



CITY COUNCIL AGENDA
November 20, 2023
CERTIFICATIONS

J. Lloyd Snook, III, Mayor
Juandiego Wade, Vice Mayor
Michael K. Payne, Councilor
Brian R. Pinkston, Councilor
Leah Puryear, Councilor
Kyna Thomas, Clerk

4:00 PM OPENING SESSION

Call to Order/Roll Call

Councilor Payne participated remotely.
APPROVED 4-0 (PINKSTON/PURYEAR)

Agenda Approval APPROVED 5-0 (PINKSTON/PURYEAR)

Reports

1. Presentation: Budget Presentations - Advocacy and Transit
2. Report: City Manager Work Plan - Quarterly Update

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

Consent Agenda* APPROVED 5-0 (PINKSTON/PURYEAR)

3. Minutes: October 10 joint Council-Planning Commission public hearings
4. **Resolution:** Resolution to appropriate Victim Witness Assistance Program Grant - \$258,342 (2nd reading)
#R-23-149
5. **Resolution:** Resolution to appropriate funding from the Supreme Court of Virginia Behavioral Health Docket Grant - \$67,792 (2nd reading)
#R-23-150
6. **Resolution:** Resolution to appropriate Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program funding - \$30,000 (2nd reading)
#R-23-151
7. Resolution: Resolution to appropriate Fire Department FY22 State Homeland Security Program Grant Award, \$51,764.00 (1 of 2 readings)
8. Ordinance: Ordinance for renewal of Ting Franchise Agreement (1 of 2 readings)

City Manager Report

- Report: City Manager Report
- Report: Quarterly Financial Report

Community Matters

Action Items

9. **Resolution:** Albemarle Charlottesville Regional Jail (ACRJ) Renovation Project Financing Strategy
#R-23-152
APPROVED 5-0 (PINKSTON/WADE)
10. **Resolution:** Resolution to Approve Appropriation for the Assignment of Contract to Acquire 510 Caroline Avenue, 532 Caroline Avenue and 0 East High Street
#R-23-153

(2nd reading)

APPROVED 5-0 (PINKSTON/PURYEAR)

11. By Motion:

Thomas Jefferson Planning District Commission (TJPDC) Proposed
Legislative Program for 2024

APPROVED 5-0 (PINKSTON/PAYNE)

12. By Motion:

City Council Proposed Legislative Positions for 2024

APPROVED 5-0 (PINKSTON/PAYNE)

General Business

Other Business

Community Matters (2)

Adjournment

**RESOLUTION to Appropriate
Charlottesville Victim Witness Assistance Program Grant Funds - \$258,342**

WHEREAS, The City of Charlottesville, through the Commonwealth Attorney’s Office, has received an increase in the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$208,342; and

WHEREAS the City is providing a supplement in the amount of \$50,000, the source of which is the Commonwealth’s Attorney’s operating budget.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$208,342 is hereby appropriated in the following manner:

Revenues

\$ 67,207	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$141,135	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 50,000	Fund: 209	Cost Center: 1414001000	G/L Account: 498010

Expenditures

\$242,515	Fund: 209	Cost Center: 1414001000	G/L Account: 519999
\$ 15,827	Fund: 209	Cost Center: 1414001000	G/L Account: 599999

Transfer

\$ 50,000	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$208,342 from the Virginia Department of Criminal Justice Services.

**RESOLUTION to Appropriate
Albemarle-Charlottesville Therapeutic Docket Grant Award
\$67,792**

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$67,792 for the Albemarle-Charlottesville Therapeutic Docket in order to fund salaries, benefits, and operating expenses; and

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$174,488; and

WHEREAS, the grant award covers the period July 1, 2023 through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$67,792, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$67,792 Fund: Internal Order: #1900537 G/L Account: 430110 (State Grant)

Expenditures

\$67,792 Fund: Internal Order: #1900537 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$67,792 from the Supreme Court of Virginia.

