

CHARLOTTESVILLE CITY COUNCIL MEETING

November 21, 2022 at 4:00 PM

In person: Council Chamber, 605 E. Main Street

Virtual/electronic: Zoom

The Charlottesville City Council met on Monday, November 21, 2022. The meeting was held in hybrid format with Council members and limited public seating in Council Chamber to mitigate health risks related to coronavirus, and electronic participation on the Zoom webinar platform. Mayor Lloyd Snook called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Sena Magill, Michael Payne, Brian Pinkston, Mayor Lloyd Snook and Vice Mayor Juandiego Wade.

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

REPORTS

1. PRESENTATION: UVA Center for Survey Research Presentation of 2022 Employee Survey

Thomas Guterbock, Academic Director for the UVA Center for Survey Research, presented the report. He explained the methodology for conducting the survey, then the detailed findings, confirming the anonymity of respondents.

Councilors asked questions and provided feedback regarding performance appraisals, employee pay, leadership turnover, communication, and next steps.

Interim City Manager Rogers stated that he will be establishing a number of work groups to address the issues mentioned. In the process of finding a Strategic Planning Consultant.

2. REPORT: Jefferson Area Community Criminal Justice Board (CCJB) Annual Report

Neal Goodloe, Criminal Justice Planner for the Jefferson Area Community Criminal Justice Board, presented the report. Some conclusions of his data analysis included:

- The number of inmates taken into ACRJ (Albemarle Charlottesville Regional Jail) on Charlottesville charges decreased 40% from 2011 to 2021 (down 44% per capita).
- The most significant decreases in intakes were observed among the youngest inmates (age 18-24), down 65%.
- Charlottesville's share of ACRJ intakes dropped 25% from 2011 to 2021.
- Charlottesville's booking volume (charges at intake) dropped 26%, the result of a 42% decrease in misdemeanor offenses.
- Weapons offenses had the most significant booking growth among the top ten Charlottesville charge types from 2011 to 2021, while the most significant decreases were observed in alcohol offenses, operator's license offenses, narcotics violations and Driving While Intoxicated.
- Probation violations represented 10.9% of all Charlottesville bookings at ACRJ in

2021, up from 7% in 2011.

- The average length of a Charlottesville inmate's stay increased 2% from 2011 to 2021.
- During that same time, Charlottesville's bed day expenditures at ACRJ fell by 41% (a drop of 46% per capita).
- Far fewer bed days were expended by 18-24-year-old inmates from 2011 to 2021, but these decreases were partially offset by increases in bed day expenditures among inmates age 50 or older.
- The COVID-19 pandemic was associated with decreases in Charlottesville intakes at ACRJ, along with increases in the average length of stay.
- Booking volume dropped across the board in 2020 and 2021, in every major charge category except for weapons violations.
- Inmates serving longer than 30-day sentences accounted for 32% of all Charlottesville inmates taken into ACRJ in 2021 but were responsible for nearly 93% of Charlottesville's bed day expenditures.

Councilors asked questions about Covid's impact on average length of stay, about specific crime trends, and about trends in reporting rates.

CLOSED SESSION

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by Virginia Code Section 2.2-3711(A) (A)(7) and (A)(8), for:

- Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (701 East Market Street and 100 Rio Road East);
- Consultation with legal counsel regarding the above referenced matters.

On motion by Pinkston, seconded by Magill, Council certified by the following vote: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

BUSINESS SESSION

City Council observed a moment of silence and reflected on the deaths of three student-athletes from the University of Virginia football team on November 13, 2022 - D'Sean Perry, Levell Davis, Jr. and Devin Chandler.

Mayor Snook read a letter from Mayor Leslie Hager-Smith of the Town of Blacksburg, Virginia, offering support as a university community that also experienced tragedy as a result of gun violence:

“On behalf of the Town of Blacksburg, I want to share our most sincere condolences on the senseless violence your town and university suffered Sunday night.

A widening community of citizens knows the shock and pain of losing precious and promising lives to violence. But, the keenness of the hurt our town is experiencing springs from the affinity we feel for you as a college community. Students come to us in hope, seeking refuge, growth and guidance for their lives: It is the saddest of turns that sees such young people deprived of all.

The citizens and students of Blacksburg are bereaved with you, and with the families of D'Sean Perry, Lavel Davis, Jr., and Devin Chandler.

We are holding you in our thoughts,”

Vice Mayor Wade mentioned that he and Councilor Magill attended a national conference and condolences were shared from localities all over the United States.

Councilor Magill thanked emergency responders for their service related to the tragedy of November 13.

Councilor Pinkston acknowledged the grief felt by the university community and commended the celebration of the three lives lost. He thanked first responders.

ANNOUNCEMENTS

Vice Mayor Wade recognized the death of former City Manager Cole Hendrix and noted his honorable public service.

