

CITY COUNCIL AGENDA
Monday, June 17, 2019



5:30 p.m. Closed session as provided by Section 2.2-3712 of the Virginia Code
Second Floor Conference Room (Personnel; legal advice)

6:30 p.m. Regular Meeting - CALL TO ORDER
Council Chamber

PLEDGE OF ALLEGIANCE
ROLL CALL
ANNOUNCEMENTS
PROCLAMATIONS

- 1. CONSENT AGENDA*** (Items removed from consent agenda will be considered at the end of the regular agenda)
5-0 (HILL/GALVIN) Amended
- a. MINUTES: May 14, May 20, May 22, and June 3, 2019 Special Meetings
 - b. APPROPRIATION: Appropriation of Human Services Balance for FY 2019 Expenses - \$400,000 (2nd of 2 readings)
 - c. APPROPRIATION: Highway Safety Improvement Program – Appropriation of funds for Pedestrian Connections within Hillcrest/Birdwood Neighborhood - \$708,932 (1st of 2 readings)
 - d. APPROPRIATION: Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000 (1st of 2 readings)
 - e. RESOLUTION: Transfer of FY 2020 City of Promise Funding to ReadyKids - \$81,837 (2nd of 2 readings)
 - f. RESOLUTION: First Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (CSRAP) (1st of 1 reading)
5-0 (WALKER/HILL) [Vote to amend agreement to clarify in quarterly reports whether units are located in the City or County, and provide an annual report instead of a report every 24 months]
 - g. RESOLUTION: Accepting Burnet Commons Development, Phase 2 "The Woods" into the City Street System for Maintenance (1st of 1 reading)
 - h. RESOLUTION: Accepting portion of Belmont Cottages Lane into the City Street System for Maintenance (1st of 1 reading)
 - i. RESOLUTION: Amendment to Rivanna Solid Waste Authority (RSWA) McIntire Recycling Center Agreement (1st of 1 reading)
 - j. ORDINANCE: Utility Rate Report FY2020 (2nd of 2 readings)

- 4. RESOLUTION*:**
- a. 2019 City Climate Protection Program – Program Support Grant with LEAP - \$104,920 (1st of 1 reading)
 - b. Authorization for City Manager to sign Memorandum of Understanding between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements (1st of 1 reading)
[Moved to consent at request of HILL, agreed by GALVIN and Mayor Walker]

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS Public comment is provided for up to 16 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 8 spaces, and pre-registered speakers are announced by noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

- 2. ORDINANCE:** Amend Section 2-6 of the Charlottesville City Code – City holidays (1st of 2 Readings)
- 3. RESOLUTION*:** Disposition of the Lewis, Clark and Sacajawea Statue (1st of 1 reading)
5-0 (BELLAMY/GALVIN)
- 5. RESOLUTION*:** Revising Agency Budget Review Team (ABRT) and Setting Funding Priorities (1st of 1 reading)
5-0 (GALVIN/HILL)
- 6. RESOLUTION*:** Bicycle & E-Scooter Sharing System (aka "Dockless Mobility") Pilot Program Extension through December 18, 2019 (1st of 1 reading)
5-0 (HILL/GALVIN)
- 7. REPORT:** Participatory Budgeting Report

**OTHER BUSINESS
MATTERS BY THE PUBLIC**
*ACTION NEEDED

APPROPRIATION

Appropriation of Human Services Fund Balance for FY 2018 Expenses

\$400,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of up to \$400,000 in department fund balance, is hereby appropriated in the following manner:

Revenues - \$400,000

Fund: 213 Cost Center: 3413002000 G/L Account: 498011

Expenditures - \$400,000

Fund: 213 Cost Center: 3413002000 G/L Account: 599999

RESOLUTION
Transfer of FY 2020 City of Promise Funding to ReadyKids
\$81,837

WHEREAS, The City of Charlottesville, through the Department of Human Services, in coordination with ReadyKids has supported the development of City of Promise since its inception;

WHEREAS, the City of Promise has completed the process for incorporation with the Virginia State Corporation Commission and has been notified by the I.R.S. of approval for nonprofit designation;

WHEREAS, the City of Promise Advisory Board voted to have ReadyKids serve as their formal fiscal agent until July 2020 to ensure continuity of administrative functions;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Department of Human Services is hereby authorized to transfer \$81,837 in previously appropriated funding for the City of Promise to ReadyKids for the administration of the City of Promise program.

