task force made up of various entity representatives. Councilor Puryear stated that the

existing workgroups could address the topics and report periodically.

Mayor Snook invited the following individuals to speak:

- Grant Tate recommended envisioning CATEC as a Charlottesville facility with a main goal of serving Charlottesville city students, allowing bids from others who want seats. He also suggested that CATEC-like buildings should house laboratories and facilities that would not go into today's schools in order to provide learning environments that prepare for the evolving jobs of the future.
- Richard Brewer, CATEC Foundation Board member, suggested investment in business outreach to help fund CATEC programs, noting a significant caregiver shortage in the area.
- James Bryant, School Board Chair, thanked City Council and Mr. Rogers for moving the initiative forward. He emphasized his long-standing advocacy for CATEC programming and providing options for students.

## **CLOSED SESSION**

On motion by Pinkston, seconded by Payne, 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)(7), to have consultation with legal counsel pertaining to actual litigation scheduled for trial, and Virginia Code Section 2.2-3711(A)(8) to receive advice of legal counsel related to recent court decisions.

On motion by Pinkston, seconded by Payne, Council certified by a vote of 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 with a moment of silence.

## **ANNOUNCEMENTS**

Mayor Snook announced that the Federal Department of Transportation and the Pipeline and Hazardous Materials Safety Administration presented a grant to Charlottesville in the amount of \$7.1 Million for completing infrastructure repairs and modernization of the existing gas system to enhance its safety.

Vice Mayor Wade announced the upcoming Tom Tom Festival activities.

**CONSENT AGENDA\***

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

2. MINUTES: March 29 Joint work session with the Planning Commission, March 30 budget work session, April 6 budget work session, April 11 special meeting
3. ORDINANCE: Consideration of a Zoning Text Amendment – Planned Unit Developments – Development Size for Urban Corridor Mixed Use District (URB) (2nd reading)

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, TO REMOVE A MINIMUM ACREAGE REQUIREMENT FOR PLANNED UNIT DEVELOPMENTS WITHIN PARCELS ZONED URBAN CORRIDOR**

4. RESOLUTION: Appropriating funding for the Runaway Emergency Shelter Program Grant - \$209,444 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS for  
Runaway Emergency Shelter Program  
\$209,444**

**WHEREAS**, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$9,444 provided by the Human Services Fund and in-kind match of \$12,778 provided by ReadyKids;

**WHEREAS**, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between the Human Services Department and ReadyKids. The grant award covers the period from September 30, 2022 through September 29, 2023;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$209,444 is hereby appropriated in the following manner:

**Revenue – \$209,444**

\$200,000	Fund: 211	Internal Order: 1900447	G/L Account: 431110
\$ 9,444	Fund: 211	Internal Order: 1900447	G/L Account: 498010

**Expenditures - \$209,444**

\$ 69,948	Fund: 211	Internal Order: 1900447	G/L Account: 519999
\$125,000	Fund: 211	Internal Order: 1900447	G/L Account: 530010
\$ 14,496	Fund: 211	Internal Order: 1900447	G/L Account: 599999

**Transfer - \$9,444**

\$ 9,444	Fund: 213	Cost Center: 3413003000	G/L Account: 561211
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

**5. RESOLUTION: Appropriating funding from the Batten Family Fund Grant Award - \$40,000 (2nd reading)**

**RESOLUTION APPROPRIATING FUNDS for  
Batten Family Fund Award  
\$40,000**

**WHEREAS**, the City of Charlottesville has been awarded \$40,000 from the Batten Family Fund;

**WHEREAS**, the funds will be used to support C.A.Y.I.P., a program operated by the Department of Human Services. The grant award covers the period from November 1<sup>st</sup>, 2022 through October 31<sup>st</sup>, 2023;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$40,000 is hereby appropriated in the following manner:

**Revenue – \$40,000**

Fund: 213	Cost Center: 3413003000	G/L Account: 451020
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**Expenditures - \$40,000**

Fund: 213	Cost Center: 3413003000	G/L Account: 530450
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$40,000 from the Batten Family Fund.

