

CITY COUNCIL REGULAR MEETING MINUTES
January 22, 2024
Council Chamber 4:00 PM

The Charlottesville City Council met on Monday, January 22, 2024, the meeting having been postponed from January 16 regular meeting date. Mayor Juandiego Wade declared on January 16 that weather conditions were such that it was hazardous for members to attend the scheduled Council Meeting. Mayor Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrin, Michael Payne, and Lloyd Snook.

Councilor Oschrin recommended adding an item under Other Business to reconsider her appointment to the TJPDC (Thomas Jefferson Planning District Commission).

On motion by Pinkston, seconded by Snook, Council unanimously approved the meeting agenda as amended, 5-0.

REPORTS

1. REPORT: CVille Scholarship

Presenters for this report had a conflict and were unable to attend the meeting, so City Council accepted the report materials.

2. REPORT: Charlottesville Area Transit Alternative Fuels Study results with recommendations

Transit Director Garland Williams introduced the Kimley Horn consulting team. Sam Sink, Transit Planner, began the presentation with information about fuel types and considerations such as: propulsion, emissions, refueling/recharging, training and infrastructure. Paul Elman, a licensed engineer, provided a regional example from Arlington Regional Transit (ART). Consultants and Mr. Williams answered questions from Council during the presentation.

Kimley Horn made the following recommendations:

1. CAT will transition to a zero-emissions fleet by 2040, supporting the City's climate goals of carbon-neutral operations by 2050.
2. CAT will pilot to two fuel types for transition: battery-electric and hydrogen fuel cell.
 - The BEB pilot will begin with 2 BEBs being purchased in 2024.
 - Hydrogen fuel cell pilot vehicles will be purchased in 2027.
 - BEB pilot testing will come before hydrogen pilot testing, so there is sufficient time to establish a source for a hydrogen supply or generation.
3. During pilot testing, CAT will continue expanding its fleet to meet the capital requirements of planned service improvements.
4. The final fleet mix will be determined through pilot testing and improvements to ZEB

technologies. CAT's chief consideration will be the fleet's reliability and capital and O&M costs.

5. Charging and fueling will take place at the CAT facility.

- The City will identify a source for hydrogen fuel and investigate on-site green hydrogen production as part of the site planning effort.
- The City will investigate on-site generation of electricity for the charging of BEBs at the CAT facility as part of the site planning effort.

Next Steps:

- Finalize the alternative fuel feasibility study.
- Begin the conceptual site design of the CAT facility expansion and additional site improvements.
- Complete zero-emissions transition plan requirements for FTA.

John Jackson shared a link to a report from Calstart regarding zero emission buses (ZEBs): <https://calstart.org/zeroing-in-on-zeb-2023/>. The report was titled "Zeroing in on ZEBs - The advanced technology transit bus index: A ZEB inventory report for the United States and Canada."

City Manager Sanders stated that a work session will be held in approximately a month to develop a plan for conducting feasibility studies and moving toward a solution.

CLOSED MEETING

On motion by Pinkston, seconded by Snook, and a vote of 5 to 0, pursuant to section 2.2-3712 of the Code of Virginia, City Council closed this open meeting and convened a closed meeting as authorized by the Code of Virginia Section 2.2-3711(A) (8) for consultation with the City Attorney regarding legal matters requiring the provision of legal advice for the following purposes: 1. legal matters related to the offer and acceptance of proffers, and 2. legal matters related to the effective date of ordinances, and pursuant to Code of Virginia Section 2.2-3711(A)(7) for consultation with the City Attorney pertaining to actual litigation, where consultation or briefing in open meeting would adversely affect the litigating posture of the City Council, specifically, White v. Charlottesville.

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 meeting were heard, discussed, or considered in the closed meeting (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

BUSINESS SESSION

City Council began the business session by observing a moment of silence.

ANNOUNCEMENTS

Councilor Payne announced public meetings related to proposed jail renovations. He also announced a survey for potential expansion of the Virginia Breeze bus service.

