

CERTIFICATIONS



CITY COUNCIL AGENDA July 19, 2021

Members

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

5:30 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code (Personnel evaluation; legal consultation)

Virtual/electronic meeting

6:30 p.m. Regular Meeting

Register at www.charlottesville.gov/zoom. Virtual/electronic meeting in accordance with a local ordinance amended and re-enacted April 19, 2021, to ensure continuity of government and prevent the spread of disease during a declared State of Emergency. 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.

CALL TO ORDER

MOMENT OF SILENCE

ROLL CALL

AGENDA APPROVAL **APPROVED 5-0 (HILL/SNOOK)**

ANNOUNCEMENTS

RECOGNITIONS/PROCLAMATIONS

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

1. Minutes: May 17 work session and regular meeting, May 26 School reconfiguration work session, June 7 closed and regular meetings, June 22 monthly work session, June 23 special and closed meetings, June 24 special and closed meetings, July 7 special meeting, July 10 emergency special meeting
2. Resolution: Appropriating funds for COVID Homelessness Emergency Response Program (CHERP) Grant Amendment - \$201,120 (2nd reading)
#R-21-094
3. Resolution: Appropriating funds Charlottesville Student Victim Outreach Program Department of Criminal Justice Services Victim of Crimes Act Grant - \$343,371 (2nd reading)
#R-21-095
4. Resolution: Appropriating funds for Department of Justice Office of Justice Programs Grant for Charlottesville Albemarle Family Treatment Court Program Expanded Services - \$827,973 (2nd reading)
#R-21-096
5. Resolution: Appropriating funds for FY21 Virginia Department of Criminal Justice Services Body-worn Camera Grant - \$100,000 (2nd reading)
#R-21-097
6. Resolution: Appropriating FY 2021 Supplemental Federal Funding for Transit Capital and Operating Assistance - \$5,038,344 (2nd reading)
#R-21-098
7. Resolution: Appropriating funds for City School Bus Driver Incentive Plan - \$332,952 (2nd reading)
#R-21-099
8. Resolution: Appropriating funds for Transit Bus Driver Benefits Incentive Plan - \$499,632 (2nd reading)
#R-21-100
9. Resolution: Appropriating funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$200,000 (carried)

- 10. Resolution: Appropriating funds for Virginia Housing Solutions Program Grant Award - \$539,333 (carried)
- 11. Resolution: Appropriating funds for Family First Prevention Services Act for the Department of Social Services Family Services staffing - \$164,607 (carried)
- 12. Resolution: Appropriating previously approved funds to the Albemarle Charlottesville Historical Society for the purpose of identifying the individuals interred in the unmarked graves at Pen Park and their descendants - \$2,500 (carried)
- 13. Resolution: Appropriating previously approved funds for a match of a Virginia Department of Historic Resources 2021-2022 State Survey and Planning Cost Share Program grant for Phase 1 of the Charlottesville Downtown Mall Historic Landscape Study and Management Plan - \$10,000 (carried)
- 14. Resolution: Amending and reauthorizing the Charlottesville Public School Scholarship Fund (1 reading)
#R-21-101

CITY MANAGER RESPONSE TO COMMUNITY MATTERS and to COUNCILORS

COMMUNITY MATTERS Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Public comment will be conducted through electronic participation while City Hall is closed to the public. Participants can register in advance at www.charlottesville.gov/zoom.

ACTION ITEMS

- 15. Resolution*: Approving the request to pursue Transportation Alternatives Project grant funding through the Virginia Department of Transportation for: 1) design and construction of Meadow Creek Valley Trail bridge \$675,000, and 2) Safe Routes to School Program and Coordinator \$200,000 (1 reading)
#R-21-102
APPROVED 5-0 (HILL/SNOOK)
- 16. Resolution: Appropriating funds for funding transfer for Charlottesville Affordable Housing Fund (CAHF) Program Review/Redesign and Inclusionary Zoning Program Design - \$165,000 (carried to July 27 work session)
- 17. Resolution*: Approving the findings of the Design Public Hearing for the Fontaine Avenue Streetscape (1 reading) **APPROVED 5-0 (HILL/SNOOK)**
#R-21-103
- 18. Resolution*: Appropriating funds from the American Rescue Plan for Eligible Local Activities - \$1,986,100 (2nd reading) **APPROVED 5-0 (HILL/SNOOK)**
#R-21-104

