



CITY COUNCIL AGENDA
Monday, November 19, 2018

5:30 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Boards & Commissions; Legal Consultation)

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

PLEDGE OF ALLEGIANCE
ROLL CALL
ANNOUNCEMENTS
PROCLAMATIONS

2018 VML GO Green Challenge

1. CONSENT AGENDA* (Items removed from consent agenda will be considered at the end of the regular agenda)

- a. Minutes – November 5, 2018 Council Meeting and November 14, 2018 Work Session
- b. APPROPRIATION: VDOT Funding for Multi-Modal Improvements - \$413,217 (2nd of 2 readings)
- c. APPROPRIATION: West Main Streetscape Improvements Revenue Sharing - \$3,112,413 (2nd of 2 readings)
- d. APPROPRIATION: Urban Construction Initiative Annual Meeting – \$2,064.02 (1st of 2 readings)
- e. APPROPRIATION: Special Nutrition Program Food Grant - \$32,000 (1st of 2 readings)
- f. APPROPRIATION: Community Forest Grant for Land Acquisition at Ragged Mountain - \$600,000 (1st of 2 readings)
- g. APPROPRIATION: City Schools Check and Connect Student Engagement Grant - \$62,691 (1st of 2 readings)
- h. APPROPRIATION: Drug Treatment Court Administration Grant - \$293,745 (1st of 2 readings)
- i. APPROPRIATION: Runaway Emergency Shelter Program Grant - \$209,444 (1st of 2 readings)
- j. APPROPRIATION: Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$28,282 (1st of 2 readings)
- k. APPROPRIATION: Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$23,478.94 (1st of 2 readings)
- l. ORDINANCE: Quitclaim Gas Easement in North Berkshire Road to VDOT (1st of 2 readings)
- m. ORDINANCE: Quitclaim Gas Easement in Dunlora Subdivision to VDOT (1st of 2 readings)
- n. ORDINANCE: Quitclaim Gas Easement in Hollymead Towncenter Subdivision to VDOT (1st of 2 readings)

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. RESOLUTION*:** 2019 Legislative Programs – City and Thomas Jefferson Planning District Commission (1st of 1 reading)
- 3. APPROPRIATION*:** Water Street Parking Garage Supplemental Appropriation - \$977,155 (1st of 2 readings)
- 4. REPORT:** Downtown Business Association of Charlottesville (DBAC) Marketing Update
- 5. REPORT:** Progress Update on the City's Commitment to the Global Compact of Mayors
- 6. REPORT:** Lighting Study Follow Up
- 7. REPORT:** West Main Infrastructure Update (Bike/Pedestrian and ADA)

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

GUIDELINES FOR PUBLIC COMMENT

**We welcome public comment;
it is an important part of our meeting.**

**Time is reserved near the beginning and at the end of each
regular City Council meeting for public comment.**

Please follow these guidelines for public comment:

- Each speaker has **3 minutes** to speak. Please give your name and place of residence before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them. **Speaking from the audience is not permitted** without first being recognized by the Chair.
- Please **refrain from using obscenities**.
- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- If you cannot follow these guidelines, you will be asked to leave City Council Chambers and will not be permitted to re-enter.

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 5, 2018, AT 5:30 p.m. IN THE Second Floor Conference Room, 605 E. Main Street.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code
(Boards & Commissions; Legal Consultations; Contract Negotiations; Personnel)

BY ORDER OF THE MAYOR

BY Brian Wheeler

SECOND FLOOR CONFERENCE ROOM – November 5, 2018

Council met in closed session on this date with the following members present: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer.

Ms. Walker called the meeting to order at 5:38 p.m.

On motion by Ms. Hill, seconded by Mr. Signer, Council voted (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically:

Virginia Code Section 2.2-3711(A)(1) for the purpose of discussion of the consideration of a prospective candidate to serve as the Clerk of the Charlottesville City Council;

and as authorized by Virginia Code Section 2.2-3711(A)(1) for consideration of specific candidates to serve on the Thomas Jefferson Planning District Regional Housing Partnership;

and as authorized by Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members pertaining to litigation between the City of Charlottesville and the County of Albemarle filed April 20, 2017 concerning the Ragged Mountain Natural Area, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City;

and as authorized by Virginia Code Section 2.2-3711(A)(3) and (A)(8), to discuss or consider the disposition of real property for a public purpose, because discussion in an open meeting would adversely affect the city's bargaining position or negotiating strategy, specifically: to discuss the possible exchange, transfer, or property lease/use agreement involving real estate known as the 7th and Market Street Parking Lot; and for consultation with and obtaining legal advice from legal counsel employed by the public body regarding specific legal matters having to do with the possible exchange, transfer, or property lease/use agreement involving real estate known as the 7th and Market Street Parking Lot;

and as authorized by Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel employed by the public body regarding specific legal matters having to do with vested rights related to the approval of a specific site plan.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council certified by the following vote (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) 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.

Ms. Walker adjourned the meeting at 6:25 p.m.

COUNCIL CHAMBER - November 5, 2018

ROLL CALL

Council met in regular session on this date with the following members present: Dr. Bellamy; Ms. Hill; Ms. Walker; Mr. Signer; Ms. Galvin

ANNOUNCEMENTS/PROCLAMATIONS

Ms. Hill announced that Election Day is tomorrow.

Dr. Bellamy announced that Charlottesville has been recognized with the WaterSense Sustained Excellence Award by the U.S. Environmental Protection Agency at the WaterSmart Innovation Conference. The City of Charlottesville received one of twenty-one WaterSense awards and only one of nine Sustained Excellence Awards for helping the Charlottesville community save water in 2017. This is the City's first Sustained Excellence Awards, which is the highest honor the EPA WaterSense program gives to organizations, and for which Charlottesville was eligible after having received three consecutive Promotional Partner of the Year Awards from the WaterSense Program. For more information on the City's Water Conservation program, go to www.charlottesville.org/waterconservation.

City Council expressed its appreciation for the work of Ms. Kristel Riddervold's team in the Environmental Sustainability Department.

Mayor Walker presented the award to Ms. Jill Greiner, the City's Water Conservation Program Coordinator.

Ms. Hill announced that in mid-October a survey was distributed for the City Manager search and she encouraged the public's participation before November 9, 2018.

Dr. Bellamy made an announcement on behalf of Mr. Alex-Zan related to an upcoming Words Matter competition.

Dr. Bellamy shared that people with a variety of perspectives have said to him they are uncomfortable coming to City Council meetings because they find the climate disparaging and circus-like. He encouraged the audience to be leaders in the community when they speak during

public comment and when others are talking he said the audience should be respectful whether they agree or disagree with the comments.

Ms. Walker made the following declaration related to the second item on the agenda regarding the City Manager search process: Pursuant to Virginia Code Section 2.2-3115(H), I have filed a written declaration with the Clerk of Council stating that I am an employee of the Department of Parks and Recreation and I am able to fairly and objectively participate in the hiring of a City Manager.

CONSENT AGENDA

The Mayor motioned to pull item E from the Consent Agenda for discussion, seconded by Dr. Bellamy.

- a. Minutes - October 15, October 22, October 24 and October 29, 2018 Council Meetings
- b. APPROPRIATION: Funding for Westhaven Clinic Coordinator Position - \$85,000 (2nd reading)

[Westhaven Clinic Coordinator Position](#)

APPROPRIATION

**Use of Human Services Fund Balance for Westhaven Nursing Clinic Coordinator
\$85,000**

WHEREAS, in collaboration with P.H.A.R., U.V.A. Health System, Sentara Martha Jefferson, C.R.H.A., and the U.V.A. School of Nursing, the Westhaven Coalition identified the ideal staffing structure of the clinic in order to meet the parish nursing model established in the clinic by Holly Edwards.;

WHEREAS, the City of Charlottesville, Virginia, has agreed to serve as the fiscal agent for this program;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$85,000 in Human Services Fund Balance be appropriated in the following manner:.

Revenues:

| | | | |
|-----------|-----------|-------------------------|---------------------|
| \$ 85,000 | Fund: 213 | Cost Center: 3413016000 | G/L Account: 498011 |
|-----------|-----------|-------------------------|---------------------|

Expenditures:

| | | | |
|-----------|-----------|-------------------------|---------------------|
| \$ 70,000 | Fund: 213 | Cost Center: 3413016000 | G/L Account: 519999 |
| \$ 15,000 | Fund: 213 | Cost Center: 3413016000 | G/L Account: 599999 |

- c. APPROPRIATION: VDOT Funding for Multi-Modal Improvements - \$413,217 (Carried)

[VDOT Funding for Multi-Modal Improvements](#)

d. RESOLUTION: Transfer from CIP of \$560,347 as Matching Funds for Multi-Modal Improvements

[Matching Funds for Multi-Modal Improvements](#)

**Resolution Transfer of Capital Funds for Multi-Modal Improvements Local Match
\$560,347**

WHEREAS, a total of \$560,347 in matching city funds for the Revenue Sharing Program requires transferring;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

Transfer From

| | | | |
|----------------------|-----------|--------------|---------------------|
| \$ 100,000 | Fund: 426 | WBS: P-00671 | G/L Account: 561425 |
| \$ 293,913.25 | Fund: 426 | WBS: P-00335 | G/L Account: 561425 |
| \$ 166,433.75 | Fund: 426 | WBS: P-00511 | G/L Account: 561425 |

Transfer To

| | | | |
|-------------------|-----------|--------------|---------------------|
| \$ 560,347 | Fund: 426 | WBS: P-01004 | G/L Account: 498010 |
|-------------------|-----------|--------------|---------------------|

e. RESOLUTION: ~~Utility Leak Credit to Albemarle County Schools – Burley Middle School – \$27,842.88~~ **Pulled for Discussion**

[Utility Leak Credit to Albemarle County Schools](#)

f. RESOLUTION: Approve Statement of Support for Solar Energy

[Statement of Support for Solar Energy](#)

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the Mayor is hereby authorized to sign a Statement in Support of Solar Energy, in substantially the same form presented to City Council on November 5, 2018.

g. ORDINANCE: Quitclaim Gas Easement to VDOT in Riverside Village Subdivision (2nd reading)

[Quitclaim Gas Easement to VDOT in Riverside Village Subdivision](#)

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENT
WITHIN TRAILSIDE DRIVE IN THE RIVERSIDE VILLAGE SUBDIVISION
LOCATED IN ALBEMARLE COUNTY
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadway known as Trailside Drive located in the Riverside Village Subdivision in Albemarle County; and

WHEREAS, the City owns natural gas lines located within this roadway, and also owns an easement for such gas line, and VDOT has asked that the foregoing easement crossing this roadway be released upon VDOT's acceptance of Trailside Drive; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easement crossing Trailside Drive to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said line to continue to be located in said roadway.

Ms. Galvin motioned to approve the Consent Agenda as amended, seconded by Dr. Bellamy. The Consent Agenda passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

Interim City Manager Mr. Mike Murphy invited Mr. Paul Oberdorfer, Director of Public Works, to speak about status of Downtown Mall Threat and Risk Assessment report.

Mr. Oberdorfer said the Downtown Mall Threat and Risk Assessment was under review by staff. Recommendations would come back to Council at a future meeting. Ms. Walker asked if Council would see recommendations before the document is finalized. Mr. Oberdorfer said the entire document would come to Council and Mr. Murphy added that we would need permission to release some of the details related to security matters.

Mr. Murphy said any consideration of the Mall crossings for vehicles would require additional community discussion. Dr. Bellamy asked how that conversation could be started and that he would support closing 4th Street. Mr. Murphy said at the least Council would want a public hearing and it might also want a work session. Ms. Hill said such a discussion should be informed by the final report. Ms. Walker asked how such a discussion could be had without Council seeing the entire report?

Ms. Galvin said she would like to see the recommendations with staff and then hold a work session where Council could determine who should participate. Dr. Bellamy asked about timing of the recommendations? Mr. Oberdorfer said the report would be finalized after the first of the year.

COMMUNITY MATTERS

Ms. Susan Thesenga spoke about bullying in Charlottesville City Schools in-person and online. She said when bullying is present all students suffer. Her granddaughter at Buford Middle School was assaulted and the Principal has responded in a positive manner.

Ms. Cassandra Mathis said she was a business owner on the Downtown Mall and that the trash situation and dog waste has been an issue for a long time. She asked the City to consider having dog waste trash bags available and that more attention be given to trash pickups.

Ms. Berdell Fleming told Council she is on the education committee of the NAACP and she said that the recent New York Times/Pro Publica article about the performance of City Schools was a significant concern. She asked Council to be diligent and watchful about its investments in City Schools.

Ms. Mary Carey said she did not like being told how she should speak to Council during Community Matters. She said she did not see many African-Americans on the Downtown Mall and she questioned the appropriation earlier this year to the Downtown Business Association of Charlottesville.

Mr. Tony Wasch, Jr. asked for clarification related to a statement he said was made by the Mayor at the October 15, 2018 meeting. He reads a quote he said was in the newspaper in which the Mayor indicated she was not going to control the audience members at Council meetings. Mr. Wasch said people speaking at meetings are not being treated very well. He said the meetings are bordering on anarchy.

Ms. Walker responded that she was not in the business of controlling people and that she had written a piece reflecting on the past two years of behavior in Council meetings and asked that this be compared to past 256 years of local history.

Mr. Bruce Wardel spoke about the Standards and Design Manual being developed by City staff. He asked that the City Council schedule a work session and encouraged Council to keep the momentum going to finalize the document. He suggested a comparison matrix of the staff version vs. the Charlottesville Area Developers Roundtable (CADRe) version.

Ms. Christine Mahoney said she directed Social Entrepreneurship at the University of Virginia and she expressed support for the New Hill Development Corporation Equity Fund Allocation.

Mr. Melvin Burruss said he was on the Board of the New Hill Development Corporation. He said a key goal should be to close income gaps between black and white residents. He said this would be the first African-American-oriented development intentionally planned in Charlottesville. He said he wanted the plan to include affordable housing, market-rate housing and commercial businesses.

Mr. Don Gathers said he would have liked more information on the New Hill Development Corporation project in advance of Council's decision including a budget, defined area and timing.

Dr. Bellamy clarified that no funds had been appropriated yet and that it would be discussed later in the meeting.

Mr. Dave Ghamandi said the people should focus more on self-help and less on begging in front of Council. He said he used to be a Democrat but that Democrats were not voting against war, poverty. He said the people needed to organize and meet in the streets and the living rooms.

Ms. Rosia Parker said to Mr. Murphy that Ms. Cookie Smith would like to speak to Chief Brackney in her living room this week. She asked for an update on the Sage Smith case and other missing black children.

Mr. Jarvis Stewart said he was new to Charlottesville and that he has been invited to help with the New Hill Development Corporation project to create affordable housing and entrepreneurship opportunities for City residents. He said the best way to address education and housing issues was to have a stronger economic base.

Ms. Nancy Carpenter said in 1987, Low Income Housing Tax Credits started and that many of them are expiring. On the New Hill Development Corporation project, Ms. Carpenter said she works with many individuals who would benefit but she wonders how far \$500,000 could go if invested in other ways such as small allocations to citizens in need with emergencies.

Dr. Bellamy asked Ms. Carpenter if the funding process she was describing was similar to what is done at The Haven and with AIM? She said it would be similar and could help people stay in their existing homes doing, for example, emergency repairs. Dr. Bellamy asked Mr. Murphy if The Haven or AIM received funding? Mr. Murphy said emergency assistance was funded in the community in addition to initiatives like the supplemental rental assistance program. Dr. Bellamy expressed support in learning more about the amount of those allocations today and the possibility of increasing support in the future. Mr. Murphy said he could come back to a future meeting with additional information. Ms. Walker reminded Council the Agency Budget Review Team process was being revamped and that could also lead to more impactful investments in these areas.

Ms. Galvin said that the New Hill Development Corporation project is related to Small Area Planning. She said parts of the City will need to be re-imagined if we want to have a significant number of new affordable homes built. This would be a SAP led by a local African-American-owned company.

Mr. Gregory Robertson reminded Council he spoke to them 5 years ago about his experience in Charlottesville City Schools. He said he was bullied and he had asked for something to be done. He said he has been in contact with a 12-year-old student who is experiencing what he sees as the same treatment of being kicked, shoved and spit upon. He asks why more is not being done.

Council went into recess at 7:40 p.m. as there was a medical emergency in the hallway outside chambers. The meeting reconvened at 7:54 p.m.

Mr. Robertson continued his public comments.

Ms. Hill asks about the school division's response to this news report related to bullying? Ms. Galvin asked for the matter to be a topic at the next joint meeting with the School Board. Mr. Murphy said he heard the grandmother say she was pleased with the Principal's immediate response but she asked what the systemic response might be by the school division. He indicated the School Division could report on this to Council.

Mr. Signer said there had been a number of school issues raised this evening and that it was a difficult for Council to get directly involved in these matters, but Council should ask for updates on these issues for the benefit of the community especially since Council has fiscal responsibility.

PUBLIC HEARING: PUBLIC ENGAGEMENT FOR CITY MANAGER SEARCH PROCESS

[Public Engagement for City Manager Search Process](#)

Ms. Hill said Council had engaged S. Renee Narloch and Associates, an executive recruiting firm, to assist with the search for a new City Manager. She invited Ms. Narloch to speak to Council about the process being undertaken between now and late-February, early March, 2019.

Ms. Renee Narloch spoke about her firm's experience in executive recruiting. She shared she was present this evening to hear from the public and had met with Council today and would be meeting with numerous staff tomorrow about what the ideal candidate looks like before the advertisement is finalized. She said the listening tour was very important to get an understanding of the leadership required for the City. Ms. Narloch gave examples of other engagement opportunities that her firm had led in other communities including a Meet and Greet with finalists, an external panel to the process which might include five community members appointed by Council, and guided tours of the community when finalists are interviewed.

Ms. Narloch added this would be a national search for talent and that community members should feel free to call her directly with input.

Ms. Walker spoke about the current online community survey, community dinners, and employee luncheons where she has been collecting input over the past two months on the City Manager search.

Dr. Bellamy thanked Ms. Walker and Ms. Hill for being the leaders on Council to guide the search process on behalf of Council.

Ms. Walker opened the public hearing.

Ms. Lena Seville said she has been working on the new chapter in the Comprehensive Plan related to Community Engagement. She said there needs to be a full community engagement process on this chapter and it will be important for the new City Manager to buy-in to this process of a new approach to community engagement over the next 6-9 months. She said it will be important for the next City Manager to want to have staff connect to the community in ways they may not have done so previously. Citizens need to design the ways they want to be engaged with.

Ms. Tanesha Hudson said that new streets and wider streets are very important to improve transportation and the new City Manager needs to address infrastructure with respect to the city's growth. She said the next City Manager needs to change the power structure and the Mayor should have more power.

Mr. Don Gathers said, while a national search would be fine, it is also important to look internally for candidates in this community, for someone already invested in the City, someone who already understands the problems in this city, particularly those of our low income neighborhoods.

Ms. Mary Carey said she wanted a City Manager with previous work experience in a similar position. She said she agreed with Ms. Hudson that the infrastructure challenges are significant. She said the next City Manager should know the community's history. She said it should not be a friend or business colleague of Council, but it should be a candidate with at least five years' experience in a similar position.

Ms. Olivia Patton said it was important that the next City Manager value being held accountable by community members, be willing to admit mistakes, and be willing to address community matters directly when asked in public meetings.

Mr. Robin Hoffman said the next City Manager should seek less bussing of students and a better distribution of students among its schools.

Dr. Walt Heineke said he appreciated the engagement by Council early in the decision making process. He said taking public input was important, but the other part of community engagement is listening to public input and acting upon their feedback. Dr. Heineke said there was a huge trust issue and tonight's Council agenda had examples of things that did not have adequate citizen input.

Having no further speakers, the public hearing was closed.

Dr. Bellamy said it was helpful to hear this public input and that he looked forward to hearing from others. Mr. Signer said the public could also forward comments to the Council's email address. Ms. Galvin said that she heard a lot of interest, concern and appreciation for the importance of community engagement, well-maintained streets, functioning streets, so some appreciation for public works, and experience running a city.

Ms. Walker said it was important for us as a city to challenge ourselves. She said we need to make sure that when we give Ms. Narloch a list of what is expected here that we are challenging ourselves. She said it will have to be a pretty dynamic person, much more than someone with just similar work experience. Mr. Signer added that a theme he heard was community members wanting things to get done in the city. He said something that can hold up a project is some controversy, and that is not unique to Charlottesville. How they respond to that with Council and the public is important.

Ms. Hill asked Ms. Narloch if she needed any further direction from Council. Ms. Narloch said she had a good starting point and that moving forward she said she would like to keep the momentum going and stick to the timeline which she would share with specific milestones. Ms. Narloch said she wanted to ensure qualified candidates were vetted by Council in executive session to ensure they are less likely to drop out of the process if they were publicly known to be applying for the position. She said the finalists could be made public and have more engagement with the community.

PUBLIC HEARING / APPROPRIATION*: WEST MAIN STREETSCAPE IMPROVEMENTS REVENUE SHARING - \$3,112,413 (Carried)

[West Main Streetscape Improvements Revenue Sharing](#)

Ms. Jeanette Janiczek, Urban Construction Initiative Program Manager, provided a staff report.

Ms. Galvin asked for clarification about existing funds. Ms. Janiczek said the funds were previously allocated for the project and this item was to ensure receipt of state matching funds.

Mr. Signer asked when the project would commence. Ms. Janiczek said it would be about two years before ground would be broken on the undergrounding of utilities or specific streetscape projects. Mr. Signer called upon city staff to ensure community engagement continues on a project like this since it stretches over many years. He said the public history of input should be highly visible.

Ms. Galvin spoke about the importance of ongoing community engagement and updates to the project website.

Ms. Walker asked about the timing of the University of Virginia's investment in the corridor?

Ms. Janiczek said she could follow-up with additional information. Mr. Murphy said he was meeting with the University and could gather additional information on their investment.

Ms. Galvin said she was at a recent Piedmont Environmental Council workshop and she learned that Dominion Energy had partnered with other communities like Arlington County to help pay for the undergrounding of utilities. Ms. Janiczek said Dominion has helped pay when they are having difficulty maintaining service because of issues like trees.

On motion, the public hearing was opened.

Mr. Scott Bandy spoke at the public hearing and said he thought the plan addressed sprawl but that the section near the Meriwether Lewis, William Clark and Sacagawea statue needed more attention. He thought the park area proposed there might cause greater challenges for busses in particular.

Having no further speakers, the public hearing was closed.

Ms. Walker asked about the plans for the Meriwether Lewis, William Clark and Sacagawea statue. Ms. Janiczek said the proposal was to shift the statue in that immediate area. Ms. Walker asked Council to consider what other spaces that statue might occupy, perhaps outside Charlottesville.

Ms. Janiczek said she would share information about upcoming meetings and public engagement opportunities. She said the City would have to work with the Virginia Department of Historic Resources with respect to the statue.

Council reached consensus to have this item on the November 19, 2018 meeting's consent agenda.

