

CERTIFICATIONS

CITY COUNCIL AGENDA Monday, March 2, 2020



5:00 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code
Second Floor Conference Room (Legal consultation)

6:30 p.m. Regular Meeting - CALL TO ORDER
Council Chamber

Pledge of Allegiance
Roll Call
Approval of Agenda
Announcements
Recognitions/Proclamations
Board/Commission Appointments

1. **Consent Agenda*** (Items removed from consent agenda will be considered at the end of the regular agenda)
PASSED 5-0 (HILL/SNOOK), removing Item "g" for discussion at the end of the regular meeting
- a. MINUTES: February 3 Special and Regular meetings, February 6 Budget Worksession, February 11 Special meeting, February 12 meeting with CADRe, February 18 Special and Regular meetings, February 20 Worksession
- b. **APPROPRIATION:** Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 - \$25,072 (2nd reading)
#A-20-029
- c. **APPROPRIATION:** Byrne/JAG – Youth Engagement Programs Grant- \$99,291 (2nd reading)
#A-20-030
- d. **APPROPRIATION:** Skate Park lighting donations - \$47,540 (1st of 2 readings)
- e. **APPROPRIATION:** Transfer from the Historic Resources Committee funds to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park - \$3,500 (1st of 2 readings)
- f. **RESOLUTION:** Playground License for Walker Upper Elementary School (1 reading)
#R-20-031
- g. ~~RESOLUTION:~~ Referral of Accessory Dwelling Unit, Middle Density Zoning, and Affordable Dwelling Unit Zoning Text Amendments to Planning Commission (1 reading)
[By unanimous vote, this item was removed for discussion at end of regular meeting]
- h. **ORDINANCE:** Proposed Amendment to City Code Section 15-435 (b) – vehicle immobilization rates (2nd reading)
#O-20-032

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS

Action Items

2. **RESOLUTION:** Harris Street Apartments special use permit (1st of 2 readings)
3. **RESOLUTION*:** Barracks/Emmet Intersection Improvements as related to for the proposed Barracks Road & Emmet Street Intersection Improvement Smart Scale Project (1 reading)
#R-20-033
PASSED 5-0 (HILL/MAGILL)

General Business

4. **REPORT:** United States Census 2020 oral report
5. **REPORT:** City Schools Budget Presentation
6. **REPORT:** City Manager Budget Presentation
- 1.g. **RESOLUTION*:** Referral of Accessory Dwelling Unit, Middle Density Zoning, and Affordable Dwelling Unit Zoning Text Amendments to Planning Commission (1 reading) [Item removed from Consent Agenda for discussion at end of regular meeting]
#R-20-034
PASSED 3-2 (SNOOK/HILL; Magill and Payne opposed)

Other Business

Matters by the Public

*Action Needed

APPROPRIATION

2019 Edward Byrne Memorial Justice Assistance Grant (JAG)

Grant # 2019–DJ-BX–0775

\$25,072

WHEREAS, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$25,072 to be used for approved law enforcement equipment;

WHEREAS, the grant award covers the period from period October 1, 2018 through September 30, 2022;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$25,072, received from the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance, is hereby appropriated in the following manner:

Revenue

\$ 25,072 Fund: 211 I/O: 1900348 G/L: 431110 Federal Grants

Expenditure

\$ 25,072 Fund: 211 I/O: 1900348 G/L: 525263 Law Enforcement Supplies

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$25,072 from the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance.

APPROPRIATION

**Virginia Department of Criminal Justice Assistance Byrne/JAG
Grant # 20-A4904AD16
\$99,291**

WHEREAS, the City of Charlottesville, through the Police Department, has received the Virginia Department of Criminal Justice Assistance Byrne/JAG in the amount of \$99,291 to be used for approved youth engagement program expenses;

WHEREAS, the grant award covers the period from period January 1, 2020 through June 30, 2021;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$99,291, received from the Virginia Department of Criminal Justice Assistance Byrne/JAG, is hereby appropriated in the following manner:

Revenue

\$ 99,291	Fund: 211	I/O: 1900349	G/L: 431110 Federal Grants
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Expenditure