GENERAL BUSINESS

- 19. Report: Rivanna Authorities Quarterly Report (written report only)

OTHER BUSINESS and QUESTIONS FOR CITY MANAGER FOLLOW-UP

MATTERS BY THE PUBLIC

*Action Needed

**RESOLUTION APPROPRIATING FUNDS FOR
COVID Homelessness Emergency Response Program (C.H.E.R.P.) Grant Amendment
\$201,120**

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received the C.H.E.R.P. Grant from the Virginia Department of Housing and Community Development in the amount of \$201,120.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$201,120 is hereby appropriated in the following manner:

Revenues

\$201,120 Fund: 209 IO: 1900401 G/L: 430120 Federal Pass Thru

Expenditures

\$201,120 Fund: 209 IO: 1900401 G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$201,120 in funds from the Virginia Department of Housing and Community Development.

**RESOLUTION APPROPRIATING FUNDS FOR
Charlottesville Student Victim Outreach Program Department of Criminal Justice Services
Victim of Crimes Act Grant
\$343,371**

WHEREAS, the Human Services Department of the City of Charlottesville has been awarded \$343,371 from the Department of Criminal Justice Services Victim of Crimes Act, and

WHEREAS, the grant award covers the period from July 1, 2021 through June 30, 2023.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$343,371 is hereby appropriated in the following manner:

Revenue – \$274,697

\$274,697	Fund: 209	Cost Center: 3413018000	G/L Account: 430120
\$68,674	Fund: 209	Cost Center: 3413018000	G/L Account: 498010

Expenditures - \$274,697

\$274,697	Fund: 209	Cost Center: 3413018000	G/L Account: 519999
\$68,674	Fund: 209	Cost Center: 3413018000	G/L Account: 599999

Transfer - \$68,674

\$68,674	Fund: 213	Cost Center: 341300300	G/L Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$274,697 from the Virginia Department of Criminal Justice Services.

**RESOLUTION APPROPRATING FUNDS FOR
Department of Justice Office of Justice Programs Grant for Charlottesville Albemarle
Family Treatment Court (FTC) Program Expanded Services
\$827,973**

WHEREAS, the Charlottesville Department of Social Services has received \$827,973 in grant funding from the Department of Justice, Office of Justice Programs for expanded services for the Charlottesville Albemarle Family Treatment Court;

WHEREAS, the grant award covers the period October 1, 2020 through September 30, 2023.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$827,973 is hereby appropriated in the following manner:

Revenue-\$827,973

Fund: 211 Internal Order: 1900415 G/L Account: 431110

Expenditures-\$827,973

Fund: 211 Internal Order: 1900415 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$827,973 in funds from Department of Justice, Office of Justice Programs.

**RESOLUTION APPROPRIATING FUNDS FOR
FY21 Virginia Department of Criminal Justice Services Body-Worn Camera Grant
\$100,000**

WHEREAS, the FY21 Virginia Department of Criminal Justice Services Body-Worn Camera Grant awarded a grant to the Police Department, through the City of Charlottesville, to fund storage of body-worn camera records from the Police Department;

NOW, THEREFORE BE IT RESOLVED the Council of the City of Charlottesville, Virginia, that the sum of \$50,000, received from the Commonwealth of Virginia Department of Criminal Justice Services Body-Worn Camera Grant and the local match of \$50,000 is hereby appropriated in the following manner:

Revenues – \$100,000

\$50,000	Fund: 209	IO: 190416	G/L Account: 430120
\$50,000	Fund: 209	IO: 190416	G/L Account: 498010

Expenditures – \$100,000

\$100,000	Fund: 209	IO: 190416	G/L Account: 530060
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Transfer – \$50,000

\$50,000	Fund: 105	Cost Center: 3101001000	G/L Account: 530060
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the reimbursement of funds or goods as supplied from the Commonwealth of Virginia Department of Criminal Justice Services Body-Worn Camera Grant.

