

CHARLOTTESVILLE CITY COUNCIL MEETING

June 5, 2023 at 4:00 PM

Council Chamber, City Hall, 605 E. Main Street

The Charlottesville City Council met in regular session on Monday, June 5, 2023. Mayor Lloyd Snook called the meeting to order with all councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Pinkston, seconded by Puryear, Council unanimously approved the meeting agenda.

REPORTS

1. REPORT: Charlottesville Albemarle Convention and Visitors Bureau Update

Courtney Cacatian, Executive Director of the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) presented the annual report. The CACVB is a destination marketing organization committed to building a welcoming environment for visitors and believes in tourism for all. Ms. Cacatian noted that the CACVB is funded through a portion of Lodging Tax generated through overnight stays in a wide variety of accommodations.

The Bureau's Mission is "to welcome all visitors, improve the quality of life for residents, support a robust tourism ecosystem, and drive overnight visitation through innovation and collaboration." Their Vision is "to create a better quality of life for residents by being the most inclusive, diverse, welcoming, thriving destination for visitors in the Southeast." Strategic Imperatives listed in the annual report were Resiliency, Unity, Diversity, Creativity and Responsibility. The five brand pillars for CACVB are: 1) Award-winning farm-to-table food and beverage; 2) Dynamic culture and honest history; 3) World class amenities with small town charm; 4) Welcoming outdoor recreation; 5) Vibrant art, live entertainment, and festivals.

CACVB consists of eleven full-time staff members and the following fifteen Executive Board members, with Vice Mayor Juandiego Wade representing the Charlottesville City Council.

Ms. Cacatian reported that the Discover Black Cville initiative earned national advertising success, and Charlottesville-Albemarle advertising metrics exceeded national benchmarks. She stated that there has been a delay in the travel and tourism industry in marketing to diverse cultures, who would be more likely to travel to places where they see representation in advertising.

CACVB hired a social media content manager, and partnered with guest writers to create blog posts, with the most viewed blog in FY23 featuring outdoor recreation, wine and winter visitation ideas. A new CACVB Visitor Guide, completely managed in-house for the first time, was also created. A host of media and public relations activities reported positive results. Ms. Cacatian showed a video that was made in collaboration with Wheel the World featuring Miss Wheelchair California 2023, Candace Welch, who shared a positive experience visiting the Charlottesville-Albemarle area. Ms. Welch's visit helped to inform areas to address regarding accessibility.

The report concluded with sales efforts and revenue data, which showed trends related to lower hotel occupancy rates impacted by increases in average daily rates. Ms. Cacatian stated that costs are beginning to normalize since the Covid pandemic.

CACVB won the HSMIAI Adrian Award for Discover Black Cville, and the US Travel Association Destiny Award for Discover Black Cville and was a US Travel Association Destiny Award Finalist for Monticello Wine Trail.

2. REPORT: Human Rights Commission 2022 Annual Report

Todd Niemeier, Executive Director of the Human Rights Commission, presented the Calendar Year 2022 (CY22) Annual Report. He introduced other members of the Office of Human Rights team: Victoria, Saad, and part-time interns Ginny and Lily.

The Charlottesville Human Rights Ordinance (CRHO) was adopted in 2013: City Code Chapter 2, Article XV. The Human Rights Commission (HRC) consists of nine volunteer members who are charged with addressing systemic issues and advising City Council. In plain language, per Section 2-433 of the Charlottesville Human Rights Ordinance, it is the role of the HRC and OHR to: a) Assist individuals with complaints of discrimination; b) Provide awareness, education, and guidance; c) Review City policies; d) Seek federal work share agreements with the EEOC and HUD; e) Make legislative recommendations to City Council; and f) Prepare recommendations for City Council related to the function of the Commission.

HRC key takeaways included one community event, several public discussions, two public polls, recommendations to City Council (housing equity, transportation equity and access, health and food equity, and equity in law enforcement), two HRC resolutions, and no cases required the HRC to hold a public hearing in CY2022. The HRC adopted amendments to the CHRO for recommendation to Council, which were passed by Council on November 21, 2022.

OHR key takeaways for CY22:

- 3,253 incoming contacts
- 67 inquiries and complaints in Charlottesville (54% of total)
- Housing was the most often identified protected activity.
- 58% of all contacts were classified as navigation.
- 9 new complaints opened
- 160 community outreach activities
- Partnered with 57 collaborators to conduct outreach events, develop referral networks, and provide guidance on projects that support the community
- Provided data and administrative support to the HRC
- Drafted amendments to the CHRO to include language substantially equivalent to federal fair housing law.