Councilor Oschrein announced the Bike & Pedestrian Advisory Committee-led neighborhood walks every second Sunday of the month.

RECOGNITIONS/PROCLAMATIONS

- **PROCLAMATION: 2024 National Day of Racial Healing**

Councilors took turns reading sections of the proclamation recognizing the National Day of Racial Healing.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record, and there were no comments from the public. On motion by Snook, seconded by Pinkston, Council by a vote of 5-0 adopted the Consent Agenda (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

3. MINUTES: November 13 work session, November 14 joint public hearings with Planning Commission, November 20 regular meeting, November 29 Zoning Ordinance work session, January 9 joint meeting with Planning Commission, January 10 joint meeting with Schools
4. RESOLUTION: Resolution to appropriate funding from the FY23 State Criminal Alien Assistance Program (SCAAP) Grant for Albemarle Charlottesville Regional Jail - \$16,768 (2nd reading)

RESOLUTION APPROPRIATING FUNDS

State Criminal Alien Assistance Program (SCAAP) Grant for 2023 reimbursement \$16,768

WHEREAS, the State Criminal Alien Assistance Program (SCAAP) grant, providing federal payments for correctional officer salary costs incurred for incarcerating certain undocumented criminals has been awarded the City of Charlottesville, on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$16,768.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of \$13,079.04 be appropriated and passed through to the Albemarle-Charlottesville Regional Jail and \$3,688.96 be appropriated and passed through to Justice Benefits, Inc.

Revenues

\$16,768	Fund: 211	Internal Order: 1900543	G/L Account: 431110
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Expenses

\$13,079.04	Fund: 211	Internal Order: 1900511	G/L Account: 530550
\$3,688.96	Fund: 211	Internal Order: 1900511	G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of 16,768 from the U. S. Bureau of Justice Assistance.

5. RESOLUTION: Resolution to appropriate funding from the Capital Improvement Plan Contingency Account to Virginia Supportive Housing for Premier Circle PSH - \$750,000 (2nd reading)

RESOLUTION

Resolution to Appropriate funding from the Capital Improvement Plan Contingency Account to Virginia Supportive Housing for Premier Circle - \$750,000

WHEREAS, the City of Charlottesville, VA in partnership with Albemarle County has agreed to provide additional funding to Virginia Supportive Housing for the Premier Circle project; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that additional funding of \$750,000 be appropriated from the Capital Improvement Program Contingency Account.

Expenditure:

\$ 750,000 Fund: 426 WBS: CP-080 G/L Account: 540100

6. ORDINANCE: To amend, re-ordain, and re-enact Chapter 30, Article 4 of the City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) to move application/certification deadline to April 1

ORDINANCE TO AMEND, RE-ORDAIN, AND RE-ENACT CHAPTER 30, ARTICLE IV OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED (REAL ESTATE TAX RELIEF FOR THE ELDERLY AND DISABLED PERSONS) TO MOVE APPLICATION/CERTIFICATION DEADLINE TO APRIL 1

CITY MANAGER REPORT

Monthly Update: City Manager Sam Sanders spoke about a popular public comment topic of land banks and stated that he has formed a working group to explore possibilities. Regarding staffing, he announced the selection of two Deputy City Managers - Eden Ratliff, DCM-Administration, and Lionel Lyons, DCM-Operations. He announced the City Manager Community Budget Forum being held January 23 at Carver Recreation Center.

Interim Deputy City Manager Steven Hicks announced two internal promotions and applauded city operations for work during recent weather events.

City Sheriff Budget Presentation: James Brown, Sheriff, presented the Sheriff Department update report as part of the budget development process.

