



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

March 18, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council met on Monday, March 18, 2024. Mayor Juandiego Wade called the meeting to order. Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrein, Michael Payne, and Lloyd Snook.

On motion by Payne, seconded by Oschrein, Council unanimously adopted an amended meeting agenda, adding an item to discuss the proposed resolution for a ceasefire in Gaza.

REPORTS

1. REPORT: City Grants Inventory

Taylor Harvey-Ryan, Grants Program Manager, presented the report on City grants inventory. With projects ongoing, she stated that the report is updated in-time and made public twice per year. The Grants Inventory Report provides an overview of the grants managed, administered, and implemented by the City of Charlottesville across all city offices, departments, and programs, and provides pertinent information regarding each grant which includes the finder, award allocation, renewable or recurring, period of performance, and summary of project. Ms. Harvey-Ryan shared areas of opportunity and answered questions from City Council.

Mayor Wade asked how Council should communicate ideas about grant opportunities, and City Manager Sanders stated that Council should send the information to Ms. Harvey-Ryan and she can make a determination if the grant is a fit for the city or feasible. Mr. Sanders summarized the transition from a decentralized grants system to a centralized system with the Grants Manager.

2. REPORT: Zoning Ordinance Work Plan

James Freas, Director of Neighborhood Development Services, provided an update on the Zoning Ordinance Work Plan. With the adoption of the Charlottesville Development Code, the City has completed the original Cville Plans Together program covering an affordable housing plan and comprehensive plan with new zoning to implement them both. Additional projects were identified that would need their own dedicated time, and not all the projects can be pursued simultaneously. Staff sought feedback from Council on priorities and adjustments to the presented schedule for the following projects:

- 10th & Page / Rose Hill / Preston Corridor Small Area Plan
- Environmental Regulation Review & Update
- Short Term Rental Requirements
- Starr Hill Plan Implementation
- On-Street Parking Policy
- Pre-Approved Building Program
- Entrance Corridor Design Guidelines
- Noise Ordinance Review & Update
- Transportation Planning Program

- Zoning Ordinance Education & Improvement
- Comprehensive Plan Implementation

Councilors encouraged prioritizing Entrance Corridor Design Guidelines and Councilor Payne stated that placemaking and architecture can both occur. Councilors agreed that early focus on Short-term rental requirements would help with other areas later.

With no items for a closed meeting, Mayor Wade recessed the meeting until 6:30 p.m.

BUSINESS SESSION

City Council began the Business Session by observing a moment of silence, with Mayor Wade announcing the passing of Lorraine Williams, retired Charlottesville teacher, local civil rights pioneer, and wife of Eugene Williams.

RECOGNITIONS/PROCLAMATIONS

• PROCLAMATION: Women's History Month

Councilor Oschrein presented the proclamation to Deputy City Manager Ashley Marshall, who made remarks in support of equity among genders.

CONSENT AGENDA

Clerk Thomas read the following Consent Agenda items into the record. No members of the public came forward to speak.

On motion by Payne, seconded by Snook, Council adopted the Consent Agenda by a vote of 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

3. MINUTES: January 2 meeting, January 9 joint Council-Planning Commission meeting, March 7 budget work session
4. ORDINANCE for creating Shenandoah Mobile Franchise Agreement (2nd reading)
AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO SHENANDOAH MOBILE, LLC, ITS SUCCESSORS AND ASSIGNS TO USE THE STREETS AND OTHER PUBLIC PLACES OF THE CITY OF CHARLOTTESVILLE, VIRGINIA FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES, FOR A PERIOD OF FIVE (5) YEARS
5. RESOLUTION to appropriate USDA Forest Service Urban and Community Forestry Inflation Reduction Grant for Charlottesville Urban Forest Management Planning - \$150,000 (carried)
6. RESOLUTION appropriating funding in the amount of \$21,458 to be received from Library of Virginia Circuit Court Records Preservation Grants Review Board (carried)
7. ORDINANCE amending the Charlottesville Code of Ordinances, Section 2-98(b) to

increase the appropriation amount requiring two readings from \$1001.00 to \$5000.00. (carried)

8. RESOLUTION for refund of Business Tangible Personal Property Tax payment

RESOLUTION

Authorizing a refund of \$10,941.56, plus an as yet to be determined amount of interest, to a taxpaying entity or business, for business tangible personal property taxes paid in error for 2023

WHEREAS, the Commissioner of the Revenue has determined that a taxpaying entity or business paid 2023 Business Personal Property Tax to the City of Charlottesville in error; and

WHEREAS, that taxpaying entity or business has requested a refund of the amount paid in error; and

WHEREAS, the Commissioner of the Revenue has certified that a refund of taxes paid is due in the amount of \$10,941.56; and

WHEREAS, an amount of interest that is dependent on the actual date of the refund will also be due; and

WHEREAS, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$10,000.00; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of \$10,941.56, plus an as yet to be determined amount of interest (approximately \$275), payable to that taxpaying entity or business.

