

## CHARLOTTESVILLE CITY COUNCIL MEETING

January 17, 2023 at 4:00 PM

In person: Council Chamber, 605 E. Main Street

Virtual/electronic: Zoom

The Charlottesville City Council met on Tuesday, January 17, 2023. 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: Michael Payne, Brian Pinkston, Mayor Lloyd Snook and Vice Mayor Juandiego Wade.

On motion by Pinkston, seconded by Wade, Council by the following vote ADOPTED the meeting agenda, with amendment to move Item 7 from the Consent Agenda to the end of the meeting for discussion: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none).

### REPORTS

#### 1. **PRESENTATION: Central Virginia Regional Housing Partnership introduction and strategic plan overview**

Ned Gallaway, Chair of the Thomas Jefferson Planning District Commission (TJPDC) and Chair of the Regional Housing Partnership (RHP), began the presentation by sharing background information and advisory board makeup.

Kevin Smith, Vice Chair of the RHP, reviewed local housing data.

Ian Baxter, TJPDC, shared deliverables and announced a regional housing summit on March 24.

Council engaged in discussion.

#### 2. **REPORT: Albemarle-Charlottesville Regional Jail Authority: Jail Renovation Project - Plan of Finance**

Deputy City Manager Ashley Marshall introduced presenters from Davenport & Company, Financial Advisor to the Albemarle-Charlottesville Regional Jail Authority.

Courtney Rogers and Roland Kooch presented the Jail Renovation Project Finance Plan. The presentation covered topics related to the Two-Part Plan of Finance:

- Overview of the jail funding process
- Timetable and estimated cashflow impact for:
  - Part 1: The Interim Financing; and
  - Part 2: The Permanent Financing

- The Projected budgetary/Cashflow impact to each Member Jurisdiction; and,
- Next steps.

Colonel Martin Kumer, ACRJ, summarized the purpose of the renovations. Council engaged in discussion.

### **POLICE CHIEF SWEARING IN**

Interim City Manager Michael C. Rogers introduced the swearing in ceremony for new Chief of Police Michael Kochis. Clerk of Circuit Court Llezelle Dugger issued the oath of office. City Council members and Mr. Rogers made follow-up comments. Chief Kochis thanked Council, Interim Chief Tito Durette and a host of others.

### **CLOSED SESSION**

On motion by Pinkston, seconded by Wade, Council voted 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by Virginia Code Section 2.2-3711(A)(1), for the discussion and consideration of appointing members to the following Charlottesville boards, commissions and committees:

1. Police Civilian Oversight Board,
2. Charlottesville Housing Advisory Committee, and
3. Charlottesville Affordable Housing Fund Committee.

On motion by Pinkston, seconded by Wade, Council certified by the following vote: 4-0 (Ayes: 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.

### **ANNOUNCEMENTS**

Councilor Pinkston announced that he was invited to attend an informal memorial for a recent shooting in Belmont and he thanked and commended the Belmont community.

Mayor Snook stated that he attended two events for Martin Luther King, Jr. Day and will participate in another during the upcoming weekend.

### **BOARD and COMMISSION APPOINTMENTS**

Mayor Snook stated that positions vacated by Councilor Magill needed to be filled.

On motion by Wade, seconded by Pinkston, Council by the following vote: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none) appointed Brian Pinkston as the City Council representative to the Albemarle Charlottesville Regional Jail Board and Juan Wade to the Workforce Development Board, Virginia Career Works of the Piedmont.

**3. RESOLUTION: Appointing the membership of the Charlottesville Housing Advisory Committee**

Mayor Snook stated that not enough applications were received to fill all seats.

On motion by Pinkston, seconded by Wade, Council by the following vote: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none) appointed members to the Housing Advisory Committee.

