



CITY COUNCIL AGENDA September 7, 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 (Boards and Commissions-Police Civilian Review Board and Human Rights Commission; personnel)

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 (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

ANNOUNCEMENTS

RECOGNITIONS/PROCLAMATIONS

CONSENT AGENDA*

1. Minutes: July 19 closed and regular meetings, July 27 work session, August 2 regular meeting
2. Resolution: Amending the FY2020-2021 Community Development Block Grant and HOME Investment Partnerships Program Minor Action Plan Budget (2nd reading)
 - a. Resolution: Amendment to Community Development Block Grant account \$85,843.66
 - b. Resolution: Amendment to HOME Investment Partnership Program \$21,384.80
 - c. Resolution: Approving the FY 2020-2021 Minor Annual Action Plan Amendment
3. Ordinance: Amending and re-enacting the Code of the City of Charlottesville, 1990, as amended, in order to remove masculine and/or feminine language and to substitute gender-neutral pronouns (2nd reading)
4. Resolution: Appropriating Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) Grant funds to the Thomas Jefferson Area Coalition for the Homeless (TJACH) - \$288,172 (1st of 2 readings)
5. Resolution: Appropriating funds from the Thomas Jefferson Area Coalition for the Homeless (TJACH) to the Department of Human Services - \$10,000 (1st of 2 readings)
6. Resolution: Appropriating funds for the Virginia Behavioral Health Docket Grant - \$49,000 (1st of 2 readings)

- 7. Resolution: Appropriating funds for the Charlottesville-Albemarle Adult Drug Treatment Court Grant Award - \$240,000 (1st of 2 readings)
- 8. Resolution: Appropriating Bama Works Grant funds for the recruitment and retention of Black, Indigenous and People of Color (BIPOC) Foster Families - \$5,000 (1st of 2 readings)
- 9. Resolution: Amending and reauthorizing funds to construct a Bike and Pedestrian Bridge for McIntire Park - \$50,000 (1 reading)
- 10. Resolution: Appointing the City Voting Representative to Jaunt, Inc. Shareholders' Meetings (1 reading)
- 11. Resolution: Approving the City Manager's hiring recommendation for the Police Civilian Review Board Executive Director

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

- 12. Ordinance: Amending and re-enacting Charlottesville City Code Chapter 19 Section 19-59 to change the length and number of terms for members of the City's Retirement Commission (1st of 2 readings)
- 13. Resolution*: Approving major design features from Design Public Hearing for the Barracks Road-Emmet Street Smartscale Improvement Project (1 reading)
- 14. Resolution*: Update on the disposition of the Lewis, Clark and Sacajawea and confederate statues, and ratification of Council's July 10, 2021 decision (1 reading)

GENERAL BUSINESS

OTHER BUSINESS

MATTERS BY THE PUBLIC

*Action Needed

CHARLOTTESVILLE CITY COUNCIL MEETING
MINUTES - July 19, 2021
Virtual/electronic meeting via Zoom

5: 30 PM CLOSED MEETING

The Charlottesville City Council met in an electronic meeting on Monday, July 19, 2021, in accordance with a local ordinance, amended and re-enacted on April 19, 2021 to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Walker called the meeting to order at 4:52 p.m., at the conclusion of the preceding work session. The following City Council members were present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: none) to meet in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2-3712, specifically:

- Section 2.2-3711(A)(1), for discussion and consideration of the performance of the Clerk of City Council; and
- Section 2.2-3711(A)(7), for consultation with legal counsel and briefings by staff pertaining to litigation pending in Charlottesville Circuit Court, Case no. CL21-116, because consultation or briefing in the open meeting would adversely affect the negotiating or litigating posture of the City.

On motion by Councilor Hill, seconded by Councilor Snook, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: 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.

The meeting adjourned at 6:30 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

6:30 PM REGULAR MEETING

The Charlottesville City Council met in an electronic meeting on Monday, July 19, 2021, in accordance with a local ordinance, amended and re-enacted on April 19, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of

Emergency. Mayor Walker called the meeting to order at 6:31 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

City Council observed a moment of silence.

On motion by Councilor Hill, seconded by Councilor Snook, Council unanimously approved the meeting agenda.

CONSENT AGENDA*

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

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)

**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.

3. RESOLUTION: Appropriating funds Charlottesville Student Victim Outreach Program Department of Criminal Justice Services Victim of Crimes Act Grant - \$343,371 (2nd reading)

**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.

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)

**RESOLUTION APPROPRIATING 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.

- 5. RESOLUTION: Appropriating funds for FY21 Virginia Department of Criminal Justice Services Body-worn Camera Grant - \$100,000 (2nd reading)

**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

Transfer – \$50,000

\$50,000 Fund: 105 Cost Center: 3101001000 G/L Account: 530060

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.

- 6. RESOLUTION: Appropriating FY 2021 Supplemental Federal Funding for Transit Capital and Operating Assistance - \$5,038,344 (2nd reading)

**RESOLUTION APPROPRATING 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

Expenditures (Operating)

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

Revenue (JAUNT)

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

Expenditures (JAUNT)

\$634,368 Fund: 245 Cost Center: 2821002000 G/L: 540365 JAUNT Payment

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.

- 7. RESOLUTION: Appropriating funds for City School Bus Driver Incentive Plan - \$332,952 (2nd reading)

**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

8. RESOLUTION: Appropriating funds for Transit Bus Driver Benefits Incentive Plan - \$499,632 (2nd reading)

**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

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

**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.

Mayor Walker opened the floor for comments on the Consent Agenda. There were no speakers.

Mayor Walker made comments on Item #7 to prioritize figuring out bonuses or incentives for other city employees. For Items #7 and #8, she added that in addition to health insurance benefits, she hoped retirement benefits were being looked at for future modifications for bus drivers and other city employees. For Item #12, she advised that she remains optimistic that the desired outcome would be achieved in telling the story of those interred at Pen Park, and wanted to know more about the process. She also asked about the downtown area becoming a historic site and the need to include a variety of people in the public engagement.

Jeff Werner, Historic Preservation and Design Planner, spoke about involving the descendant community and working with researchers from the University of Virginia. He advised that they have begun to compile a list of who they think the interred people are and to reach out to family as possible. The intern contacted Mr. Werner last year with interest in the project and is working with the Historical Society. He also advised that the Downtown Mall is already historically designated and the community would be involved in next step evaluations.

Councilor Hill asked for clarity around benefits for pupil and transit drivers.

Councilor Snook shared clarifying information about Item #14 and the update to eligibility requirements. Mayor Walker asked about prioritization of requests.

On motion by Councilor Snook, seconded by Councilor Hill, Council by the following vote APPROVED the Consent Agenda: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

CITY MANAGER RESPONSE TO COMMUNITY MATTERS and COUNCIL

City Manager Chip Boyles shared an update on the following community and Council matters:

1. He thanked Council, staff and the community for a successful week of statue relocations.
2. Regarding a bathroom solution for the Downtown Mall, he advised that the City is working with different business groups.
3. He advised that the City was getting closer to filling key positions such as: Police Civilian Review Board Executive Director and Director of Neighborhood Development Services, and would advertise again for the Human Resources Director. He introduced Samuel Sanders, new Deputy City Manager for Operations.
4. He advised that staff has continued to monitor the situation at Midway Manor and that both

elevators were currently working.

5. He has re-engaged quarterly neighborhood association meetings and held the second one on July 15.
6. He reminded councilors of the July 27 work session, where the focus would be the Fiscal Year 2023 budget, and a draft presentation for a two-phase Strategic Planning Process (1 year and 3-year).
7. He advised that staff would present a proposed schedule at the next Council meeting for American Rescue Plan funds.

Councilors welcomed Mr. Sanders and thanked everyone involved in the statue relocation process.

COMMUNITY MATTERS

Mayor Walker opened the floor for comments from the public.

1. Peter Krebs spoke in support of Agenda Item #15 Transportation Alternatives Project Grant projects. He also spoke in favor of Item #17.
2. Julia Whiting spoke about a requested development permit from 2012. She asked questions about affordability and development as related to the Future Land Use Map.
3. John Ertl, city resident and Collective Bargaining Administrator, spoke about the benefit of collective bargaining for municipal employees to combat a long history of racial injustice.
4. Emily Yen, city resident, spoke in support of collective bargaining for municipal employees to combat racial inequities in income and close the racial income gap.
5. Philip Harway, city resident, spoke about the plan presented to the Planning Commission by the Housing Advisory Committee on July 13, 2021. He shared that the plan from the housing consultant would not achieve the desired goals for affordability in the future. He encouraged Council to support the Housing Advisory Committee recommendation.
6. Thom Richmond, resident of Lexington, Virginia, and president of a national non-profit triathlon series spoke about the special events permit policy for the City during the Covid-19 pandemic, and events that were impacted.
7. Matthew Ray, city resident and Charlottesville Area Transit employee, commended Transit Director Garland Williams for acting to keep workers safe during the Coronavirus pandemic. He spoke in favor of Transit workers being able to unionize.
8. Kathleen Glenn-Matthews, city resident and Deputy Director of the Charlottesville Redevelopment and Housing Authority (CRHA) thanked the Transit Director Garland Williams, City Manager Chip Boyles, Mayor Nikuyah Walker, CRHA Director John Sales, and city staff for support during a recent emergency with elderly residents at Crescent Halls.
9. Katrina Turner asked a question of City Manager Boyles regarding a personal situation.

10. Mark Kavit, city resident, spoke in opposition to various issues in the Comprehensive Plan, advising that affordable housing would not be achieved with new construction.
11. Courtney Cacatian, Executive Director of the Charlottesville Albemarle Convention and Visitors Bureau (CACVB), asked Council to consider distributing funds from the American Rescue Plan to restore a portion of the CACVB budget.
12. Nancy Carpenter, city resident, spoke in support of the appropriation to support eviction prevention, and advised that more would be needed.
13. Robin Hoffman, city resident, thanked city officials and other contributors for statue relocation and commended the Communications staff for keeping people informed. She encouraged membership in public access television.
14. Jeff Fogel, city resident, spoke as a member of the People's Coalition in support of a strong and independent Police Civilian Review Board.
15. Rebecca Deeds, city resident and representative for Preservation Piedmont, shared feedback regarding the proposed Future Land Use Map.
16. Andrew Shelton thanked everyone involved in the removal of statues in the city. He spoke in support of more housing.

Councilor Payne, in response to Ms. Carpenter's comments, spoke about rental relief. He also spoke in favor of Council taking action on collective bargaining.

Mayor Walker advised that she agreed with collective bargaining but hoped things would get to a point where employee needs were being met without the need for collective bargaining. She cautioned Council to think of the need to future fund items that have been voted on and that eventually the collective bargaining efforts could compete with needs for those who are unable to bargain collectively. She made comments about affordable housing as related to the Future Land Use Map and the language used by those who desire to maintain their neighborhoods.

The meeting recessed at 8:02 p.m. and reconvened at 8:27 p.m.

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**

Chris Gensic with the Parks and Recreation Department reviewed the request for Meadow Creek Valley Trail bridge.

Amanda Poncy, Bicycle and Pedestrian Coordinator for Neighborhood Development Services

presented the Safe Routes to School request.

Councilors asked clarifying questions about the Safe Routes to School program.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

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 for funding.

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)

Alex Ikefuna, Deputy Director of Neighborhood Development Services, introduced the resolution. He advised that inclusionary zoning was not included when the contract was originally signed.

Councilor Snook shared feedback from constituents, asking about the expected result of the redesign and how long the process would take. Mr. Ikefuna listed several expected outcomes and advised that the study would take approximately six months.

Councilor Payne asked about a proposal for an affordable housing overlay program, and about fulfilling the governance component of affordable housing. Mr. Ikefuna advised that as directed by the Planning Commission, the consultant would look at the overlay proposal to see whether parts could be integrated into the Future Land Use Map. He shared that the market would have to be able to respond to the results of the plan.

Councilor Hill thanked staff for bringing the item forward in order to progress.

Mayor Walker asked if the vote could be moved up a week to be considered at the July 27 work session. Mr. Boyles advised that it would be up to Council. Councilors agreed to have the second reading of the appropriation resolution at its work session scheduled for 3:00 p.m. on July 27.

17. RESOLUTION*: Approving the findings of the Design Public Hearing for the Fontaine Avenue Streetscape

Kyle Kling, Project Manager for the Fontaine Avenue Streetscape Project, introduced the resolution. He turned the presentation over to members of the design consultant team, Amy

Samberg and Owen Peery with RK&K.

Mr. Peery reviewed the presentation agenda: Project Update, Design Public Hearing Displays, Design Public Hearing Feedback and Recommendations

He also reviewed the following project goals:

- Develop a Complete Street
 - Improve Pedestrian, Bicycle, and Transit accommodations
- Increase Safety and Comfort for Pedestrians and Bicyclists
 - Provide a buffer between roadway and bicycle/pedestrian facilities
 - Where feasible, provide physical separation between bicycle/pedestrian facilities
- Beautify the Corridor as a Gateway
 - Provide landscaping and hardscaping materials that provide shade, comfort, safety, and increase the attractiveness of the gateway
- Improve Access and Connections to Local Facilities for All Users
 - Bicyclists
 - Pedestrians
 - Transit
 - UVA Health System Shuttle

Ms. Samberg shared information about the project area as defined by the project SMARTSCALE application, the recommended design concept overview, and graphic renderings.

In response to a question from Vice Mayor Magill regarding native and invasive plant species, Mr. Kling advised that they would work within the urban forestry recommendations for plantings.

Mayor Walker asked about the funding request and whether Council should expect future requests. Mr. Kling advised that request would be expected.

Councilor Payne asked about a buffer strip for bike lanes. Mr. Kling and Mr. Peery shared technical information about project parameters and challenges.

Mayor Walker suggested that City Manager Boyles consider contacting the University of Virginia to discuss their contribution to this project. Mr. Boyles shared information about an adjoining project by Albemarle County and the Virginia Department of Transportation.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

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.

18. RESOLUTION*: Appropriating funds from the American Rescue Plan for Eligible Local Activities - \$1,986,100 (2nd reading)

City Manager Boyles provided a summary of the requested appropriation.

Councilor Payne asked about Albemarle County's status with funding right to counsel in eviction cases. Mr. Boyles did not know when the County would take a vote.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

Councilor Hill asked Mr. Boyles to explain to the public the City's approach for allocation of American Rescue Plan funds over the next six months.

Mayor Walker advised that with the resurgence of coronavirus, supporting family needs should be prioritized.

**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

City Staff Support

City Hall Access Reconfiguration \$200,000

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

GENERAL BUSINESS

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

Councilors had no questions or comments.

OTHER BUSINESS

Councilor Hill asked City Manager Boyles to clarify the role of the City regarding the Greyhound bus terminal. Mr. Boyles advised that the City role was limited for a private carrier and privately owned station.

MATTERS BY THE PUBLIC

Mayor Walker opened the floor for public comment.

- Robin Hoffman, city resident, shared that she has tried to organize senior citizens and others to make drawings of how they envision downtown parks. She shared ways to help combat H1N1.

The meeting adjourned at 9:28 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CHARLOTTESVILLE CITY COUNCIL
WORK SESSION
MINUTES - July 27, 2021
Virtual/electronic meeting via Zoom**

3:00 PM WORK SESSION

Pursuant to Virginia Code Section 2.2-3712, the Charlottesville City Council met in work session on Tuesday, July 27 2021. The meeting was held electronically pursuant to local ordinances to ensure the continuity of government and prevent the spread of disease during the coronavirus State of Emergency. The purpose of the work session was to vote on the appropriation of funds for a funding transfer for the Charlottesville Affordable Housing Fund (CAHF) Program and to hear reports on the FY23 Budget Process and the Strategic Plan.

CALL TO ORDER

Mayor Walker called the meeting to order at 3:00 p.m. with the following members present: Mayor Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook.

ACTION ITEMS

1. RESOLUTION: Appropriating funds for funding transfer for Charlottesville Affordable Housing Fund (CAHF) Program Review/Redesign and Inclusionary Zoning Program Design - \$165,000 (2nd reading)

Councilor Snook began the discussion with concerns about the analyses that the consultants had performed to date. He asked that City staff and the consultants discuss a clear list of deliverables for the design of the Public Housing Incentive Program.

The Deputy City Manager of Operations, Sam Sanders, summarized the two-part scope of the consultant's contract. The first part being an inventory of the Charlottesville Affordable Housing Fund (CAHF) for the past ten years. This will include a full review of the project from allocation of funds to the deliverables from funding recipients; as well as recommendations for improvements and a scoring model. The consultants will also design an Inclusionary Zoning Program (IZP) to inform the process for staff and council to develop an IZP that is specific to the City of Charlottesville. Mr. Sanders and Mr. Alex Ikefuna, Director of Neighborhood Development, confirmed that the review will include an analysis of affordable housing as the result of Special Use Permits (SUP) for developers.