CITY MANAGER REPORT

Deputy City Manager announced that the Office of Social Equity applied to participate in a National League of Cities Capstone Challenge that paired the city in a competitive process with CityHealth Dashboard, becoming one of the first small cities to be added, and the CHD won the challenge. The following announcement provides additional details.

“After eight months of hard work with CityHealth Dashboard (CHDB), a program out of NYU's Grossman School of Medicine's Department of Population Health, the City of Charlottesville has been recognized as a winner of the National League of Cities (NLC) Capstone Challenge alongside Rochester, New York and Houston, Texas.

The Capstone Challenge is a competitive eight-month program that connects NLC's strategic and enterprise partners with member cities to create local solutions for member needs. The City, along with two other localities, established this partnership to look at the potential connection that historic housing segregation may have on modern health and economic disparities. The City's interdisciplinary Capstone team, led by Deputy City Manager for

Social Equity Ashley Marshall, wanted CHDB's support to make the connection between housing and health to guide the City as they seek to allocate this funding across the community in a fair, but data-driven manner given Council's commitment to both affordable housing and justice, equity, diversity and inclusion (JEDI).

Ashley Marshall, Deputy City Manager for Social Equity said, "I want to thank our team members here in the City for all of their hard work and the time they were willing to give to our CityHealth team: Misty Graves, Todd Niemeier, Steve Hawkes, and Lucas Lyons - as well as our Commissioner of Revenue - Todd Divers and Assessor Jeff Davis. Each of these team members here at the City gave of their time, talents, and data to help the CityHealth Dashboard team consider the impact of housing segregation on the health and wellness of our community."

The City of Charlottesville was formally recognized with an award at the Congressional Cities Conference in Washington, D.C., on March 11."

City Manager Sanders provided project updates, including sidewalk completions, as a result of improving processes. He announced a public involvement meeting on March 27 at 6:00 p.m. regarding the Stribling Avenue Corridor. He shared recent news about the Ragged Mountain Reservoir, providing clarity around a legal matter that reached resolution. The Belmont Bridge is on track to be complete in June or July. He previewed several upcoming agenda items: a presentation from Police Chief Kochis on the FLOCK program, a presentation from Director Steven Hicks on the VDOT portfolio, and a Community Budget Forum.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Perri Meldon, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
2. Jonathan Katz, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
3. Kate Lambert, CEO of Boys & Girls Club of Central Virginia, thanked Council for supporting the organization with FY25 Vibrant Community Funding, and expressed the continued challenge of transportation.
4. Dr. Martha Diase, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
5. David Swanson, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine. He spoke about the precedence for City Council to pass resolutions regarding international policy.
6. Charles Martinez, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
7. Jared Shaw, army veteran from Troy, Virginia, spoke about the infringement of his rights regarding restrictions of freedom by the 13th Amendment.
8. Michael Keaveny, local restaurant owner, asked Council to consider not increasing the meals

tax rate.

9. Jessica Martinez, city resident, thanked the organization who put together the ceasefire resolution. She made a plea for consideration of the atrocities to humanity from war.
10. Holly McCassick, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine, and release of all hostages.
11. Em Gunter, city resident and UVA student, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
12. Aya Yehia, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
13. Laura Goldblatt and Rose Buckelew, city residents, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.
14. Sullivan McDowell, city resident and representative for the Virginia Restaurant Association, spoke in opposition to the proposed increase in meals tax.
15. Russ Linden, city resident, supported the content of the proposed resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine, and opposed the call for City Council to pass a resolution. He expressed that he did not know why any City Council should issue resolutions about foreign affairs or by what criteria they decide which of the many problems in the world to address.
16. Don Gathers, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine. He spoke about the need for support to UVA personnel involved with Diversity, Equity and Inclusion as they have been under attack. He expressed condolences for the community's loss of Ms. Lorraine Williams, and he requested renaming the Downtown Mall to the Vinegar Hill Mall.
17. Jake Wiener, city resident, spoke in support of City Council passing a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine, and shared instances when Charlottesville City Council supported actions on foreign affairs.

