



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

April 1, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council met on Monday, April 1, 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 Pinkston, seconded by Payne, Council unanimously adopted the meeting agenda.

REPORTS

1. **REPORT: Affordable Housing Report FY2024**

Antoine Williams, Housing Program Manager, presented the report. The report on Affordable Housing provided a focused analysis of the city's Capital Housing Investment in alignment with its 2021 Affordable Housing Plan, evaluating the progress made in achieving the plan's objectives, particularly concerning the distribution of funding across various Area Median Income (AMI) ranges and the production or preservation of affordable housing units. The report included an overview of the city's performance based on the funding commitments outlined in the Affordable Housing Plan and highlighted updates on implementation considerations and action items mentioned by Sam Sanders as Deputy City Manager of Operations in April 2022.

Director Alex Ikefuna summarized projects being tracked by the Office of Community Solutions with the intention of developing affordable housing.

2. **REPORT: Public Safety Outcome Area: FLOCK**

Police Chief Michael Kochis reported on community outreach efforts regarding the pilot Flock Safety Proposal introduced in Fall 2023. He stated that community feedback was overwhelmingly positive and that there were also some privacy concerns. Chief Kochis expressed a commitment to provide quarterly reports and stated that the Executive Director of the Police Civilian Oversight Board (PCOB) will have access for auditing officer use of the Flock technology. Councilors asked clarifying questions and several expressed concerns about funding from the Police Foundation, the usage of data internally and by the technology provider, how locations for cameras were determined without knowing how they will be installed, how alerts are triggered, potential for errors and metrics for evaluating success. By a straw poll Council indicated support for a twelve-month pilot program with a 3-2 majority in favor: (Ayes: Pinkston, Snook, Wade; Noes: Oschrein, Payne).

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.

ANNOUNCEMENTS

Councilor Snook announced a Charlottesville Sister City delegation visit from Besancon, France, from April 12 - 18.

Councilor Payne announced an event to honor parents of the Charlottesville Twelve on April 13.

RECOGNITIONS/PROCLAMATIONS

• PROCLAMATION: Charlottesville Dark Sky Week

Councilor Oschrein presented the Dark Sky Week proclamation. Peggy Cornett accepted on behalf of Piedmont Dark Skies Group.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Andrew Shelton, Albemarle County resident, spoke in opposition to the installation of Flock cameras, specifically because of the potential for civil rights abuse.
2. Rose Buckelew, city resident, spoke in opposition to the installation of Flock cameras, stating there is no peer-reviewed study to show that ALPRs (Automated License Plate Readers) decrease crime. She also spoke in support of the proposed resolution for ceasefire in Gaza.
3. Kristin Szakos, city resident, spoke in support of the proposed resolution for ceasefire in Gaza.
4. Laura Goldblatt, city resident, spoke in support of the proposed resolution for ceasefire in Gaza.
5. David Swanson, city resident, spoke in support of the proposed resolution for ceasefire in Gaza.
6. Don Gathers, city resident, spoke in support of the proposed resolution for ceasefire in Gaza, and in opposition to the Flock program.
7. Jake Weiner, city resident, spoke in support of the proposed resolution for ceasefire in Gaza, and in opposition to the Flock program.
8. Chris Kaiser, city resident and policy director for the ACLU of Virginia, voiced concerns on behalf of the ACLU, the Legal Aid Justice Center, and Justice Forward Virginia regarding the Flock program.
9. Dan Alexander, Albemarle County resident and rabbi emeritus, stated that the proposed ceasefire resolution was one-sided and he asked Council not to pass the resolution.
10. Harold Folley, city resident, spoke in opposition to the Flock program.
11. Elizabeth McKenney, city resident, spoke in support of the proposed resolution for ceasefire in Gaza.
12. Jessica, city resident, spoke in support of the proposed resolution for ceasefire in Gaza.
13. Jonathan Katz, city resident, spoke in support of the proposed resolution for ceasefire in Gaza.

14. Karen Mann, Fluvanna resident and local pastor, spoke in support of the proposed resolution for ceasefire in Gaza.
15. Jenny Lagury, city resident, requested that Council vote in favor of the proposed resolution for ceasefire in Gaza. She spoke about city efforts to atone for past injustices.
16. Nikuyah Walker, city resident, spoke in opposition to the Flock program and expressed strong concerns. She asked for virtual comments to be allowed in Council meetings and for Council to add public comment during the 4:00 p.m. work session. She spoke about historical abuse of systems and the specific local disparate impact to Black and Brown children.