**RESOLUTION APPROPRIATING FUNDS FOR
Supplemental State and Federal Transit Capital & Operating Grants
\$5,038,344**

WHEREAS, The FY21 State Capital Grant in the amount of \$2,459,570 and the Federal Capital Grant in the amount of \$1,756,836 has been awarded to the City of Charlottesville, with a local CIP match of \$175,684; the combined amount of capital grant funds is **\$4,392,090**; and

WHEREAS, The FY21 Federal Operating Grant in the amount of \$1,903,103 has been awarded to the City of Charlottesville, this amount of operating grant is **\$11,886** more than initially budgeted; and

WHEREAS, The FY21 Federal Operating Grant has been awarded to JAUNT in the amount of **\$634,368**; these funds must pass through the City of Charlottesville as required; and

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

Revenue (Capital)

\$2,459,570	Fund: 245	Cost Center: 2804001000	G/L: 430110 State Grants
\$1,756,836	Fund: 245	Cost Center: 2804001000	G/L: 431110 Federal Grants

Expenditures (Capital)

\$3,737,017	Fund: 245	Cost Center: 2804001000	G/L: 541040 Vehicles
\$ 655,072	Fund: 245	Cost Center: 2804001000	G/L: 541090 Equipment

Revenue (Operating)

\$11,886	Fund: 245	Cost Center: 2801003000	G/L: 431010 Federal Grants
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Expenditures (Operating)

\$11,886	Fund: 245	Cost Center: 2801003000	G/L: 599999 Lump Sum
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Revenue (JAUNT)

\$634,368	Fund: 245	Cost Center: 2821002000	G/L: 431010 Federal Grants
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Expenditures (JAUNT)

\$634,368	Fund: 245	Cost Center: 2821002000	G/L: 540365 JAUNT Payment
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BE IT FURTHER RESOLVED, that this appropriation is conditional upon the receipt of the \$2,459,570 from the Virginia Department of Rail and Public Transportation and \$2,403,090 from the Federal Transit Administration.

**RESOLUTION APPROPRIATING FUNDING
FOR THE SCHOOL BUS DRIVER INCENTIVE PROGRAM
\$332,952**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$332,952 is hereby designated to be available for expenditure, at the discretion of the City Manager, for costs associated with an FY22 School Bus Driver Incentive Program.

Expenditures

\$332,952 Fund: 105 Cost Center:2491001000 G/L: 599999

Revenues

\$332,952 Fund: 105 Cost Center:2491001000 G/L: 498900

**RESOLUTION APPROPRIATING FUNDING
FOR THE TRANSIT BUS DRIVER INCENTIVE PROGRAM**

\$499,632

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$499,632 is hereby designated to be available for expenditure, at the discretion of the City Manager, for costs associated with an FY22 Transit Bus Driver Incentive Program.

Expenditures \$499,632 Fund: XXX Cost Center:XXXXXX G/L: XXXX

Revenues \$499,632 Fund: XXX Cost Center:XXXXXXXXXX G/L: XXXX

**RESOLUTION AMENDING AND REAUTHORIZING
THE CHARLOTTESVILLE PUBLIC SCHOOL SCHOLARSHIP FUND**

WHEREAS, consistent with a Resolution adopted by the Charlottesville City Council on December 4, 2000, this City Council and the Charlottesville Albemarle Community Foundation entered into that certain Agreement for the Establishment of a College Scholarship Fund dated March 9, 2001 (“Agreement”), to create the Charlottesville Public School Scholarship Program (“Program”), which provides financial aid for post-secondary education to certain residents of the City of Charlottesville, Virginia; and

WHEREAS, in the years since 2001, the Program has been administered by a Board of Directors established by the City in accordance with Paragraph 3 of the Agreement; and

WHEREAS, in the years since 2001, with the assent of Board of Directors members appointed by the City of Charlottesville (“Donor”) and the Charlottesville-Albemarle Community Foundation (“Foundation”), the Board of Directors has extended Program eligibility to employees of the City and City Schools; and

