



CITY COUNCIL AGENDA March 7, 2022

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

Register at www.charlottesville.gov/zoom. This meeting is being held electronically in accordance with a local ordinance amended and re-enacted October 4, 2021, to ensure continuity of government and prevent the spread of disease during a declared State of Emergency. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

4:00 PM OPENING SESSION

Call to Order/Roll Call

Agenda Approval

Reports

1. Report: Albemarle-Charlottesville Regional Jail renovation project report

5:30 PM CLOSED SESSION as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code (legal advice; boards and commissions)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements (and Update from Blue Ridge Health Department)

Recognitions/Proclamations

- Proclamation: Festival of the Book, March 16 - 20, 2022
- Proclamation: Women's History Month
- Proclamation: March for Meals Month
- Proclamation: Colorectal Cancer Awareness Month

Consent Agenda*

2. Minutes: January 26 Council retreat, February 2 joint budget work session with Schools
3. Resolution*: Appropriating funding of \$625,000 to a new Collective Bargaining Project account within the City's Capital Projects Fund (2nd reading)
4. Ordinance: Amending and re-ordaining Chapter 9 (Elections), Section 9-31 (Central Absentee Voter District) to change the location of the Central Absentee Voter Precinct from City Hall to CitySpace (1st of 2 readings; 2nd reading in May 2022)
5. Report: Historic Resources Committee status report on memorialization

City Manager Report

Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Public comment will be conducted through electronic participation while City Hall is closed to the public. Participants can register in advance at www.charlottesville.gov/zoom.

Action Items

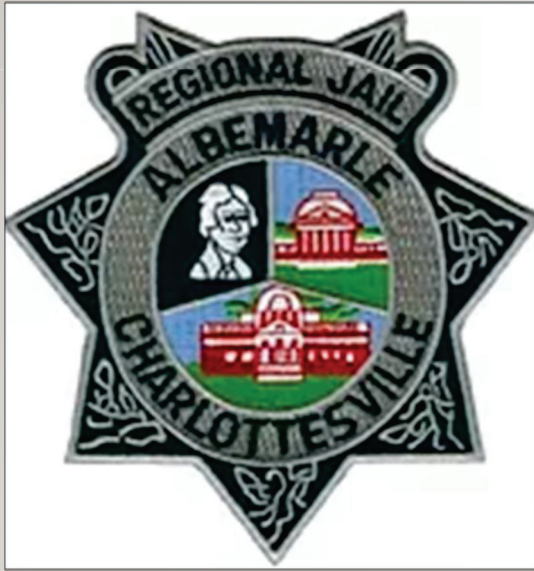
6. Presentation: Presentation of the FY2023 Adopted Budget from Charlottesville City Schools
7. Presentation: Presentation of the Proposed FY2023 City Budget
8. Resolution*: Approving a Special Use Permit at 2116 Angus Road (1 reading)
9. Resolution: Appropriating funds for the Cville Plans Together (Comp Plan) Project from the Small Area Plans Account within the City's Capital Projects Fund - \$188,810 (1st of 2 readings)
10. Resolution: Appropriating funds from the Virginia Department of Rail and Public Transportation to Charlottesville Area Transit - \$980,599 (1st of 2 readings)
11. Ordinance*: Consideration of action related to the local Continuity of Governance Ordinance (1 reading)

General Business

Other Business

Community Matters

*Action Needed



ALBEMARLE CHARLOTTESVILLE REGIONAL JAIL RENOVATION AND EXPANSION

MARCH 2, 2022

MARTIN KUMER, SUPERINTENDENT

TONY BELL, MOSELEY ARCHITECTS

|

BRIEF HISTORY OF THE JAIL

Current facility opened in 1975 to combine Albemarle County and Charlottesville City Jails

The facility's rated capacity increased to 209 after two additions in the 1990s

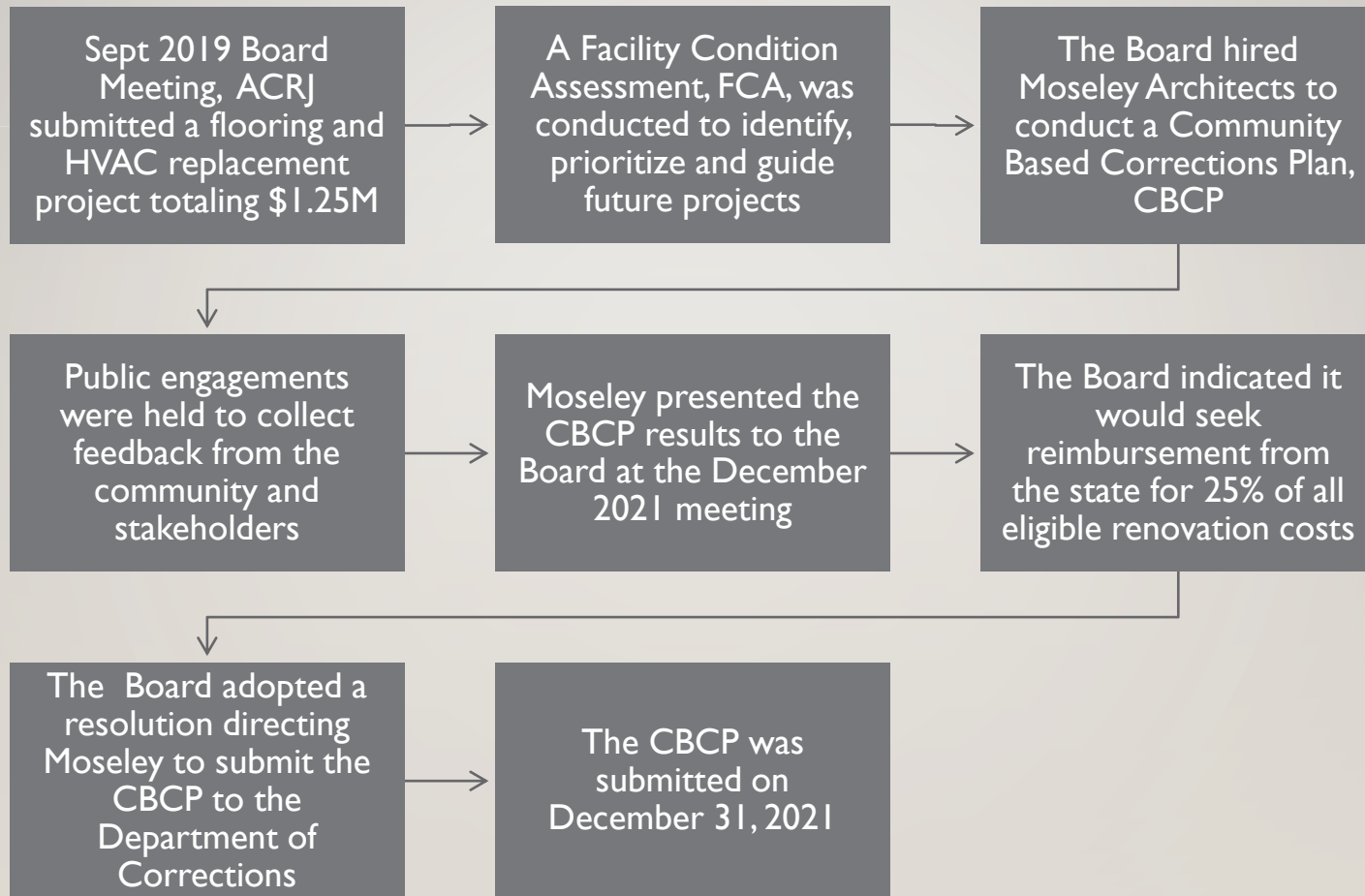
Nelson County became the third Jail member in 1997 and the final expansion was completed, in 2000, bringing capacity to 329

Average Daily Population, ADP, has been as high as 600 in 2008 and as low as 265 in January 2022; the January 2022 ADP is the lowest in 20 years

Current authorized staffing level is 161 employees

Renovation and expansion area is approximately 56,000 square feet and will be contained within the current facility's 152,900 square feet

HOW DID WE GET HERE



Facility Condition Assessment Findings

The facility requires significant upgrades and replacement to its HVAC, electrical systems and other major mechanical systems over the next 10 years. In addition to interior fixtures, lighting and security devices, etc. The FCA does not determine staff, inmate or public needs.

Community Based Corrections Plan Needs Study Findings

There are no indications in the historical data that suggests the inmate population will increase substantially in the future. After reviewing various alternative forecast models, no models indicated an increasing inmate population. **The rated capacity will not be increased with the renovation.**

Community Based Corrections Plan Planning Study Findings

Necessary improvements to the physical structure to meet the current Board of Corrections Jail Standards include, but not limited to:

- Additional toilets and showers to **comply with ADA and new building codes**
- Redesign inmate housing areas that creates an environment that encourages **mental and physical well-being**
- A dedicated **mental health** and segregation unit that is conducive to improving an inmate's mental health
- Build an **outdoor recreation area**
- Replace major mechanical systems serving the original facility to **improve climate control and air quality**
- Additional **inmate classroom and programming space**
- Additional **administration space**
- A larger **public visitation area** that will meet the needs of the public and professional visitors.
- Additional **security measures** for staff and inmates

RENOVATION AND EXPANSION MEETS IDENTIFIED GOALS AND OBJECTIVES

Create a space conducive to inmate rehabilitation that reduces recidivism

- Use Trauma Informed Design, (sound deadening materials, stress reducing colors, natural sunlight) throughout the renovation and expansion
- Add classrooms and programming space
- Integrate technology into the classrooms and housing areas

Heating, Ventilation and Air Conditioning

- Replace existing HVAC units with effective and efficient units
- Install an air filtration system effective against virus and bacteria
- Increase fresh air ventilation

Conservation of Resources

- Use efficient water conserving toilets, shower head and faucets
- Use natural daylight

RENOVATION IMPROVES QUALITY AND EXPERIENCE FOR ALL CONSUMERS

For Inmates

- Increase **square footage per inmate** in housing areas
- Apply Trauma Informed Design in housing areas
- Renovate inmate housing areas to create more **privacy and security**
- Create an additional **outdoor recreation area**
- Improved quality of social interaction with family – technology based and in-person visitation

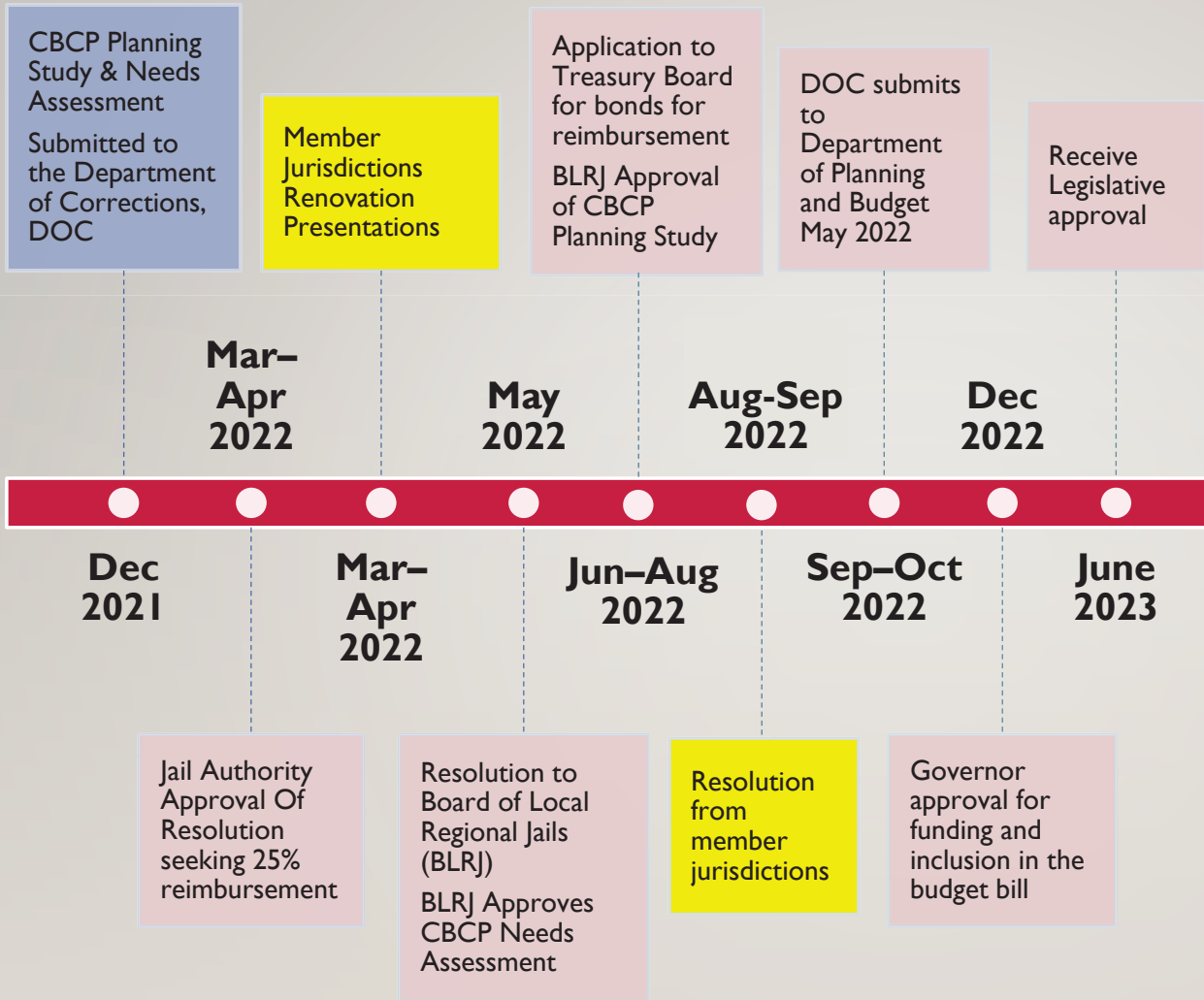
For Community and Stakeholders

- New **customer service area** for family and professional visitors to improve service quality
- Professional **visitation area** with integrated technology

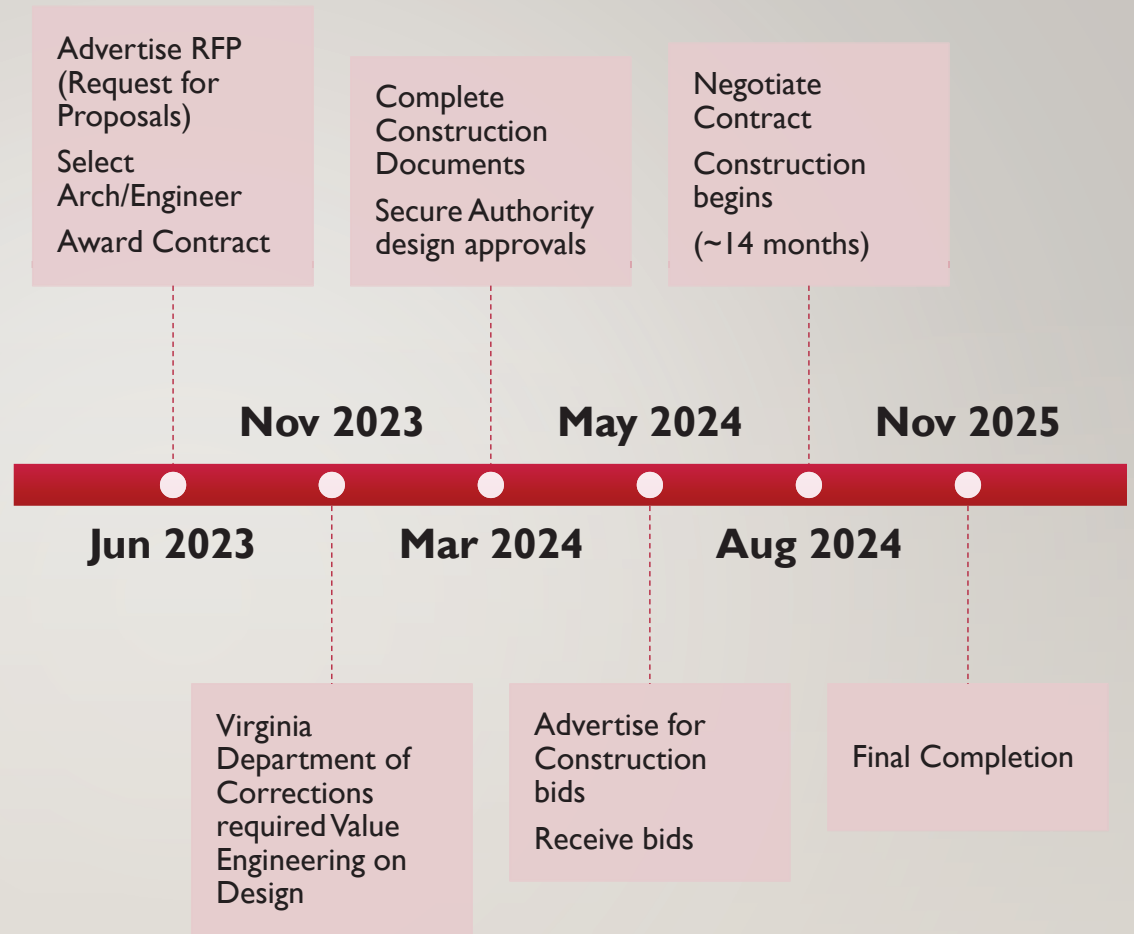
For Employees

- Incorporate improved **safety and security** measures
- Provide efficient work flow
- Apply Trauma Informed Design in staff work areas
- Create work environment for staff morale, mental and physical well-being

KEY DECISION POINTS



PROJECT PLANNING, DESIGN AND CONSTRUCTION SCHEDULE



OVERVIEW OF CURRENT COST ESTIMATES

Demolition and Renovation: \$21,605,481

New Construction: \$17,148,118

Other costs: \$7,167,526

Total Project Cost: \$49,021,414

Reimbursable (25% percent eligible costs) : \$12,255,353

Total Estimated Cost to Localities: \$36,766,061

Share of Debt: Albemarle County

Davenport Public Finance is serving as the financial advisor for the renovation and expansion's Capital Funding Analysis