On motion by Councilor Hill, seconded by Council Payne, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

**RESOLUTION APPROPRIATING FUNDS FOR
Funding Transfer for Charlottesville Affordable Housing Fund (CAHF) Program
Review/Redesign and Inclusionary Zoning Program Design - \$165,000**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$75,000 from previously appropriated 2022 CIP CAHF fund be allocated, for the completion of the Charlottesville Affordable Housing Fund (CAHF) Program Review/Redesign and Inclusionary Zoning Program Design and is hereby transferred in the following manner:

Transfer From:

\$75,000 Fund: 426 WBS: CP-084 G/L: 599999

Transfer To

\$75,000 Fund: 426 WBS: P-00935 G/L Account: 599999

BE IT FURTHER RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$90,000 from previously appropriated CDBG Administrative funds be approved for the purpose of the completion of the Charlottesville Affordable Housing Fund (CAHF) Program Review/Redesign and Inclusionary Zoning Program Design.

REPORTS

2. FY 2023 Budget Process Updates

Krisy Hammill, Budget Analyst, provided an overview of the budget cycle as well as the current list of major budgetary items to be considered for FY23.

Budgetary items for the General Fund:

- Commitment to Tax Rate Increase – School Reconfiguration
- School Operational Funding Recalibration (40% Formula)
- Council Strategic Plan Budget Priorities for FY 2023

Budgetary items for the Capital Improvement Project Fund:

- No New Projects Being Requested
- School Reconfiguration
- West Main Street

Councilor Hill advised Council that Buford School was determined to be the priority for the school reconfiguration project and that the reconfiguration of Walker School will require outside

funding before the city is due to consider allocating funds for that project. There are plans to pursue an opportunity for state funding for the reconfiguration of Walker.

Mayor Walker expressed support of splitting up the reconfiguration projects. She also requested a deadline for Council to provide input on the FY23 budget.

Councilor Payne provided his concerns about the affordability of the current budget items and his thoughts against freezing the CIP budget. Mr. Payne requested for staff to consider the budgetary resources that will be necessary in supporting council initiatives in the budget process.

Vice Mayor Magill voiced her concerns with the affordability and impact of the school reconfiguration project.

Ms. Hammill explained that \$0.04 of the planned \$0.10 tax rate increase will be devoted to the school reconfiguration project and that if the timeline for the school project is moved up then the tax increase must be implemented all at once instead of being phased in as originally discussed. She added that the CIP budget is at full capacity with the current list of projects and that the addition of any new projects will most likely require a trade-off of projects.

Councilor Snook gave his approval of the current list of budget projects and the tax rate increase.

City Manager Boyles described the inflationary benefit to moving the school project up and announced that staff has scheduled a meeting with the Virginia Department of Transportation to discuss a timeline for moving forward on the West Main Street project. He added that staff and the school reconfiguration work group will soon begin to discuss options for funding the debt service on the school project.

3. Strategic Planning Update

City Manager Boyles presented a timeline and process for Council to develop the FY23 Strategic Plan. Mr. Boyles recommended that the current Strategic Plan be extended with any updates to the Plan being limited to Council's priorities for strategic initiatives. The City Manager cited time constraints as the basis for his recommendation and explained the intent to receive input from Council, departments, and members of the public prior to the department's budget due date of November 1, 2021 to the City Manager's office. Mr. Boyles proposed a Strategic Planning Workshop for early September. A draft Plan will be submitted for Council's review on September 20 and a final version will be presented for Council's approval on October 4.

Development of the FY24-26 Strategic Plan will occur between May and August of 2022. This will involve a complete review and will again incorporate input from Council, staff, and members of the public; along with the support of a hired facilitator. This 3-year plan will then be updated annually with only minor changes. City Manager Boyles explained that the timeline to

develop the FY24-26 Strategic Plan will allow for Council to adopt the Strategic Plan before the budget is adopted for the following year.

Mr. Boyles highlighted the following goals in the development of the Strategic Plan:

- Timely direction to departments for strategic budget preparation
- More and meaningful conversations about the Strategic Plan and department performance
- Conversations about how things get done
- Community and residents/City Council engagement and not only during the budget process
- Better execution of a creative plan-and the accountability that goes along with that

Mayor Walker asked that lead team members maintain an ongoing list of budget requests that is organized in order of priority and includes an explanation of ranking that Council may reference at each budget cycle.

PUBLIC COMMENT

Mayor Walker opened the floor for comments by the public. There were no speakers.

Mayor Walker adjourned the meeting at 5:00 p.m.

BY Order of City Council BY Maxicelia Robinson, Deputy Clerk of Council

CHARLOTTESVILLE CITY COUNCIL MEETING
MINUTES - August 2, 2021
Virtual/electronic meeting via Zoom

6:30 PM REGULAR MEETING

The Charlottesville City Council met in an electronic meeting on August 2, 2021, in accordance with a local ordinance amended and re-enacted on April 19, 2021, to ensure the continuity of government and prevent the spread of disease during the coronavirus State of Emergency.

Mayor Walker called the meeting to order at 6:31 p.m.

Deputy Clerk of Council Maxicelia Robinson called the roll, noting the following members present: Mayor Nikuyah Walker, Vice Mayor Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook.

AGENDA APPROVAL

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council unanimously approved the meeting agenda.

ANNOUNCEMENTS

Vice Mayor Magill announced that the Office of the Clerk of Council was accepting applications for boards and commissions.

CONSENT AGENDA

Deputy Clerk of Council Maxicelia Robinson read the following Consent Agenda items into the record:

1. Resolution: Appropriating funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$200,000 (2nd reading)

RESOLUTION APPROPRIATING FUNDS FOR
Virginia Department of Education Special Nutrition Program Summer Food Service
Program - \$200,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$200,000 from the Virginia Department of Education Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs; and

WHEREAS, the grant award covers the period from period June 21, 2021 through

October 31, 2021.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, which the sum of \$200,000, received from the Virginia Department of Education Special Nutrition Program, is hereby appropriated in the following manner:

Revenue – \$200,000

Fund: 209 Internal Order: 1900417 G/L Account: 430120

Expenditures - \$200,000

Fund: 209 Internal Order: 1900417 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Virginia Department of Education Special Nutrition Program.

2. Resolution: Appropriating funds for Virginia Housing Solutions Program Grant Award – \$539,333 (2nd reading)

**RESOLUTION TO APPROPRIATE FUNDS FOR
Virginia Housing Solutions Program Grant Award - \$539,333**

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received the V.H.S.P. Grant from the Virginia Department of Housing and Community Development in the amount of \$539,333.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$539,333 is hereby appropriated in the following manner:

Revenues

\$463,566 Fund: 209 IO: 1900419 G/L: 430110 State Grant

\$75,767 Fund: 209 IO: 1900419 G/L: 430120 Federal Pass-Thru State

Expenditures

\$539,333 Fund: 209 IO: 1900419 G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$539,333 in funds from the Virginia Department of Housing and Community Development.

3. 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 (2nd reading)

**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**

WHEREAS, following the City-funded examination of possible unmarked graves at the Penn Park Cemetery, staff on November 2, 2020 reported to Council the likelihood of 43 unmarked and unrecorded graves outside the walls of the three, enclosed family plots, with the evidence suggesting the majority, if not all, of the graves are most likely those of individuals enslaved at Pen Park;

WHEREAS, Council directed staff that, prior to marking or memorialize these graves, an effort be made to identify and consult with possible descendants;

WHEREAS, staff has an opportunity to collaborate with the Albemarle Charlottesville Historical Society on research related to Council’s direction:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$2,500 from the New Historic Surveys fund be allocated to the Albemarle Charlottesville Historical Society for the purpose of researching the identities of individuals interred in the unmarked graves at Pen Park and, subsequently, identifying and contacting possible descendants.

Expenditure

\$2,500 Fund: 426 WBS: P-00484 G/L Account: 540010

4. 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 (2nd reading)

**RESOLUTION APPROPRIATING PREVIOUSLY APPROVED FUNDS FOR
A match a of 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**

WHEREAS, the City of Charlottesville, through the Department of Neighborhood Development Services, has been awarded from the Virginia Department of Historic Resources \$10,000 funding for Phase 1 of the Charlottesville Downtown Mall Historic Landscape Study and Management Plan;

WHEREAS, through the State Survey and Planning Cost Share Program, the Virginia Department of Historic Resources will retain, coordinate, and pay the consultant who completes Phase 1 of the Charlottesville Downtown Mall Historic Landscape Study and Management Plan, applying the \$10,000 grant to that cost;

WHEREAS, under the provisions of that grant, the City of Charlottesville contribute to the Virginia Department of Historic Resources a matching \$10,000 towards the consultant cost:

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$10,000 from the New Historic Surveys fund will be appropriated to the Virginia Department of Historic Resources in the following manner:

Expenditure

\$ 10,000 Fund: 426 WBS: P-00484 G/L: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the matching 2021-2022 State Survey and Planning Cost Share Program grant of \$10,000 for the fiscal year.

5. Resolution: Appropriating funds for Family First Prevention Services Act for the Department of Social Services Family Services staffing - \$164,607 (2nd reading)

**RESOLUTION APPROPRIATING FUNDING FOR
Additional Funding for New Department of Social Services Family Services Staffing
\$164,607**

WHEREAS, the Charlottesville Department of Social Services has received an additional \$164,607 in the Fiscal Year 2022 budget from the Virginia Department of Social Services to be used for Foster Care Prevention Services staffing,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$164,607 is hereby appropriated in the following manner:

Revenue – \$164,607

Fund: 212 Cost Center: 9900000000 G/L Account: 430080 \$164,607

Expenditures - \$164,607

Fund: 212	Cost Center:3301008000	G/L Account:510010	\$96,304
Fund: 212	Cost Center:3301008000	G/L Account:511010	\$7,367
Fund: 212	Cost Center:3301008000	G/L Account:510020	\$28,554
Fund: 212	Cost Center:3301008000	G/L Account:511030	\$695
Fund: 212	Cost Center:3301008000	G/L Account:511040	\$18,144
Fund: 212	Cost Center:3301008000	G/L Account:510161	\$604
Fund: 212	Cost Center:3301008000	G/L Account:510130	\$2,688
Fund: 212	Cost Center:3301008000	G/L Account:525251	\$972
Fund: 212	Cost Center:3301008000	G/L Account:530030	\$529
Fund: 212	Cost Center:3301008000	G/L Account:530320	\$6,404
Fund: 212	Cost Center:3301008000	G/L Account:530216	\$597
Fund: 212	Cost Center:3301008000	G/L Account:520010	\$1,749

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$164,607 in funding from the Virginia Department of Social Services.

Mayor Walker opened the floor for comments by the public on the Consent Agenda. There were no speakers.

On motion by Councilor Snook, seconded by Councilor Hill, Council by the following vote APPROVED the Consent Agenda: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

CITY MANAGERS RESPONSE TO THE PUBLIC and to COUNCILORS

City Manager Chip Boyles shared an update on the following community matters:

1. Effective July 1, 2021, a new law will permit members of the general public to submit a Freedom of Information Act (FOIA) request to obtain permissible criminal incident records from the Charlottesville Police Department regarding matters to which the requestor was not the direct respondent.
2. Jeffrey Fogel, Esq. has received documents from the Charlottesville Police Department that he requested on a case where he is providing legal counsel.

3. The Lewis, Clark and Sacajawea Statue solicitation of offers was published on the city website as of today and emailed to all parties that submitted a request of interest. All offers for the statue are due August 27 and staff will present the offers to Council in September.
4. The city has allocated budgetary resources to develop a 10-year inventory of affordable housing assistance.
5. The City continues its efforts to recruit school and transit bus drivers.
6. The City of Charlottesville in partnership with the Thomas Jefferson Planning District Commission expended all of its available Coronavirus Aid, Relief, and Economic Security (CARES) funds prior to the appropriation of the American Rescue Plan (ARP) funds. City Council added to the funds, reallocating previous CARES funds until the ARP funds became available. Upon approval of the ARP funds, the City allocated \$385,000 for housing and Pathways assistance and will review adding additional funds later this year.
7. State and local funds are available to assist renters who are facing eviction. Additionally, there is a guaranteed 60-day continuance before an eviction can occur.

COMMUNITY MATTERS

Mayor Walker opened the floor for public comment.

1. Tanesha Hudson spoke about the city's lack of transparency to inform the public of changes within city leadership. She also spoke about a staff member's unresponsiveness to her request.
2. Harold Folley spoke about the importance of a Police Civilian Oversight Board.
3. Laura Biazon asked that Council consider how the future land use map will impact the low and middle class city residents.
4. Charles Neer asked that Council either not approve the proposed rezoning of 1206 Carlton Avenue or partially approve it by denying the Special Use Permit (SUP).
5. Adrienne Dent spoke about the Charlottesville Police Department's 2021 End of Watch Announcement during National Police Week. Ms. Dent questioned the messaging of the announcement, explaining that while it paid tribute to a Charlottesville police officer who died in the line of duty in 1817, there is some skepticism of whether the criminal justice system of that time provided a fair process to the two black men who were executed for the officer's death.

6. Nancy Carpenter asked for Council's support of the Right to Counsel Program. She also spoke about the significance of renters in the city.
7. Katrina Turner asked about Freedom of Information Act request fees and posed questions about her family case.
8. Emily Dreyfus asked that Council consider equity in the future land use map. She also announced the start of the Rent Relief Program at the Legal Aid Justice Center.
9. Wandae Johnson thanked Council for supporting the Public Housing Association of Residents and invited them to the PHAR graduation ceremony.

Councilor Hill asked the City Manager to provide an overview of Freedom of Information requests and related fees at the next council meeting.

Mr. Boyles confirmed that the City will continue its efforts to support rent relief programs and that the Albemarle County Board of Supervisors had not yet voted to allocate funding for Legal Aid's Rent Relief Program.

ACTION ITEMS

6. Ordinance: Approving a rezoning application at 1206 Carlton Avenue, per recommendation of the Planning Commission (tabled to August 16)

Matt Alfele, City Planner, presented the request.
Justin Shimp, Shimp Engineering, P.C., provided additional details of the application.
Following a discussion Council agreed to move this item forward to the August 16 action agenda.

7. Resolution*: Approving a Special Use Permit at 1206 Carlton Avenue, per recommendation of the Planning Commission (tabled to August 16)

Council asked that this item be moved to the August 16 action agenda because it cannot be approved prior to Item 6: Rezoning application for 1206 Carlton Avenue.

The meeting recessed at 8:33 p.m. and reconvened at 8:50 p.m.

8. Resolution*: Approving Critical Slopes Waiver for Charlottesville Redevelopment and Housing Authority (CRHA) South First Street (deferred)

Carrie Rainey, City Planner, presented the request to remove Section 4 of the Critical Slopes Waiver which currently requires for developers to construct buildings 1 & 2, first, and building 3, second. Removing the waiver will allow all 3 buildings to be constructed at the same time.

Ashley Davies, Riverbend Development, further explained that the reason for the request is due to complexities that arise throughout the construction process and accessibility to supplies.

Jack Dawson, Public Works Engineer, explained the basis for Section 4 of the critical slopes waiver. He informed Council that the contractor is currently planning to complete the project in phases as required in the current SUP. Ms. Davies requested that Section 4 still be removed so that there would be more flexibility during development. Mayor Walker responded that staff working with contractors on-site will help to provide more flexibility. Mr. Dawson described the environmental risks to removing the requirements of Section 4.

Council elected to defer action on the consideration of the critical slope waiver due to the potential risks to the environment. CRHA may ask for Council to reconsider their request to remove Section 4 if it creates major challenges to the completion of the project.

9. Resolution*: Providing for the issuance and sale of general obligation refunding bonds in an aggregate principal amount not to exceed \$40,000,000, providing for the form, details and payment of such bonds, and for the refunding of certain outstanding general obligation bonds of the City

Khristina Hammill, Budget Analyst, presented the request.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED the issuance and sale of general obligation refunding bonds in an aggregate principal amount not to exceed \$40,000,000: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$40,000,000, PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF SUCH BONDS, AND PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY

WHEREAS, the City of Charlottesville, Virginia (the “City”), has previously issued its General Obligation Public Improvement Bonds, Series 2011, currently outstanding in the principal amount of \$8,050,000 (the “Series 2011 Bonds”), General Obligation Public Improvement Bonds, Series 2012A, currently outstanding in the principal amount of \$1,910,000 (the “Series 2012A Bonds”),

General Obligation Public Improvement Refunding Bonds, Series 2012B, currently outstanding in the principal amount of \$7,070,000 (the “Series 2012B Bonds”), General Obligation Public Improvement Bonds, Series 2013, currently outstanding in the principal amount of \$8,400,000 (the “Series 2013 Bonds”), General Obligation Public Improvement and Refunding Bonds, Series 2014, currently outstanding in the principal amount of \$8,730,000 (the “Series 2014 Bonds”), and General Obligation Public Improvement and Refunding Bonds, Series 2015, currently outstanding in the principal amount of \$19,595,000 (the “Series 2015 Bonds”);

WHEREAS, the City may effect debt service savings by issuing its general obligation public improvement refunding bonds (the “Bonds”) to refund all or a portion of the outstanding maturities of the Series 2011 Bonds, Series 2012A Bonds, Series 2012B Bonds, Series 2013 Bonds, Series 2014 Bonds and Series 2015 Bonds (such refunded series, maturities or portions thereof shall be referred to herein as the “Refunded Bonds”); and

WHEREAS, the City’s administration and a representative of PFM Financial Advisors LLC, the City’s financial advisor (the “Financial Advisor”), have recommended to the City Council that the City issue and sell one or more series of general obligation refunding bonds through one or more of the following methods: (a) a private placement with a banking or other financial institution (a “Private Sale”), (b) a public offering through a competitive sale (a “Competitive Sale”), or (c) a public offering through a negotiated underwriting (a “Negotiated Sale”) (in any of such funding options, the purchaser(s) of the bonds shall be referred to herein as the “Purchaser”);

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

1. Issuance of Bonds. The City Council of the City of Charlottesville, Virginia (the “City Council”), finds and determines that it is in the best interest of the City to provide for the issuance and sale of one or more series of Bonds, heretofore authorized, in an aggregate principal amount not to exceed \$40,000,000 and to use the proceeds thereof, together with other funds as may be available, to refund all or a portion of the Refunded Bonds and to pay costs incurred in connection with issuing such bonds and refunding the Refunded Bonds (if not otherwise paid from other City funds).