Contacts:

- New complaints – 10
- New inquiries – 113
- Client follow-ups – 1,931

- General contacts – 181
- Third-party incoming – 1,018
- Total incoming contacts – 3,253

Total incoming contacts by Year:

- | | |
|---------------|---------------|
| • 2014: 107 | • 2019: 1,849 |
| • 2015: 752 | • 2020: 1,159 |
| • 2016: 1,302 | • 2021: 1,962 |
| • 2017: 1,316 | • 2022: 3,253 |
| • 2018: 696 | |

Based on CY22 conclusions, the following updates were made for CY23:

- The HRC narrowed its focus to housing issues to inform its recommendations to Council. The HRC found that it struggled to achieve goals when the focus was too broad.
- Commissioners send liaisons to various housing-focused groups to inform their work.
- The HRC re-elected the Chair and Vice Chair and added one new Commissioner.
- The OHR hired an Intake & Administrative Specialist which has improved the OHR’s ability to respond to incoming contacts.
- The OHR is in the process of hiring an Investigator which will improve the timeliness of investigations and shift case determinations back to the Director.
- The OHR will further refine its data collection around “Navigation and Advocacy” contacts to include the total time spent on these contacts and the types of services provided.

Councilor Pinkston suggested having the Board Chair take part in the presentation next year.

Councilor Payne asked for an update on the FHA (Fair Housing Assistance) Program. Mr. Niemeier stated that a presentation will likely be made to Council in the Fall.

Mr. Niemeier answered additional questions and asked Council to provide direction to the HRC if an issue arises that needs review and recommendations.

3. REPORT: ADA (Americans with Disabilities Act) Transition Plan Introduction

Paul Rudacille, ADA Coordinator, introduced Charlie Szold, Managing Partner with Precision Infrastructure Management, who presented the ADA (Americans with Disabilities Act) Transition Plan.

Precision Infrastructure Management (PIM) is an industry leader in municipal asset management, with a specialty in right-of-way infrastructure, facilities, and parks. PIM works with local leaders - elected, professional and stakeholders from the greater community - to develop the scope of services for a conditional study. PIM will help to identify key project attributes along with a timeline, budget, and implementation plan. Once completed, the community will have the situational awareness needed to satisfy federal, state, and local requirements and develop budget-saving asset management implementation plans. PIM will continue to be an active partner during this stage and use their expertise in asset management to ensure the city is getting the most out of

its investment from PIM services.

Along with Charlie Szold, Aaron Hester from PMI will work on the ADA Transition Plan project.

ADA Transition Planning:

- Title II of the Americans with Disabilities Act (ADA) of 1990 prohibits discrimination against people with disabilities in state and local government (public) services.
- Where structural modifications are required to achieve program accessibility, a public entity with 50 or more employees must do a transition plan by July 26, 1992, that provides for the removal of these barriers. The Charlottesville plan from 2013 requires updating.
- Transition Plan requirements:
 - Public input
 - Assessment of public rights-of-way, facilities, parks, services and programs for accessibility barriers
 - Remediation planning
 - Implementation planning
 - Identify staff responsible
 - Grievance procedure/review of procedure

Mr. Rogers stated that Mr. Rudacille as ADA Coordinator has been given a directive to create a culture of compliance and will ensure follow-through with the Transition Plan. Mr. Szold emphasized that implementation of the Plan will require funding. The ADA Accessibility Guidelines (ADA-G) Report delivery goal is the end of 2023.

CLOSED SESSION

On motion by Payne, seconded by Puryear, pursuant to section 2.2-3712 of the Virginia Code, City Council voted unanimously to convene in a closed session, as authorized by Virginia Code Section 2.2- 3711(A)(1), for:

1. Discussion and consideration of candidates to be interviewed for upcoming vacancies on the Planning Commission; and
2. Discussion and consideration of candidates to be interviewed for upcoming vacancies on the Charlottesville Redevelopment and Housing Authority.

On motion by Payne, seconded by Wade, Council certified by a recorded vote of 5-0 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 opened the business portion of the meeting by observing a moment of silence.

ANNOUNCEMENTS

Councilor Payne announced that residents of the former Friendship Court voted to change the name to Kindewood and had a big event a few days ago which included a tour of new units. He stated that the first residents moved into the renovated Crescent Halls.

CONSENT AGENDA*

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

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 ADOPTED the consent agenda.

3. MINUTES: April 17 regular meeting; May 12 special meeting; May 19-20 Strategic Planning Work Session
4. RESOLUTION: Appropriating Additional Funding Received from the Virginia Department of Social Services for Adoption Assistance - \$450,000 (2nd reading)

RESOLUTION

Appropriating Additional Funding Received from the Virginia Department of Social Services for Adoption Assistance In the Amount of \$450,000

WHEREAS, the Charlottesville Department of Social Services has received an allocation of \$450,000 in the Fiscal Year 2023 budget from the Virginia Department of Social Services (“VDSS”) to provide assistance to adoptive families.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the allocation of \$450,000, upon receipt by the City from VDSS, is hereby appropriated for expenditure within the FY23 budget in the following manner:

Revenue-\$450,000

Fund 212 Cost Center: 9900000000 G/L Account: 430080 \$450,000

Expenditures-\$450,000

Fund 212 Cost Center: 3311007000 G/L Account: 540060 \$450,000

5. RESOLUTION: Appropriating Funds for Virginia Department of State Police (VSP) - Help Eliminate Auto Theft (HEAT) Program - \$4,000 (2nd reading)

RESOLUTION

Help Eliminate Auto Theft (HEAT) Program - \$4,000

WHEREAS, the City of Charlottesville, through the Police Department, has received the Virginia Department of State Police, Help Eliminate Auto Theft (HEAT) Program training grant in the amount of \$4,000 to be used to send auto theft investigators and/or officers who investigate

auto theft-related crimes to the 49th Annual Southeast Chapter of the International Association of Auto Theft Investigators (SEIAATI) Vehicle Crimes Conference in Virginia Beach, Virginia held June 4-8, 2023.

