



**CITY COUNCIL AGENDA
October 5, 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)**
Virtual/electronic meeting

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

1. Recognition: Sheriff's Deputies Peter T. O'Malley and De'Quan M. Neal for saving 7 people from a burning building on September 3, 2020
2. Proclamation: Domestic Violence Awareness Month 2020

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

3. Appropriation: Fiscal Year 2021 Fire Programs Aid to Locality Funding (Firefund) - \$165,628.00 (2nd reading)
#A-20-126
4. Appropriation: Virginia Behavioral Health Docket Grant Award - \$40,000 (2nd reading)
#A-20-127
5. Appropriation: Urban and Community Forestry Grant - \$20,000.00 (2nd reading)
#A-20-128
6. Appropriation: Housing Opportunities for People with AIDS/HIV (H.O.P.W.A.) - \$288,172 (2nd reading)
#A-20-129
7. Appropriation: Battalion Chief Vehicle Insurance Reimbursement - \$36,649.68 (1st of 2 readings)
8. Appropriation: Red Light Management Funds for Home to Hope for Reentry Services/Programming - \$20,000 (1st of 2 readings)
9. Appropriation: Virginia Department of Social Services (VDSS) Temporary Aid to Needy Families (TANF) Grants – \$257,479.76 (1st of 2 readings)
10. Appropriation: Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (1st of 2 readings)

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. 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.org/zoom.

ACTION ITEMS

11. Public Hearing/App. *: #A-20-130 Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding, second allocation - \$4,123,776 (2nd reading)
APPROVED 4-1 (HILL/MAGILL; Walker opposed)
12. Public Hearing/Ord.: #O-20-131 Closing, vacating and discontinuing certain utility easements within the public rights of way for Jersey Pine Ridge and Sunset Drive, public streets within the Briarwood subdivision located in Albemarle County (1st of 2 readings)
APPROVED 5-0, waiving the 2nd reading (SNOOK/MAGILL)

GENERAL BUSINESS

13. Public Comment: Council Strategic Plan Update
14. Report: City of Promise report
15. Report: Home to Hope report
16. Report: Mayor's "Imagining a Just Cville Working Group" update

OTHER BUSINESS

MATTERS BY THE PUBLIC

*Action Item

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

Fiscal Year 2021 Fire Programs Aid to Locality Funding (Firefund)

\$165,628.00

WHEREAS, the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$165,628.00 be appropriated in the following manner:

Revenues - \$165,628

\$165,628 Fund: 209 I/O: 1900010 G/L Account: 430110

Expenditures - \$165,628

\$165,628 Fund: 209 I/O: 1900010 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$165,628.00 from the Virginia Department of Fire Programs.

APPROPRIATION
Charlottesville - Albemarle Therapeutic Docket Grant Award
\$40,000

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$40,000 for the Charlottesville - Albemarle Therapeutic Docket 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 City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$109,450; and

WHEREAS, the grant award covers the period September 1, 2020 through June 30, 2021.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$40,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$40,000 Fund:209 Internal Order: #1900371 G/L Account: 430110

Expenditures

\$40,000 Fund:209 Internal Order: #1900371 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$40,000 from the Supreme Court of Virginia.

APPROPRIATION**Urban and Community Forestry Grant****\$20,000**

WHEREAS, the City of Charlottesville has received \$10,000 from the Virginia Department of Forestry through the Urban Community Forestry Grant in order to perform an urban tree canopy assessment; and

WHEREAS, the City will contribute \$10,000 in funds from the previously appropriated Tree Maintenance funds to serve as the required grant match;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$20,000 is hereby appropriated in the following manner:

Revenue - \$20,000

\$10,000	Fund: 209	IO: 1900375	G/L Code: 430120
\$10,000	Fund: 209	IO: 1900375	G/L Code: 498010

Expenditures - \$20,000

\$20,000	Fund: 209	IO: 1900375	G/L Code: 599999
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Transfer From:

\$10,000	Fund: 105	Cost Center: 3671001000	G/L Code: 530600
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$10,000 from the Virginia Department of Forestry.

**APPROPRIATION
H.O.P.W.A. Grant \$288,172**

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$288,172;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$288,172 is hereby appropriated in the following manner:

Revenues

\$288,172 Fund: 209 IO: 1900372 (H.O.P.W.A.) G/L: 430120 Federal Pass-Thru State

Expenditures

\$288,172 Fund: 209 IO: 1900372 (H.O.P.W.A.) G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$288,172 in funds from the Virginia Department of Housing and Community Development.