Ms. Galvin raised a question about projects like the West Main Streetscape and the Belmont Bridge Replacement Project and the opportunity to train local employees and hire them for work on these projects as called for in the resolutions approving the projects in 2015. Ms. Galvin said the use of Federal funds may increase the local workforce opportunities. She asked Mr. Murphy to provide an update at a future meeting.

Council went into recess at 9:02 p.m. and reconvened at 9:18 p.m.

RESOLUTION*: EQUITY FUND ALLOCATION TO NEW HILL DEVELOPMENT CORPORATION - \$500,000

[Equity Fund Allocation to New Hill Development Corporation](#)

Mr. John Blair, the City Attorney, gave a brief introduction including the history of Council's Equity Fund. He said Council does not need to hold a public hearing since it is not an appropriation. It can still have a public hearing to receive feedback on the proposed allocation.

Dr. Bellamy invited Ms. Yolunda Harrell, President and Chief Executive Officer, New Hill Development Corporation, to make a presentation to Council about the Small Area Planning process for the Starr Hill neighborhood area.

Dr. Bellamy asked about the other partners in the project. Ms. Harrell said it was important to have partners to work with related to financial coaching for residents. They will work with Operation HOPE. They will focus on helping raise credit scores and supporting entrepreneurs. She said another partner is Local Initiatives Support Corporation. Ms. Harrell said New Hill plans to partner with LISC in drafting the small area plan.

Dr. Bellamy asked about how \$500,000 would be allocated and why the amount was at that level. Ms. Harrell said additional grants were being pursued but that this 48 acre area was larger than some other planning projects in the City such as the one undertaken for Friendship Court which was a \$350,000 master plan.

Dr. Bellamy said there were questions about how LISC and New Hill would work with existing community organizations. Ms. Harrell said organizations like PHAR, CRHA, and Habitat all have roles to play. Where there are aligned interests and goals, Ms. Harrell said they would seek partnerships.

Dr. Bellamy asked why there had not been more public attention on this work until this point. Ms. Harrell said New Hill had been in a private business planning phase making determinations about their own goals and leadership.

Mr. Signer commented on the qualifications of Mr. Maurice Jones, the former Virginia Secretary of Commerce and Trade, and his ability to contribute as a leader on this project. He said it would be great to involve community members in some advisory capacity, in addition to the leaders on their board.

Ms. Hill said it was important to get buy-in from private property owners. She said it would be important to have an actionable plan and their involvement early was appropriate. She asked about the process this agenda item went through, and noted that the Council packet had more limited information than what she and the public had received over the past 72-hours.

Ms. Galvin said this was part of the City that was intended to have a Small Area Plan. She noted that this planning project would be completed in 9 months. She said the staff does not have the capacity to do the community engagement that LISC will do. She said it was a government act that destroyed the Vinegar Hill neighborhood during urban renewal and that it was fitting that another government act could begin repairs.

Dr. Bellamy noted that this is an African-American led company unlike anything ever seen in the city before that would bring in multiple partners and resources for the City.

Mr. Signer said the proposed allocation can be distinguished from other actions by Council as Equity Fund projects were intended to be fast-tracked to address important equity issues.

Ms. Hill asks about other funding sources. Ms. Harrell said the funds would be placed in escrow and at different milestones the funds would be drawn down. She said she would work with Mr. Blair on a draw down plan. Ms. Walker asked if the allocation would come all at once? Ms. Harrell said a third party would hold the funds. Mr. Blair said the drawn down milestones would identify when specific funding amounts could be drawn down.

Ms. Walker said she had met with Ms. Harrell and spoken with Dr. Bellamy about the project. She said she hopes that in the future she will be able to support the project and that it sounds very promising.

On motion by Dr. Bellamy, seconded by Ms. Galvin, the resolution passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer; Noes: Ms. Walker)

RESOLUTION

New Hill Development Corporation-Starr Hill Small Area Planning and Financial Training \$500,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$500,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to New Hill Development Corporation pursuant to the Donation Agreement between the City of Charlottesville and New Hill Development Corporation being executed by New Hill Development Corporation and the City Manager.

\$500,000

Fund: 105

Cost Center: 10110010000

REPORT: TREE COMMISSION - STATE OF THE FOREST

[Tree Commission - State of the Forest](#)

Mr. Paul Josey, Chair, Charlottesville Tree Commission, made a presentation to Council.

Mr. Josey said a new GIS database is being built by City staff to track a set of metrics identified by the Tree Commission.

Mr. Josey said the goal is to make the interactive database available to the public on the City's website next month.

Mr. Josey described the benefits of trees and tree canopy. He said the biggest thing Council could do is consider trees to be critical infrastructure and have someone in the Neighborhood Development Services department advocating for trees as a priority with new development.

Ms. Galvin asked about goal for City's tree canopy. Mr. Josey said 45 percent in tree cover is a very good goal, and that is the current canopy coverage. He said the Tree Commission has advocated for up to 50 percent coverage as a goal.

Ms. Hill asked about the maintenance of trees in a location like the John Warner Parkway? Mr. Josey said the warranty on tree installations is typically an initial one year. He said some vendors would rather replace them at the end of year one than maintain them in the first year. The warranty does not apply to the newly planted trees which then have to be maintained by the City's Parks and Recreation Department.

REPORT/RESOLUTION*: INTERIM REGULATIONS FOR BICYCLE AND E-SCOOTER SHARING SYSTEM

[Interim Regulations for Bicycle and E-Scooter Sharing System](#)

Mr. Jason Ness, Office of Economic Development, provided Council with a staff report on the bicycle and electric scooter sharing system permit pilot program.

Mr. Ness said the challenges faced by localities is that these devices are new and are often not considered vehicles under existing local ordinances. He said the City's proposal is to work proactively with the bicycle and electric scooter companies. Corrals will be developed to accommodate parking areas and discourage users parking them on sidewalks.

Mr. Signer asked how far the electric scooters could go on a charge and whether it was legal to ride bicycles on sidewalks today? Ms. Amanda Poncy, the City's Bicycle Pedestrian Coordinator, described the scooters' range and said state law allows cities to restrict bicycles on sidewalks with conspicuous signage (e.g. like the signs on the Downtown Mall). While signage on other city sidewalks does not exist, this agreement would proactively place restrictions on these new devices.

Ms. Poncy said the companies will be asked to implement community outreach plans, and encouraging helmet usage could be part of this.

Mr. Ness said multiple companies have expressed interest.

On motion by Ms. Hill, seconded by Mr. Signer, the resolution passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

RESOLUTION OF THE CHARLOTTESVILLE CITY COUNCIL RECOMMENDING ADOPTION OF THE BICYCLE AND E-SCOOTER SHARING SYSTEM (aka DOCKLESS MOBILITY) PERMIT PROGRAM

WHEREAS, the purpose of this program is to establish fees and regulations to facilitate bicycle and e-scooter sharing companies to operate in the city; and

WHEREAS, the City owns, controls, and maintains the public space on which companies shall park its devices.

NOW, THEREFORE, BE IT RESOLVED that this City Council will adopt a pilot program to assess the viability of dockless mobility device operations within the City and to understand the parameters that will allow these devices to operate effectively and to avoid any public nuisance under the authority of Virginia Code §15.2-2018.

OTHER BUSINESS

RESOLUTION: UTILITY LEAK CREDIT TO ALBEMARLE COUNTY SCHOOLS - BURLEY MIDDLE SCHOOL - \$27,842.88

[Utility Leak Credit to Albemarle County Schools](#)

[Discussion of Item E from consent agenda.](#)

On motion by Ms. Galvin, seconded by Dr. Bellamy, the resolution passed. (Ayes: Mr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

RESOLUTION APPROVING A CREDIT TO THE UTILITY ACCOUNT OF BURLEY MIDDLE SCHOOL (WATER LEAK CREDIT)

WHEREAS, a water leak was discovered in May of 2018 affecting the property of Albemarle County known as Burley Middle School on Rose Hill Drive in the City of Charlottesville; and

WHEREAS, the water leak used 10 to 20 times the amount of water normally used in April and May of 2018; and

WHEREAS, the Director of Finance, City Attorney, and City Manager concur that circumstances warrant a credit in the amount of \$27,842.88 (\$13,362.99 for water and \$14,479.89 for wastewater), and in accordance with City Code Sec. 11-132(4), City Council has authority to grant such a credit; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Director of Finance is hereby authorized to apply a credit of \$27,842.88 to the Utility Billing account of Albemarle County Schools (Burley Middle School).

BOARDS AND COMMISSIONS

Appoint a representative on the Thomas Jefferson Planning District Commission's Regional Housing Partnership

On motion by Ms. Galvin, Seconded by Dr. Bellamy the Council approved the appointment of Ms. Heather Hill to be its representative on the Thomas Jefferson Planning District Commission's Regional Housing Partnership with Ms. Walker as an alternate. (Ayes: Mr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

MATTERS BY THE PUBLIC

Mr. Don Gathers spoke about the New Hill Development project and that he thinks Council has failed in its transparency goals by not having this item shared sooner with the public.

Ms. Joy Johnson thanked Ms. Walker for standing up for transparency with respect to the New Hill Development. She asked Council to remember that other African-American women in the community's history have been leaders running organizations.

Ms. Olivia Patton asked which Council members were involved in the New Hill Development Corporation Board of Directors. She said Dr. Bellamy was listed as a board member in the State Corporation Commission records as of today. Dr. Bellamy said he has not been a board member since his resignation effective August 21.

Ms. Walker adjourned the meeting at 10:30 p.m.

PLACEHOLDER PAGE
To Be Added When Available

Minutes from November 14th
Council Work Session

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|---|
| Agenda Date: | November 5, 2018 |
| Action Required: | Appropriation & Transfer |
| Presenter: | Jeanette Janiczek, Urban Construction Initiative Program Manager |
| Staff Contacts: | Alex Ikefuna, Neighborhood Development Services Director Tony Edwards, Development Services Manager Jeanette Janiczek, Urban Construction Initiative Program Manager |
| Title: | FY 2019 VDOT Revenue Sharing Program Multi-Modal Improvements Appropriation - \$413,217 Transfer of Capital funds for Multi-Modal Improvements Local Match - \$560,347 |

Background:

The Virginia Department of Transportation (V.D.O.T.) administers the Revenue Sharing Program to provide additional funding for localities to improve their transportation network. With the realization that transportation needs are outpacing the state's budget, this program encourages local investment in the transportation network. Under the current law/regulations, for each local dollar that the City commits to an eligible project, the state is offering to match it 1:1 – up to \$10 million per locality per biennial application cycle. The maximum allocation the Commonwealth Transportation Board (C.T.B.) may make to the Revenue Sharing Program is \$200 million annually with the minimum allocation being \$15 million annually.

Discussion:

Several studies have been conducted through the public process to identify priority multi-modal improvements citywide. These studies include:

- 2015 Bicycle and Pedestrian Master Plan
- Streets That Work
- Strategic Investment Area Plans

Two applications were submitted – one in FY2019 Revenue Sharing Program for \$1 million (\$500,000 local, \$500,000 state) and another in FY2020 Revenue Sharing Program for \$800,000 (\$400,000 local, \$500,000 state) – using local matching dollars normally awarded in the City's Capital Improvement Program for new sidewalks, bike facilities and ADA improvements. The City received a prorated award of \$413,217 for FY2019 that is available for appropriation and spending in the current fiscal year and a projected, prorated award of \$413,218 in state funding that will be appropriated and local funds transferred once grant funding becomes available July 2019.

To match the state funding and account for additional funds needed due to the prorated award, City staff recommends transferring the following local funds into a consolidated C.I.P. project account:

| | | |
|---------|----------------------------------|--------------|
| P-00671 | Bike Infrastructure Improvements | \$100,000 |
| P-00335 | New Sidewalk | \$293,913.25 |
| P-00511 | Old Lynchburg Road | \$166,433.75 |

After the appropriation, prospective projects that will be considered and scoped based on available funding include:

- Bike and Pedestrian Improvements on 9th Street between Levy Avenue and Hinton Avenue
- Sidewalk along Levy Avenue between 9th Street and Monticello Road
- Priority Sidewalk Segments previously identified:

| Neighborhood | Street | Sidewalk Location | Starting | Ending |
|------------------------------|-------------------|-------------------|----------------|---------------|
| Barracks Road | Barracks Road | SW | Existing | 250/29 Bypass |
| Venable | Preston Ave | South | Rugby Rd | Madison Ave |
| Lewis Mountain | Alderman Road | NW | Kent Rd | Morris Rd |
| The Meadows | Hydraulic Road | West | Dominion Power | 250 Bypass |
| Barracks/Rugby | Rose Hill Drive | West | Rugby Ave | Madison Ave |
| Greenbrier | Kenwood Lane | South | Yorktown Dr | M'brook Hghts |
| Locust Grove | St. Clair Avenue | NW | Peartree Ln | Smith St |
| Rose Hill | Albemarle Street | Both | Dale Ave | Rivanna Ave |
| 10th & Page | 9th Street NW | Both | West St | Preston Ave |
| Star Hill | Commerce St | South | 6th St | Existing |
| North Downtown | Harris Street | Both | Rivanna Ave | McIntire Rd |
| Martha Jefferson | 12th Street NE | West | E Jefferson St | Meriwether St |
| Woolen Mills | Market Street | Both | Franklin Ave | Meade Ave |
| Belmont | Monticello Avenue | West | Quarry Rd | Druid Ave |
| Ridge Street | Elliott Avenue | North | Ridge St | Avon St |
| Fifeville | 9th Street SW | East | Elm St | Existing |
| Johnson Village | Cleveland Avenue | North | Existing | Rainier Rd |
| Fry's Spring | Azalea Drive | Both | Existing | Harris Rd |
| Jefferson Park Avenue | Fontaine Avenue | North | Summit St | JPA |

Alignment with City Council’s Vision and Strategic Plan:

Approval of this agenda item upholds the City’s commitment to create “a connected community” by improving upon our existing transportation infrastructure. In addition, it would contribute to Goal 3 of the Strategic Plan, to be “A Beautiful and Sustainable Natural and Built Environment” by meeting Objective 3.1 Engage in robust and context sensitive urban planning and implementation; Objective 3.2. Provide reliable and high quality infrastructure; and Objective 3.3. Provide a variety of transportation and mobility options.

Community Engagement:

Public participation occurred during the development of the various studies listed above. Matching funds are being considered during the current C.I.P. process.

Budgetary Impact:

There is no impact to the City’s General Fund. All local matching funds were previously appropriated in prior Adopted Capital Improvement Programs (C.I.P.). The local matching funds awarded during the CIP process are being supplemented with state funding from successful grant applications.

Recommendation:

Staff recommends approval of the appropriation and transfer of existing capital funding.

Alternatives:

- 1) The City could choose to not accept the grant award.
- 2) The City could select other funds to use as local match.

Attachment:

Appropriation & Transfer

APPROPRIATION

FY 2019 Revenue Sharing Program - Multi-Modal Improvements

\$413,217

WHEREAS, a total of \$413,217 in state funds for the Revenue Sharing Program requires appropriation;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner:

Revenues

\$ 413,217 Fund: 426 WBS: P-01004 G/L Account: 430080

Expenditures

\$ 413,217 Fund: 426 WBS: P-01004 G/L Account: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|--|
| Agenda Date: | November 5, 2018 |
| Action Required: | Public Hearing and Appropriation |
| Presenter: | Jeanette Janiczek, Urban Construction Initiative Program Manager |
| Staff Contacts: | Alex Ikefuna, Neighborhood Development Services Director Tony Edwards, Development Services Manager Jeanette Janiczek, Urban Construction Initiative Program Manager |
| Title: | FY 2019 VDOT Revenue Sharing Program West Main Streetscape Improvements Phase 1 – \$3,112,413 |

Background:

The Virginia Department of Transportation (V.D.O.T.) administers the Revenue Sharing Program to provide additional funding for localities to improve their transportation network. With the realization that transportation needs are outpacing the state’s budget, this program encourages local investment in the transportation network. Under the current law/regulations, for each local dollar that the City commits to an eligible project, the state is offering to match it 1:1 – up to \$10 million per locality per biennial application cycle. The maximum allocation the Commonwealth Transportation Board (C.T.B.) may make to the Revenue Sharing Program is \$200 million annually with the minimum allocation being \$15 million annually.

Discussion:

West Main Street is a vital urban street, a locally designated historic district, and an important connection between the University of Virginia and Downtown Charlottesville, and to the surrounding neighborhoods. The City of Charlottesville has undertaken a plan to update the street with widened sidewalks, dedicated bicycle lanes, a diversity of trees and landscape plantings, and opportunities for historic interpretation and social gathering.

In March 2016, City Council approved both zoning ordinance modifications and a conceptual design plan option for West Main Street (Option 1). Since that time, the project team has been working with City staff to develop more detailed design plans, meeting with the community and the Board of Architectural Review, and creating a schematic design plan set, which was approved by City Council on May 15, 2017. The project team is currently developing the next phase of design plans in consultation with City staff.

The plan’s priorities include:

- Better connectivity to and from the surrounding neighborhoods

- Beautification strategies for West Main Street
- An increased emphasis on pedestrian and bicycle-oriented infrastructure
- Use of best practices with regard to environmental issues such as green infrastructure and street trees
- Improved clarity in the built form and public space standards along West Main Street
- Recommended massing and land use for West Main Street
- Strategies to protect the historic fabric of the corridor
- Improved vehicular traffic circulation
- Consideration of parking alternatives
- An economic impact assessment of the proposed land use and zoning recommendations

A projected construction cost of approximately \$30,000,000 has been identified for the project which includes underground utilities, wider sidewalks, trees and street furniture. Undergrounding utilities would not be eligible for transportation funds and accounts for roughly \$10 million in project costs.

To fund the project, the overall project has been broken into phases. **An application was submitted for the first phase, between Ridge Street and 6th Street NW – for \$6 million (\$3 million local, \$3 million state) in the FY2019 Revenue Sharing program. The City received a prorated award of \$2,704,319 for FY2019 and another \$408,094 was transferred from the older, completed Revenue Sharing projects for a total of \$3,112,413 in state funding.**

An application was also submitted for the second phase, between 6th Street NW and 8th Street NW – for \$4 million (\$2 million local, \$2 million state) in the FY2020 Revenue Sharing program. The City will receive a projected, prorated award of \$1,704,319 in state funding that will be appropriated and local funds transferred once the grant funding becomes available July 2019.

A Smart Scale Application was submitted this year for state and federal funding for the additional funding for the second phase. The Revenue Sharing Application for FY20 should improve the application score for the Smart Scale Application for the remaining funding. If the Smart Scale Application is not awarded, then a future Revenue Sharing application would be sought.

Alignment with City Council’s Vision and Strategic Plan:

Approval of this agenda item upholds the City’s commitment to create “a connected community” by improving upon our existing transportation infrastructure. In addition, it would contribute to Goal 3 of the Strategic Plan, to be “A Beautiful and Sustainable Natural and Built Environment” by meeting Objective 3.1 Engage in robust and context sensitive urban planning and implementation; Objective 3.2. Provide reliable and high quality infrastructure; and Objective 3.3. Provide a variety of transportation and mobility options.

Community Engagement:

Due to the amount of the funding being requested to be appropriated, a public hearing is required by State code. In addition to the public hearing, public participation has occurred throughout development of the design of the West Main Streetscape project. Public participation opportunities include open public meetings, Board of Architectural Review Work Sessions, City

Council Work Sessions and City Council Presentations. A Steering Committee was established to inform the design process. Information is also available on the website (www.gowestmain.com) and through emailed project updates.

Budgetary Impact:

There is no impact to the City's General Fund. All local matching funds were previously appropriated in prior Adopted Capital Improvement Programs (C.I.P.). The local funds awarded during the C.I.P. process are being supplemented with state funding from successful grant applications.

Recommendation:

Staff recommends approval of the appropriation

Alternatives:

- 1) The City could choose to not accept the grant award.

Attachment:

Appropriation

APPROPRIATION

FY 2019 Revenue Sharing Program – West Main Streetscape Improvements Phase 1

WHEREAS, a total of \$3,112,413 in state funds for the Revenue Sharing Program requires appropriation;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner:

Revenues

\$ 3,112,413 Fund: 426 WBS: P-00336 G/L Account: 430080

Expenditures

\$ 3,112,413 Fund: 426 WBS: P-00336 G/L Account: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Required: | Appropriation |
| Presenter: | Jeanette Janiczek, Urban Construction Initiative Program Manager |
| Staff Contacts: | Alex Ikefuna, Neighborhood Development Services Director Tony Edwards, Development Services Manager Jeanette Janiczek, Urban Construction Initiative Program Manager |
| Title: | 2018 Urban Construction Initiative Annual Meeting Reimbursement Appropriation – \$2,064.02 |

Background:

On May 16, 2005, the City entered into an agreement with the Virginia Department of Transportation (V.D.O.T.) to participate in the Urban Construction Initiative (“First Cities”) Program. Through this program, the City is responsible for administering its urban system construction program of large transportation projects – design, right-of-way acquisition, utility relocation, and construction.

An Annual Meeting is held between the Member Municipalities of the Urban Construction Initiative and the V.D.O.T. over two days to provide updates on business, legislative and technical items on Day 1 and training sessions on Day 2. Each year a different locality is selected to host the Annual Meeting.

Discussion:

For 2018, the City of Charlottesville was selected to host the Annual Meeting. Hosting involves reserving a meeting place for approximately 75 people, catering breakfast and lunch over 2 days, securing audiovisual equipment and leading a bus tour of local transportation projects. Hotel room blocks are secured at area hotels and a social hour with dinner is organized as well with these expenses being incurred by the attendees.

With the assistance the Parks and Recreation Department, a meeting room and audiovisual equipment was secured in the Carver Recreation Center at the Jefferson School. Charlottesville Area Transit was able to provide two City busses with drivers for the bus tour. This left \$2,064.02 in food and supply costs that was procured from local vendors and will be reimbursed by the V.D.O.T.

Alignment with City Council’s Vision and Strategic Plan:

The meeting supports City Council’s “A Connected City” and “Smart, Citizen-Focused Government” vision statements. It contributes to Goal 3.2 of the Strategic Plan, to “provide reliable and high quality infrastructure.”

Community Engagement:

No community engagement has occurred on the agenda item. However, public involvement is integral to the successful delivery of the individual projects that make up the Urban Construction Initiative Program and the Annual Meetings help deliver a successful overall program.

Budgetary Impact:

The funds will be returned to the Neighborhood Development Services department's General Fund operating budget to replenish expenses already incurred.

Recommendation:

Staff recommends approval and appropriation to return funds to the Neighborhood Development Services department's operating budget.

Alternatives:

If funds are not appropriated, the funding will return to the General Fund and the Neighborhood Development Services department's operating budget will incur the \$2,064.02 in expenses without reimbursement.

Attachments:

Appropriation

APPROPRIATION

**2018 Urban Construction Initiative Annual Meeting Reimbursement Appropriation
\$2,064.02**

WHEREAS, a total of \$2,064.02 in state funds for the 2018 Urban Construction Initiative Annual Meeting requires appropriation;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner:

Revenues

\$ 2,064.02 Fund: 105 WBS: 3901001000 G/L Account: 430080

Expenditures

\$ 2,064.02 Fund: 105 WBS: 3901001000 G/L Account: 520500

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$2,064.02 from the Virginia Department of Transportation.