ACTION ITEMS

9. PUBLIC HEARING: Tax Rate Public Hearings

City Manager Sanders summarized the proposed tax increases as a part of the FY25 Proposed City Budget.

a. Real Estate Tax Rate for the City Manager's Proposed FY 2025 Budget

Mayor Wade opened the public hearing on the real estate tax rate.

- John Santoski, city resident, Executive Director for Arc of the Piedmont, spoke in opposition to tax increases and asked Council to operate within the existing budget.
- Dr. Emily Yen, city resident, spoke in favor of the real estate tax increase.
- Jeff Fogel city resident, spoke in support of the real estate tax increase correlated with funding for those who can't afford the increase.

Mayor Wade closed the public hearing.

b. Lodging Tax Rate for the City Manager's Proposed FY2025 Budget

Mayor Wade opened the public hearing on the lodging tax rate. No speakers came forward. Mayor Wade closed the public hearing.

c. Meals Tax Rate for the City Manager's Proposed FY2025 Budget

Mayor Wade opened the public hearing on the meals tax rate.

- Roy van Doorn, city resident, past director of the Virginia Restaurant and Lodging Association, and working for over 25 years with the local restaurant industry, spoke in opposition to the proposed meals tax increase.
- Russ Cromberg, manager of restaurant assets, UVA Foundation, asked Council to consider more ways to get visitors and increase volume to the area to help pay these taxes.

Mayor Wade closed the public hearing.

10. PUBLIC HEARING and RESOLUTION for lease renewal for communications equipment at Market Street Parking Garage

Chris Engel, Director of Economic Development, presented the request.

Mayor Wade opened the public hearing. There were no speakers, and Mayor Wade closed the public hearing.

On motion by Pinkston, seconded by Snook, Council approved the following resolution by a vote of 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: None).

RESOLUTION

**Approving Lease of Property on the Market Street Parking Garage
to Cellco Partnership (T/A Verizon Wireless)**

WHEREAS, Cellco Partnership, trading as Verizon Wireless ("Verizon"), proposes to renew and amend its existing lease of certain property on the Market Street Parking Garage structure, for the purpose of installing telecommunications equipment ("Lease"); and

WHEREAS, City Staff and Verizon have negotiated proposed terms and conditions for the Lease, as set forth within the draft proposed Lease Agreement submitted for City Council's consideration at a public hearing duly advertised and conducted on March 18, 2024; and

WHEREAS, upon consideration of the recommendations of staff and of the terms and conditions of the proposed Lease Agreement, this Council finds that the proposed Lease Agreement is in the public interest, will promote the public welfare, safety and convenience, will promote economic development and tourism in Downtown Charlottesville, and contains terms that are satisfactory and mutually advantageous; and

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the City Manager is hereby authorized to execute a final Lease Agreement consistent with the terms and conditions of the proposed Lease Agreement considered by Council at the March 18, 2024 Council meeting, which final Lease Agreement must be approved by the City Attorney as to form prior to signature.

11. PUBLIC HEARING and RESOLUTION to approve the New Hill Development Corporation's BEACON Commercial Kitchen Infrastructure Enhancements Project as a Minor Amendment to the CDBG Action Plan for Program Year 2023-24, in the Amount of \$89,896.51

Anthony Warn, Grants Coordinator, presented the request. At a public meeting on September 19, 2022, City Council approved a set of priorities for the city's CDBG program (#R-22-115), among which was that at least \$89,896.51 be dedicated to funding Public Facilities & Infrastructure activities. At a public meeting on June 5, 2023, Council approved the city's Annual Action Plan, and as no public facilities/infrastructure applications had been received in the initial Notice of Funding Availability (NOFA) round, an item was included in the action plan for a suitable program to be named later.

Mayor Wade opened the public hearing. With no speakers coming forward, Mayor Wade closed the public hearing.