\$ 25,278	Fund: 211	I/O: 1900349	G/L: 519999 Sal to/Fr Oth Trans
\$ 43,687	Fund: 211	I/O: 1900349	G/L: 530010 Professional Services
\$ 18,800	Fund: 211	I/O: 1900349	G/L: 530180 Equipment Rental
\$ 2,500	Fund: 211	I/O: 1900349	G/L: 520010 Office Supplies
\$ 9,026	Fund: 211	I/O: 1900349	G/L: 599999 Lump Sum Appr

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$99,291 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

**RESOLUTION GRANTING A LICENSE
TO PLACE PLAYGROUND EQUIPMENT
AT WALKER UPPER ELEMENTARY SCHOOL**

WHEREAS, the City of Charlottesville owns the property designated as City of Charlottesville Tax Map Parcel Number 420001000 (hereinafter “the Property”); and

WHEREAS, the Charlottesville City School Board operates Walker Upper Elementary School located on the Property; and

WHEREAS, the Charlottesville City School Board intends to accept a donation of playground equipment which will be located on the Property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a license is granted to the Charlottesville City School Board to place and affix playground equipment on the Property.

AN ORDINANCE AMENDING AND REORDAINING SECTION 15-435 (b), OF CHAPTER 15 OF THE CODE OF CHARLOTTESVILLE, 1990, AS AMENDED, RELATING TO A CHANGE TO RATES AND CHARGES FOR THE IMMOBILIZATION OF VEHICLES UNLAWFULLY PARKED ON PRIVATE PROPERTY

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 15-435 (b) of Article IX of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

Chapter 15 – MOTOR VEHICLES AND TRAFFIC

ARTICLE IX. – REMOVAL, IMMOBILIZATION, AND DISPOSITION OF VEHICLES UNLAWFULLY PARKED ON PRIVATE PROPERTY

Sec. 15-435. – Rates and charges.

(b) *Immobilization.* An operator may charge a vehicle owner a maximum fee of ~~twenty-five dollars (\$25.00)~~ one hundred dollars (\$100.00) for the release of a vehicle when it is immobilized. No other fee of any type may be charged.

**RESOLUTION
FINDING THAT THE PROPOSED BARRACKS/EMMET IMPROVEMENT PROJECT
IS SUBSTANTIALLY IN ACCORDANCE WITH THE
CITY'S COMPREHENSIVE PLAN**

WHEREAS, on February 11, 2020, after notice given as required by law, the Charlottesville Planning Commission and Charlottesville City Council jointly conducted a public hearing to review the preferred conceptual design of the Barracks/Emmet Improvement Project ("Project") for consistency with the Comprehensive Plan for the City of Charlottesville (2013) ("Comprehensive Plan"); and

WHEREAS, on February 11, 2020, the Planning Commission adopted a resolution approving the general or approximate location, character and extent of the Project as being substantially in accord with the Comprehensive Plan; now, therefore,

BE IT RESOLVED that, upon consideration of the Planning Commission's recommendation, the City Council hereby concurs with the Planning Commission's approval of the general or approximate location, character and extent of the Project as being substantially in accord with the Comprehensive Plan. Upon the adoption of this Resolution, staff is hereby authorized to proceed with final design of the Project for construction.

RESOLUTION REFERRING PROPOSED AFFORDABLE DWELLING UNIT ORDINANCE, ACCESSORY DWELLING UNIT ZONING TEXT AMENDMENT, AND MIDDLE DENSITY ZONING TEXT AMENDMENT TO THE PLANNING COMMISSION

WHEREAS, the Charlottesville City Council conducted a work session on February 20, 2020, to receive information about zoning text amendments that could enhance the City of Charlottesville's efforts to increase affordable housing; and

WHEREAS, the Council expressed interest in further consideration of zoning text amendments to amend accessory dwelling unit regulations and to increase the supply of middle density housing within the City of Charlottesville; and

WHEREAS, the Council expressed interest in adopting an affordable dwelling unit ordinance as part of its zoning ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Charlottesville, Virginia, pursuant to Charlottesville City Code Section 34-41, hereby refers the attached proposed zoning text amendments and affordable dwelling unit ordinance to the Charlottesville Planning Commission for recommendations to the Council within one hundred days of the adoption of this resolution.