The analysis is based on the following assumptions:

- The project adheres to the schedule presented by Moseley Architects
- The total project cost of \$49 million
- The State reimburses 25% (12.5 million) of eligible costs
- Debt Service is allocated based on locality share of inmate days
- Debt is based on a 20-year bond
- Locality share remains constant, numbers below reflect current share

| | FY 23 | FY24 | FY25 | FY26 | FY27 | FY28 |
|--------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Operational | \$4,362,432 | \$4,399,029 | \$4,435,933 | \$4,473,147 | \$4,510,672 | \$4,548,512 |
| Debt Service | 0 | \$72,727 | \$850,901 | \$850,901 | \$1,232,785 | \$1,233,151 |
| Total | \$4,362,432 | \$4,471,756 | \$5,286,834 | \$5,324,048 | \$5,743,457 | \$5,781,663 |

Share of Debt: City of Charlottesville

The analysis is based on the following assumptions:

- The project adheres to the schedule presented by Moseley Architects
- The total project cost of \$49 million
- The State reimburses 25% (12.5 million) of eligible costs
- Debt Service is allocated based on locality share of inmate days
- Debt is based on a 20-year bond
- Locality share remains constant, numbers below reflect current share

| Charlottesville | FY 23 | FY24 | FY25 | FY26 | FY27 | FY28 |
|-----------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Operational | \$3,936,689 | \$4,042,237 | \$4,474,271 | \$4,891,386 | \$5,309,140 | \$5,343,650 |
| Debt Service | 0 | \$73,110 | \$855,385 | \$855,385 | \$1,239,280 | \$1,239,648 |
| Total | \$3,936,689 | \$4,115,347 | \$5,329,656 | \$5,746,771 | \$6,548,420 | \$6,583,298 |

Share of Debt: County of Nelson

The analysis is based on the following assumptions:

- The project adheres to the schedule presented by Moseley Architects
- The total project cost of \$49 million
- The State reimburses 25% (12.5 million) of eligible costs
- Debt Service is allocated based on locality share of inmate days
- Debt is based on a 20-year bond
- Locality share remains constant, numbers below reflect current share

| Nelson | FY 23 | FY24 | FY25 | FY26 | FY27 | FY28 |
|--------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Operational | \$1,238,915 | \$1,259,957 | \$1,384,373 | \$1,394,942 | \$1,461,512 | \$1,472,312 |
| Debt Service | 0 | \$10,648 | \$124,584 | \$124,584 | \$180,498 | \$180,551 |
| Total | \$1,238,915 | \$1,270,605 | \$1,508,957 | \$1,519,526 | \$1,642,010 | \$1,652,863 |

QUESTIONS

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CITY OF CHARLOTTESVILLE



PROCLAMATION

2022 VIRGINIA FESTIVAL OF THE BOOK

WHEREAS, the City of Charlottesville believes that literacy is critical to active and engaged citizenship, and is committed to promoting reading, writing, and storytelling for all, both within and outside its borders; and

WHEREAS, reading stimulates the creative and intellectual growth of individuals, while also building community through shared experiences, discourse, and understanding; and

WHEREAS, the 2021 Virginia Festival of the Book as a hybrid event, with events presented locally and through online platforms, draws attendees and attention to Charlottesville from around the globe, while providing all programs free of charge to attendees and offering greater accessibility through closed-captions, recap videos, and transcripts; and

WHEREAS, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, and cultural and civic organizations collaborate with the Virginia Festival of the Book to explore the world through reading, to foster empathy for the stories of others, and to promote literacy for all;

NOW, THEREFORE, I, J. Lloyd Snook, III, Mayor of the City of Charlottesville, Virginia, do hereby proclaim Wednesday, March 16 through Sunday, March 20, 2022, as the twenty-eighth annual Virginia Festival of the Book, and encourage community members to participate fully in the wide range of available programs and activities.

Signed and sealed this 7th day of March 2022.

J. Lloyd Snook, III, Mayor

CITY OF CHARLOTTESVILLE



PROCLAMATION

WOMEN'S HISTORY MONTH 2022

WHEREAS, women of every race, class and ethnic background have made historic contributions to the growth and strength of Charlottesville in countless recorded and unrecorded ways; and

WHEREAS, women play a critical economic, cultural and social role in every sphere of life in Charlottesville; and

WHEREAS, particularly important in the establishment of early charitable, philanthropic and cultural institutions in our City, women have served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist, emancipation, industrial labor, civil rights, environmental and peace movements, which have created a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women has consistently been overlooked and undervalued in the literature, leadership, teaching and study of American history and it is therefore fitting that we recognize their numerous accomplishments; and

WHEREAS, the 2022 theme of the National Women's History Month is "Women Providing Healing, Promoting Hope," a recognition of the ceaseless work of caregivers and frontline workers during this ongoing pandemic, and a recognition of the thousands of ways that women of all cultures have provided both healing and hope throughout history; and

WHEREAS, the City of Charlottesville reaffirms its commitment to uplifting and safeguarding women's rightful place in our history and in our society;

NOW, THEREFORE, I, J. Lloyd Snook, III, Mayor of the City of Charlottesville, Virginia, on behalf of the City Council, do hereby proclaim the month of March 2022 in Charlottesville as Women's History Month.

Signed and sealed this 7th day of March 2022.

J. Lloyd Snook, III, Mayor

CITY OF CHARLOTTESVILLE



PROCLAMATION

INAUGURAL MARCH FOR MEALS MONTH – MARCH 2022

WHEREAS, on March 22, 1972, President Richard Nixon signed into law an amendment to the Older Americans Act of 1965 that established a national nutrition program for seniors 60 years and older; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and to raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2022 observance of March for Meals provides an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation; and

WHEREAS, the Meals on Wheels program has served the Charlottesville/Albemarle community admirably for 44 years, serving 322 homebound citizens and delivering 66,720 home-delivered meals in 2021; and

WHEREAS, Meals on Wheels volunteers are the backbone of the program, not only delivering nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also bringing caring concern and attention to their welfare; and

WHEREAS, Meals on Wheels of Charlottesville/Albemarle provides nutritious meals to seniors that help them maintain their health and independence, preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Meals on Wheels of Charlottesville/Albemarle provides a powerful opportunity for social connection for millions of seniors to help combat the negative health effects and economic consequences of loneliness and isolation; and

WHEREAS, Meals on Wheels of Charlottesville/Albemarle deserves recognition for the heroic contributions and essential services they have provided amid the COVID-19 pandemic and will continue to provide to local communities, our State and our Nation long after it is over.

NOW, THEREFORE, I, J. Lloyd Snook, III, Mayor of the City of Charlottesville, do hereby proclaim March 2022 as the 1st Annual March for Meals Month in Charlottesville and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2022 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.

Signed and sealed this 7th day of March 2022.

J. Lloyd Snook, III, Mayor

CITY OF CHARLOTTESVILLE



PROCLAMATION

COLORECTAL CANCER AWARENESS MONTH MARCH 2022

WHEREAS colorectal cancer is the second-leading cause of cancer deaths in the United States among men and women combined;

WHEREAS colorectal cancer is one of the few cancers that can be prevented with timely screening, but 1 in 3 eligible Americans are not up to date on screening;

WHEREAS colorectal cancer is expected to become the number one cancer killer for those ages 20-49 by 2030;

WHEREAS in Charlottesville colorectal cancer disproportionately impacts people of color, with African American people being 1.4 times more likely than White people to be diagnosed with colorectal cancer;

WHEREAS in Charlottesville African American people are 2.3 times more likely to die from colorectal cancer than White people;

WHEREAS The National Cancer Institute estimates that there could be as many as 4,500 additional colorectal cancer deaths because of the drop in screening due to COVID-19;

WHEREAS the national goal established by the National Colorectal Cancer Roundtable is to strive to increase timely colorectal cancer screening rates to 80 percent in every community for all Americans eligible for screening;

WHEREAS observing a Colorectal Cancer Awareness Month during the month of March would provide a special opportunity to increase awareness and offer education on the importance of early detection and screening of colorectal cancer.

NOW, THEREFORE, I, J. Lloyd Snook, III, Mayor of the City of Charlottesville, do hereby proclaim March 2022 as **Colorectal Cancer Awareness Month** in Charlottesville.

Signed and sealed this 7th day of March 2022.

J. Lloyd Snook, III, Mayor

CHARLOTTESVILLE CITY COUNCIL RETREAT

January 26, 2022

Virtual/electronic meeting via ZOOM

9:00 AM

The Charlottesville City Council met in an electronic meeting on Wednesday, January 26, 2022, in accordance with a local ordinance amended and re-enacted on October 4, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the retreat to order at 9:03 a.m. and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Sena Magill, Michael Payne and Brian Pinkston.

On motion by Magill, seconded by Pinkston, Council voted 5-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

KEY BUDGET INFORMATION

Krisy Hammill (Budget Officer) led a discussion on the City Budget, which included the following topics:

- Budget Process
- Budget Guidelines
- Long-term Financial Policies and Debt
- Council Budget
- FY 2023 Expenditure Drivers

Staff answered questions for Council regarding potential tax increases, Vibrant Community Fund, and the budget calendar. The presentation included a calendar of upcoming meetings at which the FY 2023 City Budget would be discussed.

Ms. Hammill shared information about the City Manager's budget role, City Council's budget role and FY 2023 Budget Guidelines:

1. Annually review major local tax rates.
2. Develop operational budgets within projected available revenues.
3. Focus on Council's Strategic Plan Goals:
 - An Inclusive Community of Self-Sufficient Residents
 - A Healthy and Safe City
 - A Beautiful & Sustainable Natural & Built Environment
 - A Strong, Creative and Diversified Economy
 - A Well-managed and Responsive Organization
4. Continue to incorporate the use of performance measures to assist in making decisions that support budget priorities related to City's Strategic Plan.

5. Continue the strong commitment to education by allocating up to 40% of new City real estate and property tax revenue to schools.
6. Invest strategically in employees by providing adequate pay, benefits, training, technology resources, support, and appreciation.
7. Annually review the living wage ordinance “so that every City contract for the provision of non- professional services will require that the contractor pay each employee assigned to perform services a living wage equal to no less than the lowest starting salary for City employees.”
8. Fund no new programs or major expansion of existing programs without fully offsetting revenues or reductions in expenditures.
9. Balance reinvestment in the City’s existing infrastructure and facilities and creation of new opportunities for investing in the future of the City.
10. Transfer at least 3% of general fund expenditures to the Capital Improvement Fund (CIP).
11. Budget a reserve for Council Strategic Initiatives.
12. Budget a Fund Balance Target Adjustment pool of funds to help ensure that the City continues to meet the important financial policy of maintaining an unappropriated fund balance in the General Fund.

In addition to reviewing existing guidelines, Council decided to have a discussion on the potential need for tax increase(s) at the February 3 work session. They also discussed the Council Strategic Initiatives Fund to get clarification on parameters.

Long-term Financial Policies:

1. Maintain a minimum General Fund balance of at least 14% of General Fund budget.
2. Maintain a minimum Downturn Reserve Fund balance of no less than 3% of General Fund budget.
3. Maintain sufficient working capital in the utilities funds (Water, Wastewater and Gas).
4. Stabilize all non-general funds by ensuring they have a positive fund balance.
5. Debt service as a percentage of the general fund total expenditure budget has a ceiling of 10%, with a target of 9%.
6. Transfer 1-cent of the meals tax revenue to the Debt Service Fund to be used for debt service.

Kevin Rotty (Financial Advisor) shared an overview of the City's outstanding debt and bond ratings. The City is one of only 125 cities nationwide that maintains a “Aaa/AAA” General Obligation rating from Moody’s and S&P, and one of only ten Virginia cities or towns with this distinction.

Ms. Hammill continued with an overview of the Capital Improvement Fund (CIP), dividing the discussion into several categories:

- Authorized but Not Issued (“ABNI”) – this includes projects that were approved by City

Council in previous CIP's that have not been bond funded because of timing or scope issues (Totals \$66 million)

- Revised Proposed FY 2023-2027 CIP – the City's current five-year CIP funding for both bondable and non-bondable City capital projects and includes \$75 million for School Reconfiguration (Totals \$157 million of which \$124 million is bondable)
 - o Mr. Rotty reviewed the forecasted impact of the Proposed CIP.
- Unfunded Project List – this includes capital projects that have not been included in the current five- year CIP (Totals \$127 million)

During the Overview of Council Funding, Council discussed the Council operational budget, including councilor discretionary funds. At least three councilors expressed interest in maintaining a discretionary funds account, which distributes \$1,000 to each councilor primarily for activities related to constituent outreach. Council also expressed interest in having an official written policy stating the purpose and uses of the Council Strategic Initiatives Account.

The budget discussion concluded with information on FY 2023 Expenditure Drivers for consideration:

1. Employee Compensation and Benefits
2. Schools Operating Budget Request
3. Restoration of COVID reductions
4. CHAP Tax Relief Program Changes
5. Other Departmental Requests

The meeting recessed for lunch from 11:52 a.m. and reconvened at 12:32 p.m.

COUNCIL WORK ITEMS

The discussion on Council work items was led by Deputy City Manager Marshall and Robert Bobb (Robert Bobb Group), with input from Kyna Thomas (Clerk/Chief of Staff) and Lisa Robertson (City Attorney).

Regarding the Council/Manager working relationship, Ms. Marshall reviewed an excerpt from The Effective Local Government Manager handbook, and shared standards that a new executive may expect, as Council looks to work with Interim City Manager Michael C. Rogers, and as Council prepares to hire a permanent City Manager.

Deputy City Manager Sam Sanders reviewed major priorities or "Hot Topics":

- 1) FY23 Budget: Complete the current budget, analyze the current process, and Schools reconfiguration

2) Council-Manager relationship: Assess CMO needs, modernize the City Manager's Office, and present empowered staff

Ms. Marshall and Mr. Bobb emphasized the importance of the ICMA Code of Ethics.

3) Organizational Assessment: Policies and procedures, analyze our structure, and integrate equity everywhere

Mr. Bobb added "practices" to "policies and procedures".

Ms. Robertson shared the importance of developing policies and initiatives into action plans, with priorities reflected in the annual budget.

Mr. Bobb listed several qualifications for City Managers. In response to councilor question, deputy city managers and Mr. Bobb agreed that the City Manager position is apolitical, although they understand the political environment in which they work. Mr. Bobb advised that Council and management should spend time working together in gray areas between policy and operations.

The group discussed that there are a lot of moving parts including turnover, community engagement, need for responsiveness, government continuity issues including:

- Need for Council priorities and updated Strategic Plan
- Timeline considerations
- City staff capacity
- Advisory Boards and Commissions
- Filling leadership vacancies with skilled individuals in order to have a high performing organization

Council will have upcoming sessions with the Virginia Institute of Government (VIG) to work on strategic planning, recognizing that the current Strategic Plan is broad.

Ms. Robertson suggested that Council figure which policy initiatives on which they want to make significant progress on so that staff can get pricing for future budgets. Ms. Hammill added that Council also needs to consider how much flexibility they want in the budget to respond to needs that arise.

COUNCIL MEETING PROCEDURES

Mayor Snook and Vice Mayor Wade led a discussion on Council meeting procedures, with input from Ashley Marshall (Deputy City Manager), Kyna Thomas (Clerk/Chief of Staff) and Lisa

Robertson (City Attorney).

Mr. Wade expressed a desire to make meetings more concise and conducive to good decision making, as well as making the councilor position doable for more people. Discussion included suggestions for keeping to time limits, councilors being mindful of the amount of time they speak and ask questions, structure for how councilors are acknowledged for speaking, enforcing rules already in place, and whether to limit the number of times individuals may speak at a meeting. Most councilors agreed to limit the final public speaking portion of the meeting to individuals who did not speak during the 16 slots of the Community Matters section.

Suggestions were also made to include timing to agenda items to give an estimate of meeting end time and to only place items on the agenda that have been factually vetted so as to reduce the need for questions and debate for information that could have been provided. Council agreed to an earlier start time for the regular Council meetings to hear reports and presentations at 4:00 p.m. for items not requiring a vote.

The format of the meeting was confirmed as a single meeting beginning at 4:00 p.m. for reports, with time reserved at 5:30 p.m. for a closed meeting, and the business agenda generally beginning around 6:30 p.m., with a goal of ending by 11:00 p.m.

Regarding proclamations, Ms. Thomas asked Council whether they would like to put parameters around acknowledging proclamation requests. Councilors agreed that mayor's discretion would apply.

Regarding voting during meetings, Ms. Thomas reminded councilors to read materials prior to the meeting and come prepared in order to facilitate getting to the vote more quickly. Mr. Snook asked about requirements for roll call votes and Ms. Robertson advised that she and Ms. Thomas would work together to identify which items require a roll call vote. She also advised Council of the requirement that any transaction of business by Council must be done by vote in a public meeting, where minutes can be recorded.

The meeting adjourned at 3:51 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL
Joint Work Session with Charlottesville City School Board
February 2, 2022
Virtual/electronic meeting via Zoom

5:00 PM WORK SESSION

The Charlottesville City Council met on Wednesday, February 2, 2022, at 5:00 p.m. for a joint budget work session with the Charlottesville City School Board. The meeting was held electronically pursuant to a local ordinance amended and re-enacted on October 4, 2021, to ensure the continuity of government and prevent the spread of disease during the coronavirus pandemic.

Lisa Torres, School Board Chair, called the City of Charlottesville School Board meeting to order.

Mayor Lloyd Snook called the Charlottesville City Council meeting to order at 5:03 p.m. and acknowledged that all Council members were present; including: Mayor Snook, Vice Mayor Juandiego Wade, and Councilors Magill, Payne and Pinkston.

Clerk Julia Green conducted the School Board roll call.

Dr. Royal Gurley, School Superintendent, and Kim Powell, School Chief Operating Officer, presented information on the Charlottesville City School (CCS) system and its FY2023 budget. Mr. Wyck Knox, Project Manager at VMDO Architects, also gave a presentation on the school reconfiguration project.

