



**CITY COUNCIL AGENDA**  
**September 3, 2024**  
**CERTIFICATIONS**

Juandiego R. Wade, Mayor  
Brian R. Pinkston, Vice Mayor  
Natalie Oschrin  
Michael K. Payne  
J. Lloyd Snook, III  
Kyna Thomas, Clerk

**4:00 PM OPENING SESSION**

**Call to Order/Roll Call**

**Agenda Approval APPROVED 5-0 (PINKSTON/PAYNE)**

**Reports**

1. Report: UVa Student Research: The Memory Project
2. Report: Downtown Mall Tree Management Plan

**5:30 PM CLOSED MEETING**

**Vote to meet in closed meeting APPROVED 5-0 (PINKSTON/SNOOK)**

**Vote to certify closed meeting APPROVED 5-0 (PINKSTON/SNOOK)**

**6:30 PM BUSINESS SESSION**

**Moment of Silence**

**Announcements**

**Recognitions/Proclamations**

- Recognition: Charlottesville High School Varsity Boys Tennis and Soccer Teams and Elaina Pierce - State Champions
- Proclamation: International Day of Democracy - September 15
- Proclamation: Sister City Besancon - 80th anniversary of liberation

**Community Matters**

**Consent Agenda\* APPROVED 5-0 (SNOOK/PINKSTON)**

3. Minutes: July 15 regular meeting, August 5 regular meeting, August 19 regular meeting, August 26 and 27 special meetings
4. **Resolution:** Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (2nd reading)  
**#R-24-113**
5. Resolution: CDBG and HOME Investment Partnerships Programs (2nd readings)
  - a. **Resolution:** Program Year 2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs (2nd reading)  
**#R-24-114**
  - b. **Resolution:** Establish Council Priorities for Program Year 2025-2026 (2nd reading)  
**#R-24-115**
6. **Ordinance:** Ordinance to repeal City Code Sections 18-24(b) and 18-25(f) pursuant to the Ragged Mountain Reservoir Settlement Agreement (2nd reading)  
**#O-24-116**
7. Resolution: Resolution appropriating funds from the 2024 Energy Efficiency and Conservation Block Grant (EECBG) - \$76,840 (1 of 2 readings)
8. Resolution: Resolution for State Pass-Thru Funding for Tonsler League - \$250,000 (1 of 2 readings)

- 9. Resolution: Resolution to appropriate Fiscal Year 2025 Fire Programs Aid to Locality Funding (Firefund) - \$238,581.00 (1 of 2 readings)
- 10. Resolution: Resolution to appropriate funds from the Department of Housing and Community Development- Virginia Homeless Solutions Program Grant \$470,805 (1 of 2 readings).
- 11. Ordinance: Ordinance for Stonehenge Avenue Encroachment Agreement (1 of 2 readings)

**City Manager Report**

- Report: City Manager Report

**Action Items**

- 12. Ordinance/Resolution: Ranked Choice Voting
  - a. Ordinance: Ordinance to Adopt Ranked Choice Voting ("RCV") as the Voting Method for the June 2025 City Council Primary election (2nd reading)  
#O-24-117 APPROVED 4-1 (PINKSTON/OSCHRIN; SNOOK opposed)
  - b. Resolution: Resolution to appropriate \$26,460 for Ranked Choice Voting (2nd reading)  
#R-24-118 APPROVED 5-0 (PINKSTON/OSCHRIN)
- 13. Ordinance: Ordinance amending the City Code to extend the Public Safety Supplement Retirement Benefit to EMS-only Employees Enrolled in the Defined Benefit plan (1 of 2 readings)
- 14. Resolution: Resolution to approve the Seventh Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (1 of 2 readings)
- 15. Resolution: Resolution considering a Sidewalk Waiver Request for 2117 Ivy Road  
#R-24-119 APPROVED 5-0 (SNOOK/PINKSTON)

**General Business**

**Community Matters (2)**

**Adjournment**

**RESOLUTION**

**Appropriating the sum of \$452,704 received from the Commonwealth as a Virginia Juvenile Community Crime Control Act Grant (V.J.C.C.C.A.)**

**WHEREAS**, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice; and

**WHEREAS**, this grant requires local maintenance of effort funds in the amount of \$52,231 from Albemarle County and \$108,415 from the City; and

**WHEREAS**, the grant award covers the period from July 1, 2024 through June 30, 2025.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that upon receipt of the sum of \$452,704 from the Commonwealth of Virginia, that sum is hereby appropriated in the following manner:

**Revenue – \$452,704**

\$292,058	Fund: 220	Cost Center: 3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center: 3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center: 3523001000	G/L Account: 498010

**Expenditures - \$452,704**

\$103,704	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$349,000	Fund: 220	Cost Center: 3523001000	G/L Account: 599991

All funds hereby appropriated shall be accounted for and expended only in accordance with requirements of the VJCCCA grant program.