6. ORDINANCE: Adopting a new fee schedule for building permits and related fees (2nd reading)

**AN ORDINANCE APPROVING AND ADOPTING A NEW FEE SCHEDULE FOR BUILDING PERMIT AND RELATED FEES ASSOCIATED WITH PERMITS ISSUED UNDER THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE**

7. RESOLUTION: Supplemental Appropriation of Federal Transit Operating and State and Federal Capital Grants - \$7,886,856 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS FOR  
Federal Transit Operating Grants  
\$7,886,856**

**WHEREAS**, State Operating Grant of **\$3,231,065**, which is **\$656,581** greater than the adopted FY23 for the City of Charlottesville; and

**WHEREAS**, Federal Operating Grant of **\$4,939,780**, which is **\$938,323** greater than the adopted FY23 for the City of Charlottesville; and

**WHEREAS**, The FY23 Federal Operating Grant has been awarded to Jaunt in the amount of **\$2,290,495**; these funds must pass through the City of Charlottesville as required; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner, contingent upon receipt of the grant funds:

**Revenue (Operating)**

\$ 656,581	Fund: 245	Cost Center: 2801003000	G/L: 430080 State Assistance
\$ 938,323	Fund: 245	Cost Center: 2801003000	G/L: 431010 Fed Assistance
\$4,001,457	Fund: 245	Internal Order: 2200073	G/L: 431010 Federal Grants

**Expenditures (Operating)**

\$1,574,904	Fund: 245	Cost Center: 2801003000	G/L: 599999 Lump Sum
\$4,001,457	Fund: 245	Internal Order: 2200073	G/L: 599999 Lump Sum

**Revenue (JAUNT)**

\$ 956,676	Fund: 245	Cost Center: 2821002000	G/L: 431010 Federal Grants
\$1,333,819	Fund: 245	Internal Order: 2200074	G/L: 431010 Federal Grants

**Expenditures (JAUNT)**

\$ 956,676	Fund: 245	Cost Center: 2821002000	G/L: 540365 JAUNT Payment
\$1,333,819	Fund:245	Internal Order: 2200074	G/L: 540365 JAUNT Payment

**BE IT FURTHER RESOLVED**, that this appropriation is conditional upon the receipt of additional **\$7,230,275** from the Federal Transit Administration and additional **\$656,581** from the Virginia Department of Rail and Public Transportation.

- 8. RESOLUTION: 2023 City Climate Protection Program – Program Support Grant with LEAP - \$78,833 (carried)
- 9. RESOLUTION: Ratifying Resolution #R-23-042 approved on April 3, 2023, to reflect funding appropriated from the Land and Water Conservation Fund for Moores Creek parkland acquisition, as the resolution included in the meeting materials was a duplicate of the Virginia Land Conservation Fund resolution. Accounting remains the same.

**RESOLUTION APPROPRIATING FUNDS from the  
Land and Water Conservation Fund for Moores Creek Land Acquisition  
\$175,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded funding from the Land and Water Conservation Fund to acquire land along Moores Creek

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$175,000 is hereby appropriated in the following manner:

**REVENUE**

\$175,000	Fund: 426	WBS: PR-001	G/L Account: 430080
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**EXPENDITURES**

\$175,000	Fund 426	WBS: PR-001	G/L Account: 599999
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$175,000 from the Virginia Land Conservation Land and Water Conservation Fund.

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

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

## **CITY MANAGER REPORT**

Krisy Hammill, Director of Budget, provided the city's quarterly financial report, stating that revenues are still performing well and there may be expenditure savings.

Treasurer Jason Vandever reviewed investment policy guidelines, monthly cash balance by investment type, managed investments portfolio composition, and managed portfolio maturity distribution and yields.

Deputy City Manager Sam Sanders reported on actions related to the Charlottesville-Albemarle SPCA (Society for the Prevention of Cruelty to Animals), stating that the city and county are aligning efforts.

## **COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

1. Sarah Lloyd, Albemarle County resident, expressed concerns about animal and staff welfare at the CASPCA. She stated that City Council should have a seat on the SPCA Board of Directors.
2. Traci Griggs, Gordonsville resident and volunteer at CASPCA, expressed concerns about the CASPCA.
3. Juliet Lunka, Albemarle County resident, stated that she created the petition for the removal of the CASPCA CEO. She described concerns about CASPCA operations and transparency.
4. Tracey Missett, Albemarle County resident and volunteer at CSPCA, thanked the city for efforts to address the situation at the SPCA. She stood in support of concerns expressed about the CASPCA.
5. Kathleen Glenn-Matthews, city resident and Deputy Director of the Charlottesville Redevelopment and Housing Authority, spoke in support of city investment in the purchase of Dogwood Properties to benefit the affordable housing initiative.
6. Jessica Durand, UVA, encouraged the city to transition from diesel buses to electric buses without a middle step of transitioning to compressed natural gas.
7. Kate Fraleigh, city resident, spoke in opposition to the planned project for the Albemarle Charlottesville Regional Jail.
8. Josie Drumheller, first year student at UVA and lifelong resident of Albemarle County, spoke about the preservation of the city's tree canopy.
9. Abigail Corish, UVA student, spoke about the reduction of greenhouse gas emissions by encouraging mass electric public transit. She spoke in opposition to converting to compressed natural gas buses, and she suggested using an electric fleet for the school system.
10. Marisa Yamamoto, UVA student, spoke in support of preserving Charlottesville's tree canopy.