During the discussion, School Board members and staff proposed that reconfiguration will address concerns of equity and lower the achievement gap by improving the delivery of services, creating a comprehensive learning program model for K4 through 5th grade, addressing developmental needs at key transition points for students, provide a comprehensive Early Childhood Center which will help to meet a variety of the needs of students and their families, address issues of capacity, and aid the distribution of resources. The School Board staff was not aware of research studies that analyze the impact that school reconfiguration has on the achievement gap, but noted that the needs of the CCS is unique in regards to finding a comparable study. A School Board member referenced research studies which prove that certain elements of a learning environment, such as walls, lighting, etc., can impact a student's ability to learn. All CCS capital improvement projects for the next (3) three years are included in the schools current capital improvement plan. Additionally, the schools will utilize grant funding for all applicable projects. School Board staff confirmed that the most recent capacity study on the school system was taken into consideration within the current reconfiguration project. Mr. Knox

indicated that the alternate designs for reconfiguration that were provided in his presentation shows varying levels of reconfiguration and the cost per level; he added that reconfiguration addresses concerns of capacity in the future. The School Board explained that the cost for the reconfiguration of the Buford School does include funding to cover any expenses incurred as the preschool students use the Walker School campus during the time that reconfiguration is taking place. Dr. Gurley advised that there is an ongoing effort to minimize the achievement gap specifically in grades K4 through 3rd by addressing the issue at the instructional level. Mayor Snook recommended that any consideration of the impact that the sales tax referendum will have on school reconfiguration should be delayed until April.

Mayor Snook and School Board Chair, Lisa Torres gave final remarks.

PUBLIC COMMENT

The following individuals gave public comment:

1. Leah Puryear
2. Chris Meyer
3. Shymora Cooper

The School Board meeting was adjourned, immediately followed by Mayor Snook's adjournment of the meeting of City Council at 7:38 p.m.

BY Order of City Council

BY Maxicelia Robinson, Deputy Clerk of Council

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|---|
| Agenda Date: | February 22, 2022 |
| Action Required: | Adoption of Resolution (1 st of 2 Readings) |
| Presenter: | Michael C. Rogers, Interim City Manager |
| Staff Contacts: | Lisa Robertson, City Attorney Samuel Sanders, Deputy City Manager Ashley Reynolds Marshall, Deputy City Manager |
| Title: | Appropriation of Funding to Study, Scope and Implement Collective Bargaining |

Background:

This Agenda Item seeks City Council’s approval to reallocate funding currently appropriated for a Class and Compensation Study, to be used for a major project that will study, scope, design and implement Collective Bargaining.

The Annual Budget is, in effect, a “spending plan” for a specific fiscal year. Within the Budget some expenditures are allocated generally (“salaries”, “equipment”, “subscriptions”, etc.). Other expenditures are identified as having a specific purpose, as may be indicated in a Budget Line Item identifying a specific program or project). Within City Code Sec. 11-5 the City Council has specified that “[n]o money shall be expended on any department of the city government beyond the amount estimated in the budget for that department in the general appropriation ordinance for the fiscal year unless such expenditure is authorized by the recorded vote of three-fifths of all of the members elected to the council.” Further, if City Council wishes to re-allocate money appropriated for a specific purpose, and authorize it to be expended in some other manner, or for some other purpose, a “special appropriation” is required during the fiscal year, per City Code Sec. 11-4.

Discussion:

On February 3, 2020, City Council established a project account within the City’s Capital Projects Fund, to accumulate money to fund a City-wide Class and Compensation Study. Currently the amount accumulated within that project account is \$1,250,000. The source of the funds was a one-time appropriation approved as part of the FY 2019 year-end closeout. Recently, the City engaged a firm to perform the Class and Compensation Study, at a contracted estimated cost of \$105,100. The study is expected to commence in late February 2022. Even leaving a reasonable contingency for associated costs and reimbursable expenses associated with that contract, it is clear that the bulk of the \$1,250,000 originally appropriated for this purpose will not be needed to complete the study.

The City Manager, upon listening to Council and receiving feedback, suggests that Council re-direct the money from the CIP Class and Compensation Study account and appropriate it to a new project

account to be set up within the Capital Projects Fund for Study, Scoping and Implementation of Collective Bargaining, which City Council has articulated as a priority project. This money could be used for project costs such as:

- Scoping, designing and planning a Collective Bargaining Program (this would include items such as the costs of consulting services to evaluate and design a program that would fit Charlottesville’s needs, outside/ consulting legal services to assist in drafting an ordinance and in drafting processes and procedures necessary to administer the provisions of an ordinance, and consultants and attorneys needed during the process of negotiating agreements with recognized collective bargaining units.

Please note that: operating costs (such as the costs of additional human resources staff (FTEs), training for City staff, etc.) will still need to be allocated to departments within the operating budget—Human Resources, City Attorney and/or the City Manager’s office. Any operational funding required as a result from decisions made in the design/ scoping/ ordinance development process for Collective Bargaining will need to be included in the Human Resources’ or City Attorney’s operational budgets. However, those funding needs can be discussed during the process of approving the FY2023 Budget, or at a later time, such as during a year-end fiscal year closeout process.

Alignment with City Council’s Vision and Strategic Plan:

Allocating this funding for class and compensation research and collective bargaining aligns with Goal 5 of the City’s Strategic Plan: “A well-managed and responsive organization”.

Community Engagement:

Appropriations of funds and Council’s discussions on both matters have been discussed publicly as part of its business matters during meetings before the public.

Budgetary Impact:

No new funding is requested with this appropriation. Council is requested to move money from one project account to another, within the Capital Projects Fund.

City Manager/ Staff Recommendation:

Staff recommends approval of the attached Appropriations Resolution, to leave sufficient funds available for the Class and Compensation Study, and related expenses of contract administration, and to reallocate the remainder of that money for expenditure for the study, design, and implementation of a collective bargaining program. **Recommended motion:**

“I move to approve the Resolution appropriating funding in the amount of \$625,000 to a new Collective Bargaining Project Account within the City’s Capital Projects Fund”

Alternatives:

City Council may decline to take action on this request, which will allow the funding to remain within the Class and Compensation Study account. **No motion or other action is required if City Council declines to implement the staff recommendation.**

Attachment:

Proposed Resolution

RESOLUTION
APPROPRIATING FUNDING IN THE AMOUNT OF \$625,000
TO A NEW COLLECTIVE BARGAINING PROJECT ACCOUNT
WITHIN THE CITY'S CAPITAL PROJECTS FUND

WHEREAS the Charlottesville City Council previously appropriated funds within its Capital Projects Fund, in the amount of \$1,250,000, and authorized the funds to be expended for a Citywide Class and Compensation Study, and

WHEREAS pursuant to City Code Section 11-5, the City Manager hereby requests Council to make a special appropriation, to move funds within FY2022 which will not be needed to complete a Class and Compensation Study into a new Capital Projects Fund account designated for a Collective Bargaining Project, to be used for contractual and consulting expenses associated with the study, design, and implementation of a collective bargaining program for the City of Charlottesville;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that funding previously appropriated by City Council for expenditure in FY2022 for a Class and Compensation Study is hereby re-allocated and appropriated for expenditure in FY2022 to a Collective Bargaining account within the Capital Projects Fund, for contractual and consulting expenses associated with the study, design, and implementation of a collective bargaining program for the City of Charlottesville.

Capital Projects Fund:

Transfer From:

Expenditures - \$625,000

| | | |
|-----------|-------------------------|---------------------|
| Fund: 426 | Funded Program: P-01032 | G/L Account: 599999 |
|-----------|-------------------------|---------------------|

Transfer To:

Expenditures - \$625,000

| | | |
|-----------|--------------------------|---------------------|
| Fund: 426 | Funded Program: NEW CODE | G/L Account: 599999 |
|-----------|--------------------------|---------------------|

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|------------------|---|
| Agenda Date: | March 7, 2022 |
| Action Required: | Ordinance Enactment |
| Staff Contacts: | Taylor Yowell, Director of Elections and General Registrar Katrina Callsen, Deputy City Attorney |
| Presenters: | Taylor Yowell, Director of Elections and General Registrar Katrina Callsen, Deputy City Attorney |
| Title: | Central Absentee Precinct Change (1st of 2 Readings) |

Background:

A central absentee voting precinct (CAP) is a location in a public building where absentee ballots are processed and counted on the day of the election in the presence of election officials. Virginia Code Section 2.2-712 states that each locality shall establish, by ordinance, one or more central absentee voter precincts. The City of Charlottesville maintains one central absentee voter precinct at City Hall established by Charlottesville City Code Section 9-31.

In the past two years concerns about the spread of COVID-19 prompted the Charlottesville Electoral Board and the Charlottesville General Registrar and Director of Elections to recommend that the central absentee voter precinct be temporarily moved from City Hall to City Space. City Council approved this recommendation and adopted temporary ordinances that allowed for the location change for the November 2020, June 2021, and November 2021 Elections.

The Charlottesville General Registrar and Director of Election would like the central absentee voter precinct to be permanently moved from City Hall to City Space.

Discussion:

City Space is a public building that is approximately 400 ft. away from City Hall. Moving the CAP to City Space would have no expected negative operational or financial impact. The process of Absentee Voting would remain unchanged for voters. Absentee voting has grown over the past two year and the City Space location has a larger room that can better accommodate the increasing number of absentee votes that must be processed on election day. In addition, the larger space more easily accommodates the equipment needed to process the ballots and provides election officials and election workers better ventilation and more space in which to work.

To effectuate the change, Council must amend City Code Section 9-31 and identify City Space as the new CAP location. In addition, City Code Section 9-31 needs to be updated to accurately reflect current section numbering in the Virginia Code; former §24.1-233.1 is now §24.2-712.

Lastly, in 2021 the Voting Rights Act of Virginia (Va. Code §24.2-129) was enacted and mandates specific procedural requirements prior to changing a “covered practice”; changing the location of the CAP qualifies as a covered practice. The General Registrar would like to present Council with the proposed ordinance and provide information on the process and compliance with the Voting Rights Act. The next steps are as follows: provide public notice of the proposed change, initiate a public comment period that allows citizens with questions or concerns to contact the Registrar, conduct a Public Hearing at the April 4th Council meeting, and submit the ordinance for a second reading and vote at the May 2nd Council Meeting. The ordinance change, if approved, would go into effect at the beginning of June.

Alignment with City Council’s Vision and Strategic Plan: A Well-Managed and Responsive Organization.

Community Engagement: There will be several opportunities for public input including a thirty-day public comment period and a public hearing. Public notice will also be provided on the city website and via publication as dictated by statutory requirements.

Budgetary Impact: N/A

Recommendations: Staff recommends that Council approve the ordinance.

Alternatives: Council may direct staff at the March 7 meeting not to pursue the location change or proceed with the public comment period. Council may reject or amend the ordinance.

Attachments: Proposed Ordinance moving the Central Absentee Voter Precinct from City Hall to City Space.

**AN ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 9 (ELECTIONS),
SECTION 9-31 (CENTRAL ABSENTEE VOTER DISTRICT) TO CHANGE THE
LOCATION OF THE CENTRAL ABSENTEE VOTER PRECICNT FROM CITY HALL
TO CITY SPACE**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Section 9-31 of Chapter 9 of the Charlottesville City Code, 1990, as amended, is hereby amended and re-ordained, as follows:

Sec. 9-31. - Central absentee voter district.

There is hereby established a central absentee voter election district in ~~city hall~~ City Space for the purpose of receiving, counting and recording all absentee ballots in all elections cast within the city. Such central absentee voter election district shall receive, count and record all absentee ballots in accordance with the requirements of section ~~24.1-233.1~~ 24.2-712 of the Code of Virginia and all other applicable provisions of law. This shall be effective ~~February 1, 1979,~~ June 6, 2022, and shall remain in effect until repealed by the council.

Status Report on Historic Resources Committee Project on Memorialization of pre-Civil War Auctions, Sales, and Transfers of Enslaved People in Albemarle County

Can we forget the crack of the whip, cowhide, whipping-post, the auction-block, the hand-cuffs, the spaniels, the iron collar, the negro-trade tearing the young child from its mother's breast as a whelp from the lioness? Have we forgotten that by those horrible cruelties, hundreds of our race have been killed? No, we have not, nor ever will.

– Isabella Gibbons, 1867

Summary

This project began in 2020, following the recommendation from the [2016 Blue Ribbon Commission on Race, Memorials, and Public Spaces](#) to “create a new memorial for Charlottesville’s enslaved population”, with a focus on how to properly memorialize a location in Court Square known as the Slave Auction Block. **The purpose of this status report is to describe the work already done and set expectations for our complete report later in 2022.**

We intentionally restricted the scope of this project as to not recommend that any specific actions be taken or any specific design for a memorial be constructed. The intention is only to create a solid foundation for future, appropriately-funded projects to develop and implement memorializations through a competitive RFP process.

We have three primary desired outcomes from this project:

1. **Descendant Engagement** - build trustful relationships with descendants and gather their desires for what forms of memorialization they wish to see
2. **Research** - original research using primary sources, and collection, curation, and contextualization of existing research into antebellum (pre-Civil War) human trafficking in Albemarle County
3. **Framing Future Work** - scoping and options for a future design and build phase.

While the term “human trafficking” is not commonly used in popular media for describing the era of chattel slavery in the United States, it has become a standard description among historians of this time period.

This project began with a focus on the location in Court Square known as the Slave Auction Block. That site has had three different markers over the last 50 years (see Appendix C). In February 2020, a community member stole one of these markers and partially-removed another. Shortly thereafter, the HRC’s Court Square Marker Subcommittee recommended to Council that a temporary marker be installed, and “Councilors agreed that the HRC subcommittee could go forward with researching proposals for a temporary marker, including the language to be used.” However, in March, members of the descendant community asked that nothing temporary or permanent be installed/erected without descendant community input, and their further input was to request that a marker similar to previous ones not be re-installed.

One of the reasons for using the Slave Auction Block location as a focal point is that it is a space representing events that dehumanized enslaved people, reducing them to financial transactions. However, in consultation with Dr. Mabel O. Wilson, we were implored to also ensure that we adequately addressed re-humanization. This can be accomplished by naming, describing, and making these enslaved individuals not only lines in a ledger book, but as real, unique humans that they were.

One unexpected aspect of the research conducted as part of this project is that it has called into question the historicity of the Slave Auction Block site. However, it has also more fully clarified the scope of auctions and sales of enslaved individuals not only within Court Square, but also throughout Charlottesville and Albemarle.

One aspect of this project involves the political and ownership boundaries between Charlottesville and Albemarle. Charlottesville was a town within Albemarle County until 1888, when it became an independent city. The block that contains the Albemarle County Courthouse is within the City of Charlottesville, but the parcel containing the Courthouse is jointly owned by the City and County, while the parcel containing Market Street Park is owned entirely by the City. If the Courthouse parcel were to be used for memorialization, this would at least require the consent of Albemarle County, and ideally a fully-cooperative relationship.

Descendant Engagement

One of the most challenging aspects of this project has been descendant engagement. This has been significantly complicated by the COVID-19 pandemic, which has prevented us from holding any in-person engagement sessions. All engagement sessions have been virtual through Zoom, led by HRC members Dr. Jalane Schmidt (Associate Professor of Religious Studies and Director of The Memory Project at UVA) and Robert Watkins (Assistant Historic Preservation and Design Planner in NDS). This has had the drawback of making descendant engagement with those who live in the area more difficult, but also engaged some people who would have otherwise not been able to engage, for example, a descendant living in Canada.

Our guiding principles for engagement come from the document [Engaging Descendant Communities in the Interpretation of Slavery at Museums and Historic Sites](#), also known as “The Rubric”, a [deliverable from the 2018 National Summit on Teaching Slavery](#). Contributors to this document include public historians with local relevance Niya Bates, Hannah Scruggs, Justin Reid, and Sara Bon-Harper.

The Rubric states that:

a “descendant community” is a group of people whose ancestors were enslaved at a particular site, but it can transcend that limited definition. A descendant community can include those whose ancestors were enslaved not only at a particular site, but also throughout the surrounding region, reflecting the fact that family ties often crossed plantation boundaries. A descendant community can also welcome those who feel connected to the work the institution is doing, whether or not they know of a genealogical connection.

This definition is an acknowledgement that slave owners’ reliance on family separation as an enforcement mechanism and slave traders’ significant exportation of enslaved people from Virginia in the 19th century created a far-flung diaspora and erased genealogical connections.

The descendants who have participated so far expressed two primary desires for any projects: that it be significant and that it have an educational component. They have generally expressed that they do not wish to have yet another insignificant plaque or marker, typically phrased as “go big or go home.” There is an expectation that one of the future projects is a significant physical memorial, likely in Court Square. The second desire is an educational component that interprets the chattel slavery system throughout antebellum Albemarle County.

One further limitation we face with descendant engagement is a desire to be respectful of the descendant’s time and emotional labor of participating. **We do not want to endlessly hold engagement sessions without the demonstration of a significant political and financial commitment from City Council.**

Research

This project has included both original research using primary sources, and the collection, curation, and contextualization of existing research of existing research into antebellum (pre-Civil War) human trafficking in Albemarle County. Appendix D contains a sampling of this research.

HRC member Dr. Jalane Schmidt, Associate Professor of Religious Studies and Director of The Memory Project at UVA, procured funding for two graduate student researchers, MaDeja Leverett and Jake Calhoun, to review Albemarle County chancery records between 1831 and 1860. These are the most accurate and relevant extant records, as any transactions of enslaved

persons during this period would have been recorded therein. One of the most powerful results of this is the rediscovery of the names of enslaved people sold at Court Square. So far, these include:

- Warwick, a man sold in order to pay off the debts and interest of John Douglass
- Phebe, a woman, and "her increase," who were enslaved by James Jopling and ordered to be sold by commissioners of the Court
- Lucinda and her increase, Alice, Hannah (child of Alice), Clara, Margaret, Mary, Harriet, Jim, Edy, Nancy, Dolly, and Eve, sold in order to pay off the debts of John Danielle

HRC member Phil Varner has reviewed hundreds of antebellum newspapers for advertisements of auctions. These have helped to clarify the form of auctions and where they took place. "Runaway" ads from enslavers attempting to re-capture fugitives from slavery have provided both names and humanizing descriptions that are typically absent from formal records.