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Required: | Appropriation |
| Presenter: | Riaan Anthony, Park and Recreation Management Specialist |
| Staff Contacts: | Riaan Anthony, Park and Recreation Management Specialist II Vic Garber, Manager, Recreation Division |
| Title: | Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$32,000 |

Background:

The City of Charlottesville, through Parks and Recreation, has received approval for a reimbursement of up to \$32,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children 18 and under attending our drop-in afterschool programs through their Child and Adult Care Food Program.

Discussion:

Charlottesville Parks and Recreation will operate an afterschool meals program for 36 weeks, during the course of the regular school year. There are currently 4 locations, Friendship Court, Greenstone on 5th, South First Street and Westhaven Community Centers that serve children 18 years and under.

The reimbursement will cover the costs of a nutritious dinner at these locations, which also have an educational/enrichment component. Dinner will be served from 4-8 pm at the various community centers. Most of the children served receive free or reduced meals during the school year. Over 300 children will be served each week during the months of September to May.

The dinners are purchased through the City of Charlottesville School Food Service. The Parks and Recreation Department pays the bills to the City of Charlottesville Food Service and is then reimbursed by the Virginia Department of Education Special Nutrition Programs.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and it contributes to Goal 2 of the Strategic Plan - Healthy and Safe City. Children will receive a nutritious dinner, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

Community Engagement:

N/A

Budgetary Impact:

There is no impact to the General Fund. The funds will be appropriated, expensed and reimbursed to a Grants Fund. There is no required local match for this program.

Recommendation:

Staff recommends approval and appropriation of funds,

Alternatives:

If money is not appropriated, the free dinner program will not be offered to youth, most of whom receive free or reduced meals during the school year.

Attachments:

N/A

APPROPRIATION

**Virginia Department of Education Special Nutrition Program
Child and Adult Care Food Program
\$32,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$32,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2018 through September 30, 2019;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$32,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 32,000

Fund: 209 Internal Order: 1900317 G/L Account: 430120

Expenditures - \$32,000

Fund: 209 Internal Order: 1900317 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$32,000 from the Virginia Department of Education Special Nutrition Program.

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Required: | Appropriation |
| Presenter: | Chris Gensic, Parks and Recreation |
| Staff Contacts: | Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Ryan Davidson, Office of Budget and Performance Management |
| Title: | USDA Community Forestry Grant – Ragged Mountain Land Acquisition - \$600,000 |

Background:

The City of Charlottesville, through Parks and Recreation, has received a grant from the US Department of Agriculture (USDA) through the Community Forest Program to assist with the acquisition of 144 acres of forested land adjacent to the Ragged Mountain Reservoir property. The match for this project comes in the form of a donation of the rest of the property value by the landowner.

Discussion:

The City of Charlottesville became aware of property for sale adjacent to the Ragged Mountain Reservoir a few years ago. With assistance from the Piedmont Environmental Council (PEC) the landowner agreed to sell the property if the City is awarded the USDA grant. The owner will receive the \$600,000 as pass-through funds, and will donate the remaining \$1.6 million in property value as a tax benefit. The USDA grant program is intended to preserve forest properties to be used for recreation and education. Once the property is acquired, a forest management plan is required to be developed to detail how the property will be used, which will primarily include trail system layout and plans for how to provide access and interpretation for environmental education.

Community Engagement:

The master plan for Ragged Mountain has a primary element related to preservation of forest and water resources. This acquisition opportunity with further the preservation goal and expand recreation opportunities. This will also provide for environment education opportunities for City and County elementary, secondary, and college student due to the property's proximity to so many schools.

Alignment with City Council's Vision and Strategic Plan:

Preservation of the property will further the council vision statement of being a Green City with an extensive natural trail system, along with healthy rivers and streams, and further Strategic Plan objective 3.4 "Be responsible stewards of natural resources".

Budgetary Impact:

There is no impact to the General Fund. Funds will be received and expensed in the Capital Improvement Fund, and the required local match of will come from a donation of land value. Staff will work with volunteers in developing the forest management plan and constructing the trail system.

Recommendation:

Staff recommends appropriation of grant funds.

Alternatives:

If grants funds are not appropriated, the property will not be acquired.

Attachments:

Grant award letter from USDA, property owner letter, map of property to be acquired.

APPROPRIATION

USDA Community Forestry Grant – Ragged Mountain Land Acquisition
\$600,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded \$600,000 from the US Department of Agriculture to acquire 144 acres of undeveloped forested land adjacent to the Ragged Mountain Reservoir Property; and

WHEREAS, the match for this grant will come from the property owner donating the remaining value of the land; and

WHEREAS, the City will only incur the costs of closing on the property; and

WHEREAS, the grant funding will be passed through the parkland acquisition account and paid to the property owner;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$600,000 is hereby appropriated in the following manner:

Revenue

\$600,000 Fund: 426 WBS: P-00534 G/L Account: 431110

Expenditures

\$600,000 Fund: 426 WBS: P-00534 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$600,000 from the US Department of Agriculture.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Required: | Appropriation |
| Presenter: | Misty Graves, Human Services Department |
| Staff Contacts: | Misty Graves, Human Services Department Kaki Dimock, Director of Human Services |
| Title: | Charlottesville City Schools' Check and Connect Student Engagement Grant - \$62,691 |

Background:

Check and Connect is an evidence-based truancy prevention program funded by a Byrne/Juvenile Assistance Grant from the Virginia Department of Criminal Justice Services (DCJS) and administered by the Human Services Department. The grant provides a comprehensive student engagement intervention for truant youth or youth at risk of truancy in the 8th – 10th grades in the Charlottesville City School system. The grant period is from October 1, 2018 through September 30, 2019. The total grant is \$37,500 in federal pass through funds, and a required local match of \$12,500 and \$12,691 of additional funds to be provided by the Charlottesville City Schools.

Discussion:

Truancy is a precursor to delinquent behavior that should be addressed in its early stages to avoid further penetration into the juvenile justice system. Locally, the connection between truancy and delinquency has been documented by the *Juvenile Offender Report*, a research report developed by the Charlottesville/Albemarle Commission on Children and Families that deals with the risk and needs of 985 local juvenile offenders who were placed on probation between 1997 – 2000, 2004 – 2006, and 2011-2012. The average rate of truancy for the juvenile offenders in the study group was 48% per year over a nine year period.

Alignment with Council Vision Areas and Strategic Plan:

The Check and Connect grant aligns with the City of Charlottesville's Strategic Plan – Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

The Human Service Department's programs provide residential and community based services that prevent delinquency and promote the healthy development of youth. The Check and Connect Program provides comprehensive support services for 8th - 10th grade Charlottesville City School

students experiencing school attendance problems to prevent early school withdrawal and ultimately delinquent behavior by promoting students' engagement with school and learning. Expected outcomes include increased attendance and decreased delinquent behavior during and after program participation.

Community Engagement:

The community is engaged through the Check and Connect program by serving students and families in the Charlottesville school system and by collaborating with the many different agencies that interface with the program.

Budgetary Impact:

There is no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund. The terms of the award require a local match of \$12,500 which will be provided by the Charlottesville City Schools. The Charlottesville City Schools will also provide an additional \$12,691 to maintain grant personnel costs. Both the Match and the additional supporting funds are documented by a signed Maintenance of Understanding between the Charlottesville Human Service Department and the Charlottesville City Schools.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If the grant funds are not appropriated, the Human Services Department would not be able to provide this service to local youth.

Attachments:

Appropriation

APPROPRIATION
Charlottesville City Schools' Check and Connect Student Engagement Grant
\$62,691

WHEREAS, the City of Charlottesville has been awarded \$37,500 in Federal Funds from the Virginia Department of Criminal Justice Services, \$12,500 in Matching Funds and \$12,691 in additional funds from the Charlottesville City Schools for a total award of \$62,691 for the Charlottesville City School's Check and Connect Student Engagement Program; and

WHEREAS, the grant award covers the period from October 1, 2018 through September 30, 2019.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$62,691 is hereby appropriated in the following manner:

Revenue – \$62,691

| | | | |
|-----------|-----------|-------------------------|---------------------|
| \$ 37,500 | Fund: 209 | Cost Center: 3413013000 | G/L Account: 430120 |
| \$ 25,191 | Fund: 209 | Cost Center: 3413013000 | G/L Account: 432030 |

Expenditures - \$62,691

| | | | |
|----------|-----------|-------------------------|---------------------|
| \$58,443 | Fund: 209 | Cost Center: 3413013000 | G/L Account: 519999 |
| \$ 4,248 | Fund: 209 | Cost Center: 3413013000 | G/L Account: 599999 |

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$37,500 from the Virginia Department of Criminal Justice Services, and \$25,191 from the Charlottesville City Schools.

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|-------------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Required: | Appropriation |
| Presenter: | Susan Morrow, Offenders Aid and Restoration |
| Staff Contact: | Ryan Davidson, Senior Budget & Management Analyst Susan Morrow, Offenders Aid and Restoration |
| Title: | Charlottesville/Albemarle Adult Drug Treatment Court Substance Abuse and Mental Health Services Administration Grant Award - \$293,745 |

Background:

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court, has received a grant from the Substance Abuse and Mental Health Services Administration (hereinafter S.A.M.H.S.A.), a division of the U. S. Department of Health and Human Services, in the amount of \$293,745 for operations of the drug court program, which is operated by Offender Aid and Restoration (O.A.R.). The City of Charlottesville serves as fiscal agent for the Substance Abuse and Mental Health Services Administration Drug Treatment Court Grant.

Discussion:

In its twenty-first year of operation, the Charlottesville/Albemarle Adult Drug Treatment Court is a supervised 12 month drug treatment program that serves as an alternative to incarceration for offenders. Drug Court is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult felony offenders who are addicted to drugs. The program uses the power of the court to assist offenders with moderate to severe substance use disorders to achieve recovery through a combined system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The S.A.M.H.S.A. grant will fund enhancements that are intended to close current gaps in the drug court treatment continuum, support consumer specific clinical needs and create a

supportive environment that connects participants with a broader, community-based system of services and support, bridging the gap between treatment and recovery communities. All of the new enhancements are evidence based and are expected to improve retention rates and graduation rates while reducing recidivism among drug court participants and graduates.

The total budget for the S.A.M.H.S.A. grant is \$293,745, and it does not require a local match.

Alignment with City Council Vision and Strategic Plan:

This program supports the Council's Goal C2: Be a safe, equitable, thriving and beautiful community and Objective C2.1: Provide an effective and equitable public safety system. The drug court is a valuable, less expensive alternative to incarceration for certain substance dependent criminal offenders which utilizes a blend of court-ordered supervision, drug testing, drug and mental health treatment services, court appearances, and behavioral sanctions and incentives to reduce recidivism and drug use among participants beyond what is observed after incarceration alone.

Community Engagement:

The Drug Treatment Court is a direct service provider and is engaged daily with non-violent criminal offenders with drug driven crimes who are at a high level of risk for reoffending due to active addictions and long standing patterns of criminal behavior. By collaborating with the Court system, Region Ten Community Services Board, and the Sheriff's department, the Drug Treatment Court provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Drug Treatment Court through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the Circuit Court. If they successfully complete the program which takes a minimum of 12 months and requires a minimum of 12 months substance free, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Drug Treatment Court participants return the community's investment in them by maintaining full time, tax paying employment, providing for and taking care of their children and families including paying off back child support, behaving as good role models in the community, and supporting the recovery community in Charlottesville.

Budgetary Impact:

There is no budgetary impact as all funds will be appropriated to the grants fund and no local match is required for the S.A.M.H.S.A. grant.

Recommendation:

Staff recommends approval and appropriation.

Attachments:

N/A

APPROPRIATION
Charlottesville/Albemarle Adult Drug Treatment Court Substance Abuse and
Mental Health Services Administration Grant Award
\$293,745

WHEREAS, the Substance Abuse and Mental Health Services Administration, a division of the U. S. Department of Health and Human Services, in the amount of \$293,745 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the grant award covers the period October 1, 2018 through September 29, 2019.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$293,745, received as a grant from the Substance Abuse and Mental Health Services Administration, is hereby appropriated in the following manner:

Revenues

\$293,745 Fund: 211 Internal Order: 1900316 G/L Account: 431110

Expenditures

\$293,745 Fund: 211 Internal Order: 1900316 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$293,745 from the Substance Abuse and Mental Health Services Administration.

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|--------------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Requested: | Appropriation |
| Presenter: | Misty Graves, Human Services Department |
| Staff Contacts: | Misty Graves, Interim Director of the Human Services Department Kaki Dimock, Interim Assistant City Manager |
| Title: | Runaway Emergency Shelter Program Grant - \$209,444 |

Background:

In FY2018 the Human Services Department, in partnership with ReadyKids, applied for and received a 3 year grant from the Department of Health and Human Services Administration for Children and Families in the amount of \$200,000 in federal funds and \$22,222 in local matching funds. In FY2019, the second year of the grant, the local match will be met with a transfer of \$9,444 from the Human Services Department for a total appropriation of \$209,444. An in-kind match of \$12,778 from ReadyKids, to provide Runaway Emergency Shelter Program services, will be applied to the grant as well.

Discussion:

The funds support services that provide emergency shelter, counseling and after care services for youth in crisis for the purpose of keeping them safe and off the streets, with a goal of reunification with family. Funded services will include: emergency shelter available 24 hours per day, 7days a week; individual and family counseling to help resolve conflict and develop new communication skills to facilitate reunification with the family; and additional support services that help youth build meaningful connections with their community and encourage positive youth development.

Alignment with City Council's Vision and Strategic Plan:

The Check and Connect grant aligns with the City of Charlottesville's Strategic Plan – Goal 2: A Healthy and Safe City; Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

The Human Service Department's programs, including the Runaway Emergency Shelter Program, provide residential and community based services that prevent delinquency and promote the healthy development of youth.

Community Engagement:

In order to increase prevention services, R.E.S.P. staff conduct extensive outreach efforts, particularly in area schools reaching out to youth through a variety of activities including presentations to health classes and at tables during lunch.

Budgetary Impact:

There is no impact to the General Fund. There is a local match that the Human Service's Department and ReadyKids will provide. A cash match of \$9,444 to be provided from previously appropriated funds in the Human Services Fund and in-kind match of \$12,778 to be provided by the ReadyKids organization. This grant will be appropriated into a grants fund.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

If the funds are not appropriated, the grant would not be received and the Runaway Emergency Shelter Program services would not be provided.

Attachments:

N/A

APPROPRIATION
Runaway Emergency Shelter Program
\$209,444

WHEREAS, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$9,444 provided by the Human Services Fund and in-kind match of \$12,778 provided by ReadyKids;

WHEREAS, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between the Human Services Department and ReadyKids. The grant award covers the period from September 30, 2018 through September 29, 2019;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$209,444 is hereby appropriated in the following manner:

Revenue – \$209,444

| | | | |
|-----------|-----------|------------------------|---------------------|
| \$200,000 | Fund: 211 | Internal Order: 199318 | G/L Account: 431110 |
| \$ 9,444 | Fund: 211 | Internal Order: 199318 | G/L Account: 498010 |

Expenditures - \$209,444

| | | | |
|-----------|-----------|------------------------|---------------------|
| \$ 69,948 | Fund: 211 | Internal Order: 199318 | G/L Account: 519999 |
| \$125,000 | Fund: 211 | Internal Order: 199318 | G/L Account: 530010 |
| \$ 14,496 | Fund: 211 | Internal Order: 199318 | G/L Account: 599999 |

Transfer - \$9,444

| | | | |
|----------|-----------|-------------------------|---------------------|
| \$ 9,444 | Fund: 213 | Cost Center: 3413003000 | G/L Account: 561211 |
|----------|-----------|-------------------------|---------------------|

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA**



| | |
|-------------------------|---|
| Agenda Date: | November 19, 2018 |
| Action Required: | Approval of Appropriations |
| Staff Contacts: | Alex Ikefuna, Director Neighborhood Development Services |
| Presenter: | Alex Ikefuna, Director Neighborhood Development Services |
| Title: | Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$28,282 |

Background:

On January 14, 2003 the City issued a Substantial Rehab loan in the amount of \$28,282.00 to Allyson Johns. The funds were provided as zero-interest deferred payment loan with payment due upon sale, or other transference of the property. Ms. Johns recently sold the property and provided a check to the City for full loan amount.

Discussion:

The loan satisfaction payment received from Ms. Johns meets the terms of the loan agreement and the funds received need to be appropriated to the Charlottesville Affordable Housing Fund (CAHF) in order to be used for future projects or programs related to affordable housing.

Community Engagement:

There has been no direct community engagement on this issue, as the payment received from Ms. Johns was made to satisfy the January 14, 2003 substantial rehabilitation loan.

Alignment with City Council Vision and Strategic Plan:

Approval of this item aligns with the City Council Vision of ‘Quality Housing for All’ and with the Strategic Plan Goal 1.3 to “Increase affordable housing options.”

Budgetary Impact:

The loan repayment will increase the amount of available CAHF funds to \$236,047.84 for the remainder of FY 2019.

| | |
|-------------------------------|---------------------|
| CAHF Available Balance | \$207,765.84 |
| Johns Loan Payoff | \$ 28,282.00 |
| CAHF Remaining Balance | \$236,047.84 |

Recommendation

Staff recommends approval of the appropriation.

Alternatives:

There is no alternative for appropriation of the funds, as these funds must be returned to their original source.

Attachments:

N/A

APPROPRIATION
Charlottesville Affordable Housing Fund
Substantial Rehab Loan Payoff – Allyson Johns
\$28,282.00

WHEREAS, the City of Charlottesville has received funding from the payoff of the Allyson Johns Deed of Trust (\$28,282.00);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$28,282.00 be appropriated as follows:

Revenues:

| | | | |
|-------------|-----------|-----------------|------------------|
| \$28,282.00 | Fund: 426 | Project: CP-084 | G/L Code: 434675 |
|-------------|-----------|-----------------|------------------|

Expenditures:

| | | | |
|-------------|-----------|-----------------|------------------|
| \$28,282.00 | Fund: 426 | Project: CP-084 | G/L Code: 599999 |
|-------------|-----------|-----------------|------------------|

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA**



| | |
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| Agenda Date: | November 19, 2018 |
| Action Required: | Approval of Appropriations |
| Staff Contacts: | Alex Ikefuna, Director Neighborhood Development Services |
| Presenter: | Alex Ikefuna, Director Neighborhood Development Services |
| Title: | Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$23,478.94 |

Background:

On February 9, 2016 the City issued a Substantial Rehab loan in the amount of \$25,246.17 to Harry L. Nicholas. The funds were provided as a 10-year, zero-interest, forgivable, deferred payment loan with payment of loan balance due upon sale, or other transference of the property prior to February 9, 2026. Mr. Nicholas recently sold the property and provided a check to the City for remaining loan balance of \$23,478.94, which includes a 3% administrative fee.

Discussion:

The loan satisfaction payment received from Mr. Nicolas meets the terms of the loan agreement and the funds received need to be appropriated to the Charlottesville Affordable Housing Fund (CAHF) in order to be used for future projects or programs related to affordable housing.

Community Engagement:

There has been no direct community engagement on this issue, as the payment received from Mr. Nicholas was made to satisfy the remaining balance of his February 9, 2016 substantial rehabilitation loan.

Alignment with City Council Vision and Strategic Plan:

Approval of this item aligns with the City Council Vision of 'Quality Housing for All' and with the Strategic Plan Goal 1.3 to "Increase affordable housing options."

Budgetary Impact:

The loan repayment will increase the amount of available CAHF funds to \$207,765.84 for the remainder of FY 2019.

| | |
|-------------------------------|---------------------|
| CAHF Available Balance | \$184,286.90 |
| Nicholas Loan Payoff | \$ 23,478.94 |
| CAHF Remaining Balance | \$207,765.84 |

Recommendation

Staff recommends approval of the appropriation.

Alternatives:

There is no alternative for appropriation of the funds, as these funds must be returned to their original source.

Attachments:

N/A

APPROPRIATION
Charlottesville Affordable Housing Fund
Substantial Rehab Loan Payoff – Harry L. Nicholas
\$23,478.94

WHEREAS, the City of Charlottesville has received funding from the payoff of the Harry L. Nicholas Deed of Trust (\$23,478.94);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$23,478.94 be appropriated as follows:

Revenues:

| | | | |
|-------------|-----------|-----------------|------------------|
| \$23,478.94 | Fund: 426 | Project: CP-084 | G/L Code: 434675 |
|-------------|-----------|-----------------|------------------|

Expenditures:

| | | | |
|-------------|-----------|-----------------|------------------|
| \$23,478.94 | Fund: 426 | Project: CP-084 | G/L Code: 599999 |
|-------------|-----------|-----------------|------------------|

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**CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA**



| | |
|------------------|---|
| Agenda Date: | November 19th, 2018 |
| Action Required: | Approve (First Reading of Ordinance) |
| Presenter: | Lauren Hildebrand, Director of Utilities |
| Staff Contacts: | Lauren Hildebrand, Director of Utilities Christian Chirico, Gas Utility Engineer |
| Title: | Quitclaim Gas Easements to VDOT - North Berkshire Rd |

Background:

In 2007 the City acquired two (2) natural gas line easements within North Berkshire Road off of Solomon Road (VA Route 1430). The first easement located within the right of way of North Berkshire Road was obtained from Albemarle County. The second was located in North Berkshire Road on Southland Homes property. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. An ordinance and quitclaim deed have been drafted quitclaiming to VDOT the City's natural gas easements within these rights of way.

Discussion:

The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

Alignment with Council Vision Areas and Strategic Plan:

This contributes to Objective 3.2 of the Strategic Plan, to provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Alternatives:

If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system

Budgetary Impact:

None.

Recommendation:

Approval of the attached ordinance and quitclaim deed.

Attachments:

Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENTS
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION
WITHIN A PORTION OF NORTH BERKSHIRE ROAD OFF SOLOMON ROAD
LOCATED IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of a portion of the roadway known as North Berkshire Road located off Solomon Road in Albemarle County; and

WHEREAS, the City owns natural gas lines located within this roadway, and also owns easements for such gas line, and VDOT has asked that the foregoing easements crossing this roadway be released upon VDOT's acceptance of that portion of North Berkshire Road; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing a portion of North Berkshire Road to the Virginia Department of Transportation, conditioned upon receipt by the City of a VDOT permit allowing said line to continue to be located in said roadway.

*Prepared by John C. Blair, II (VSB #65274)
Charlottesville City Attorney's Office
P.O. Box 911, Charlottesville, VA 22902*

Albemarle County Tax Map 61K (North Berkshire Rd)

**This deed is exempt from recordation taxes pursuant to
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

DEED OF QUITCLAIM

THIS DEED OF QUITCLAIM, made and entered into on this ____ day of _____, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated October 22, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in a portion of North Berkshire Road right-of-way off Solomon Road in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across North Berkshire Road, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in North Berkshire Road were conveyed to the City by the following deeds:

- 1) Deed of Easement dated July 20, 2007 from the County of Albemarle, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 3472, Page 195; and

- 2) Deed of Easement dated May 11, 2007 from Southland Homes, Inc., of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 3428, Page 418.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deeds of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadway.