**RESOLUTION**

**Appointing the membership of the City Council Housing Advisory Committee**

**WHEREAS** on April 4, 2022, by resolution #R-22-038 the Charlottesville City Council amended and re-established the city council advisory body known as “The Housing Advisory Committee (HAC)”, and

**WHEREAS** City Council desires to appoint the initial membership of the council housing advisory committee, and to make the appointments in a manner that will stagger the initial terms; **now, therefore,**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the following individuals are hereby appointed to serve on the City Council Housing Advisory Committee (HAC), for the terms specified below:

Seats	Expiration of Initial Term	Name
<b>Asterisk (*) denotes eligibility requirements</b>		
Charlottesville Redevelopment and Housing Authority* (1) (*representative must be a current board member or executive director)	12/31/2025 (3 years)	<u>Representative:</u> John Sales, Executive Director
Non-profit entity* (*entity must be engaged in constructing or renting AHUs; representative must be a current board member or executive director) (2)	12/31/2024 (2 years)	<u>Representative:</u> Sunshine Mathon
	12/31/ 2023 (1 year)	<u>Representative:</u> Corey Demchak

Real Estate Professionals* (3) (*must be a RE broker, lender, for-profit developer, architect, etc.)	12/31/2025 (3 years)	Phil D’Oronzio
	12/31/2024 (2 years)	Dan Rosensweig
	12/31/2023 (1 year)	
At-large community members* (2) (* must reside within the City limits)	12/31/2025 (3 years)	Abigail Palco
	12/31/2024 (2 year)	Josh Hughes
Affordable Housing Beneficiaries* (3) (*must be a current resident of an affordable dwelling unit)	12/31/2025 (3 years)	Joy Johnson
	12/31/2024 (2 years)	
	12/31/ 2023 (1 year)	Elise Noyes

**BE IT FURTHER RESOLVED** that each of these appointments is made subject to the provisions of City Code Chapter 2, Article I, Sec. 2-8 (limitation on terms). Upon the expiration of the initial terms specified above, all subsequent appointments and re-appointments shall be for two (2) year terms. Pursuant to City Code Sec. 2-8(c), an individual initially appointed to a term of less than two (2) years may thereafter serve four complete terms of two (2) years each.

**BE IT FURTHER RESOLVED** that, if an individual appointed to serve in a seat which has an eligibility requirement, and the individual becomes ineligible during their appointed term, that individual’s seat shall be deemed to be vacant, and City Council will appoint an eligible individual to fill the unexpired portion of the term.

**4. RESOLUTION: Appointing the membership of the Charlottesville Affordable Housing Fund Committee**

Mayor Snook stated that not enough applications were received to fill all seats.

On motion by Pinkston, seconded by Wade, Council by the following vote: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none) appointed members to the Housing Advisory Committee.

**RESOLUTION**

**Appointing the membership of the Charlottesville Affordable Housing Fund Committee**

**WHEREAS** on April 4, 2022, by resolution #R-22-039 the Charlottesville City Council established a new advisory body, to be known as “The Charlottesville Affordable Housing Fund Committee”, and

**WHEREAS** City Council desires to appoint the initial membership of the committee, and to make the appointments in a manner that will stagger the initial terms; **now, therefore,**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the following individuals are hereby appointed to serve on the Charlottesville Affordable Housing Fund Committee, for the terms specified below:

Seats	Expiration of Initial Term	Name
<b>Asterisk (*) denotes eligibility requirements</b>		
At Large Community Members (3)	12/31/2025 (3 years)	Philip D’Oronzio
	12/31/2024 (2 years)	S. Lisa Herndon
	12/31/ 2023 (1 year)	
Affordable Housing Beneficiaries* (3) (*must be a current resident of an affordable dwelling unit)	12/31/2025	
	12/31/2024	
	12/31/2023	
City Staff* (3) (*must be a full-time city employee)	12/31/2025	
	12/31/2024	
	12/31/2023	

**BE IT FURTHER RESOLVED** that each of these appointments is made subject to the provisions of City Code Chapter 2, Article I, Sec. 2-8 (limitation on terms). Upon the expiration of the initial terms specified above, all appointments and re-appointments shall be for two (2) year terms. Pursuant to City Code Sec. 2-8(c), an individual initially appointed to a term of less than two (2) years may thereafter serve four complete terms of two (2) years each.

**BE IT FURTHER RESOLVED** that, if an individual appointed to serve as an affordable housing beneficiary, or a city staff representative, becomes ineligible during their appointed term, that individual’s seat shall be deemed to be vacant, and City Council will appoint an eligible individual to fill the unexpired portion of the term.