2. Election to Proceed under the Public Finance Act. In accordance with the authority contained in Section 15.2-2601 of the Code of Virginia of 1950, as amended (the “Virginia Code”), the City Council elects to issue the Bonds pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code (the “Public Finance Act”).

3. Bond Details. The Bonds shall be designated “General Obligation Public Improvement Refunding Bonds, Series 2021[B],” or such other designation as may be determined by the City

Manager (which term shall include any Acting, Interim or Deputy City Manager and the Director of Finance). The Bonds shall be in registered form, shall be dated such date as may be determined by the City Manager, shall be in denominations of \$5,000 and integral multiples thereof and shall be numbered R-1 upward, or such other designation as appropriate. Subject to Section 9, the issuance and sale of any series of Bonds are authorized on terms as shall be satisfactory to the City Manager; provided, however, that the Bonds of such series (a) shall have a “true” or “Canadian” interest cost not to exceed 4.0% (taking into account any original issue discount or premium), (b) shall be sold to the Purchaser thereof at a price not less than 100% of the principal amount thereof (excluding any original issue discount) and (c) shall mature in years, or be subject to mandatory sinking fund redemption in annual installments, ending no later than December 31, 2035; provided, however, that any series of Bonds (or portion thereof) issued to refund the Refunded Bonds shall produce an aggregate net present value debt service savings to the City of at least 3.0% of the principal amount of the Refunded Bonds. The City Manager is further authorized to determine, in consultation with the City’s bond counsel and the Financial Advisor, whether to issue any Bonds or any series of Bonds on a basis where the interest thereon is includable in gross income for federal income tax purposes (such Bonds herein referred to as “Taxable Bonds”) or is excludable from gross income for federal income tax purposes (such Bonds herein referred to as “Tax-Exempt Bonds”).

Principal of the Bonds shall be payable annually on dates determined by the City Manager. Each Bond of a series shall bear interest from its date at such rate as shall be determined at the time of sale, calculated on the basis of a 360-day year of twelve 30-day months, and payable semiannually on dates determined by the City Manager. Principal and premium, if any, shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on a date prior to each interest payment date that shall be determined by the City Manager (the “Record Date”); provided, however, that at the request of the registered owner of the Bonds, payment may be made by wire transfer pursuant to the most recent wire instructions received by the Registrar from such registered owner. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

In the case of Bonds sold pursuant to a Negotiated Sale or a Competitive Sale, initially, one Bond certificate for each maturity of each series of Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”), or its nominee. The City has heretofore entered into a Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. “Securities Depository” shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

In the event that (a) the Securities Depository determines not to continue to act as the securities

depository for the Bonds by giving notice to the Registrar, and the City discharges the Securities Depository of its responsibilities with respect to the Bonds, or (b) the City in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then the Director of Finance shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the new Securities Depository or its nominee or to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 6; provided, however, that such form shall provide for interest on the Bonds to be payable (1) from the date of the Bonds if they are authenticated prior to the first interest payment date or (2) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the Director of Finance shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 8.

So long as there is a Securities Depository for the Bonds, (1) it or its nominee shall be the registered owner of the Bonds; (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository; (3) the Registrar and the City shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants; (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds; and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Letter of Representations such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

4. Redemption Provisions. The Bonds may be subject to redemption prior to maturity at the option of the City on or after dates, if any, determined by the City Manager, in whole or in part at any time, at a redemption price equal to the principal amount of the Bonds, together with any interest accrued to the date fixed for redemption, plus a redemption premium not to exceed 3.0% of the principal amount of the Bonds, such redemption premium to be determined by the City Manager.

Any Bonds sold as term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Manager.

If less than all of the Bonds of a series are called for redemption, the maturities of the series of Bonds to be redeemed shall be selected by the Director of Finance in such manner as such officer may determine to be in the best interest of the City. If less than all the Bonds of any maturity of a series are called for redemption, the Bonds within such maturity of such series to be redeemed shall be selected by the Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued or if the Bonds are sold pursuant to a Private Sale, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof, and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

If the Bonds are sold in a Competitive Sale or a Negotiated Sale, the City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of the Bonds. The City shall not be responsible for giving notice of redemption to anyone other than DTC or another qualified securities depository then serving or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If the Bonds are sold in a Private Sale, the City shall cause notice of redemption to be sent to the Purchaser in accordance with the Purchaser's requirements, but not more than 60 days prior to the redemption date. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

In the case of an optional redemption, the notice may state that (1) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, no later than the redemption date or (2) the City retains the right to rescind such notice on or prior to the scheduled redemption date (in either case, a "Conditional Redemption"), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described herein. Any Conditional Redemption may be rescinded at any time. The City shall give prompt notice of such rescission to the affected bondholder(s). Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a Conditional Redemption, the failure of the City to make funds available on or before the redemption date shall not constitute an event of default, and the City shall give immediate notice to all organizations registered with the Securities and Exchange Commission ("SEC") as securities depositories or the affected bondholders(s) that the redemption did not occur and that the Bonds called for redemption and not

so paid remain outstanding.

5. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signature of the Mayor or Vice Mayor, the City's seal shall be affixed thereto or a facsimile thereof printed thereon and shall be attested by the manual or facsimile signature of the Clerk of the City Council (which term shall include any Acting, Interim or Deputy Clerk of the City Council); provided, however, that no Bond signed by facsimile signatures shall be valid until it has been authenticated by the manual signature of an authorized officer or employee of the Registrar and the date of authentication noted thereon.

6. Bond Form. The Bonds shall be in substantially the form of Exhibit A, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

7. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

8. Registration, Transfer and Owners of Bonds. The Director of Finance is hereby appointed paying agent and registrar for the Bonds (the "Registrar"). The City Manager is authorized, on behalf of the City, to appoint a qualified bank or trust company as successor paying agent and registrar of the Bonds if at any time the City Manager determines such appointment to be in the best interests of the City. The Registrar shall maintain registration books for the registration of the Bonds and transfers thereof. Upon presentation and surrender of any Bonds to the Registrar, or its corporate trust office if the Registrar is a bank or trust company, together with an assignment duly executed by the registered owner or the owner's duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate, if required by Section 5, and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in the name(s) as requested by the then registered owner or the owner's duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of

principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the Record Date.

9. Sale of Bonds. (a) The City Council authorizes the Bonds to be sold in one or more series, whether through a Private Sale, a Competitive Sale, a Negotiated Sale or any combination thereof, as determined by the City Manager to be in the best interest of the City, in a principal amount or principal amounts to be determined by the City Manager, in collaboration with the Financial Advisor, and subject to the limitations set forth in Section 1.

(b) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Private Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to solicit bids from banking institutions and other financial firms, to determine which bid (or bids) offers the best terms to the City, and, subject to the limitations set forth in Section 3, to arrange for the issuance and sale of the Bonds to the Purchaser. Following a Private Sale, the City Manager shall file with the records of the City Council a certificate setting forth the final terms of the Bonds. The actions of the City Manager in selling the Bonds by Private Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

(c) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Competitive Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to take all proper steps to advertise the Bonds for sale, to receive public bids and to award the Bonds to the bidder providing the lowest “true” or “Canadian” interest cost, subject to the limitations set forth in Section 3. Following a Competitive Sale, the City Manager shall file with the records of the City Council a certificate setting forth the final terms of the Bonds. The actions of the City Manager in selling the Bonds by Competitive Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

(d) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Negotiated Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to choose an investment banking firm to serve as underwriter for the Bonds and to execute and deliver to the underwriter, as Purchaser of the Bonds, a bond purchase agreement reflecting the final terms of the Bonds. The bond purchase agreement shall be in a form approved by the City Manager, in collaboration with the City Attorney, the Financial Advisor and the City’s bond counsel. The actions of the City Manager in selling the Bonds by Negotiated Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

(e) Following the determination of which method(s) of sale shall be used, the City Manager is hereby authorized to (i) determine the principal amount of the Bonds, subject to the limitations set forth in Section 1, (ii) determine the interest rates of the Bonds, the maturity schedules of the Bonds, and the price to be paid for the Bonds by the Purchaser, subject to the limitations set forth in Section 3, (iii) determine the redemption provisions of the Bonds, subject to the limitations set forth in Section 4, and (iv) determine the dated date, the principal and interest payment dates and the Record Date of the Bonds, all as the City Manager determines to be in the best interest of the City.

10. Official Statement. If the City Manager, in collaboration with the Financial Advisor, determines that the Bonds shall be offered sold in a Competitive Sale or a Negotiated Sale, the Bonds shall be offered to the public by a preliminary official statement substantially in the form of the City's Preliminary Official Statement dated May 19, 2021, with such completions, omissions, insertions and changes not inconsistent with this Resolution as the City Manager, in collaboration with the Financial Advisor, may determine necessary and in the best interest of the City. After the Bonds have been sold in a Competitive Sale or a Negotiated Sale, the City Manager, in collaboration with the Financial Advisor, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement. In addition, the City shall arrange for the delivery to the Purchaser of the Bonds of a reasonable number of printed copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the Purchaser initially sells Bonds.

11. Official Statement Deemed Final. In connection with the sale of Bonds in a Competitive Sale or a Negotiated Sale, the City Manager is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (the "Rule") of the SEC, except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to the Rule. The distribution of the Preliminary Official Statement and the execution and delivery of the Official Statement in final form shall be conclusive evidence that each has been deemed final as of its date by the City, except for the omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

12. Preparation and Delivery of Bonds. After the Bonds have been awarded, the officers of the City are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the Purchaser thereof upon payment therefore.

13. Redemption of Refunded Bonds. The City Manager is authorized and directed to determine

which series and maturities of the Series 2011 Bonds, the Series 2012A Bonds, the Series 2012B Bonds, the Series 2013 Bonds, the Series 2014 Bond and the Series 2015 Bonds, if any, shall constitute the Refunded Bonds. The Escrow Agreement (as hereinafter defined) shall provide for notice of redemption to be given to the registered owners of the Refunded Bonds in accordance with the resolutions providing for the issuance of the Refunded Bonds.

14. Escrow Deposit Agreement. The City Manager is authorized and directed to execute one or more escrow deposit agreements (collectively, an “Escrow Agreement”) between the City and an escrow agent to be appointed by the City Manager (the “Escrow Agent”) with respect to the Refunded Bonds. The Escrow Agreement shall be in the form approved by the City Manager, in collaboration with the City Attorney and the City’s bond counsel, and shall provide for the deposit and investment of a portion of the Bond proceeds for the defeasance of the Refunded Bonds. The execution of the Escrow Agreement by the City Manager shall constitute conclusive evidence of such official’s approval of the Escrow Agreement. The Escrow Agreement shall provide for the irrevocable deposit of a portion of the Bond proceeds (the “Refunding Portion”) in an escrow fund that shall be sufficient, when invested in noncallable, direct obligations of the United States Government (the “Government Obligations”) or held in cash, to provide for payment of principal of and interest on the Refunded Bonds; provided, however, that such Refunding Portion shall not be invested in such manner that any of such Bonds issued as Tax-Exempt Bonds will be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the “Code”). The Escrow Agent is authorized and directed to execute initial and final subscription forms for the purchase of the Government Obligations and such other contracts and agreements necessary to provide for the defeasance of the Refunded Bonds as are approved by the City Manager, in collaboration with the City Attorney and the City’s bond counsel.

15. Deposit of Refunding Bond Proceeds. The Director of Finance, in collaboration with the City Treasurer, is authorized and directed (a) to provide for the delivery of the Refunding Portion to the Escrow Agent for deposit in the escrow fund established by the Escrow Agreement, in an amount that shall be sufficient, together with any other funds deposited with the Escrow Agent and the interest thereon when invested as provided in the Escrow Agreement, (i) to pay when due the interest on the Refunded Bonds to the first respective dates on which they may be redeemed at the option of the City and (ii) to pay upon the earlier of maturity or redemption the principal of the Refunded Bonds and (b) to provide for the deposit of the remaining proceeds of the Bonds in a special account to be used to pay the costs incurred in refunding the Refunded Bonds and the costs of issuing the Bonds. The Director of Finance is further authorized and directed to take all such further action as may be necessary or desirable in connection with the payment and refunding of the Refunded Bonds.

16. Arbitrage Covenants. (a) The City represents that there have not been issued, and covenants

that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of Treasury Regulations Section 1.150-1(c).

(b) The City covenants that it shall not take or omit to take any action the taking or omission of which will cause any Bonds issued as Tax-Exempt Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code or otherwise cause interest on such Tax-Exempt Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of such Tax-Exempt Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on such Tax-Exempt Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

17. Non-Arbitrage Certificate and Elections. Such officers of the City as may be requested by the City’s bond counsel are authorized and directed to execute an appropriate certificate setting forth (a) the expected use and investment of the proceeds of any Bonds issued as Tax-Exempt Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and (b) any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate shall be prepared in consultation with the City’s bond counsel, and such elections shall be made after consultation with bond counsel.

18. Limitation on Private Use. The City covenants that it shall not permit the proceeds of any Bonds issued as Tax-Exempt Bonds or the facilities refinanced therewith to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on such Tax-Exempt Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

19. Continuing Disclosure Agreement. In connection with the sale of Bonds in a Competitive Sale or a Negotiated Sale, the Mayor and the City Manager, either of whom may act, are hereby authorized and directed to execute a continuing disclosure agreement (the “Continuing Disclosure

Agreement”) setting forth the reports and notices to be filed by the City and containing such covenants as may be necessary to assist the Purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. The Continuing Disclosure Agreement shall be substantially in the form of the City’s prior Continuing Disclosure Agreements, which is hereby approved for purposes of the Bonds; provided that the City Manager, in collaboration with the Financial Advisor, may make such changes in the Continuing Disclosure Agreement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. The execution thereof by such officers shall constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

20. Other Actions. All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds are hereby ratified, approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

21. Repeal of Conflicting Resolutions. All resolutions or parts of resolutions in conflict herewith are repealed.

22. Filing with Circuit Court. The Clerk of the City Council, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this resolution in the Circuit Court of the City.

23. Effective Date. This Resolution shall take effect immediately.

GENERAL BUSINESS

10. REPORT: Update on reconstitution of services for City government operations

City Manager Chip Boyles presented a report outlining the continued public health risks related to the COVID-19 pandemic and recommended that Council delay a full reopening of City Hall until at least September 7 so that staff may monitor new cases and for additional people to be fully vaccinated.

Emily Pelliccia, Deputy Fire Chief and COVID-19 Incident Commander reported a rise in the number of local cases of COVID-19 as well as confirmed COVID-19 Delta strain and breakthrough cases.

Brian Wheeler, Communications Director, reported mitigation measures that the City is taking to protect staff against the virus and gave an overview of the hybrid meeting model that will be implemented when operations fully resume.

Kyna Thomas, Clerk of Council, advised that members of boards and commissions should be prepared for the potential continuation of a virtual meeting format.

OTHER BUSINESS

There were no other business items for consideration.

MATTERS BY THE PUBLIC

Mayor Walker opened the floor for public comment. There were no requests to speak.

The meeting adjourned at 10:07 p.m.

BY Order of City Council

BY Maxicelia Robinson, Deputy Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 16, 2021
Action Required:	Resolutions
Presenter:	Erin Atak, Grants Coordinator
Staff Contacts:	Erin Atak, Grants Coordinator
Title:	FY2020-2021 Community Development Block Grant and HOME Investment Partnerships Program Minor Action Plan Budget Amendment

Background:

This agenda item includes project reprogramming recommendations, and minor action plan approval for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) funds to be received by the City of Charlottesville from the U.S. Department of Housing and Urban Development (HUD).