IN WITNESS WHEREOF, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

BY: _____
Nikuyah Walker, Mayor

ATTEST:

Interim Clerk of Council

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

I, _____, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Brian Wheeler, its Interim Clerk of Council, whose names are signed to the foregoing writing, bearing date of _____, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

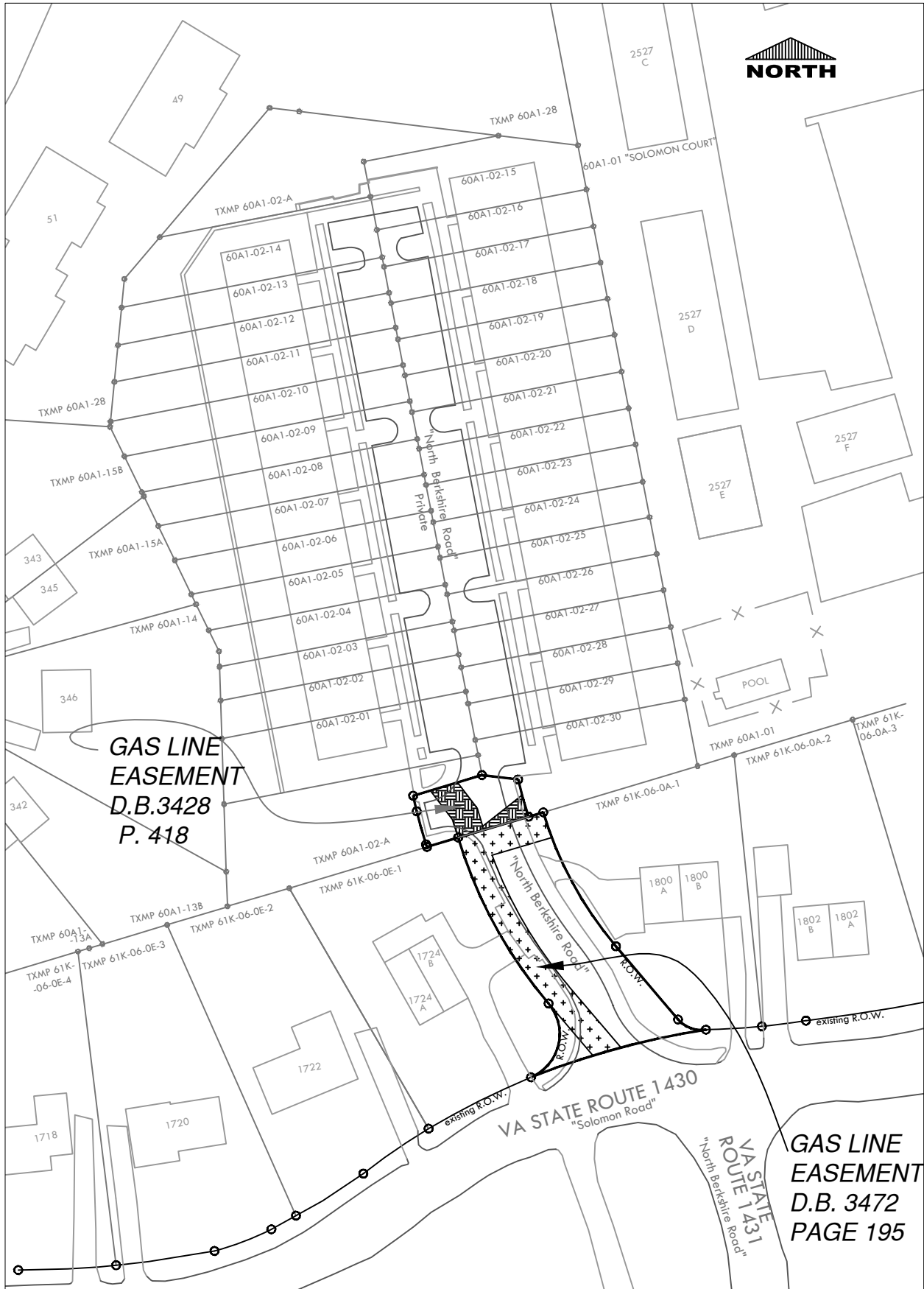
My Commission Expires: _____

Given under my hand this _____ day of _____, 2018.

Notary Public
Registration # _____

Approved as to Form:

John C. Blair, II, City Attorney



**CITY OF CHARLOTTESVILLE UTILITIES: GAS
PLAT SHOWING
EXISTING GAS LINE EASEMENT
LOCATED WITHIN THE RIGHTS OF WAY OF
"NORTH BERKSHIRE ROAD"
BERKSHIRE LANDING SUBDIVISION
TO BE QUIT CLAIMED TO THE
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
GAS LINE EASEMENT RECORDED AT:
DEED BOOK 3428 PAGE 418 AND DEED BOOK 3472 PAGE 195
DATE: OCTOBER 22, 2018 SCALE: 1" = 100'**

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.
When installed, minimum pipeline depth was.
42" below paved surfaces and 36" in grassy areas.

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CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA



Agenda Date: November 19th, 2018

Action Required: Approve (First Reading of Ordinance)

Presenter: Lauren Hildebrand, Director of Utilities

Staff Contacts: Lauren Hildebrand, Director of Utilities
Christian Chirico, Gas Utility Engineer

Title: Quitclaim Gas Easements to VDOT – Fowler Ridge Court & Valcrest Lane (formerly Shepherd's Court and Shepherd's Lane)

Background:

In 2016 the City acquired a natural gas line easement from Dunlora V, LLC. The easement is located within the rights of way of Valcrest Lane and Fowler Ridge Court (formerly Shepherd's Lane and Shepherd's Court) in the Dunlora subdivision. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. An ordinance and quitclaim deed have been drafted quitclaiming to VDOT the City's natural gas easements within these rights of way.

Discussion:

The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

Alignment with Council Vision Areas and Strategic Plan:

This contributes to Objective 3.2 of the Strategic Plan, to provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Alternatives:

If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system

Budgetary Impact:

None.

Recommendation:

Approval of the attached ordinance and quitclaim deed.

Attachments:

Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENTS
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION
WITHIN VALCREST LANE AND FOWLER RIDGE COURT
IN THE DUNLORA SUBDIVISION LOCATED IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Valcrest Lane and Fowler Ridge Court (formerly named Shepherd's Lane and Shepherd's Court) in Albemarle County; and

WHEREAS, the City owns natural gas lines located within these roadways, and also owns easements for such gas lines, and VDOT has asked that the foregoing easements crossing these roadways be released upon VDOT's acceptance of Valcrest Lane and Fowler Ridge Court; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing Valcrest Lane and Fowler Ridge Court to the Virginia Department of Transportation, conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by John C. Blair, II (VSB #65274)
Charlottesville City Attorney's Office
P.O. Box 911, Charlottesville, VA 22902*

Albemarle County Tax Map 62F (Dunlora V Subdivision)

**This deed is exempt from recordation taxes pursuant to
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

DEED OF QUITCLAIM

THIS DEED OF QUITCLAIM, made and entered into on this ____ day of _____, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated October 1, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Valcrest Lane and Fowler Ridge Court rights-of-way in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across Valcrest Lane and Fowler Ridge Court, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in Valcrest Lane and Fowler Ridge Court (formerly named Shepherd's Lane and Shepherd's Court) were conveyed to the City by Deed of Easement dated April 20, 2016 from Dunlora V, LLC, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 4786, Page 713.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadways.

IN WITNESS WHEREOF, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

BY: _____
Nikuyah Walker, Mayor

ATTEST:

Interim Clerk of Council

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

I, _____, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Brian Wheeler, its Interim Clerk of Council, whose names are signed to the foregoing writing, bearing date of _____, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

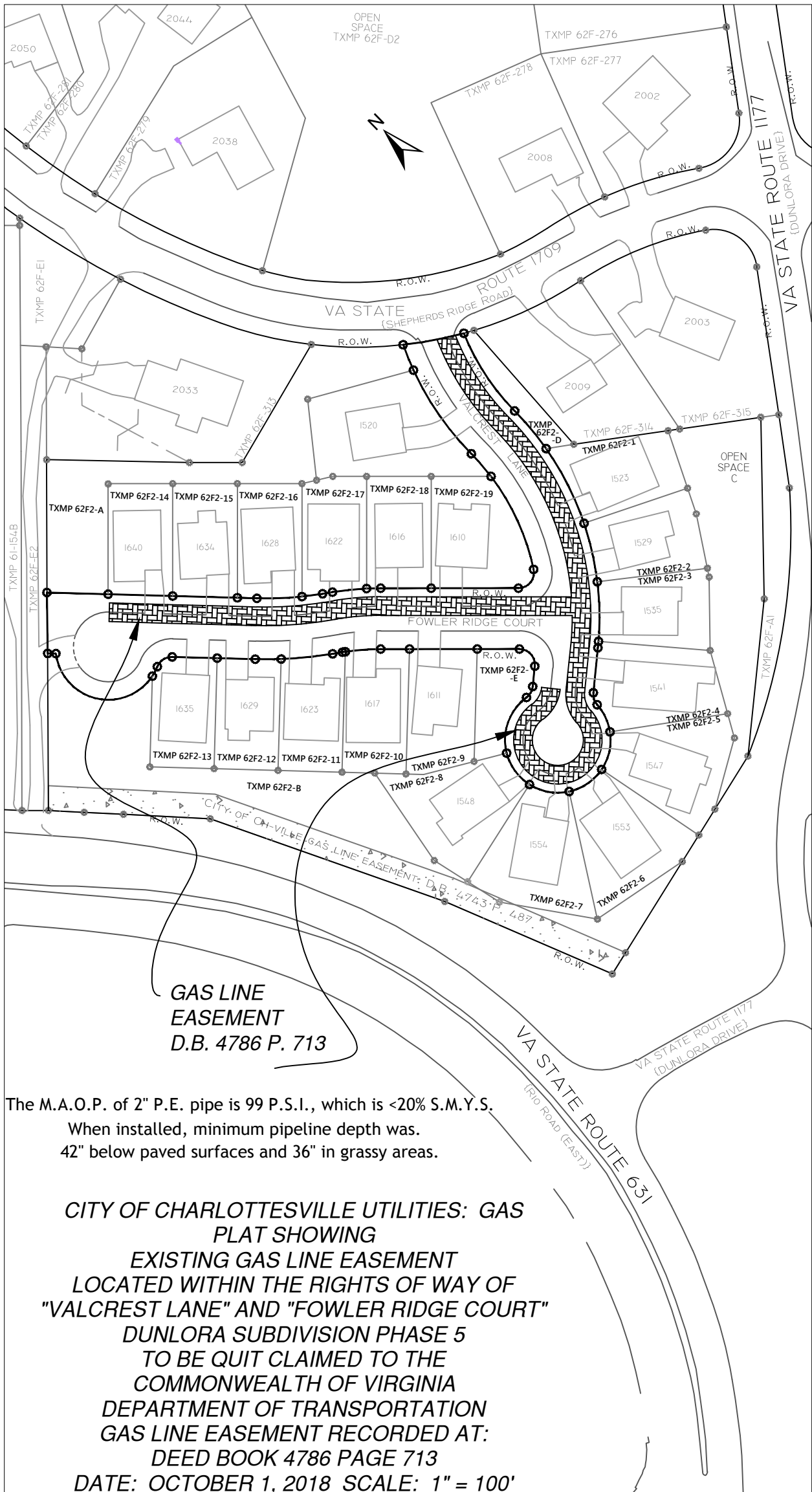
My Commission Expires: _____

Given under my hand this _____ day of _____, 2018.

Notary Public
Registration # _____

Approved as to Form:

John C. Blair, II, City Attorney



**GAS LINE
EASEMENT
D.B. 4786 P. 713**

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.
When installed, minimum pipeline depth was
42" below paved surfaces and 36" in grassy areas.

**CITY OF CHARLOTTESVILLE UTILITIES: GAS
PLAT SHOWING
EXISTING GAS LINE EASEMENT
LOCATED WITHIN THE RIGHTS OF WAY OF
"VALCREST LANE" AND "FOWLER RIDGE COURT"
DUNLORA SUBDIVISION PHASE 5
TO BE QUIT CLAIMED TO THE
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
GAS LINE EASEMENT RECORDED AT:
DEED BOOK 4786 PAGE 713
DATE: OCTOBER 1, 2018 SCALE: 1" = 100'**

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**CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA**



| | |
|------------------|---|
| Agenda Date: | November 19th, 2018 |
| Action Required: | Approve (First Reading of Ordinance) |
| Presenter: | Lauren Hildebrand, Director of Utilities |
| Staff Contacts: | Lauren Hildebrand, Director of Utilities Christian Chirico, Gas Utility Engineer |
| Title: | Quitclaim Gas Easements to VDOT – Lockwood & Livingston Drive |

Background:

In 2007 the City acquired a natural gas line easement from Tribal Properties, LLC. The easement is located within Lockwood Drive and Livingston Drive (formerly Deerwood Village Drive) in the Hollymead Towncenter Subdivison. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. An ordinance and quitclaim deed have been drafted quitclaiming to VDOT the City’s natural gas easements within these rights of way.

Discussion:

The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

Alignment with Council Vision Areas and Strategic Plan:

This contributes to Objective 3.2 of the Strategic Plan, to provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Alternatives:

If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system

Budgetary Impact:

None.

Recommendation:

Approval of the attached ordinance and quitclaim deed.

Attachments:

Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENTS
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION
WITHIN LOCKWOOD DRIVE AND LIVINGSTON DRIVE
IN THE HOLLYMEAD TOWNCENTER SUBDIVISION
LOCATED IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Lockwood Drive and Livingston Drive (formerly named Deerwood Village Drive) in the Hollymead Towncenter subdivision in Albemarle County; and

WHEREAS, the City owns natural gas lines located within these roadways, and also owns easements for such gas lines, and VDOT has asked that the foregoing easements crossing these roadways be released upon VDOT's acceptance of Lockwood Drive and Livingston Drive; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing Lockwood Drive and Livingston Drive to the Virginia Department of Transportation, conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by John C. Blair, II (VSB #65274)
Charlottesville City Attorney's Office
P.O. Box 911, Charlottesville, VA 22902*

Albemarle County Tax Map 32B (Hollymead Towncenter Subdivision)

**This deed is exempt from recordation taxes pursuant to
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

DEED OF QUITCLAIM

THIS DEED OF QUITCLAIM, made and entered into on this ____ day of _____, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated November 2, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Lockwood Drive and Livingston Drive rights-of-way in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across Lockwood Drive and Livingston Drive, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in Lockwood Drive were conveyed to the City by Deed of Easement dated April 10, 2007 from Tribal Properties, LLC and HM Acquisition Group, LLC, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 3401, Page 382, and by Deed of Easement dated April 10, 2007 from Tribal Properties, LLC, of record in the aforesaid Clerk's Office in Deed Book 3401, Page 374. The gas line

easement in Livingston Drive (formerly named Deerwood Village Drive) was conveyed to the City by Deed of Easement dated April 10, 2007 from Tribal Properties, LLC, of record in the aforesaid Clerk's Office in Deed Book 3401, Page 374.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadways.

IN WITNESS WHEREOF, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

BY: _____
Nikuyah Walker, Mayor

ATTEST:

Interim Clerk of Council

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

I, _____, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Brian Wheeler, its Interim Clerk of Council, whose names are signed to the foregoing writing, bearing date of _____, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires: _____

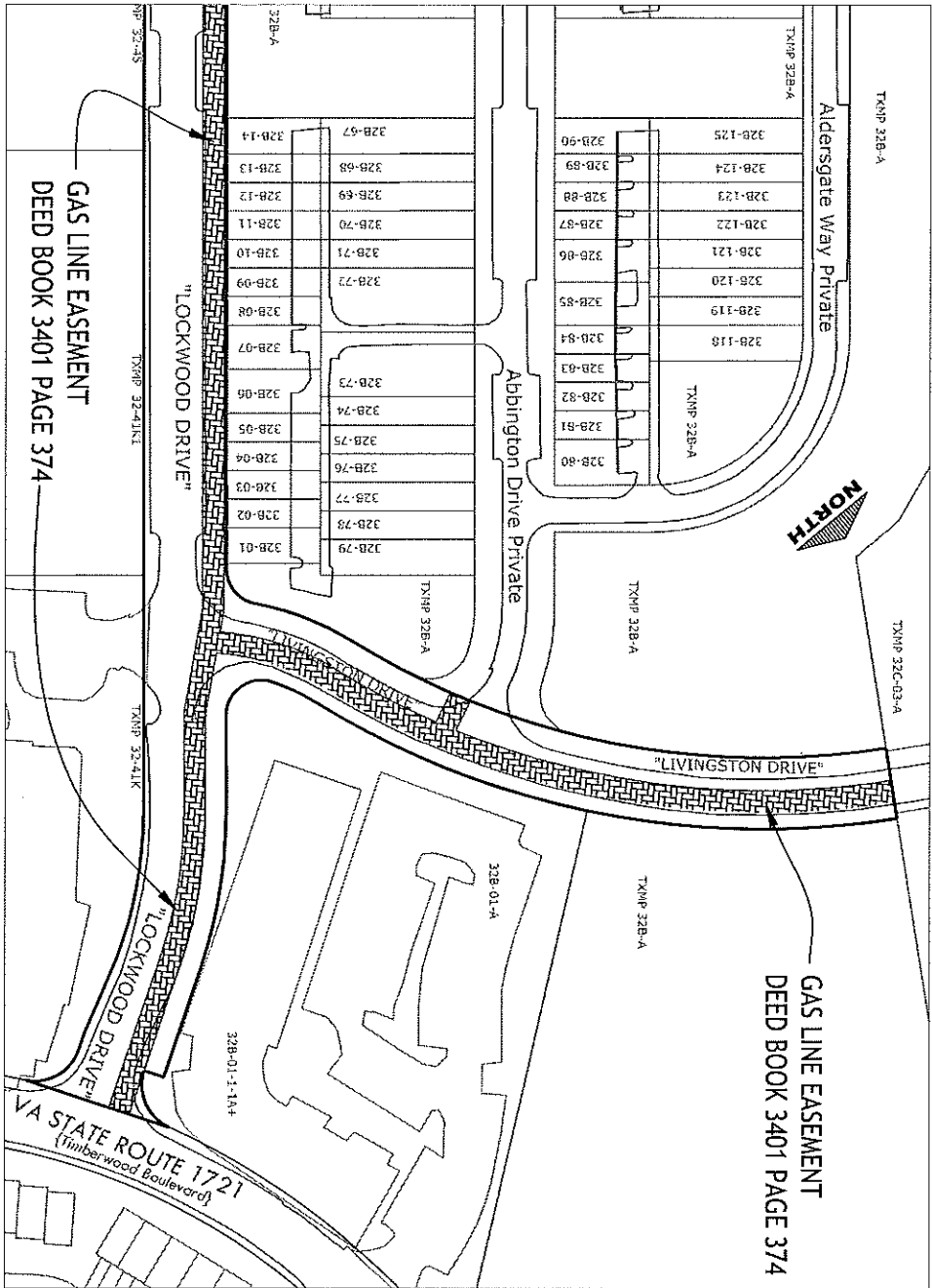
Given under my hand this _____ day of _____, 2018.

Notary Public
Registration # _____

Approved as to Form:

John C. Blair, II, City Attorney

MATCH TO SHEET 1



CITY OF CHARLOTTESVILLE
 DEPARTMENT OF UTILITIES: GAS
 PLAT SHOWING
 EXISTING GAS LINE EASEMENT(S)
 LOCATED WITHIN THE
 RIGHTS OF WAY OF:
 "LOCKWOOD DRIVE"
 AND
 "LIVINGSTON DRIVE"
 HOLLYMEAD TOWNCENTER SUBDIV.
 TO BE QUIT CLAIMED
 TO THE
 COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF TRANSPORTATION
 GAS LINE EASEMENT RECORDED AT:
 DEED BOOK 3401 PAGE 374
 DEED BOOK 3401 PAGE 382
 DATE: NOVEMBER 02, 2018
 SCALE: 1" = 100'

The M.A.O.P. of 2" P.E. pipe is
 90 P.S.I., which is <20% S.M.Y.S.
 When installed, the minimum depth
 in grassy areas was 36" and
 42" below paved surfaces.

PAGE 2 OF 2

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|------------------|---|
| Agenda Date: | November 19, 2018 |
| Action Required: | Approval of City Council's Legislative Positions for 2019 |
| Presenter: | John C. Blair, II, City Attorney |
| Staff Contacts: | John C. Blair, II, City Attorney |
| Title: | 2019 General Assembly Legislative Program |

Background: Each year the Thomas Jefferson Planning District member localities adopt legislative statements and positions on issues of importance and concern to the members. These positions form the basis for local advocacy efforts during the forthcoming General Assembly session. The City Attorney's Office works with the Thomas Jefferson Planning District Commission Legislative Liaison, David Blount, to advocate for the City's interests while the General Assembly is in session.

In addition to the regional legislative program, the City Council also adopts its own statement of legislative positions that details the Council's issues of interest and requests for specific legislation.

Finally, Mayor Walker and Councilor Bellamy are proposing two amendments to the Charlottesville City Charter. In order for a member of the General Assembly to introduce one or both of the proposed charter amendments, the Council needs to authorize public hearing(s) for one or both of these proposals at its December 3, 2018 meeting.

Discussion:

TJPDC Program: The TJPDC legislative program is drafted pursuant to input received from the six localities it serves. The recommendations, requests, and positions in the program address a number of issues and topics likely to be contained in proposed legislation or the state budget during the upcoming General Assembly session.

City Position Statement: The City position statement reflects issues of ongoing concern and new topics of interest to the Council. The position statement attempt to avoid duplication of the TJPDC's legislative program except when the Council's position differs slightly from the TJPDC's program.

Bellamy Charter Proposal: Councilor Bellamy's proposed charter amendment centers on the Mayor of Charlottesville being elected by the voters of Charlottesville. An individual could not run for Mayor and Councilor during the same election. The City Council would remain a five member body in which the Mayor and four Councilors would be elected at-large. The Mayor would not have any additional powers pursuant to Councilor Bellamy's proposal. The Vice-Mayor of Charlottesville

would be the individual receiving the most votes in elections for City Councilor every two years. Councilor Bellamy's proposal for an elected Mayor is identical to the mayoralty of Roanoke, Virginia.

Walker Charter Proposal: Mayor Walker's proposed charter amendment allows the City Council to establish the salary of the Mayor and Councilors. The salaries of the Councilors would be capped at twenty percent of the City Manager's annual salary. The Mayor would receive compensation ten percent greater than the annual salary of Councilors.

Both charter amendments also amend the language contained in the charter which still reflects a May election cycle for City Councilors rather than the November election cycle adopted in July 2004 pursuant to Virginia Code Section 24.2-222.1.