**CONSENT AGENDA\***

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

- 5. MINUTES: December 19 meeting**
- 6. RESOLUTION: Adopting the Amendment and Re-enactment of the November 15, 2021 Comprehensive Plan for the City of Charlottesville, as amended (2nd reading)**

## **RESOLUTION**

### **Amending and Re-enacting the Comprehensive Plan for the City of Charlottesville**

**WHEREAS** on Tuesday, December 13, 2022 the Charlottesville City Council and the Charlottesville Planning Commission held a joint public hearing on proposed amendments and a proposed re-enactment of the Comprehensive Plan for the City of Charlottesville, dated November 15, 2021, as amended to date (the “Comprehensive Plan”), after notice of intention to do so was published in accordance with the requirements of Virginia Code §15.2-2204(A); and

**WHEREAS**, after the public hearing on December 13, 2022, the Planning Commission unanimously recommended approval of the proposed amendments and re-enactment of the Comprehensive Plan and directed that said plan be transmitted to City Council for consideration (the “Certified Plan”); and

**WHEREAS** as required by Sec. 15.2-2225 of the Code of Virginia, a link to the Certified Plan was posted on the City’s website on which the Planning Commission generally posts, information and the Certified Plan has been available to the public; and

**WHEREAS** City Council desires that the proposed amendments be made, to-wit: (i) amendments to Chapter 4 (Land Use, Urban Form, and Historic & Cultural Preservation) and to Chapter 5 (Housing), to add provisions promoting manufactured housing as a source of affordable housing, and (ii) amendment to Chapter 7 (Environment, Climate and Food Equity), to add the City’s Climate Action Plan as a component of the Comprehensive Plan, thereby expanding the City’s action strategies related to climate change mitigation through greenhouse gas emissions reductions, and providing guides for action that address equity, focus on co-benefits, and plan for community engagement and capacity building; and

**WHEREAS** City Council finds and determines that, with the amendments desired by Council as described above, the Certified Plan has been made with the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory within the City which will, in accordance with present and future probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the City’s inhabitants; NOW, THEREFORE,

**BE IT RESOLVED by the Council of the City of Charlottesville THAT** the aforesaid Certified Plan is hereby adopted, re-enacted and re-ordained as the official Comprehensive Plan for the City of Charlottesville pursuant to Virginia Code Sec. 15.2-2226 and shall hereafter continue to be known and referred to as the City’s “Comprehensive Plan (2021)”.

**7. RESOLUTION: Approving a Lease Agreement with McGuffey Arts Associates, Inc. for the lease of 201 2nd Street NW (1 reading; tabled from January 3 pending lease revision)**

During approval of the agenda this item was moved to the end of the meeting for discussion.

**8. RESOLUTION: Appropriating Bond Proceeds for the Woodland Drive subdivision - \$192,453.98 (2nd reading)**

**RESOLUTION**

**Appropriating the Sum of \$192,453.98 received from Development Bond Proceeds**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of **\$192,453.98** is and shall be appropriated for expenditure by the Department of Public Works, in the following manner:

**Revenues – \$192,453.98**

\$192,453.98      Fund: 426      Internal Order: P-00679      G/L Account: 451999

**Expenditures – \$192,453.98**

\$192,453.98      Fund: 426      Internal Order: P-00679      G/L Account: 451999

Mayor Walker opened the floor for comments from the public on the Consent Agenda. The following individuals spoke:

- Susan Kruse, Director of Community Climate Collaborative (C3), spoke in support of Item 6.
- Katie Ebinger with C3 spoke in support of Item 6.

On motion by Pinkston, seconded by Wade, Council by the following vote: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none) **ADOPTED** the Consent Agenda.

**CITY MANAGER REPORT**

Interim City Manager Michael Rogers stated that with the transition of City Attorney Lisa Robertson, the law firm of Sands Anderson will serve in the Interim City Attorney role.

Two project managers will service the City. Regarding land use matters, the Sharon Pandex firm was selected to work with Planning on Zoning Ordinance issues.

Kris Hammill, Director of Budget, presented the quarterly financial report for FY2023.

**COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

1. Lisa Draine, city resident and Charlottesville city resident representative to the ACRJ, requested that City Council think hard before approving the jail renovation project. She suggested using the funds instead for other community priorities and certain improvements to

the jail.

2. Robin Hoffman, city resident, supported comments from Ms. Draine. She made positive statements about events for Martin Luther King, Jr. Day.
3. Nicholas Ko, city resident, Veterans for Political Innovation, spoke in support of Rank Choice Voting (RCV) in Charlottesville. He requested a public meeting to discuss RCV.
4. Josh Carp, city resident, spoke about a car crash on Ivy Road that killed a cyclist. He encouraged action to create more traffic safety.
5. William "Buzz" Becker, city resident, spoke as Citizen Representative for the Towing Advisory Board to make Council aware that the board is defunct and he listed reasons, stating that a Towing Coordinator is needed.

