



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

August 19, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council convened in a regular meeting on Monday, August 19, 2024. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following 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 approved the meeting agenda.

REPORTS

1. REPORT: Food Equity Initiative FY 24 Report

Cultivate Charlottesville staff presented the report - Aleen Carey, Co-executive Director; KJ Howard, Food Justice Network Associate; and Ryan Thayer, Co-executive Director. The presentation included: 1) a report on Food Equity Initiative FY24 goals, 2) the FY24 budget to current, and 3) FY25 initiatives and budget. FY25 Recommendations to City Council included:

1. Charlottesville City Council recommends dedicating land in Booker T. Washington Park for an Urban Agriculture Collective farm.
2. Charlottesville City Council asks Parks and Recreation to prioritize a community design for this farm site in the upcoming Parks & Recreation Strategic Plan.
3. Charlottesville City Council renews its commitment to making Charlottesville not only a foodie town, but also a food-E(quity) place where all residents have access to their preferred, culturally-relevant, fresh food and can truly thrive.

Mr. Sanders advised Council that the funding agreement for the Food Equity Initiative made years ago is coming to an end this fiscal year and Council will need to decide how to proceed.

2. REPORT: Parks & Recreation Master Plan Update

Riaan Anthony, Director, introduced Mike Svetz, PROS Consulting, who presented the Parks and Recreation Master Plan Needs Assessment Findings. The presentation reviewed:

- Community Engagement by the Numbers
- Focus Group Themes
- Public Meeting/Outreach Themes
- Statistically Valid Survey Results
- Site-specific Framework Plan Themes for Tonsler Park, Washington Park, Court Square, and Market Street, and
- Next Steps

CLOSED MEETING

On motion by Pinkston, seconded by Oschrein, Council voted unanimously to convene in closed session pursuant to section 2.2-3712 of the Virginia Code, as authorized by Section 2.2-

3711(A)(1), for discussion and consideration of assignment, appointment, performance, demotion, salary, discipline, and/or resignation of a specific named employee of the public body, and for discussion and consideration of prospective candidates for appointment to the following City boards and commissions: Charlottesville Affordable Housing Fund Committee; Charlottesville-Albemarle Airport Commission; Charlottesville-Albemarle Convention & Visitors Bureau Executive Board; Community Development Block Grant Task Force; Community Policy and Management Team; Housing Advisory Committee; Human Rights Commission; JAUNT Board of Directors; Jefferson Area Community Criminal Justice Board; Jefferson-Madison Regional Library Board; Local Board of Building Code Appeals; Minority Business Commission; Retirement Commission; Sister Cities Commission; Social Services Advisory Board; Towing Advisory Board; Vendor Appeals Board; and Youth Council.

On motion by Pinkston, seconded by Snook, 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 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

BUSINESS SESSION

City Council observed a moment of silence.

ANNOUNCEMENTS

Councilor Payne announced the Commissioners and Cans food and funds drive.

Councilor Oschrein announced Loop De Ville on September 28. She announced the online Parks survey and encouraged participation.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Nicholas Co, city resident, spoke in support of Ranked Choice Voting.
2. Sally Hudson, city resident, spoke in support of Ranked Choice Voting.
3. Frank Bechter, city resident, spoke in support of Ranked Choice Voting. He suggested changing the names of the city's "half" streets. He commended the Department of Parks and Recreation for their community engagement efforts, and he recommended that Court Square and Market Street be pursued as living monuments.
4. Mr. Keintzschel shared handouts regarding rezoning at Willoughby Place Apartments.
5. Kathryn Laughon, city resident, spoke in support of Ranked Choice Voting and commended Council and the community for efforts toward affordable housing.
6. Edde Mendez spoke about safety concerns at Willoughby Place Apartments and concerns about proposed rezoning.
7. Fritz Knabe, city resident, spoke in support of Ranked Choice Voting.
8. Cindy Cartwright, city resident, spoke in support of Ranked Choice Voting.

9. Jen Fleischer, city resident, spoke in support of Ranked Choice Voting.
10. Don Gathers, city resident, spoke in support of Ranked Choice Voting. Regarding parks, he advised giving them time to heal and not rushing to do anything new with them. He spoke in opposition to salary increases for City Council.