Alignment with Council Vision Areas and Strategic Plan:

The position statements in this draft align with the City Council Vision areas of Quality Housing Opportunities for All, Economic Sustainability, and A Connected Community, as well as Goal 1 (Inclusive, Self-Sufficient Community), Goal 3 (Beautiful Environment) and Goal 4 (Strong Diversified Economy) of the Strategic Plan.

Budgetary Impact: None.

Attachments:

2019 TJPD Legislative Program
Proposed City Council Legislative Position Statements
Councilor Bellamy Charter Proposal
Mayor Walker Charter Proposal

**CHARLOTTESVILLE CITY COUNCIL
LEGISLATIVE POSITION STATEMENTS
FOR THE 2019 GENERAL ASSEMBLY SESSION**

Endorsement of TJPD and VML Priority Statements

As a member of the TJPD, Virginia First Cities and of the Virginia Municipal League, we are supportive of the 2019 Legislative Positions presented by those organizations. On a few issues, the City's interests may differ, and those issues are included within the following position statements.

Children's Education, Services and Programs

We appreciate state funding currently being provided to support implementation by local school divisions of extended school day/ extended school year programs, and encourage continuation of these dollars. Also, the State should increase funding to the Virginia Juvenile Community Crime Control Act (VJCCCA) program, which has demonstrated effectiveness in substantially reducing the number of juvenile justice commitments over the past decade.

Affordable Housing

We strongly advocate that the State should consider enactment of legislation authorizing inclusionary zoning ordinances. In localities where there is an affordable housing crisis, market forces are not delivering new affordable units, and the over-complexity of the density bonus provisions within Virginia Code § 15.2-2305 (the provisions of which do not appear to have been reviewed since 2008 for economic feasibility) make that statute difficult to interpret and apply. We encourage the General Assembly to establish a comprehensive state Affordable Housing Program that delegates authority to all Virginia municipalities consistent with the more general authorization within Virginia Code § 15.2-2304. Finally, we support any and all legislative action that would allow localities greater flexibility in (i) the range of methods that may be applied to implement local affordable housing programs, and (ii) in the use of public funding for the promotion and establishment of affordable housing.

We ask legislators to provide and expand state funding and incentives to support localities acquisition and remediation of gray-field and brown-field sites for the purposes of developing affordable mixed income and mixed use developments in economically isolated census tracts.

We request our legislators to support a study to examine establishing a real property tax circuit breaker program that provides tax relief to a homeowner as a credit or a refund of the homeowner's state income tax if the homeowner's real property tax exceeds a certain percentage of their gross income. These programs are found in many forms in numerous states including New York, Arizona, and Minnesota.

Public Service Corporations' Use of Public Rights of Way

We oppose any legislative action that would further expand the ability of telecommunications companies or other entities to install new above-ground poles or other support structures in City rights-of-way, on terms or conditions mandated by state law.

We encourage legislators to support doubling the scope of Dominion Virginia Power's Pilot Program for Undergrounding Utility lines, either by legislation or by approval of state funding. We encourage legislators to authorize Dominion Virginia Power to spend up to 10% of their revenue on undergrounding lines and to include

an “open ditch” policy allowing the burial of power lines either within or adjacent to a public Right of Way ROW. Dominion should be allowed to impose a surcharge on affected customers, if undergrounding is requested by a locality to coincide with local projects removing and replacing natural gas, water and sewer lines within a public ROW.

Local Authority to Regulate the Use and Development of Land

We oppose any legislative action that would limit our local authority to regulate the nature and intensity of specific uses of land, in relation to their location(s) within our city; we oppose any legislation that would single out specific land uses for special treatment throughout the Commonwealth without regard to the impact of such land uses in particular locations.

We appreciate the state’s willingness to work with localities to coordinate land use and transportation planning, including multi-modal transportation planning. We ask legislators to provide state funding and incentives to support localities’ acquisition, preservation and maintenance of open space.

Stormwater Management; Water Quality

The state should substantially increase funding for the **Stormwater Local Assistance Fund (SLAF)**, the program that provides matching grants to localities for stormwater management projects. The SLAF provides critical matching funds to localities for best management practices. funding in FY19 was provided in the amount of \$20 million, and we believe that more than twice that amount is necessary to adequately fund measures that ultimately benefit all residents of the Commonwealth.

The state should also provide reliable state funding for Agriculture Best Management Practices Cost-Share programs. The current FY20 allocation of \$10 million is substantially less than the \$100 million identified by the Virginia Department of Conservation and Recreation as being necessary. We ask your support for the provision of adequate funding and training as well as an expansion of allowable stormwater management “best practices”. We encourage our legislators to oppose any legislation that would result in new or expanded mandates or requirements.

Finally, The City of Charlottesville asks legislators to oppose any legislation which would require a locality to waive stormwater utility fees, or to exempt railroad companies or other entities from the requirement to pay local Stormwater utility fees--all landowners should be required to share in the cost of stormwater utility programs.

Chesapeake Bay Preservation Act

The City of Charlottesville does not oppose expansion of the CBPA beyond its current tidal river boundaries. In this regard, our position differs from TJPD’s.

Clean Energy Initiatives

The City of Charlottesville is committed to reducing its community-wide greenhouse emissions associated with energy use. Increasing the availability of financial resources available to a broader range of community members is one key to our success. We encourage our representatives to endorse legislation, funding, and data sharing proposals that support energy efficiency and renewable energy use. We also encourage our legislators to endorse state level funding and technical assistance for localities to adopt and maintain clean alternative fuel for public transit such as electric and hydrogen fuel cell busses.

We support the forthcoming DEQ rule to regulate CO2 emissions from the electric power sector in Virginia through a market-based emission mechanism, such as participation in the existing Regional Greenhouse Gas Initiative (RGGI) with proceeds incentivizing energy efficiency improvements and renewable energy

investments as well as addressing public health, integrity of property, and economic and infrastructure resilience amid climate change.

We request the enactment of a mandatory renewable portfolio standard (RPS) to provide a market incentive for renewable power in Virginia to keep Virginia competitive with neighboring states.

We support legislation for ratepayer subscriptions (e.g., community solar) for electricity from solar-produced power for all rate payers, including community net metering. Community solar must not be limited to utility-sponsored programs.

We support net metering legislation that enhances localities' options to take full advantage of net metering's opportunities, including to get credit for, or be compensated for, excess renewable energy generated at a location owned, leased or operated by a locality, including locations that are non-contiguous. We furthermore request legislators to support action that would remove the net-metering limit that currently stands as a one percent cap on the total amount of solar that can be net metered in a utility territory.

We encourage the replacement of current pilot programs for third-party renewable energy power purchase agreements with a permanent provision that allows PPAs to all customer classes without limits on system size or program capacity.

The City of Charlottesville supports continued investment in the Stormwater Local Assistance Fund to assist localities with critical stormwater projects to meet federal and state clean-water requirements.

Transportation Funding and Devolution

We urge legislators to increase state funding for the expansion and maintenance of all modes of our transportation infrastructure, to keep pace with growing public needs and expectations. As the State continues to implement the Smart Scale project prioritization process, adequate funding is critical for important local and regional projects, including those that promote walking and cycling as viable modes of transportation for commuting (not just recreation). We also encourage legislators to support the establishment of a "Smart Scale-type" prioritization for rail and transit projects. We ask our legislators to advocate for an increase in the lane-mileage rates for funding of local street maintenance (primary/urban funds).

Easing Restrictions on Obtaining Restricted Driver's Licenses

We encourage legislation that would allow restricted driver licenses to be issued for as long as a court deems appropriate, and to allow courts to issue restricted licenses when necessary to facilitate the employment, or continued employment of an individual who is otherwise subject to revocation of his or her driver license.

We support legislation that creates a restricted driver's license for undocumented residents in Virginia that permits driving to day-to-day activities such as the individual's place of employment or transporting their families to school.

Public Safety

Firearms--we encourage our legislators to contact the legislators representing the City of Roanoke, and co-sponsor legislation that would allow municipalities to prohibit firearms in places where public meetings are being conducted. Further, we again urge our legislators to sponsor, or to co-sponsor legislation that would enable reasonable local firearms regulations in densely populated localities, including expanding the list of urban localities in which the state prohibits individuals from carrying certain loaded semi-automatic rifles and pistols, and certain shotguns, in public places. In densely populated areas, such as Charlottesville and the other localities already listed in this existing state statute, the carrying of such firearms presents special risks and

hazards—and the General Assembly has already acknowledged this within Virginia Code Section 18.2-287.4. We also encourage legislation allowing urban localities enhanced authority to regulate the discharge of firearms within their corporate limits.

Cell Phone Use While Driving--according to the Morbidity and Mortality Weekly Report, and a 2013 study by the Virginia Tech Transportation Institute, distracted driving accounts for 10% of all fatal motor vehicle accidents. Reaching for a phone, checking contacts, and dialing makes an accident three times more likely. Given practical limitations of enforcing Virginia's "no-texting-while-driving" law we ask legislators to consider enacting a flat ban on drivers using handheld phones (exempting only the use of a GPS device which can be monitored by police).

Procurement

We oppose any legislative action that would restrict our ability to make local procurement decisions that are best for the citizens we serve. Any erosion of local authority to implement the policies of the Virginia Public Procurement Act, through means tailored at the local level to assure acquisition of the best goods and services at the most competitive rates, is contrary to fiscal responsibility objectives.

We ask legislators to continue to support any legislation that would authorize use of preferences by public bodies for goods, services, and construction produced in the locality in which the public body is located, and that would authorize preferences for award of contracts to persons, firms, or corporations having principal places of business in the locality in which the procuring public body is located. We also ask you to support any legislation that would allow localities the ability to procure goods and services by competitive negotiation, in situations where job creation and tax base expansion would be part of a "best value" analysis of competitive proposals.

State Budget and Local Revenues, Generally

We encourage legislators to improve the process for evaluating local fiscal impacts of proposed legislation. Actions that would impose additional administrative burdens on local governments without sufficient financial resources or administrative flexibility will jeopardize the quality of services delivered at the local level, and will ultimately jeopardize the potential success of state programs and initiatives. We oppose any shift of the cost(s) of state programs to localities, and we oppose any legislative or budgetary action that would remove or reduce any existing sources of local funding (e.g., HB599 funding for law enforcement; diversion of fines, fees and forfeitures relating to violations of local ordinances; etc.). We oppose across-the-board state cuts to education funding.

Likewise, we request our legislators to change the manner in which transportation funding is provided to localities; localities should have flexibility to apply transportation funding in a manner that they deem most beneficial to their own communities. Localities should have the right to determine whether allocations of state funding should be spent for maintenance of existing streets or for new construction.

Taxing, Licensing and Regulating Internet-Based Businesses and Services

We oppose any state legislation that would single out any internet-based businesses and services for special treatment for purposes of local taxation, licensing and regulation. We request our legislators to protect our local ability to regulate businesses on a level playing field, whether they are traditional, electronic, internet-based, virtual, or otherwise. Creating a level playing field for completion among businesses offering goods and services is the best way to ensure safety, reliability, and fair access to goods and services for consumers. The state should not carve out exceptions to business licensing, or local taxes, for special interest groups; in doing so, state legislators would harm traditional local businesses and deprive local governments of stable and reliable sources of revenue.

Home Rule

We request our legislators to support home rule for municipalities. Dillon's Rule is a rule of judicial construction imposed by the Supreme Court of Virginia's 1896 ruling in *City of Winchester v. Redmond*. We request that our legislators support legislation which explicitly abrogates Dillon's Rule and permits municipalities to exercise all governmental powers unless specifically restricted by the Commonwealth. The Commonwealth contains a diversity of localities ranging from suburban entities with over one million residents to bucolic locales with populations of less than ten thousand residents. The diversity found within the Commonwealth's localities should not be subject to the "one size fits all" approach encompassed within Dillon's Rule. Instead, each municipality should be empowered to exercise its powers to best meet the needs of its citizenry.

Immigration

We oppose any legislative efforts to restrict a locality's ability to adopt any ordinance, policy, or procedure that concerns the enforcement of federal immigration laws. We value all of Charlottesville's residents, regardless of their federal immigration status, and ask for the maximum flexibility to adopt ordinances, policies, and procedures that best serve our residents.

Non-Discrimination

We request our legislators to support legislation that promotes equal housing and employment opportunities without regard to sexual orientation, transgender status, or gender identity. Additionally, we request our legislators to support legislation that incorporates sexual orientation, transgender status, and gender identity as categories included in Virginia Code §52-8.5's definition of hate crimes.

Restoration of Rights

We request our legislators to support legislation that provides for the automatic restoration of rights to individuals seeking to reclaim their civil rights. Individuals convicted of a felony should not have their exercise of the franchise and other civil rights depend on the discretion of the Governor.

Equal Rights Amendment

All Americans deserve to be treated equally under the law. We request our legislators to support ratification of the Equal Rights Amendment to the United States Constitution. The Commonwealth of Virginia should become the thirty-eighth, and deciding, state to ratify the Equal Rights Amendment to guarantee the equality of rights for all individuals regardless of their sex.

Disposable Plastic Bags

We request our legislators to allow local option authority to develop incentives or regulations to decrease or otherwise regulate the distribution, sale, or offer of disposable plastic bags. Regulating plastic bags can mitigate harmful impacts to oceans, rivers, lakes, forests and the wildlife that inhabit them. Reducing bag use can also relieve pressure on landfills and waste management.

Requests to Legislators for Specific Bills

(1) Safety of Public Parks, Public Buildings and other Public Spaces.

Authority to Control the Safety of Public Spaces and Buildings. We ask our legislators to sponsor a bill that would **create an exception to the restrictions set forth within Virginia Code § 15.2-915** specifically: to authorize municipalities and other local governments to prohibit the possession of firearms (including concealed firearms carried with a permit) and weapons by any individual who is at a meeting conducted by, or on property owned, operated, managed or under the control of the local government. This authority would apply to the grounds of a public park or other similar public place, during times at which entry to that public place is controlled at entrances where law enforcement or security officers are present, and metal detection devices are employed. Notice of any such prohibition would need to be posted on the property during times when the prohibition would be in effect. **The state of Tennessee adopted such legislation, which took effect July 1, 2017, see TN ST § 39-17-1359.** The availability of this legislatively-delegated authority contributed significantly to the successful management of a rally conducted in Shelbyville, Tennessee in October 2017.

Prohibition of certain firearms in Charlottesville. We ask our legislators to sponsor a bill that would **add the City of Charlottesville to the list of other urban jurisdictions in which, pursuant to Virginia Code § 18.2-287.4,** it is unlawful for any individual to carry a loaded: (a) semi-automatic center-fire rifle or pistol that expels single or multiple projectiles by action of an explosion of a combustible material and is equipped at the time of the offense with a magazine that will hold more than 20 rounds of ammunition or designed by the manufacturer to accommodate a silencer or equipped with a folding stock or (b) shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered, on or about his person, on any public street, road, alley, sidewalk, public right-of-way, or in any public park or any other place of whatever nature that is open to the public.

Prohibition of burning torches in public places, with intent to intimidate. We ask our legislators to sponsor a bill that would make it a crime for an individual to carry a burning torch on any highway or other public place, with the intent of intimidating any person or group of persons. This legislation could be **added to Title 18.2 of the Virginia Code, where there already exist similar provisions prohibiting the burning of a cross or other object on public property,** and prohibiting the display of a noose on a highway or other public place in a manner having a direct tendency to place another person in reasonable fear or apprehension of death or bodily injury.

(2) Authority for Charlottesville to make local decisions on Confederate monuments: We ask our legislators to sponsor a bill that would exempt Charlottesville from the restrictions and requirements of Virginia Code §§ 15.2-1812, for any monuments or memorials erected in such municipality prior to July 1, 1997. Further, we ask the legislators to introduce bills (i) to grant Charlottesville immunity from suit under the provisions of 15.2-1812.1 as to any such monuments or memorials, and (ii) to clarify that Charlottesville is immune from prosecution for a violation of Virginia Code § 18.2-137 with respect to any monument or memorial owned by such locality.

(3) Speed Cameras: We ask our legislators to sponsor a bill that would enable certain local governments to adopt policies regarding the deployment of automated speed cameras in school zones and residential neighborhoods at no cost to the Commonwealth of Virginia. We have several residential neighborhoods, and school zones, experiencing significant traffic safety hazards due to motorists traveling at speeds well above posted limits—at levels which enhanced enforcement and enhanced penalties have not deterred the traffic violations.

(4) Inclusionary Zoning: We ask our legislators to sponsor a bill that enables Charlottesville to exercise the same affordable housing dwelling unit program authority contained in Virginia Code §15.2-2304

Adopted by the Charlottesville City Council

Date: _____, 2018

Councilor Bellamy's Proposed Amendments to City Charter

Sec. 5. - Elective officers; qualifications and terms of certain officers; form of government; corporate powers vested in city council; salaries of councilmen and mayor; city manager; director of finance.

(a) The municipal authorities of the said city shall consist of a council of five members, one of whom shall be mayor, ~~as hereinafter set forth, unless and until this form be changed in manner prescribed by law,~~ a clerk of the ~~corporation~~ [circuit] court, a commonwealth's attorney, a treasurer, a sheriff and a commissioner of revenue, who shall be elected by the qualified voters of the City of Charlottesville at elections held at the intervals and on the day prescribed for such elections by the laws of the state. All persons who are qualified voters of the City of Charlottesville shall be eligible to any of the said offices. The terms of offices of all of said officers shall begin and continue for such length of time as is prescribed by law; provided, that any of said officers shall be eligible to one or more offices to which he may be elected or appointed by the council. All the corporate powers of said city shall be exercised by said council, or under its authority, except as otherwise provided herein.

(b) The form of government for said city shall be the city manager plan as follows: All corporate powers, legislative and executive authority vested in the City of Charlottesville by law shall be and are hereby vested in a council of five members to be elected at large from the qualified voters of the city, except as hereinafter provided.

(c) Each ~~of said councilor men~~ shall receive an annual salary to be set by the council, as provided for by general law, not to exceed thirty six hundred dollars each (except the president of said council, who shall be mayor, and shall receive a salary not to exceed forty eight hundred dollars) from the city for their services.

(d) In accordance with the general laws of the commonwealth, the election of council~~ors~~~~men~~ shall be held in ~~November~~May of ~~2019~~1972, and biennially thereafter. At the election in ~~November~~May of ~~2019~~1972, there shall be elected a mayor and two ~~three members of~~ council~~ors~~, and at the election in ~~November~~May of ~~2021~~1974, there shall be elected two ~~members of~~ council~~ors~~. No person may be a candidate for the office of mayor and for the office of councilor in the same election. Councilors in office on the effective date of this Charter amendment are hereby confirmed in office until the first day of January following the final year of the term of office for which they were elected.

~~to fill vacancies occurring on the first of July in the respective years in which they are elected. The term of office of the councilmen shall be four years. The members of the council on the effective date of this Charter amendment are hereby confirmed in office until the first day of July in the final year of the term of office for which they were elected.~~

Councilors shall serve for terms of four years, from the first day of January next following the date of their election and until their successors shall have been elected and qualified. The mayor shall serve for a term of four years from the first day of January next following the date of election and until a successor shall have been elected and qualified.

The councilor receiving the largest number of votes in each regular councilor election shall be the vice-mayor of the city, for a term of two years, to commence on the first day of January next following the date of such election and until the vice-mayor's successor shall have been elected and qualified.

The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of the expiration of the term of office or removal of the members of council, or any of them.

(e) It shall be the duty of the ~~said~~ council of five members to elect a city manager, at the salary to be fixed by them, who shall serve at the pleasure of the council.

(f) Subject to general control by the council as provided in subsection (b) hereof, the city manager shall have full executive and administrative authority and shall have the right to employ and discharge all employees under his control. All departments of city government, including the fire department and police department, shall be under the general supervision of the city manager. The city manager shall give a bond for the faithful performance of his duties in such sum as the council may require. Subject to the general power of the council as provided in subsection (b) hereof and except as the council may by ordinance otherwise provide, the city manager shall have the powers vested in city managers by Code of Virginia, sections 15.1-926 and 15.1-927 and general laws amendatory thereof.

(g) Said council shall elect a director of finance who shall serve at the pleasure of the council and who shall superintend the fiscal affairs of the city, and shall manage the same in the manner required by the council.

In all other respects the said council shall have and be vested with the same authority heretofore exercised by the council, and in all other respects their duties and liabilities shall be regulated by the existing laws, not in conflict therewith.

Sec. 7. - Oaths of office and qualification of officers; failure to qualify.

The mayor and councilorsmen, and other officers elected by the people shall each, before entering upon the duties of their offices, take the oaths prescribed for all other officers by laws of Virginia, and qualify before the corporation [circuit] court of said city, or the judge thereof in vacation, and in the cases of the mayor and councilorsmen a certificate of such oaths having been taken, shall be filed by them, respectively, with the clerk of the council, who shall enter the same upon the journal thereof; but if any or either of said officers shall fail to qualify, as aforesaid, for ten days after the commencement of the term for which one or more of themhe, or they, were elected, or shall neglect for a like space of time to give such bond as may be required of him, theirhis office or their offices shall be deemed vacant.

Sec. 8. - Vacancy in office of mayor or councilmen.

~~Whenever, from any cause, a vacancy shall occur in the office of mayor it shall be filled by the council and a vacancy in the office of councilmen shall be filled by that body at its next regular meeting from the qualified electors of said city, and the officer thus elected shall hold his office for the term for which his predecessor was elected, unless sooner vacated by death, resignation, removal, or from other causes. An entry of said election shall be made in the record book. If the mayor of said city or a councilman shall remove from the city limits, such removal shall operate to vacate his office.~~

Vacancies in the council or a vacancy in the office of mayor shall be filled by an interim appointee within forty-five days of the creation of the vacancy. The interim appointee shall be elected by a majority vote of the remaining members of the council. The interim appointee shall hold and exercise all duties and powers of the office until a special election is held to fill the remainder of the unexpired term. The council shall petition the circuit court for a special election as provided for in general law to fill the remainder of the unexpired term.

If the mayor or a councilor shall no longer reside within the corporate limits of the City of Charlottesville, the mayor or councilor's office shall be vacated.

~~Sec. 9. - Council - President and vice-president. -~~

~~At its first meeting in July, 1972, and biennially thereafter, the council shall elect one of its members to act as president, who shall preside at its meetings and continue in office two years. Or if a vacancy occur in the office before the end of his term, such vacancy shall be filled as provided in section 8.~~

~~At the same time the council shall elect one of its members to be a vice president, who shall preside at such meetings in the absence of the president, and who, when the president shall be absent or unable to perform the duties of his office, by reason of sickness, or other cause, shall perform any and all duties required of, or entrusted to, the president. The president, or the vice-~~

~~president, when authorized, as above stated, to act, shall have power at any time to call a meeting.~~

Sec. 9. Duties of the Mayor

The mayor shall preside at meetings of the council, and perform such other duties consistent with their office as may be imposed by the council. The mayor shall be entitled to a vote, but shall possess no veto power. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes. The mayor may use said title in any case in which the execution of contracts or other legal instruments in writing, or other necessity arising from the general laws of the state, may so require. During the mayor's absence or disability their duties shall be performed by the vice-mayor.