APPROPRIATION
Coronavirus Aid, Relief, and Economic Act (CARES) Funds – Second Allocation
\$4,123,776.00

WHEREAS, Commonwealth of Virginia has allocated a second round of federal funds from the Coronavirus Aid Relief and Economic Security (CARES) Act to the City in the amount of \$4,123,776 to address the COVID-19 pandemic;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner which conform with the conditions and guidance established by the Commonwealth, U.S. Treasury, and the City:

Revenue

\$4,123,776 Fund: 208 Cost Center: 9900000000 G/L Account: 430127

\$4,123,776 Expenditures

Business Support

\$825,000 Fund: 208 Order: 1900353 G/L Account: 599999

Community Support

\$639,000 Fund: 208 Order: 1900354 G/L Account: 599999

Operational Modifications

\$1,275,000 Fund: 208 Order: 1900355 G/L Account: 599999

Employee Support

\$381,876 Fund: 208 Order: 1900356 G/L Account: 599999

Technology

\$377,400 Fund: 208 Order: 1900357 G/L Account: 599999

Contingency Reserve Fund

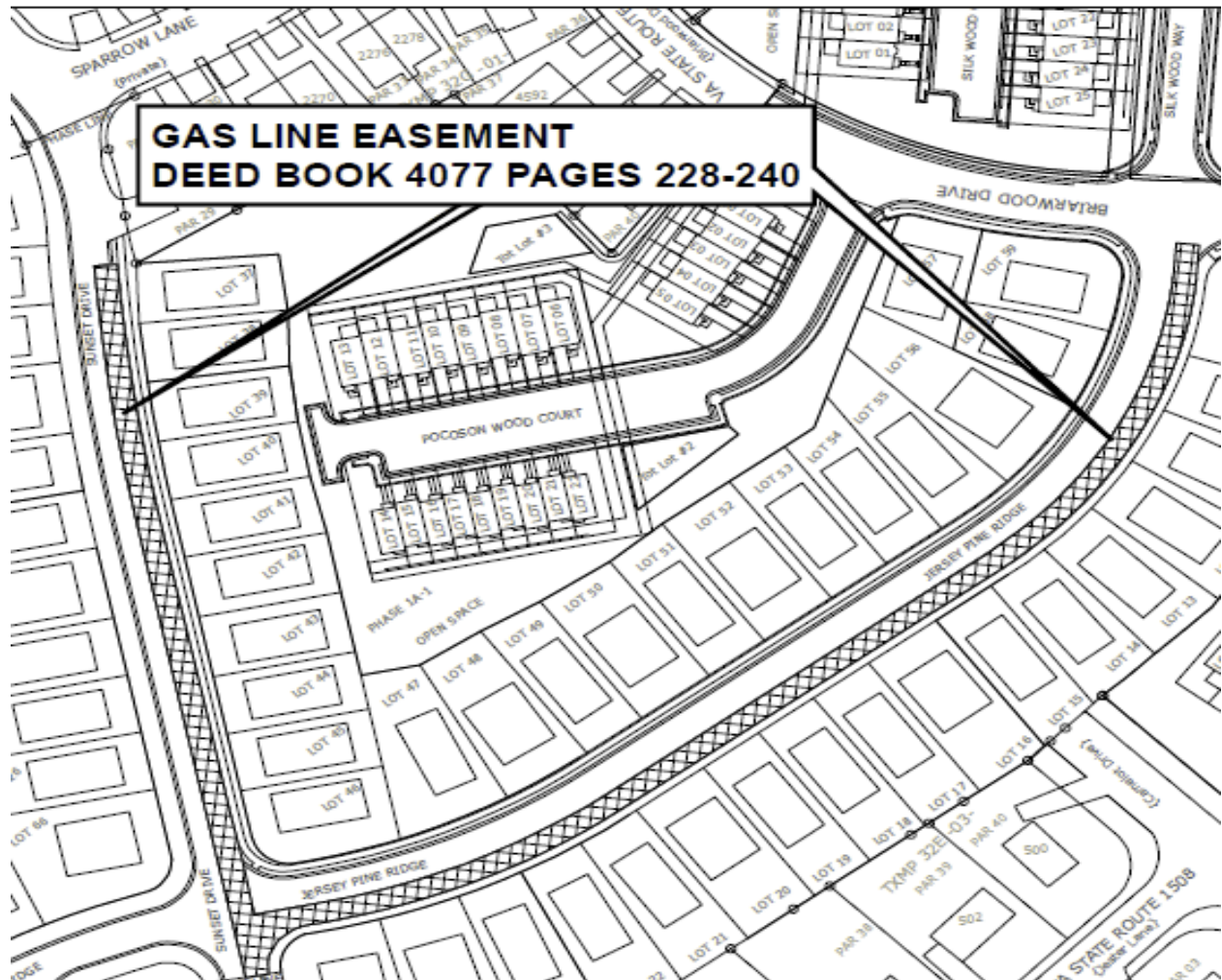
\$625,000 Fund: 208 Order: 1900358 G/L Account: 599999