**RESOLUTION
APPROVING THE CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE
PROGRAM FUNDING AGREEMENT**

FOR THE FISCAL YEAR BEGINNING JULY 1, 2019

WHEREAS, on June 19, 2017 the City of Charlottesville approved the creation of a City-funded Supplemental Rental Assistance Program (“CSRAP”), and on May 6, 2019 City Council approved an allocation of \$945,000 from previously-appropriated funds in the Charlottesville Affordable Housing Fund (“CAHF”) to be used for the CSRAP program, which will be administered by CRHA; and

WHEREAS, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority(“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2019 which has been reviewed by City Council this same date;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, **THAT**:

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2019, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

Approved by Council
June 17, 2019

Kyna Thomas, CMC
Clerk of Council

RESOLUTION
ACCEPTING BURNET COMMONS DEVELOPMENT, PHASE 2
INTO THE CITY STREET SYSTEM FOR MAINTENANCE

WHEREAS, the new portions of Burnet commons, phase 2, have been completed by Burnet Commons Development LLC. and has asked the City to accept the new portion from Elliott Avenue to Lankford Avenue into the City street system;

WHEREAS, City staff has inspected those street sections of Burnet Commons, Phase 2 and recommends acceptance into its street system for maintenance; now, therefore

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new street portions of Burnet Commons , Phase 2, including Penick Court, Burnet Way, Roades Court & Somesso Court as shown on the attached drawing, are hereby accepted into the City street system for maintenance. The subject roadway has been built to the specifications and standards required by the city approved plan.

RESOLUTION
ACCEPTING PORTION OF BELMONT COTTAGES LANE
INTO THE CITY STREET SYSTEM FOR MAINTENANCE

WHEREAS, the new portion of Belmont Cottages Lane has been completed by Habitat for Humanity and has requested the City to accept the new portion of street improvements, from Avon Street to the dead-end, into the City street system;

WHEREAS, City staff has inspected that portion of Belmont Cottage Lane and recommends acceptance into its street system for maintenance; now, therefore

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new portion of Belmont Cottage Lane from its intersection with Avon Street to Dead-end as shown on the attached map, is hereby accepted into the City street system for maintenance. The subject roadway has been built to the specifications and standards required by the city approved plan.

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AMENDMENT NO. 8 TO THE AUGUST 23, 2011
AGREEMENT CONCERNING THE MCINTIRE RECYCLING CENTER**

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the City Manager is hereby authorized to sign Amendment No. 8 the Local Government Support Agreement for Recycling Programs Among the City of Charlottesville, Albemarle County, and the Rivanna Solid Waste Authority.

**AN ORDINANCE
AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES
FOR CITY GAS, WATER AND SANITARY SEWER.**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that:

1. Sections 31-56, 31-57, 31-60, 31-61, 31-62, 31-153, 31-156 and 31-158 of Chapter 31, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:

CHAPTER 31. UTILITIES

ARTICLE II. GAS

DIVISION 2. TYPES OF SERVICE; SERVICE CHARGES

Sec. 31-56. Rates - Generally.

The firm service gas rates based on monthly meter readings shall be as follows:

Basic Monthly Service Charge	\$ 10.00	
First 3,000 cubic feet, per 1,000 cubic feet	\$8.3944	<u>\$9.0706</u>
Next 3,000 cubic feet, per 1,000 cubic feet	\$7.8907	<u>\$8.5264</u>
Next 144,000 cubic feet, per 1,000 cubic feet	\$7.0513	<u>\$7.6193</u>
All over 150,000 cubic feet, per 1,000 cubic feet	\$6.8834	<u>\$7.4379</u>

Sec. 31-57. ~~Same~~ Air conditioning.

