



**CITY COUNCIL AGENDA
October 19, 2020**

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

**5:00 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code
(Legal consultation, personnel, boards and commissions)**

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 (MAGILL/HILL)**

ANNOUNCEMENTS

RECOGNITIONS/PROCLAMATIONS

BOARD/COMMISSION APPOINTMENTS **Appointments to Human Rights Commission**

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

1. Minutes: Minutes: September 8 regular and closed meetings, September 11 special meeting, September 29 special meeting
2. 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 (2nd reading)~~
APPROVED 10/5/20
3. Appropriation: **Battalion Chief Vehicle Insurance Reimbursement - \$36,649.68 (2nd reading)**
#A-20-132
4. Appropriation: **Virginia Department of Social Services (VDSS) Temporary Aid to Needy Families (TANF) Grants – \$257,479.76 (2nd reading)**
#A-20-133
5. Appropriation: **Red Light Management Funds for Home to Hope for Reentry Services/Programming - \$20,000 (2nd reading)**
#A-20-134
6. Appropriation: Victim Witness Assistance Program Grant - \$265,024 (1st of 2 readings)
7. Appropriation: Annie E. Casey Foundation Grant Award - \$10,000 (1st of 2 readings)
8. Appropriation: Housing Opportunities for People with AIDS/HIV (HOPWA) Covid Supplement- \$20,050 (1st of 2 readings)
9. Report: Rivanna Water and Sewer Authority - Rivanna Solid Waste Authority Quarterly Update

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS

ACTION ITEMS

10. Ordinance*: Café Space Fee Waiver and Reduction (1 reading)
#O-20-135 **APPROVED 5-0 (HILL/PAYNE)**
11. Ordinance: Authorizing a Grant of Public Funding to Subsidize Construction of For-Rent Affordable Housing to be Occupied by Persons of Low and Moderate Income as Part of a Redevelopment of Public Housing (1st of 2 readings):
a. South First Street Phase One Redevelopment
b. Crescent Halls Redevelopment
12. Resolution*: Approving a Recovery Agreement between Charlottesville Redevelopment and Housing Authority and the United States Department of Housing and Urban Development and the City of Charlottesville (1 reading)
#R-20-136 **APPROVED 5-0 (HILL/MAGILL)**
13. Ordinance*: Authorization of a Forgivable Loan to Piedmont Housing Alliance to Support Redevelopment of Friendship Court for the Purpose of Producing New Housing for Low and Moderate Income Persons (1st of 2 readings)
14. Resolution*: Approval of Performance Agreement to support Friendship Court Redevelopment efforts (1 reading) **APPROVED 5-0 (HILL/PAYNE)**
#R-20-137
15. Resolution*: Coronavirus Aid, Relief, and Economic Act (CARES) Funds – Second Allocation: Contingency Reserve Allocation - \$410,000 (1 reading)
#R-20-138 **APPROVED 5-0 (HILL/MAGILL); amount changed to \$415,000**

GENERAL BUSINESS

16. Public Comment: Council Strategic Plan Update
17. Report: City Financial Report through September 30, 2020
18. Report: Climate Action Plan update; Report from Community Climate Collaborative; Speaker: Pamela Boyce Simms - Climate Justice
19. Discussion: Temporary City employees

OTHER BUSINESS

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

Battalion Chief's Vehicle Insurance Reimbursement

\$36,649.68

WHEREAS, Allstate Insurance Company is reimbursing the City of Charlottesville for a vehicle loss associated with an accident involving vehicle #3265;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$36,649.68 be appropriated in the following manner:

Revenues - \$

\$36,649.68 Fund: 106 Cost Center: 3201001001 G/L Account: 451110

Expenditures - \$

\$36,649.68 Fund: 106 Cost Center: 3201001001 G/L Account: 541040

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of funds from Allstate Insurance Company.

APPROPRIATION
Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families
(T.A.N.F.) Grants
\$257,479.76

WHEREAS, the City of Charlottesville has received a third renewal of grant funds from the Virginia Department of Social Services in the amount of \$50,000 requiring a \$7,500 local in-kind match provided by the Office of Economic Development through the Workforce Investment Fund; and

WHEREAS, the City of Charlottesville has received a second renewal of grant funds from the Virginia Department of Social Services in the amount of \$33,800 requiring a \$5,070 local in-kind match provided by the Office of Economic Development through the Workforce Investment Fund; and

WHEREAS, the City of Charlottesville has received a second renewal of grant funds from the Virginia Department of Social Services in the amount of \$173,679.76; and

WHEREAS, the funds will be used to support workforce and business development training programs, supportive services, and staffing provided by the Office of Economic Development; and

WHEREAS, the grant award covers the period from July 1, 2020 and June 30, 2021;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$257,479.76 is hereby appropriated in the following manner:

Revenue – \$57,500

\$50,000	Fund: 209	IO: 1900374	G/L: 430120 State/Fed pass thru
\$7,500	Fund: 209	IO: 1900374	G/L: 498010

Expenditures – \$57,500

\$57,500	Fund: 209	IO: 1900374	G/L: 599999 Lump Sum
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Transfer – \$7,500