On motion by Pinkston, seconded by Oschrein, Council approved the following resolution by a vote of 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

RESOLUTION

To Approve the 2024 BEACON Shared-Use Commercial Kitchen Infrastructure Enhancements Program and to Award Associated Community Development Block Grant Funds to New Hill Development Corporation, in the Amount of \$89,896.51

WHEREAS the City of Charlottesville is and has been an Entitlement Community, as designated by the U.S. Department of Housing and Urban Development (HUD), and as such Council has previously approved the appropriation of \$89,896.51 within the Community Development Block Grant (CDBG) Fund to support Public Facilities & Infrastructure activities within the City of Charlottesville; and

WHEREAS activities that foster economic development within entitlement communities are a core priority for HUD and constitute a major category of eligible activities for CDBG programs; and

WHEREAS the proposed infrastructure enhancements outlined within the current proposal are anticipated to support the economic development of the local community with specific benefits for low- and moderate-income city residents seeking to obtain or enhance employment opportunities within the food and beverage industry;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the proposed BEACON Commercial Kitchen Infrastructure Enhancements

Program, as presented here before Council today, is approved and that the Office of Community Solutions (OCS) is hereby authorized to begin working with the staff of the New Hill Development Corporation (NHDC) to implement the approved program; and

BE IT FURTHER RESOLVED that in support of this program appropriations previously approved by Council (#R-23-084) to the following expenditure account(s) in the CDBG Fund be awarded for use by the New Hill Development Corporation in support of the proposal approved today by Council:

Fund	SAP Account Code	New Funded Program	Amount of Award
218	1900520	BEACON Commercial Kitchen Infrastructure Enhancements Program (NHDC)	\$89,896.51

Subtotal, Previously Approved Appropriation to be Awarded = \$89,896.51

As these funds were previously approved and appropriated by City Council on June 5, 2023, no new appropriations are called for in order to enact this program.

12. ORDINANCE adopting the WANRock Telecommunications Franchise Agreement

City Attorney Jay Stroman presented the proposed ordinance.

On motion by Pinkston, seconded by Snook, Council adopted the ordinance by a vote of 5-0, waiving the second reading (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO WANRACK, LLC, ITS SUCCESSORS AND ASSIGNS TO USE THE STREETS AND OTHER PUBLIC PLACES OF THE CITY OF CHARLOTTESVILLE, VIRGINIA FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES, FOR A PERIOD OF FIVE (5) YEARS

13. RESOLUTION: Award of FY24 Charlottesville Affordable Housing Fund (CAHF) and FY25 Housing Operations and Program Support (HOPS)

Antoine Williams, Housing Program Manager, presented the funding decisions for CAHF and HOPS and answered clarifying questions for Council. After careful consideration and discussion of all applications, the CAHF Committee recommended the following awards of CAHF funding:

- AHIP's Charlottesville Critical Rehabilitation Program: \$117,196
- Community Services Housing, Inc.'s Rehabilitation Repairs to Preserve CSH Properties: \$74,054
- Habitat for Humanity of Greater Charlottesville's Habitat Core 2024: \$393,750
- Piedmont Housing Alliance's 501 Cherry Avenue: \$250,000

After careful consideration and discussion of all applications, the CAHF Committee

recommended the following awards of HOPS funding:

- BRACH's Homeless System of Care Coordination Program: \$35,000
- BRACH's Homeless Information Line Program: \$28,000
- Community Services Housing's Community Services Housing Program: \$55,034
- Habitat for Humanity of Greater Charlottesville's Homeownership Program: \$65,250
- PACEM's Case Management Program: \$70,000
- Piedmont Housing Alliance's Charlottesville Affordable Housing Program: \$148,000
- The Haven's Vital Housing Services Program: \$95,716
- The Haven's Day Shelter Program: \$88,000

Council agreed to move the item to the April 1 Consent Agenda, pending additional information from Mr. Williams including CAHF meeting minutes.

- a. **RESOLUTION to award FY24 Charlottesville Affordable Housing Funds (CAHF) Grants (carried)**
- b. **RESOLUTION to award FY25 Housing Operations and Program Support (HOPS) Grants (carried)**

14. RESOLUTION amending and re-enacting City Council Rules and Procedures

City Attorney Stroman presented the proposed amendments to City Council's Rules and Procedures.

Councilor Payne stated for the record that he wished to continue holding joint public hearings with the Planning Commission for land use matters.