As part of this project, we have found little evidence to support the claim that there was a stone block on the Slave Auction Block site prior to 1865 that was used as an auction block for enslaved individuals. We have looked through numerous primary and secondary sources and have found only one second-hand anecdote from 1906 that it was used for auctions, and several sources that we would have expected to have found mentions of it but did not. We know that a stone block approximately 18" x 15" x 30" existed on the south side of the "Number Nothing" building (0 Park Street) in 1906. We have three photographs from two other locations (one on and one near Court Square) that show carriage blocks matching this description.

We found a large number of references to the area in front of the Albemarle County Courthouse as a site for auctions. Roughly half of the hundreds of auction advertisements we have collected locate auctions in Court Square, with the other half occurring at the plantations at which the subjects of the advertisements were enslaved. Of those in Court Square, roughly half of those (one-quarter of the total) occurred in front of the Albemarle County Courthouse. The other half occurred at several locations around Court Square including the Swan Tavern (now demolished, present-day location 300-302 Park Street, the Redlands Club), Eagle Tavern or Eagle Hotel (now demolished, present-day location 300 Court Square), Jefferson Hotel or Mr. Garnett's tavern (demolished, present-day 500 Court Square, Monticello Plaza Condominiums, formerly Monticello Hotel), and the H. Benson & Bro. Auction Rooms ("Number Nothing" or 0 Park Street, building remains, as early as 1858, definitely by 1863, until 1870).

Framing Future Work

While this work began with the Slave Auction Block location as the focal point, it has expanded beyond this single location to encompass all of Court Square and Albemarle County.

One of our most valuable activities was a work session with [Dr. Mabel O. Wilson](#), Nancy and George Rupp Professor of Architecture, Planning and Preservation, a Professor in African American and African Diasporic Studies, and the Director of the Institute for Research in African

American Studies (IRAAS) at Columbia University. The entire HRC meeting involving Dr. Wilson may be found [here](#), and just the work session with her [here](#).

As a member of the team that designed the [Memorial to Enslaved Laborers](#) at UVA, Dr. Wilson used her extensive design and public engagement expertise to channel the wishes of the descendant community into the design of a memorial featuring the sculptural work of artist Eto Otitigbe. Dr. Wilson emphasized that a key aspect of memorialization is not to only focus on the complete dehumanization of people through auctions, but also on rehumanizing them. This can be done through rediscovering such seemingly simple information such as their names, family relations, and personal descriptions.

This un-erasure of people's lives will require significant work in reviewing chancery records, newspaper advertisements, Confederate Slave Payrolls, and other records that have any remaining trace of that person's existence.

Following the wishes of the descendants, there should likely be a significant physical work in Court Square and an educational component. We do not anticipate that only one action or construction will be created, but rather a collection of projects serving unique but related purposes. We anticipate that these projects will cost from \$500K to \$1M, cover locations throughout Charlottesville and Albemarle (as many sales were held on the plantations), and include financial contributions from Albemarle County.

Possible locations for a physical memorial in Court Square include the new for the joint City-County Courts Expansion plaza adjacent to the Levy building, in front of the Albemarle County Courthouse either in place of the antiquated "Monticello" sign or where the Confederate "At Ready" statue was, in Court Square Park, or adjacent to Number Nothing (0 Park Street). Other more "distributed" monuments should be considered, such as those like the [stolpersteine](#) ("stumbling stones or blocks") memorializing victims of the Nazi regime in Europe. Additionally, while not related specifically to slavery, the corten steel monument for John Henry James from The National Memorial for Peace and Justice intended for installation in the locality that his lynching occurred is available.

Appendix A - Notes from Consultations with Descendants

5 May 2021

HRC consultation with descendants

Jalane and Robert for the City + 9 descendants

Diane Brown Townes, Joan Burton (life-long resident of Albemarle County, descendant of many: Monticello, Governor's mansion, UVA, White House), Myra Anderson, DeTeasa Gathers, Calvin Jefferson (descendant of 3 families from here), Sakeena Nazeer (from New York, Gillett family descendant, Joan's cousin,), Rita McCall (upstate NY), Bertha French (Toronto), Vicki McGill

Myra: multiple times to have engagement, not just during day, but also evening, multiple days. CDC might outside. How to disseminate information – giving people ample time to put in calendar, going across a lot of different media. Some elders aren't on Facebook. Ask Getting Word to get word out, Black churches networks, descendants sites. How is info getting out, thinking about time, and making sure the info is getting out to descendants. Connecting with Monticello, all descendants.

Diane: old fashioned door-to-door, survey monkey to get people signed up, in-person, one-on-one, very direct

Bertha: trying to broaden our tent, coalition, cross-section of community in Central Virginia and beyond. Our first public event – we sent out a survey. Engage in co-creation sessions.

Dee: be patient in the process, and clear in your process, multiple dates and avenues to share. (JDS: Facebook?) don't feel pressure to make quick decision. Mr. Allen, who took the marker, came and set on my porch and said what his intentions are. But she wants to hear the plans, be patient in process.

Rita: it's about erasure, not admitting, need to fight, urge to fight (she's in NY). I'm 63, Africana Studies, older folks in their 80s, who haven't spoken – she got grief from people here who are descendants of slaveholders (Dutch in upstate NY).

Diane: I'm going door-to-door for ancestry, getting feedback as she digs deeper. Some folks who knew, older, have died before she was born.

Myra: one final comment – I see the work as two-fold: what will memorial look like, and *process* to get there, very important as we talk about acts that tore away people's dignity, we must dignify, amplifying the voices. Most interested in hearing from descendants (not Mr. Allen). Keep in mind that a lot of

Bertha: Rita, you mentioned you're in upstate NY? Rita: in Schenectedy. Bertha: I'm in Toronto. Rita: struggle with local historians over, people skirt around. (JDS: I'm realizing that I'll have to put on my

ethnographer field worker hat, and let things unfold, sometimes conversations spiral into areas which seem far afield.)

Joan: I will speak, but not often. I've spent a lifetime speaking and I'm a little old. I've lived here my whole life without knowing the history of my family because it wasn't in the history books. Learned they were at Monticello, they'd come here with Thomas Jefferson's father. My object is to bring them out of the shadows, after fighting, they deserve to be humanized, we need to hear their voice. (JDS: we heard the voice of Fountain Hughes at the slave auction block vigil.) I don't know how, but I hope that this will make it into the history books and classes. How can I work on changing things today? Do we put up or tear down monuments? We have so much. Her GGgrandfather's brother, Israel Gillette, gave an interview to an Ohio newspaper about his enslavement at Monticello. His children were sold away from him, although he bought his own freedom.

Calvin: I've noticed since I've been down here, is how many families are inter-connected. Gillette, Granger, -- all melded together, but his family didn't tell the stories, her mother didn't know, her father didn't tell, his uncle was drunk and no one believed him! The older people have to tell the younger people the stories. Reason stories weren't passed down: didn't want to talk about it. It's a new day, so it's time to have those stories written down and passed down,

Bertha – are there any Browns from Albemarle County, Madison? Joan: so many relationships. (JDS: I feel like I'm listening in on a family reunion.)

Rita: asking Calvin, re: Osburns from Georgia came from Virginia.

Vicki McGill: I am part of Dr. Shelly's Friday night.

Sakina: got notice late, I live in New York. We have to follow the migrations of these slaveholders – the arteries of following. I was unaware of the slave auction block

DeTeasa: what I'm hearing is that we need to get together, feel connected to the conversation, far-flung people. We need to educate about the slave auction block, because not everyone is aware. JDS: could you send out an email to descendants to report on this conversation, and that we want to move forward?

Joan: what response have you gotten from City? Robert: after the plaque was removed in Feb 2020, the city was going to reinstall a replacement plaque. But after meeting with descendants, City realized that need to consult.

3 June 2021

Sakeena Naseer – from Brooklyn. “kinda mixed, some are insulted – family members. . they should take it down. For me, I like to see something I can visit, something tangible, that I can touch.”

DeTeasa – Carolyn Dillard (her mom just died), Bertha is moving leaving Canada going to Florida, another is in storm, without power.

Calvin – taking down monuments weren't put there to memorialize that time and space, they were placed in the 1920s, the movement to get rid of the monuments which were put there by DAR (JDS: ??) to intimidate. The statues shouldn't have been there in the first place. But slave sales actually happened, and should be memorialized. Most ppl have connection to slavery, whether

We don't tell slavery honestly. JDS: what would it look like to tell this story honestly? Calvin: concept of race, "Founding Fathers" employed it, religion in New World (Catholic church spread concept of slavery), for some ppl it may be hard to take, but for others not. History can be negative, but the grudge won't cleanse your soul. Taught honestly, we wouldn't have had Trump.

Sakeena: when you think of it from perspective of intimidation, it changes the story. When I was a child, Jim Crow – hanging dead cats to discourage Black children from going to certain places. What might it look like?

Dee – what would be meaningful? I didn't even know it was there. Now that its gone

Calvin: **Combination of memorialization and education**. Public building, have to deal with building and street code. So these issues will come up as we continue. Main goal to have something there that doesn't allow people to forget. Dee: I wouldn't expect something to be huge, because sidewalk isn't large. But I do agree with upright in some kind of way, so you don't have to search for it. How to get more voices in here in this conversation, pull in descendants, locals. We've been conditioned as a people, especially in this area, to look over and ignore. It's hard to get that back to see that this is part of a real place that needs to be respected.

Calvin: strike now, go permanent, because people are talking about it, truth-telling, lets put out there that this is what we want – Sakeena – he's right, because someone can freeze that. Dee: spending money twice. Let 'em keep at it. Bigger plan in place. Flower offerings are nice, maybe a garden?

Put down the date and time when we can celebrate. Feb – Black History Month, Liberation and Freedom Time, Juneteenth – use as part of celebration in city, timed for placement goal, events -- education.

Sakeena – just the word memorialize, something permanent, it's not closure, but recognition means a lot. JDS: why? Sakeena – like the UVA MEL, a release that finally they're recognizing. Re: scholarships: "We're left out because we're old, and we fought for so many years!" I was talking to someone it's like a checklist of certain things, build the memorial, provide narrow education courses, etc.

Dee: quick questions – to start collecting emails, put in survey format with questions: what would you like to see? What would be meaningful? Circulate in some way, perhaps google doc, something to measure, get a temperature check, and gather that involvement, across age group differences, make it a project in school – kids are most creative and they lead us, incorporate, draw in that interest in the next 6-12 months, get that interest going, more data is pouring back in from different areas.

Attach a prize – a DNA kit (!?!) an incentive to participate.

10 June 2021

Joan Burton, Diane Brown Townes, Valeria Spinner Banks (Wisconsin), Dee Brown Gathers, Calvin Jefferson, Myra Anderson, Cauline Yates, Star Reams (DEC Leadership Group, Lynchburg VA NC), Sakeena, Robert Watkins, Gennie Keller

Cauline: Black folks have been complaining about the plaque sunken in the ground, “all of our stuff is low.”

Dianne BT: DHR marker / local marker – she’s working very hard with County Preservation Board, my personal bias: I don’t like imagery (people, places), gets back to canonizing folks, can send different messages.

Calvin: but it has definitive meaning, no imagery may not work, we’re talking about people who were sold. **OLC voice of Fountain Hughes**, and also picture. Photographs should be of descendants – present day, because we have few photos of enslaved local folks.

Dianne BT: TJ for breakfast, lunch and dinner. Not saying no form of likeness. Transatlantic slave trade – dynamic stories unfold around that, history isn’t etched in stone. Don’t want to obliterate image

Joan: use the **words of the enslaved**, is the most important, I want to know what they felt. Not necessarily attributing to whom, but those who were sold there. Her ancestor in Ohio gave interview in 1870 re: sales (JDS: Eston Hemings?), his children were sold away. I don’t want another fight over a statue. I don’t know how we can ever know how many people were sold. (JDS: maybe we can do that research, employ UVA students.)

Cauline: it’s **nice to have some of the words**, but a lot of times we don’t have those accounts. If we do have photographs of people. What might be a nice project, I’m not against research, but don’t limit the words. A project might be nice, have something made of the research – an **exhibition**, with a quote blown up, several of them in an auditorium, educate people on this. Hear the statistics. Holsinger photographs, we don’t know who all the people were, tho some discoveries were made. **Need some sort of educational component to teach**. Walking tour, skit,

DBT: **ephemeral exhibit, cultural and heritage event, re-enactments**

Valeria: raised in Cville, nothing about enslavement was talked about, it wasn’t until adulthood that I heard the stories. Plaque is very well, but **the stories need to be told**, why nothing has changed. I don’t want to see a statue either. Awareness, we need to tell the story, we are a story-telling people. As a former teacher, I told my students to listen and read between the lines. How to walk in the steps of our ancestors?

Star: **it’s a sacred space, it tells our narrative**, it has substance to it, whether it’s the names of slaves who were sold there.

Joan: I’ve spent time at the courthouse researching, you always see tourists, looking, wondering what is the significance? School kids could go there, learn early.

Myra: I’m not into plaque or saying this. I’m more about the process, Jalane. I’m wondering as we imagine what this looks like, **imagine the process – it’s just as key**. Brings dignity to something, whatever

design is going to go there. In a way that feels inclusive – don't just graft in descendants after the fact, make us part of the process. Ghana trip with the city – slave coast. A plaque on the wall of the slave castle: "In everlasting memory of the anguish of our ancestors...." Some powerful quote like that.

Cauline: combine city and county input on slave auction sites,

Dee: thank you to descendants who showed up, getting people to engage, pull in your family, so many that don't have that history, have just started their research, we have to involve our children, the youth.

DTB: Thank you DEC, for re-sending mtg announcement. County-wide marker program. Gennie: we've been moving away from state markers, collaborating with county,

JDS: Also, on the horizon: the HRC will be hosting a webinar with Anne Bailey, author of <https://www.amazon.com/Weeping-Time-Largest-Auction-American/dp/1316643484> to learn more about sales of enslaved persons. That webinar date is TBD, but likely will be sometime later in the Fall or perhaps early in the new year 2022.

Appendix B - Report on Research in Court Square by Jake Calhoun and MaDeja Leverett

The HRC meeting of Feb 11 2022 where this report was presented by the authors can be found at <https://boxcast.tv/channel/vabajtzezuyv3iclkx1a?b=noiopmuy7yfv9ibcfqxc>

For the past four months, we (MaDeja Leverett and Jake Calhoun) have researched the antebellum history of Court Square and the Albemarle County Courthouse in an effort to uncover the site's significance as a place of enslavement and the commodification of human beings. In doing so, we have thus far engaged primarily with Chancery Order Books, records detailing disputes over wills, estates, and debts due to the Court. Enslaved women, men, and children featured prominently in many of these cases as they regularly factored into the "estate" of many Virginians. These enslaved Americans posed a unique problem for the Court as evenly dividing a human into equal "shares" posed a challenge. At times, enslaved persons might be granted to the deceased's next of kin as happened in May of 1835 when the Albemarle County Court decreed that Ann Eliza and Emily, two women enslaved by Christopher Hudson, were to be bequeathed to Hudson's grandchildren after his passing. All too often, however, in order to distribute the "shares" of the deceased in a manner that the Court deemed appropriate, the Court would appoint one or more commissioners to sell the enslaved persons, essentially liquidating them in order to distribute their monetary value evenly among the claimants.

The Albemarle County Court directly advertised the sale of enslaved individuals and families on the Courthouse door and in local newspapers, as it did with an enslaved woman by the name of Phebe in 1837. In May of that year, Phebe's sale, along with that of her "increase" (her children), was advertised on the front door of the Courthouse and circulated in local Charlottesville newspapers. In certain cases, the Court might also elect to order an auction or sale to take place on the following court day, ordering the date of said sale to be advertised in a similar manner. An enslaved woman named Dolly endured this process in October of 1838 when she was auctioned off in front of the Courthouse in order to pay off the debts of her enslaver John Gilmore. After combing through these Chancery Order Books dating from 1831 to 1842, dozens of names of enslaved people sold by commissioners of the Albemarle County Court have emerged, all of whom had their sale either take place or advertised at Court Square. Beyond these individuals, hundreds of more names of enslaved people, all of whom had their fate determined by the Court, fill these records.

So far, our research has only taken us through 1842 though this advertisement and trade of enslaved human beings by commissioners of the Court continued well beyond that date, lasting up until the Civil War. We have yet to explore the Chancery Records of these later years, nor have we had the opportunity to review the Albemarle County Court Minutes from these decades, which, after 1850, should detail the fate of any fugitive slaves that might have come before the Court after the passage of the Fugitive Slave Act of 1850. Fugitive slaves across the South, if captured, would often be sold at auction by County courts if their enslaver could not be located. Unlike the Chancery Order Books, these sources have been known to list place of sale,

often specifying the precise location of the auction of a fugitive slave, whether it be the steps of a courthouse, a nearby plantation, or an auction block. Though we have few explicit references to the geographic place of sale within the confines and context of Court Square, as in whether such sales took place on the Courthouse steps or at Number Nothing, the names and stories of the enslaved people sold at Court Square speak not only to the Square's significance as a site of enslavement but also to Albemarle County Court's undeniable historical function as a tool of dehumanizing Black people.