\$7,500	Fund: 425	WBS P-00385	G/L: 561209 Transfer to State Grants Fund
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Revenue – \$38,870

\$33,800	Fund: 209	Cost Center: 1621003000	G/L: 430120 State/Fed pass thru
\$5,070	Fund: 209	Cost Center: 1621003000	G/L: 498010

Expenditures – \$38,870

\$38,870	Fund: 209	Cost Center: 1621003000	G/L: 599999 Lump Sum
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Transfer – \$5,070

\$5,070	Fund: 425	WBS: P-00385	G/L: 561209 Transfer to State Grants
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Revenue – \$173,679.76

\$173,679.76 Fund: 209 IO: 1900373 G/L: 430120 State/Fed pass thru

Expenditures - \$173,679.76

\$173,679.76 Fund: 209 IO: 1900373 G/L: 599999 Lump Sum

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$257,479.76 from the Virginia Department of Social Services.

APPROPRIATION
Red Light Management Funds for Home to Hope
\$20,000

WHEREAS, the City of Charlottesville has received funds from Red Light Management in the amount of \$20,000; and

WHEREAS, the funds will be used to support the Home to Hope program through the Office of Economic Development;

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

\$20,000 Fund: 105 Cost Center: 1621004000 G/L: 451020

Expenditures – \$20,000

\$20,000 Fund: 105 Cost Center: 1621004000 G/L: 599999

**ORDINANCE
TO MODIFY DEADLINES, MODIFY PUBLIC MEETING
AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS
CONTINUITY OF OPERATIONS ASSOCIATED WITH THE PANDEMIC DISASTER**

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, the City Manager, who is the City’s Director of Emergency Management, declared the potential spread of COVID-19 an emergency on March 12, 2020 pursuant to authorization within 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 Virginia Freedom of Information Act (Code of Virginia Section 2.2-3700, et seq.) provides that all meetings shall be open to the public unless a public body elects to exercise an exemption provided by the Act “or any other statute”; and

WHEREAS, the Charlottesville City Council enacted an ordinance provided for by Virginia Code Section 15.2-1413 on March 25, 2020 and re-enacted the ordinance on September 8, 2020; and

WHEREAS, the September 8, 2020 ordinance will expire on March 8, 2021; and

WHEREAS, the Charlottesville City Council wishes to amend the continuity of operations ordinance pursuant to the authority granted by Virginia Code Section 15.2-1413.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the September 8, 2020 ordinance adopted pursuant to the authority granted by Virginia Code Section 15.2-1413 is amended and reenacted to include all of the following in addition to the provisions previously re-enacted on September 8, 2020:

BE IT FURTHER ORDAINED that the café permit fee assessed pursuant to Charlottesville City Code Section 28-214(c) be waived for the months of March and April 2020; and

BE IT FURTHER ORDAINED that the café permit fee assessed pursuant to Charlottesville City Code Section 28-214(c) for the months of May, June, July, August, September, October, November, and December 2020 and for the months of January and February 2021 shall be reduced by fifty percent; and

BE IT FURTHER ORDAINED that the City Manager may grant a credit to any café permit holder that paid the full amount of the café permit fees for March, April, May, June, July, August, September, October, November, and December 2020

and January and February 2021 for future years.

BE IT FURTHER ORDAINED that the rental fee assessed pursuant to Charlottesville City Code Section 28-5 and the City Council's approved fee schedule, for a City parking space to be used for outdoor dining, shall be reduced by fifty percent for the months of May, June, July, August, September, October, November, and December 2020 and for the months of January and February 2021; and

Pursuant to Charlottesville City Code Section 2-96, this ordinance is enacted on the date of its introduction by a four-fifths vote of the Charlottesville City Council.

RESOLUTION
APPROVING A RECOVERY AGREEMENT BETWEEN CHARLOTTESVILLE
REDEVELOPMENT AND HOUSING AUTHORITY AND THE UNITED STATES
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE CITY OF
CHARLOTTESVILLE

WHEREAS, in May 2019, the City of Charlottesville was notified by the U.S. Department of Housing and Urban Development (“HUD”) that Charlottesville Redevelopment and Housing Authority (“CRHA”) has been designated “Troubled” for financial, physical and/or management indicators, or other deficiencies as HUD has identified; and

WHEREAS, in August 2019, HUD issued an Audit Report that identified specific deficiencies in operations. HUD requires each troubled agency to enter into agreements that establish performance targets to remedy deficiencies, set out strategies for meeting targets, provide for incentives and sanctions for effective implementation of the strategies leading to recovery of performance and attain an improved status of a least a Standard Performer; and

WHEREAS, HUD requests that the City of Charlottesville be a party to the Recovery Agreement and to take certain actions in the event CRHA’s governing board does not effectively perform under the Recovery Agreement.

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

The Recovery Agreement proposed by HUD and CRHA is hereby approved, and City Council hereby authorizes the Mayor to execute the Recovery Agreement on behalf of the City of Charlottesville and City Council.