Mayor Snook recognized Cole Hendrix as a visionary leader. He announced the Grand Illumination event scheduled for December 2.

Councilor Pinkston announced Magic on the Mall being held on November 22, sponsored by Friends of Downtown Cville.

RECOGNITIONS/PROCLAMATIONS

Mayor Snook read a proclamation for Indigenous Peoples Heritage Month.

CONSENT AGENDA*

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

3. MINUTES: October 3 meeting
4. RESOLUTION: Appropriating Insurance Reimbursement in the amount of \$4,650.55 - Fire Department Truck Company 9 (2nd reading)

APPROPRIATION
Insurance Reimbursement – Fire Department Truck Company 9
\$4,650.55

WHEREAS, Virginia Risk Sharing Association is reimbursing the City of Charlottesville for vehicle damage associated with an accident involving vehicle #3312;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$4650.55 be appropriated in the following manner:

Revenues - \$4,650.55

\$4,650.55 Fund: 105 I/O: 3201006000 G/L Account: 451110

Expenditures - \$4,650.55

\$4,650.55 Fund: 105 I/O: 3201006000 G/L Account: 451110

5. RESOLUTION: Appropriating Funds for 2022 Bureau of Justice Assistance FY22 Edward Byrne Memorial Justice Grant Program - Local Solicitation - \$23,459 (2nd reading)

RESOLUTION
Appropriating the Sum of \$23,459 received from an
Edward Byrne Memorial Justice Assistance Grant

WHEREAS each year, the United States Department of Justice, Office for Civil Rights, Office of Justice Programs, offers from their Edward Byrne Memorial Justice Assistance Grant Program (“JAG Program”); and

WHEREAS for Fiscal Year 2022 the JAG Program awarded a grant to the City of Charlottesville, for its Police Department, to cover costs or expenses of hiring a limited term position for a background investigator to support ongoing departmental police officer recruitment efforts, Reference Grant # **15PBJA-22-GG-02630-JAGX**;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the JAG Program grant funds in the amount of **\$23,459.00** said funds shall be appropriated for expenditure by the Charlottesville Police Department, in compliance with JAG Program requirements, in the following manner:

Revenues – \$23,459

\$23,459 Fund: 211 Internal Order: 1900502 G/L Account: 431110

Expenditures – \$23,459

\$20,780 Fund: 211 Internal Order: 1900502 G/L Account: 510020

\$1,590 Fund: 211 Internal Order: 1900502 G/L Account: 511010

\$1,089 Fund: 211 Internal Order: 1900502 G/L Account: 520900

BE IT FURTHER RESOLVED that, in accordance with the municipal Charter of the City of Charlottesville, Virginia, this Council verifies that the City Manager is the chief executive who is authorized to execute the document titled “U.S. Department of Justice Office of Justice Programs Edward Byrne Justice Assistance Grant Program FY 2022 Local Solicitation Certifications and Assurances by the Chief Executive of the Applicant Government”.

- 6. RESOLUTION: Appropriating funds from the Victim Witness Assistance Program Grant - \$257,024 (2nd reading)

RESOLUTION
Appropriating the sum of \$257,024 received by the City as a Victim Witness Assistance Program Grant

WHEREAS, The City of Charlottesville has received an increase in the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services (DCJS) in the amount of **\$224,024.00**; and

WHEREAS as a condition of the Victim Witness Program Grant, the City Council is required to supplement the said additional grant funds, by appropriating the sum of **\$33,000.00** for expenditure within the Victim Witness Program, and this additional sum is currently available within the Commonwealth’s Attorney’s operating budget; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the sum of **\$224,024.00** from DCJS, the said sum, along with the City supplement in the amount of **\$33,000.00**, is hereby appropriated for expenditure in accordance with applicable grant requirements, in the following manner:

Revenues

\$ 56,006	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$168,018	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 33,000	Fund: 209	Cost Center: 1414001000	G/L Account: 498010

Expenditures

\$244,241	Fund: 209	Cost Center: 1414001000	G/L Account: 519999
\$ 12,783	Fund: 209	Cost Center: 1414001000	G/L Account: 599999

Transfer

\$ 33,000	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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- 7. RESOLUTION: Amending Community Development Block Grant (CDBG) 2022-2023 Substantial Action Plan - \$178,394.34 (2nd reading)

RESOLUTION
The FY 2022-2023 CDBG Substantial Action Plan Amendment
\$178,394.34

WHEREAS on May 7, 2018 the Charlottesville City Council approved a Consolidated Plan for the City of Charlottesville and the Thomas Jefferson Planning District, covering the period from July 1, 2018 through June 30, 2023, which sets forth a plan to provide support for certain community development needs—including, but not limited to—housing needs, within those jurisdictions; and