WHEREAS, the grant award covers the period from period June 4, 2023 through June 8, 2023.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$4,000, received from the Virginia Department of State Police, is hereby appropriated in the following manner:

Revenues - \$4,000

Fund: 209 IO: 1900513 CC:3101005000 \$4,000 GL: 430110 State Grant

Expenditures- \$4,000

Fund: 209 IO: 1900513 CC: 3101005000 \$2,016 GL: 530102 Travel Lodging

Fund: 209 IO: 1900513 CC: 3101005000 \$709 GL: 530105 Meals

Fund: 209 IO: 1900513 CC: 3101005000 \$1,215 GL: 530140 Registration Fees

Fund: 209 IO: 1900513 CC: 3101005000 \$60 GL: 520270 Fuel

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$4,000 from the Virginia Department of State Police.

6. RESOLUTION: Appropriating additional funding received from the Virginia Department of Social Services for the VIEW Program - \$46,000 (2nd reading)

RESOLUTION

Appropriating Additional Funding Received from the Virginia Department of Social Services for the VIEW Program in the Amount of \$46,000

WHEREAS, the Charlottesville Department of Social Services (“CDSS”) has received an allocation of \$46,000 in the Fiscal Year 2023 budget from the Virginia Department of Social Services (“VDSS”) to provide assistance to clients participating in the Virginia Initiative for Education and Work (“VIEW”) program.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the allocation of \$46,000, upon receipt by the City from VDSS, is hereby appropriated for expenditure within the FY23 budget in the following manner:

Revenue-\$46,000

Fund 212 Cost Center: 9900000000 G/L Account: 451022 \$46,000

Expenditures-\$46,000

Fund 212 Cost Center: 3333002000 G/L Account: 540060 \$46,000

7. RESOLUTION: Appropriating Additional Funding Received from the Virginia Department of Social Services for Various Programs - \$56,634 (2nd reading)

RESOLUTION

Appropriating Additional Funding Received from the Virginia Department of Social Services from ARPA & COVID Funding to be used for Adult Services, Independent Living, and PSSF Programs In the Amount of \$56,634

WHEREAS, the Charlottesville Department of Social Services (“CDSS”) has received an allocation of \$56,634 from the American Rescue Plan Act (“ARPA”) & COVID Funding in the Fiscal Year 2023 budget from the Virginia Department of Social Services to provide assistance to clients participating in the Adult Services, Independent Living, and Promoting Safe and Stable Families (“PSSF”) Programs.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$56,634, upon receipt by the City from ARPA and COVID Funding, is hereby appropriated for expenditure within the FY23 budget in the following manner:

Revenue-\$56,634

Fund 212	Cost Center: 9900000000	G/L Account: 430080	\$33,481
Fund 212	Cost Center: 9900000000	G/L Account: 430110	\$23,153

Expenditures-\$56,634

Fund 212	Cost Center: 3333003000	G/L Account: 540060	\$10,142
Fund 212	Cost Center: 3333006000	G/L Account: 540060	\$23,339
Fund 212	Cost Center: 3343008000	G/L Account: 540060	\$23,153

8. RESOLUTION: Appropriating funding from the COVID Homelessness Emergency Response Program (CHERP) to the City’s Department of Human Services for Expenditure - \$14,419.60 (2nd reading)

RESOLUTION

**Appropriating COVID Homelessness Emergency Response Program (C.H.E.R.P.)
\$14,419.60**

WHEREAS, The City of Charlottesville’s Department of Human Services, has received C.H.E.R.P. Grant funding from the Virginia Department of Housing and Community Development, in the amount of **\$14,419.60**.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the CHERP Grant funding, the sum of **\$14,419.60** is hereby appropriated for expenditure by the City’s Department of Human Services in accordance with grant requirements, in the following manner:

Revenues

\$14,419.60 Fund: 209 IO: 1900448 G/L: 430120 Federal Pass Thru

Expenditures

\$14,419.60 Fund: 209 IO: 1900448 G/L: 530550 Contracted Services

- 9. RESOLUTION: Appropriating a grant of public funds for housing assistance to low- and moderate- income homeowners within the City of Charlottesville - \$1,360,000 (2nd reading)

RESOLUTION

Appropriating a grant of public funds for housing assistance to low-and moderate-income homeowners within the City of Charlottesville

WHEREAS pursuant to the provisions of Va. Code §63.2-314 this City Council may offer public grants to its local director of social services, serving in her capacity as the “local board” under the provisions of §63.2-304; and