(a) Gas service at the rate specified in this paragraph (“air conditioning rate”) shall be available to customers who request such service in writing and who have installed and use air conditioning equipment operated by natural gas as the principal source of energy. The air conditioning rate will be ~~\$7.3471~~ \$7.4271 per one thousand (1,000) cubic feet of gas used per month.

(b) The director of finance may, when it is impracticable to install a separate meter for air conditioning equipment, permit the use of one (1) meter for all gas delivered to the customer, in which instance the director of finance shall estimate the amount of gas for uses other than air conditioning and shall bill for such gas at the rates provided in applicable sections of this division.

...

Sec. 31-60. Interruptible sales service (IS).

(a) *Conditions. . . .*

(b) *Customer's agreement as to discontinuance of service. . . .*

(c) *Basic monthly service charge.* The basic monthly charge per meter for interruptible sales service ("IS gas") shall be sixty dollars (\$60.00).

(d) *Rate.* For all gas consumed by interruptible customers the rate shall be ~~\$6.1065~~ \$7.3874 per one thousand (1,000) cubic feet for the first six hundred thousand (600,000) cubic feet, and ~~\$5.1210~~ \$6.5720 per one thousand (1,000) cubic feet for all volumes over six hundred thousand (600,000) cubic feet.

(e) *Annual Minimum Quantity.* Interruptible rate customers shall be obligated to take or pay for a minimum quantity of one million two hundred thousand (1,200,000) cubic feet of gas annually. Each year, as of June 30, the director of finance shall calculate the total consumption of each interruptible customer for the preceding twelve (12) monthly billing periods, and shall bill any customer that has consumed less than the minimum quantity for the deficient amount at the rate of ~~\$6.1065~~ \$7.3874 per one thousand (1,000) cubic feet. Any new customer shall be required to enter into a service agreement with the City prior to the start of service. If an interruptible customer terminates service the annual minimum requirement shall be prorated on the basis of one hundred thousand (100,000) cubic feet per month for each month the customer has received service since the last June 30 adjustment.

(f) *Contract required. . . .*

Section 31-61. Interruptible Transportation Service (TS).

(a) *Generally. ...*

(b) *Rates.* The rates for interruptible transportation service ("TS gas") shall be as follows:

(1) ~~\$3.4853~~ \$3.2293 per decatherm for a customer receiving only TS gas, and

(2) ~~\$2.0379~~ \$1.8842 per decatherm, for customers who transport 35,000 or more decatherms per month ("large volume transportation customers"), regardless of whether such large volume transportation customer receives only TS gas, or also receives IS service.

(c) *Basic Monthly Service Charges. ...*

(d) *Special terms and conditions. ...*

(e) *Extension of facilities. . . .*

- (f) *Billing month. . . .*
- (g) *Lost and unaccounted-for gas. . . .*
- (h) *Combined IS and TS customer using more than provided or scheduled by customer....*
- (i) *TS Customer providing more gas, or less gas, than customer's usage. ...*
- (j) *Other terms and conditions. . . .*

Section 31-62. Purchased gas adjustment.

In computing gas customer billings, the basic rate charges established under sections 31-56, 31-57, 31-60 and 31-61 shall be adjusted to reflect increases and decreases in the cost of gas supplied to the city. Such increases or decreases shall be computed as follows:

(1) For the purpose of computations herein, the costs and charges for determining the base unit costs of gas are:

- a. Pipeline tariffs;
- b. Contract quantities; and
- c. Costs of natural gas, in effect or proposed as of March 1, ~~2016~~ 2019.