List of Names of Enslaved People Confirmed Sold at Court Square and Year of Sale
(Drawn from Chancery Orders 1 Albemarle County, 1831-1842)

Warwick, 1834
Phebe and her children, 1837
Lucinda and her children, 1837
Alice, 1837
Hannah (child of Alice), 1837
Clara, 1837
Margaret, 1837
Mary, 1837
Harriet, 1837
Jim, 1837
Edy, 1837
Nancy, 1837
Dolly, 1837
Eve, 1837
Dolly, 1838
Milly and her children, 1839

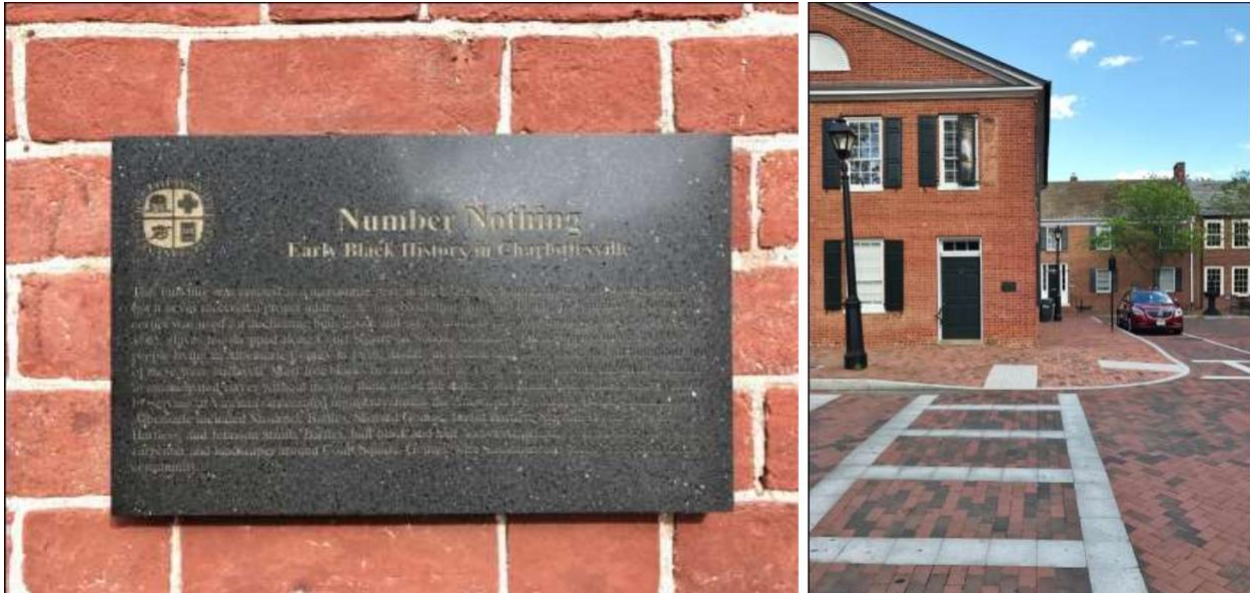
Appendix C - Previous Memorializations

There have been three previous markers of the Slave Auction Block location. Even if there was support for installing a new plaque now, we would not use this same language, as we generally no longer use words “slave” or “black” as nouns and capitalize “Black” when used as an adjective.

“Site of Slave Block” slate sign on Number Nothing (installed in the 1970s/80s, removed in early 2000s during sidewalk renovations, not reinstated)



Marker on Number Nothing, black marble, carved text with gold inlay. Over time, the gold inlay faded and the marker became illegible. (2003, partially-removed in 2019 during the theft of the bronze plaque, not reinstated due to illegibility and outdated language and narrative)



Text of Marker:

Number Nothing

Early Black History in Charlottesville

This building was erected as a mercantile store in the 1820s for John R. Jones and Sam Leicht Jr., but it never received a proper address. A stone block that once sat outside the building's southwest corner was used for auctioning both goods and slaves until slavery was abolished in 1865. Prior to 1865, slaves too shopped along Court Square on Sunday mornings. Of the approximately 20,000 people living in Albemarle County in 1830, slightly more than half were black and all but 400 of those were enslaved. Most free blacks became so before 1807 when it became illegal in Virginia to emancipate slaves without moving them out of the state. Some blacks had gained their freedom by serving in Virginia's integrated regiments during the American Revolution. Black soldiers from Albemarle County included Shadrack Battles, Sherad Goings, David Barnett, Stephen Bowles, Peter Hartless, and Johnson Smith. Battles, half black and half Native American, worked after the war as a carpenter and landscaper around Court Square. Goings' wife, Susannah, was highly respected in the community.

in-sidewalk bronze plaque, with community-sourced correction of “slaves” to “people” (installed 2011/2012, stolen 2019, not reinstated at behest of HRC)



Appendix D - Summary of Additional Research and References

References

- ["Site of Slave Block?"](#) by Gayle M. Schulmann, *The Magazine of Albemarle County History*, 2000
- [Interview with Fountain Hughes, Baltimore, Maryland, June 11, 1949](#). Audio interview with Fountain Hughes Hydraulic Mills property of the Burnley, where he mentions auctions occurring on a bench placed in front of the Courthouse
- Rebecca Fuller McGuinness recalls her grandmother describing an auction occurring at a "big tree stump in the front yard of the county courthouse", from an interview in "McGuinness' book of records", Charlottesville *Daily Progress*, 14 Feb 1999, by David A. Maurer.
- [Maria Perkins letter](#) (1852). Perkins' letter to her husband telling him that her son Albert had been sold "on monday court day" and that she will likely be sold on the next court day.
- [Early Charlottesville: Recollections of James Alexander, 1828-1874](#) (published between Dec. 1873 and May 1874 in Alexander's newspaper the *Jeffersonian Republican*, compiled and edited by Mary Rawlings for publication in 1942 by the ACHS)
- [Recollections](#) by R.T.W Duke, Jr. (1899)

Homan W. Walsh anecdote

This is the only original reference we have to the Slave Auction Block location.

From [Early Charlottesville: Recollections of James Alexander, 1828-1874](#), edited by Mary Rawlings (1942), page 19.

<https://babel.hathitrust.org/cgi/pt?id=uva.x000239102&view=1up&seq=11>

To Alexander's original text written sometime in 1873 or 1874:

"On the east side of the Public Square, stands the brick building known as No. Nothing;"

Rawlings added the following footnote in her edited edition published in 1942:

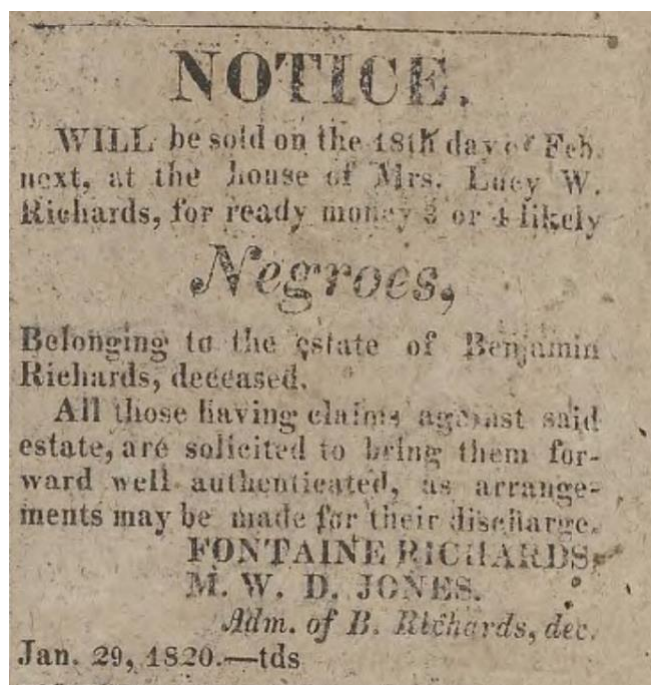
1. Still standing, 240-242 Court Square. This lot was bought, June 15, 1820, by Opie Norris and John C. Ragland, from Edmund Anderson of Richmond, Albemarle County Deed Book 22, p. 334.... At some later period, traditions of the slave trade gathered about this house. Some hold that the lot to the rear was used for this purpose. **Mr. Homan W. Walsh**, whose offices — formerly those of Mr. Dan Harmon — occupy the southern half, informs us: "I have, of course, heard that the building was used as a slave auction room. ... I have never heard of a sign on the wall, relating to its use as a slave

market. **When I commenced practicing law in Mr. Harmon's office in 1906 and for several years afterwards there was at the side of the office at the curb a large stone, perhaps 18 inches high by 15 inches wide and 30 inches long, which it was said was the auction block for selling slaves.** ... It was taken away years ago by some employees of the city, when cleaning the streets or paving this section. . . . To this he adds that since writing, a southern snow brought out for an hour some black lettering through the paint on the southern side of his office, facing the Monticello Hotel, as follows: " — BENSON AND BRO. AUCTION ROOMS." As the Bensons were for years the town auctioneers, and this sign was just over the auction block, we may infer that all auctions were conducted here, and thus when slaves were brought in, their dealers made use of these facilities.

Based on this anecdote, the block location was added to the birds-eye view map "A View of Charlottesville circa 1828" created by the ACHS and published at least as early as the 1976 bicentennial publication *Albemarle, Jefferson's County, 1727-1976*. This map is frequently misunderstood as a map of Charlottesville from 1828, rather than a modern creation. Henry Benson leased Number Nothing for his auction rooms as early as 1863 through 1870. Benson was himself a slave owner (1850 and 1860 census) and is listed as the auctioneer for several estate sale advertisements including enslaved individuals.

Newspaper Advertisements

The earliest advertisement we have for enslaved persons is the estate sale of Benjamin Richards at his former house from the *Central Gazette*, January 29, 1820.



The first advertisement we have for an auction in Court Square is from the *Central Gazette*, November 24, 1820, at the Albemarle County Courthouse.

CASH SALE.

On the first Monday in January next, the subscriber, Executor of Charles Wingfield, deceased, will offer for sale for Cash, at the Court-House of Albemarle County, about

20 Likely Negroes,
Men, Women and Children,
Carriage & Harness
Bed and Furniture, Sofa, Tea-Table, Scott's Family Bible in five volumes, Doddridge's Family Exposition in six volumes and Blair's Sermons.

All persons indebted to the said estate, are requested to make payment on or before the above named day of sale, as no indulgence can be given.

FRANCIS WINGFIELD,
Executor of
CHAS. WINGFIELD, dec.

Nov. 24. 1820—tds

One of the most well-known sales is this 1829 auction at the Eagle Hotel on Court Square of the remainder of the estate of Thomas Jefferson, after [the more infamous 1827 auction at Monticello](#).

Virginia Advocate, December 13, 1828

WILL be sold, on the **FIRST OF JANUARY**, in the town of Charlottesville, in front of the *Eagle Hotel*, **THIRTY SLAVES**, consisting of men, women and boys, among whom are several valuable tradesmen. The terms will be made known on the day of sale.

T. J. RANDOLPH,
Excutor of THOMAS JEFFERSON, deceased.

Dec 13 1828

Virginia Advocate, 13 December 1828.

The advertisement for the sale of the well-known "Dunlora" plantation is an example of an estate sale after the death of the owner. As was common, the auction occurred on-site at the plantation.

Jeffersonian Republican, November 27, 1845

**VALUABLE
ALBEMARLE**
ESTATE AT AUCTION.
THE Subscriber will offer, at Auction, on the premises, on the 10th of December next, the estate called
"DUNLORA,"
the late residence of Col. Samuel Carr, containing by recent survey,
Four Hundred & Forty three Acres.

Of these ONE HUNDRED AND SIXTY are Rivanna low-grounds of the finest quality; more than *one hundred acres* are heavily timbered, the greater part of which is within two miles of Charlottesville, where wood commands a ready sale and high price.— The rest, except what has been seeded in Wheat this fall, is well set in Grass. This estate is situated between *two and three miles* north of Charlottesville, and within four miles of the University of Virginia, in a wealthy neighborhood remarkable for its intelligence and morality. The Rivanna river which bounds this estate, is navigable for bateaux in both of its branches for five and six miles above it, to large manufacturing mills of the highest repute. There is also another large mill one mile below, on a tributary of the Rivanna. The improvements consist of a large and elegant brick building, and *all necessary* out houses.

TERMS.—One fourth on the 15th of February, 1846, and the balance in three equal annual payments thereafter.

Immediately after the sale of the land, there will also be offered at auction,
THIRTEEN YOUNG AND LIKELY NEGROES,
all the Stock, Plantation Utensils, and Furniture, and the crops of Corn (about 300 barrels.) Hay and Tobacco. Terms made known on day of sale.

GEORGE WATSON CARR.
October 9, 1845.

This example from 1858 is an example of a sale by Henry Benson prior to him moving his Auction Room to Number Nothing, as other advertisements indicate a different location for them off of Court Square. The auction occurred at the Courthouse on court day as part of an estate liquidation.

Jeffersonian Republican, October 14, 1858

FOR SALE.
I WILL offer for sale at Auction on **MONDAY 1ST NOVEMBER NEXT**, at the Court House, of Albemarle, **A VERY LIKELY SERVANT GIRL**, 17 years of age. She is an excellent Seamstress. **TERMS**, at time of sale.
Oct. 14, 1858—3t.
J. W. JONES, Adm'r,
of **J. W. Bear, dec'd.**

Jeffersonian Republican, November 4, 1858

Highprice for a Slave Woman.
Henry Benson & Bro., Auctioneers, sold on Monday last, a negro girl belonging to the estate of J. W. Bear, dec'd for the sum of one thousand three hundred and ninety seven dollars.

This advertisement is an example of a Henry Benson auction, likely occurring at his auction rooms at Number Nothing.

Charlottesville *Daily Chronicle*, January 1, 1865

AUCTION SALES.
BY BENSON & BRO.

TWO VALUABLE FAMILIES OF NEGROES AT AUCTION.

WE WILL sell on Monday, January 2d, (Court day,) two Valuable Families of Negroes—one a woman with 5 children—the other a woman with 3 children.

H. BENSON & BRO.

dec. 25, tda.

This is another example of a Henry Benson auction, though this auction would not have occurred as advertised on March 6, 1865, as Charlottesville was liberated from Confederate control on March 3rd.

Charlottesville *Daily Chronicle*, February 22, 1865

BY BENSON & BRO.

NINE VALUABLE NEGROES AT
AUCTION.

WE will sell at our Auction Rooms on the
6th of March. (Court day) a likely
young Negre Man, and a young Woman, heal-
thy, and a good house servant, with seven chil-
dren. They will be sold for Cash.

BENSON & BRO.

feb. 18, tds.



A Path Forward FY 2023 Budget

MARCH 7, 2022
PRESENTATION TO
CITY COUNCIL

Charlottesville City Schools

Strategic Plan focus areas:

- Academic excellence
- Safe and supportive schools
- Organizational supports



Charlottesville City Schools

Faculty recognized statewide and nationally for excellence in their fields



JMU Literacy Alumni Award
Cicely Shelton-Barnes
Media Specialist
Venable Elementary



Congratulations

2022 Elizabeth A. H. Green School Educator Award

ASTA's Elizabeth A. H. Green School Educator Award is given annually to a string teacher with a current and distinguished career in a school orchestral setting.

Please join us in congratulating this year's recipient, **Laura Mulligan Thomas**, director of the Charlottesville High School Orchestra in Charlottesville, Virginia.



Moving Forward

Supporting Mental Health

- Needs in this area were increasing before the pandemic – COVID has exacerbated the needs
- School Mental Health Professionals are essential to support trauma resilience and the mental wellness that is foundational for academic learning to occur

Embracing English Language Learners

- CCS is consistently among the most diverse school systems in the nation - New ELLs continue to be enrolled by the IRC (International Rescue Committee) and we continuously work to support these new learners in our community

Acceleration of Learning

- We know that COVID impacted learning for all students and widened the achievement gap for disadvantaged students

National Teacher Shortage

- The number of unfilled teaching positions across Virginia has spiked by nearly 62%, rising from 877 in 2018-19 to 1,420 in 2020-21 (source: [Virginia Mercury December 6, 2021](#)/Virginia Department of Education Data)

Inflation (7.5% - [February 10, 2022 www.marketwatch.com](#))

Reconfiguration

Alignment of Non-Recurring Federal Relief Funds with Non-Recurring Expenditures



Addressing Non-Recurring Funding



\$5,000,000
\$4,000,000
\$3,000,000
\$2,000,000
\$1,000,000

Current FY 2022 Adopted Budget is **“hot” with recurring expenditures funded using non-recurring (one-time) revenue - \$4,571,634 CARES Funds** plus allowance of up to \$332,952 per year for increased transportation costs (2 year pilot)

2 Ways to “Cool” (decrease dependency on Non-Recurring Revenues):

- Increase revenue from recurring sources
- Decrease expenses

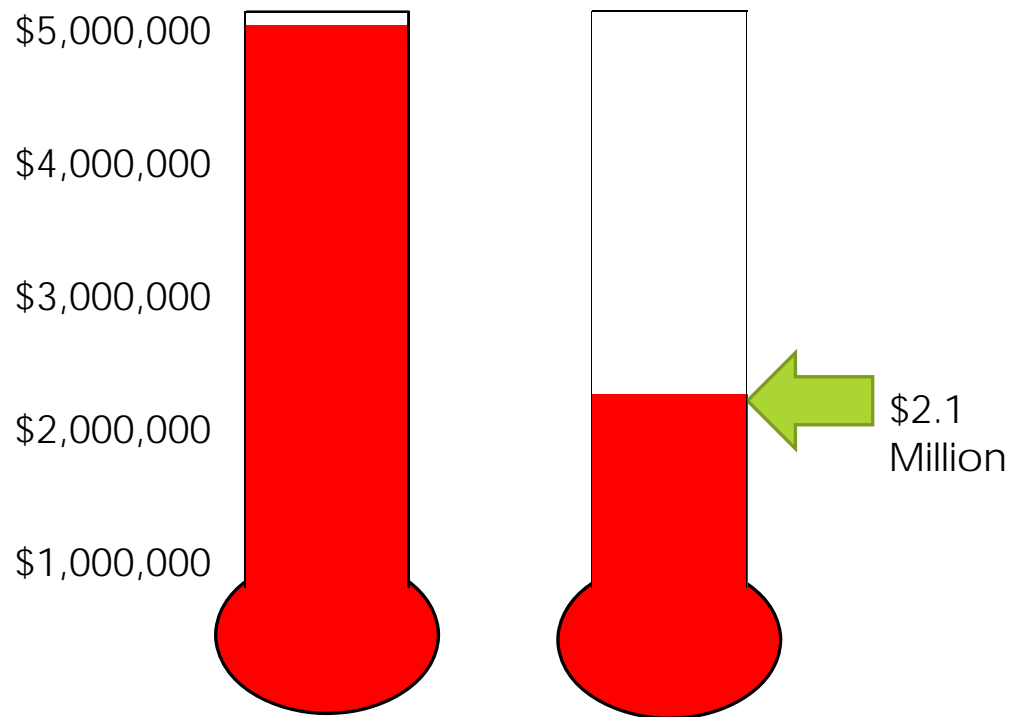
Currently, Fiscal Year 2024 (the budget we develop next year) is the last full year to use the Federal non-recurring relief funds.