WHEREAS, the Donor and the Foundation have determined that a broader and more explicit delegation of authority to the Scholarship Fund’s Board of Directors will further the purposes for which the Program was created, and City Council desires to affirm and reauthorize the Program subject to certain modifications of the terms of the Agreement between the City and the Foundation;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, that the eligibility criteria established within the December 4, 2000 City Council Resolution are hereby repealed, and

BE IT FURTHER RESOLVED THAT the Charlottesville City Council hereby approves the following amendment to the March 9, 2001 Agreement with the Charlottesville Albemarle Community Foundation (“Amendment”):

**Amendment to Agreement for the Establishment
Of A College Scholarship Fund**

The Donor and the Foundation hereby agree to amend the March 9, 2001 Agreement between the City and the Charlottesville Albemarle Community Foundation, as follows:

(a) Modify Paragraph 1 of the Agreement, as follows:

*1. **Establishment of the Fund.** Pursuant to the authority granted by Virginia Code §15.2-953, Donor hereby establishes with the Foundation a fund to be called the CHARLOTTESVILLE CITY PUBLIC SCHOOLS SCHOLARSHIP FUND (“Fund”) by initially donating to the Foundation the amount of Two Hundred and Fifty Thousand and 00/100 Dollars (\$250,000.00).*

(b) Strike Paragraph 2 of the Agreement, in its entirety, and replace it with the following:

*2. **Use of the Fund.** The Fund will be used to provide financial aid to low and moderate-income individuals from or in the Charlottesville community, who are in need of assistance to pay for expenses incurred for or in connection with post-*

secondary education. The criteria for selection of scholarship recipients from the Fund shall be set by the Board of Directors of the Fund that has been established as described in paragraph 3 of the Agreement. The Board of Directors shall have the power to change the selection criteria, from time to time, as necessary to accomplish the stated purpose of the Fund described above. The Chair of the Board of Directors has executed this amendment, following below, to acknowledge the authority granted by this Amendment.

(c) Modify Paragraph 3 of the Agreement, as follows:

*Donor agrees to establish a City Scholarship Fund Board of Directors that will be responsible for the administration of the scholarship program. The Foundation agrees to appoint one person from its governing board, advisory board or staff to serve on the Board of Directors. **In addition to the authority set forth within Paragraph 2, preceding above, the Donor, through staff and the Board of Directors, will be responsible for advertising the availability of the scholarships, accepting and reviewing applications, selecting the beneficiaries of the scholarships and determining the amount of assistance, and making written requests to the Foundation to distribute funds in specified amounts on behalf of the selected beneficiaries; and adopting a mentoring program for students whose scholarships continue from year to year.** Distributions shall be made directly to the educational institution the beneficiary will be attending. The Foundation agrees to distribute the funds as requested, unless it determines that the distribution would be inconsistent with its articles of incorporation, bylaws or status as a public charity. Except as specifically set forth herein, the Foundation shall have no responsibility for the operation or administration of the scholarship program. Distributions from the Fund shall not be requested or made until the Fund contains a minimum of Five Hundred Thousand and 00 /100 Dollars (\$ 500,000. 00).*

BE IT FURTHER RESOLVED THAT, following execution of the above-referenced Amendment by the City Manager, the Executive Director of the Charlottesville Albemarle Community Foundation, and the Chair of the Board of Directors of the Scholarship Fund, the parties' March 9, 2001 Agreement is hereby ratified and shall be and continue in full force and effect, as amended in accordance with this Resolution.

RESOLUTION
AUTHORIZING APPLICATION FOR TRANSPORTATION ALTERNATIVES
FUNDING FOR A MEADOW CREEK VALLEY TRAIL BRIDGE AND FOR THE SAFE
ROUTES TO SCHOOL PROGRAM AND COORDINATOR

WHEREAS, in connection with a grant application, the Commonwealth of Virginia Transportation Board requires City Council to adopt a resolution requesting the Virginia Department of Transportation to establish a Transportation Alternatives project in the City of Charlottesville.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, THAT the Commonwealth Transportation Board is hereby requested to establish a Transportation Alternatives Project for the improvement of Meadow Creek Valley Trail Bridge within the City of Charlottesville, and also to establish a Transportation Alternatives Project to continue the Safe Routes to School Program within the City of Charlottesville; and