(2) Such base unit costs are ~~\$4.4128~~ \$4.2810 per one thousand (1,000) cubic feet for firm gas service and ~~\$2.7710~~ \$2.8498 per one thousand (1,000) cubic feet for interruptible gas service.

(3) In the event of any changes in pipeline tariffs, contract quantities or costs of scheduled natural gas, the unit costs shall be recomputed on the basis of such change in accordance with procedures approved by the city manager. The difference between the unit costs so computed and the base unit costs shall represent the purchased gas adjustment to be applied to all customer bills issued beginning the first billing month after each such change.

ARTICLE IV. WATER AND SEWER SERVICE CHARGES

...

Sec. 31-153. Water rates generally.

(a) Water rates shall be as follows:

(1) Monthly service charge.

Meter Size (inches)	Fee
5/8	\$ 5.00
3/4	5.00
1	12.50
1 1/2	25.00
2	40.00
3	80.00
4	125.00
6	250.00
14	1,637.50

May-September

October-April

(2) Metered water consumption, per 1,000 cu. ft. ~~\$64.66~~ \$65.31 ~~\$49.74~~ \$50.24

(b) This section shall not apply to special contracts for the consumption of water which have been authorized by the city council.

...

Sec. 31-156. Sewer service charges generally.

(a) Any person having a connection directly or indirectly, to the city sewer system shall pay therefor a monthly charge as follows:

(1) Monthly service charge

Meter Size (inches)	Fee
5/8	\$ 5.00
3/4	5.00
1	12.50
1 1/2	25.00
2	40.00
3	80.00
4	125.00
6	250.00
14	1,637.50

(2) An additional charge of ~~seventy eight dollars and fifty seven cents (\$78.57)~~ eighty dollars and fourteen cents (\$80.14) per one thousand (1,000) cubic feet, of metered water consumption.

(b) Any water customer not discharging the entire volume of water used into the city's sanitary sewer system shall be allowed a reduction in the charges imposed under this section,

provided such person installs, at his expense, a separate, City-approved water connection to record water which will not reach the City sewer system. The cost and other terms of City Code section 31-102 shall apply. For customers with monthly water consumption in excess of thirty thousand (30,000) cubic feet, where the director of finance considers the installation of a separate meter to be impracticable, the director may establish a formula which will be calculated to require such person to pay the sewer charge only on that part of the water used by such person which ultimately reaches the city sewers.

2. The foregoing amendments shall become effective July 1, 20189.

RESOLUTION
2019 Climate Protection Program Support Grant
\$ 104,920

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$104,920 is hereby paid to LEAP from previously appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:

\$104,920 Fund: 631 Cost Center: 2711001000 G/L Account: 599999

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, attached hereto, in form approved by the City Attorney or his designee.

Memorandum of Understanding (MOU) between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements.

**MEMORANDUM OF UNDERSTANDING
2019 CLIMATE PROTECTION PROGRAM SUPPORT**

This Memorandum of Understanding (“MOU”) is made this ___ of _____, 2019, by and among the City of Charlottesville, Virginia and the Local Energy Alliance Program.

Whereas, the City of Charlottesville, Virginia, (hereafter, the City) wishes to increase energy performance of Charlottesville homes and non-residential buildings, and to reduce the greenhouse gas associated with community-wide energy use, and;

Whereas, the Local Energy Alliance Program (hereafter, LEAP) wishes to serve our local community to conserve energy in existing buildings, to promote cost savings, job creation, sustainability, local economic development, and environmental stewardship, and;

Whereas, LEAP wishes to provide access to expertise and action steps for energy efficiency and renewable energy implementation;

Whereas, the parties agree that the intended use and release of City funds should be authorized in a mutually agreed fashion, in furtherance of these shared goals;

Now, Therefore, the City and LEAP jointly agree that upon execution of this MOU, LEAP will be granted an amount of One Hundred and Five Thousand Dollars (\$105,000) the source of which is already appropriated funds in Fund 631, Cost Center 2711001000, for the purpose of providing 2019 Climate Protection Program support focused on providing access to expertise and action steps for improved energy performance and making the energy efficiency actions process streamlined, easy to understand, and financially attractive, affordable, and accessible. The parties agree to the terms and conditions of this MOU as set forth below:

1. Use of Funds:

The parties agree that funds may be used only for the following purposes as covered in the 2019 Climate Protection Program Support proposal.

