



**CITY COUNCIL AGENDA  
May 18, 2020**

**Members**  
Nikuyah Walker, Mayor  
Sena Magill, Vice Mayor  
Heather D. Hill  
Michael K. Payne  
J.Lloyd Snook, III

**5:30 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code**  
Electronic meeting (Legal consultation; personnel)

**6:30 p.m. Regular Meeting**  
Virtual/electronic meeting

**CALL TO ORDER**

**MOMENT OF SILENCE (replaces Pledge of Allegiance during COVID-19 virtual meetings)**

**ROLL CALL**

**AGENDA APPROVAL** AMENDED 5-0 (HILL/MAGILL); APPROVED 5-0 (MAGILL/HILL)

**ANNOUNCEMENTS**

**RECOGNITIONS**

**CONSENT AGENDA\*** APPROVED 5-0 (MAGILL/SNOOK)

1. Minutes: May 4, 2020 City Council closed and regular meeting; May 6, 2020 budget work session
2. Appropriation: Appropriation of CARES Act relief fund payment for the Fire Department -  
**#A-20-062** \$58,201.02 (2nd reading)
3. Appropriation: Appropriation from Department of Human Services Fund Balance for the Pathways/Community Resource Hotline - \$400,000 (1st of 2 readings)
4. Ordinance: Homeowner Tax Relief Grant – 2020 (1 reading requiring 4/5 vote)  
**#O-20-063**

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

**COMMUNITY MATTERS**

**ACTION ITEMS**

5. Public Hearing: Public Hearing on Budget/First Reading of FY 2021 Budget Appropriation
6. Approval and Appropriation of CDBG and HOME Budget Allocations for FY 2020-2021 (2nd reading)  
Appropriation: a. Appropriation of funds for the City of Charlottesville 2020-2021 CDBG -  
**#A-20-064** \$419,367 **APPROVED 4-1 (HILL/PAYNE; Walker opposed)**  
Appropriation: b. Appropriation of funds for the City of Charlottesville's 2020-2021 HOME  
**#A-20-065** funds - \$127,210.56 **APPROVED 4-1 (HILL/SNOOK; Walker opposed)**  
Appropriation: c. Appropriation amendment to CDBG account reprogramming of funds for FY  
**#A-20-066** 20-21 - \$13,324 **APPROVED 5-0 (HILL/SNOOK)**
7. Ordinance: Temporary suspension of on-site parking requirements during Governor  
**#O-20-067** Northam's Executive Order 61 [\*Item added during Agenda Approval]  
**APPROVED 5-0 (HILL/SNOOK)**

**GENERAL BUSINESS**

**OTHER BUSINESS**

8. Report: Boards and Commissions electronic meetings during COVID-19 Declaration of  
Emergency **APPROVED select boards 5-0 (HILL/MAGILL)**

**MATTERS BY THE PUBLIC**

**APPROPRIATION**

**Coronavirus Aid, Relief, and Economic Security Act (CARES Act)**

**Provider Relief Fund - \$58,201.02**

**WHEREAS**, the US Department of Health and Human Services has awarded a relief payment to the Fire Department, through the City of Charlottesville, specifically for coronavirus planning and response applications;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$58,201.02 be appropriated in the following manner:

**Revenues - \$58,201.02**

\$58,201.02    Fund: 105    I/O: 2000158    G/L Account: 431130

**Expenditures - \$58,201.02**

\$58,201.02    Fund: 105    I/O: 2000158    G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$58,201.02 from the US Department of Health and Human Services.

**AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE**

**WHEREAS**, effective July 1, 2006, §50.7 of the Charter of the City of Charlottesville authorizes City Council to make grants and loans of funds to low- or moderate-income persons to aid in the purchase of a dwelling within the City; and

**WHEREAS**, this City Council desires to offer a monetary grant for Fiscal Year 2021, to aid low- and moderate-income citizens with one of the ongoing expenses associated with the purchase of a dwelling, i.e. real estate taxes; and

**WHEREAS**, public funding is available for the proposed grant;

**NOW, THEREFORE**, effective July 1, 2020 and for calendar year 2020, the Charlottesville City Council hereby ordains:

**Grant—provided.**

(a) There is hereby provided to any natural person, at such person's election, a grant in aid of payment of the taxes owed for the taxable year on real property in the city which is owned, in whole or in part, and is occupied by such person as his or her sole dwelling. The grant provided within this section shall be subject to the restrictions, limitations and conditions prescribed herein following.

(b) If, after audit and investigation, the Commissioner of Revenue determines that an applicant is eligible for a grant, the Commissioner of Revenue shall so certify to the City Treasurer, who shall implement the grant as a prepayment on the applicant's real estate tax bill due on December 7, 2020.