**APPROVING RESOLUTION OF THE
CITY COUNCIL
OF THE CITY OF CHARLOTTESVILLE, VIRGINIA**

WHEREAS, the Economic Development Authority of the City of Charlottesville, Virginia **(the “Authority”)**, a political subdivision of the Commonwealth of Virginia **(the “Commonwealth”)**, was established to promote the safety, health, welfare, convenience or prosperity of the inhabitants of the City of Charlottesville, Virginia **(the “City”)** by improving and rehabilitating a distressed area of the City which will enhance the tax base in the City and create opportunities for commercial and other economic development in the City; and

WHEREAS, the City Council of the City is empowered pursuant to Section 15.2-953 of the *Code of Virginia*, 1950, as amended **(the “Code”)**, to make appropriations of public funds to the Authority for the purpose of promoting economic development in the City; and

WHEREAS, the Authority is empowered pursuant to Section 15.2-4901, *et seq.*, of the Code to, among other things, accept contributions, grants and other financial assistance from the City and make grants to any person, partnership, association, corporation, business, or governmental entity for the purposes of promoting economic development in the City; and

WHEREAS, the Authority, pursuant to that certain proposed Economic Development Performance Agreement **(the “Agreement”)** by and among the Authority and Piedmont Housing Alliance, a non-profit 501(c)(3) organization under the Internal Revenue code of 1986 as amended **(“PHA”)** on its own behalf and on behalf of a limited liability company of which PHA serves as manager **(the “Developer”)**, attached hereto as **Exhibit I**, is proposing to provide a certain financial incentive grant **(the “Grant”)** to the Developer in order to encourage and induce the Developer to invest a significant amount of money into real estate improvements, described as phase I of the planned development consisting of 106 units **(the “Investment”)** located in the City currently known as Friendship Court; and such phase I and 106 units are described and depicted on Exhibit A of the Agreement **(the “Property”)** along with the other requirements included in such Investment as set forth in Exhibit B to the Agreement; and

WHEREAS, the Authority, while recognizing that the City Council of the City **(the “City Council”)** is not empowered under Virginia law to make any binding commitment beyond the current fiscal year of the City, has requested that the City Council annually appropriate monies to the Authority for the purpose of promoting economic development in the City by funding certain financial obligations of the Authority pursuant to and during the term of the Agreement; and

WHEREAS, there has been presented to this meeting a draft of the Agreement which sets forth the understanding and agreement between the Authority and the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:

1. The City Council finds and determines that the terms and conditions of the Agreement, including the provisions for the Grant, is consistent with the mission, goals and purposes of the Authority.

2. It is the current intention of the City Council to make sufficient annual appropriation of monies to the Authority for the purpose of promoting economic development in the City by funding certain financial obligations of the Authority pursuant to and during the term of the Agreement.

3. The City Manager or any other officer charged with the responsibility of preparing the City budget is hereby authorized and directed to include in the City budget for each fiscal year of the City during the term of the Agreement a request that the City Council appropriate sufficient monies to the Authority for the purpose of promoting economic development in the City and funding certain financial obligations of the Authority pursuant to the terms of the Agreement during such fiscal year.

4. The City Manager is hereby authorized to acknowledge the City's understanding of the Agreement and to execute such documents as he deems appropriate in relation to such Agreement.

5. All other acts of the City Manager, the Director of Economic Development or any other officer of the City relating to the purposes and intent of this resolution are hereby approved and ratified.

6. This resolution shall take effect immediately.

ADOPTED: _October 19, 2020

CERTIFICATION OF ADOPTION OF RESOLUTION

I, the undersigned Clerk of the City Council of the City of Charlottesville, Virginia, hereby certify that the foregoing is a true, correct and complete copy of a Resolution duly adopted by a majority of the members of the City Council at an open meeting duly called and held on October 19, 2020 and that such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof. The following represent the votes taken at such meeting:

Member	Ayes	Nays	Abstentions
Heather Hill	Aye		
Sena Magill	Aye		
Michael Payne	Aye		
Lloyd Snook	Aye		
Nikuyah Walker	Aye		

WITNESS my hand and the seal of the Authority, this 19th day of October, 2020.

[SEAL]



Kyma Thomas

Clerk of the City Council of the
City of Charlottesville, Virginia

RESOLUTION
Coronavirus Aid, Relief, and Economic Act (CARES) Funds – Second Allocation
Contingency Reserve Allocation
\$415,000

WHEREAS, the Charlottesville City Council appropriated \$625,000 of Coronavirus Aid, Relief, and Economic Act (CARES) funds to a Contingency Reserve Fund on October 5, 2020; and

WHEREAS, the Charlottesville City Council has requested those funds be used to fund requests from the Public Housing Association of Residents (\$110,000), Charlottesville Redevelopment and Housing Authority (\$80,000), the Conscious Capitalist Foundation (\$25,000) and the Black Community Wellness Center (\$200,000);

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$415,000.00 of the Contingency Reserve Fund shall be allocated in the following manner:

Transfer From:

Contingency Reserve			
\$415,000	Fund: 208	Internal Order: 1900388	G/L Code: 599999

Transfer To:

Community Support			
\$415,000	Fund: 208	Internal Order: 1900384	GL Code: 599999