Sec. 11. - Same—~~President and vice-president~~ Mayor and Vice-Mayor entitled to vote.

The ~~president~~ mayor, or ~~vice-president~~ vice-mayor, as the case may be, shall be entitled to a vote on all questions as any other member, but in no case shall ~~he~~ they be entitled to a second vote on any question, ~~though it be necessary to break a tie—that is to say, his office shall not entitle him to a vote.~~

Mayor Walker's Proposed Charter Amendments to City Charter

Sec. 5. - Elective officers; qualifications and terms of certain officers; form of government; corporate powers vested in city council; salaries of councilmen and mayor; city manager; director of finance.

(a) The municipal authorities of the said city shall consist of a council of five members, one of whom shall be mayor, as hereinafter set forth, unless and until this form be changed in manner prescribed by law, a clerk of the corporation [circuit] court, a commonwealth's attorney, a treasurer, a sheriff and a commissioner of revenue, who shall be elected by the qualified voters of the City of Charlottesville at elections held at the intervals and on the day prescribed for such elections by the laws of the state. All persons who are qualified voters of the City of Charlottesville shall be eligible to any of the said offices. The terms of offices of all of said officers shall begin and continue for such length of time as is prescribed by law; provided, that any of said officers shall be eligible to one or more offices to which ~~he~~ they may be elected or appointed by the council. All the corporate powers of said city shall be exercised by said council, or under its authority, except as otherwise provided herein.

(b) The form of government for said city shall be the city manager plan as follows: All corporate powers, legislative and executive authority vested in the City of Charlottesville by law shall be and are hereby vested in a council of five members to be elected at large from the qualified voters of the city, except as hereinafter provided.

(c) ~~The mayor and e~~Each of said councilors ~~men~~ shall receive an annual salary to be set by the council, ~~not to exceed thirty six hundred dollars each (except the president of said council, who shall be mayor, and shall receive a salary not to exceed forty eight hundred dollars) from the city for their services.~~ The annual salary received by each councilor shall not exceed twenty percent of the city manager's annual salary. The mayor shall receive an annual salary that is twenty percent more than the annual salary received by councilors.

(d) In accordance with the general laws of the commonwealth, the election of councilors ~~men~~ shall be held in ~~May of 1972~~ November of 2019, and biennially thereafter. At the election in ~~May of 1972~~ November of 2019, there shall be elected three members of council, and at the election in ~~May of 1974~~ November of 2021, there shall be elected two members of council ~~to fill vacancies occurring on the first of July in the respective years in which they are elected.~~ The term of office of the councilors ~~men~~ shall be four years from the first day of January following the date of their election and until their successors shall have been elected and qualified. The members of the council on the effective date of this Charter amendment are hereby confirmed in office until the first day of ~~July~~ January following the final year of the term of office for which they were elected.

(e) It shall be the duty of the said council of five members to elect a city manager, at the salary to be fixed by them, who shall serve at the pleasure of the council.

(f) Subject to general control by the council as provided in subsection (b) hereof, the city manager shall have full executive and administrative authority and shall have the right to employ and discharge all employees under their ~~his~~ control. All departments of city government, including the fire department

and police department, shall be under the general supervision of the city manager. The city manager shall give a bond for the faithful performance of their ~~his~~ duties in such sum as the council may require. Subject to the general power of the council as provided in subsection (b) hereof and except as the council may by ordinance otherwise provide, the city manager shall have the powers vested in city managers by Code of Virginia, sections ~~15.1-926 and 15.1-927~~ 15.2-1540 and 15.2-1541 and general laws amendatory thereof.

(g) Said council shall elect a director of finance who shall serve at the pleasure of the council and who shall superintend the fiscal affairs of the city, and shall manage the same in the manner required by the council.

In all other respects the said council shall have and be vested with the same authority heretofore exercised by the council, and in all other respects their duties and liabilities shall be regulated by the existing laws, not in conflict therewith.

November 9, 2018

TO: Members, Charlottesville City Council
Charlottesville Interim City Manager

FROM: David C. Blount, Legislative Liaison

RE: 2019 TJPDC Legislative Program Approval

Attached for your review and consideration are the draft 2019 TJPDC Legislative Program, as well as a list highlighting proposed revisions to the program. I will be seeking approval of it at your November 19 meeting. Again this year, the draft program lists three top legislative priorities and three additional priority positions. The priority positions are contained in the draft program as follows:

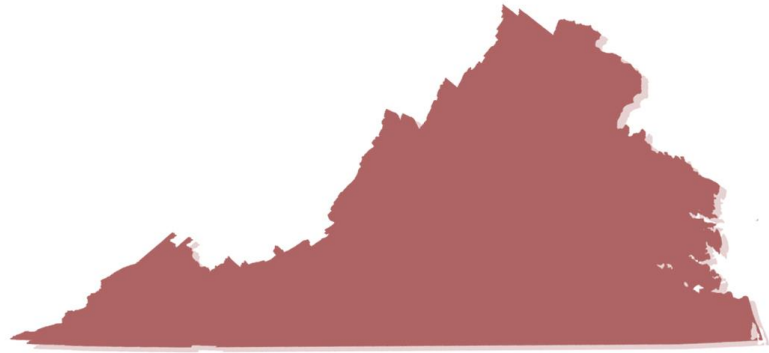
- 1) State Budget and Funding Obligations
- 2) Public Education Funding
- 3) Broadband
- 4) Local Revenue Authority
- 5) Children's Services Act
- 6) Land Use and Growth Management

An accompanying "Legislative Positions" section contains recommendations and positions in other areas of interest and concern to the region or to our individual localities.

A summary of the six priority positions will be produced and distributed later for you to use in communicating with your legislators.

I look forward to discussing the draft program at your November 19 meeting. Thank you.

Recommended Action: Approve the draft TJPDC Legislative Program.



Thomas Jefferson Planning District
2019 LEGISLATIVE PROGRAM

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

DRAFT

November 2018

Rick Randolph, Chair
Chip Boyles, Executive Director
David Blount, Legislative Liaison

TOP LEGISLATIVE PRIORITIES

State Budget and Funding Obligations

PRIORITY: The Planning District localities urge the governor and legislature to enhance state aid to localities, and to not impose mandates on or shift costs for state programs to localities.

While state general fund revenues are expected to continue to increase in the current fiscal year, crafting amendments to the enacted biennial budget will pose a tall order for the governor and election-conscious State legislators. They will have to address tax policy changes related to the new federal budget act, requests for additional funding in human services and transportation, and adding dollars for broadband and school safety/school facilities, as well as for various state agency projects.

As State policymakers weigh these issues, we encourage them to develop revenue and spending priorities that support K-12 education, economic development, public safety, and other public goals. Localities continue to be the state's go-to service provider and we believe state investment in local service delivery must be enhanced, as many mandated programs have been level funded since 2009. State funding for others, such as for jail per diems and HB 599, are less than the 2009 amounts.

We take the following positions:

→We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver services mandated by the State or federal government or demanded by residents.

→We urge the State to resist placing additional administrative burdens on local governments without sufficient resources or flexibility; otherwise, the quality of services delivered at the local level is jeopardized.

→We urge policymakers to preserve existing funding formulas rather than altering them in order to save the State money and/or to shift costs to localities.

→The State should not confiscate or redirect local general fund dollars to the state treasury.

Public Education Funding

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) without making policy changes that reduce funding or shift funding responsibility to localities.

The State will spend just over \$6.2 billion on direct aid to public education in FY19. While we appreciate additional state teacher salary and other education dollars approved for the FY19-20 biennium, we continue to believe that the State should significantly increase its commitment to K-12 education. While overall state funding has increased above FY09's low levels, per pupil funding amounts have not kept pace and state dollars do not reflect the true costs

of K-12 education. Local governments consistently go “above and beyond” to close this funding gap by appropriating twice as much K-12 funding as required by the state.

We believe localities need an adequately defined SOQ so that state funding better aligns with what school divisions are actually providing in their schools. This could include recognizing additional instructional positions and, as recommended by the Board of Education, increasing state-funded staffing ratios for various, non-instructional positions. This would be a welcome change of course, as state policies that have been revised since the Great Recession have reduced the state’s funding obligations to public education.

Broadband

PRIORITY: The Planning District localities encourage and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas.

Access to broadband, or high-speed internet, is a critical necessity in the 21st century. It has become basic, not optional, infrastructure, just like roads and electricity, that is essential for economic growth, equity in access to public education, community growth, and consumer communications and information. Many communities, particularly those in unserved rural areas, need thoughtful, longer-term strategies to bridge the broadband gap. This may be an approach that utilizes both fiber and wireless technologies, private/public partnerships and regulated markets that provide a choice of service providers and competitive prices.

Accordingly, we believe state and federal support should include the following:

→Additional state general fund dollars for localities/private sector providers to help extend service to areas presently unserved by any broadband provider. We appreciate action that increased funding for the Virginia Telecommunication Initiative (VaTI) in the current State budget from \$1 million to \$4 million per year, but believe additional, significant increases in investment are still critical.

→Development of a statewide comprehensive plan for broadband and state support for local governments that are developing or implementing local or regional broadband plans;

→Provisions and incentives that would provide 1) for the use of existing electrical and road right-of-way easements for broadband infrastructure, and 2) a sales tax exemption for materials used to construct such infrastructure.

→Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences;

→Maintaining local land use, permitting, fee and other local authorities; and

→Consideration of proposals that would subject broadband to stricter and more developed regulation as a public utility.

OTHER PRIORITY ITEMS

Local Revenue Authority

PRIORITY: The Planning District localities urge the governor and legislature to diversify the revenue options available to localities, to include equalizing the revenue-raising authority of counties with that of cities, and to not restrict local revenue-raising authority.

We support the legislature making additional revenue options available to diversify the local revenue stream, which could reduce dependency on real property taxes, rather than removing or restricting local revenue authorities. One way to do this is to eliminate the differences between city and county taxing authority, which exist due to now less-prevalent distinctions in the services provided. This would mean removing the restrictions that currently apply to county authority to levy the meals, lodging, cigarette and amusement taxes. Equalizing revenue authority for counties with that of cities also should be included as part of a needed modernization of the state's tax system to comport with the realities of a global, information-driven economy, which will rely less on governmental spending and more on new, private sector business models. We also believe any tax reform efforts should examine the financing and delivering of state services at the local level.

We take the following positions:

→The State should refrain from establishing local tax policy at the state level and allow local governments to determine the equity of local taxation policy.

→The State should not expect local governments to pay for new funding requirements or the expansion of existing ones on locally-delivered services, without a commensurate increase in state financial assistance or new local taxing authority (see above).

→In light of the Supreme Court decision eliminating the requirement for physical presence for sales and use tax collection, any statutory changes must provide for local option sales taxes to be collected from remote sellers.

→The State should not alter or eliminate the BPOL and Machinery and Tools taxes.

→The State should refrain from diverting Communications Sales and Use Tax Trust Fund dollars for general fund purposes. Revenues coming back to localities from the Fund already are 20% less than 10 years ago, primarily because the tax does not reflect modern technology patterns of consumption. We also support updating the tax to reflect these new patterns.

Children's Services Act

PRIORITY: The Planning District localities urge the State to be partners in containing costs of the Children's Services Act (CSA) and to better balance CSA responsibilities between the State and local governments. The State should resist attempts to shift costs of serving children through CSA to localities and schools.

Since the inception of CSA in the early 1990's, there has been pressure to hold down costs, to cap state costs for serving mandated children, to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

This past session, the General Assembly continued its recent practice of appropriating additional dollars to address increasing caseloads and costs in CSA, an increase largely attributable to private special education day placement costs. Also, legislative review continues of options for these placements and how their cost and quality could be better managed. Localities are concerned about proposals that would move some CSA funding to the Department of Education, with any resulting shortfalls in funding for services becoming the responsibility of localities (rather than the current process where localities request supplemental state funding). Such a scenario could limit services and funding that are necessary for students who may need more intensive services at any time.

Accordingly, we support 1) local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools; and 2) maintaining cost shares on a sum sufficient basis by both the State and local governments. Changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.

We also support the following:

- Enhanced state funding for local CSA administrative costs;
- A cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children; and
- The State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.

Land Use and Growth Management

PRIORITY: The Planning District localities encourage the State to resist preempting or circumventing existing land use authorities, and to provide additional tools to plan and manage growth, including broader impact fee authority.

Over the years, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local authority to plan and regulate land use, and we oppose legislation that weakens these key local responsibilities; this would include recent efforts to 1) restrict local oversight of the placement of various telecommunications infrastructure, and 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations.

We also believe the General Assembly should provide localities with necessary tools to meet important infrastructure needs, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life. This would include more workable impact fee authority for facilities other than roads, authority that should provide for calculating the cost of all public infrastructure, including local transportation and school construction needs caused by growth.

Proffer legislation approved in 2016 limits the scope of impacts that may be addressed by proffers, and establishes specific criteria for when a proffer is deemed to be unreasonable. We support changes to the law to provide more balanced and practical standards for determining

whether a proffer is reasonable and to restore a climate where localities and applicants can openly discuss rezoning applications.

Further, we support ongoing state and local efforts to coordinate land use and transportation planning, and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Finally, concerning land preservation, we request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space.

LEGISLATIVE POSITIONS

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. We support policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources. We encourage enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands. We also support continuing emphasis on regional cooperation in economic, workforce and tourism development.

Economic Development:

- We support continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region, with ongoing state financial backing, technical support and other incentives to support collaboration by business, governments, educational institutions and communities that spur economic development, job creation and career readiness.

Workforce Development:

- We support state job investment and small business grants being targeted to businesses that pay higher wages.

Planning District Commissions:

- We support increased state funding for regional planning district commissions.
- We encourage opportunities for planning districts to collaborate with state officials and state agencies on regional programs and projects.

Agricultural Products and Enterprises:

We encourage state and local governments to work together and with other entities to identify, to provide incentives for, and to promote local, regional and state agricultural products and rural enterprises, and to encourage opportunities for such products and enterprises through a balanced approach.

Education

The Planning District's member localities believe that the state should be a reliable funding partner with localities by recognizing the operational, personnel, and capital resources necessary for a high-quality public education system (see priority position on *Public Education Funding*).

School Division Finances:

- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government, with the Virginia Department of Education paying its share of retirement costs directly to the Virginia Retirement System in order to facilitate such sharing.
- The State should not eliminate or decrease funding for school employee benefits.
- We support legislation that 1) establishes a mechanism for local appeal to the State of the calculated Local Composite Index (LCI); and 2) amends the LCI formula to recognize the land use taxation value, rather than the true value, of real property.

Literary Fund:

- The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
- We urge state financial assistance with school construction and renovation needs.

Safety and Security at Schools:

- We support funding (both capital and operational) to improve security at local schools, to include incentive funding or reimbursement for localities and school divisions hiring school resource or security officers.

Environmental Quality

The Planning District's member localities believe that environmental quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. We support protection and enhancement of the environment and recognize the need to achieve a proper balance between environmental regulation and the socio-economic health of our communities within the constraints of available revenues. Such an approach requires regional cooperation due to the inter-jurisdictional nature of many environmental resources, and adequate state funding to support local and regional efforts.

Chesapeake Bay Preservation Act:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to 1) provide legal, financial and technical support to localities that wish to comply with any of the Act's provisions; 2) allow localities to use other practices to improve water quality; and 3) provide funding for other strategies that address point and non-point source pollution.

Biosolids:

- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality, based on criteria designed to further protect the public safety and welfare of citizens.

Alternate On-Site Sewage Systems:

- We support legislative and regulatory action to 1) ensure operation and maintenance of alternative on-site sewage systems in ways that protect public health and the environment, and 2) increase options for localities to secure owner abatement or correction of system deficiencies.

Dam Safety:

- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.

Water Supply:

- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include investing in regional projects.

Program Administration:

- The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.

Solar:

- We support the creation of stronger markets for distributed solar.

Disposable Plastic Bags:

- We support local authority to develop incentives to decrease the distribution, sale or offer of disposable plastic bags.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to carry out their responsibilities.

Internet-based Businesses and Services:

- We oppose legislation that would single out internet-based businesses and services for special treatment or exceptions. Rather, the State should support local authority concerning collection and auditing of taxes, licensing and regulation. There should be a level playing field for competition among businesses offering goods and services to ensure safety, reliability and fair access to such offerings by consumers and the general public.

Local Government Operations:

- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; procedures for adopting ordinances; and procedures for conducting public meetings.
- We support allowing localities to use alternatives to newspapers for publishing various legal advertisements and public notices.
- We oppose attempts to reduce sovereign immunity protections for localities and their employees, to include regional jail officers.

State-Supported Positions:

- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State.

Elections:

- We urge funding to address shortfalls in elections administration dollars, as elections administration has become more complex and federal and state financial support for elections has been decreasing.
- We support legislation that allows localities to address concerns and discrepancies regarding voting district boundary lines.

Libraries: We support enhanced state funding for local and regional libraries.

Freedom of Information Act (FOIA):

- We request that any changes to FOIA preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning creation of customized records.
- We support changes to allow local and regional public bodies to conduct electronic meetings as now permitted for state public bodies.

Quality of Life Issues:

- We oppose changes to state law that further weaken a locality's ability to regulate noise or the discharge of firearms.
- We support expanding local authority to regulate smoking in public places.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to developing circumstances under which people, especially the disabled, the poor, the young and the elderly, can achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. The delivery of such services must be a collaborative effort by federal, state and local agencies.

Funding:

- We support full state funding for the local costs associated with Medicaid expansion, including local eligibility workers and case managers. We oppose changes in state funding or policies that increase the local share of costs for human services. We also oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards (CSBs) to meet the challenges of providing a community-based system of care. This includes restoration of FY19 funding reduced when health care was expanded through Medicaid. While these reductions may eventually be made up due to expansion, the timing of implementation leaves CSBs with six months to make up for a year's worth of reductions in the current fiscal year, and puts them at risk of service and staffing disruptions.
- We support increased investment in the ID waiver program for adults and young people and Medicaid reimbursement for children's dental services.
- We support sufficient state funding assistance for older residents, to include companion and in-home services, home-delivered meals and transportation.

Social Services:

- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support changes to the Code to provide that a judicial finding be controlling of administrative findings in alleged child abuse and neglect cases.

Prevention:

- We support continued operation and enhancement of early intervention and prevention programs. This includes the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe that every citizen should have an opportunity to afford decent, safe and sanitary housing. The State and localities should work to expand and preserve the supply and improve the quality of affordable housing for the elderly, disabled, and low- and moderate-income households. Regional planning and solutions should be implemented whenever possible.

Affordable Housing:

- We support the following: 1) local flexibility in the operation of affordable housing programs and establishment of affordable dwelling unit ordinances; 2) creation of a state housing trust fund; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; and 4) the provision of other funding to encourage affordable housing initiatives.

Homelessness:

- We support measures to prevent homelessness and to assist the chronic homeless.

Historic Structures:

- We support incentives that encourage rehabilitation and preservation of historic structures.
-

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for local law enforcement (and state police), emergency medical care, criminal justice activities and fire services responsibilities carried out locally.

Funding:

- We urge the State to make Compensation Board funding a top priority, fully funding local positions that fall under its purview. It should not increase the local share of funding Constitutional offices or divert money away from them, but increase dollars needed for their operation.
- We support returning funding responsibility for the Line of Duty Act (LODA) to the State. In the absence of that, there should be no new or enhanced benefits that increase locality costs.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- The State should increase funding to the Virginia Juvenile Community Crime Control Act program, which has greatly reduced the number of juvenile justice commitments over the past decade.
- We support funding for mental health and substance abuse services at juvenile detention centers.

Jails:

- As the state prisoner reimbursement rate is insufficient to cover actual costs, jail per diem funding should be increased to levels that better represent the costs of housing inmates, and be regularly adjusted for inflation. The State should fund four quarters of payments per year in the budget, and pay for the medical costs and any necessary mental health assessments costs for inmates.
- The State should not shift costs to localities by altering the definition of state-responsible prisoner.
- The State should continue to allow exemptions from the federal prisoner offset.

Offender Programs and Services:

- We support continued state funding of the drug court program and the Offender Reentry and Transition Services (ORTS), Community Corrections and Pretrial Services Acts.
- We support continued state endorsement of the role and authority of pretrial services offices.
- We support authorization for the court to issue restricted driver's licenses to persons denied them because of having outstanding court costs or fees.

Body Cameras:

- We support the ability of local governments to adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities.

Transportation Funding and Devolution

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges and for keeping pace with growing public needs and expectations. We believe the state should continue to enhance funding for local and regional transportation needs, including the Revenue Sharing Program with localities. We also remain opposed to attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.

Transit Capital Funding:

- Capital Project Revenue bonds, authorized to provide \$600 million over 10 years for transit capital, are expiring. Failure by the State to provide replacement funding will jeopardize safe and reliable transit service and will result in the loss of federal funds if they are unable to be matched, which would mean a double hit for transit agencies funded primarily at the local/regional level. Therefore, it is critical that the State identify new funding sources for transit capital investments.

Smart Scale:

- As the State continues to implement the prioritization process established by HB 2 (2014), known as "Smart Scale," and the distribution formula for highway construction projects established by HB 1887 (2015), there should be adequate funding, and local authority to generate transportation dollars, for important local and regional projects.

Devolution:

- We believe that efficient and effective transportation infrastructure, including the secondary road system, is critical to a healthy economy, job creation, a cleaner environment and public safety. Accordingly, we oppose shifting the responsibility for secondary roads to local entities, which could result in vast differences among existing road systems in different localities, potentially placing the state at a competitive economic disadvantage with other states when considering business and job recruitment, and movement of goods.

Local and Regional Authority:

- We support additional authority to establish mechanisms for funding transit in our region.
- We support VDOT utilizing Metropolitan Planning Organizations and regional rural transportation staff to carry out local transportation studies.

Water Quality

The Planning District's member localities support the goal of improved water quality, but as we face ongoing costs for remedies, including stormwater management and to address revised

water quality criteria, we believe major and reliable forms of financial and technical assistance from the federal and state governments is necessary if comprehensive improvement strategies are to be effective.

Funding:

- We urge aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We believe these investments include authority, funding and other resources to achieve success, and must ensure that cost/benefit analyses are conducted of solutions that generate the greatest pollution reductions per dollar spent.
- We support dollars being targeted to stormwater management, for permitted dischargers to upgrade treatment plants and for any retrofitting of developed areas, and to aid farmers with best management practices through the cost share program.

Stormwater Management:

- We request that any stormwater requirements be balanced and flexible, and that adequate funding and training be available for the State and local governments to meet ongoing costs associated with local stormwater programs.
- We support increased and ongoing investment in the Stormwater Local Assistance Fund to assist localities with much-needed stormwater projects and in response to any new regulatory requirements.
- We will oppose proposals that would result in new or expanded mandates or requirements, including elimination of current “opt-out” provisions, or financial burdens on local governments.
- We oppose further amendments to the regulation of stormwater which would require a locality to waive stormwater charges.