WHEREAS the Consolidated Plan includes a citizen participation plan, and Sec. 2-419(10) specifies that, once City Council has approved and funded a program, any reprogramming and budgetary changes will be done consistent with the approved citizen participation plan;

WHEREAS the Consolidated Plan is implemented during the coverage period through certain “Action Plans”, the most recent of which is designated as the “FY 2022-2023 Action Plan” previously approved by resolution of City Council on June 6, 2022; and

WHEREAS within the FY2022-2023 Action Plan the Ridge Street Priority Neighborhood was selected as a subrecipient of CDBG funding from the City, in the amount of \$178,394.34, with a target of June 30, 2022 for expenditure of the funding in accordance with an approved project pending a request for proposal; and

BE IT RESOLVED that the Charlottesville City Council hereby approve a Substantial Amendment of the City’s FY2022-2023 Action Plan, to authorize the City of Charlottesville Parks and Recreation Pollocks Branch Trail Bridge at Jordon Park. Estimated benefits include the construction of a bicycle and pedestrian ADA accessible bridge to connect Jordon Park to the developing Moores Creek trail between Avon Street and 5th Street and the Arc of the Piedmont for a HVAC replacement of their Shamrock Group Home. Estimated benefits include the replacement of a 30-year-old HVAC system in the Shamrock Road Group Home benefitting up to seven developmentally disabled individuals. This will assist the City of Charlottesville in meeting CDBG timeliness goals in accordance with federal regulations set forth at 24 CFR 570.902.

8. **ORDINANCE:** Amending Chapter 12 of the City Code to Require Fire Inspection Reports (2nd reading)

ORDINANCE TO AMEND AND RE-ORDAIN CHAPTER 12, ARTICLE III (FIRE PREVENTION CODE) TO REQUIRE REPORTS OF THE CONDITION OF FIRE PROTECTION AND OTHER LIFE SAFETY SYSTEMS TO BE SUBMITTED TO THE CITY’S FIRE OFFICIAL, AND AUTHORIZING THE FIRE OFFICIAL TO IMPLEMENT A MANDATORY WEB-BASED REPORTING SYSTEM

9. **RESOLUTION:** Approving and appropriating grant funds for Virginia Department of Education Special Nutrition Program - Child and Adult Care Food Program - \$50,000 (carried)

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

CITY MANAGER REPORT

Interim City Manager Michael Rogers shared the following updates.

- Livability Magazine ranked Charlottesville number 22 out of the Top100 places to live.
- He welcomed the newest members of the police department as of November 17.
- Jamie Valencia was promoted to the position of Deputy Director of Human Resources.
- The results of the employee survey will be posted to the Human Resources web page. He stated that the objective is to improve employee morale and that he will solicit suggestions from employee workgroups to inform the strategic planning process. The Strategic Planning consultant will be selected during the next week.
- The City is requesting community feedback for the 2022 Charlottesville Community Survey.
- The Police Civilian Oversight Board will host a public forum with police chief finalists on Monday November 28 from 6-8:00 p.m. at Carver Recreation Center.

COMMUNITY MATTERS

Mayor Snook opened the floor for comments from the public.

1. Helen Cauthen, President of the Central Virginia Partnership for Economic Development, shared information about the program and talent retention initiative.
2. Khalil Reid, city resident, suggested that police officers hand out business/contact cards as they engage with community members. He stated a need for more activities with officers and PCOB. He spoke about officer burnout. He stated that many officers are nice and some are not.
3. James Groves, city resident, spoke in opposition to gas subsidies offered by the city. He stated that City Council adopted the subsidy in 1979 and should no longer support it given the current climate crisis.
4. Andy Orban, city resident, followed up on his previous request for protected bike lanes along West Main Street. Regarding a proposed sidewalk on East High Street, he asked for clarification on how soon the sidewalk would be installed.
5. Robin Hoffman, city resident, acknowledged the deaths of the three football students at UVA on November 13. She spoke about a gun ordinance. She also spoke about the Grand Illumination.
6. Kate Fraleigh, city resident, requested that the city not increase the police budget in response to local deaths caused by gun violence. She stated that prevention requires a mental health and community behavioral health response rather than a police response.
7. Ang Conn, speaking in her capacity as a city resident, spoke about the need to open a

community shelter for unhoused people during cold weather.

8. Don Gathers, city resident, requested better notification to citizens when there is a perilous situation affecting the community. He stated that the City Manager and Council “dropped the ball” in handling a personnel situation in which a city employee participated in the January 6, 2021 Insurrection on the US Capitol. He expressed the need to prevent actions like this from happening again versus reacting.
9. Jeanette Abi-Nader, Co-Executive Director of Cultivate Charlottesville, acknowledged recent acts of violence. She referenced the Food Equity Initiative written report in the meeting packet and highlighted a few points - new staff, a pivot from emergency Covid response back to a focus on core work and representing the city at local, regional and national forums to bring attention to the public-private partnership model.
10. Katrina Turner, city resident, spoke about the personnel situation in which a city employee participated in the January 6, 2021 Insurrection on the US Capitol and requested to hear the employee's apology. She asked about shootings in Charlottesville and whether the shooters have been caught.