CONSENT AGENDA

Clerk Thomas read the following Consent Agenda items into the record, and on motion by Pinkston, seconded by Payne, Council by a vote of 5-0 adopted the Consent Agenda (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

3. MINUTES: June 3 regular meeting, June 17 regular meeting, July 1 regular meeting
4. RESOLUTION to appropriate EPA Clean School Bus Program rebates - \$420,000 (2nd reading)

RESOLUTION

WHEREAS, The City of Charlottesville, through the Office of Sustainability, has been notified that it will be awarded rebates from the US Environmental Protection Agency (EPA) Clean School Bus Program to support the purchase of two electric school buses;

NOW, THEREFORE IT BE RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the awarded EPA rebates, said funding, anticipated in the sum of \$420,000 is hereby appropriated, in the following manner:

Revenues

\$420,000	Fund: 106	Funded Program: 2200076	G/L Account: 431010
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Expenditures

\$420,000	Fund: 106	Funded Program: 2200076	G/L Account: 541040
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$420,000 from the EPA Clean School Bus Program.

5. RESOLUTION to appropriate \$7,120,650.00 from the United States Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) Natural Gas Distribution Infrastructure & Safety Modernization (NGDISM) grant program (2nd reading)

RESOLUTION

Appropriating Funding in the Amount of \$7,120,650 To Be Received from United States Department of Transportation

WHEREAS, The City of Charlottesville, through the Utilities Department, has been notified that it will be awarded a grant from United States Department of Transportation (DOT)

Pipeline and Hazardous Materials Safety Administration (PHMSA) Natural Gas Distribution Infrastructure & Safety Modernization (NGDISM) grant, in the amount of \$7,120,650.00.

Revenues

\$7,120,650 Fund 631 Order 1900563 GL 431110 Federal grants

Expenditures

\$7,120,650 Fund 631 Order 1900563 GL 530300 Construction Contracts

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the PHMSA NGDISM funding from the Department of Transportation, said funding, anticipated in the sum of \$7,120,650, is hereby appropriated in the following manner:

BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of \$7,120,650 in funds from the Department of Transportation.

6. RESOLUTION to appropriate funding to the Parking Fund - \$1,400,000 (2nd reading)

RESOLUTION

To appropriate funding from the Capital Improvement Plan Contingency Account to the Parking Fund - \$1,400,000

WHEREAS, the City, by virtue of its membership in the Water Street Parking Garage Condominium Association (“WSPGCA”), entered into a 99-year ground lease for the land under the Water Street Parking Garage in 1994, which enabled the construction of a parking facility to support the growing Downtown Mall area; and

WHEREAS, the WSPGCA’s governing documents provide that the base rent for the land underneath the Water Street Parking Garage (the “Garage”) must be renegotiated every ten years, based on the appraised value of the land as if the land was unimproved; and

WHEREAS, the ground lease, pursuant to a negotiated settlement agreement includes an increase in the rent amount to be paid by the City for FY25;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$1,400,000 shall be transferred from the Capital Improvement Program Contingency Account to the City’s Parking Fund to fund the increase in the annual lease payment:

Transfer from:

\$ 1,400,000 Fund: 426 WBS: CP-080 G/L Account: 540100

Transfer to:

\$ 1,400,000 Fund: 650 Cost Center: 6511003000 G/L Account: 560160

7. RESOLUTION for approval of easement additions for the Bypass Fire Station

**A RESOLUTION
EXPANDING AN EASEMENT GRANTED TO DOMINION POWER TO ENABLE
ELECTRICAL POWER SERVICE TO THE NEW FIRE STATION**

WHEREAS, in 2013, the City of Charlottesville (“City”) granted a utility easement to Dominion Power for the purpose of providing underground electrical service to the Charlottesville Fire Department (“CFD”) Fire Station located on the 250 Bypass; and

WHEREAS, the City is currently constructing a new fire station on the 250 Bypass, which necessitates the expansion of the existing easement to enable the provision of electrical service to the new fire station; and

WHEREAS, City staff has worked with Dominion Power to verify the location, effectiveness, and practicality of the additions being proposed and has concluded that these modifications are legitimate and necessary additions to the easement to enable Dominion to provide electrical service to the new fire station; and

WHEREAS, the proposed expanded easement is depicted on Plat 81-24-0033, respectively, which has been enclosed for reference; and

WHEREAS, the new fire station will comport with City Council’s vision of a “Green City,” as the new facility will be LEED certified and will include on-site solar generation, among other featured;

NOW, THEREFORE, BE IT RESOLVED, that the City of Charlottesville approves expansion of the existing easement provided to Dominion Power for the provision of electrical power service to the new fire station, located on the 250 Bypass, as depicted in Plat 81-24-0033.