**Resolution to Approve the City of Charlottesville & Thomas Jefferson HOME Consortium Consolidated Annual Performance and Evaluation Report (CAPER) for the Program Year 2023-2024 (PY23) CDBG & HOME Programs**

WHEREAS the City of Charlottesville has been designated as an Entitlement Community by the United States Department of Housing and Urban Development (HUD) and as such is a recipient of federal funds through the Community Development Block Grant (CDBG) & HOME Investment Partnerships (HOME) programs, and

**WHEREAS** the City is a contributing member of the Thomas Jefferson HOME Consortium (TJHC) in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program, and

**WHEREAS** City Council approved a 5-Year Consolidated Plan covering program years 2023-2027 at a public hearing held on May 1, 2023, and the associated 1-Year Annual Action Plan for program year 2023-2024 at a public hearing on June 5, 2023; and

**WHEREAS** HUD requires all localities receiving HUD funds to report on their annual accomplishments at the end of each program year through the CAPER; now

**THEREFORE BE IT RESOLVED** that the City Council of Charlottesville, Virginia, hereby approves the city's Program Year 2023-2024 CAPER report.

**Resolution to Establish Council Priorities for the Program Year 2025-2026  
Community Development Block Grant (CDBG) &  
HOME Investment Partnerships (HOME) Programs**

**WHEREAS** the City of Charlottesville has been designated as an Entitlement Community by the United States Department of Housing and Urban Development (HUD) and as such is a recipient of federal funds through the Community Development Block Grant (CDBG) & HOME Investment Partnerships (HOME) programs, and

**WHEREAS** the City is a contributing member of the Thomas Jefferson HOME Consortium (TJHC) in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program, and

**WHEREAS** in accordance with the City of Charlottesville's HUD-approved Citizen Participation Plan, the city's CDBG/HOME Task Force composed of residents and community representatives will be called on to review requests for funding of potential CDBG & HOME projects and to make recommendations for funding to Council in the Spring of 2025; now

**THEREFORE BE IT RESOLVED** by the City Council of Charlottesville, Virginia, that the Program Year 2025-2026 CDBG & HOME programs (PY25) shall prioritize to the degree possible:

- A continued emphasis on expanding access to affordable housing opportunities, including but not limited to low-income housing redevelopment; workforce development, including but not limited to efforts to bolster Section 3 training opportunities other economic development activities; microenterprise assistance; access to quality childcare; homeowner rehabilitation and energy-efficiency upgrades; down payment assistance; and improvements to public infrastructure designed to eliminate or reduce barriers to access to public amenities for mobility-impaired residents
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Economic Development activities
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Public Facilities and Improvement activities, with a special emphasis on activities that will eliminate or reduce barriers to access for mobility-impaired residents
- The CDBG Admin and Planning budget shall be set at 20% of the City's CDBG allocation
- Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent

**AN ORDINANCE TO AMEND CITY CODE CHAPTER 18,  
PARKS, AND RECREATION SECTIONS 18-24(b) and 18-25(f)**

**WHEREAS**, the Ragged Mountain Reservoir (“the Reservoir”) is owned by the City of Charlottesville (“the City”), but located in Albemarle County (“the County”) and supplies water to residents and businesses in both localities; and

**WHEREAS**, in April 2017, the County filed a legal action against the City challenging permitted recreational activities at the Reservoir, as the County sought to prohibit bicycling and permit horseback riding at the Reservoir, while a corresponding provisions of the City Code permitted bicycling and prohibited horseback riding at the Reservoir, and the two parties eventually entered into a Settlement Agreement which ended litigation on the matter; and

**WHEREAS**, City Council approved the Settlement Agreement on March 4, 2024, and pursuant to this Settlement Agreement, the City agreed to repeal City Code Sections 18-24(b) and 18-25(f); and

**WHEREAS**, the required public hearings on the proposed amendment have been conducted; and

**WHEREAS**, this City Council has considered staff recommendations; and

**WHEREAS**, this Council finds that the proposed appeal of City Code Sections 18-24(b) and 18-25(f) herein are in accordance with the Settlement Agreement, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Chapter 18 Parks and Recreation, Sections 18-24(b) and 18-25(f) of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

**Sections 18-24(b) and 18-25(f)**

Sec. 18-24. - Authorized activities.

The following activities are permitted in the Ragged Mountain Natural Area:

- (a) Hiking and jogging on designated trails, picnicking, and birdwatching;
- (b) Kayaking, canoeing, and boating on the reservoir; the use of electric motors is permitted, but gasoline marine motors are prohibited, except when used by Rivanna Water and Sewer Authority employees, agents or contractors for purposes related to the maintenance or surveillance of the dam and the water supply; and
- (c) Fishing that is conducted in compliance with all state regulations and licensing requirements.

(12-19-16(3))

Sec. 18-25. - Prohibited activities.