On motion by Snook, seconded by Pinkston, Council by a vote of 5-0 approved the resolution to amend and re-enact City Council Rules and Procedures (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

15. ORDINANCE Amending City Code Article II. Section 2-38. Organizational Meeting and Section 2-39. Elections, Terms and General Powers and Duties of Mayor, Vice-mayor and Mayor Pro Tempore; Mayor's Veto (carried)

City Attorney Stroman presented the request as a clean-up measure to address the timing of the Council organizational meeting and the biannual election to correspond with State law.

Councilor Snook suggested revisiting the portion of the City Code referencing the creation of the Council Finance Committee. Council unanimously agreed to carry the ordinance to the April 1 consent agenda for second reading and vote.

GENERAL BUSINESS

16. RESOLUTION Calling for an Immediate Ceasefire and an End to Violence in Israel and Palestine

Council agreed at the beginning of the meeting to add this item to the agenda in response to a community-led request for City Council to pass a resolution calling for an immediate ceasefire and an end to violence in Israel and Palestine.

Councilor Payne made remarks in support of the resolution and in support of City Council taking a stand on national issues.

Councilor Oschrin spoke in support of a resolution for peace and encouraged residents to share their concerns with state and national representatives.

Councilor Snook stated that he did not agree with Council opining on matters of national and international policy, although he previously supported Council's decision to establish a city policy for divestment from certain companies. He stated that Council should issue resolutions that endorse actions that the city intends to take and has the authority to make. He spoke in opposition to Council passing the proposed resolution.

Vice Mayor Pinkston spoke about the City Council member role, and expressed opposition to supporting the resolution, despite personal beliefs.

Mayor Wade expressed that City Council was elected to focus on local issues.

On motion by Payne to approve the resolution, seconded by Oschrin, the motion failed by a vote of 2-3 (Ayes: Payne, Oschrin; Noes: Pinkston, Snook, Wade).

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Cory Demchak, Executive Director for Albemarle Housing Improvement Program (AHIP), requested operational support for AHIP through HOPS funding.
- Claire Bateman, member of CBF, asked about the event that supporters of the resolution return to Council Chamber, what would it take for Mr. Pinkston to change his mind.
- Derek Bond, restaurant owner, spoke about issues with lighting and the lack of response for maintenance to have light bulbs changed. He stated that if the city creates a safer environment and improves maintenance, then restaurants sales could increase. He requested that the city manager ensure that departments know their responsibilities.
- Jeff Fogel, city resident, spoke about the conflict in Gaza and in support of the ceasefire resolution. He stated that the City Council Rules of Procedure approved earlier in the meeting will offer less opportunity for members of the public to speak on agenda items..
- Melissa Levy, city resident, spoke in support of the ceasefire resolution.
- Samyuktha Mahadevan, UVA Institute of Democracy, spoke about the importance of civic engagement and expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza.
- David Walsh expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza.

- Juss Mink, city resident, expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza.
- Laura Goldblatt, city resident, provided facts about the Muslim population in the city and worldwide. She expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza.
- Em Gunter expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza.
- Stephanie Gunst, city resident, acknowledge living on Monacan land and in a historically Black neighborhood, and expressed supported the ceasefire resolution. She spoke about gentrification of historically Black neighborhoods as analogous to the displacement of Palestinians.
- Kevin Cox, city resident, spoke about problems with Veo scooters not being picked up in the city. He encouraged the city to fine Veo and use the funds to provide more scooter parking spaces.
- Elissa Coffman, city resident, spoke about the importance of doing the right thing. She expressed concern about Council members not voting in support of the ceasefire resolution.
- Karim Habbab, city resident, expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza. He resigned as a member of the Planning Commission.
- Noah Solomon, city resident, expressed disappointment that Council did not pass the resolution to support a ceasefire in Gaza. He stated that approving the resolution could change the reputation of Charlottesville nationally and internationally to that of a welcoming community.
- Zoe Crilova, county resident working in Charlottesville, spoke in support of the resolution to support a ceasefire in Gaza.
- Jonathan Katz thanked the councilors who voted in support of the ceasefire resolution. He expressed disappointment about other councilors' reasons for not passing the resolution. He stated that not passing the resolution has created a larger issue and that Council has given people something to organize against.
- Nejua Labin, city resident and medical student at UVA, spoke about the duty of Council to act on the will of the people. She commented about the health and humanitarian crisis in the Gaza Strip.

The meeting adjourned at 9:45 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council