WHEREAS this City Council desires to offer a grant of public funds during Fiscal Year 2023-2024, to aid low- and moderate-income homeowners within the City who are affected by the rising costs of homeownership (which include mortgage payments, fees and taxes, insurance, utilities, maintenance and repairs; and

WHEREAS the average assessment of a single-family residential property within the City has risen by approximately 11.5 percent over the past year, and with rising inflation, transportation costs, and utility costs, many individuals who have income significantly lower than the Charlottesville area median income will experience significant financial stress and may need financial assistance to remain in their homes; and

WHEREAS City Council hereby finds and determines that it is both necessary and desirable, to promote the general welfare of the City, and to promote the safety, health, comfort and convenience of City inhabitants, to support the affordability of continuing homeownership by low- and moderate-income individuals; and

WHEREAS public funding is available and has been appropriated within the City budget for the proposed public grant, in the amounts set forth within this resolution;

NOW, THEREFORE BE IT RESOLVED BY THE Council of the City of Charlottesville, Virginia, THAT effective July 1, 2023 and for calendar year 2023 a grant of public funds is hereby made to the Director of Social Services, in her capacity as the “local board of social services” pursuant to Va. Code §63.2-304, to be used to provide housing assistance to City homeowners in need of such, as follows:

Expenditures

\$1,360,000 Fund: 105 Cost Center: 3343019000 G/L Account: 540065

BE IT FURTHER RESOLVED THAT the Director of Social Services (“Director”) is solely responsible for administration of this assistance fund, pursuant to the provisions of Va. Code §63.2-304 and §63.2-314, provided that the Director may enter into written agreements with the Commissioner of Revenue, Treasurer, and City Manager, as may be necessary to administer the fund. And

BE IT FURTHER RESOLVED THAT it is the desire of City Council that this grant of public funds, hereafter to be referred to as the “Charlottesville Homeownership Assistance Program”, shall be provided to City homeowners in need of assistance due to rising costs of homeownership, in accordance with the following parameters:

2023 CHAP—(Public Grant for Homeownership Assistance)				
Applicant Household Income	\$0 - \$35,000	\$35,001 - \$45,000	\$45,001 - \$55,000	\$55,001 - \$60,000
Grant	\$2,500	\$2,000	\$1,500	\$1,000

- 1) Applicant/ Grantee must be a human being, own a home within the City of Charlottesville, and must reside within the home. As of January 1, 2023 and as of the date an application is submitted, the applicant must occupy that real estate as his or her sole residence and must intend to occupy that real estate throughout the remainder of calendar year 2023. An applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration. “Ownership” may be any of the following: (i) individually, or in conjunction with a spouse holding life rights, (ii) individually, or in conjunction with a spouse holding the power of revocation in a revocable inter vivos trust of which the home is an asset, or (iii) alone or in conjunction with a spouse who possesses a life estate, or an estate for joint lives, or a continuing right of use or support under the terms of an irrevocable trust of which the property is an asset.
- 2) Maximum value of the home cannot exceed \$460,000 (this is the average assessed value in 2023 of taxable residential parcels).
- 3) Applicant, applicant’s spouse, or any other owner residing in the home cannot own any other interest in real estate, either within the City or at any other location. This includes any real estate interest owned (i) as an individual, (ii) as the beneficiary of a trust, (iii) as a member of an LLC, or (iv) by virtue of any other interest in a legal entity.
- 4) Applicant/ Grantee must demonstrate evidence of Household Income within the limits established for calendar year 2023, as set forth above within this Resolution. *Household Income* means (i) the adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, or (ii) for applicants/grantees for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant and of any other relatives who reside in the applicant’s home, and any other person(s) who (i) owns any interest in the home and (ii) resides in the applicant’s home. The

Director shall establish the Household Income of applicants/ grantees for whom no federal tax return is required through documentation satisfactory for audit purposes.

- 5) This public grant shall be used only to assist individuals who are not receiving the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the Charlottesville City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) during 2023.
 - 6) Not more than one grant shall be provided to any one (1) address.
10. ORDINANCE: Amending and re-ordaining Section 30-254 (Exemptions), Section 14-19 (Class IV: Repair, Personal, Business and Other Services, and All Other Businesses and Occupations Not Specifically Listed, Excepted, Exempted in this Chapter), and Section 34-1200 (Definitions), to update language. (2nd reading)

ORDINANCE AMENDING AND RE-ORDAINING SECTION 30-254 (EXEMPTIONS), SECTION 14-19 (CLASS IV: REPAIR, PERSONAL, BUSINESS AND OTHER SERVICES, AND ALL OTHER BUSINESSES AND OCCUPATIONS NOT SPECIFICALLY LISTED, EXCEPTED, EXEMPTED IN THIS CHAPTER), AND SECTION 34-1200 (DEFINITIONS), TO UPDATE LANGUAGE.