Any activity not expressly permitted by this article is prohibited within the Ragged Mountain Natural Area. These prohibited activities include, but are not limited to:

- (a) Trapping, hunting, or the discharge of firearms;
- (b) Camping or remaining in the natural area after sunset;
- (c) Swimming or diving in the Ragged Mountain Reservoir;
- (d) Setting, maintaining or allowing any fire;
- (e) Consumption of alcoholic beverages;
- (f) Using motor vehicles except on roads paved or improved for vehicular traffic and in designated parking areas; provided that the prohibition of motor vehicles shall not apply to approved ADA mobility assistance devices;
- (g) Accessing the reservoir's auxiliary spillway, except on designated trails;
- (h) Storing boats or other personal property at the natural area; allowing motor vehicles to remain in the parking area after sunset; or mooring boats on the reservoir;
- (i) Littering or leaving trash or refuse in the natural area;
- (j) The transporting or releasing of wildlife or the disturbance of nests or nesting sites;
- (k) Conducting organized running or bicycling races or competitions; and(m)Bringing any dog, except for a service animal, into the natural area.

(12-19-16(3))

**AN ORDINANCE  
ESTABLISHING RANKED CHOICE VOTING AS  
THE ELECTION METHOD FOR  
THE JUNE 2025 PRIMARY ELECTION**

**WHEREAS**, ranked choice voting (“RCV”) means the method of casting and tabulating votes in which voters rank candidates in order of preference, tabulation proceeds in sequential rounds in which last-place candidates are defeated and the candidates with the most votes in the final round are nominated; and

**WHEREAS**, in July 2021, the Virginia General Assembly amended the Code of Virginia § 24.2-673.1 to authorize localities to implement RCV in elections of members of a county board of supervisors or a city council, and the decision to conduct an election by ranked choice voting shall be made, in consultation with the local electoral board and general registrar, by a majority vote of the board of supervisors or city council that the office being elected serves; and

**WHEREAS**, the Electoral Board and Registrar of the City of Charlottesville, Virginia having reviewed the successful conduct of a RCV primary election in June 2023 for the nomination of members of the County of Arlington, Virginia, Board of Supervisors and determined that there are no technical barriers to conducting the 2025 Charlottesville City Council primary using the same RCV process; and

**WHEREAS**, the method of RCV empowers voters to express their full preferences on their ballots and has been successfully adopted in various localities and states across the nation, and has been shown in research to support more diverse candidate pools and improved civility in campaigns and elections. The use of RCV in the June 2025 primary elections for the Charlottesville City Council will allow for the introduction of this new method to our community; and

**WHEREAS**, state law provides that any changes to an election shall occur at least 90 days prior to such election, and adoption of this resolution more than nine months before the primary election provides sufficient time for City Council to educate and engage the community on the changes, as well as prepare the new ballots and tabulation system;

**NOW, THEREFORE, BE IT ORDAINED**, that the City of Charlottesville, Virginia hereby establishes RCV as the election method in the June 2025 City Council primary election.



**RESOLUTION**  
**Appropriating Funding for Ranked Choice Voting**  
**\$26,460**

**WHEREAS** the City Council has approved an ordinance to adopt Ranked Choice Voting as the voting method for the June 2025 City Council Primary election; and

**WHEREAS** pursuant to Virginia State Administrative Code 1VAC20-100-80, the local governing body must develop and distribute an educational/outreach program and purchase new hardware/software for ranked choice voting tabulation;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, that the sum of \$26,460 is hereby appropriated to be transferred from the Council Strategic Initiatives account in the General Fund to the Voter Registrar's budget for this purpose.

**Transfer From:**

\$26,460      Fund: 105                      Cost Center: 1011001000      G/L Code: 599999

**Transfer To:**

\$26,460      Fund: 105                      Cost Center: 2301001000      G/L Code: 599999

**RESOLUTION**  
**SIDEWALK WAIVER REQUEST FOR A RESIDENTIAL DEVELOPMENT**  
**REFERRED TO AS “2117 IVY ROAD PUD”**

**WHEREAS**, Timmons Group (“Applicant”), on behalf of Up Campus Student Living, (“Owner”) the owner of certain land fronting on Ivy Road and Copeley Road, designated on the City Tax Map and Parcel (TMP) as Parcel 070001200 (the “Subject Property”), has submitted an application seeking a waiver of the requirement of City Code Section 29-182(j)(3) that sidewalks shall be constructed and land dedicated to the public for developments along existing streets to connect them to existing sidewalks. This application is submitted in connection with the Applicant/Owner’s proposed development of ZM23-00003 (Planned Unit Development), and

**WHEREAS**, City staff has submitted to City Council a staff report providing information and staff’s recommendation regarding the sidewalk waiver request, and City Council has reviewed the application and the staff report and has considered the factors set forth within the City’s Subdivision Ordinance, Sections 29-36 and 29-182(j)(5); now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the sidewalk waiver request presented to this Council by the Applicant/Developer is hereby granted along approximately one hundred thirty (130) feet along the west side of Copeley Road abutting City Lots currently identified as Real Estate Parcel Identification Number 070001200 as depicted below.