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

3. MINUTES: January 22 regular meeting, January 26 Council retreat, February 1 special meeting and budget work session, February 7 joint Council-School Board budget work session, March 14 budget work session, March 21 budget forum and public hearing, March 26 decarbonization work session
4. RESOLUTION: Resolution to appropriate USDA Forest Service Urban and Community Forestry Inflation Reduction Grant for Charlottesville Urban Forest Management Planning - \$150,000 (2nd reading)

RESOLUTION

Appropriating Funding in the Amount of \$150,000 To Be Received from Urban Sustainability Directors Network (USDN)

WHEREAS, The City of Charlottesville, through the Office of Community Solutions, has been notified that it will be awarded a grant from Urban Sustainability Directors Network (USDN) for the United States Forest Service (USFS) Investment Recovery Act (IRA) Federal Award, in the amount of \$150,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the USFS IRA funding from the Urban Sustainability Directors Network, said funding, anticipated in the sum of \$150,000, is hereby appropriated in the following manner:

Revenues			
\$150,000	Fund 210	Order 1900548	GL 432190 (Federal pass-thru)
Expenditures			
\$150,000	Fund 210	Order 1900548	GL 599999 Contractual Services

BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of \$150,000 in funds from the Urban Sustainability Directors Network.

5. RESOLUTION: Resolution appropriating funding in the amount of \$21,458 to be received from Library of Virginia Circuit Court Records Preservation Grants Review Board (2nd reading)

RESOLUTION

Appropriating Funding in the Amount of \$21,458 to be received from Library of Virginia Circuit Court Records Preservation Grants Review Board

WHEREAS, The City of Charlottesville, through the Clerk of Circuit Court Office, has been notified that it will be awarded a grant from the Library of Virginia Circuit Court Records Preservation Grants Review Board (CCRP), in the amount of \$21,458;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the CCRP funding from the Commonwealth, said funding, anticipated in the sum of \$21,458, is hereby appropriated in the following manner:

Revenues

\$21,458	Fund 209	Order 1900546	GL 430110 State Grants
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Expenditures

\$21,458	Fund 209	Order 1900546	GL 530010 Professional Services
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BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of \$21,458 from the Library of Virginia Circuit Court Records Preservation Grants Review Board.

6. ORDINANCE: 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. (2nd reading)

AN ORDINANCE AMENDING CITY CODE SECTION 2-98 INCREASING THE AMOUNT THRESHOLD FOR APPROPRIATIONS REQUIRING A SECOND READING

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

- a. RESOLUTION: Resolution to award FY24 Charlottesville Affordable Housing Funds (CAHF) Grants (2nd reading)

RESOLUTION APPROVING ALLOCATION OF FY24 CHARLOTTESVILLE AFFORDABLE HOUSING FUND (CAHF) FOR AFFORDABLE HOUSING PROJECTS AND INITIATIVES IN THE AMOUNT OF \$835,000

WHEREAS, the City of Charlottesville, Virginia, having established the Charlottesville Affordable Housing Fund (CAHF) Grant Program to provide financial support for community agency programs aiding in affordable housing and homelessness relief, hereby allocates \$835,000 from the Charlottesville Affordable Housing Fund (CAHF) Grant Program under Fund 426 Project: CP-084, as per the Capital Improvement Program budget for FY2024,

NOW THEREFORE, BE IT RESOLVED that the City Council, having received and reviewed recommendations from the CAHF Committee on the expenditure of CAHF funds for the CAHF Grant Program, resolves to allocate the amount to the following CAHF applicants:

Fund	Project	GL Account	Applicant	Funded Project/Initiative	CAHF Award
426	CP-084	530670	Albemarle Housing Improvement Program	Charlottesville Critical Rehabilitation Program	\$117,196
426	CP-084	530670	Community Services Housing, Inc. (CSH)	Rehabilitation Repairs to Preserve CSH Properties	\$74,054
426	CP-084	530670	Habitat for Humanity of Greater Charlottesville	Habitat Core 2024	\$393,750
426	CP-084	530670	Piedmont Housing Alliance	501 Cherry Avenue	\$250,000

BE IT FURTHER RESOLVED that all funding awards within this resolution shall be provided as grants to the entities listed under the “Applicant” column above to be used solely for the purposes outlined in their respective grant applications and any subsequent grant agreement. The City Manager is authorized to negotiate and execute funding grant agreements with each recipient to ensure proper utilization of funds.