11. RESOLUTION: Appropriating Insurance Claim Reimbursement for The Avon Fuel Station Replacement Project - \$40,000 (carried)
12. RESOLUTION: Appropriating Virginia Department of Criminal Justice Services (DCJS) American Rescue Plan Act (ARPA) for Law Enforcement Equipment Grant 2023 - \$447,000 (carried)
13. RESOLUTION: Appropriating grant funding from the Virginia Department of Emergency Management (VDEM) Emergency Shelter Upgrade Assistance Fund - \$445,307 (carried)
14. RESOLUTION: Accepting Oak Lawn Court, Oak Lawn Drive, and Porter Avenue into the City street system

RESOLUTION
Accepting Oak Lawn Court, Oak Lawn Drive and Porter Avenue into the City Street System for Maintenance

WHEREAS, Dickerson Homes and Development LLC submitted to the City of Charlottesville (the “City”), Department of Public Works (the “Department”) a subdivision plan (“Woodland Drive”) for approval;

WHEREAS, Woodland Drive plans were originally approved by the Department on April 18, 2016, and;

WHEREAS, on June 9, 2021 the Department notified Atlantic Union Bank that the developer of Woodland Drive had not completed the work in accordance with the bonded development plans, within the time period specified by the City’s development code, and;

WHEREAS, the subdivision plan for Woodland Drive, the new portions of Oak Lawn Court, Oak Lawn Drive, and Porter Avenue (the “Street Sections”), have now been completed by the developer and/or remediated by the City, and;

WHEREAS, the Public Services Manager for the City requested the City accept the Street Sections into the City’s street system for maintenance, and;

WHEREAS, City staff has inspected the Street Sections of the Woodland Drive plan and recommend their acceptance into the City’s street system for maintenance;

WHEREAS, The Street Sections have been built to the specifications and standards required by the city approved plan.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the Department that the Street Sections of the Woodland Drive Subdivision, namely, the new portions of Oak Lawn Court, Oak Lawn Drive, and Porter Avenue as shown on the attached drawing, are hereby accepted into the City street system for maintenance.

15. RESOLUTION: Amending Resolution #R-23-063: Appropriation of Community Development Block Grant Funds Anticipated from the U.S. Department of Housing and Urban Development as part of the City’s FY 2023-2024 Annual Action Plan, approximately \$410,468

RESOLUTION

Amended Appropriation of Community Development Block Grant Funds Anticipated from the U.S. Department of Housing and Urban Development as part of the City’s FY 2023-2024 Annual Action Plan, in the Amount of Approximately \$410,468

WHEREAS the City of Charlottesville has been advised by the U.S. Department of Housing and Urban Development of an anticipated Community Development Block Grant (CDBG) allocation for the 2023-2024 fiscal year in the approximated amount of \$410,468; and

WHEREAS City Council has received recommendations for the expenditure of funds from the city’s CDBG/HOME Task Force, as reviewed and approved by the City Planning Commission, which conducted a public hearing thereon as provided by law; now, therefore

BE IT RESOLVED by the City Council of Charlottesville, Virginia, that upon receipt of anticipated CDBG funding from the U.S. Department of Housing and Urban Development (HUD), said funds are hereby appropriated to the following individual expenditure accounts in the Community Development Block Grant Fund in accordance with the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds

between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations, as set forth below:

Community Services

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	1900514	Resident-Centered Redevelopment (Charlottesville Public Housing Association of Residents)	\$40,000.00

Economic Development

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	1900515	Microenterprise Entrepreneur Programs (Community Investment Collaborative)	\$25,000.00
218	1900516	Beginning Level Workforce Development (Literacy Volunteers of Charlottesville/Albemarle)	\$64,477.89

CDBG Housing

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	1900517	Charlottesville Critical Rehab Program (Albemarle Housing Improvement Program)	\$64,000.00
218	1900518	Coordinated Entry into Homelessness System of Care (The Haven at First & Market St.)	\$45,000.00

Programmatic Funds

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	3914001000	Planning & Admin	\$82,093.60

218	1900520	Council Priority: Public Facilities & Improvements	\$89,896.51
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Subtotal CDBG Funding Recommendations \$410,468.00

In the event that funding received from the U.S. Department of Housing and Urban Development for FY 2023-2024 differs from the amounts referenced above, all appropriated amounts may be administratively increased/reduced at the same prorated percentage of change to actual funding received. No subrecipient's grant may be increased above their initial funding request without further consideration by Council.

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of not less than \$410,468 in CDBG funds from the Department of Housing and Urban Development for FY 2023-2024, and all subrecipient awards are also conditioned upon receipt of such funds.

BE IT FURTHER RESOLVED that the amounts appropriated above within this resolution will be provided as grants to public agencies or private non-profit, charitable organizations (individually and collectively, “subrecipients”) and shall be utilized by the subrecipients solely for the purpose stated within their grant applications. The City Manager is hereby authorized to enter into agreements with each subrecipient as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations. To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147, are authorized to establish administrative procedures and provide for guidance and assistance in the subrecipients’ execution of the funded programs.

