



CITY COUNCIL AGENDA August 17, 2020

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

**5:30 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code
(Legal consultation; scheduling boards and commissions interviews)**

6:30 p.m. Regular Meeting

Virtual/electronic meeting. Register at www.charlottesville.gov/zoom

CALL TO ORDER

MOMENT OF SILENCE

ROLL CALL

AGENDA APPROVAL APPROVED 5-0 (HILL/MAGILL)

ANNOUNCEMENTS

RECOGNITIONS/PROCLAMATIONS

CONSENT AGENDA* APPROVED 5-0 (HILL/MAGILL)

1. **Appropriation:** Belmont Bridge Replacement Project – \$15,263,257.41 (2nd reading)
#A-20-102
2. **Appropriation:** Appropriation of funds received for reimbursement for Crescent Halls driveway repair - \$18,483.73 (1st of 2 readings)
3. **Appropriation:** Safe Routes to School Non-Infrastructure Grant Award - \$95,000 (2nd reading)
#A-20-103
4. **Appropriation:** Community Development Block Grant Coronavirus (CDBG-CV) Funding, FY 20-21 - \$246,699 (2nd reading)
#A-20-104
5. **Appropriation:** Office of the Registrar CARES funding for 2020 Presidential election - \$64,229 (2nd reading)
#A-20-105
6. **Appropriation:** BAMA Works Grant for Supporting Aspirations-Improving Resiliency for Vulnerable Families - \$6,000 (2nd reading)
#A-20-106
7. **Ordinance:** Approving CitySpace as Central Absentee Precinct for November 3, 2020 General Election (1 reading; request to waive 2nd reading)
#O-20-107

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for up to 8 spaces; pre-registered speakers announced by Noon the day of the meeting as an update to the agenda. Additional public comment period at end of meeting. Public comment will be conducted through electronic participation as City Hall is closed to the public. Participants can register in advance at www.charlottesville.gov/zoom.

ACTION ITEMS

8. **Public Hearing/Ord.:** Public hearing and ordinance for granting permanent and temporary easements to the Rivanna Water Services Authority for the installation of water line facilities in Ragged Mountain Natural Area (1st of 2 readings)

9. Public Hearing/Ord.: Public hearing and ordinance for granting an underground utility easement to Dominion Energy for the installation of electric power lines in Ragged Mountain Natural Area (1st of 2 readings)
10. Public Hearing/Ord.: Public hearing and ordinance for granting a drainage easement to the International School of Charlottesville, Inc. (1st of 2 readings)
11. Public Hearing/Ord.: Public hearing and Ordinance for the sale of a 0.13 acre portion of Northeast Park (1st of 2 readings)
12. Public Hearing/Res.: Public hearing and resolution endorsing the submission of three SmartScale (HB2) applications requesting transportation funding by Charlottesville-Albemarle Metropolitan Organization – Hydraulic/29 Intersection Improvements; Hillsdale Avenue South Extension; **APPROVED 5-0 (HILL/MAGILL) Fifth Street Hub and Trails (1 reading) APPROVED 5-0 (HILL/PAYNE)**
#R-20-108
#R-20-109
13. Ordinance*: Amending Chapter 33 (Weapons) of the Code of the City of Charlottesville to add Section 33-10. – Prohibition of firearms on city property (2nd reading)
14. Resolution*: ~~218 West Market Street Special Use Permit (1 reading)~~

GENERAL BUSINESS

15. Resolution*: Consideration of support for the Frontline Workers Fair Treatment Charter **APPROVED 4-1 (PAYNE/HILL; Walker opposed) Council supported the Charter as a working document.**
16. Report: Social Services - Family Services Report (oral report)
17. Report: City Financial Report for July 2020 (oral report)
18. Discussion: Boards and commissions meetings discussion and guidance

OTHER BUSINESS

ADDED: Resolution requesting Delegate Hudson and Senator Deeds to support an eviction moratorium during the August 2020 Special Session of the Virginia General Assembly **APPROVED 5-0 (HILL/PAYNE)**