**RESOLUTION Appropriating
Virginia Department of Education Special Nutrition Program
Child and Adult Care Food Program funds - \$30,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$30,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2023 through September 30, 2024;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$30,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 30,000

Fund: 209 Internal Order: 1900539 G/L Account: 430120

Expenditures - \$30,000

Fund: 209 Internal Order: 1900539 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$30,000 from the Virginia Department of Education Special Nutrition Program.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE,
VIRGINIA, APPROVING THE ISSUANCE OF OBLIGATIONS FOR
IMPROVEMENTS TO THE ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL
AUTHORITY FACILITIES**

WHEREAS, the Albemarle-Charlottesville Regional Jail Authority (**the “Authority”**) is a public instrumentality of the Commonwealth of Virginia created pursuant to Article 3.1, Chapter 3, Title 53.1, Code of Virginia of 1950, as amended (**the “Act”**) by resolutions duly adopted by the governing bodies of the County of Nelson , the County of Albemarle and the City of Charlottesville, Virginia (**the “City” and, collectively, the “Member Jurisdictions”**) for the purpose of developing regional jail facilities, in particular, the regional jail joint security complex located at 1600 Avon Street Extended, Charlottesville, Virginia (**the “Regional Jail”**) to be operated on behalf of the Member Jurisdictions by the Authority;

WHEREAS, the Authority and the Member Jurisdictions have entered into an Amended and Restated Service Agreement, dated June 9, 2022 (**the “Service Agreement”**), in which the Authority has agreed to, design, construct and equip the Regional Jail and obtain financing therefor;

WHEREAS, the Authority has been authorized by the General Assembly of the Commonwealth of Virginia in 2023 to obtain significant funding (**the “Commonwealth Funds”**) for eligible costs of certain improvements to the Regional Jail (**the “Improvements”**);

WHEREAS, the Authority proposes to issue a series of financing, including but not limited to, interim financing relating to the design and construction of the Improvements to the Regional Jail and subsequently issue its revenue notes and bonds to provide longer term financing of the same (**the “Obligations”**) a portion of which Obligations are to be repaid with the Commonwealth Funds;

WHEREAS, the Authority’s financial advisor, Davenport & Company LLC has advised the Authority that an interim financing of the Obligations would be in the best interests of the Authority given current market conditions and preliminary nature of cost estimates for the Improvements;

WHEREAS, Section 3.1 of the Service Agreement provides that in order for the Authority to issue the Obligations, the governing bodies of each of the Member Jurisdictions are required to approve of the issuance thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:

1. It is determined to be in the best interests of the City and its citizens for the City Council as the governing body of the City, to approve the Authority’s issuance of the Obligations for interim financing of the Improvements in amount not to exceed \$4,500,000 by adoption of this resolution.

2. In consideration of the Authority's undertakings with respect to the issuance of the Obligations, the Chair or Vice-Chair of the City Council, is hereby authorized and directed to execute and deliver such instruments and certificates as deemed appropriate and necessary for the issuance of such Obligations by the Authority, including but not limited to a support agreement or agreements relating to its obligations as a Member Jurisdiction under the Service Agreement.
3. The City Manager is hereby authorized and directed to take all proper steps on behalf of the City as may be required, in accordance with the plan of financing set forth above, including, but not limited to, certificates and documents relating to the issuance of the Obligations and the above-referenced support agreement or agreements.
4. Nothing contained herein is or shall be deemed to be a lending of the credit of the City to the Authority, or to any holder of any of the Obligations or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the City.
5. All actions previously taken by representatives or agents of the City in furtherance of the plan of financing of the Improvements and the issuance of the Obligations are hereby ratified and approved.
6. This resolution shall take effect immediately.

RESOLUTION

**Resolution to Approve Appropriation for the Assignment of Contract to Acquire 510
Caroline Avenue, 532 Caroline Avenue and 0 East High Street
Amount Not To Exceed \$6,000,000**

WHEREAS, the City of Charlottesville has agreed to enter into a contract pursuant to which the City will acquire title to 23.81 acres of property from the current owners of 0 Caroline Avenue, 10 Caroline Avenue, 532 Caroline Avenue and 0 East High Street;

WHEREAS, the City of Charlottesville requires appropriation of \$5,900,000 plus closing costs for the acquisition;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that funds in an amount not exceed \$6,000,000 but necessary to pay purchase price plus the closing costs will be paid from the Capital Improvement Program Contingency Account:

Transfer From:

\$ 6,000,000 Fund: 426 WBS: CP-080 G/L Account: 599999

Transfer To:

\$ 6,000,000 Fund: 426 Internal Order: TBD G/L Account: 599999

**CHARLOTTESVILLE CITY COUNCIL
STATEMENT OF LEGISLATIVE POSITIONS
FOR THE 2024 REGULAR GENERAL ASSEMBLY SESSION**

A. Expand the Option for a One-Cent Local Sales Tax Increase for Construction and Renovation of Public-School Facilities to All Localities

Our most important legislative priority is legislation to allow all localities the option of enacting a one-cent sales tax increase to provide local revenue for the construction or renovation of public-school facilities. Currently, only a few localities have been designated as “qualifying localities” under the provisions of Va. Code §§58.1-602, 58.1-605.1, and 58.1-606.1 to raise revenue in this manner, yet the need for this additional revenue source extends beyond those few localities that have it. If legislation allowing all localities this option is not successful, we would support legislation giving Charlottesville this option.

B. Continue Funding of Virginia’s Home Visiting Programs

We support funding Virginia’s home visiting programs with general funds to the extent necessary to prevent any reduction in funding due to the Commonwealth’s declining TANF balance.

Funding for Virginia’s Home Visiting Programs is at risk because of a decline in the Commonwealth’s TANF balance which is projected to decline from over \$46 million at the end of the last fiscal year to approximately \$4 million in the current fiscal year. This decline will adversely impact funding for home visiting programs which connect pregnant and parenting families to trained family support professionals. Those programs include the Comprehensive Health Investment Project (CHIP), Healthy Families, Resource Mothers and Early Impact Virginia.

C. Salaries for Members of Local Governing Bodies

We support legislation to amend Code of Virginia § 15.2-1414.6 to remove the limitation on annual salaries for city councils. City councils in Virginia should be permitted to establish the annual salaries for councilors at the local level. Each locality’s needs are unique and maximum compensation should be a local decision, based on the will of the electorate and the financial resources of the locality.

D. Funding for Regional Transit Authorities

We support legislation which would permit localities to impose an optional one cent local sales tax increase to fund regional transit authorities. This legislation would permit Charlottesville to partner with neighboring jurisdictions to address transportation needs on a regional basis.

E. Amend Land Use Ordinance Advertisement Laws Which Unduly Restrict Council's Ability to Deliberate

We support an amendment of Code of Virginia Sec. 2204 and other similar provisions in the Virginia Code which require advertisement of land use ordinances within 14 days of intended adoption. This provision constrains the City Council because it may wish to consider whether to adopt a land use ordinance not only at the meeting at which it is first advertised, but at a subsequent meeting. This is particularly true when the issue is complex. In addition, in those cases in which the City Council and the Planning Commission conduct a joint public hearing, this provision may require Council to act on an ordinance before it has received a recommendation from the Planning Commission.

F. Allow Greater Flexibility for Certain Boards and Commissions to Conduct All-Virtual Meetings

We support enactment of legislation that would allow certain boards and commissions to expand the use of all virtual meetings under policies adopted by those boards or commissions.

Currently, all City boards and commissions, like many other public bodies in the Commonwealth, are limited in the number of all-virtual meetings they may conduct to two times per calendar year or 25% of their meetings in any calendar year. This can sometimes present challenges to assembling a quorum in a physical location. Adding flexibility to the number of all-virtual meetings City boards and commissions may conduct pursuant to policies those bodies adopt at least annually would help address this issue and potentially expand the number of individuals who would be willing to serve on municipal boards and commissions.

This change would not affect current limits on all-virtual meetings for local governing bodies including the City Council, local school boards, planning commissions, architectural review boards, zoning appeals boards or boards with the authority to deny, revoke or suspend a professional or occupational license.

G. Increasing Affordable Housing Accessibility by Enhancing Tenant Rights

We support legislation which would increase affordable housing accessibility by enhancing the rights of tenants, including: 1. amending the Virginia Residential Landlord and Tenant Act to allow tenants to raise unsafe or unsanitary conditions as an affirmative defense to non-payment of rent; 2. allowing indigent tenants to waive their appeal bond in landlord-tenant disputes; 3. requiring landlords to disclose a complete list of additional fees in a separate document prior to the signing of a lease; and 4. Authorize localities to pass rent stabilization ordinances for residential rent in mobile home lots and multi-family dwellings.