FY 2023 Budget Overview

- ▶ Step plus 3.75% to 4% for a **5% average salary action** - in line with current state budget proposal (\$2.9+ million)
- ▶ **Health insurance increase of ~10%** - last year there was no increase and medical inflation has averaged ~5% per year prior to 2022 (~\$800,000)
- ▶ **\$224,900 in reductions to off-set \$81,267 in increases** for recurring and non-discretionary contracts, excluding \$878,521 increase in payments to the City for transportation, facilities/maintenance and storm water taxes.
- ▶ **Other reductions total \$980,750** and include 17 positions
- ▶ **Minimal funding for new/added expenses (\$5,650)**
- ▶ **Assumes ~\$1.7+ million additional state funding** (based original governor's budget proposal)
- ▶ **Assumes use of ~\$2.1 million non-recurring Federal Relief funds** for FY 2023 operations

| | |
|---|------------------|
| Formula Allocation Increase | 3,337,820 |
| Increases in Payments to the City: | |
| Transportation | 567,062 |
| Maintenance | 296,459 |
| Stormwater Tax | 15,000 |
| City Estimated Request | 4,216,341 |

Addressing Non-Recurring Funding



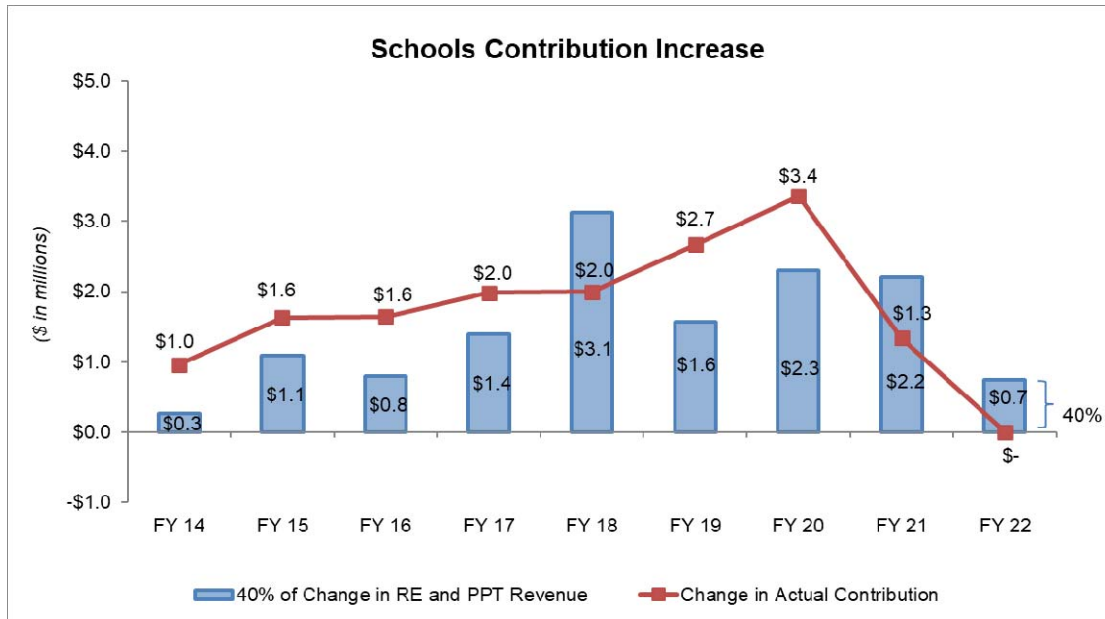
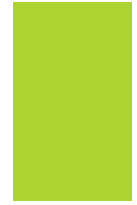
| | |
|---|-------------|
| Total CARES/ARPA Grant Funds Awarded | 15,735,358 |
| Spent in FY 2021 CARES I | (336,749) |
| FY 2022 Adopted Budget | (4,571,634) |
| FY 2023 Recommended Budget | (2,113,174) |
| Remaining ARPA Funds for FY 2024 Budget | 8,713,801 |

FY 2023 Budget Summary

| | Adopted FY 2021 - 2022 Budget | Proposed FY 2022 - 2023 | | | Dollar Change | Percentage Change |
|-----------------------|-------------------------------------|-------------------------|--------------------------|-----------------------|----------------------|----------------------|
| | | General Fund | Special Revenue Funds | Total | | |
| City of Appropriation | \$ 58,709,623.00 | 60,197,460 | 2,728,504 | \$ 62,925,964.00 | \$ 4,216,341.00 | 7.18% |
| Fund Balance | \$ 771,763 | 1,159,014 | - | \$ 1,159,014 | \$ 387,251 | 50.18% |
| Local | \$ 2,974,443 | 466,000 | 2,508,443 | \$ 2,974,443 | \$ - | 0.00% |
| State | \$ 21,328,161 | 19,319,383 | 3,795,163 | \$ 23,114,546 | \$ 1,786,385 | 8.38% |
| Federal | \$ 10,605,261 | 2,125,174 | 14,617,090 | \$ 16,742,264 | \$ 6,137,003 | 57.87% |
| Total Revenues | \$ 94,389,251 | 83,267,031 | 23,649,200 | \$ 106,916,231 | \$ 12,526,980 | 13.27% |



CCS Budget & City Appropriations



The Average Annual Increase in City Appropriation for Schools was \$2.3 Million from 2015 to 2020

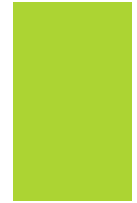
The base formula allocation increase for Schools for FY 2022 would have been \$746,069



City of Charlottesville – The Blue Ribbon Commission on Sustainable School Funding Report – January 22, 2014 (page 10)

It is difficult to estimate the size of the year-to-year funding gap going forward but it appears to be somewhere between \$2-4 million a year.

Coronavirus Aid Relief Economic Security (CARES) & Subsequent Funding



| Source Description | Acronyms | Issue Date | Spend Down Deadline | Award Amount |
|---|----------------------------|------------|---------------------|---------------|
| Coronavirus Aid Relief Economic Security | CARES | 3/27/2020 | 9/30/2022 | 1,187,446 |
| Coronavirus Response and Relief Supplemental Appropriation | CRRSA / "CARES II" | 12/27/2020 | 9/30/2023 | 4,481,993 |
| American Rescue Plan (Act) - Elementary & Secondary School Emergency Relief | ARP ESSR III / "CARES III" | 3/11/2021 | 9/30/2024 | 10,065,919 |
| Total CARES Funding | | | | 15,735,358.17 |

CARES & CRRSA budgeted for Operations in Fiscal Year 2022 - \$4,571,634

Prior to requesting reimbursement for CRRSA funds (CARES II) school divisions must have expended and requested all of CARES I allocation (Superintendents' Memo 090-21, April 9, 2021)

ARP/ESSER III Funds

- ▶ Purpose

- ▶ Help schools return safely to in-person instruction, maximize in-person instructional time, sustain the safe operations of schools, and address the academic, social, emotional, and mental health impacts of the COVID-19 pandemic on students. At least 20 percent must be reserved to measure and address the academic impact of lost instructional time on all students. Interventions to address the academic impact of lost instructional time will respond to the academic, social, emotional, and mental health needs of all students

- ▶ Application Requires 2 Plans:

- ▶ **Safe return to in-person instruction and continuity of services**

- ▶ CCS COVID-19 mitigation health plan is posted at: <https://charlottesvilleschools.org/covid-communications>
- ▶ The plan will be reviewed and revised at least once every six months in accordance with the ARP ESSER Interim Final Rule and any subsequent state or federal guidance to ensure it remains relevant and meets statutory and regulatory requirements
- ▶ Public comment on the plan will be encouraged at School Board meetings and online

- ▶ **Use of the ARPA ESSER funds**

- ▶ The plan will be shared with stakeholders including students, families, and staff for review and comment via Board meeting and online communication channels

ARP/ESSER III Funding Considerations

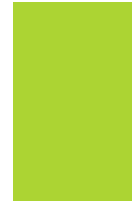
A Scenario:

| | |
|---|-------------------|
| Total CARES/ARP/ESSER | 15,735,358 |
| FY 21 Actual | 336,749 |
| FY 22 Estimated | 4,571,634 |
| FY 23 Proposed | 2,113,174 |
| Technology Infrastructure/FY 24 | 1,800,000 |
| Projected Balance Available for non-recurring expenses | 6,913,801 |

- At least 20 percent (~\$2M) must be reserved to measure and address the academic impact of lost instructional time on all students. Interventions to address the academic impact of lost instructional time will respond to the academic, social, emotional, and mental health needs of all students
- Use of these funds for “construction” (capital projects) requires prior approval from VDOE
- Period of Performance to spend all these funds is between March 13, 2020 and September 30, 2024
- Expect supply chain, labor shortage and inflation issues to persist



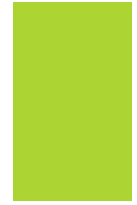
How the School Board can Support Reconfiguration



| Upcoming CIP Projects | Project Budget | |
|---|------------------|--------------------------------------|
| Venable Building Envelope | 535,000 | Completed Summer 2021 |
| LMA Siding Replacement | 50,000 | Completed Summer 2021 |
| Venable Annex Foundation Repair | 150,000 | Completed Summer 2021 |
| Greenbrier Modernization | 1,250,000 | In Design - Summer 2022 Construction |
| Clark Building Envelope | 450,000 | FY 2022 |
| CHS Roof Replacement | 1,320,000 | FY 2022 |
| CHS Electrical Panel Replacements | 500,000 | FY 2022 |
| Subtotal (from 10/26/2021 CIP Committee Meeting) | 4,255,000 | |
| Johnson Modernization | 1,250,000 | Summer 2023 Construction |
| Venable Modernization | 1,250,000 | Summer 2024 Construction |
| TOTAL | 6,755,000 | |



More Support for Reconfiguration – CSLFRF HVAC Grant



| HVAC Project Description from CIP | Total | Invoice to CCS | | Notes |
|--|-----------|----------------|----------------------------|---|
| | | 50% | Schedule | |
| 22 individual classroom unit replacements installed at Buford, Clark, Greenbrier, Venable & Walker | 173,872 | 86,936 | COMPLETED Summer/Fall 2021 | |
| Building Automation System installed at Venable Elementary School | 158,062 | 79,031 | COMPLETED Summer/Fall 2021 | |
| Building Automation System to be installed at Clark Elementary School | 170,000 | 85,000 | 2022 (FY23) | |
| 7 Make Up Air Units to be installed at Walker Upper Elementary School | 780,000 | 390,000 | 2022 (FY23) | |
| AC-1 Outside Air Unit to be installed at Venable Elementary School | 185,436 | 92,718 | 2023 (FY24) | *manually adjusted/reduced to match grant |
| Cooling Tower to be installed at Venable Elementary School | 150,000 | 75,000 | 2023 (FY24) | |
| | 1,617,370 | 808,685 | | |
| TOTAL CSLFRF HVAC GRANT FUNDS AVAILABLE | | 808,685 | | |

These dollars reduce City dollars for School HVAC CIP projects.

SUMMARY:

| | |
|--|------------------|
| CCS Grant Funded HVAC CIP Projects | 808,685 |
| ARP/ESSER Grant Fund Other CIP Projects | 6,755,000 |
| POTENTIAL LOCAL CIP DOLLARS for RECONFIGURATION | 7,563,685 |



Reconfiguration



Projects for the Middle School and Pre-school Campuses:

- Address aging facility issues
- Reduce student transitions during critical middle years – undo a well intentioned 1980's decision that creates unnecessary disruption for students during key developmental period
- Provide modern, state-of-the-art facilities to support best practices for early learning and middle school education
- Improve safety and reduce carbon footprint

The School Board requests that the City holds the current \$75 Million allocation in the CIP for the Middle School portion of this critical project.

"Specifically significant correlations have been found between poor structural, conditional, and aesthetic attributes of school buildings and low student learning and achievement."

Source: Fildaro, M., Vincent, J., Sullivan, K., Starr, J., Fusarelli, L., Ross, E. (2019, May 02).

More Information Available at:

<https://kappanonline.org/how-crumbling-school-facilities-perpetuate-inequality-fildaro-vincent-sullivan/>

Working Together – Moving Forward

▶ Collaboration

- ▶ Communications early & often to minimize surprises and understand the City and Schools' challenges

▶ Holistic View

- ▶ Discussions about housing must include schools, and visa versa, as schools serve the students that the housing decisions yield

▶ Data Driven Decision-Making

- ▶ School administration and the Board routinely collect and review data and use data to make decisions in the best interests of Charlottesville's students

▶ Transparency

- ▶ Public process is critical for effective budget development each year and for the reconfiguration work that is pivotal for current and future generations of Charlottesville students





CHS MOCHA (Men of Color Honor and Ambition) students delivering flowers to staff on Valentine's Day 2022.

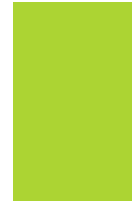
Thank you!



Appendix

FY 2023 School Board Adopted Budget – Budget Change Details

Budget Change Recommendations for FY 2023

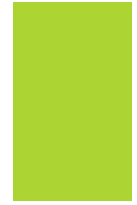


| Strategic Plan | SALARY & BENEFIT ACTIONS | AMOUNT |
|----------------|--|-----------|
| OS 7 | Teachers one step plus 3.75% - average increase 5% | 2,015,363 |
| OS 7 | Support Staff one step plus 4% - average increase 5% | 349,804 |
| OS 7 | Administrative Staff one step plus 3.75% - average increase 5% | 599,013 |
| OS 7 & 8 | Benefit: Health Insurance | 818,544 |
| OS 7 & 8 | Benefit: Employee Assistance Program | 1,754 |
| OS 7 | Revise Nutrition Manager's Pay Schedule | - |
| | <i>Total Salary & Benefit Actions</i> | 3,784,478 |

Total of Average 5% Raise for Everyone is \$2,964,180.



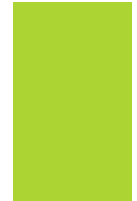
Budget Change Recommendations for FY 2023



| RECURRING & NON-DISCRETIONARY CONTRACTS | | |
|--|---|-----------|
| | City Contract: Pupil Transportation | 567,062 |
| | City Contract: Maintenance | 296,459 |
| | City of Charlottesville Stormwater Tax | 15,000 |
| | Contract: CATEC | 34,804 |
| | Contract: Piedmont Regional Education Program (PREP) | (150,000) |
| | Workers Compensation Coverage | 13,403 |
| | Fine Arts: Richmond Ballet | (40,000) |
| | Software Subscriptions/Support/Maintenance | 33,060 |
| | Technology Audit | (34,900) |
| | <i>Total Recurring & Non-Discretionary Contracts</i> | 734,888 |
| SCHOOL-BASED PROGRAM SUPPORTS & IMPROVEMENTS | | |
| AE2, SS4 | Stipends: CHS Theatre Assistant | 3,400 |
| OS 7 & 8 | Stipends: Pathologist and Psychologist | 2,250 |
| | <i>Total School-Based Program Supports & Improvements</i> | 5,650 |



Budget Change Recommendations for FY 2023



| REDUCTIONS | | |
|---|------------------|------------------|
| Re-Organization & FTE Adjustments (net) | (852,750) | (17.0) |
| Content Squads: Stipends | (56,000) | |
| Books: K-12 Bookrooms | (60,000) | |
| Internet/Communications | (12,000) | |
| <i>Total Reductions</i> | (980,750) | |
| GENERAL FUND TOTAL NET EXPENSES | | 3,544,266 |
| REVENUES | | |
| Increase: State | 1,786,385 | |
| Decrease: CARES II/ARPA | (2,458,460) | |
| City (Estimated Request) | 4,216,341 | |
| GENERAL FUND TOTAL NET REVENUES | | 3,544,266 |

| | |
|---|------------------|
| Formula Allocation Increase | 3,337,820 |
| Increases in Payments to the City: | |
| Transportation | 567,062 |
| Maintenance | 296,459 |
| Stormwater Tax | 15,000 |
| City Estimated Request | 4,216,341 |



**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|---|
| Agenda Date: | March 7, 2022 |
| Action Required: | Consideration of an application for a Special Use Permit |
| Presenter: | Dannan O’Connell, City Planner, Neighborhood Development Services |
| Staff Contacts: | Dannan O’Connell, City Planner, Neighborhood Development Services |
| Title: | SP21-00006 – 2116 Angus Road, request for a Special Use Permit to increase allowed residential density |

Background:

Patrick McDermott of Dermo LLC, owner of Tax Map 40C Parcel 8 (“Subject Property”) has requested a special use permit on the Subject Property to increase the allowed residential density to 33 dwelling units per acre (DUA). The Subject Property is currently zoned B-1 and is the location of a 21-unit apartment building (2118 Angus Road) and a 3,200 sq. ft. office building (2116 Angus Road). The Applicant wishes to renovate the commercial building to accommodate up to six additional residential dwelling units.

Discussion:

The Planning Commission considered this application at their meeting on February 8, 2022. The discussion centered on the presence of affordable housing units as well as property maintenance issues related to the existing apartment complex.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 33 at the following link:

<https://civicclerk.blob.core.windows.net/stream/CHARLOTTESVILLEVA/e680037a-e75b-4d58-bcb5-438fa2c1052a.pdf?sv=2015-12-11&sr=b&sig=kN%2BUt7X7JBW8mehS74B9xpVKFhmrZ8SiC7CSQc%2F5WoQ%3D&st=2022-02-18T15%3A45%3A33Z&se=2023-02-18T15%3A50%3A33Z&sp=r&rsc=no-cache&rsct=application%2Fpdf>

Alignment with City Council’s Vision and Strategic Plan:

The City Council *Vision of Quality Housing Opportunities for All* states that “Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers. We have revitalized public housing neighborhoods that include a mixture of income and housing types with enhanced community amenities. Our housing stock is connected with recreation facilities, parks, trails, and services.”