On May 4, 2020 and January 19, 2021, the City Council approved award of \$14,997.71 in CDBG funds to Community Investment Collaborative (CIC) for Entrepreneur Workshop and Financial Management technical assistance program, and \$47,076.73 in HOME funds to Habitat for Humanity of Greater Charlottesville for Down Payment Assistance, with spending effective July 1, 2020. All funds were required to meet a 100% spend rate by June 30, 2021.

As of June 30, 2021, CIC completed 100% of the CDBG program agreement with an extra \$12.71 CDBG balance remaining in their account, and Habitat reported and invoiced at a 53.57% spent rate, leaving an unexpended balance of \$21,384.80 HOME funds.

On January 14, 2021, the City of Charlottesville was found to be noncompliant, for the second consecutive year, with the HUD timely expenditure requirements. HUD has noted that the City of Charlottesville's lack of timely performance as a deficiency. All contract extensions for the CDBG and HOME program have been suspended.

Discussion:

City staff has identified an immediate program for funding to solve the City's timeliness concerns. CIC has completed 100% of their 2020-2021 Entrepreneur Workshop and Financial Management technical assistance program and has a surplus of \$12.71 in their CDBG account. These funds can be reprogrammed back into the 2020-2021 Ridge Street Priority Neighborhood Taskforce Traffic Signage activity that is currently underway.

Additionally, The City has unexpended 2020 HOME funds totaling \$21,384.80 from the delayed Habitat Down Payment Assistance activity. After consulting with HUD on July 16, 2021, and per the HOME Cooperation Agreement between HUD, the City of Charlottesville, and the Thomas Jefferson Planning District Commission; all unexpended funds will be returned to the Consortium due to untimely performance. Funds will be used for shovel-ready housing related activities per the HOME grant requirements and will be committed based on a priority system as written within the regional agreement.

Community Engagement:

The CIC and Habitat approval was part of the Action Plan that was advertised for a thirty-day comment period (March 26th – April 26th 2020) before being sent to HUD for approval. The Action Plan was also sent to Charlottesville Neighborhood community members and Housing Directors Council for public comment. Comments received were incorporated into the Action Plan. HUD approved the Action Plan on August 14, 2020.

If council approves the request, then an approval will be submitted to HUD as a minor Action Plan Amendment for the 2020-2021 fiscal year. The full action plan can be viewed on the City Website through the following [link](#). Minor Action Plan Amendments do not require a public hearing.

Alignment with City Council’s Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council’s vision for Charlottesville to have **Economic Sustainability, A Center for Lifelong Learning, Quality Housing Opportunities for All, and A Connected Community**. It contributes to variety of Strategic Plan Goals and Objectives including: Goal 1: Inclusive, Self-sufficient Community; Goal 3: Beautiful Environment; Goal 4: Strong, Diversified Economy; and Goal 5: Responsive Organization.

Budgetary Impact:

None

Recommendation:

Staff recommends approval of the resolution to amend the CDBG and HOME budget to remain in compliance with HUD grant requirements and the Cooperation Agreement for the TJPDC under the HOME Investment Partnership Program.

Alternatives:

No alternatives are proposed.

Attachments:

- Resolution to Amend CDBG Reprogramming
- Resolution to Amend HOME Reprogramming
- Resolution for FY 2020-2021 Minor Action Plan Amendment

RESOLUTION
AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
Reprogramming of Funds for FY 2020-2021

WHEREAS, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

WHEREAS, pursuant to section 3 of CDBG Sub-recipient Agreements, all funds not expended by the Subrecipient by June 30, 2021 shall be reprogrammed; therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG (218) fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

Fund	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
218	1900362	Community Investment Collaborative	\$12.71		
218	1900361	Ridge Street Priority Neighborhood Taskforce		\$12.71	\$85,843.66
		TOTALS:	\$12.71	\$12.71	\$85,843.66

Approved by Council
August 16, 2021

Kyna Thomas, CMC
Clerk of Council

RESOLUTION
AMENDMENT TO HOME INVESTMENT PARTNERSHIPS PROGRAM
Reprogramming of Funds for FY2020-2021

WHEREAS, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the HOME Investment Partnership Program funds; and

WHEREAS, pursuant to section III sub-item B of HOME Sub-recipient Agreements all invoices for the project must be submitted for reimbursement by June 30, 2021; and

WHEREAS, pursuant to section 2 of the Cooperation Agreement for the TJPDC under the HOME Investment Partnership Program, funds not committed will be made available to Subrecipients under the Consortium Agreement; therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the HOME (210) fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

Fund	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
210	1900366	Habitat for Humanity of Greater Charlottesville	\$21,384.80		
		TOTALS:	\$21,384.80		

Approved by Council
August 16, 2021

Kyna Thomas, CMC
Clerk of Council

RESOLUTION
Approval of FY 2020-2021 Minor Annual Action Plan Amendment

BE IT RESOLVED, that the Charlottesville City Council hereby approves the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. The reprogrammed CDBG and HOME and budget will be reflected into the 2020-2021 Annual Action Plan.

Approved by Council
August 16, 2021

Kyna Thomas, CMC
Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 16, 2021
Action Required:	Adoption of Ordinance (1st of 2 readings; no public hearing required)
Presenter:	Lisa Robertson, City Attorney
City Manager Office Contact:	Ashley Marshall, Deputy City Manager
Title:	Amend the City Code to make it gender neutral

Background: City Council has expressed its desire that ordinances proposed for adoption within the City Code should be written using gender neutral pronouns. Attached is a proposed Ordinance to establish a set of “protocols” to be applied uniformly in order to accomplish gender neutral ordinances, not only within the current provisions of the published City Code but also in future ordinances.

Discussion: Should City Council adopt the attached proposed ordinance, protocols will be established to effect gender neutral provisions within all published City Code provisions, including not only all of the currently-published ordinances, but also within any ordinance to be included among the City’s codified ordinances in the future. The Municipal Code Corporation (MCC), as the City’s publisher, will review each ordinance and make edits in accordance with the protocols.

Please note that the ordinance calls for substituting “individual” in place of “man” or “woman”. It is also possible to substitute the word “person”; however, relative to statutory interpretation, the word “person” usually includes legal entities (such as corporations, LLCs, etc.) and may have inadvertent consequences. See Va. Code §1-230 and 1-231.

Budgetary Impact: None.

Alternatives: None, if gender neutrality is desired in all existing published City Code provisions.

Alignment with Council Vision Areas and Strategic Plan: Yes.

City Manager Recommendation: Adoption of the proposed ordinance

Community Engagement: N/A

Attachment:

- Proposed Ordinance

ORDINANCE
TO AMEND AND RE-ENACT THE CODE OF CHARLOTTESVILLE, 1990, AS
AMENDED, IN ORDER TO REMOVE MASCULINE AND/OR FEMININE
LANGUAGE AND TO SUBSTITUTE GENDER NEUTRAL PRONOUNS

WHEREAS the Charlottesville City Code contains mostly masculine pronouns; and

WHEREAS current social awareness of transgender and gender nonconforming identities has brought to light the importance of non-binary gender inclusivity; and

WHEREAS amending the Charlottesville City Code to include gender-neutral pronouns by eliminating any gender preference language within the Code of Charlottesville will reflect gender equality and gender inclusivity; now, therefore,

BE IT ORDAINED by the Council for the City of Charlottesville:

1. *The recitals and findings contained in the preamble to this ordinance are adopted by reference and incorporated as if fully set forth in this section.*

2. *The Municipal Code Corporation is hereby authorized to degenderize and update pronouns throughout the Code of Charlottesville (1990), as amended, subject to approval by the City Attorney, which authorization shall include review and editing of future proposed ordinances. In exercising this authorization the Municipal Code Corporation shall be guided by the following protocols:*

Change the term "he" to "they"

Change the term "she" to "they"

Change the term "his" to "their"

Change the term "hers" to "their"

Change the phrase "his or hers" to "their"

Change the term "her" to "them"

Change the term "him" to "them"

Change the term "himself" to "themselves"

Change the term "herself" to "themselves"

Change the term "man" or "woman" to "individual"

Change the phrase "man made" to "human caused"

Change the term "men" or "women" to "individuals"

Change the term "chairman" to "chair"

Change the term "policeman" to "police officer" (not found in current Code)

Change the term "policewoman" to "police officer" (not found in current Code)

Change the term "policemen" to "police officers" (not found in current Code)

Change the term "policewomen" to "police officers" (not in current Code)

Change the term "workman" to "worker" (not found in current Code)

Change the term "workmen" to "workers" (not found in current Code)

Change the term "fireman" to "firefighter" (not found in current Code)

Change the term "firemen" to "firefighters" (not found in current Code)

Provided, however, that, where a particular term, such as “women”, is part of a reference to or the title of a federal, state or local program, the term shall not be changed within that title (e.g., City Code §§22-32(a)(7) and 30-284(b)(4)).

3. Throughout the Code of Charlottesville (1990), as amended, in effect on the date on which this ordinance is adopted, said Code shall be amended with gender neutral terminology in accordance with the above-referenced protocols, and such amended Code is hereby re-enacted, in its entirety, to include the above-referenced gender neutral terminology.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Approval and Appropriation
Presenter:	Misty Graves, Director, Human Services
Staff Contacts:	Misty Graves, Director, Human Services
Title:	Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.): \$288,172

Background:

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.), applied for and received a grant from the Virginia Department of Housing and Community Development. The Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) award is \$288,172 and is a renewal contract for the program from Housing and Urban Development (H.U.D.) for July 1, 2021 – June 30, 2022.

Discussion:

The City of Charlottesville has staff from Human Services and Social Services taking leadership roles in the governance of T.J.A.C.H. H.O.P.W.A. is an important resource in our community's efforts to end homelessness. The grant provides services in four key areas.

1. **Tenant-Based Rental Assistance (T.B.R.A.):** The Thomas Jefferson Health District (T.J.H.D.) partners with The Haven to provide T.B.R.A. to eligible participants. The T.J.H.D. screens participants for eligibility and inspects the proposed property to ensure that it meets H.U.D. requirements. Upon successful screening, The Haven contacts the landlord to arrange monthly rent payment, similar to rapid re-housing.
2. **Short-term Rental, Mortgage and Utility Assistance:** T.J.H.D. screens eligible participants for short-term assistance including emergency utility payments to avoid shut-off. .
3. **Supportive Services:** T.J.H.D. provides supportive services including crisis intervention, case management and service referrals.
4. **Homeless Management Information System(H.M.I.S.):** The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with T.J.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care (C.O.C.) has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of

individuals and households facing homelessness. Collaborative use of H.M.I.S. among T.J.A.C.H. C.o.C. Service Providers expedites communication and reduces the need to interface disparate documentation systems.

5. **Administration:** The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to T.J.H.D. & The Haven to support the supervision of assigned staff.

Community Engagement:

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for T.J.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

Alignment with City Council’s Vision and Strategic Plan:

This grant advances the City of Charlottesville’s Strategic Plan Goal #1 of enhancing the self sufficiency of our residents. Specifically, it will facilitate the objective of increasing affordable housing options. This item primarily aligns with Council’s vision for Quality Housing Opportunities for All.

Budgetary Impact:

This grant will be entirely State, and Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing a housing crisis while managing AIDS/H.I.V.: short-term rental assistance, utility assistance, rapid rehousing, H.M.I.S., and administration.

Attachments:

Appropriation Resolution
Sub-grant Agreement

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.

**SUB-GRANT AGREEMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM
U.S. Department of Housing and Urban Development**

**HOPWA- Project 21-HW-303
(July 1, 2021 to June 30, 2023)**

This Sub-grant Agreement is made by and between the **Virginia Department of Housing and Community Development (DHCD)** and the project sponsor, **City of Charlottesville (Sub-grantee)**. The Sub-grant, which is the subject of this Agreement, is authorized by the Governor of the Commonwealth under a Grant Agreement, executed by and between the U.S. Department of Housing and Urban Development (HUD), and the State of Virginia, the Recipient.

The Sub-grantee was identified as part of the community’s emergency response system to homelessness in the 2020-2022 Homeless and Special Needs Housing (HSNH) Housing Opportunities for Persons With AIDS (HOPWA) application submitted by the lead agency (or designee) of the continuum of care (CoC) or balance of state local planning group (LPG). Activities funded through this grant will be provided at the Grantee location(s) identified in DHCD’s Centralized Application Management System (CAMS).

The Sub-grant is comprised of an allocation from the United States Department of Housing and Urban Development (HUD) authorized under the Housing Opportunities for Persons With AIDS Grant-CV for federal fiscal year 2021; the federal grant number is VAH21F999 and the Catalog of Federal Domestic Assistance (CFDA) number is 14.241. The Sub-grant is subject to the following terms (as they from time to time may be amended): AIDS Housing Opportunity Act, 42 USC Sec. 12901 et. seq. (the Act); the Housing Opportunities for Persons With AIDS (HOPWA) program rule, 24 CFR 50 and 574 as amended; and the Consolidated Plan rule, 24 CFR 91 as amended; all of which are incorporated herein as part of this Agreement. The Sub-grant is subject to the terms, guidelines and regulations set forth in the 2020-2022 Homeless and Special Needs Housing Guidelines document including the Housing Opportunities for Persons With AIDS (HOPWA) Program Guidelines section, any subsequent amendments, the CoC/LPG proposal as amended through negotiations with DHCD, the DHCD approved Sub-grantee budget, which are incorporated by reference as part of this Agreement, the laws of the Commonwealth of Virginia and federal law.

I. Scope of Services

The funding provided through this sub-grant must be used to carry out activities as specified in the 2020-2022 Homeless and Special Needs Housing Guidelines document including the Housing Opportunities for Persons With AIDS (HOPWA) Program Guidelines section, and any subsequent amendments to the guidelines. Sub-grantee must adhere to the DHCD approved budget and all specified cost category limits as outlined in the guidelines.

HOPWA Cost Category Limits *	
Cost Category	Limits as Percentage of Total Award
Administration	7 percent or less
Housing Information Services	3 percent or less
<i>* See guidelines for details related to cost categories.</i>	

I. Conditions

A. Service Provision

Sub-grantee is responsible for coordination of HSNH HOPWA activities with other HSNH HOPWA Sub-grantees and mainstream resources. Sub-grantee must assure non-duplication of services with other HSNH HOPWA Sub-grantees.

B. Disbursement of Funds

DHCD agrees to provide **\$288,172** to the Sub-grantee to undertake the approved project activities described in the Sub-grantee 2020-2022 Homeless and Special Needs Housing - Housing Opportunities for Persons With AIDS (HOPWA) application for the July 1, 2021 through June 30, 2023 program years. The Sub-grantee must submit, for approval by DHCD, a program budget for the 2021-2022 allocation. Funds must be expended per the approved budget. The Sub-grantee agrees to provide HOPWA funds to non-entitlement localities and to coordinate the provision of services with other HOPWA project sponsors.

Funds are disbursed on a reimbursement basis. Sub-grantees must be able to provide documentation that the work, services, or cost occurred within the grant period and the expenses were paid appropriately by the Sub-grantee. Program funds shall be disbursed to the Sub-grantee on a monthly or bi-monthly reimbursement schedule determined by the Sub-grantee. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

The Sub-grantee must request approval from DHCD for all changes which affect the scope of the project, including but not limited to addition or deletion of an activity, location of services, service area, objectives, timing of activity, and expenditures that will exceed the budget cost category.

DHCD reserves the right to de-obligate and reallocate funds at any point during the contract term.

C. Reporting

Sub-grantees must submit the following reports:

Year-End Report

Year-end reports must be submitted as instructed by DHCD. No future funds will be disbursed until all required reports for the previous fiscal year are submitted to DHCD.

D. Continuum of Care Participation

Sub-grantees must actively participate in the Homeless Management Information System or comparable system (as defined in the HSNH-HOPWA Guidelines) and regional continuum of care or balance of state local planning groups.

E. Accounting

The Sub-grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Sub-grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Sub-grantee shall record in its accounting system all grant payments received pursuant to the

grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the sub-grantee.

A. DHCD Notification

Sub-grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, sub-grantee must notify DHCD should any other local, federal or state agency uncover evidence of any potentially illegal act.

Sub-grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the sub-grantee, the de-obligation of current funding and the preclusion of future funding.

B. Audit

All grantees, sub-grantees, CHDOs, and sub-recipients, localities, developers, or any other organizations that receive funding during a specific program year are required to submit one of the following financial documents: Financial Statement**, Reviewed Financial Statement prepared by an independent Certified Public Accountant (CPA), Audited Financial Statement prepared by an independent CPA or an 2 CFR 200 Subpart F Audit (Single Audit) prepared by an independent CPA. Please see the table below to determine which document your organization is required to submit.