## **ACTION ITEMS**

### **9. ORDINANCE: Re-precincting the City of Charlottesville (carried to public hearing February 6 and 2<sup>nd</sup> reading March 6)**

Anne Hemenway, former Electoral Board Member and co-chair of the re-precincting project, explained the reason for re-precincting, stating that the City of Charlottesville was flagged in 2020 by the State Election Office because Johnson Precinct had over 4,000 active voters during the Presidential election. This flagging did not require re-precincting but prompted the Electoral Board and the Voter Registrar's Office to review the precinct situation. Some findings were that numbers of voters per precinct varied and there were complaints about walkability as well as ongoing issues with certain precincts becoming too small for the growing number of voters. Ms. Hemenway reviewed suggested changes and community outreach efforts, and stated that approximately 40 percent of voters will be impacted.

Taylor Yowell, Voter Registrar and co-chair of the re-precincting project, presented the final proposed map.

Katrina Callsen, attorney, confirmed the process for approving the ordinance, which includes a 30-day public comment period before the second reading of the ordinance on March 6, 2023.

Vice Mayor Wade requested a voter education campaign regarding the updates. Ms. Yowell gave an overview of planned outreach activities.

Council unanimously agreed to hold the public hearing at the February 6 meeting and the second reading on March 6.

### **10. RESOLUTION: Appropriating Grant Funds for improvements at 10th Street NW and Grady Avenue - \$500,106 (carried)**

Jerry Allen, Transportation Project Manager, presented the appropriation request, stating that



funds will be used to improve ADA compliance. Mr. Allen and Jack Dawson, City Engineer, answered questions for Council. Construction is expected to be complete by the end of 2024.

Council unanimously agreed to carry the item to the February 6 Consent Agenda for second reading and vote.

## **GENERAL BUSINESS**

### **11. REPORT: Rivanna Authorities Quarterly Update**

Bill Mawyer, Rivanna Authorities Executive Director, presented an overview of the Rivanna Water and Sewer Authority Board (RWSA) and the Rivanna Solid Waste Authority Board (RSWA) composition and operations.

### **#7. *MOVED from Consent Agenda.* RESOLUTION: Approving a Lease Agreement with McGuffey Arts Associates, Inc. for the lease of 201 2nd Street NW (1 reading; tabled from January 3 pending lease revision)**

Brenda Kelley, Office of Community Solutions, provided clarifying information to Council regarding the lease as requested at the January 3 City Council meeting.

Amanda Liscouski provided data regarding residency at McGuffey Arts Center (a non-stock not-for-profit organization).

On motion by Pinkston, seconded by Payne, Council by the following vote: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none) APPROVED the resolution for the McGuffey Arts Association lease.

## **RESOLUTION**

### **Approving a lease of property at 201 2nd Street, NW to the McGuffey Arts Association**

**WHEREAS**, the McGuffey Arts Association, Inc., desires to lease certain City-owned property for a term of five (5) years, and City Council has considered the terms of the proposed lease, and has conducted a public hearing in accordance with the requirements of Virginia Code Sec. 15.2-1800(B); NOW, THEREFORE,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the lease of City-owned property located at 201 2nd Street, N.W., Charlottesville, Virginia, to the McGuffey Arts Association, Inc., presented to Council this same date for consideration, is hereby APPROVED and the City Manager is hereby authorized to execute the approved lease on behalf of City Council.

## **OTHER BUSINESS**

Mayor Snook reiterated the process for applying for consideration of appointment to the City Council seat vacated by Councilor Sena Magill, stating that applications will be due by January 30; either January 31 or February 1, applicant names will be released to the public; February 6 solicit comments from the public; and a decision by February 21.

Mayor Snook reminded the City Manager to follow up on the Towing Advisory Board concern raised earlier in the meeting.

## **COMMUNITY MATTERS (2)**

Mayor Snook opened the floor for comments from the public.

- James Groves, city resident, spoke about climate change concerns and asked Council to consider climate change numbers when considering requests for development.
- Robin Hoffman, city resident, expressed concern about sidewalks and signage issues on East High Street.

Asked by Mayor Snook, Deputy City Manager Sanders provided an update on a coordinated effort to make improvements on East High Street.

The meeting adjourned at 8:25 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council