CITY MANAGER REPORT

Interim City Manager Michael Rogers highlighted items from the written report submitted with agenda materials. He stated that the city was poised to sell \$16 Million in bonds to support capital improvement projects, acknowledging that Moody’s and S&P rating agencies visited the city weeks ago and the city retained its 40+ year AAA and Aaa bond ratings. He thanked the Finance, Budget and Economic Development directors, as well as the City Treasurer and Commissioner of the Revenue. He stated that the city is still working on the CATEC transition and that he appointed Director of Human Services Misty Graves and Police Chief Michael Kochis to lead a task force to address gun violence.

Deputy City Manager Ashley Marshall highlighted the Charlottesville Albemarle Youth Opportunities Center website resource for finding activities for youth (cvillealbyouth.org).

Mr. Rogers stated that Melinda Crawford, CEO of the Charlottesville-Albemarle Airport (CHO) has announced her retirement. The Charlottesville-Albemarle Board will work in the next few months to select the next leader.

COMMUNITY MATTERS

Mayor Snook opened the floor for comments from the public.

1. Greg Frank, city resident, spoke about emergency dispatch policies and what he perceives as a negative impact on the Charlottesville Albemarle Rescue Squad (CARS) volunteer organization. He lauded CARS leadership and Interim Fire Chief Michael Thomas for being open to work on issues.
2. Jock Yellotte, city resident, asked the city manager to task the incoming city attorney to review the city's noise ordinance. He asked if the city could lower the volume levels of audible crosswalk signals at 4th and Market Streets.
3. Terrece Smith, Executive Director of a new non-profit called The Village, spoke about the Charlottesville Black Knights youth football team, which used to be the feeder program for the Charlottesville High School football team. He stated that there was not a youth football team last year, causing athletes to split to other programs, and that he has been tasked with bringing youth back together for the program. He has re-established relationships with Buford Middle School and Charlottesville High School as the feeder program. Fifty-seven Charlottesville youth participated in a football camp on April 29. He requested a partnership

with the City to provide youth with resources year-round, and an investment of \$30,000 to purchase protective equipment and uniforms. He requested a meeting to further discuss and announced a camp July 21-23 at Charlottesville High School.

4. Bill Emory, city resident, spoke about a potential partnership with Dominion Power to manage streetlights. He asked the city to consider developing a plan to address the existing placement of light fixtures and the placement of new fixtures, while allowing residents a chance to weigh in.
5. Genevieve Keller, city resident, architectural historian, and preservation planner, spoke about Agenda Item 20 regarding 104 Stadium Road. She spoke in opposition to the process followed by the out-of-town consultant to determine whether the building could be preserved on-site or incorporated into a new development. She announced an event at the Richmond African American History Museum, where Preservation Piedmont will have a presentation from the first class of African American Preservation Fellows on June 13.
6. Robin Hoffman, city resident, spoke about the need for people to support the Wednesday farmer's market.
7. Louis Schultz, city resident, spoke about the contract for city manager services, and the applicability of the Virginia Conflict of Interests Act.

ACTION ITEMS

16. PUBLIC HEARING/ORDINANCE: Authorizing the conveyance of city-owned sanitary sewerline easement on West Main Street and Water Street for CODE Building project (carried)

Lauren Hildebrand, Director of Utilities, introduced the ordinance for public hearing. She noted an update to the Ordinance that will be corrected for the second reading, changing "Exhibit A" to "Deed of Vacation".

Mayor Snook opened the public hearing. With no speakers coming forward, the public hearing was closed. Council agreed to carry the item to the June 20 consent agenda for second reading and vote.

17. PUBLIC HEARING/ORDINANCE: Amending and reordaining Chapter 31 (Utilities) of the Code of the City of Charlottesville, 1990, as amended, to establish new utility rates and service fees for City gas, water and sanitary sewer (carried)

Lauren Hildebrand, Director of Public Utilities, and Chris Cullinan, Director of Finance, presented the annual Utility Rate Report for the enterprise funds that include water, wastewater, stormwater and natural gas. Ms. Hildebrand provided an operations overview and Mr. Cullinan reviewed financial components.

The annual Consumer Confidence Report was published in May and concluded that the quality of drinking water meets and exceeds all regulatory requirements and expectations for safety and reliability.

A Lead Service Line Inventory was made available on the city website to receive input from

the community regarding the types of service line materials on private property. The Environmental Protection Agency requires all water providers to inventory all water service lines within their system and identify any lead service lines that may exist. No lead service lines exist in the City's system and about 35% of all privately owned lines have been verified to contain no lead and it is anticipated that there is no lead in the system. Ms. Hildebrand highlighted the three largest pipeline projects in progress with the Rivanna Water and Sewer Authority:

1. South Rivanna Reservoir to Ragged Mountain Reservoir Pipeline and Pump Station Project
2. Ragged Mountain Reservoir to Observatory Water Treatment Plant Pipeline and Pump Station Project
3. Central Water Line Project

Regarding the natural gas utility, most of the service lines have been replaced within the last twenty years. The city received a \$7.1 Million federal grant from the Natural Gas Distribution Infrastructure Safety and Modernization Program (Bipartisan Infrastructure Law) to replace the small portion of remaining mile of legacy cast iron located in the West Main Street corridor. Utilities has taken an environmental stewardship approach to operating a fossil fuel utility, focusing on carbon emission reduction initiatives, a Carbon Capture Program, and carbon offsets.