Nutrient Allocations:

- We oppose efforts that would require re-justification of nutrient allocations for existing wastewater treatment facilities in our region or that would reduce or eliminate nutrient allocation or related treatment capacity serving the region.

TJPD Legislative Program

Highlights of proposed changes (for 2019)

TOP PRIORITIES:

State Budget—updated with timely topics to be addressed in budget

Public Education Funding—updated numbers

Broadband—elevated to top priority status; added stronger language supporting increased state funding for broadband; added language supporting incentives for broadband expansion by utilities

OTHER PRIORITY ITEMS:

Local Revenue Authority (previous third top priority item)—added a position supporting continued collection of local option sales taxes from remote sellers when addressing the Supreme Court's Wayfair decision; removed CSUT tax funneling to broadband provisions

Children's Services Act—added language supporting locality efforts to provide facilities and services on a regional level

Land Use/Growth Management—added stronger language in support of impact fee authority

LEGISLATIVE POSITIONS:

--ECONOMIC and WORKFORCE DEVELOPMENT: Added a NEW POSITION on workforce development to support targeting job investment/small business grants to businesses paying higher wages.

--EDUCATION: Added a NEW POSITION on safety and security at schools to support capital/operating costs and specifically including incentive funding or reimbursement for school resource or security officers.

--ENVIRONMENTAL QUALITY: Added NEW POSITIONS 1) on solar to support stronger markets for distributed solar; and 2) on disposable plastic bags to support local authority to develop incentives to decrease them.

--GENERAL GOVERNMENT: Added NEW STATEMENT under Elections to support allowing localities to address discrepancies regarding voting district boundary lines; and 2) a NEW POSITION to support increased state funding for public libraries.

--HEALTH and HUMAN SERVICES: Added NEW STATEMENTS under Funding to support state funding for local costs related to Medicaid expansion, and for restoring current fiscal year funding for CSBs that was reduced in anticipation of recovery through expansion.

--PUBLIC SAFETY: Revised language under Funding to request jail per diem funding that is more realistic and more timely.

--WATER QUALITY: Revised language to reflect support for increased and ongoing investment in the Stormwater Local Assistance Fund.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|-------------------------|---|
| Agenda Date: | November 19, 2018 |
| Action Required: | Approve Supplemental Appropriation |
| Presenter: | Chris Engel, Director of Economic Development |
| Staff Contact: | Chris Engel, Director of Economic Development Rick Siebert, Parking Manager |
| Title: | FY 2019 Water Street Parking Garage Operating Budget Supplemental Appropriation- \$977,155 |

Background:

The City owns 702 parking units within the Water Street Parking Garage Condominium Association. In addition, the City has entered into an agreement with Charlottesville Parking Center (CPC) to lease the remaining 317 parking units of the total 1019 parking units that make up all the parking units in the garage. As the owner/lessor of the parking units, the City is responsible for a share of the Common Expenses of the Condominium. The approved budget for all the Common Expenses of the Condominium for the period August 1, 2018 through June 30, 2019 is \$480,415. These expenses include liability insurance for the parking and retail units that comprise the total Condominium, the ground lease and a variety of administrative expenses. The Association assesses each condominium unit owner for their proportional share of the total Common Expenses. The City's share of the Common Expenses for this period is \$427,155. The requested appropriation is necessary to pay the city's assessment. As noted above, the City entered into a lease agreement for 317 parking units in the garage. For FY19, the City owes \$550,000 in lease payments to CPC. This appropriation request includes funding to cover both obligations.

Discussion:

In the past CPC operated the parking units and collected the revenue generated and paid the expenses of the garage from the funds collected. The condominium Common Expenses were included in the operating expenses of the garage. At the end of each year, CPC as the Managing Agent of the Condominium paid the City its share of the net revenue.

Lanier Parking now operates the parking units for the benefit of the City as the sole beneficiary of the operation of the garage. Lanier collects the revenue generated and pays the operating expenses of the parking units. The City receives the net revenue generated on a monthly basis. Lanier is not responsible for the payment of any Common Expenses and these expenses are not deducted from the net revenue received by the City. Common Expenses are now separately assessed and an FY19 appropriation is necessary to pay them. Similarly, an appropriation is necessary to pay the parking space lease obligation resulting from the previously approved lease agreement. There is no estimated impact to the Parking Fund. The Water Street Parking Garage operating expenses will be covered by the revenues generated from the garage.

Community Engagement:

The Water Street Parking Garage Condominium agreement was approved by previous actions of Council. Similarly, the parking unit lease agreement with CPC was previously approved.

Alignment with City Council's Vision and Strategic Plan:

The approval of this agenda item aligns with Council's vision for Economic Sustainability and for a Connected Community.

Budgetary Impact:

There is no impact to the General Fund. Garage operating revenue and expenses are part of the Parking Fund. There is no estimated impact to the Parking Fund. The Water Street Garage operating expenses will be covered by the revenues generated from the garage.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

If City Council chooses not to appropriate the required funds the Condominium Association could sue the city for specific performance under the bylaws of the Condominium. Similarly, the City could be liable for legal action by CPC if it fails to live up to the terms of the lease agreement.

Attachments:

Appropriation

APPROPRIATION

FY 2019 Water Street Parking Garage Operating Budget Supplemental Appropriation
\$977,155

WHEREAS, the City of Charlottesville and Charlottesville Parking Center reached an agreement whereby the City now contracts with Lanier Parking to manage that garage;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of **\$977,155** is hereby appropriated as the FY19 operating Water Street Garage budget in the following manner:

Revenue – \$977,155

| | | | |
|-----------|-------------------------|---------------------|-----------|
| Fund: 650 | Cost Center: 6511003000 | G/L Account: 434372 | \$977,155 |
|-----------|-------------------------|---------------------|-----------|

Expenditures - \$977,155

| | | | |
|-----------|-------------------------|---------------------|-----------|
| Fund: 650 | Cost Center: 6511003000 | G/L Account: 530670 | \$977,155 |
|-----------|-------------------------|---------------------|-----------|

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CITY OF CHARLOTTESVILLE, VIRGINIA

CITY COUNCIL AGENDA



| | |
|-------------------------|---|
| Agenda Date: | November 19 th , 2018 |
| Action Required: | Update |
| Presenter: | Jason Ness, Business Development Manager |
| Staff Contacts: | Jason Ness, Business Development Manager |
| Title: | Downtown Businesses Association Marketing Efforts Update |

Background:

On January 2nd, 2018 the Downtown Business Association of Charlottesville (DBAC) submitted a budget request proposal to City Council and the City Manager for Fiscal Year 2019. This letter was the result of several meetings between DBAC members, City staff, and City Councilors. DBAC's letter addressed twenty specific points, organized in four main areas: 1) long term capital improvements, 2) increase current services and hire more City staff, 3) policies supporting Downtown and 4) monetary support for DBAC operations and marketing.

At the March 5th, 2018 City Council Meeting, City Council approved a \$75,000 appropriation to assist DBAC with a marketing campaign, focused on attracting regional customers to downtown Charlottesville, in an effort to support City-based local businesses. At Council's request, DBAC was required to support the \$75,000 with an in-kind and/or cash contribution of \$30,000.

DBAC solicited feedback on how the funds should be spent directly from their membership and through surveys to other businesses and downtown community stakeholders. The DBAC Board of Directors ultimately voted to spend the majority of funds on a comprehensive rebrand of the downtown area to highlight how the downtown area stands apart from other commercial locations in the area.

City staff has been updated on the development of the campaign but did not participate in the development of the creative design. The broad concept of "Downtown Cville" was supported by staff as 1) it did not promote a specific organization for membership, 2) was inclusive to all downtown area businesses and 3) the brand material is open-source, meaning individual businesses could use the branding in separate advertising campaigns.

DBAC held two business community meetings in September 2018 to launch the brand and incorporated

feedback into the campaign it received at these meetings.

Discussion:

To date, the Office of Economic Development has reimbursed DBAC \$44,046.98. Expenses include direct media placement, creative design work, and website updating. Additionally, DBAC has provided \$36,007.34 of in-kind and cash match, exceeding the \$30,000 match requirement.

With the marketing campaign launch in September, economic indicators are not yet available to assess impact.

Community Engagement:

N/A

Budgetary Impact:

This item is an update for Council on previously approved funding and has no additional budgetary impact.

Recommendation:

N/A

Alternatives:

No recommendation.

Attachments:

Resolution adopted March 5, 2018

RESOLUTION
Support of Downtown Marketing Efforts – \$75,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$75,000 is hereby reserved for future payment from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to the Downtown Business Association of Charlottesville (DBAC) in support of their marketing efforts, and shall be matched by the DBAC with a minimum of \$30,000 cash or in-kind.

BE IT FURTHER RESOLVED that City staff shall submit a biannual progress report on the use of these funds to Council until such funds are exhausted.

\$75,000

Fund: 105

Cost Center: 10110010000

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
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| Agenda Date: | November 19, 2018 |
| Action Required: | No Action Required. |
| Presenter: | Susan Elliott, Climate Protection Program Manager |
| Staff Contacts: | Susan Elliott, Climate Protection Program Manager Kristel Riddervold, Environmental Sustainability and Facilities Development Manager Paul Oberdorfer, Director of the Department of Public Works |
| Title: | Progress Update on the City's Commitment to the Global Compact of Mayors |

Background:

This report provides an update to the June 2017 commitment by City Council to the [Global Compact of Mayors](#) (the Compact) as part of a [Response to the U.S. Withdrawal from the Paris Climate Agreement](#). The commitment to the Compact built on previous commitments and existing efforts of the City through its [Climate Protection Program](#).

Through the Compact, the City committed to accomplishing three phases over three years:

- (1) Phase 1: Inventory
Measure city-wide greenhouse gas (GHG) emissions using the [Global Protocol for Community-Scale Greenhouse Gas Inventories \(GPC\)](#) and identify climate hazards
- (2) Phase 2: Target
Set a GHG reduction target(s) and assess climate vulnerabilities
- (3) Phase 3: Plan
Develop a climate action plan to deliver on the target and develop a climate adaptation plan

Discussion:

Phase 1: Inventory (COMPLETED)

In 2017, a community-wide GHG inventory for the City of Charlottesville was initiated using 2016 data (the most current data available at that time). Staff engaged support from the University of Virginia Office for Sustainability given subject matter experience and opportunity to establish ongoing inventory work. The inventory was submitted to the [CDP](#) – one of the two reporting platforms accepted by the Compact – during its 2018 reporting cycle. CDP is in the midst of fully reviewing and auditing data submitted during the 2018 cycle to affirm that it follows the GPC and meets the requirements of the Compact. City staff expect to receive confirmation from CDP in December 2018. The 2016 GHG Inventory can be found online through CDP at <https://www.cdp.net/en> and on the City's website at <http://www.charlottesville.org/emissions>.

The 2016 GHG Inventory is the fifth community-wide inventory that the City has completed. As with previous inventories, which were completed using the US Community Protocol standards, the 2016 inventory data includes all applicable community activities that occur within the City of Charlottesville boundaries and shows municipal data from City of Charlottesville operations separately from other commercial and governmental data. The 2016 inventory submission to CDP includes climate hazards as were identified in Thomas Jefferson Planning District Commission's (TJPDC) recently published 2017 [Hazard Mitigation Plan](#).

GHG emissions for the inventory are calculated by collecting activity data (such as number of kilowatt hours [kWh] consumed) and multiplying that data by emissions factors that represent the carbon dioxide equivalents (CO₂e) for the types of fuel that activity consumed. Carbon dioxide equivalents are important because they allow us to speak uniformly about the impact of different greenhouse gases. For example, the impact of one metric ton of methane (CH₄) is equal to the impact of 25 metric tons of CO₂. Activity data is collected in aggregate by sector by fuel type from utilities and publically available data sources. For example: electricity consumed by the residential sector is collected as a single number, not by individual household; transportation data is calculated using vehicle counts from the Virginia Department of Transportation and cannot be allocated between the residential or commercial sectors; onsite renewable energy generation that reduces purchases from the utilities is not available as a data set.

Reductions in greenhouse gas emissions can come from two sources:

- Switching to a fuel source with a lower emissions factor (such as renewable energy) – If a fuel source changes, such as the fuel used for electricity production, its emissions factor will change accordingly. This creates the opportunity for emissions factors to differ between inventory years and for community emissions to change while energy consumption remains the same. Previously, this used to be a closer relationship, but with changes in the fuel sources (such as the 28% decline in emissions from the U.S. power sector since 2005¹), it is possible to see reductions in emissions while seeing increases or no change in energy use.
- Reducing energy use through efficiency and conservation (activity data reductions) – Strategies such as energy efficiency and energy conservation include activities such as insulating and air sealing homes and buildings and installing better performing equipment, thereby reducing the amount of energy needed to adequately provide heating and cooling. This also applies to transportation.

Highlights from the 2016 GHG Inventory:

Evidence of both sources of emissions reductions (fuel switching and energy efficiency/conservation) are visible in the 2016 inventory data.

Community-wide Emissions (includes municipal emissions)

23% emissions reduction from 2000-2016 (compared to ~2% reduction from 2000-2011)

21% emissions reduction from 2011-2016

Stationary Energy (i.e. Buildings, Lighting): 65% of 2016 community-wide emissions
20% emissions reduction in stationary energy (i.e. buildings, lighting) from 2000-2016
13% energy reduction in stationary energy (i.e. buildings, lighting) from 2000-2016

¹ [U.S. Energy Information Administration](#)

Municipal Emissions Only (Buildings, Streetlights & Traffic Signals, Fleet)

31% emissions reduction from 2000-2016 (compared to ~18% reduction from 2000-2011)

15% emissions reduction from 2011-2016

City Government and School Buildings: 56% of 2016 municipal emissions

44% emissions reduction from city government and school buildings from 2000-2016

24% energy reduction from city government and school buildings from 2000-2016

Phase 2: Target (CURRENT PHASE)

[Compliance with the Compact of Mayors](#) requires setting a community-wide GHG emissions reduction target and conducting a climate change risk and/or vulnerability assessment as the next phase of the City's commitment.

The climate change risk or vulnerability assessment does not have a specific timeframe requirement, but it must cover the whole city boundary and it must consider both current and future climate conditions. It can be a qualitative and/or quantitative scientific estimation of risks caused by climate change, or, a qualitative and/or quantitative assessment of the degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes. Further guidance and resources are expected to be available to support localities on this topic within the next several months from Global Compact of Mayors partners, including ICLEI and USDN, both organizations of which the City is a member.

The community-wide GHG emissions reduction target must cover the entire city boundary and be framed in one of the following formats:

- Base Year Emissions Reduction Target
- Fixed-level Reduction Target
- Baseline Scenario (Business as Usual) Reduction Target
- Intensity Reduction Target

Additionally, all targets must identify:

- Baseline year (year from which progress will be measured)
- Baseline emissions, or emissions intensity
- Target year (year when the target will be achieved)
- Target reduction to be achieved

The City has had a community-wide GHG reduction goal of 10% below 2000 baseline levels by 2035. This goal was presented in the 2011 GHG Inventory in response to local trends at that time and in consideration of other national and international goals (see pages 49-52 of the [2011 inventory report](#)). The 2016 inventory data shows that Charlottesville community-wide reductions have exceeded that target. However, as referenced in the Paris Climate Agreement, the recent [IPCC report](#), demonstrated by recent commitments ([southeast localities](#), [other cities around the US](#), [North Carolina state-wide](#)), [new scientific findings on ocean warming](#), and requested by Charlottesville stakeholders, a more significant reduction target must be considered to adequately address global warming challenges.

The recent IPCC report supports global efforts at the local level to limit global warming to 1.5°C compared to 2°C, or more. Two key messages of the report, “we are already seeing the consequences of 1°C of global warming through more extreme weather, rising sea levels and diminishing Arctic sea ice, among other changes,” and “a number of climate change impacts that could be avoided by

limiting global warming to 1.5°C compared to 2°C, or more. For instance, by 2100, global sea level rise would be 10 cm lower with global warming of 1.5°C compared with 2°C. The likelihood of an Arctic Ocean free of sea ice in summer would be once per century with global warming of 1.5°C, compared with at least once per decade with 2°C. Coral reefs would decline by 70-90 percent with global warming of 1.5°C, whereas virtually all (> 99 percent) would be lost with 2°C.” The report acknowledges that actions to limit global warming to the 1.5°C level are underway, but need to be greatly accelerated and aimed at a 45% GHG reduction by 2030, based on 2010 emissions levels, and net carbon zero by 2050. *Source: [IPCC Press Release](#)*

In looking forward to complete this phase of the Compact and provide opportunity for broad public engagement, staff propose the following timeline and activities to adopt a new community-wide GHG reduction target and produce a climate vulnerability assessment:

- November 2018: Announce upcoming public engagement process & provide background resources and materials to the Community
- December 2018: Begin climate change assessment process; Continue announcements of upcoming public engagement process and background materials
- January 2019: Continue climate change assessment
- February 2019: Begin initial public comment period on GHG reduction target
- March 2019: Close initial public comment period on GHG reduction target
- April 2019: Staff present summary of public comments and draft recommendations to City Council; Begin public comment period on draft recommendations
- May 2019: Close public comment period on draft recommendations
- June 2019: Staff present reduction target recommendation to City Council for adoption

Staff supports the City of Charlottesville adopting a new GHG reduction target that represents leadership in the topic of climate change and adequately responds to the challenges of climate change in both scale and timeline. Given recent adjustments to inventory protocol standards and the new recommendations from the IPCC, it would also be reasonable to adopt a new baseline year (e.g., 2016) for this target.

Phase 3: Climate Action Planning (FUTURE PHASE)

The next phase after “Phase 2: Target” in the Compact focuses on climate action and climate adaptation planning in response to the climate change risks/vulnerabilities identified in Phase 2. Staff anticipate beginning this phase in the summer of 2019.

A new GHG reduction target will aid the planning process by establishing a target timeframe and scale by which strategies and proposal can be evaluated and prioritized. Elements of such a plan will take into account energy reduction strategies we have seen effective at a local level, anticipated carbon emissions from the U.S. power sector^{2,3}, improvements in technology and costs for equipment efficiency^{4,5}, and recommended strategies from the [Local Climate Action Planning Process Report](#).

While not yet in the Climate Action Planning phase of the Compact, staff anticipate that a new GHG

² Carbon emissions from the U.S. power sector [have declined 28 percent](#) since 2005. *U.S. Energy Information Administration*

³ Virginia is beginning again to regulate carbon dioxide pollution by electric power plants, but the state wants to start with a stricter limit as a baseline for future cuts in emissions. [Richmond Times Dispatch](#)

⁴ The effective production of energy from a single solar panel has doubled in the last 10 years and the cost of solar has reduced by over 60%. [Energy Sage](#)

⁵ CAFE Standards for vehicle fuel economy & avoided fuel consumption – [U.S. Department of Transportation](#)

reduction target will be met in following ways:

- Waste Sector: Increased landfill diversion (e.g., composting and recycling)
- Transportation Sector: Increased community growth and economic activity while maintaining or increasing mobility; increased transit, bicycles, and pedestrian activity; leveraging development plans and comprehensive plan efforts to coordinate land use and transportation planning; increased adoption and investment in fuel efficient vehicles
- Stationary Energy Sectors (Commercial, Residential, Industrial): Buildings (new and existing) that are more easily and affordably heated and cooled and comfortable; low-energy lighting with better color quality and brightness; integration of renewable energy generation onsite and from the grid; and power storage.
- Other Sectors: Efforts to address food security and support local agriculture and to maintain urban tree canopy and landscapes

Alignment with City Council’s Vision and Strategic Plan:

These efforts are in alignment with City Council’s Green City Vision, the Strategic Plan: Goal 3 – A Beautiful and Sustainable Natural and Built Environment; and the Comprehensive Plan: Chapter 4 (and as proposed in the 2018 update).

Community Engagement:

City staff have discussed the above timeline and process through focus group sessions with community groups that are “climate mission aligned” to receive feedback on the process and learn what type of information and background would be useful to community members prior to soliciting community input on setting a target. The proposed process includes several periods of community input on a target, prior announcements alerting community members of this upcoming process, and provision of background information to help prepare community members to engage in a discussion on target setting.

It has been noted that target setting discussions, by their nature, can be very technical and that community members may wish to address the next stage of the Compact - Climate Action Planning. Climate action strategies presented during the target setting process will be noted separately and considered during the next phase along with the recommended strategies from the [LCAPP Report](#), the [Comprehensive Plan](#), and experienced successes and local programs.

Budgetary Impact:

Funded through annual operating funds. No additional budgetary impact.

Recommendation:

No action is required at this time.

Alternatives:

N/A

Attachments:

None.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|------------------|--|
| Agenda Date: | November 19, 2018 |
| Action Required: | None |
| Presenter: | Tony Edwards, NDS Manager Brennen Duncan, City Traffic Engineer |
| Staff Contacts: | Tony Edwards, NDS Manager Brennen Duncan, City Traffic Engineer |
| Title: | Downtown Intersection Street Lighting Improvements |

Background:

In 2014 a series of meetings were held with the community about issues related to the downtown area and the mall, and staff was asked to investigate improvements to lighting in the area. What was discussed is that lighting has been added incrementally through the years with no overall plan or standard to achieve. The current lightning is a mixture of lights owned by the City and Dominion Energy.

With growing concerns for better safety measures around the downtown mall area and as part of a safety initiative to improve night time visibility, the City of Charlottesville commissioned RK&K consultants to develop a Pedestrian Lighting Study of two areas within the City, Downtown and University off-grounds near The Corner. (See attached task order)

Discussion:

The Pedestrian Lighting Study consisted of:

- a) Field assessments of existing lighting conditions.
- b) A recommended City Standard lighting criteria.
- c) Preliminary intersection lighting design near the Downtown Mall, with anticipated cost estimated of each intersection to implement.
- d) An improvement Plan, ranking every City block in the study areas High, Medium, and Low priorities.

The Pedestrian Lighting Study Improvement Plan Report was completed on September 19, 2016.

As a first step of implementation in the downtown study Area A, the city is focusing on providing additional LED Street lighting upgrades to 15 existing street intersections identified as a High to Medium pedestrian uses.

The City Council has already approved \$94,000 in FY19 Capital Improvement Plan (CIP) budget and additional \$94,000 has been requested in the FY2020 CIP Budget. The City will also be seeking to leverage any local money with other funding opportunities through the State to improve the identified deficiencies.

Recommendation:

This is a report only and no action is required.