- b. RESOLUTION: Resolution to award FY25 Housing Operations and Program Support (HOPS) Grants (2nd reading)

RESOLUTION APPROVING ALLOCATION OF FY25 HOUSING OPERATIONS AND SUPPORT (HOPS) PROGRAM FUNDING FOR AFFORDABLE HOUSING AND HOMELESSNESS SUPPORT PROGRAMS IN THE AMOUNT OF \$585,000

WHEREAS, the City of Charlottesville, Virginia, having established the Housing Operations & Program Support (HOPS) program to provide financial support for community agency programs aiding in affordable housing and homelessness relief, hereby allocates \$585,000 from the Charlottesville Affordable Housing Fund (CAHF) under Fund 426 Project: CP-084, as per the Capital Improvement Program budget for FY2024.

NOW THEREFORE, BE IT RESOLVED that the City Council, having received and reviewed recommendations from the CAHF Committee on the expenditure of CAHF funds for the HOPS program, resolves to allocate the amount to the following HOPS applicants:

Fund	Project	GL Account	Applicant	Program /Initiative	Award
426	CP-084	530670	Blue Ridge Area Coalition for the Homeless	Homeless System of Care Coordination Program	\$35,000
426	CP-084	530670	Blue Ridge Area Coalition for the Homeless	Homeless Information Line Program	\$28,000

426	CP-084	530670	Community Services Housing, Inc. (CSH)	CSH Program	\$55,034
426	CP-084	530670	Habitat for Humanity of Greater Charlottesville	Homeownership Program	\$65,250
426	CP-084	530670	People and Congregations Engaged in Ministry	Case Management Program	\$70,000
426	CP-084	530670	Piedmont Housing Alliance	Charlottesville Affordable Housing Program	\$148,000
426	CP-084	530670	The Haven at First & Market Inc	Vital Housing Services Program	\$95,716
426	CP-084	530670	The Haven at First & Market Inc	Day Shelter Program	\$88,000

BE IT FURTHER RESOLVED that all funding awards within this resolution shall be provided as grants to the entities listed under the “Applicant” column above to be used solely for the purposes outlined in their respective grant applications and any subsequent grant agreement. The City Manager is authorized to negotiate and execute funding grant agreements with each recipient to ensure proper utilization of funds.

8. **ORDINANCE:** 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 (2nd reading)

**ORDINANCE AMENDING AND REORDAINING 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**

9. **RESOLUTION:** Appropriating Funding for the Rugby Avenue Bicycle & Pedestrian Trail Project - \$130,059.50 (carried)
10. **RESOLUTION:** Appropriating Funding from the BAMA Works Grant to Community Attention Foster Families - \$5,000 (carried)
11. **RESOLUTION:** Appropriating funds from the Batten Foundation to the Department of Human Services - \$40,000 (carried)
12. **RESOLUTION:** Resolution for Approval of Memorandum of Understanding between Bennett's Village and the City of Charlottesville

RESOLUTION

Approving a Memorandum of Understanding Between the City of Charlottesville and Bennett's Village for an All-Abilities Playground Project at Pen Park

WHEREAS, the City’s Parks and Recreation Department staff have engaged in discussions with representatives of Bennett's Village, a nonprofit community organization, to establish an

All-Abilities Playground in Charlottesville Virginia, and

WHEREAS, after several years of discussions, it has been determined that an opportunity exists to host such a facility within the City's park system at Pen Park, and

WHEREAS, representatives from Bennett's Village presented their proposal to the City Council on March 18th, 2019, resulting in the adoption of a resolution on April 1st, 2019, establishing a partnership between the City and Bennett's Village, and

WHEREAS, in November 2019, a memorandum of agreement was entered into between the City and Bennett's Village, which was further amended in September 2021, and

WHEREAS, upon review, it has been determined that the current memorandum of agreement requires revision to meet current standards and provide access to additional grant opportunities, and

WHEREAS, the Parks and Recreation Department strongly recommends this project which will enhance recreational opportunities at Pen Park for children of all abilities,

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the attached Memorandum of Understanding between the City of Charlottesville and Bennett's Village for the All-Abilities Playground Project at Pen Park.

BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to execute the Memorandum of Understanding on behalf of the City in a form approved by the City Attorney, and to take all necessary actions to implement the terms and conditions therein.