The applicant proposes to retrofit existing office space into up to six additional dwelling units, representing a modest increase in housing density for the subject property. The existing apartment use at 2118 Angus Road, which currently contains several affordable housing units,

will not be modified by this request. Adequate parking exists to accommodate this change of use, and no exterior changes are proposed that may affect the existing neighborhoods in this area.

Community Engagement:

Per Sec. 34-41(c)(2), the applicant held a community meeting on November 12, 2021. (A City Planner was unable to attend as a NDS representative). Neighborhood concerns gathered from the community meeting are listed below.

- Property maintenance issues have been reported for the existing apartment complex.

The Planning Commission held a joint public hearing with City Council on this matter on February 8, 2022. No members of the public spoke on the application.

Budgetary Impact:

No direct budgetary impact is anticipated as a direct result of this Special Use Permit.

Recommendation:

Staff recommends the application be approved.

The Planning Commission voted 5-0 to recommend the application be approved.

Alternatives:

City Council has several alternatives following a public hearing:

- (1) by motion, approve the requested Special Use Permit as recommended by the Planning Commission with the following suggested motion;

“I move the adoption of the Resolution included in our agenda materials, granting this Special Use Permit within SP21-00006, based on a finding that the proposed permit is required by public necessity, convenience, general welfare, or good zoning practice”

- (2) by motion, request changes to the attached resolution, and then approve the Special Use Permit;
- (3) by motion, take action to deny the Special Use Permit;

Or

- (4) by motion, defer action on the Special Use Permit.

Attachments:

- A. Proposed Resolution

**RESOLUTION
APPROVING A SPECIAL USE PERMIT
FOR INCREASED RESIDENTIAL DENSITY FOR PROPERTY
LOCATED AT 2116-2118 ANGUS ROAD**

WHEREAS, in order to facilitate a specific development project, Dermo, LLC, (“Landowner”), has submitted application SP21-00006, requesting a Special Use Permit to increase allowed residential density on certain land fronting on Angus Road, identified on City Real Property Tax Map 40C as Parcel 8 and designated as City Real Estate Parcel No. 40C080000 (the “Subject Property”); and

WHEREAS, the purpose of the application is to allow an existing mixed use development to be modified as described within the application materials for SP21-00006, which materials describe a plan to provide six (6) residential dwelling units, with a total of 18 bedrooms, within an existing office building established on the Subject Property, in addition to twenty-one (21) existing dwelling units currently located within an apartment building located on the Subject Property (the “Project”); and,

WHEREAS, the additional 6 residential dwelling units would increase the Subject Property’s residential density from 25 to 33 dwelling units per acre, exceeding the current limits for “by-right” density on land zoned “B-1,” but this increased density is allowed by special use permit, as specified in City Code § 34-458(b), within the area of a mixed-use development site; and

WHEREAS, a joint public hearing on the proposed special use permit was conducted by the Planning Commission and City Council on February 8, 2022, following notice to the public and to adjacent property owners, as required by law, and following the joint public hearing, the Planning Commission voted on February 8, 2022, to recommend that City Council should approve the Rezoning; and

WHEREAS, this City Council has considered the details of the specific Project represented within the Landowner’s application materials for SP21-00006; has reviewed the NDS Staff Report, public comments, the Planning Commission’s recommendation, and the Comprehensive Plan; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the proposed special use permit and the proposed residential development density is consistent with the Comprehensive Plan; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code § 34-458(b), a special use permit is hereby approved and granted to authorize the Project described within the application materials for SP21-00006, within the Subject Property, subject to the following conditions:

1. Residential density of development shall not exceed thirty-three (33) dwelling units per acre (DUA) within the area of the Subject Property.

2. The six (6) residential dwelling units authorized by this special use permit shall, collectively, have no more than 18 bedrooms.
3. Automatic fire sprinklers and alarms shall be provided within the building to be renovated (2116 Angus Road), in accordance with applicable requirements of the Virginia Uniform Statewide Building Code.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|------------------|--|
| Agenda Date: | March 7, 2022 |
| Action Required: | Approve Resolution (1 st of 2 Readings) |
| Presenter: | James Freas, Director, Neighborhood Development Services |
| Staff Contacts: | James Freas, Director, Neighborhood Development Services |
| Title: | Resolution To Transfer and Appropriate \$188,000 within the Capital Projects Fund, from Small Area Plans to the Cville Plans Together Project |

Background

Cville Plans Together has been an ambitious planning project, bringing together visioning, planning, and implementation in a multi-year effort with a prominent focus on addressing issues of equity in our community. The project has included a commitment to a high standard for community engagement that, while challenged by the pandemic, has included numerous avenues for engagement and led to the articulation of the City’s community engagement vision and strategies in the first-ever community engagement chapter of the Comprehensive Plan. As we initiate the final part of this project, developing a new Charlottesville Zoning Ordinance, the Cville Plans Together Team (staff & consultants) is looking to the now adopted policies of the Comprehensive Plan to direct our engagement efforts.

Work on this three-part, multi-year project began in December of 2019. The project budget was \$926,682 for an anticipated 25-month project schedule. The project is currently in month 27 with an anticipated 12 to 14 months remaining. The project budget for community engagement activities and ongoing project management, originally budgeted for \$348,274 and \$56,816 respectively, is nearly completely expended. The portion of the budget reserved for drafting the zoning ordinance remains available and sufficient to complete that work.

Discussion

Staff is requesting that Council appropriate additional funding to support two aspects of the zoning rewrite project; 1) *continued community engagement*: and project management activities for the remaining 12 to 14 months; and 2) *project management*: modeling work demonstrating the housing market outcomes of the proposed zoning. The requested appropriation is for \$143,810 and \$45,000 for a total of \$188,810. Staff is proposing appropriating these funds from the Small Area Plan account in the Capital Projects Fund, which has a current balance of \$496,037.

- 1) Community Engagement: Zoning represents a significant aspect of implementing the Comprehensive Plan and Affordable Housing Plan and is a detailed and complicated topic on which most members of the community have limited experience. Our community engagement program will therefore need to be both highly explanatory/educational while at the same time giving community members the opportunity to express their preferences and priorities. Engagement in this part of the Cville Plans Together project will be in the form of community feedback on first the diagnostic & approach report and then the draft zoning document. The adopted comprehensive plan itself provides detailed direction to inform the initial development of the diagnostic and approach report. As has been described previously, the community engagement program will continue to provide multiple avenues of engagement. With improving conditions relative to the pandemic, staff will be engaging in a greater number of community-based meetings, offering the opportunity for dialogue. These will include pop-up engagement at events or high-pedestrian traffic locations and neighborhood based or group meetings. We will also continue to use public meetings/webinars as well as the steering committee.

- 2) Housing Market Outcome Modeling: A key aspect to understanding the outcomes of the new zoning ordinance is in understanding how the housing market will likely respond to the zoning changes. This modeling work will use existing conditions and data on the Charlottesville area housing market to estimate the potential rate, number, and types of new housing that might result from the change in zoning in the general and medium intensity areas of the Future Land Use Map. Zoning by itself does not lead to new housing development; development happens as a result of people pulling together the financing, resources, and available land in response to market demand. This modeling work will attempt to quantify the extent and likelihood of people being able to do that work under the proposed new zoning rules.

Alignment with City Council’s Vision and Strategic Plan

Providing for funding to further support community engagement to help inform decision-making is consistent with **Goal 1: An Inclusive Community of Self-sufficient Residents** and **Goal 3: A Beautiful and Sustainable Natural and Built Environment** of the City’s Strategic Plan. The specific initiatives being addressed are **Initiative 1.5 - Intentionally address issues of race and equity** and **Initiative 3.1 - Engage in robust and context sensitive urban planning and implementation**.

Community Engagement: N/A

Budgetary Impact

The resolution seeks to transfer money previously reserved within the Capital Projects Fund (Small Area Plans) to the Cville Plans Together (Comp Plan) Project, and to appropriate those transferred funds for expenditure to complete the Cville Plans Together Project.

Note: While the project is commonly referred to as the Cville Plans Together Project, the account in which the funds for this project reside is labeled as the Comp Plan Project. Therefore, staff has included Comp Plan in parens following each reference to the Cville Plans Together Project.

Recommendation

Staff recommends approval and appropriation of funds from the CIP.

Suggested Motion: *“I move to approve the Resolution appropriating additional funding in the amount of \$188,810 to the Cville Plans Together Project (Comp Plan), from the Small Area Plans Account within the City’s Capital Projects Fund”*

Attachments (3)

- 1) Resolution
- 2) Community Engagement Tasks Memo from RHI, dated February 9, 2022
- 3) “Upzoning” analysis Letter from HR&A, dated January 31, 2022

RESOLUTION

Appropriating Additional Funding of \$188,810 to the Cville Plans Together (Comp Plan) Project, from the Small Area Plans Account within the City’s Capital Projects Fund

WHEREAS the consulting contract for the Cville Plans Together (Comp Plan) Project (“Project”) encompassing updating both the Comprehensive Plan and the Zoning Ordinance, has included a commitment by the City of Charlottesville to a high standard for community engagement; and

WHEREAS the original budget allocated within the Project budget for community engagement activities and ongoing project management is insufficient to cover the consulting services necessary to complete the zoning rewrite portion of the Project;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$188,810 is hereby transferred within the Capital Projects Fund, from the Small Area Plans Account to the Cville Plans Together (Comp Plan) Project, and appropriated for expenditure to complete the Cville Plans Together (Comp Plan) Project, as follows:

Transfer From

\$188,810 Fund: 426 WBS: P-00819 G/L Account: 599999

Transfer To

\$188,810 Fund: 426 WBS: P-00935 G/L Account: 599999



PROJECT: Charlottesville Zoning Rewrite RHI # 51281
SUBJECT: Engagement Tasks PAGES: 2
DATE: February 9, 2022

In this memorandum, we outline the engagement tasks we plan to undertake to support the Charlottesville Zoning Rewrite. They are described under five phases, noted in bold below and on the following page.

1. Transition from Comprehensive Plan to Zoning Rewrite

In this phase, which we are currently in, we are or will be working to transition the community process to focus on the zoning rewrite. Tasks include:

- a. Regular coordination meetings with the Cville Plans Together consultant team and NDS.
- b. Regular social media and website updates.
- c. Creating an FAQ focused on the zoning rewrite.
- d. Updating the website with more information about the zoning process.
- e. Creating introductory materials, such as a “Zoning 101” overview presentation.
- f. Coordination with the Steering Committee and Peer Engagers.

2. Review of Diagnostic & Approach Report

In this phase, we will work to plan for, facilitate, and summarize community and stakeholder review of, and input related to, the Diagnostic and Approach report. Tasks will include:

- a. Regular coordination meetings with the Cville Plans Together consultant team and NDS, as well as potential meetings with the staff technical workgroup.
- b. Regular social media and website updates.
- c. Updating the FAQ.
- d. Creating summary material and a presentation to increase community understanding of the report.
- e. Creation of a survey, comment form, and/or other mechanisms for gathering community input.
- f. Planning for, creating outreach materials for, executing outreach/advertisement for, attending/facilitating, and summarizing input from in-person and virtual community events.
- g. Attending meetings with community groups.
- h. Facilitating a meeting with the Steering Committee.
- i. Facilitating a joint Council/Planning Commission work session.

3. Interim Updates

In this phase, we will provide periodic communications to update the community about the zoning process. Tasks will include:

- a. Regular coordination meetings with the Cville Plans Together consultant team and NDS.
- b. Regular social media and website updates.
- c. FAQ updates.
- d. Periodic updates at Planning Commission and/or Council meetings.

(Continued)

4. Review of Draft Zoning Modules and Map

In this phase, we will work to plan for, facilitate, and summarize community and stakeholder review of, and input related to, the draft zoning modules and map. Tasks will include:

- a. Regular coordination meetings with the Cville Plans Together consultant team and NDS, as well as meetings with the staff technical workgroup.
- b. Regular social media and website updates.
- c. Updating the FAQ.
- d. Creating summary material and a presentation to increase community understanding of the proposed zoning and changes from current zoning. This will include high level summaries of changes by neighborhood planning area, as well as an interactive map.
- e. Creation of a survey, comment form, and/or other mechanisms for gathering community input.
- f. Planning for, creating outreach materials for, executing outreach/advertisement for, attending/facilitating, and summarizing input from in-person and virtual community events.
- g. Attending meetings with community groups.
- h. Facilitating a meeting with the Steering Committee.
- i. Facilitating a joint Planning Commission work session.

5. Final Proposed Zoning and Support for the Adoption Process

In this phase, we will facilitate the adoption process. Tasks will include:

- a. Regular coordination meetings with the Cville Plans Together consultant team and NDS, as well as meetings with the staff technical workgroup.
- b. Regular social media and website updates.
- c. Updating the FAQ.
- d. Facilitating a meeting with the Steering Committee.
- e. Creating summary material to increase community understanding of the final proposed zoning and changes from current zoning.
- f. Creating materials (e.g., presentations) for Planning Commission and Council hearings.
- g. Working with NDS to advertise the public hearings.

Total Fee: \$143,810.00



Analyze. Advise. Act.

925 15th Street NW, 3rd Floor, Washington, DC 20005-2305

T: 202.903.0725 | F: 202.857.3976 | www.hraadvisors.com

January 31st, 2022

James Freas
Director, Neighborhood Development Services
City of Charlottesville
PO Box 911
Charlottesville, VA 22902

Dear James:

Following up on our conversations, I am pleased to propose the following addition to our current scope of work to assess the impacts of zoning reform in the City of Charlottesville. This “Upzoning” analysis comes at an important time as the Zoning Ordinance Project is beginning along with the Inclusionary Zoning Study. There is also an imperative in the City to confront the challenges of previously exclusionary zoning practices and to implement the goals of the Affordable Housing Plan adopted in 2021.

APPROACH

HR&A, in partnership with Code Studio and RHI, will provide an analysis of the impact of zoning changes (“upzoning”) in the City of Charlottesville for single family and medium density areas. As HR&A understands, the City wishes to understand the impacts of proposed zoning policy changes that allow for increased density and FAR on property owners and the housing market overall, and then translate those findings for the broader local constituency. Based on this understanding, HR&A proposes the following tasks, which we anticipate to be delivered within three months:

- **Task One – Review of Existing Conditions**
- **Task Two – Model Set-up and Data Gathering**
- **Task Three – Land Use and Financial Analyses**
- **Task Four – Presentation of Findings and Final Report**

Task One | Review of Existing Conditions

Using the parcel-based data collected as part of the recent Comprehensive Planning process, HR&A will work with Code Studio to develop a methodology that is appropriate to the available data including how we account for existing zoning, zoning changes, market factors, and owner behavior. HR&A will confirm any lot requirements for eligible properties to be able to accommodate additional housing units on site. For example, properties within the selected zones will require a minimum lot size, width, or depth to accommodate a higher density of housing. HR&A will work with Code Studio to screen for these characteristics when defining inventory to ensure alignment with any lot requirements set by City, such as parking or street access.

Task Two | Model Set-up and Data Gathering

Following confirmation of model approach and screening factors defined above, HR&A will set up the model framework, gather parcel data, develop market factor filters, and calibrate production estimates based on owner/developer risk and tolerance. We will develop a set of market and development assumptions for three to four prototypical new development typologies seen in the City of Charlottesville. These may be duplexes, four-plexes, denser infill development and townhomes. HR&A will assess the total housing capacity on properties which will position us to project the level of new housing production.

Task Three: Land Use and Financial Analyses

HR&A will conduct a real estate financial analysis to determine the impact of proposed changes on the real estate market, of single family and medium intensity areas of the City. This will position us to project the level of new housing production and how that production will impact key financial metrics for the housing market. As an initial step of quality control, we will ensure that these typologies have return metrics that are comparable across each project and commensurate with typical capital sources available for development in the Charlottesville market. To evaluate “financial returns” on potential development, we will utilize data from other work under the Inclusionary Zoning process and proprietary data available through Co-Star. We will follow-up with developers for specific inputs, as necessary.

Using market data from Task 1 and land use data and development assumptions from Task 2, the model will determine the financial feasibility of the redevelopment of certain types of properties and then estimate the likelihood that those properties will be redeveloped with additional units over time. Based on this likelihood, and in combination with existing development patterns and housing turnover rates, HR&A will estimate the number of properties that would add units and the total additional housing stock that could be created. This analysis will serve as a supply estimate for the additional production capacity: the number of additional units that could be produced under a set of assumed zoning changes.

HR&A will review the interim findings with NDS, discuss the methodology and potential adjustments, and how best to present the findings.

Task Four: Presentation of Findings and Final Report

HR&A will work with City staff, Code Studio, and RHI to coordinate this study with the broader zoning ordinance reform. We will work to translate the findings of Task One, Two, and Three for the larger audience of housing and development stakeholders, to help policy-makers evaluate the impacts of proposed zoning changes on property owners and on the housing market more broadly.

HR&A will prepare a memo that describes the findings and methodology, as well as a presentation that summarizes the impact of upzoning in Charlottesville over time.

BUDGET AND TIMELINE

HR&A will complete this scope of work for \$40,000, with an additional \$5,000 in data analysis and coordination with Code Studio (\$45,000 total) . We will complete this scope of work and present a final report within 3 months.

We look forward to working with you on this exciting aspect of Charlottesville’s zoning ordinance reform. Should you have any questions or comments, please do not hesitate to contact me at 202-903-0749 or pkash@hraadvisors.com

Sincerely,



Phillip Kash
Partner
HR&A Advisors, Inc.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|------------------|--|
| Agenda Date: | March 7, 2022 |
| Action Required: | Approval of Resolution (Appropriation) (1 st of 2 Readings) |
| Presenter: | Garland Williams, Director of Transit, Charlottesville Area Transit |
| Staff Contacts: | Garland Williams, Director of Transit, Charlottesville Area Transit |
| Title: | Receipt and Appropriation of Funds from the Virginia Department of Rail and Public Transportation (VDRPT) to Charlottesville Area Transit (CAT) - \$980,599 |

Background

This Agenda Item seeks City Council’s approval to accept grant funds in the amount of \$980,559 from the Virginia Department of Rail and Public Transportation (VDRPT) and appropriate the grant funding to Charlottesville Area Transit (CAT) budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022. CAT is requesting to earmark \$300,000 to complete two studies: (1) an alternative fuel and facility Feasibility Study and (2) an Integration Plan. The remaining \$680,559 will be used to supplement CAT operating expenditures in accordance with the terms of the grant award. The grant requires that all funding be expended by June 30, 2022.