(c) The amount of each grant made pursuant to this ordinance shall be equal to the total 2020 real estate taxes owed by taxpayers with a household income less than or equal to \$25,000; \$1,000 for taxpayers with a household income of \$25,001-\$35,000; \$750 for taxpayers with a household income of \$35,001-\$45,000; and \$500 for taxpayers with a household income from \$45,001-\$55,000, to be applied against the amount of the real estate tax bill due on December 7, 2020. Any remaining grant amount in excess of what is owed on the taxpayer's second half bill, but not to exceed the entire annual tax due, shall be remitted to the taxpayer.

**Definitions.**

The following words and phrases shall, for the purposes of this division, have the following respective meanings, except where the context clearly indicates a different meaning:

(1) *Applicant* means any natural person who applies for a grant authorized by this ordinance.

(2) *Dwelling* means a residential building, or portion such building, which is owned, at least in part, by an applicant, which is the sole residence of the applicant and which is a part of the real estate for which a grant is sought pursuant to this ordinance.

(3)*Grant* means a monetary grant in aid of payment of taxes owed for the taxable year, as provided by this ordinance.

(4)*Spouse* means the husband or wife of any applicant who resides in the applicant's dwelling.

(5)*Real estate* means a city tax map parcel containing a dwelling that is the subject of a grant application made pursuant to this ordinance.

(6)*Taxes owed for the current tax year* refers to the amount of real estate taxes levied on the dwelling for the taxable year.

(7)*Taxable year* means the calendar year beginning January 1, 2020.

(8)*Household income* means (i) the adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, or (ii) for applicants for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant, of the applicant's spouse, and of any other person who is an owner of and resides in the applicant's dwelling. The Commissioner of Revenue shall establish the household income of persons for whom no federal tax return is required through documentation satisfactory for audit purposes.

**Eligibility and restrictions, generally.**

A grant awarded pursuant to this ordinance shall be subject to the following restrictions and conditions:

(1)The household income of the applicant shall not exceed \$55,000.

(2)The assessed value of the real estate owned by the applicant shall not exceed \$375,000.

(3)The applicant shall own an interest in the real estate that is the subject of the application (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset) and the applicant shall not own an interest in any other real estate (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset).

(4)As of January 1 of the taxable year and on the date a grant application is submitted, the applicant must occupy the real estate for which the grant is sought as his or her sole residence and must intend to occupy the real estate throughout the remainder of the taxable year. An applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration.

(5)An applicant for a grant provided under this ordinance shall not participate in the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) for the taxable year, and no grant shall be applied to real estate taxes on property subject to such program.

(6)An applicant for a grant provided under this division who is delinquent on any portion of the real estate taxes due on a property to which the grant is to be applied, must be in good standing on a payment plan with the Treasurer's office with the aim of paying off said delinquency.

(7) Only one grant shall be made per household.

**Procedure for application.**

(a) Between July 1 and September 1 of the taxable year, an applicant for a grant under this ordinance shall file with the Commissioner of Revenue, in such manner as the Commissioner shall prescribe and on forms to be supplied by the city, the following information:

(1) the name of the applicant, the name of the applicant's spouse, and the name of any other person who is an owner of and resides in the dwelling.

(2) the address of the real estate for which the grant is sought;

(3) the household income;

(4) such additional information as the Commissioner of Revenue reasonably determines to be necessary to determine eligibility for a grant pursuant to this ordinance.

(b) Changes in household income, ownership of property or other eligibility factors occurring after September 1, but before the end of the taxable year, shall not affect a grant once certified by the Commissioner of the Revenue, in which case such certified grant shall be applied to the subject real estate.

(c) Any person who willfully makes any false statement in applying for a grant under this division shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$500 for each offense.

**APPROPRIATION OF FUNDS FOR  
THE CITY OF CHARLOTTESVILLE'S 2020-2021  
COMMUNITY DEVELOPMENT BLOCK GRANT - \$419,367**

**WHEREAS**, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of a Community Development Block Grant (CDBG) for the 2020-2021 fiscal year in the total amount of **\$432,691** that includes new entitlement from HUD amounting to \$419,367, and previous entitlement made available through reprogramming of \$13,324.

**WHEREAS**, City Council has received recommendations for the expenditure of funds from the CDBG/HOME Task Force, the SAT; and has conducted a public hearing thereon as provided by law; now, therefore;

**BE IT RESOLVED** by the City Council of Charlottesville, Virginia, that the sums hereinafter set forth are hereby appropriated from funds received from the aforesaid grant to the following individual expenditure accounts in the Community Development Block Grant Fund for the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations.

**PRIORITY NEIGHBORHOOD**

Ridge Street Priority Neighborhood	\$201,912.90
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**ECONOMIC DEVELOPMENT**

Community Investment Collaborative Scholarships	\$15,000
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**PUBLIC SERVICE PROGRAMS**

TJACH – Coordinated Entry System	\$53,345.58
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**HOUSING PROJECTS**

AHIP – Homeowner Rehab	\$78,550.12
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**ADMINISTRATION AND PLANNING:**

Admin and Planning	\$83,873.40
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**TOTAL**

**\$432,691**

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$419,367 from the Department of Housing and Urban Development. Should the total actual amount of entitlement received differ from the appropriated amount, all appropriated amounts may be administratively increased/reduced at the same pro-rated percentage of change between the estimated entitlement and the actual entitlement. The total appropriated amount will not to exceed 2.5% total change, nor will any agency or program increase more than their initial funding request, without further action from City Council.