BE IT FURTHER RESOLVED that the City of Charlottesville hereby agrees to provide a minimum twenty percent (20%) local matching contribution for each project; and

BE IT FURTHER RESOLVED that the City of Charlottesville hereby agrees to enter into a project administration agreement with the Virginia Department of Transportation, to provide the necessary oversight to ensure that each Project is developed in accordance with all state and federal requirements for design, right of way acquisition, and construction of a federally funded transportation project, and other federal and state requirements; and

BE IT FURTHER RESOLVED that the City of Charlottesville will be responsible for maintenance and operating costs of any facility constructed with Transportation Alternatives Program funds, unless other arrangements have been made with the Commonwealth Transportation Board/ Virginia Department of Transportation; and

BE IT FURTHER RESOLVED that if the City of Charlottesville subsequently elects to cancel either of these projects prior to completion, the City of Charlottesville hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation; and

BE IT FURTHER RESOLVED THAT the City of Charlottesville also acknowledges and agrees that it will be required to repay any funds previously reimbursed from Transportation Alternatives Funding that may later be deemed ineligible by the Federal Highway Administration ineligible for funding.

**RESOLUTION
FONTAINE AVENUE STREETScape PROJECT
DESIGN PUBLIC HEARING APPROVAL**

WHEREAS, a Design Public Hearing was conducted on May 12, 2021 in the City of Charlottesville by representatives of the City of Charlottesville and the Commonwealth of Virginia Department of Transportation after due and proper notice for the purpose of considering the proposed design of the Fontaine Avenue Streetscape project under State Project: U000-104-296 (UPC 109484) and Federal Project number NHPP-5104(255) in the City of Charlottesville, at which hearing aerial photographs, drawings, environmental documentation and other pertinent information were made available for public inspection in accordance with state and federal requirements; and

WHEREAS, all persons and parties in attendance were afforded full opportunity to participate in said public hearing; and

WHEREAS, representatives of the City of Charlottesville were present and participated in said hearing; and

WHEREAS, the Council had previously requested the Virginia Department of Transportation to program this project; and

WHEREAS, the Council fully deliberated and considered all such matters; now

THEREFORE BE IT RESOLVED that the Council of the City of Charlottesville hereby approves the major design features of the proposed project as presented at the Public Hearing.

BE IT FURTHER RESOLVED that the City of Charlottesville will acquire and/or furnish all right-of-way necessary for this project and certify the same to the Virginia Department of Transportation and Federal Highway Administration at the appropriate time.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute, on behalf of the City of Charlottesville, all necessary agreements required in conjunction with acquiring such rights of way, as well as all other associated standard agreements for construction activities.

**RESOLUTION APPROPRIATING FUNDING FOR
American Rescue Plan for Eligible Local Activities
\$1,986,100**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$1,986,100 from American Rescue Plan funding is hereby designated to be available for expenditure, at the discretion of the City Manager, for costs associated with eligible ARP expenditures for the following purposes and amounts:

Community Support

Peace in the Streets	\$95,000
Mentoring at Lugo-McGinnis Academy	\$153,500
Legal Aid Justice Center Eviction Prevention	\$300,000
Emergency Relief and Community Assistance	\$811,100
Department of Human Services COVID Related Assistance	\$176,500

Business Support

Department of Economic Development Recovery Roadmap	\$250,000
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City Staff Support

City Hall Access Reconfiguration	\$200,000
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Revenues - \$1,986,100

Fund: 207 Cost Center: 9900000000 G/L Account: 430120

Expenditures

\$95,000	Fund: 207	I/O: 1900420	G/L: 599999
\$153,500	Fund: 207	I/O: 1900420	G/L: 599999
\$300,000	Fund: 207	I/O: 1900420	G/L: 599999
\$811,100	Fund: 207	I/O: 1900421	G/L: 599999
\$176,500	Fund: 207	I/O: 1900421	G/L: 599999
\$250,000	Fund: 207	I/O: 1900421	G/L: 599999
\$200,000	Fund: 207	I/O: 1900420	G/L: 599999