11. Nick Kaperday, UVA student, spoke in support of alternative fuel for mass transportation to reduce greenhouse gases, and suggested using an electric fleet for the school system.
12. Leoni Hermann, UVA student, spoke about the creation of a more walkable and bikeable city to have a positive impact on the environment and on the health and wealth of residents.
13. Laura Anderson, county resident, spoke about CASPCA concerns and the value of volunteer support.
14. Dalanda Diallo, UVA student, spoke in support of reforming the gas utility program. She also suggested modifying and incentivizing renewable energy in City Schools.
15. Alice Washington, city resident, spoke about housing issues in the city and housing for the homeless population. She spoke in support of the proposed purchase of Dogwood Properties housing.
16. Joseph Benacio, UVA student, addressed the city's efforts concerning bicycle and pedestrian infrastructure. He requested further action, budgeting, and requests for proposals to meet transportation goals.

## **ACTION ITEMS**

### **10. RESOLUTION: Resolution to appoint an Executive Director to the Police Civilian Oversight Board**

Deputy City Manager Ashley Marshall described the process for hiring an executive director for the Police Civilian Oversight Board (PCOB) and presented the request to hire Inez Gonzalez, with an expected start date of May 1.

PCOB Chairperson Bill Mendez spoke about qualifications that made Ms. Gonzalez the top candidate.

On motion by Pinkston, seconded by Wade, Council APPROVED the hiring of Inez Gonzalez as the Charlottesville PCOB Executive Director by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

### **11. ~~ORDINANCE: Resolution to approve the Thomas Jefferson Planning District Commission 2023 Regional Natural Hazard Mitigation Plan update (1 reading; deferred from April 3)~~**

This item was pulled to be presented at future meeting

### **12. RESOLUTION: Resolution to award FY23 Charlottesville Affordable Housing Funds (CAHF) (carried)**

Alex Ikefuna, Director of the Department of Community Solutions, introduced the item which recommended allocating \$835,000 in housing funds to five projects, with five separate resolutions:

1. Charlottesville Redevelopment and Housing Authority; Public Housing HVAC Equity Project - \$187,500
2. Community Services Housing, Inc.; Rehabilitation Repairs to Preserve Community Services Housing Properties -\$67,806
3. Habitat for Humanity of Greater Charlottesville; Transitions to Homeownership 2023 - \$225,000
4. Piedmont Housing Alliance; Anti-displacement through Prospect Homeownership - \$167,972
5. Virginia Supportive Housing; Premier Circle PSH - \$186,722, with the condition that all funding be allocated to capital expenses only (no administrative/operating funding)

Council unanimously agreed to carry the resolutions to May 1 for second reading and vote.

**13. RESOLUTION: Resolution to Rescind City’s Procedures for Restricting Meeting Attendance and the Use of City Facilities in Response to the Coronavirus Pandemic**

Mr. Sanders presented a plan to rescind the city's meeting room procedures put in place to mitigate risks associated with coronavirus, as the Biden Administration rolls back Coronavirus protocols on May 11. The resolution would be effective May 1, 2023.

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

**RESOLUTION**

**Ending the City’s Procedures for Restricting Meeting Attendance and the Use of City Facilities in Response to the Coronavirus Pandemic**

WHEREAS on March 12, 2020, with the consent of City Council, the City Manager declared a local state of emergency, based on the threat presented by the Coronavirus pandemic (“COVID-19”) to the public health and safety of residents in the City of Charlottesville; and

WHEREAS on September 6, 2022, with the consent of the City Council, the City Manager ended the March 12, 2020, local state of emergency and established by Resolution #R- 22-110 that normal governmental authority was resumed in accordance with the provisions of subparagraph C of Virginia Code §2.2-3708.3; and

WHEREAS by Resolution #R-22-110, City Council directed the City Manager to prepare and adopt standard operating procedure(“SOP”), setting forth protocols to govern how virtual and hybrid meetings would be handled to mitigate the potential spread of COVID-19; and

WHEREAS the City adopted “COVID-19 Meeting Space Policies” for City Council Chambers and City Space directing the use of such facilities; and

WHEREAS the Center for Disease Control indicates that the Covid-19 community levels in Charlottesville and Albemarle are considered low and it is proper to remove the Covid-19 meeting polices previously adopted and for City Council meetings and other Boards and Commission to return to in-person meetings with hybrid citizen participation as authorized by the City Manager; and

WHEREAS in the judgment of City Council that the previous emergency actions concerning meeting spaces are no longer required and it is right and proper to hold in person meetings in accordance with applicable federal, state and local laws and regulations; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT EFFECTIVE MAY 1, 2023:

1. The City Manager is authorized to repeal and/or remove all procedures and protocols adopted to limit in person meetings and the use of City facilities in response to the COVID-19 pandemic; and
2. The City's various Boards and Commission are directed to return to in person meetings which are open to the public in accordance with federal, state and local laws and regulations; and
3. The City Manager is hereby directed and authorized to develop a list of City Public Meetings which are allowed to offer "hybrid" citizen participation both in person and electronically in accordance with City staff capacity and resources.