The amounts so appropriated as grants to other public agencies and private non-profit, charitable organizations (sub-recipients) are for the sole purpose stated. The City Manager is authorized to enter into agreements with those agencies and organizations as he may deem advisable to ensure that the grants are expended for the intended purposes, and in accordance with applicable federal and state laws and regulations; and

**APPROPRIATION OF FUNDS FOR  
THE CITY OF CHARLOTTESVILLE'S 2020-2021  
HOME FUNDS \$127,210.56**

**WHEREAS**, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of HOME Investment Partnerships (HOME) funding for the 2020-2021 fiscal year;

**WHEREAS**, the region is receiving an award for HOME funds for fiscal year 20-21 of which the City will receive \$80,594 to be expended on affordable housing initiatives such as homeowner rehab and downpayment assistance.

**WHEREAS**, it is a requirement of this grant that projects funded with HOME initiatives money be matched with local funding in varying degrees;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the local match for the above listed programs will be covered by the a surplus of match from previous appropriations from the Charlottesville Housing Fund (account CP-0084 in SAP system) in the amount of \$20,148.50. Project totals also include previous entitlement made available through program income of \$26,468.06. The total of the HUD money, program income, and the local match, equals \$127,210.56 and will be distributed as shown below.

<b>PROJECTS</b>	<b>HOME EN</b>	<b>PI</b>	<b>MATCH</b>	<b>TOTAL</b>
AHIP-Homeowner Rehab	\$33,507.84	\$13,234.03	\$10,074.25	\$56,816.12
Habitat for Humanity-DPA	\$47,086.16	\$13,234.03	\$10,074.25	\$70,394.44
<b>Total</b>	<b>\$80,594</b>	<b>\$26,468.06</b>	<b>\$20,148.50</b>	<b>\$127,210.56</b>

\* includes Program Income which does not require local match.

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$80,594 from the Department of Housing and Urban Development. Should the total actual amount of entitlement received differ from the appropriated amount, all appropriated amounts may be administratively increased/reduced at the same pro-rated percentage of change between the estimated entitlement and the actual entitlement. The total appropriated amount will not to exceed 2.5% total change, nor will any agency or program increase more than their initial funding request, without further action from City Council.

The amounts so appropriated as grants to other public agencies and private non-profit, charitable organizations (subrecipients) are for the sole purpose stated. The City Manager is authorized to enter into agreements with those agencies and organizations as he may deem advisable to ensure that the grants are expended for the intended purposes, and in accordance with applicable federal and state laws and regulations; and

The City Manager, the Directors of Finance or Neighborhood Development Services, and staff are authorized to establish administrative procedures and provide for mutual assistance in the execution of the programs.

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**APPROPRIATION  
AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT  
Reprogramming of Funds for FY 20-21**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby re-appropriated to the respective accounts shown as follows:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
19-20	1900330	OED GO Utilities	\$13,324		
20-21		Priority Neighborhood		\$13,324	\$13,324
		<b>TOTALS:</b>	<b>\$13,324</b>	<b>\$13,324</b>	<b>\$13,324</b>

**AN ORDINANCE  
TEMPORARILY SUSPENDING ENFORCEMENT  
OF ON-SITE PARKING REQUIREMENTS**

**WHEREAS**, on May 8, 2020, Governor Ralph S. Norman issued Executive Order 61 and Order of Health Emergency Three; and

**WHEREAS**, Executive Order 61 provides that certain commercial activities, including the operation of restaurants, may occur outdoors pursuant to certain social distancing restrictions; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that any business authorized by Paragraphs A.2, A.3, and A.5 of Governor Northam's Executive Order 61 to re-open and to conduct their business activities outdoors at restricted capacity is hereby authorized to utilize outdoor, surface parking areas for those activities and the City of Charlottesville shall temporarily suspend enforcement of on-site parking requirements in Section 34-984 of the Charlottesville City Code to the extent the authorized business activities would conflict with those on-site parking regulations; provided, however, that all such outdoor business activities shall remain subject to any applicable state building code requirements (including requirements for maintaining handicapped accessible routes from parking spaces to building entrances) and fire prevention code requirements (including requirements to maintain unobstructed fire lanes).

**BE IT FURTHER ORDAINED** that all other provisions of the Charlottesville City Code shall remain in effect.

**BE IF FURTHER ORDAINED** that the provisions of this ordinance shall expire upon the expiration or amendment to Paragraphs A.2, A.3, and A.5 of Governor Northam's Executive Order 61.

**BE IT FURTHER ORDAINED** that pursuant to Charlottesville City Code Section 2-97, the requirement for a second reading of this ordinance shall be waived upon a four-fifths vote of the Charlottesville City Council in favor of this ordinance.