ACTION ITEMS

10. RESOLUTION: Extending Due Date for Payment of 2nd-half Local Taxes

Jason Vandever, City Treasurer, presented the request to move the due date for second-half property taxes from December 5 to December 19. He stated that there were significant issues with the third-party vendor who prints the billing statements, so some bills were mailed late.

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

RESOLUTION

To Extend the Deadline for Payment of Real Estate, Tangible Personal Property, and Machinery and Tools Tax Payments from December 5, 2022 to December 19, 2022

WHEREAS Sections 30-161(a) and 30-162 of the Code of the City of Charlottesville (1990), as amended (“City Code”), establish June fifth as the deadline for taxpayers to remit payment for half their assessed real estate, tangible personal property, and machinery and tools tax payments; and

WHEREAS Section 58.1-3916 of the Code of Virginia (1950), as amended, authorizes governing bodies to provide, by resolution, for reasonable extensions of time for the payment of local taxes, whenever good cause exists, and the City Treasurer has this day presented grounds for finding good cause; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville **THAT**, for good cause shown by the City Treasurer, the deadline for taxpayers to remit payment for the one-half of their assessed real estate, tangible personal property, and machinery and tools tax payments is hereby extended from December 5, 2022 to December 19, 2022.

BE IT FURTHER RESOLVED that any person failing to pay the portion of taxes on real estate, tangible personal property, or machinery and tools due on or before **December 19, 2022** shall incur penalties thereon payable on said date, and if taxes and penalties remain uncollected then there shall be collected interest at the rate specified within City Code Section 30-164(a), upon both the principal sum and penalties, commencing from December 31 with regard to the taxes due on December 19, 2022.

11. RESOLUTION: Approving the Appointment of an Emergency Management Coordinator

Sam Sanders, Deputy City Manager, presented the resolution. Jeremy Evans was selected by the City Manager to fill the newly created role of Emergency Management Coordinator, promoting him to the rank of Battalion Chief within the fire department. He will report to Deputy City Manager Sanders and funding for the position will be included in the City Manager Office budget beginning Fiscal Year 2024.

Mr. Evans provided an overview of his responsibilities and focus for the first year.

On motion by Pinkston, seconded by Wade, Council by the following vote APPROVED the resolution appointing Jeremy Evans as the Emergency Management Coordinator: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION

To Ratify and Consent to the City Manager's Appointment of a Coordinator of Emergency Management

BE IT RESOLVED by the Council of the City Manager that the City Manager's appointment of a full time Coordinator of Emergency Management, Jeremy Evans, is hereby ratified and consented to by the City Council.

12. ORDINANCE: Amending the Charlottesville Human Rights Ordinance, Code of the City of Charlottesville, Chapter 2, Article XV (2nd reading)

Todd Niemeier, Office of Human Rights Director, stated that the Chair of the Human Rights Commission sent a letter of support to City Council for the ordinance changes. to include edits made since the first presentation on November 7.

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

AN ORDINANCE AMENDING AND REENACTING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, ARTICLE XV (HUMAN RIGHTS) TO UPDATE THE ORDINANCE TO EXPAND THE COMMISSION'S DUTIES AS AUTHORIZED BY THE VIRGINIA HUMAN RIGHTS ACT (VIRGINIA CODE TITLE 2.2, CHAPTER 39), THE VIRGINIA FAIR HOUSING LAW (VIRGINIA CODE TITLE 36, CHAPTER 5.1), and VIRGINIA CODE, TITLE 15.2, CHAPTER 9, §15.2-965, AS AMENDED.

GENERAL BUSINESS

13. REPORT: Food Equity Initiative Annual Report FY 22 (written report)

Mayor Snook acknowledged the written report.

OTHER BUSINESS

Councilor Pinkston asked the City Manager to follow up with a statement to the community about the West Main protected bike path and its position within city projects.

Vice Mayor Wade stated that the Courtney Cacatian, Executive Director for the Charlottesville Albemarle Convention and Visitors Bureau, has offered expertise and staff to help the city with messaging and outreach for events.

COMMUNITY MATTERS (2)

Mayor Snook opened the floor for comments from the public.

- Ang Conn, city resident, expressed concern about barriers to completing a registration form on the city website. Regarding city safety, she suggested removing from employment the city employee who participated in the January 6, 2021 Insurrection on the US Capitol, who has access to the city's emergency response systems.

Mayor Snook adjourned the meeting at 7:53 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council