Mr. Cullinan stated that city utilities operate as an enterprise fund and are structured on a break-even basis. The proposed utility rates will impact the average customer with an increase of just under \$10 per month beginning July 1. While costs have increased in water and wastewater, the structure of financing has remained the same, divided among the Rivanna Water and Sewer Authority, City operations and maintenance, City debt service, and customer service and billing. No increase was recommended for stormwater rates, and the fund will be evaluated at the 10-year milestone next year. The gas utility is debt-free, and costs have been volatile depending on market conditions.

Utility Billing will work with individuals who reach out needing to establish sustainable payment plans once new rates take effect, and Mr. Cullinan mentioned avenues for helping to evaluate user systems and habits for efficiency. Needs-based assistance programs are also available. In response to a question about incorporating electrification, Ms. Hildebrand stated that electrification will be reviewed as part of the decarbonization study, along with the future of the gas utility.

Mayor Snook opened the public hearing.

- Martha Smythe, city resident, asked about capacity in the water and sewer systems to handle upzoning. Ms. Hildebrand answered that the systems in place are sufficient to handle the zoning. Mr. Cullinan stated that if development increases the need for capacity, developers pay a share of the cost.

With no additional speakers coming forward, Mayor Snook closed the public hearing.

Council agreed to carry the item to the June 20 consent agenda for second reading and vote.

18. RESOLUTION: Consenting to City Manager's appointment of City Attorney

Mr. Rogers presented the resolution to appoint Jacob Stroman to the position of City Attorney for the City of Charlottesville.

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

**RESOLUTION
to Appoint City Attorney**

WHEREAS, the Code of the City of Charlottesville, Article V. Section 2-211 states that the City Manager is authorized to appoint a City Attorney with the advice and consent of the city council; and

WHEREAS, the Interim City Manager, conducted a search for candidates for the position of City Attorney and included the senior government attorneys in the interview of the candidates; and

WHEREAS, the Council participated in the interviews of the candidates and provided feedback to the Interim City Manager; and

WHEREAS, the Interim City Manager recommends the appointment of Jacob P. Stroman, an experienced city attorney who most recently served as city attorney of Chesapeake, Virginia, as well as county attorney for several counties in the State, and worked for the Office of the State Attorney General and the State Supreme Court;

NOW, THEREFORE, BE IT RESOLVED that the Charlottesville City Council approves the appointment of Jacob P. Stroman as Charlottesville City Attorney, as recommended by the Interim City Manager.

19. APPEAL: Appeal of BAR (Board of Architectural Review) denial of Certificate of Appropriateness for Demolition of an Individually Protected Property at 104 Stadium Road. BAR # 22-02-03. (discussed and deferred on May 15)

Jeff Werner, Historic Preservation and Design Planner, summarized direction given by City Council at the May 15, 2023, City Council meeting.

Andrew McRoberts with the Interim City Attorney firm of Sands Anderson confirmed that the resolution was amended as discussed on May 15.

Mayor Snook invited the attorney for the applicant to speak and she verified that the client is in agreement with the changes.

Councilor Payne stated that he was not convinced that enough evidence was presented to support that a substantial development could not be built on this property.

On motion by Pinkston, seconded by Wade, Council APPROVED the resolution by a vote of 4-1 (Ayes: Pinkston, Puryear, Snook, Wade; Noes: Payne), granting a Certificate of Appropriateness for demolition of the house.

RESOLUTION OF APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE HOUSE AND GARDENS AT 104 STADIUM ROAD

WHEREAS, on January 27, 2023, Subtext Acquisitions, LLC (Applicant) on behalf of Woodrow Two, LLC, the owner of certain land identified within City real estate assessment records by Parcel Identification numbers 160002000 and currently addressed as 104 Stadium Road (Property), requested a Certificate of Appropriateness (CoA) for the demolition of the house and gardens on the Property (Requested CoA);

WHEREAS, per City Code §34-273 and §34-274, in 2011 the Property was designated by City Council an Individually Protected Property (IPP), therefore, per City Code §34-277, its demolition is subject to review by the City's Board of Architectural Review (BAR) and requires approval of a CoA; and

WHEREAS, on February 22, 2023, in a motion approved 6-0, the BAR denied the Requested CoA, stating it had "considered the standards set forth within the City Code, including the BAR's design guidelines and the standards for considering demolitions" and "the proposed demolition of the house and gardens at 104 Stadium Road does not satisfy the BAR's criteria and guidelines and is not compatible with this property" and, in its discussion, stating the reasons for denial, and;

WHEREAS, on March 9, 2023, as permitted by City Code §34-285(b), the Applicant appealed to City Council the BAR's denial of the Requested CoA (Appeal); and

WHEREAS, on May 15, 2023, per City Code §34-314(c), following a review of the Appeal, the Project, and the Application, and having considered relevant information and opinions, including the BAR's determination, the City Staff Report, and the City's ADC District design guidelines and the City's standards for considering demolitions (City Code §34-278), this Council determined the requested demolition at 104 Stadium Road satisfies the design guidelines and review criteria, and is compatible with this property.