8. RESOLUTION to appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (carried)

BOARD and COMMISSION APPOINTMENTS

On motion by Snook, seconded by Payne, Council made the following appointments to boards and commissions by a vote of 5-0:

- Board of Architectural Review: Katherine Snider Tabony
- Charlottesville Affordable Housing Fund Committee: Jamaala Hamilton
- Charlottesville-Albemarle Airport Commission: Benjamin Chambers
- Community Policy and Management Team: Rebecca Schmidt
- Human Rights Commission: Jason Melendez, Elizabeth Stark, Dawn Lawson

- Jefferson Area United Transportation Board of Directors: Benjamin Chambers
- Jefferson-Madison Regional Library Board: Siri Russell
- Sister Cities Commission: Murray Susen
- Social Services Advisory Board: Maria Rincon, Rebecca Schmidt
- Youth Council: Joyce Brown, Lucia Clarens, Dylan Grist, Eshan Panicker

CITY MANAGER REPORT

Deputy City Manager Ashley Marshall announced that the City of Charlottesville has its first Youth Anti-bullying Policy, which includes a Youth Code of Conduct.

City Manager Sanders provided an update on the Stribling Avenue sidewalk project. The Public Works team will present an update within 30 days. He announced that Rivanna Authorities renamed the Ivy Material Utilization Center to the Ivy Solid Waste Recycling Center and will host recycling activities in September and October.

The Office of Community Solutions released a notice of funding availability to for a variety of housing-related activities.

ACTION ITEMS

9. PUBLIC HEARING and RESOLUTION on the Program Year 2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs and to Establish Council Priorities for Program Year 2025-2026 (carried)

Anthony Warn, Grants Analyst, announced that the 15-day CAPER public comment period is open.

During the 2023-2024 Program Year, the city's CDBG program directly benefitted City residents by supporting activities that:

- Provided critical and emergency home repairs to income-qualified homeowners.
- Subsidized tuition for local entrepreneurs to participate in small business training and support programs through a local CDFI, graduates of which could become eligible for small-business startup grant funding.
- Supported outreach and intake programs serving the area's unhoused population to bring them into a coordinated system of care.
- Provided significant infrastructure enhancements to support the creation of the region's first large-scale shared-use commercial kitchen in heart of the Belmont neighborhood.
- Facilitated the creation of the City's newest ADA-compliant trail bridge to connect city residents to an emerging trail network and to the city's Jordan Park (note that only the bridge is currently ADA-compliant; an ADA-compliant pathway is currently pending).

- Addressed long-standing community concerns by funding the removal of significant physical barriers to access in two community playgrounds, including broken concrete pathways that impeded access for mobility-impaired visitors to those public spaces.
- Supported programs to train residents of publicly supported housing to help plan the redevelopment of historically underserved neighborhoods.
- Facilitated energy-efficiency upgrades and roof repairs to enable income-eligible homeowners to participate in a solar panel installation program offered by Dominion Energy.
- Facilitated significant infrastructure improvements for the Blue Ridge Area Food Bank, more than tripling their capacity to safely store and distribute fresh produce.

During the 2023-2024 Program Year, the city's HOME program directly benefitted City residents in multiple ways by supporting the following activities:

- Construction of new affordable rental and homeowner units to be made available to income-eligible households at or below 60% of area Median Family Income (MFI).
- Renovations to currently occupied affordable rental units and associated energy-efficiency upgrades (e.g., replace old appliances, etc.).

Mayor Wade opened the public hearing. There were no speakers. Agreement to carry the resolutions to the September 3rd meeting for 2nd reading and vote on the Consent Agenda

10. ORDINANCE to increase the salaries of City Council Members pursuant to 15.2-1414.6 of the Virginia Code (2nd reading)

Eden Ratliff, Deputy City Manager, summarized the ordinance, which was introduced at the August 5, 2024, City Council meeting with a public hearing. Councilors engaged in discussion, with Councilor Snook raising a question about providing compensation for members appointed to boards and commissions. Mr. Ratliff stated that the topic will be reviewed along with a larger project regarding boards and commissions.

Councilor Snook expressed concern about increasing Council salaries to the full extent allowed by law, given the recent need for Council to raise various tax rates to fund other city needs.

On motion by Pinkston, seconded by Oschrein, Council by the following vote adopted the Ordinance to increase the salaries of City Council Members pursuant to 15.2-1414.6 of the Virginia Code: 4-1 (Ayes: Oschrein, Payne, Pinkston, Wade4; Noes: Snook).

AN ORDINANCE INCREASING THE SALARIES OF MEMBERS OF CITY COUNCIL PURSUANT TO SECTION 15.2-1414.6 OF THE CODE OF VIRGINIA

WHEREAS, in July 2024, the Virginia General Assembly amended the Code of Virginia § 15.2-1414.6 to authorize localities to increase the salaries of members of City Council, with the City of Charlottesville receiving authorization to increase the salaries of City

Councilors from \$18,000 to \$34,000, and to increase the Mayor's salary from \$20,000 to \$37,000; and

WHEREAS, the statutory limits placed on City Councilor salaries by the General Assembly have not been adjusted for inflation since 1996; and

WHEREAS, the new maximum salaries reflect the impact of inflation between the years 1997 and 2024; and

WHEREAS, the current low salaries for City Council may prevent citizens of middle or lower levels of income from participating in local government, as these citizens may not be able to offset lost income from time spent away from work; and

WHEREAS, pursuant to the Code of Virginia the salary increases contemplated herein cannot come into effect until the July 1 following the next general election for members of City Council, which would be July 1, 2026.