The threshold requirements outlined below are the minimal standards required by DHCD. We strongly encourage all organizations receiving funds from DHCD to undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

Threshold Requirement	Document
Total annual expenditures ≤\$100,000 – regardless of source	Financial Statement prepared by organizations**
Total annual expenditure between \$100,001 and \$300,000 – regardless of source	Reviewed Financial Statement prepared by an Independent Certified Public Accountant (CPA)
Total annual expenditures >\$300,000 – regardless of source	Audited Financial Statement prepared by an Independent CPA
Federal expenditures ≥\$750,000	2 CFR 200 Subpart F Audit - prepared by an Independent CPA

**Does not require preparation by a CPA

Entities shall file the required financial document in the Centralized Application and Management System (CAMS) within nine (9) months after the end of their fiscal year or 30 (thirty) days after it has been accepted (Reviewed Financial Statement,

Audited Financial Statement, and 2 CFR 200 Subpart F Audit only) -whichever comes first.

The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at:
http://www.dhcd.virginia.gov/images/DHCD/DHCD_Audit_Policy.pdf.

A. Compliance

Sub-grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will work with all interested parties toward the resolution of unresolved matters, where appropriate.

B. Maintenance of Records

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

C. Costs Incurred Prior To Grant Agreement Execution

No costs incurred prior to the start date of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD.

D. State Not Liable

The Grantee shall hold harmless the Commonwealth of Virginia, DHCD, its agents and employees from any and all claims and demands based upon or arising out of any action by the Grantee, its employees, agents or contractors.

E. Expenditure Review

DHCD will monitor expenditure rates to ensure resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need and available funding.

F. Termination, Suspension, Conditions

This Sub-grantee Agreement shall remain in effect from the date of the signing of the grant agreement until June 30, 2023. Either party shall have the right to cancel this agreement for any reason with a 30 days written notice.

If through any cause, the Sub-grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Sub-grantee, DHCD may request that all or some of the grant funds be returned, even if the Sub-grantee has already

expended the funds. The Sub-grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

A. Subsequent Contracts

The Sub-grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Sub-grantee.

The Sub-grantee agrees to ensure that any contractor or subcontractor who is not the Sub-grantee shall comply with all the lawful requirements of the Sub-grantee necessary to insure that the project for which this assistance is being provided under this Agreement are carried out in accordance with the Sub-Grantee's Assurances and Certifications.

B. Default

A default is any unapproved use of grant funds. Upon due notice to the Sub-grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

(1) direct the Sub-grantee to submit progress schedules for completing approved activities;

(2) issue a letter of warning advising the Sub-grantee of the default, establishing a date by which corrective actions must be completed and putting the Sub-grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;

(3) direct the Sub-grantee to suspend, discontinue or not incur costs for the affected activity;

(4) require the Sub-grantee to reimburse DHCD for costs inappropriately charged to the program;

(5) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Sub-grantee default.

C. Conflict of Interest

Sub-grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the sub-grantee, a parent organization, or subsidiary. Sub-grantees, parent organizations, or subsidiaries may not administer HOPWA assistance and use the assistance for households residing in units owned by the Sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

A. Religious Influence

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under HOPWA. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under HOPWA and participation must be voluntary for program participants.

II. Additional Assurances

- A. Sub-grantee will give the Virginia Department of Housing and Community Development, the Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B. In accordance with federal law, sub-grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

III. Additional Certifications:

The Sub-grantee certifies that it will comply with the following:

- (a) Freedom of Information Act (5 U.S.C 552), Virginia Freedom of Information Act;
- (b) Virginia Fair Employment Contracting Act;
- (c) Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
 - 24 CFR 100 (discriminatory conduct under Fair Housing Act);
 - Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);
 - 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
 - Title VIII of Civil Rights Act of 1968 as amended (prohibiting discrimination based on race, color, national origin, religion, sex, familial status [including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18], and disability);
- (d) Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing:
 - 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
 - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- (e) 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);

- (a) 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);
- (b) Adhere to Executive Orders 11625, 12432, and 12138, that the Sub-grantee must make efforts to encourage participation of minority and women-owned business enterprises in connection with funded activities;
 - Encourage participation of locally-owned enterprises in connection with funded activities;
- (c) Assist in carrying out 24 CFR 58 and 58.5 (National Environmental Policy Act [NEPA] of 1069 and other provisions of federal law)
- (d) McKinney-Vento Homeless Assistance Program Regulations;
- (e) Anti-lobbying Certification;
- (f) Drug Free Workplace.

The Grant Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

Virginia Department of Housing and Community Development



Pamela G. Kestner, Acting Deputy Director

07/01/2021

Date

City of Charlottesville



Signature

Misty Graves

Name (printed or typed)

Interim Director - Dept. of Human Services

Title

08/19/21

Date

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Resolution to Appropriate Funds
Presenter:	Misty Graves, Human Services
Staff Contacts:	Misty Graves, Interim Director, Human Services
Title:	Resolution to Appropriate Funds for the Expansion of Pathways Community Resource Navigation - TJACH Grant - \$10,000

Background:

The Department of Human Services Pathways Community Resource Navigator program has received \$10,000 from the Thomas Jefferson Area Coalition for the Homeless (TJACH) to expand the working hours of existing long-term temporary Helpline Navigator position from 30 to 40 hours weekly. The total grant is \$10,000, there is no required local match, and the funding will provide the additional hours from August 16, 2021 until August 15, 2022.

Discussion:

The 30 hour per week Helpline Navigator position has been in effect for approximately 3 years. Prior to COVID, the Navigator responded to requests for one-time emergency financial assistance from local residents and also scheduled assessment interviews with staff at PACEM and the Haven for unhoused people. With the onset of the pandemic, the need for assistance increased exponentially and the Navigator was not able to continue to take calls for PACEM and the Haven. This presented significant challenges for PACEM and Haven staff and DHS was requested to resume this responsibility with TJACH providing additional funding to expand hours. In addition to assisting PACEM and the Haven, the Navigator will continue to process requests from residents who have experienced financial need related to the pandemic.

The Helpline Navigator position is a long-term benefitted temporary position. There have been up to 8 additional temporary Navigators working exclusively with residents impacted by COVID. Currently, there are 3 additional temporary Navigators and DHS is recruiting a 4th.

Alignment with Council Vision Areas and Strategic Plan:

The Bama Works Fund grant aligns with the City of Charlottesville's Strategic Plan – Goal 1: An Inclusive Community of Self-sufficient Residents, Objective 1.5: Intentionally address issues of race and equity; and Goal 2: A Healthy and Safe City, Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

Community Engagement:

By the nature of their work, the Navigator is continuously engaged with the community, providing support and resource navigation.

Budgetary Impact:

This has no impact on the General Fund. The funds will be expensed and reimbursed in the Human Services Fund.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If the grant funds are not appropriated, the Navigator's hours would not be extended.

Attachments:

Appropriation Resolution
Memorandum of Agreement

**RESOLUTION TO APPROPRIATE FUND FOR
Expansion of Pathways Community Resource Navigation - TJACH Grant
\$10,000**

WHEREAS, the Human Services Department of the City of Charlottesville has been awarded \$10,000 from the Thomas Jefferson Area Coalition for the Homeless; and

WHEREAS, the grant award covers the period from August 16, 2021 through August 15, 2022.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$10,000 is hereby appropriated in the following manner:

Revenue – \$10,000

\$10,000	Fund: 213	Cost Center: 3411001000	G/L Account: 451020
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Expenditures - \$10,000

\$10,000	Fund: 213	Cost Center: 3411001000	G/L Account: 510010
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Memorandum of Agreement

Between

The Thomas Jefferson Area Coalition for the Homeless (TJACH)

And

The City of Charlottesville

Dept. of Human Services

This memorandum of understanding (“MOU”) is entered into this ____ 2021 by and between the **Thomas Jefferson Area Coalition for the Homeless**, a Sec. 501(c)3 organization established and operating in the Commonwealth of Virginia, with its principal place of business at 222 South Street West, Charlottesville, VA 22902 (hereinafter referred to as “**TJACH**”) and **The City of Charlottesville Dept. of Human Services**, (hereinafter referred to as “**Human Services**”) operating within the Commonwealth of Virginia, with offices at 605 E Main Street, Charlottesville, Virginia 22902.

Whereas, TJACH and Human Services, jointly with other service providers in Charlottesville, participate in the area’s Coordinated Entry System for homeless services,

Whereas, Human Services will serve as the phone entry point for homeless services in our service area,

Whereas, TJACH is responsible for ensuring an effective Coordinated Entry System exists and is available for households experiencing homelessness and at risk of experiencing homelessness,

Now, therefore, TJACH and Human Services agree as follows:

1.0 PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to define the services that Human Services will provide to the Charlottesville area Continuum of Care (CoC) and TJACH in operating the phone entry point for the Coordinated Entry System.

2.0 DEFINITIONS

Coordinated Entry System : The US Dept. of Housing and Urban Development (HUD) requires that each community receiving federal funds for homeless assistance programs must include a network of homeless service providers participating jointly to coordinate the access to and provision of homeless services. This Coordinated Entry System must be accessible, fair, and provide a consistent experience for all households seeking to access homeless services.

The Thomas Jefferson Area Coalition for the Homeless (TJACH): serves as the leader of Charlottesville's Continuum of Care and as the organization responsible for coordinating services and tracking progress in meeting the goals of our Community Plan to End Homelessness. TJACH is the applicant to the Department of Housing and Community Development (DHCD) for the Virginia Homelessness Solutions Program (VHSP). Through a separate agreement, the City of Charlottesville serves as the fiscal agent for the VHSP grant.

3.0 Human Services – SERVICE DELIVERABLES

Human Services will provide staffing of the phone-line entry point for the Coordinated Entry System from 9:00 AM to 5:00 PM, Monday through Friday each week. The Human Services Community Resource Navigator staff member will utilize the local HMIS provided by TJACH to document each call received and to provide electronic referrals for homeless assistance.

4.0 TJACH (CoC) DELIVERABLES

TJACH will provide \$10,000 annually to Human Services to support the Community Resource Navigator position and to extend the operating hours of the phone-line entry point from 2:00 PM to 5:00 PM Monday through Friday each week.

HMIS Management

TJACH will be responsible for selecting and maintaining a community-wide Homeless Management Information Service (HMIS), developing data quality standards, monitoring agency-level use of HMIS and reviewing community level data for the entire Continuum of Care. Weekly entry of HMIS data will be required of all VHSP funded agencies.

TJACH will serve as the liaison between the HMIS software provider and the service provider users, addressing any barriers to HMIS access, and providing yearly on-site training.

TJACH will prepare and submit required community level data reports to the State Dept. of Housing and Community Development.

5.0 GOALS, DURATION, and MODIFICATION

TJACH and Human Services agree to this MOU for the 12 months beginning August 16, 2021.

This agreement may be modified, on an ongoing basis, based upon mutual consent of the parties provided such amendments are in writing.

Witness the following signatures:

For Human Services

Misty Graves
By Misty Graves, Interim Director, Human Services

08/19/2021
Date

For TJACH

Anthony Haro
By Anthony Haro, Executive Director
Thomas Jefferson Area Coalition for the Homeless

8/19/21
Date

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: September 7, 2021

Action Required: Resolution to Appropriate Funds

Presenter: Susan Morrow, Offender Aid and Restoration

Staff Contact: Susan Morrow, Offender Aid and Restoration
Krisy Hammill, Senior Budget and Management Analyst

Title: **Resolution to Appropriate Funds for Virginia Behavioral Health Docket Grant - \$49,000**

Background:

The City of Charlottesville, on behalf of the Charlottesville-Albemarle Therapeutic Docket program, has received a Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$49,000 for operations of the therapeutic docket program, which is operated by Offender Aid and Restoration (O.A.R.). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Behavioral Health Docket Grant.

Discussion:

In its fourth year of operation, the Charlottesville-Albemarle Therapeutic Docket program is a supervised 6 to 12 month treatment program that serves as an alternative to incarceration for offenders. The Therapeutic Docket is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult misdemeanor offenders who suffer from serious mental illness. The program uses the power of the court to assist non-violent offenders to achieve wellness and recovery through a combined system of intensive supervision, medication management, mental health treatment, and regular court appearances.

The total program budget is **\$158,450** and includes three funding sources:

- Supreme Court of VA: \$49,000
- City of Charlottesville: \$54,450, (previously appropriated)
- Albemarle County: \$55,000, (previously appropriated)

Alignment with City Council Vision and Strategic Plan:

This relates to the City of Charlottesville’s priority area of safety/criminal justice. The Therapeutic Docket is a valuable, less expensive alternative to incarceration for certain criminal offenders with serious mental illness which utilizes a blend of court-ordered supervision, mental health treatment services, court appearances, and behavioral sanctions and incentives to reduce recidivism and enhance personal accountability and mental health and wellness among participants.

Community Engagement:

The Therapeutic Docket is a direct service provider and is engaged daily with non-violent criminal offenders with serious mental illness who are at a high level of risk for reoffending and have a high level of need due to mental illness. By collaborating with the Court system, Region Ten Community Services Board, Partners for Mental Health, and the Sheriff’s department, the Therapeutic Docket 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 Therapeutic Docket through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the General District Court. If they successfully complete the program which takes a minimum of 6 months, participants may have their pending charges dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Therapeutic Docket participants return the community’s investment in them by improving their mental health status, maintaining compliance with treatment regimens, including medications, and reducing their criminal behaviors in the community.

Budgetary Impact:

No additional City funding is required. The City’s match for this grant, \$54,450, was appropriated within the FY 2022 Council Approved Budget as part of the City’s contribution to Offender Aid and Restoration through the Vibrant Community Fund process.

Recommendation:

Staff recommends approval and appropriation.

Attachments:

Resolution to Appropriate Funds

**RESOLUTION TO APPROPRIATE FUNDS FOR THE
Charlottesville - Albemarle Therapeutic Docket Grant Award
\$49,000**

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$49,000 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, 2021 through June 30, 2022.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$49,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$49,000 Fund: Internal Order: #1900428 G/L Account: 430110 (State Grant)

Expenditures

\$49,000 Fund: Internal Order: #1900428 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$49,000 from the Supreme Court of Virginia.

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



Agenda Date:	September 7, 2021
Action Required:	Resolution to Appropriate Funds
Presenter:	Susan Morrow, Offender Aid and Restoration
Staff Contact:	Krisy Hammill, Senior Budget and Management Analyst Susan Morrow, Offender Aid and Restoration
Title:	Resolution to Appropriate Funds for the Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$240,000

Background:

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court, has received a Supreme Court of Virginia Drug Treatment Court Grant in the amount of \$240,000 for operations of the drug court program, which is operated by Offender Aid and Restoration (OAR). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Drug Treatment Court Docket Grant.

Discussion:

In its twenty-fourth 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 with moderate to severe substance use disorders. The program uses the power of the court to assist non-violent offenders to achieve recovery through a collaborative system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The total program budget is **\$364,725** and includes three funding sources:

- Supreme Court of VA - \$240,000
- City of Charlottesville: \$68,352, which has already been appropriated
- Albemarle County: \$56,373, which has already been appropriated

Alignment with City Council Vision and Strategic Plan:

This relates to providing support for persons interacting with the legal or criminal justice system and the City of Charlottesville's priority Safety/Criminal Justice. Drug Court directly affects the community by reducing recidivism among Drug Court participants and graduates. Additionally, Drug Court mitigates risk by reducing drug and alcohol use among program participants and graduates. Reduction of drug and alcohol use fosters participant rehabilitation, public safety, and participant accountability; all of which are factors in helping the community achieve its stated goals. Reduced recidivism results in reduced public cost associated with re-arrest and incarceration, a reduction in potential victims of crime, and overall enhanced quality of life for community residents. As the writers of the Adult Drug Court Best Practice Standards state, "Drug Courts improve communities by successfully getting justice-involved individuals clean and sober, stopping drug-related crime, reuniting broken families, ... and preventing impaired driving" Not only is Drug Court an effective agent of change, it is an extremely cost effective approach. Numerous meta-analyses have concluded that Drug Courts produce an average return on investment of \$2 to \$4 for every \$1 invested. Because of the above, ensuring that the 24 year old Drug Court program remains available to residents of the City of Charlottesville and Albemarle County will help the community achieve its goals.

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, 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:

No additional City funding is required. The City's match for this grant, \$68,352, was appropriated as part of the FY 2022 Council Approved Budget as part of the City's contribution to Offender Aid and Restoration through the Vibrant Community Fund process.

Recommendation:

Staff recommends approval and appropriation.