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that, pursuant to the conditions below, a Certificate of Appropriateness is hereby approved for the requested demolition at 104 Stadium Road.

Approval of certificate of appropriateness is expressly conditioned upon the occurrence of the following before issuance of a demolition permit:

1. Building and gardens be documented thoroughly through photographs and measured drawings according to the Historic American Building Standards, information should be retained by City of Charlottesville's Department of Neighborhood Development Services and Virginia Department of Historic Resources;

2. Approval of a design-review CoA for new construction on the parcel as a contiguous element of the proposed multi-lot development to ensure that the building is not demolished without an appropriate and City-approved replacement, and issuance of site plan and building permit for construction of such replacement.

3. After the foregoing conditions are accomplished, if the IPP designation has not previously been removed by appropriate action of Council, whether before or after demolition, but no later than 30 days after demolition, applicant will request City Council initiate a zoning ordinance amendment per City Code § 34-274 to delete the property from the protected property list by zoning text and map amendment.

20. RESOLUTION: Appropriating Charlottesville Supplemental Rental Assistance program (CSRAP) funding (FY23) for use in acquisition of property - \$137,500 (carried)

Deputy City Manager Sanders referenced this item as continuation of an effort that started in Fall 2022 to appropriate surplus funding within the Charlottesville Supplemental Rental Assistance Program (CSRAP). The Charlottesville Redevelopment and Housing Authority (CRHA) approached the city and asked for a reallocation of surplus funds in order to allow for the acquisition of naturally occurring affordable housing that was in threat of being lost to the market, and risking displacement of current occupants.

CRHA would match the City's \$137,500 to purchase a single-family home at 100 Harris Road. The City would have a half interest in the proposed property as part of the CRHA-City affordable housing portfolio. Mr. Payne stated that he is in favor of pursuing land acquisition through all available avenues.

Mr. Snook stated concerns and objections about the trend of buying units through the CRHA CSRAP, being unsure of the criteria to determine whether a purchase is a good deal, and a plan or strategy for integrating the properties so that the city understands the opportunities and limits of this type of project. He expressed concern that the requests come with a short time requirement.

Council agreed to carry the resolution to the June 20 consent agenda for second reading and vote.

21. RESOLUTION: Appropriating supplemental Federal Transit Administration and State Capital Funding - \$7,323,087 (carried)

Garland Williams, Transit Director, presented the request and listed a number of uses for the funds. This resolution would allow Charlottesville Area Transit to accept Federal fiscal year 2022 funds and the current fiscal year 2023 funds. Appropriating the funds will allow CAT to,

when appropriate, move into the micro transit project with the County and begin the process of ordering new buses that will arrive in 18 to 24 months.

In response to questions about alternative fuels, Mr. Williams stated that the Federal government required all transit agencies to conduct an alternative fuel study and CAT is in the midst of the study. Some major decisions will need to be made once results are concluded, specifically in the areas of reliability, cost and space. CAT requested two battery electric vehicles to add to the fleet with the FY24 budget.

Council agreed to carry the resolution to the June 20 consent agenda for second reading and vote.

22. RESOLUTION: Appropriating funding received from UVA donation to Emmet Street and Fontaine Avenue Streetscape Projects - \$5,000,000 (carried)

Mr. Sanders presented the request, confirming UVA's commitment to contribute \$5,000,000 to city streetscape funding.

Councilor Pinkston disclosed his employment at UVA and stated that it would not pose a conflict with his ability to deliberate and vote on this item.

Councilor Payne expressed a desire for UVA to pay property tax.

Council agreed to carry the resolution to the June 20 consent agenda for second reading and vote.

23. RESOLUTION: Appropriating \$5,300,000 to the Charlottesville City School Board for the Acquisition of CATEC (carried)

Mr. Rogers introduced the request for appropriation and summarized the transaction initiated by Albemarle County Schools and the Charlottesville City Schools intention to acquire full rights to CATEC.

Superintendent Dr. Royal Gurley agreed with Mr. Rogers's summary, and he thanked all parties involved in the negotiation process. He explained that a cross-organization think tank has been formed to work toward the future of CATEC.

Council agreed to carry the resolution to the June 20 consent agenda for second reading and vote.

OTHER BUSINESS

Mayor Snook stated that Council would like to have a meeting on Thursday, June 8 at 3:00 p.m. to discuss the City Manager search. He stated that the meeting will convene in open session, go into closed session, and end in open session with no vote.

COMMUNITY MATTERS (2)

Mayor Snook opened the floor for comments from the public.

With no speakers coming forward, the mayor adjourned the meeting at 8:39 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council