Alternatives:

NA

Attachments:

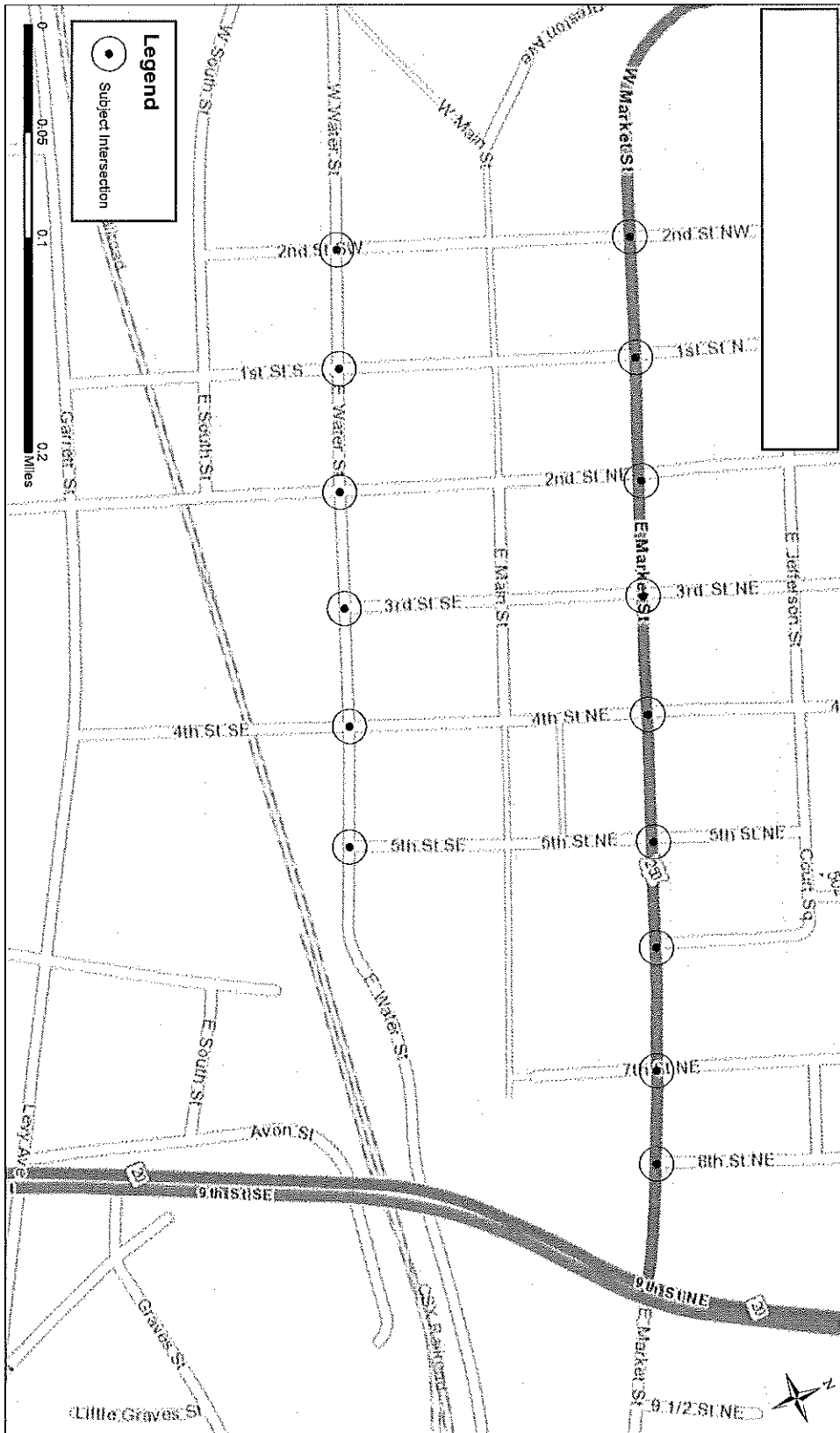
Intersection map of Area A

Task Order 14 City of Charlottesville Lighting Study.

ATTACHMENT

A

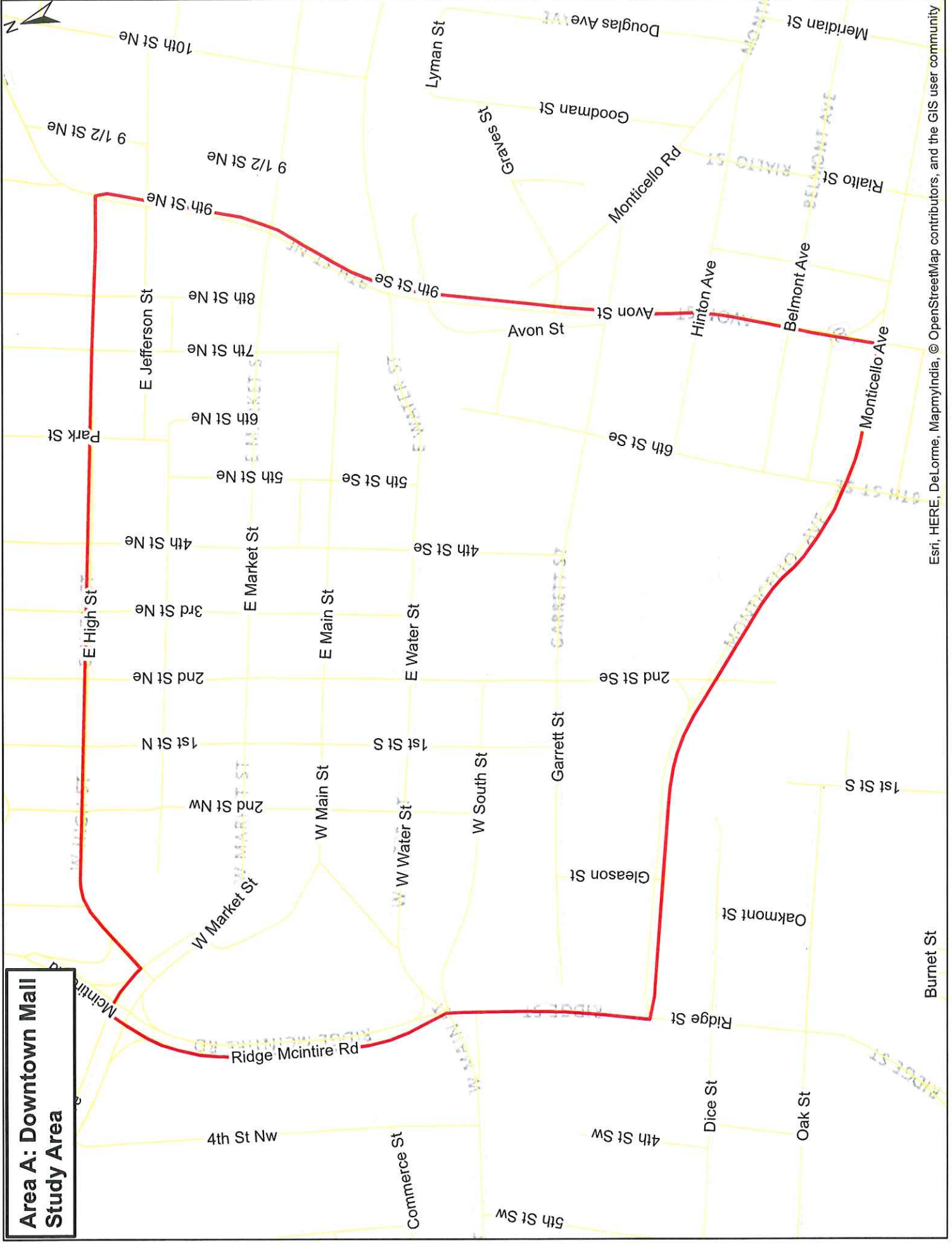
**SUBJECT INTERSECTIONS
LOCATION MAP**



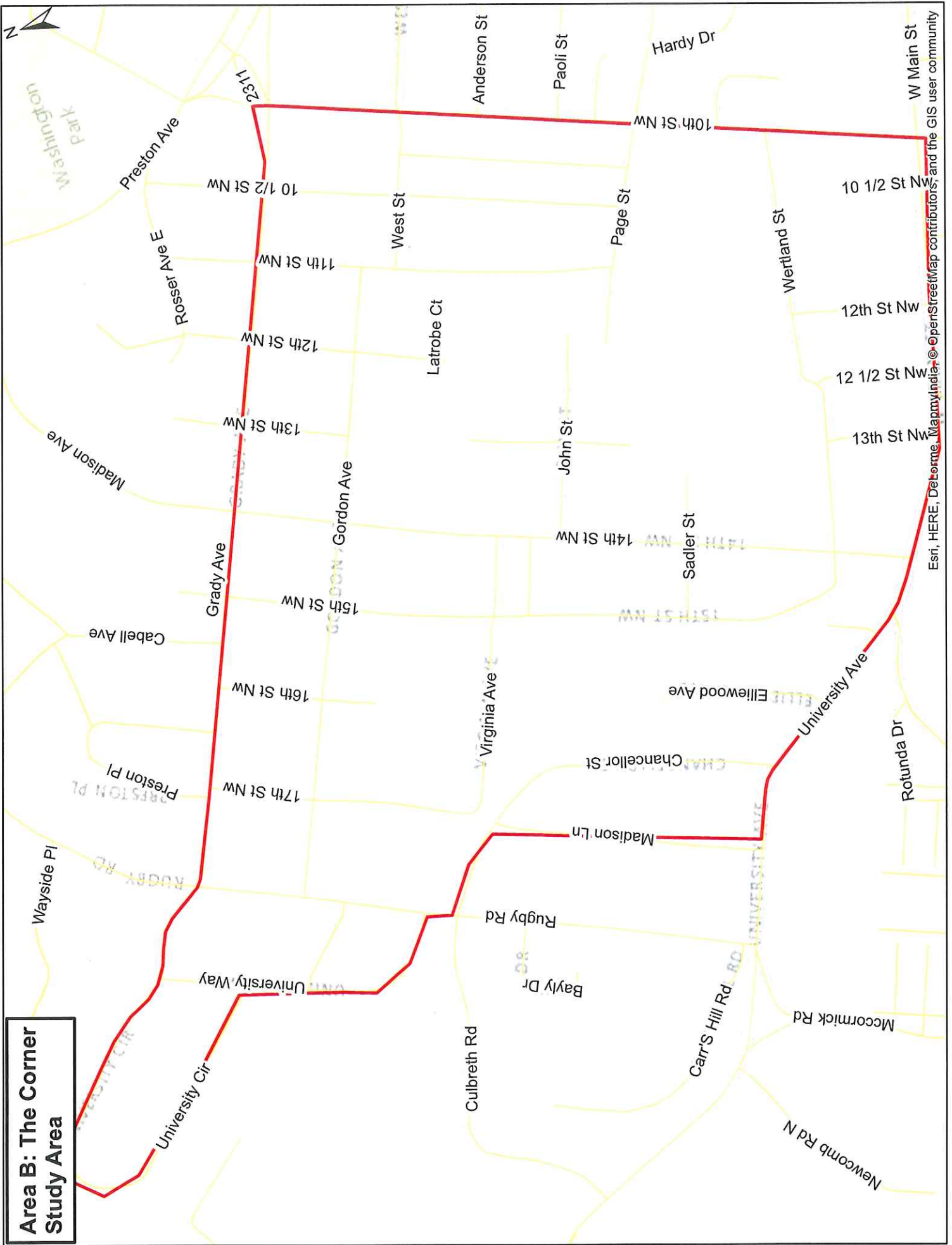
ATTACHMENT

A

**AREA A AND AREA B
LOCATION MAPS**

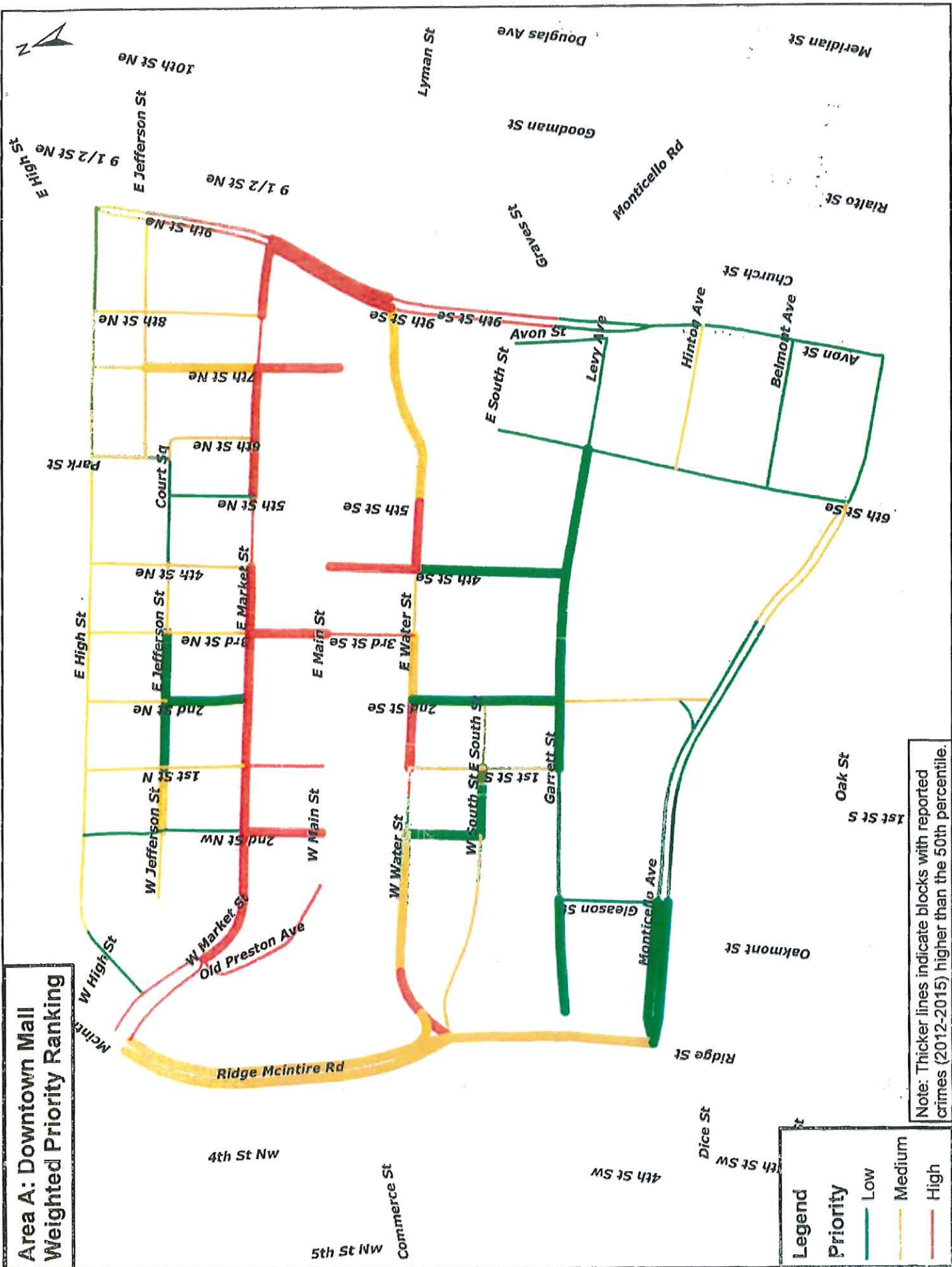


Area A: Downtown Mall Study Area

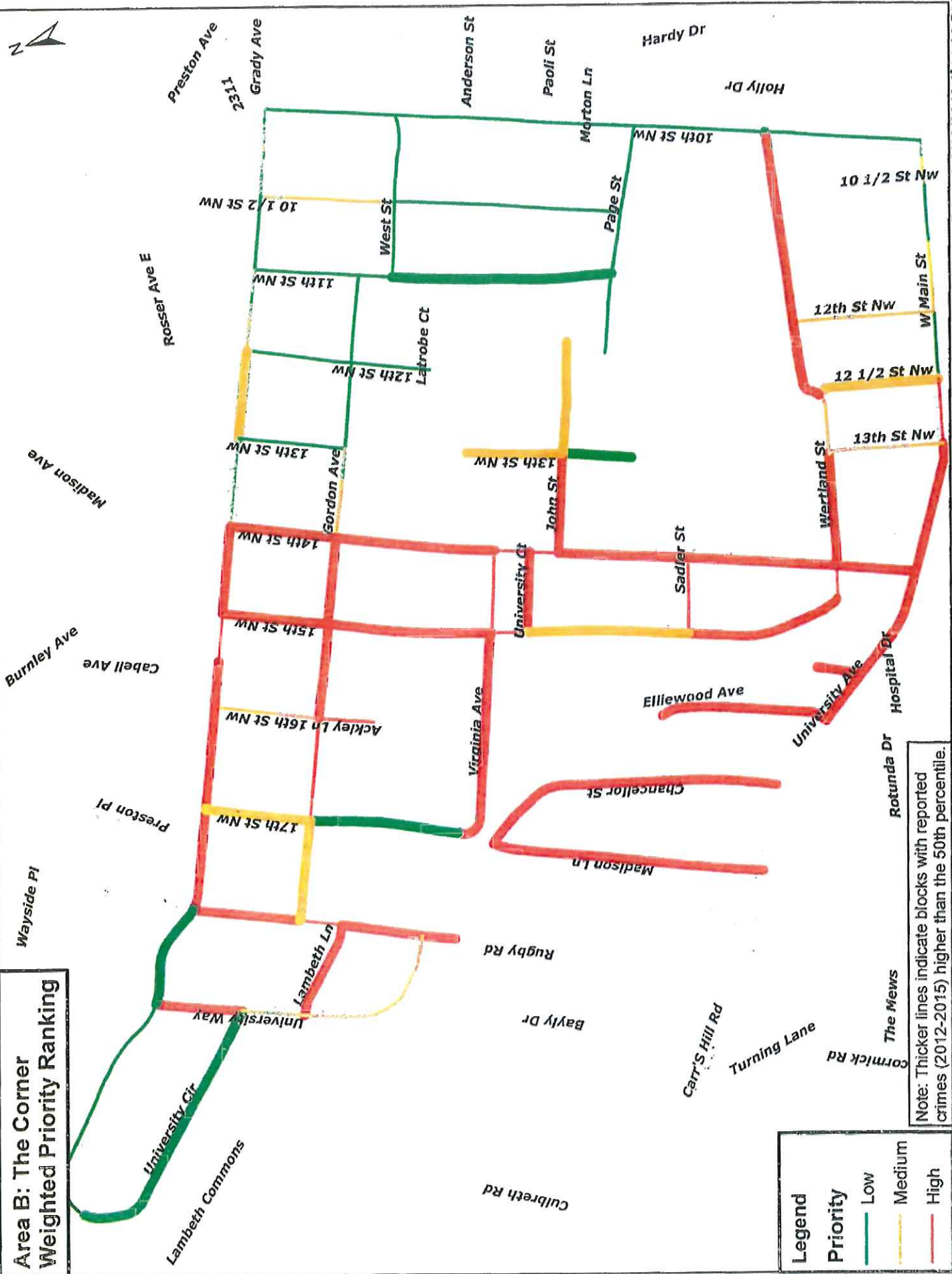


Area B: The Corner Study Area

**Area A: Downtown Mall
Weighted Priority Ranking**



Area B: The Corner Weighted Priority Ranking



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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



| | |
|------------------|--|
| Agenda Date: | 11/19/18 |
| Action Required: | Report |
| Presenter: | Mike Murphy, Interim City Manager |
| Staff Contacts: | Mike Murphy, Interim City Manager Alex Ikefuna, Director, Neighborhood Development Services Brennen Duncan, Traffic Engineer, Neighborhood Development Services Amanda Poncy, Bike and Pedestrian Coordinator, NDS Captain Tito Durette, Charlottesville Police Department |
| Title: | Update on Construction Impacts on Bikes, Pedestrians, and Enforcement |

Background:

On May 21, 2018, staff provided Council with a report on the current notification and closure processes to ensure that people walking and riding bikes can do so safely through construction zones. At that time, Councilor Galvin, with Council support, requested a report be given covering the following points:

- a.) strategies to immediately address the lack of enforcement of existing construction site compliance requirements and permits as required by our current laws and policies, including but not limited to new tools to penalize contractors when they are out of compliance with expectations and revisions and/or additions to our existing permits, policies, procedures and guidelines related to community impacts generated by construction activity and special events so as to be more responsive to the practical needs of residents and the business community when issuing permits for street closures, parking and other related issues.
- b.) an outward facing map and email notification system for construction projects and public communication strategy that includes but is not limited to requiring input from neighbors PRIOR TO giving out long term permits, changing bus stops during construction, and other temporary but inconvenient changes caused by construction activity and special events;
- c.) an update on the plan for West Main Street and the Downtown Mall (and other parts of the city) from the police department with regards to traffic law enforcement to protect pedestrians and cyclists during construction;

- d.) strategies for putting in place a temporary mid-block crossing at west Main Street, now; and
- e.) an explanation as to how a complaint tracking “phone app”, will solve problems that require pre-assessment, pre-planning and coordination between multiple departments. If it does not, then please provide the solution.
- f.) all of the above duties would fall under the responsibility of the new assistant city manager for the built environment. At this time however, who is the point person owning this problem, who has the knowledge, skills and authority to expeditiously resolve and stay on top of this chronic cross-departmental problem, in the meantime?

Discussion:

Since the May report the following actions have been taken:

a.) The Charlottesville Police Department’s Traffic Unit focused on traffic safety between the 700 block and 1400 block of West Main St. In addition, Field Operation Division provided bike patrol that covered the Downtown Mall to the 1400 block of West Main St. during the months of operation. The Traffic Unit spent approx. 227 hours of dedicated time along W. Main St. between the hours of 0600 – 1700. During that time we observed approx. 31 hours of no violations from the public.

❖ (227 hours / 28 weeks = averaging 1hour and 20 min. per day Monday – Friday)

The remaining times were noted as enforcement actions:

Speeding Violations

- 23 summons Issued
- 2 warning tickets issued

Red-light violations

- 37 summons issued
- 7 warning tickets issued

Other traffic related violations (Reckless driving, NO operator’s license, improper passing, No insurance)

- 8 summons issued
- 1 warning ticket issued

b.) Staff launched the public facing sidewalk closure map and notification system. Anyone can now sign up to get email notifications for future and current closures including information about the nature of the closure, duration and alternate pedestrian routes if available. This also provides a link to the map based system where these closures are tracked.

c.) Staff has initiated a new process to particularly address any impacts in the business corridor. Prior to issuance of any closure permit with a duration over 48 hours (Parking, sidewalk and/or street) a new group will convene including NDS: Traffic Engineer, Bike & Pedestrian Coordinator, ADA Coordinator OED: Parking and Business Development and Parks and Recreation: Special Events Coordinator for comment. OED will be reaching out to the businesses within these areas to 1)make sure they are aware of the upcoming permit and 2)get any feedback that they may have. The Business Corridor has been currently designated at Downtown, West Main Street and the Corner.

d.) Staff has revised the City's Temporary Street Closing Permit (TSCP) Process, as follows:

- a. Developed a written Street closing policy and program that spells out contractors' obligations within public rights of way during construction and penalties for non-compliance.
- b. When issuing each TSCP, attach a set of written conditions which, if violated, will result in a Temporary Stop Work Order/ Permit Revocation. To re- activate a permit, the violation would need to be immediately corrected, and a new fee for re-issuance of the permit would need to be paid

e.) A mid-block crossing was installed at the Standard and yield markings were installed at 8th St.

f.) An additional staff position for traffic inspector has been proposed in the NDS operational budget for implementation in 2019.