Attachments:

Resolution to Appropriate Funds

**RESOLUTION TO APPROPRIATE FUNDS FOR
Charlottesville/Albemarle Adult Drug Treatment Court Grant Award
\$240,000**

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$240,000 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 City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$124,725; and

WHEREAS, the grant award covers the period July 1, 2021 through June 30, 2022.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$240,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$240,000 Fund: 209 Internal Order: 1900431 G/L Account: 430120

Expenditures

\$240,000 Fund: 209 Internal Order: 1900431 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$240,000 from the Supreme Court of Virginia.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Approval and Appropriation
Presenter:	Misty Graves, Charlsie Stratton, Human Services
Staff Contacts:	Charlsie Stratton, Program Supervisor, Community Attention Foster Families Misty Graves, Interim Director, Human Services
Title:	Recruitment/Retention of BIPOC Foster Families Bama Works

Background:

The Department of Human Services Community Attention Foster Families (CAFF) received capacity building funding to improve "Recruitment and Retention of Black Indigenous and People of Color Foster Families" to serve the disproportionate number of BIPOC children placed in foster care locally. The project will provide funding for multi-media recruitment of BIPOC foster homes and support family engagement and training activities for foster families. The intended impact to have more BIPOC children placed in culturally and racially appropriate foster home, resulting in more stability and a faster pace to permanency. The total grant is \$5,000 and there is no required local match.

Discussion:

The federal Multiethnic Placement Act (MEPA) of 1994 was to ensure long term connections and support for all children, particularly children of color. MEPA "requires agencies to diligently recruit a diverse base of foster and adoptive parents to better reflect the racial and ethnic makeup of children in out of home care." Currently, 66% of CAFF foster children are BIPOC as compared to 21% of foster homes. Children entering foster care invariably have experienced trauma including separation from their families of origin. Expecting them to adjust to a culture different from their own compounds that trauma. While most white foster parents have the best intentions, research shows that BIPOC children in white families remain in foster care longer and are slower to move to a permanent home. Recruiting foster parents of any race has been challenging over the past year due to COVID.

The long-term value of this project will be a stronger, more inclusive, and anti-racist system of foster care. CAFF foster parents will reflect the racial and ethnic diversity of the children they serve. BIPOC foster families will have the skills and knowledge to effectively serve the children they are parenting. Most importantly, foster families and children will feel supported and bonded to other foster families. Foster families that experience this bond are able to provide mutual

support to each other.

Children in homes that are connected to other foster children in similar situations are more stable and resilient, being able to share their experiences with others. As a result, foster children will have fewer placement disruptions and will move more quickly to permanency.

Alignment with Council Vision Areas and Strategic Plan:

The Bama Works Fund grant aligns with the City of Charlottesville’s Strategic Plan – Goal 1: An Inclusive Community of Self-sufficient Residents, Objective 1.5: Intentionally address issues of race and equity; and Goal 2: A Healthy and Safe City, Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

Community Engagement:

CAFF has an active and engaged Foster Family/Staff Committee that includes 10 resource foster families. These families have committed to be pod leaders to reach out to other foster families to form relationships and bonds. It is their intention to promote retention by providing mutual support by participating in shared activities and trainings. Foster parents have committed to being co-trainers in the proposed training opportunities. Several have agreed to share mini-stories in the proposed marketing activities.

Budgetary Impact:

This has no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If the grant funds are not appropriated CAFF will seek other means to recruit and retain a diverse pool of foster parents.

Attachments:

Appropriation Resolution

RESOLUTION
Appropriating funds for Changing the Narrative Black Male Achievement
Bama Works Fund Grant - \$5,000

WHEREAS, the Human Services Department of the City of Charlottesville has been awarded \$5,000 from the Bama Works Fund; and

WHEREAS, the grant award covers the period from July 1, 2021 through June 30, 2022.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$5,000 is hereby appropriated in the following manner:

Revenue – \$5,000

\$5,000 Fund: 213 Cost Center: 3413002000 G/L Account: 451022

Expenditures - \$5,000

\$5,000 Fund: 213 Cost Center: 3413002000 G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Resolution
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation
Title:	Resolution Amending and Reauthorizing Funds to construct a Bike and Pedestrian Bridge for McIntire Park - \$50,000

Background:

The Department of Parks and Recreation was awarded a Recreational Access grant from the Virginia Department Of Transportation (VDOT) in 2018 to construct a bridge which would provide bicycle access into McIntire Park from Melbourne Road. Although the grant application did not specify that the entire trail system had to be built simultaneously, the required local funding to build out the full system all at once has not materialized. The funding situation has left the grant funds unspent and VDOT is now de-authorizing the grant. At the time of the grant award, the City provided a local funding match of \$50,000 for the project from the McIntire Park Plan Implementation CIP account. This appropriation is now requesting that the unspent local grant match be returned to the original McIntire Park fund account so it can be used to construct the bridge and a portion of the accessible trail using local funding. Once this funding is reallocated the grant account will be closed out.

Discussion:

Charlottesville Parks and Recreation will continue to work to complete the trail plan according to the approved McIntire Park Plan in accordance with fund availability. This connection is the final trail and bridge needed to provide access into the main body of the park from the north. The bridge design is nearly complete and will complement the stream restoration project also underway. The anticipated total cost to construct the bridge is estimated to be \$300,000. This transfer of funds paired with funding that has already been appropriated for McIntire Park would allow for the construction of the bridge and trail up to Melbourne Road..

Alignment with City Council’s Vision and Strategic Plan:

The project supports City Council’s “America’s Healthy City” vision by providing outstanding recreational areas and walking trails, as well as the vision of being a “Connected Community”. It contributes to Goal 3 of the Strategic Plan, for a beautiful and sustainable natural and built environment, and specifically objective 3.3, to provide a variety of transportation and mobility options.

Community Engagement:

The McIntire Park Plan was developed with multiple public meetings and opportunities for input, including public hearings, and was approved by City Council. The work being proposed and the use of the existing funding is consistent with the original intent and discussion.

Budgetary Impact:

This appropriation is a transfer of existing CIP funds from one account to another for the purpose of constructing the same project as intended in the grant. The funding will be appropriated into the McIntire Park CIP fund.

Recommendation:

Staff recommends approval of the appropriation.

Alternatives:

None known

Attachments:

Resolution

**RESOLUTION AMENDING AND REAUTHORIZING
Funds to construct a Bike and Pedestrian Bridge for McIntire Park
\$50,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, is no longer obligated to provide match to the VDOT Recreational Access grant fund for the McIntire Park Bike Access project; and

WHEREAS, the City of Charlottesville, through Parks and Recreation, is working to construct the McIntire Park Trail and Bridge;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$50,000 is hereby transferred in the following manner:

Transfer From

\$50,000	Fund: 426	WBS: P-01005	G/L Account: 599999
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Transfer To

\$50,000	Fund: 426	WBS: P-00673	G/L Account: 451020
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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Resolution on Consent Agenda
Presenter:	Chip Boyles, City Manager
Staff Contacts:	Chip Boyles, City Manager Garland Williams, Director, CAT (Charlottesville Area Transit)
Title:	Jaunt, Inc. Shareholder's City Voting Designation

Background: Jaunt is a regional transportation system providing service to the citizens of Charlottesville, Albemarle, Fluvanna, Louisa, Nelson, Greene, Amherst and Buckingham counties. Jaunt runs a sixty-four-vehicle fleet that carries the general public, agency clients, senior citizens and people with disabilities throughout Central Virginia. Jaunt also provides American Disabilities Act eligible passengers by contract for the Charlottesville Area Transit (CAT) public transit system.

JAUNT was organized in 1975 under the name **Jefferson Area United Transportation** later officially changing its name to Jaunt. JAUNT is a public service corporation owned by the local governments of the City of Charlottesville and Counties of Albemarle, Fluvanna, Louisa and Nelson. Jaunt uses federal, state and local funding to supplement fares and agency payments.

Jaunt, Inc. will hold its annual shareholders' meeting on Wednesday, October 13, 2021. Each shareholder local government is required to appoint a proxy to vote its shares at this meeting. Proxies will elect executive officers to the Jaunt Board of Directors, may be called upon to appoint the executive director position, and cast votes on any other matters that may come before them at shareholders' meetings.

The voting proxy may be the City Manager or a City appointed Jaunt Board member. The City may appoint the proxy for only this meeting, or for the length of their term of office if they are a Jaunt Board member.

Discussion: The City of Charlottesville has four appointed representatives to the Jaunt Board of Directors. Recent discussions with the City Jaunt board members identified a desire for increased participation of the Charlottesville Area Transit Director, the City Manager and the City Finance Director. The CAT Director will become more engaged through participating in monthly Jaunt Board meetings, the City Manager would increase engagement through activities of the Jaunt Shareholder meetings and through communications with the Jaunt Board representatives and CAT Director. Shareholder participation is mostly limited to selection of executive officers to the Jaunt Board but does include additional participation as required.

Alignment with City Council’s Vision and Priority Areas: Jaunt is a funded service of City Strategic Goal 3: A beautiful and Sustainable Natural and Built Environment. In addition, public transportation adds to Goal 1 of an Inclusive Community of Self-sufficient residents and Goal 4, a strong, creative and diversified economy. The City’s representation on regional public transportation issues contributes to all three goals.

Community Engagement: No public hearings are required for this action. All regular Jaunt Board meetings and Jaunt Shareholder meetings are advertised and open to the public. No additional community engagement is expected for this action.

Budgetary Impact: None

Recommendation: City staff recommends appointing the City Manager or their substitute as the City of Charlottesville’s voting representative for Jaunt Shareholder meetings.

Alternatives: The City could either elect not to participate in the shareholder meetings or could elect to appoint one of its four Jaunt Board members as voting shareholder representative.

Attachment(s): a) Jaunt request for shareholder proxy; b) Resolution appointing City Manager as Jaunt shareholder voting proxy.

Possible Motion(s):

I move to approve the Resolution as provided appointing the Charlottesville City Manager as the City’s voting representative for Jaunt Inc. Shareholder meetings.



Karen Davis, Interim CEO
Jaunt, Inc.
104 Keystone Place
Charlottesville, VA 22902

Wednesday, July 28, 2021

City of Charlottesville
Attn: Chip Boyles, Interim City Manager
605 East Main Street
Charlottesville, VA 22902

Dear Mr. Boyles:

Jaunt, Inc. will hold its annual shareholders' meeting on Wednesday, October 13, 2021 at 9:45 A.M. in the Jaunt Conference Room. We need your governing body to appoint a proxy to vote its shares at this meeting. Proxies will elect executive officers to the Jaunt Board of Directors, may be called upon to appoint the executive director position, and cast votes on any other matters that may come before them at shareholders' meetings.

Your proxy may be the City Manager or one of your appointed Board members. You may appoint the proxy for only this meeting, or for the length of their term of office if they are a Jaunt Board member. Below is a list of Charlottesville City Council appointed Board members, their term length, term expiration date, and meeting attendance for FY21.

Board Member	Term Length	Term Expiration Date	FY21 Mtg. Attendance
Lucas Ames	3 Years	09/30/2022	9 out of 10 meetings
Christine Appert	3 Years	09/30/2022	10 out of 10 meetings
Audrey Dannenberg	3 Years	09/30/2022	10 out of 10 meetings
Raymond Heron	3 Years	09/30/2022	10 out of 10 meetings

Enclosed is a form for use in officially designating your proxy. Please fill out this form and return it to Jaunt at your earliest convenience. Thank you for your assistance with this procedure.

Respectfully,



Karen Davis
Interim CEO
Jaunt, Inc.

JAUNT, INC. PROXY

The undersigned hereby appoints Charles P. Boyles, II with the power of substitution, proxy to act and vote all shares of the undersigned at the annual meeting of the shareholders of Jaunt, Inc., a Virginia Public Service Corporation, on Wednesday, the 13th of October, 2021 and any adjournments thereof, upon the election of directors, and, in his or her discretion, upon such other matters as may properly come before such meetings.

This proxy shall be valid:

- Only for this meeting
 Until the end of their term

City/County of: Charlottesville

By: _____

Title: City Manager (approved by resolution)

Date: September 7, 2021

RESOLUTION
APPOINTMENT OF CITY VOTING REPRESENTATIVE TO THE JAUNT, INC.
SHAREHOLDERS' MEETINGS

WHEREAS, Jaunt Inc. is a public service corporation organized in 1975 and owned by the City of Charlottesville and the Counties of Albemarle, Fluvanna, Louisa and Nelson serving these communities and the areas of Buckingham, Greene and Amherst Counties; and

WHEREAS, Jaunt, Inc. utilizes local, state, federal and contract funding to provide over 300,000 passenger trips a year with its fleet of 85 vehicles; and

WHEREAS, Jaunt, Inc. is governed by a Board of Directors appointed by its member localities with officers appointed by the owner Shareholder members at an annual meeting; and

WHEREAS, the City has four appointed citizen representatives on the Board of Directors and eligible for officers of the Board of Directors: and

WHEREAS, the City of Charlottesville appoints a representative of either an appointed Board Member or the Charlottesville City Manager to represent the City as a voting proxy during this and any Shareholder meetings; and

WHEREAS, City staff recommends the appointment of the City Manager as the Shareholder Proxy; and now

THEREFORE, BE IT RESOLVED this 7th day of September, 2021 by the Council of the City of Charlottesville, Virginia that the City Manager is appointed to represent the City as the voting proxy for this and future Jaunt, Inc. Shareholder Meetings and until such time as this representation is amended by the City Council .

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



Agenda Date:	September 7, 2021
Action Required:	Approve/Appoint Police Civilian Review Board Executive Director
Presenter:	Charles “Chip” Boyles, II – City Manager
Staff Contacts:	Ashley Reynolds Marshall, Deputy City Manager - REDI
Title:	Appointment of Police Civilian Review Board Executive Director

Background:

The City of Charlottesville City Council created a Charlottesville Police Civilian Review Board in November of 2019. The PCRB has the powers to develop and administer a process for receiving complaints about the Charlottesville Police Department; review the Police Department’s internal affairs investigations at the request of a civilian complainant; conduct hearings and make findings concerning the Police Departments internal affairs investigations initiated by civilians; organize and conduct community outreach sessions, and provide policy recommendations to the City Council and Charlottesville Police Department. Under Section 2-456 the City Manager is tasked with appointing a Police Civilian Review Board Executive Director with the approval of a majority vote of the City Council.

Discussion:

The City Manager advertised for the Executive Director of the Police Civilian Review Board position and received sixty-three (63) applications. All applications were reviewed by the City Manager and his office. A proposed interview process was sent to two representatives of the PCRB in writing, and the Vice Chair approved the proposal and certified that it abided by the ordinance. Eight (8) candidates were selected to move forward, as their professional experience or personal volunteerism matched the criteria created by the PCRB for their future Executive. Interviews were held virtually for the eight candidates, and the panel included a member of the People’s Coalition, the PCRB, and two City Council members in addition to staff from the Police Department, Office of Human Rights, and City Manager’s Office. Four (4) candidates were selected to move forward to the second round unanimously by the first panel via the individual scores that the panelist provided. The four candidates were interviewed by a second panel virtually. The second panel included two members of the PCRB, three (3) staff members who have been impacted by racism in policing, and two City Council members. The second panel numerously moved two candidates to the next round for the PCRB members to consider. On July 19, 2021 the two PCRB members met together to discuss which candidates they would choose to recommend for hire to the City Manager per the

ordinance. On July 23, 2021 the two PCRB representatives met in-person with the City Manager to present their suggestions, and the City Manager accepted those recommendations in full. Contact was made by the City Managers Office to Mr. Hansel Aguilar and a discussion was held. The discussion was followed by an offer of employment contingent on appointment by City Council, and a negotiated offer was accepted on August 10, 2021.

Alignment with City Council’s Vision and Strategic Plan:

The hiring of the Executive Director of the Police Civilian Review Board supports the fifth Goal in the current Strategic Plan, to have a well-managed and responsive organization, and objective 5.4, to foster effective community engagement.

Community Engagement:

The City Manager ensured that, per the city ordinance, two representatives of the Police Civilian Review Board were involved in an interview process that was approved by the Board’s Vice-Chairman. Further, community members from the People’s Coalition were invited to participate in the hiring process and the second panel worked to engage several staff members who have been impacted by the systemic racism present in the police department and judicial system who work for our Home to Hope program as well as our Fire Department.

Budgetary Impact:

This has no impact on the General Fund. Funding for the PCRB Executive Director was approved in the FY22 budget.

Recommendation:

The City Manager, along with the two members of the Police Civilian Review Board, recommend appointment of the selected hire – Mr. Hansel Aguilar – as the Executive Director of the Charlottesville Police Civilian Review Board

Alternatives:

If Council does not appoint the recommended hire, the City Manager will work with the PCRB to engage in a new search for a suitable Executive Director.

Attachments:

Resolution

RESOLUTION
Approving the City Manager's Hiring Recommendation for the
Police Civilian Review Board Executive Director

WHEREAS, the City Manager wishes to hire Mr. Hansel Aguilar as the Charlottesville Police Civilian Review Board Executive Director, pursuant to Chapter 2 Section 2-465 of the Code of the City of Charlottesville (1990) as amended; and

WHEREAS, Mr. Aguilar has agreed to accept hiring and appointment as Executive Director of the Police Civilian Review Board, upon certain terms and conditions set forth in writing and accepted by Mr. Aguilar on August 10, 2021

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to Section 2-456 of the Code of the City of Charlottesville (1990), as amended, the City Manager's appointment of Mr. Hansel Aguilar as Executive Director of the City's Police Civilian Review Board is hereby approved.