Downtown Mall Tree Management Presentation: Riaan Anthony, Interim Director of Parks and Recreation, stated that a contract was secured today for downtown tree management. Paul

Josey, with Wolf Josey Landscape Architects, presented the Downtown Mall Tree Management Plan Kickoff report, reviewing the project scope, limitations, process and approach, meeting schedule, trees presenting risk, and next steps:

1. Complete Soil Testing
2. Conduct Level 3 Tree Risk Assessments
3. Finalize Tree Inventory and Analysis
4. Assemble Committees and Schedule Meetings

The study is expected to be completed in June.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Charles W McCurdy, city resident on Bus Route 4, spoke about the need to hire Charlottesville Area Transit (CAT) bus drivers and pay them at the rate of Richmond, VA drivers, moving them to maximum pay in two years.
2. Dan Miller, city resident, spoke about speeding vehicles on Avon Street and Elliot Avenue. He requested traffic calming measures. He spoke in support of switching CAT to electronic vehicles and having a union contract for drivers.
3. Robert McAdams, city resident, spoke about the CAT Alternative Fuels Study and the need for immediate action to transition to zero emissions or battery electric buses to meet the city's climate goals.
4. Kelly Keeling, city resident and local teacher, spoke about the impacts of the bus driver shortage on students and families. She requested effective collective bargaining for school bus drivers to address the driver shortage.
5. Shannon Gillikin, city teacher, parent and President of the Charlottesville Education Association, spoke about effects of the bus driver shortage on students and families. She requested strong and fair contracts for bus drivers.
6. Gregory Weaver, city resident representing Charlottesville Democratic Socialists of America, spoke in support of a fair collective bargaining contract for CATworkers.
7. Lisa Glassco, city resident, spoke in support of the Inflation Reduction Act, and the need to access grants for transitioning to electric buses and setting up charging stations. She opposed purchasing buses that run on fossil fuels.
8. Caetano de Campos Lopes, Community Climate Collaborative (C3), spoke about the CAT Alternative Fuels Study and good stewardship of public funds. He recommended purchasing more zero emissions buses, paying CAT drivers the Richmond rate, and enacting a fair contract for the Amalgamated Transit Union (ATU).
9. James Groves, city resident, spoke about flaws in the Kimely Horn Alternative Fuels Study, and provided a handout with alternate information.
10. Joyce Martin Diaz, Transit Driver Operator, provided data about the CAT workforce, with many drivers and mechanics aging to retirement soon. She requested a good and fair contract for worker wages and benefits.
11. Dr. Emily Yen, city resident, spoke in support of a fair contract for the ATU. She requested

investment in the workers, transit infrastructure and electric vehicles.

12. Claire Denton-Spalding, city resident, thanked Council for passing the new Zoning Code, and asked Council to invest in community land trust housing. She voiced support for the CAT union fair contract.
13. Keisha Pleasants, Pupil Transit Operator and union bargaining committee member, spoke about the need for CAT to remain fully staffed. She spoke about the collective bargaining process and ideas that would help recruit and retain drivers such as increased pay, more bus aides, the opportunity to work according to the school calendar, and full benefits.
14. Eda Hoquist, city resident, spoke about dangers of biking in the city and the need for improved bicycle infrastructure. They stated that CAT drivers have been protective of cyclists, and urged support of a strong union contract.
15. Mark Van Meter, Salvation Army Captain, spoke about homelessness in the city and expressed support for Item #10 on the agenda to acquire a property at Avon Street and Levy Avenue for future redevelopment and homelessness support.
16. Holly Kiesling, city resident, spoke about the property acquisition proposal for a homeless shelter on Avon Street. She was concerned about the speed at which the acquisition process is occurring and the need for more neighborhood involvement and information. She stated that the location does not seem to be the right spot.

ACTION ITEMS

7. PUBLIC HEARING/ORDINANCE: Ordinance to approve a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road - VERVE Charlottesville PUD – ZM23-00004

Carried over from the December 18, 2023, meeting, City Planner Matt Alfele summarized the process for Council to consider the finalized proffer statement as part of the requested Zoning Map amendment.