#R-20-110

MATTERS BY THE PUBLIC

*Action Needed

NOTE: Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

APPROPRIATION
Belmont Bridge Replacement Project –
\$15,263,257.41

WHEREAS, a total of \$3,163,920.41 in federal funds for the Belmont Bridge Replacement project requires appropriation;

WHEREAS, a total of \$12,099,337 in state funds for the Belmont Bridge Replacement project 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

\$3,163,920.41	Fund: 426	WBS: P-00436	G/L Account: 430120
\$12,099,337	Fund: 426	WBS: P-00436	G/L Account: 430080

Expenditures

\$3,163,920.41	Fund: 426	WBS: P-00436	G/L Account: 599999
\$12,099,337	Fund: 426	WBS: P-00436	G/L Account: 599999

APPROPRIATION

Safe Routes to School Program (SRTS) Non-Infrastructure Grants
\$95,000

WHEREAS, the Safe Routes to School Program (SRTS) non-infrastructure grant, providing Federal payments for **education, encouragement, evaluation and enforcement** programs to promote safe walking and bicycling to school has been awarded the City of Charlottesville, in the amount of \$76,000;

WHEREAS, the SRTS program is a 80% reimbursement program requiring a 20% match from the City, of which \$15,400 will come from Public Works and the remainder will be in-kind contributions;

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

REVENUE

\$76,000	Fund: 209	Cost Center: 3901008000	G/L Account: 430120
\$15,400	Fund: 209	Cost Center: 3901008000	G/L Account: 498010

EXPENDITURES

\$67,400	Fund: 209	Cost Center: 3901008000	G/L Account: 519999
\$24,000	Fund: 209	Cost Center: 3901008000	G/L Account: 599999

TRANSFER FROM

\$15,400	Fund: 105	Cost Center: 2401003000	G/L Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$76,000 from the Virginia Department of Transportation.

**APPROPRIATION OF FUNDS FOR
THE CITY OF CHARLOTTESVILLE'S 2020-2021
COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS - \$246,699**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of a Community Development Block Grant Coronavirus (CDBG-CV) authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to respond to the growing effects of the historic public health crisis for the fiscal year in the total amount of **\$246,699**.

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

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

ECONOMIC DEVELOPMENT

Community Investment Collaborative – COVID-19 Grants \$98,679.60

PUBLIC SERVICE PROGRAMS

TJACH – COVID-19 Homeless Prevention Response \$49,017.82

Thomas Jefferson Health District – COVID-19 Outreach \$49,661.78

ADMINISTRATION AND PLANNING:

Admin and Planning \$49,017.82

TOTAL **\$246,699**

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$246,699 from the Department of Housing and Urban Development authorized by the CARES Act. Funds authorized will be used to prevent, prepare for, and respond to the coronavirus (COVID-19).

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

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

APPROPRIATION**Office of Voter Registration CARES ACT funding for 2020 Presidential Election****\$64,229**

WHEREAS, the Charlottesville Office of Voter Registration and Elections has received award approval for \$64,229 from the CARES ACT from the Virginia Department of Elections to use to help offset the costs associated with the 2020 Presidential Election;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$64,229 is hereby appropriated in the following manner:

Revenue-\$64,229

Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 430127
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Expenditures

\$11,634	Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 599999
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\$7,700	Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 520030
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\$6,450	Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 520900
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\$12,535	Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 520990
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\$3,481	Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 530210
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\$22,429	Fund 208	Cost Center: 2301001000	I/O: 1900368	G/L Account: 541050
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APPROPRIATION

Supporting Aspirations-Improving Resiliency for Vulnerable Families

\$6,000

WHEREAS, the Charlottesville Department of Social Services has received \$6,000 from the BAMA Works Fund to implement supporting aspirations initiative for vulnerable families.