2. Program Parameters:

Upon receipt of the grant, LEAP agrees to provide the proposed program support to promote energy performance improvements.

3. Program Progress Reports

LEAP acknowledges the City’s desire to receive progress reports regarding the accomplishments of the program at a minimum of three mutually established checkpoint dates. Both parties agree to the value of monthly meetings to ensure that pursuit of common goals is on track. Progress reports may be provided to those LEAP board members appointed to represent the City of Charlottesville and may contain the metrics outlined in the 2019 proposal.

4. Modification Terms

This MOU may be supplemented, modified, or amended by mutual agreement as set forth in writing.

In Witness Whereof, the City of Charlottesville and the Local Energy Alliance Program have executed this MOU effective the last date written below.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____

Title: _____

Date: _____

Approved as to Form:

Funds are Available:

City Attorney

Director of Finance, or designee

LOCAL ENERGY ALLIANCE PROGRAM

By: _____

Title: _____

Date: _____

RESOLUTION

BE IT RESOLVED by the Council of the City of Charlottesville that the City Manager and the Director of Neighborhood Development Services shall contact the appropriate representatives of Native American tribes to attend a City Council work session in the Fall of 2019 to discuss the Sacajawea, Lewis, and Clark statue. The cost of the work session shall not exceed \$75,000.00.

RESOLUTION

Whereas, Charlottesville City Council seeks to partner with nonprofits to provide services to improve the quality of life for community members, and,

Whereas, the historic Agency Budget Review Team process is not flexible enough to respond to the changing needs and expectations of City Council and community members, and,

Whereas, a workgroup has recommended changes to the process by which the city funds nonprofits, and,

Whereas, the city wishes to prioritize funding for organizations serving marginalized members of our community, and,

Whereas, the city wishes to invest general fund dollars in programs and organizations meeting the most pressing needs in our community,

Therefore, be it resolved by the Council of the City of Charlottesville, Virginia that:

A Measurements & Solutions Group shall be established to identify appropriate measurements, benchmarks, solutions and metrics for the designated priority areas (Jobs/Wages, Affordable Housing, Public Health Care, Education and Criminal Justice/Community Safety) for use in The Vibrant Community Funding process.

Specifically, the commission is charged with establishing measurements, benchmarks, solutions and metrics in a formal report to council in May 2020. The commission shall meet regularly from August 2019 to April 2020 to seek to understand the best way to impact the priority areas; specifically to:

- o Conduct best practice research on the four priority areas
- o Engage the community to understand what solutions community members prefer in each priority area including but not limited to:
 - o Community meetings & stakeholder interviews
 - o Formal liaison with Nonprofit Leaders of Color network
 - o Active engagement of people from marginalized communities

Membership for the Measurements & Solutions Group will be recruited through an open call for applications and formally appointed by council. The commission will consist of 9 members as follows:

- 2 community members
- 2 members with professional data analysis expertise including a background in economics, social science, public policy, or similar
- 2 members with community organizing experience
- 2 at large members
- 1 council member

The commission will be staffed to provide technical and logistical assistance and provided with a third-party facilitator to ensure equal and active engagement among members.

**RESOLUTION OF THE CHARLOTTESVILLE CITY COUNCIL EXTENDING THE
BICYCLE AND E-SCOOTER SHARING SYSTEM (AKA DOCKLESS MOBILITY)
PILOT PROGRAM UNTIL DECEMBER 18, 2019**

BE IT RESOLVED by the Council of the City of Charlottesville that the termination date of the Dockless Mobility Pilot Program shall be December 18, 2019.