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

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

AN ORDINANCE APPROVING A REQUEST TO REZONE LAND FRONTING ON JEFFERSON PARK AVENUE, STADIUM ROAD, EMMET STREET, AND MONTEBELLO CIRCLE FROM MULTIFAMILY RESIDENTIAL (R-3) TO PLANNED UNIT DEVELOPMENT (PUD)

8. PUBLIC HEARING/ORDINANCE: Ordinance to Rezone land fronting on Ivy Road and Copeley Road related to the "2117 Ivy Road Plan Unit Development Plan Submittal"

Carried over from the December 18, 2023, meeting, City Planner Dannan O'Connell provided an

overview of the finalized proffer statement for consideration of the proposed rezoning ordinance.

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

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

AN ORDINANCE APPROVING A REQUEST TO REZONE LAND FRONTING ON IVY ROAD AND COPELEY ROAD FROM URBAN CORRIDOR (URB) TO PLANNED UNIT DEVELOPMENT (PUD)

9. PUBLIC HEARING/RESOLUTION: Public Hearing and Resolution of Appropriation to Amend the FY24 Budget (carried)

Finance Director Chris Cullinan made the presentation for adoption of the Fiscal Year 2024 Year End Appropriation. Whereas the City Council desires to amend the budget previously adopted for Fiscal Year 2023, to increase the amount of authorized expenditures by a total of \$26,292,752.79 and, since this Budget Amendment exceeds one percent (1%) of the total expenditures shown in the currently-adopted budget, City Council conducted a public hearing on the proposed amendment following public notice given in accordance with Virginia Code §15.2-2507(A).

Mayor Wade opened the public hearing. With no speakers, the public hearing was closed. Council unanimously agreed to move the resolution to the February 5 consent agenda for second reading and vote.

10. RESOLUTION: Resolution to appropriate ARPA funding and authorize the City Manager to acquire Avon/Levy Property for future redevelopment - \$4,000,000 (carried)

Mr. Sanders presented a proposal for property acquisition. He stated that the intent of the purchase is to act in the benefit of the public to acquire the property and hold it until a determination is made for how to use the space to address needs related to homelessness, in addition to other efforts related to permanent supportive housing and other housing coming on-line. He stated that he did not know what type of development would go on the site but envisioned that permanent shelter beds would be included in attempt to implement a city-county response to homelessness. He stated that additional economic benefits will come from the transaction.

Mr. Sanders answered questions from Council. Council unanimously agreed to move the resolution to the February 5 consent agenda for second reading and vote.

11. ORDINANCE: Ordinance to amend the procurement provisions of the City Code to achieve consistency with the Virginia Code

City Attorney Jacob Stroman presented the proposed City Code updates related to procurement methods authorized.

On motion by Snook, seconded by Pinkston, Council adopted the ordinance, dispensing with the second reading (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

**AN ORDINANCE TO AMEND AND REENACT CITY CODE SECTION 22-4.
METHODS OF PROCUREMENT AUTHORIZED**

GENERAL BUSINESS

12. WRITTEN REPORT: Rivanna Authorities Quarterly Report

Council acknowledged the Rivanna Authorities quarterly written report. Councilor Payne requested a report from Rivanna Authorities about the recent leak into the Rivanna waterways, and Mr. Sanders stated that he will follow up.

OTHER BUSINESS

At the request of Councilor Oschrin, who stated that she would like to step down from the Thomas Jefferson Planning District Commission, Council reconsidered its January 2 appointment of Ms. Oschrin to the TJPDC.

On motion by Snook, seconded by Pinkston, Council by a vote of 5-0 removed Councilor Oschrin from the TJPDC and reinstated Phil D'Oronzio.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

- Matthew Ray, city resident and CAT driver, thanked Council for the ability to unionize at CAT. He mentioned that negotiations are not going well, and requested fair negotiations.
- Dina Rose, city resident, spoke about struggles with finding housing, and systemically housing workers not reaching out.

The meeting adjourned at 8:33 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council