BE IT FURTHER RESOLVED, the amounts above appropriated appropriation shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

BE IT FURTHER RESOLVED, the amounts hereinabove appropriated for the categories of Business Support, Community Support, Operational Modifications, Employee Support, Technology, Contingency Reserve Fund, may on authorization from the City Manager, or his designee, be transferred between categories as needed to meet unforeseen circumstances.

**ORDINANCE
CLOSING, VACATING AND DISCONTINUING
CERTAIN UTILITY EASEMENTS
WITHIN THE PUBLIC RIGHTS OF WAY FOR JERSEY PINE RIDGE
AND SUNSET DRIVE, PUBLIC STREETS WITHIN THE BRIARWOOD SUBDIVISION
LOCATED IN ALBEMARLE COUNTY, VIRGINIA**

WHEREAS, the developers of the Briarwood Subdivision (“Developers”) previously granted two gas line easements to the City, over and across land within the public rights of way for Jersey Pine Ridge and Sunset Drive, in the locations depicted as follows:



And,

WHEREAS, the public rights of way in which the City’s gas line easements are located have been or will be transferred to the Commonwealth of Virginia, Department of Transportation, which will own and maintain the public streets constructed within the public rights of way; and

WHEREAS, the Commonwealth of Virginia has requested the City to vacate the

easements previously granted, so that upon transfer of the public streets for use and maintenance by the Commonwealth, the title to the land will be clear; and

WHEREAS, the City's Director of Utilities has recommended that the Commonwealth's request can be accommodated, so long as the City's gas lines will be allowed to remain;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Easements are hereby vacated, **PROVIDED, HOWEVER**, that the vacation of the foregoing Easements is hereby made conditionally, subject to the following conditions:

1. The Virginia Department of Transportation (VDOT) may require the City to obtain a permit for each of the City's natural gas lines, and related facilities (collectively, "gas lines") located within the rights of way that are the subject of this Ordinance; however, the gas lines shall remain within their current locations, and the City shall have the right to continue to operate, maintain, alter, repair, inspect, protect, remove or replace the gas lines for so long as the Commonwealth of Virginia, Department of Transportation uses the rights of way for Jersey Pine Ridge and Sunset Drive as state-owned and maintained public streets or highways;
2. In the event that the rights-of-way for Jersey Pine Ridge or Sunset Drive cease to be used or maintained as public streets or highways of the Commonwealth, the Easements, and the City's rights, title and interests thereunder shall revert back to the City.
3. The City Attorney shall prepare a Deed of Quitclaim referencing the easements to be vacated by this ordinance, and for recordation within the land records, consistent with this ordinance. The City Attorney will cause the Deed of Vacation and this Ordinance to be recorded within the land records of the jurisdiction in which the Easements vacated by this Ordinance were previously recorded. Within any such Deed of Quitclaim, the City will indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from claims arising from the City's exercise of rights or privileges to operate its gas lines within the public rights of way, to the extent such indemnification is authorized or available under the laws of the Commonwealth of Virginia.

In the event that a Deed of Quitclaim has not been recorded in the City's land records within one (1) year after the date of approval of this Ordinance by City Council, then this Ordinance shall be void.

AND BE IT FURTHER ORDAINED BY CITY COUNCIL THAT the requirement within City Code Section 2-97 (for a two readings of an ordinance) is hereby WAIVED and this Ordinance shall be effective upon its adoption by Council without any requirement for a second reading.