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



Agenda Date:	September 7, 2021
Action Required:	Ordinance Change
Presenter:	Heather Hill, Council Member
Staff Contacts:	Lisa Burch, Human Resources Benefits Coordinator Allyson Davies, Deputy City Attorney
Title:	Retirement Commission Member Term Changes

Background:

The Retirement Commission is responsible for oversight of the City’s retirement plans. Currently the board is composed of a member of City Council, the City Manager, the Director of Finance, the Director of Human Resources, the City Treasurer, three employees, one retiree of the plan and two community members. Pursuant to the existing provisions of City Code Sec. 19-59, employees and retirees can serve two (2) three-year terms, community members can serve three (3) two-year terms.

The general rule set forth within the City Code is that “unless otherwise provided, no person shall be appointed by the city council to any board or commission for more than two (2) complete terms. For boards and commissions with two-year terms, no person shall be appointed by the city council for more than four (4) complete terms, unless otherwise provided.” See City Code Sec. 2-8(a).

Discussion:

At present, the various members of the Retirement Commission serve for different periods, and their terms end at various times of the year. This appointment schedule creates issues with member continuity. The Retirement Commission proposes to modify members’ terms to conform with the general provisions of City Code Sec. 2-8(a). Each member of the Retirement Commission would serve up to four (4) separate two-year terms consecutively. There are several advantages to adopting the proposed change:

1. Administratively, it’s simpler if all appointed members of the Commission serve the same length terms and have the same limits. The appointment anniversary can be staggered to prevent too much turnover in any given year while making it simpler and clearer to know when appointments end.
2. Changing the term limits allows for continuity on a Commission that has a long learning curve for new members but allows for flexibility for members who choose not to continue serving.
3. The transition proposed will result in all appointed members finishing terms in June on a

staggered schedule. This is important so that not all appointed members rotate off at the same time but there is a regular anniversary for appointments to the Commission. Going forward, vacancies should be filled in a manner that establishes the date on which the individual's appointment will *expire*, and the individual's term should not be measured from the actual date of Council appointment (i.e., if Council fails to appoint a member prior to the expiration of the term of someone who is ineligible for reappointment, then that appointee should be treated as filling a term that has already commenced).

Alignment with City Council's Vision and Strategic Plan:

This change to the City Code aligns with the Council's vision for a Smart, Citizen-Focused Government. Establishing clear and consistent terms for the Retirement Commission will allow for consistent and sustained citizen and retiree participation. Further, this change aligns with the Council's plan to transition board appointments being made primarily on an annual basis in June.

Community Engagement:

The Retirement Commission discussed this matter at two meetings. Commission meetings are open for the public to attend. The motion to present this change to the Council passed unanimously.

Budgetary Impact:

This has no budgetary impact on the General Fund.

Recommendation:

Staff recommends approval of the Commission's recommendations.

Alternatives:

Council may decide to approve the changes as proposed or direct the Retirement Commission to research other options.

Attachments:

- (1) Proposed Amended Ordinance
- (2) Proposed Staggered Appointment Schedule with comments.
- (3) Current list of members and schedule of terms.

**AN ORDINANCE
TO AMEND AND RE-ENACT THE CODE OF THE CITY OF CHARLOTTESVILLE
(1990), AS AMENDED, CHAPTER 19 (PERSONNEL), ARTICLE III (RETIREMENT
PLAN COMMISSION), SECTION 19-59 (APPOINTMENT AND TERMS; FILLING OF
VACANCIES), TO CHANGE THE LENGTH AND NUMBER OF TERMS FOR
MEMBERS OF THE CITY’S RETIREMENT COMMISSION**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia,
that:

**1. Section 19-59 of Chapter 19 (Personnel), Article III of the City Code of
Charlottesville (1990) is amended and re-enacted, as follows:**

Sec. 19-59. - Appointment and terms; filling of vacancies.

(a)The three (3) employee at-large members of the commission shall be appointed by the city council from a list of eligible candidates certified to the council by the city manager. They shall be appointed for terms of two (2) years ~~three (3) years~~, and shall be eligible to serve up to four (4) consecutive terms; for two (2) terms; provided, that each of the employee at large members shall serve no more than four full terms. ~~of~~ The three (3) members initially so appointed, one (1) shall be appointed for a one-year term, and one (1) shall be appointed for a two-year term; and provided, that those employees initially appointed for terms of less than ~~three (3) two (2)~~ years and those appointed to fill unexpired terms shall be eligible for reappointment to four (4) full two year terms. ~~two (2) full three-year terms.~~

(b)....

(f) The one (1) retiree member of the commission shall be appointed by the city council from the list of current retirees certified to the council by the city manager. The appointment shall be for a term of two (2) years ~~three (3) years~~ and shall be eligible to serve ~~for two (2) terms.~~ four (4) full two-year terms.

AND

**2. The terms of the current membership of the Retirement Commission are hereby
modified, to allow for staggered appointments, as follows:**

Appointed Commissioner	Role	Current Reappointment Schedule	Revised Reappointment Schedule	Proposed 2 Year Terms Remaining After Revised Reappointment	Comments
Cullop	Community	Nov 2021	June 2022	3	Currently finishing term of prior member
Hughes	Community	June 2021	June 2021	2	Will have 3 years complete in June 2021
Elias	Retiree	June 2022	June 2022	1	Will have 6 years complete in June 2022
Hatter	Employee	January 2022	June 2022	2	Will have 3.5 years complete in June 2022
Hendrix	Employee	August 2022	June 2022	1	Will have 6 years Complete in June 2022
Henderson	Employee	Nov 2022	June 2023	2	Will have 3.5 years complete in June 2023

AND

- 3. On and after the effective date of this Ordinance, and notwithstanding the date of actual appointment, each individual's term on the Retirement Commission shall expire according to the schedule set forth within Section 2, above, so that all of the the terms of appointment will remain staggered.**

Retirement Commission - Proposed Updates to Term Lengths and Appointment Schedules

- Currently we have (2) three-year terms for employees/retirees and (2) two-year terms for community members. City Code allows for Boards and Commissions that have two-year terms; appointments can be made for no more than four completed terms.
- **We are proposing that we have all appointed members transition to (4) two-year terms.** This will allow for continuity while also giving appointees the opportunity every two years to not seek another term. The remaining members are part of the commission based on the role they fill in the City (i.e. Treasurer, Director of Finance, etc).
- **We are also proposing that any current member would be given the option to extend their time to the full eight years.** For example, an employee/retiree that is on their second three-year term could extend for the additional two-year term and any community appointee that is on their second two-year term could reapply for the additional terms to fulfill up to four terms.
- The Council office is working to transition to appointments being made primarily on an annual basis in June. Therefore, **we will also be considering the extension of current terms to bridge to this annual appointment timeline as well as staggering of terms to ensure not all appointments.**
- **For the current membership, adjustments would be made as follows:**

Appointed Commissioner	Role	Current Reappointment Schedule	Revised Reappointment Schedule	Proposed 2 Year Terms Remaining After Revised Reappointment	Comments
Cullop	Community	Nov 2021	June 2022	3	Currently finishing term of prior member
Hughes	Community	June 2021	June 2021	2	Will have 3 years complete in June 2021
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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	September 7, 2021
Action Required:	Vote on Resolution
Staff Presenters:	Timothy Motsch, Transportation Project Manager
Staff Contacts:	David Brown, Public Works Director Tony Edwards, Development Services Manager Timothy Motsch, Transportation Project Manager
Title:	Barracks Road/Emmet Street Smartscale Improvement Project – Resolution Approving Design Public Hearing

Background: The Design Public Hearing for the Barracks Road/Emmet Street Smartscale Improvement Project was held on Wednesday, July 7, 2021 at virtually by Zoom. The meeting was advertised using the following methods:

- 1) Daily Progress Advertisement – Sunday, June 6, Wednesday June 30.
- 2) Direct Mailing - 52 “Current Residents” + 12 “Impacted Owners”
- 3) Certified Mailing to Impacted Property Owners (as well as Invitation to Meet)
- 4) Emailed Citywide mailing list as well as Project mailing list
- 5) Updated Project Website’s Main Page
- 6) Variable Message Sign used on Project Corridor for one week before meeting
- 7) Emailed first project update report after meeting noting public comment deadline of July 23rd and link to posted meeting materials on website.

Seventy-five (75) persons attended the hearing. The project presentation consisted of a slideshow presentation with verbal descriptions depicting the project (PDF attached).

Project plans, detailed displays, environmental documents and other required project materials were made available on the project website.

The Public Hearing was from 6:00 PM to 7:30 PM. The slideshow and referenced documents are included as electronic links to this memorandum (Attachment E). From approximately 6:30pm until 7:30pm public speakers shared comments that were captured by a court reporter (Attachment C). Six citizens spoke during the hearing.

Six comments requiring after-hearing responses were received at the hearing. Twenty-seven comments were received prior to the closing date of July 23rd. All public comments received between June 6 and July 23, 2021 have been included in a chart with project team responses, as well as a summary of all comment forms received (Attachment D). Comments have been

addressed by the project team and these responses will be posted to the project website, including the original comment forms that were submitted.

Discussion: After an extensive public involvement process, City Council approved a Preferred Conceptual Design for the Barracks Road/Emmet Street Smartscale Improvement Project on March 2, 2020 and authorized commencement of final design. As a result, the project team has refined the Preferred Conceptual Design in preparation of the Design Public Hearing. The hearing was held to solicit public comment on the major design features (bicycle and pedestrian facilities, roadway configuration, landscaping) as well as anticipated temporary and permanent impacts on adjacent property owners and the completed environmental document.

No comments were received regarding the environmental document which is not surprising given the existing built environment and that this project is proposing modifications to the existing streetscape. No additional environment impacts are expected with this project and the project team will be producing construction documents to ensure the contractor follows current requirements for proper environmental compliance and maintains proper site controls (ex. erosion and sediment protections).

As for major design features, the following themes emerged from the comments:

- 1) General and repeated support for the implementation of bike/pedestrian improvements.
- 2) Concerns with vehicle speeds and impact on pedestrian safety crossing Barracks Road.
- 3) Concerns with pedestrian safety in slip lanes at the Barracks/Emmet intersection.
- 4) Concerns with impact to holly trees at Buckingham Road.
- 5) Concerns with sharrow (shared lane) terminus at Meadowbrook Road.
- 6) Concerns with retaining wall appearance & height in certain areas.

The project team appreciates all of the comments offered by the public and has responded to each comment in Attachment D. Several comments complimented the public process, overall project and expressed the feeling that participants were heard during the process.

As a result of the comments received, the project team is suggesting the following changes:

1. Signalize the southbound right turn slip lane on Emmet St. (matching plan to signalize the northbound right turn slip lane).
2. Add an additional sharrow (shared lane) marking on the westbound approach to the Barracks/Emmet signal.
3. Minimize impacts to existing holly trees that exist at the Buckingham Road intersection.

Alignment with City Council's Vision Areas and Strategic Plan: Advancing Barracks Road/Emmet Street Smartscale Improvement Project 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, Beautiful Environment; 3.1 Engage in robust and context sensitive urban planning and implementation; 3.2 Provide reliable and high quality infrastructure and 3.3 Provide a variety of transportation and mobility options.

Community Engagement: This agenda item is approving the results of the latest public meeting held for Barracks Road/Emmet Street Smartscale Improvement Project. A Citizen Information Meeting will be held before construction to provide information on the Maintenance of Traffic plans, Phasing, Points of Contact and other useful information.

The City of Charlottesville has provided multiple opportunities for the public to provide input into the plan development process. A project website, an on-line survey, individual property owner meetings, meetings with Boards and Commissions, two (2) community events (Public Workshop and Open House) and two (2) steering committee meetings occurred between May 2019 and November 2019. Information presented and gathered at the meetings can be found at www.barracksemmetimprovements.com, however a summary of each event is below:

Project Website: The Project website (<http://barracksemmetimprovements.com/>) contains information that has been presented to date as part of the process. Information presented includes:

- A “home” and “about” page explaining the scope and benefits of the project
- A “project updates” page that provides links to each public meeting that has occurred, along with materials shared at these meetings
- A “contacts” page providing the public an opportunity to comment on the project

Community Event 1: Public Workshop, October 2, 2019: A Public Workshop was held on Wednesday, October 2nd at Walker Upper Elementary School from 5:30 PM to 7:00 PM. The event was set up as an interactive workshop designed to gather input on the project from City and consultant representatives. The event was organized with two (2) exhibit viewing areas, each displaying the same information. Each area contained three (3) intersection improvement options and four (4) Barracks Road bike/pedestrian improvement options for review and consideration by the public. The intersection improvement options featured varying degrees of roadway widening and impact to adjacent slopes/trees on the westbound approach to the intersection on Barracks Road. The bike/pedestrian options included two (2) options for separate in-road bike facilities and two (2) options for a shared use path design approach. Participants were offered the opportunity to provide feedback on each option in a SurveyMonkey online project survey, which opened immediately following the workshop and closed 2 weeks later. Attendees were also given the opportunity to take the same survey in writing at the meeting. Once the online survey period closed and written comments compiled, a summary of survey results and recommended improvements were reviewed with City staff and presented for consideration at the next steering committee meeting (#2). This presentation and summary of discussion around recommended improvements can be found on the project website.

On-Line Project Survey: The SurveyMonkey survey was active from October 2, 2019 to October 16, 2019 (2 weeks). A total of 90 respondents provided feedback on 10 questions. The goal of the survey was to obtain objective feedback on the most significant, and potentially controversial components of the project. The survey obtained quantifiable data from the general public on the following project elements:

- Respondent identification and interest in the project
- Priority Ranking of eight (8) corridor challenges the team should focus on solving
- Public vote on four (4) bike/pedestrian improvement options for implementation along Barracks Road
- Written feedback on three (3) intersection improvement options

- Public vote on whether access to Meadowbrook Road should be left open (full access) or limited to right-in/right-out by extending a raised median through the intersection
- Public vote on whether respondents would bike on Barracks Road if it were made safer.
- Opportunity to provide general written feedback on the project

Results can be found on the project website <http://barracksemmetimprovements.com/>.

Steering Committee and Stakeholder Meetings: Throughout the process, the design team collaborated with the Steering Committee and various other boards, committees and agencies to receive input and feedback during the design process. The Steering Committee is composed of:

- Navarre Bartz, Bike & Pedestrian Advisory Committee
- Brian Menard, Tree Commission
- Lyle Solla-Yates, Planning Commission
- Andrew Mondschein, PLACE Design Task Force
- Mary Hughes, UVA Office of Architect
- Dan Butch, Albemarle County
- Thomas Funari, Barracks Road Shopping Center
- Tim Heaphy, Venable Neighborhood Association
- James Chang, The Meadows, Neighborhood Association
- Holly Mason, Venables Neighborhood Association
- Clara Belle Wheeler, Meadowbrook Shopping Center
- Nancy Summers, Meadowbrook Hills/Rugby Neighborhood Association

The process also involved coordination with the following City Council appointed stakeholder groups:

- Bicycle and Pedestrian Advisory Committee
- Tree Commission
- Individual Property Owner Meetings: July 23, 2019
- PLACE Committee: November 14, 2019
- Planning Commission: December 10, 2019

Meeting agendas and summaries can be found under the “project updates” tab on the project website www.barracksemmetimprovement.com. Additionally, a Technical committee was formed which is comprised of representatives from appropriate City departments. The technical committee held meetings on the project on July 25, 2019 and October 30, 2019. The technical committee meetings confirmed input received from the public and stakeholder groups could be technically attained and then maintained.

Budgetary Impact:

The preferred Conceptual Design Concept falls within the established budget comprised of a combination of City, State and Federal funding sources.

Recommendation:

Staff recommends approval of the major design features as shown at the Design Public Hearing with 3 changes as a result of public hearing comments:

1. Signalize the southbound right turn slip lane on Emmet St. (matching plan to signalize the northbound right turn slip lane).
2. Add an additional sharrow (shared lane) marking on the westbound approach to the Barracks/Emmet signal.
3. Minimize impacts to existing holly trees that exist at the Buckingham Road intersection.

Alternatives:

None.

Attachments:

- (A) Proposed Design Resolution Approving Major Design Features**
- (B) Design Public Hearing Presentation**
- (C) Design Public Hearing Transcript**
- (D) Design Public Hearing Comments**

Attachment A
RESOLUTION
BARRACKS ROAD/EMMET STREET SMARTSCALE IMPROVEMENT
PROJECT DESIGN PUBLIC HEARING APPROVAL

WHEREAS, a Design Public Hearing was conducted virtually via ZOOM on July 7, 2021 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 Barracks Road/Emmet Street Smartscale Improvement Project under State project number of 0029-104-336, C501, P101, R201 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 with the following changes:

1. Signalize the southbound right turn slip lane on Emmet St. (matching plan to signalize the northbound right turn slip lane).
2. Add an additional sharrow (shared lane) marking on the westbound approach to the Barracks/Emmet signal.
3. Minimize impacts to existing holly trees that exist at the Buckingham Road intersection.