**14. RESOLUTION: Resolution to appropriate \$5,000,000 to Charlottesville Redevelopment and Housing Authority for acquisition of Dogwood Properties (2nd reading)**

Deputy City Manager Sanders presented the request for the City to provide \$5 Million capital investment in exchange for a 50% interest in a 74-unit affordable housing portfolio. There will be a mortgage on the property because CRHA is using a \$5 Million interest-free loan from a private party to finance the remainder of the cost and make it possible for this transaction to occur, with monthly payments expected to commence after a three-month grace period.

CRHA will execute an agreement with the City that requires the following:

- An annual report to City Council by January 31 of each calendar year providing details of the ongoing ownership of the portfolio;
- Include with the Dogwood portfolio an update on the Montrose and Coleman properties which were acquired in the Fall;
- Ensure that the Dogwood portfolio will be included for evaluation in the Sustainability Plan that is set to be completed Summer 2023; and

- Cause the separation of this portfolio's financial operations from other CRHA assets with its asset-based management system;
- CRHA will be provided a 10% monthly management fee of rents collected, which is to cover leasing financing, finance services, auditing, and administration charges;
- CRHA will charge the portfolio for monthly water, sewer and trash services versus having those apply to individual units.
- The City will retain the first right of refusal on the half interest held by CRHA, meaning that any changes to the ownership of the portfolio would need to come before City Council; and
- Any physical material changes beyond regular maintenance would be required to come to City Council.

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

### **RESOLUTION**

#### **Appropriating \$5,000,000 to CRHA to support the acquisition of the Dogwood Properties Portfolio as permanent units of affordable housing**

WHEREAS pursuant to Virginia Code §36-19 (2) and (4) the Charlottesville Redevelopment and Housing Authority has the power and authority to acquire real estate for residential use, and to operate buildings for residential occupancy; and

WHEREAS pursuant to Virginia Code §36-6 and §36-7 the City of Charlottesville is authorized to acquire property in partnership with CRHA that enables CRHA to carry out its purposes; and

WHEREAS CRHA is requesting the City Council to provide the amount of \$5,000,000 to fund the acquisition of residential properties within a scattered site portfolio referred to as Dogwood Properties; and

WHEREAS City Council requires the recording of ½ interest in each unit of the portfolio with the funding to be used with other private funding to acquire all the dwelling units that will be permanently reserved for use as affordable dwelling units; and

WHEREAS City Council requires the first right of refusal to acquire the CRHA's half interest in the Dogwood Properties Portfolio before conveyance of any unit to another potential owner; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT the amount of \$5,000,000 is hereby appropriated to the Charlottesville Redevelopment and Housing Authority ("CRHA") for use in acquiring the land and buildings (together, "Real Estate") for the Dogwood Properties Portfolio from Woodard Properties. It shall be a condition of this capital investment that, the City of Charlottesville and the CRHA be equal co-owners of

the Real Estate and that the CRHA and the City shall designate the Real Estate exclusively for affordable dwelling units and other contributing residential uses. The City Manager is hereby authorized to develop and execute an agreement with the CRHA, including a first right of refusal to purchase CRHA's interest, if necessary, and to acquire title to the Real Estate for the purposes herein.

**Revenues**

\$5,000,000            Fund: 426        Project P-00937                            G/L Account:: 499010

**Expenditures**

\$5,000,000            Fund: 426        Project P-00937                            G/L Account:: 499010

**GENERAL BUSINESS**

**15. WRITTEN REPORT: Rivanna Authorities Quarterly Report**

Mayor Snook acknowledged the quarterly written report submitted by the Rivanna Authorities.

**COMMUNITY MATTERS (2)**

Mayor Snook opened the floor for comments from the public.

- Dede Smith, city resident, spoke about the RWSA increasing water rates due to the Capital Improvement Program.
- Brandon Collins, city resident and employee of CRHA (Charlottesville Redevelopment and Housing Authority), applauded the city for the investment in Dogwood Properties. He shared information about where CAHF (Charlottesville Affordable Housing Fund) funding will be applied for CRHA. He applauded the CRHA for its leadership and its recognition of resident leadership.
- Joy Johnson, city resident, thanked Council for voting in approval of the acquisition of Dogwood Properties. She spoke in support of CRHA efforts under the leadership of Executive Director John Sales.
- John Sales, Executive Director of the CRHA thanked City Council for their support.

The meeting adjourned at 8:21 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council