- 13. RESOLUTION: Resolution for Approval of Lease Agreement between Bennett's Village and the City of Charlottesville**

PHASE ONE LEASE AGREEMENT BY AND BETWEEN THE CITY OF CHARLOTTESVILLE AND BENNETT'S VILLAGE, INC.

CITY MANAGER REPORT: City Manager Sam Sanders provided a written quarterly report.

ACTION ITEMS

- 14. RESOLUTION: Resolution calling for an immediate ceasefire and end to violence in Israel and Palestine**

Vice Mayor Pinkston presented the resolution and thanked colleagues for allowing him to revisit the resolution since their last consideration and vote. He read a personal statement.

On motion by Pinkston, seconded by Payne, Council by a vote of 3-1, with one abstention, approved the resolution. (Ayes: Oschrein, Payne, Pinkston; Noes: Wade; Abstained: Snook).

**RESOLUTION
CALLING FOR AN IMMEDIATE CEASEFIRE AND
AN END TO VIOLENCE IN ISRAEL AND PALESTINE**

WHEREAS the people of Charlottesville recognize that all human life is precious, and that the targeting of any civilian under any circumstance is a violation of international human-rights law; and

WHEREAS Gaza and Israel have already experienced tremendous loss of life, displacement, and violence, and hundreds of thousands of lives are at imminent risk; and

WHEREAS the City of Charlottesville has a longstanding tradition of being a welcoming city for refugees and understanding the challenges faced by those displaced by conflict; and

WHEREAS the United States Federal Government holds immense diplomatic and appropriations powers to save Palestinian and Israeli lives; and

WHEREAS to date, over 100 U.S. cities, including Atlanta, Chicago, Detroit, Durham, Harrisonburg, San Francisco, and Seattle, have adopted resolutions urgently calling for a ceasefire in Israel and Palestine; and

WHEREAS the billions spent in United States funding for this conflict could be allocated toward mitigating crises in our own community, including the funding of deeply affordable housing, public health, job training, and education;

NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville urges the Biden administration and all elected officials in the United States Senate and House of Representatives who represent this community to call for and make all efforts to facilitate:

1. an immediate, sustained, and comprehensive ceasefire in Israel and Palestine;
2. the immediate and safe release of all hostages; and
3. the immediate entry and provision of humanitarian aid needed for the people of Gaza, at the scale required to save the maximum number of lives.

BE IT FURTHER RESOLVED that the City of Charlottesville values the harmony that exists in our diverse community, and advocates for the dignity and safety of all residents, regardless of religion, race, or nation of origin; and,

BE IT FURTHER RESOLVED that the Charlottesville City Council asks the City Clerk that copies of this Resolution be quickly forwarded to the President of the United States, Joe Biden; Senators Tim Kaine and Mark Warner; and Representative Bob Good.

15. PUBLIC HEARING and ORDINANCE: FY2025 Budget Ordinance and Annual Appropriation, and Tax Rate/Tax Levy Ordinance (carried)

Krisy Hammill, Budget Director, introduced the ordinances for public hearing. Councilors asked clarifying questions. Councilor Oschrein proposed increasing personal property tax by a flat rate and leaving the meals tax rate the same. Councilors by majority agreed to advertise and hold a public hearing on the personal property tax rate at the April 15 City Council meeting, and to postpone the budget approval from April 9 to April 15. Tax rates being considered are real estate, meals, lodging and personal property.

a. **ORDINANCE: Establishing the Annual Tax Levy for Tax Year 2024 (carried)**

Mayor Wade opened the public hearing.

- Zach Brown, city resident, spoke in opposition to raising any taxes rates.
- Em Gunter, city resident, requested that priority be given to restoring public bus service to pre-pandemic levels.
- Don Gathers, city resident, stated that all taxes are bad.
- Phil Hamilton, city resident, spoke in opposition to increasing taxes.
- Dan Miller, city resident, spoke in support of paying taxes in a graduated way based on income.
- Claire Denton-Spalding, spoke about personal property tax.

Mayor Wade closed the public hearing. Council unanimously agreed to carry the ordinance to the April 15 meeting for second reading and vote.

b. **ORDINANCE: Approving a budget and annual appropriation of funding for the City of Charlottesville for the Fiscal Year ending June 30, 2025 (carried)**

Mayor Wade opened the public hearing. With no speakers coming forward, Mayor Wade closed the public hearing. Council unanimously agreed to carry the ordinance to the April 15 meeting for second reading and vote.