NOW, THEREFORE, BE IT ORDAINED, that the City of Charlottesville, Virginia pursuant to Va Code § 15.2-1414.6, hereby increases the salaries of City Councilors to \$34,000, and the salary of the Mayor to \$37,000. This salary increase will take effect on July 1, 2026.

11. Ranked Choice Voting:

- a. ORDINANCE to Adopt Ranked Choice Voting ("RCV") as the Voting Method for the June 2025 City Council Primary election (carried)**
- b. RESOLUTION to appropriate \$26,460 for Ranked Choice Voting (carried)**

Eden Ratliff, Deputy City Manager, summarized the ordinance and resolution.

Robinson Hubbard, Deputy City Attorney, provided information about the authority for Ranked Choice Voting: "Va. Code Sec. 15.2-1411, which provides: § 15.2-1411. Appointment of advisory boards, committees and commissions; compensation and reimbursement of expenses. The governing body of any locality may appoint such advisory boards, committees, and commissions as it deems necessary to advise the governing body with regard to any matter of concern to the locality. Members shall be appointed to serve at the pleasure of the governing body. The governing body may provide for (i) reimbursement of the actual expenses incurred by members while serving on such advisory boards, committees, and commissions and (ii) compensation to members for their services for attendance at regularly scheduled meetings, and for training in an amount determined appropriate by the governing body from available funds."

Taylor Yowell, General Registrar, explained the Ranked Choice Voting process and use of tabulation software for instant runoffs.

Council unanimously agreed to carry the item to the September 3 meeting for second reading and vote on the Consent Agenda.

12. PUBLIC HEARING and ORDINANCE to repeal City Code Sec. 18-24(b) and 18- 25(f) pursuant to the Ragged Mountain Reservoir Settlement Agreement

Robinson Hubbard, Deputy City Attorney, presented the ordinance.

In April 2017, Albemarle County (“the County”) filed a legal action in Charlottesville Circuit Court (“Circuit Court”) against the City challenging permitted activities at the Ragged Mountain Reservoir (“the Reservoir”). While located in the County, the Reservoir is owned by the City, and supplies water to residents and businesses in both localities. The litigation involved determining which recreational activities are permitted at the Reservoir. The County sought to prohibit bicycling and permit horseback riding at the Reservoir, while corresponding provisions of the City Code permitted bicycling and prohibited horseback riding at the Reservoir. The Charlottesville Circuit Court found in favor of the County, and the City appealed this action to the Court of Appeals of Virginia. The two parties then entered into a Settlement Agreement which ended litigation on the matter. City Council approved this Settlement Agreement on March 4, 2024.

The Settlement Agreement contained the following terms:

- 1) The City would withdraw its appeal from the Court of Appeals of Virginia.
- 2) The City would repeal Charlottesville City Code Secs. 18-24(b) and 18-25(f).
- 3) The County would be allowed (but not required) to install signs at strategic locations on the Reservoir notifying visitors that bicycling and/or horseback riding is not permitted.
- 4) The County would maintain primary law enforcement responsibilities at the Reservoir.
- 5) The City maintains authority to exercise police property over the Reservoir or persons using the Reservoir, or to send law enforcement officers to the Reservoir to protect the property or enforce the laws of the Commonwealth.

The proposed ordinance strikes the portions of the City Code which allows bicycling and horseback riding at the Reservoir.

Mayor Wade opened the public hearing.

- Annette Dusenbury, city resident and board member of the Charlottesville Area Mountain Bike Club, stated that the county is considering revising their Code, and asked the City to add language to state "allow any activities allowed by the County" to avoid future conflict with the County Code.
- Dede Smith, city resident, spoke about protecting the Ragged Mountain Watershed and in support of the ordinance.

Mayor Wade closed the public hearing and Council unanimously agreed to carry the item to the September 3 meeting for second reading and vote on the Consent Agenda.

GENERAL BUSINESS

13. WRITTEN REPORT: Land Use and Environmental Planning Committee Semi-Annual Report

Mayor Wade acknowledged receipt of the written report.

Councilor Payne expressed concern that this report is the only information that the public receives about UVA's land purchases, and that there is no public body that discusses land use by UVA.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Sally Hudson provided clarifying information about Ranked Choice Voting.

The meeting adjourned at 8:01 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council