Discussion

Annually VDRPT allocates grant funding to CAT to assist with general operations. This fiscal year, VDRPT has additional grant funding to allocate to all public transportation providers in the Commonwealth, and CAT has received written verification that the City of Charlottesville will be allocated an additional \$980,559. CAT will be using the funding to supplement operating expenses as well as to commission an Alternative Fuel and Facility Feasibility Study and Integration Plan Study.

Alignment with City Council’s Vision and Strategic Plan

Appropriating additional funding to CAT for FY2022 will support City Council’s goal of “A Beautiful and Sustainable Natural and Built Environment” and will focus on (1) providing a variety of transportation and mobility options and (2) being responsible stewards of natural resources. The completion of the two transit studies will chart a path forward for CAT to introduce alternative fuel vehicles (e.g. Battery Electric Buses and/or Compressed Natural Gas Buses) into the fleet.

Community Engagement

CAT will follow the guidelines of the Federal Transit Administration (FTA) in completing the two studies. City Council and the public will receive two updates before the completion of each study. The public will have the ability to provide comments and suggestions after each update.

Budgetary Impact

This request seeks City Council’s approval to increase CAT’s FY22 Budget by \$980,559.

Alternatives

City Council may decline to take action on this request, which will return \$980,559 to the VDRPT to be redistributed to other transit agencies in the Commonwealth.

City Manager/ Staff Recommendation

Staff recommends the acceptance of \$980,559 in grant funding from VDRPT and recommends the appropriation the purpose of funding two transit focused studies and general CAT operating expenses.

Suggested Motion: I move to approve the Resolution appropriating funding in the amount of \$980,559 received from the Virginia Department of Rail and Public Transportation, to be expended for Charlottesville Area Transit operations

Attachment (1)

Proposed Resolution

RESOLUTION
APPROPRIATING STATE GRANT FUNDING IN THE AMOUNT OF \$980,559
RECEIVED FROM THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC
TRANSPORTATION (VDRPT) TO BE EXPENDED FOR CHARLOTTESVILLE AREA
TRANSIT (CAT) OPERATIONS

WHEREAS the City of Charlottesville has received notice that it has been awarded an additional \$980,559 in grant funding from the Virginia Department of Rail and Public Transportation (VDRPT); and City Manager proposes an increase in the budget for the CAT Department, in the amount of \$980,559, to allow the expenditure of this grant funding by the end of the current fiscal year, including an Alternative Fuel and Facility Feasibility Study and Integration Plan Study for the remainder of Fiscal Year 2022; and

WHEREAS in accordance with the grant, the funds must be expended by June 30, 2022, Charlottesville Area Transit CAT would like to use \$300,000 for an Alternative Fuel and Facility Feasibility Study, an Integration Plan Study and \$680,559 to supplement operational costs for the remainder of Fiscal Year 2022; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that grant funding in the amount of \$980,559 received from Virginia Department of Rail and Public Transportation (VDRPT) is hereby accepted by the City Council, and is appropriated for expenditure within CAT’s FY2022 budget, as follows:

Revenues

| | | | |
|-----------|-----------|-------------------------|-----------------|
| \$980,559 | Fund: 245 | Cost Center: 2801003000 | GL Code: 430080 |
|-----------|-----------|-------------------------|-----------------|

Expenditures

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|-----------|-----------|-------------------------|-----------------|
| \$300,000 | Fund: 245 | Cost Center: 2801003000 | GL Code: 530560 |
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| | | | |
|-----------|-----------|-------------------------|-----------------|
| \$680,559 | Fund: 245 | Cost Center: 2801004000 | GL Code: 520100 |
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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: March 7, 2022

Action Required: Amend and Re-enact Ordinance

Presenter(s): Michael C. Rogers, City Manager; Lisa Robertson City Attorney

Staff Contacts: Ashley Marshall and Sam Sanders, Deputy City Managers

Title: **Updated Continuity of Government Ordinance**
(For a six-month period beginning 3-8-2022)

Background:

During the COVID pandemic, City Council has authorized various actions necessary to address the COVID-19 Pandemic using various legal processes and procedures.

- (1) **Local Public Health Ordinance, as authorized by City Charter §14(5).** Through April 2021 the City maintained a special local ordinance establishing more restrictive requirements, in some regards, than those set out in the Governor's Executive Orders. The local public health ordinance was previously appealed, in favor of following the restrictions and guidelines within the Governor's Executive Orders (#O-21-047).
- (2) **Continuity of Government Ordinance, as authorized by Virginia Code §15.2-1413.** This Ordinance allows a locality to take actions that, in its discretion, it deems necessary to assure continuity of government during a disaster. A continuity of Government Ordinance (CGO) may not continue in effect for longer than six (6) months at a time. Originally City Council adopted the COG on March 25, 2020 (#O-20-049) and amended and extended it on September 8 (#O-20-117), October 19, 2020 (#O-20-135), April 19, 2021 (#O-21-053), and October 4, 2021 (#O-21-146). The current COG will expire if you do not reenact it on or before your March 7, 2022 meeting.
- (3) **Other Ordinances and Resolution(s).**
 - a. Resolution #R-20-035 (3/12/2020) authorizing the City Manager to Declare a Local Emergency. (On that same date, the City Manager, in his capacity as Director of Emergency Management, issued the Public Safety Order that serves as the actual Declaration).

- b. Resolution #R-20-045 (3/16/2020) granting the Haven permission to operate without regard to certain zoning (special use permit) conditions until such time as City Council discontinues the local state of emergency.
- c. #O-20-047 (3/16/2020): Ordinance Extending Mandatory Review Periods

Discussion:

Under Virginia Code §44-146.21 the City’s locally-declared state of emergency will continue in effect until City Council determines, in its judgment, that “all emergency actions have been taken.” The local declaration does not automatically expire.

Va. Code §15.2-1413 authorizes City Council, during a disaster, to enact an ordinance that provides a method to assure continuity in local government operations (with resumption of normal government operations by the end of a six-month period)—notwithstanding any contrary provision of [state] law, general or special. This ordinance is referred to as your “continuity of government” (CGO) ordinance. Council has not yet declared the local COVID-19 state of emergency as being concluded, therefore City Council may re-enact the COG for another 6-month period.

Va. Code §2.2-3708.2(A)(3) provides, in relevant part, that City Council may meet by electronic communication means, without a quorum of the public body physically assembled at one location, when City Council has declared a local state of emergency pursuant to Va. Code §44-146.21, provided that the nature of the declared emergency makes it impractical or unsafe to assemble a quorum in a single location.

The COG primarily deals with how public meetings may take place, extension of mandatory deadlines, and fees for City-owned areas used by businesses as outdoor cafés. The attached proposed Ordinance brings the various Ordinances enacted by Council into one integrated CGO. Relative to the outdoor café spaces, the attached proposed Ordinance would extend the fee reduction through October 2021.

The attached proposed Ordinance, if adopted, would maintain all of the COG provisions in effect over the next 6 months, for so long as the City’s locally-declared state of emergency continues. However, this proposed Ordinance also includes a new provision that would allow Council additional flexibility for itself, or other boards or commissions, in the event that there is a determination that an open public meeting may be conducted in person by Council, a board or a commission, pursuant to an approved Safety Plan appropriate to a specific meeting space.

Alignment with Council Vision Areas and Strategic Plan: Yes (vision to be America’s healthiest City, a community commitment to wellness).

Community Engagement: Periodic updates from the Blue Ridge Health Department

Budgetary Impact: No budgetary impact, until City Council desires to commence having open public meetings. When Council authorizes open public meetings to recommence in specific meeting rooms, then funding may be needed for additional facilities or equipment, modifications to meeting rooms, or other safety measures deemed necessary to facilitate safe public gatherings in specific locations.

Alternatives: Council may, by motion, vote to end the locally-declared state of emergency, upon finding that, in City Council’s judgment, all necessary emergency actions have been taken. Once City Council votes to end the local emergency declaration, there is no further need for a COG Ordinance.

Recommendation: Staff recommends adoption of the attached Continuity of Government Ordinance.

Suggested motion: “I move to approve the Ordinance Amending and Re-Enacting City Council’s Continuity of Government Ordinance for a six-month period beginning March 8, 2022”

Attachments (2):

- (1) Proposed Amended Continuity of Government Ordinance
- (2) Statistical Data

ORDINANCE
AMENDING AND RE-ENACTING CITY COUNCIL’S CONTINUITY OF
GOVERNMENT ORDINANCE, FOR A SIX-MONTH PERIOD
BEGINNING MARCH 8, 2022

WHEREAS on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS the Governor’s Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster, as defined by Virginia Code § 44-146.16, arising from the public health threat presented by a communicable disease anticipated to spread, and this public health emergency continues to be recognized as an emergency and a disaster through the Governor’s Fourth Amended Executive Order Seventy Two and Order of Public Health Emergency Nine (March 23, 2021, made effective April 1, 2021); and

WHEREAS the Governor’s Executive Orders order implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

WHEREAS on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS by Public Safety Order dated March 12, 2020, the City Manager/ Director of Emergency Management declared a state of local emergency based a threat to the public health and safety of the residents of Charlottesville resulting from the communicable and infectious COVID-19 virus, which threat was and continues to be an emergency as defined in Virginia Code § 44-146.16; and

WHEREAS this Council finds that the COVID-19 virus constitutes a real, substantial and continuing threat to public health and safety and constitutes a “disaster” as defined by Virginia Code §44-146.16, said virus being a “communicable disease of public health threat”;

this finding is evidenced by statistics which show that on February 8, 2022 the City’s “new cases” numbered 4,689 and 7-day average was 5,319; and

WHEREAS by Ordinance # O-20-135 City Council amended and extended its continuity of government ordinance previously enacted by Council on March 25, 2020, as amended and re-enacted on September 8, 2020, October 19, 2020, and April 19, 2021, and City Council now desires to amend and re-enact its continuity of government ordinance to address the needs of City government operations as anticipated during the next six months during the ongoing public health disaster relating to COVID-19 and its variant(s);

WHEREAS Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of City Council may convene solely by electronic means to address the emergency; and

WHEREAS the open public meeting requirements of the Virginia Freedom of Information Act (“FOIA”) allow properly claimed exemptions provided under either under that Act or any other statute; and

WHEREAS the Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS this Ordinance is enacted in response to the disaster caused by the COVID-19 pandemic and the continuing catastrophic nature of the COVID-19 virus and its current variants; further, this ordinance promotes public health, safety and welfare and is consistent with the laws of the Commonwealth of Virginia, the Charter of the City of Charlottesville, the Constitution of Virginia and the Constitution of the United States of America.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia:

1. **THAT** the catastrophic nature of the continuing COVID-19 pandemic makes it unsafe for the City’s public bodies to conduct their meetings in the same spaces, and accordance with normal practices and procedures that were used prior to March 2020, which require the physical presence of members of a public body and members of the public within the same room

and the City's meeting facilities may not allow adequate measures to be taken in accordance with recommended public health requirements and guidelines. For the purposes of this Ordinance the term "public body" means the City Council, and every board, commission, or agency of the City of Charlottesville, including any committee, subcommittee, or other entity, however designated, created by City Council to perform delegated functions of City Council or to advise the City Council (each, individually, a "Public Body"); and

2. **THAT** in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of the City government during the continuing COVID-19 emergency and disaster:

- a. Any meeting ~~or activities~~ which normally would require the physical presence of a quorum of members of a Public Body may be held only through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location, and
- b. The City Manager is hereby authorized to restrict the number of electronic meetings each Public Body may conduct each calendar month, based on the capacity and availability of the City staff who are capable and qualified to support the meeting to ensure compliance with this Ordinance, and
- c. Prior to holding any such electronic meeting, the Public Body shall provide public notice of at least 3 days in advance of the electronic meeting (or reasonable notice of special, emergency or continued meetings) identifying how the public may participate or otherwise offer comment, and
- d. Any such electronic meeting of a Public Body shall state on its agenda the location at which members of the public can obtain information as to the means by which the public may access and participate in such electronic meeting, and
- e. Any such electronic meeting of a Public Body shall be open to electronic participation by the public and closed to in-person participation by the public, and each electronic meeting shall be conducted in a manner designed to maximize public participation, and
- f. A video recording of all electronic meetings shall be made available on the City's website within 3 business days following each electronic meeting, and

- g. With respect to any matter which requires a public hearing, the public hearing may be conducted by an open public comment period called for during an electronic meeting, as well as by submission of written comments to the Clerk of City Council prior to, during and for five (5) business days after the electronic meeting. Notice of the public hearing shall be posted on the City's website at least 5 business days prior to the date of the public hearing.
- h. The minutes of all electronic meetings shall conform to the requirements of law, shall identify how the meeting was conducted, the identity of the members participating, and shall specify what actions were taken at the meeting. A Public Body may approve minutes of an electronic meeting at a subsequent electronic meeting; and
- i. Any provision of Va. Code §2.2-3708.2 requiring the Public Body's approval of electronic participation due to a member's personal matter or medical condition shall not apply for the duration of the local emergency declaration.

And,

3. Notwithstanding the provisions of Paragraph 2, above, City Council may itself physically assemble for a meeting, or by motion Council may authorize another public body to physically assemble for a meeting in a specific location, subject to a Safety Plan approved by the Mayor and the City Manager in advance of the meeting. A Safety Plan shall include reasonable regulations for the conduct of the meeting within a specific meeting room, as deemed necessary to reduce the spreading of COVID-19 and its variants. A Safety Plan shall be specific to a type of meeting, a particular meeting room, and to the total number of attendees who will be physically present together (inclusive of staff, public body members, and members of the public), and if there will be any restriction on the number of members of the public who can be in attendance during the meeting, the Safety Plan shall address how the attendance restrictions will be monitored and enforced by persons other than law enforcement officers. The Safety Plan shall also identify the specific measures required to be adhered to by members of the public body and members of the public, during times when they are all physically assembled together in the meeting room. In the event any such meeting takes place, it shall be advertised and conducted in accordance with the open meeting requirements of FOIA. City staff may be authorized to participate electronically in any meeting. Subject to the availability and capacity of necessary staff participating either

remotely or in person, any meeting may be conducted as “hybrid” meeting, allowing electronic participation by the public in addition to an opportunity for some in-person attendees at the meeting itself; however hybrid meetings shall not be required.

4. **THAT** the following fees relating to use of City property are adjusted:

- ~~a. The café permit fee assessed pursuant to Charlottesville City Code Sec. 28-214(c) be and hereby is waived for the months of March and April 2020, and~~
- ~~b. The café permit fee assessed pursuant to Charlottesville City Code Sec. 28-214(c) be and hereby is reduced by fifty percent (50%) for the months of May through December 2020 and the months of January through October 2021, and~~
- ~~c. The City Manager may grant a credit to any café permit holder who paid the full amount of its café permit fees during any of the months referenced in 3.a or 3.b, above, said credit to be calculated in accordance with 3.a and 3.b, above and applied within a permit year designated by the City Manager, and~~
- ~~d.a. The rental fee assessed pursuant to Charlottesville City Code Sec. 28-5 and City Council’s approved fee schedule (fees for City parking spaces used for outdoor dining) shall be reduced by fifty percent (50%) for the months of May through December of 2020, and January 2021 through September ~~October~~ of 20221.~~

IT IS FURTHER ORDAINED THAT, notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Body or any City officers (including Constitutional Officers) or City employees, within a period of 60 or fewer days, shall be suspended during this emergency and disaster. The Public Bodies, and the City’s officers and employees, are encouraged to take all such action as is practical and appropriate to meet those deadlines; however, failure to meet any such deadlines shall not constitute or be deemed to be a default, violation, approval, official recommendation or other action.

IT IS FURTHER ORDAINED THAT any scheduled non-emergency public hearings and action items of a Public Body may be postponed to a date certain if, in the judgment of the Public Body, it would be in the best interests of the public to do so, provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED THAT this Ordinance shall not operate to preclude any authority whose governing board is appointed by this City Council from making its own decisions and rules regarding the conduct of its meetings either electronically or by means of

having a quorum physically assembled, so long as those meetings are in compliance with applicable Executive Orders of the Governor of Virginia and any local ordinance which may be enacted by this Council to impose restrictions necessary to prevent the spreading of the COVID-19 virus within the City of Charlottesville; however, any such authority may also elect to conduct its meetings electronically as a Public Body within the purview of this Ordinance.

IT IS FURTHER ORDAINED THAT actions authorized by this Council within Resolution # R-20-045 (special zoning accommodations for The Haven), or within any ordinance(s) provided to facilitate the safe conduct of elections within the City of Charlottesville, are hereby ratified and continued, in accordance with the terms set forth in said Resolution or ordinances.

IT IS FURTHER ORDAINED THAT the continuity of government ordinance adopted on March 25, 2020, as amended and re-enacted on September 8, 2020, October 19, 2020, ~~and~~ April 19, 2021, and October 4, 2021 is hereby repealed.

IT IS FURTHER ORDAINED THAT a continuing emergency exists, and the City Manager's Declaration of a local emergency, authorized by resolution of this City Council on March 12, 2020 (#R-20-035) remains in effect; the various actions referred to within this Ordinance are necessary to be taken to address the continuing emergency, and this Ordinance shall be effective immediately upon its adoption.

IT IS FURTHER ORDAINED THAT pursuant to Charlottesville City Code §2-96, by a four-fifths vote of City Council, this Ordinance is enacted on the date of its introduction, and this Ordinance shall remain in full force and effect for a period of six months beginning March 8, 2022~~through March 18, 2022~~, unless City Council sooner: (i) adopts an ordinance to repeal this Ordinance and to end the locally-declared emergency, or (ii) adopts an ordinance to amend and re-enact this Ordinance, as may be necessary to authorize actions necessary to address the continuing state of emergency ~~continuing beyond March 18, 2022~~.

Coronavirus Disease, Charlottesville, Virginia