NOW, THEREFORE BE IT RESOLVED by the council of the City of Charlottesville, Virginia, that the sum of \$6,000 is hereby appropriated in the following manner:

Revenue - \$6,000

Fund 212 Cost Center: 9900000000 G/L Account: 451022

Expenditures - \$6,000

Fund 212 Cost Center: 3343011000 G/L Account: 540060

**ORDINANCE
APPROVING CITY SPACE
AS CENTRAL ABSENTEE PRECINCT FOR
NOVEMBER 3, 2020 GENERAL ELECTION**

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order 51 declaring a state of emergency for the Commonwealth of Virginia due to the potential spread of COVID-19; and

WHEREAS, Governor Northam’s March 12, 2020 declaration found that the anticipated effects of COVID-19 constitute a disaster pursuant to Virginia Code Section 44-146.16; and

WHEREAS, City Manager and Director of Emergency Management, Dr. Tarron J. Richardson, declared the potential spread of COVID-19 an emergency on March 12, 2020 pursuant to a Resolution adopted by the Charlottesville City Council; and

WHEREAS, Virginia Code Section 15.2-1413 provides that a locality may, by ordinance, provide a method to assure continuity in government in the event of a disaster “notwithstanding any contrary provision of law, general or special”; and

WHEREAS, the conduct of elections is necessary to assure continuity in government; and

WHEREAS, Virginia Code Section 24.2-310 provides that if an emergency makes a polling place unusable, the Director of Elections and General Registrar shall provide an alternative polling place;

WHEREAS, Charlottesville City Code Section 9-31 establishes City Hall as the polling place for the City of Charlottesville’s Central Absentee Precinct; and

WHEREAS, the Charlottesville Electoral Board and the Charlottesville Director of Elections and General Registrar have determined that the use of City Space as the polling place for the City of Charlottesville’s Central Absentee Precinct may assist the City’s efforts to avoid the spread of COVID-19 and that the continued use of City Hall as the Central Absentee Precinct polling place may contribute to the spread of COVID-19; and

WHEREAS, the potential spread of COVID-19 is a rare and unforeseen circumstance necessitating the movement of the Central Absentee Precinct polling place.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that for the November 3, 2020 general election, the City of Charlottesville’s Central Absentee Precinct shall be located at City Space located at 100 5th Street NE, Charlottesville, Virginia 22902.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is adopted pursuant to the provisions of Virginia Code Sections 15.2-1413 and 24.2-310.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this polling place change shall be advertised in the *Daily Progress* and on the City of Charlottesville's web site.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance shall be effective on September 8, 2020 and shall expire on November 10, 2020.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is passed with the votes of four-fifths of the City Council and that the second reading of this ordinance shall not be required.

**RESOLUTION ENDORSING THE SUBMISSION OF SMART SCALE (HB2)
APPLICATIONS REQUESTING TRANSPORTATION FUNDING BY THE
CHARLOTTESVILLE-ALBEMARLE METROPOLITAN ORGANIZATION**

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), in cooperation with the Virginia Department of Transportation and the Thomas Jefferson Planning District Commission, completed a comprehensive Long Range Transportation Plan (LRTP) in May, 2019; and

WHEREAS, the 2045 LRTP includes the following transportation improvements; and

WHEREAS, the Hydraulic Small Area Plan was adopted as an amendment to the Charlottesville Comprehensive Plan on May 7, 2018; and

WHEREAS, the MPO Policy Board has identified transportation projects which are critical to improve safe and efficient movement of people and goods along public roadways in the Charlottesville-Albemarle Metropolitan area; and

WHEREAS, during its 2014 session, the Virginia General Assembly enacted legislation in the form of House Bill 2 (“HB2”) now titled “Smart Scale”, which established new criteria for the allocation of transportation funding for projects within the state; and

WHEREAS, the Commonwealth Transportation Board (CTB) during its board meeting of June 17, 2015 approved the Policy and Guidelines for Implementation of a Project Prioritization Process in accordance with Smart Scale; and

WHEREAS, many of the transportation projects identified by the MPO meet the eligibility criteria for funding under Smart Scale; and

WHEREAS, it is in the best interests of the Metropolitan Transportation Planning Area of Charlottesville-Albemarle, for the MPO, the City of Charlottesville and Albemarle County to submit HB2 applications requesting state funding for eligible transportation projects.


NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville fully endorses the submission of a Smart Scale application by the MPO requesting funding for the following transportation projects:

Being Submitted by the CA-MPO within the City of Charlottesville

1. Hillsdale Drive South Extension
2. Hydraulic Road and US 29

ADOPTED this 17th day of August, 2020 by the Charlottesville City Council being duly assembled.

A COPY ATTEST


Kyna Thomas, Clerk of Council

**RESOLUTION ENDORSING THE SUBMISSION OF SMART SCALE (HB2)
APPLICATIONS REQUESTING TRANSPORTATION FUNDING BY THE THOMAS
JEFFERSON PLANNING DISTRICT COMMISSION**

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), in cooperation with the Virginia Department of Transportation and the Thomas Jefferson Planning District Commission, completed a comprehensive Long Range Transportation Plan (LRTP) in May, 2019; and

WHEREAS, the 2045 LRTP includes the following transportation improvements; and

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), in cooperation with the Thomas Jefferson Planning District Commission, completed the Jefferson Area Bicycle and Pedestrian Plan in early 2019 after a multi-year process that relied heavily on public engagement; and

WHEREAS, the 2019 Jefferson Area Bicycle and Pedestrian Plan includes the following transportation improvement; and

WHEREAS, the MPO Policy Board has identified transportation projects which are critical to improve safe and efficient movement of people and goods along public roadways in the Charlottesville-Albemarle Metropolitan area; and

WHEREAS, during its 2014 session, the Virginia General Assembly enacted legislation in the form of House Bill 2 (“HB2”) now titled “Smart Scale”, which established new criteria for the allocation of transportation funding for projects within the state; and

WHEREAS, the Commonwealth Transportation Board (CTB) during its board meeting of June 17, 2015 approved the Policy and Guidelines for Implementation of a Project Prioritization Process in accordance with Smart Scale; and

WHEREAS, many of the transportation projects identified by the MPO meet the eligibility criteria for funding under Smart Scale; and

WHEREAS, it is in the best interests of the Thomas Jefferson Planning District Commission and the Metropolitan Transportation Planning Area of Charlottesville-Albemarle, for the MPO, the PDC, the City of Charlottesville and Albemarle County to submit HB2 applications requesting state funding for eligible transportation projects.

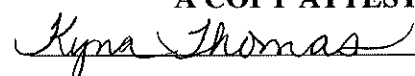
NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville fully endorses the submission of a Smart Scale application by the MPO requesting funding for the following transportation projects:

Being Submitted by the CA-MPO within the City of Charlottesville

1. Fifth Street Hub and Trails

ADOPTED this 17th day of August, 2020 by the Charlottesville City Council being duly assembled.

A COPY ATTEST



Kyna Thomas, Clerk of Council

**RESOLUTION REQUESTING DELEGATE HUDSON
AND SENATOR DEEDS TO SUPPORT AN EVICTION
MORATORIUM DURING THE AUGUST 2020 SPECIAL
SESSION OF THE VIRGINIA GENERAL ASSEMBLY**

WHEREAS, on August 7, 2020, the Supreme Court of Virginia issued a declaration of judicial emergency suspending the issuance of writs of eviction pursuant to unlawful detainer actions from August 10, 2020 to September 7, 2020 (hereinafter “eviction moratorium”); and

WHEREAS, Governor Ralph S. Northam is requesting that the Virginia General Assembly enact legislation extending the eviction moratorium until April 2021; and

WHEREAS, the Charlottesville City Council supports the extension of the eviction moratorium until April 2021.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that it is requesting that Delegate Sally L. Hudson and Senator R. Creigh Deeds support legislation during the August 2020 Special Session of the Virginia General Assembly to extend the eviction moratorium until April 2021.

BE IT FURTHER RESOLVED, that the City Council will send a letter to Delegate Hudson and Senator Deeds requesting the extension of the eviction moratorium.