At the request of Councilor Oschrein, City Attorney Stroman summarized the Dillon Rule.

16. ORDINANCE: Ordinance Amending Sec. 30-53 of the Charlottesville City Code to increase the assessed value threshold at and below which qualifying vehicles will receive 100% Personal Property Tax Relief from \$1,000 to \$1,500 (carried)

Commissioner of the Revenue Todd Divers presented the request. Council unanimously agreed to carry the item to the April 15 consent agenda.

17. ORDINANCE: Ordinance to amend and reenact City Code Chapter 19 to allow participants of any City-sponsored retirement plan to serve on Retirement Plan Commission (1 of 2 readings)

Councilor Pinkston and Lisa Burch, staff liaison to the Retirement Commission, presented the request.

On motion by Pinkston, seconded by Oschrein, Council adopted the ordinance by a vote of

5-0, waiving the second reading (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

AN ORDINANCE AMENDING AND REENACTING CITY CODE CHAPTER 19, ARTICLE III TO ALLOW EMPLOYEES WHO PARTICIPATE IN THE OPTIONAL DEFINED CONTRIBUTION PLAN TO SERVE ON THE RETIREMENT PLAN COMMISSION

GENERAL BUSINESS

18. REPORT: Tree Commission “State of the Forest”

Steven Gaines, the city's Urban Forester, introduced presenters from the Tree Commission: Makshya Tolbert and Tyler Miller.

The purpose of this annual report is to bring to the attention of the Charlottesville City Council and the community the current state of the urban tree canopy (UTC) and the compelling need for strategic interventions. The City's goal, as mandated in the 2021 Comprehensive Plan, is to achieve an average of 45% tree canopy coverage across the City's geographic area. The Commission therefore recommends that the City make every effort to increase tree preservation, planting, and maintenance to ensure such coverage for the community in perpetuity.

The 2023 Urban Tree Canopy Assessment by PlanIT Geo indicated that, of the 7,006 acres within the City Boundary, 2,771 acres, or roughly 38%, are presently covered by tree canopy. The report revealed an increasing trend in canopy loss and an imperiled urban forest with UTC decreasing from 45% in 2014 to 38% in 2023. The significant infiltration of invasive species in the urban canopy contributed to further decline, with actual canopy coverage likely closer to 25% based on field observations. The PlanIT Geo assessment also highlighted disparities in tree canopy coverage among neighborhoods, some of which have canopy coverage as low as 14.5%. Charlottesville faces a range of region-specific threats and pressures that compound the challenges that the urban forest faces. Pervasive issues such as invasive plant species (e.g., English Ivy, bittersweet, and kudzu) pose a significant risk to the health and biodiversity of native vegetation. The City is also contending with the increasing frequency of climate change-related weather events, such as hurricanes, droughts, extreme heat, and severe storms, which can cause immediate damage to trees and disrupt the delicate ecological balance. The spread of tree pests and diseases like emerald ash borer, sudden oak death, and bacterial leaf scorch continue to jeopardize the vitality of Charlottesville's tree canopy. To reverse Charlottesville's UTC decline and achieve success in attaining long-range canopy goals, the Tree Commission requested the following actions by the City:

- Fund the Urban Forester's August 2024 CIP request.
- Fund and staff positions to implement an ongoing program of invasive species control, enforcement of zoning ordinances, and tree planting and maintenance. (Responding to Mr. Payne, Mr. Gaines suggested two FTEs (full-time equivalent) - an urban forester for Neighborhood Development Services, and an urban forester for Parks and Recreation.)
- Develop incentives for tree planting and preservation on private property.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Elissa Coffman, city resident, thanked Council for the vote in support of the ceasefire resolution. She also asked about Flock opposition during the meeting despite Council's indication of support.
- Don Gathers, city resident, thanked Vice Mayor Pinkston for his reconsideration of the ceasefire resolution, and he made a correction to an earlier comment about taxes and real estate assessment increases.
- Lisa Draine, city resident, thanked Council for passing the ceasefire resolution, spoke in opposition to surveillance using the Flock system, and asked Council to consider additional funding for pay parity between public defenders and prosecutors in the Commonwealth's Attorney Office.
- Deirdre Gilmore, spoke in opposition to Council's vote approving funding for regional jail renovations.

The meeting adjourned at 9:19 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council