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.



BARRACKS ROAD & EMMET STREET IMPROVEMENTS

CITY COUNCIL DESIGN APPROVAL

SEPTEMBER 7, 2021



TIMMONS GROUP



OVERALL PROJECT LIMITS



AERIAL MAP



TIMMONS GROUP



SMART SCALE

Funding the Right Transportation Projects in Virginia

SCOPE OF IMPROVEMENTS:

- ✓ ADDITIONAL NORTHBOUND RIGHT TURN LANE ON EMMET STREET
- ✓ ADDITIONAL WESTBOUND LEFT TURN LANE (CONCURRENT DUAL LEFTS) ON BARRACKS ROAD
- ✓ TRAFFIC SIGNAL IMPROVEMENTS
- ✓ PEDESTRIAN REFUGE ISLANDS AT INTERSECTION
- ✓ UPGRADED BIKE/PEDESTRIAN FACILITIES ON BARRACKS ROAD TO HILLTOP ROAD
- ✓ NEW CAT BUS SHELTER ON BARRACKS ROAD

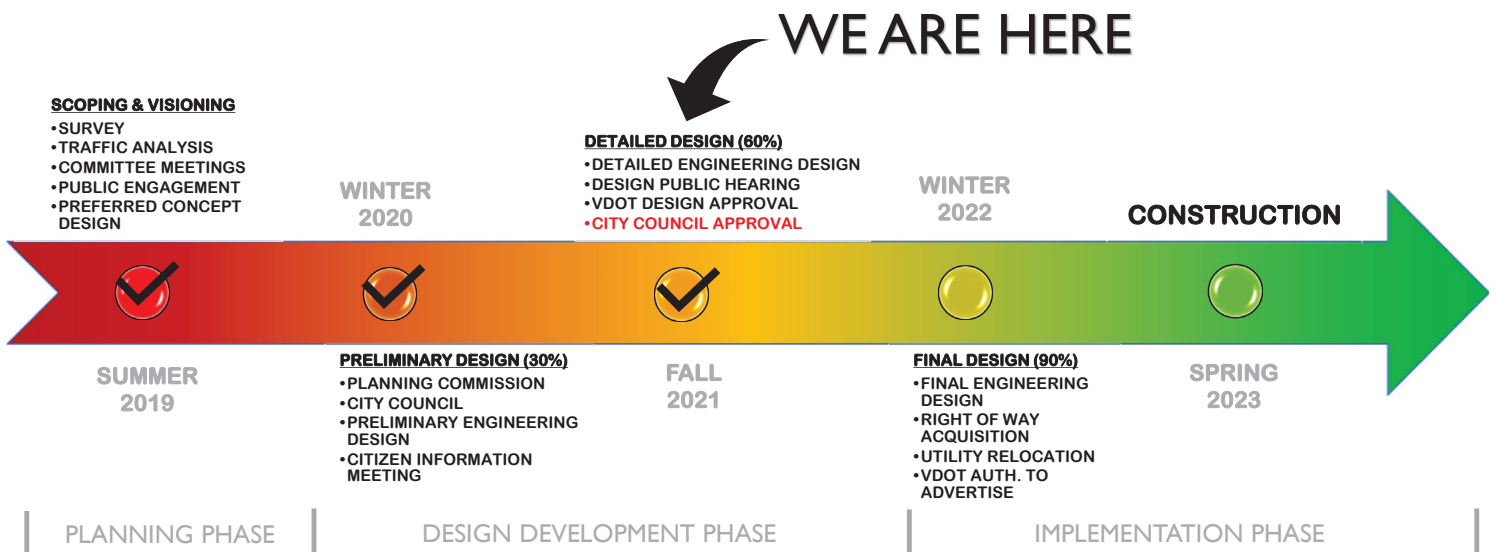
TOTAL PROJECT BUDGET:

- ❖ TOTAL BUDGET = \$8,600,000
- ✓ PROJECT IS FULLY FUNDED THROUGH SMARTSCALE
- ✓ PROJECT IS ON-BUDGET
- ✓ PROJECT IS ON-SCHEDULE

SMARTSCALE APPLICATION



PROJECT DESCRIPTION



*SCHEDULE CONSISTENT WITH PROGRAMMING OF VDOT FUNDS

PROJECT SCHEDULE

TENTATIVE





PUBLIC ENGAGEMENT

TIMELINE OF EVENTS/MEETINGS:

- JULY 23, 2019 – PROPERTY OWNER MEETINGS
- JULY 25, 2019 – STEERING COMMITTEE #1
- OCTOBER 2, 2019 – PUBLIC WORKSHOP
- OCTOBER 30, 2019 – STEERING COMMITTEE #2
- NOVEMBER 14, 2019 – PLACE COMMITTEE
- NOVEMBER 20, 2019 – PUBLIC OPEN HOUSE
- FEBRUARY 11, 2020 – PLANNING COMMISSION
- MARCH 2, 2020 – CITY COUNCIL MEETING
- OCTOBER 28, 2020 – STEERING COMMITTEE #3
- JULY 7, 2021 – DESIGN PUBLIC HEARING
- NOW – CITY COUNCIL APPROVAL AND THE START OF RIGHT-OF-WAY ACQUISITION



STAKEHOLDER/CITIZEN MEETINGS

PUBLIC OUTREACH

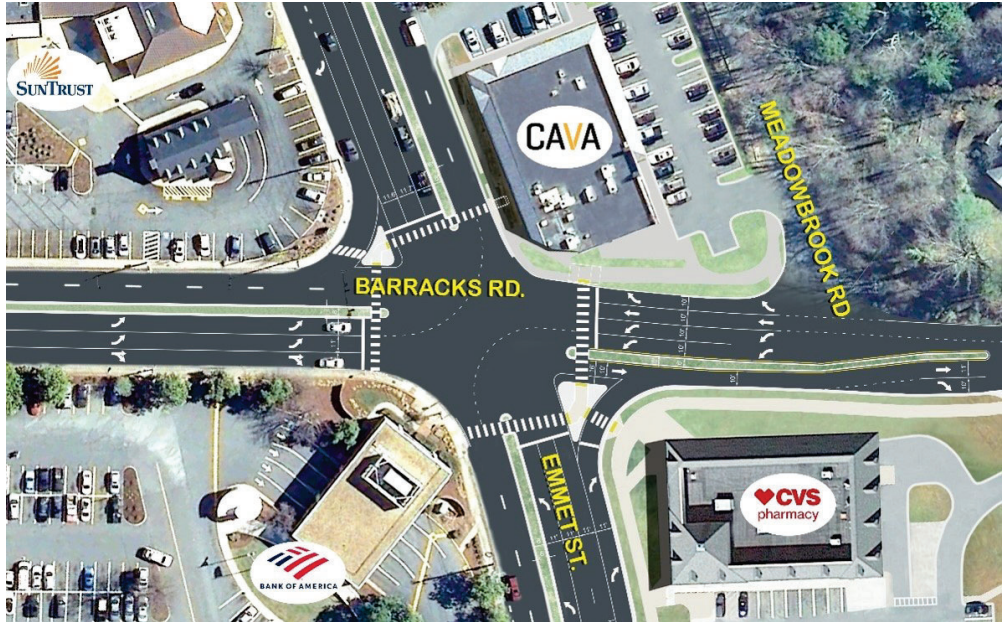




DESIGN FEATURES

HIGHLIGHTS AT THE INTERSECTION

- CONCURRENT EASTBOUND & WESTBOUND DUAL LEFT TURN LANES
- SIGNALIZED SLIP LANE WITH REFUGE ISLAND IN SE CORNER
- WIDER MEDIANS (6') TO PROVIDE PEDESTRIAN REFUGE
- SHORTER CROSSWALK DISTANCES
- UPGRADED TRAFFIC SIGNAL



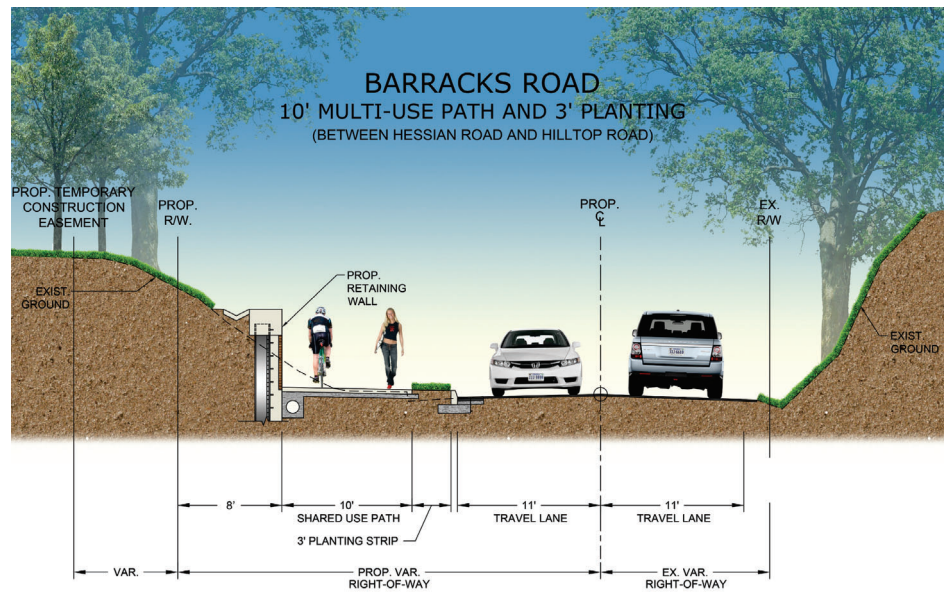
INTERSECTION IMPROVEMENTS

OPERATIONAL/SAFETY BENEFITS



MULTI-MODEL IMPROVEMENTS ON BARRACKS ROAD

- TRAVEL LANE WIDTH REDUCTION
 - RE-PURPOSING OF EXISTING PAVEMENT
 - TRAFFIC CALMING!!
- 10' SHARED USE PATH
 - 8' FUNCTIONAL WIDTH + 2' SHOULDERS
 - 3' GRASS BUFFER FOR SIGNAGE & SEPARATION



BARRACKS ROAD BIKE/PED

PREFERRED ALTERNATIVE



EXISTING BARRACKS ROAD

EXISTING CONDITIONS





*GRAPHICAL REPRESENTATION OF STREETScape COMPONENTS ONLY

PROPOSED BARRACKS ROAD

POST-CONSTRUCTION



*GRAPHICAL REPRESENTATION OF NIGHT-TIME LUMINATION

BARRACKS ROAD AT NIGHT

PROPOSED WALL LIGHTING





DESIGN PUBLIC HEARING

KEY TAKEAWAYS:

- GENERAL AND REPEATED SUPPORT FOR THE IMPLEMENTATION OF BIKE/PEDESTRIAN IMPROVEMENTS
- CONCERNS WITH VEHICLE SPEEDS AND IMPACT ON PEDESTRIAN SAFETY CROSSING BARRACKS ROAD
- CONCERNS WITH SLIP LANES AT THE BARRACKS/EMMET INTERSECTION
- CONCERNS WITH IMPACT TO HOLLY TREES AT BUCKINGHAM ROAD
- CONCERNS WITH SHARROW (SHARED LANE) TERMINUS AT MEADOWBROOK
- CONCERNS WITH RETAINING WALL APPEARANCE & HEIGHT IN CERTAIN AREAS



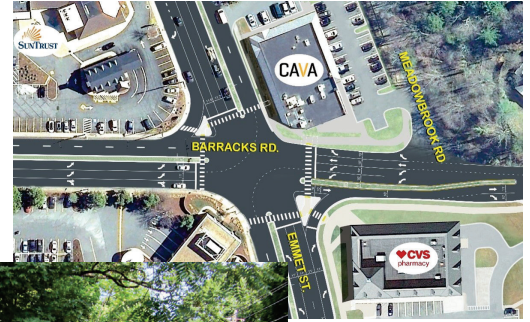
DESIGN PUBLIC HEARING

SUMMARY OF PUBLIC COMMENTS



RECOMMEND APPROVAL OF THE MAJOR DESIGN FEATURES AS SHOWN AT THE DESIGN PUBLIC HEARING WITH 3 CHANGES RESULTING FROM PUBLIC HEARING COMMENTS:

1. SIGNALIZE THE SOUTHBOUND RIGHT TURN SLIP LANE ON EMMET ST. (MATCHING PLAN TO SIGNALIZE THE NORTHBOUND RIGHT TURN SLIP LANE)
2. ADD AN ADDITIONAL SHARROW (SHARED LANE) MARKING ON THE WESTBOUND APPROACH TO THE BARRACKS/EMMET SIGNAL
3. MINIMIZE IMPACTS TO EXISTING HOLLY TREES THAT EXIST AT THE BUCKINGHAM ROAD INTERSECTION



RECOMMENDATION

PER PUBLIC COMMENT



PLEASE VISIT:

www.barracksemmetimprovements.com



VIRGINIA:

Design Public Hearing

July 7, 2021

6:00 p.m.

When heard virtually via:

Zoom

CRANE-SNEAD & ASSOCIATES, INC.

4914 Fitzhugh Avenue, Suite 203

Henrico, Virginia 23230

Tel. No. 804-355-4335

Crane-Snead & Associates, INC.

1 July 7, 2021

2

3 MR. KLING: So far no hands are raised. We
4 have one. Patricia Gibson. I'm going to bring her on
5 in. Hi, Patricia.

6 ATTENDEE: Hi, just to get on the public
7 comment. Yes, I am asking about pedestrians crossing
8 from the bank where the wall does obscure vehicles
9 making a right-hand turn. And as the pedestrians are
10 walking from the bank to CVS their back is at the
11 traffic that's turning. So that was my concern. And
12 the other would be vehicles trying to get onto Barracks
13 Road from Meadowbrook Road when the cars block that
14 intersection despite the sign that is on the right-hand
15 side. Thank you. I really appreciate all the effort to
16 make this a safer intersection that will clear more
17 easily with the traffic. Thank you.

18 MR. KLING: Next up we have Tara Little.
19 Hi, Tara.

20 ATTENDEE: Hi, back again. I guess I would
21 just maybe make the point that I was trying to make
22 earlier that I would lobby for an attractive brick in
23 that -- in your materials. I mean, it is a gateway to
24 UVA, this corridor, and it can be truly as attractive as
25 you are rendering or it can not be very attractive at

1 all if the material is cheap and fake looking. I don't
2 know how best to explain it, but I'm lobbying for
3 good-looking material as far as the brick facade goes on
4 the wall. Thank you.

5 MR. KLING: No one else has raised their
6 hand yet so far.

7 MR. KLING: So I'll just reiterate for
8 those in attendance. This comment section is what will
9 be tracked as part of the public comment log. So if
10 anybody has any comments, good, bad, or otherwise, now
11 would be the time to provide those to the design team.
12 These are what are being analyzed and part of our
13 evaluation moving forward so we welcome any feedback
14 that people may have.

15 MR. KLING: All right. Next up we have
16 Mary Lewis.

17 ATTENDEE: Here it goes. I'm un-muted,
18 right?

19 MR. KLING: Yes. You are un-muted now.

20 ATTENDEE: All right. If you can't make a
21 left-hand turn onto Barracks from Meadowbrook, doesn't
22 that imply that there's going to be a lot more traffic
23 up Spots Wood and Blue Ridge, because right now Blue
24 Ridge is so dangerous because there's lots of blind
25 corners, it's a narrow road and there's no street

1 lights. Just a thought.

2 MR. KLING: Next we have Georgie Cutler.
3 Hi, Georgie.

4 ATTENDEE: Hi, this is actually her
5 husband, Herb, and I wanted to express concern about
6 the shared path for pedestrians and bicyclists and I
7 assume scooters count in there too, although it wasn't
8 mentioned. And I want to know how those bicycles and
9 scooters are going to be managed so that the pedestrians
10 are not threatened by the bicycle and scooter traffic.

11 MR. KLING: At this time no one else has
12 raised their hand.

13 MR. KLING: Okay. So I'll make a final
14 call for any public comments. Please use the raised
15 hand feature if you wish to do so.

16 MR. KLING: Or the star 9 if you are a
17 telephone caller and you want to make a comment. All
18 right. Next we have Martha. Hi, Martha. You have to
19 hit the un-mute button on your screen. Looks like you
20 still might be muted. She is not un-muting. So we will
21 see if we can bring her back in in a bit. Then we have
22 another comment from Georgie or her husband.

23 ATTENDEE: Yes. Can you hear me now?

24 MR. KLING: We can.

25 ATTENDEE: Okay. I couldn't tell whether

1 you heard my comments about the usage of the joint
2 pedestrian path and how you're going to manage, A, the
3 safety of the pedestrians with bicyclists on there and
4 secondly, are the scooters going to be allowed on there
5 as well, which is even more threatening to a walker.

6 MR. KLING: Thank you. We got it.

7 ATTENDEE: Okay. It wasn't clear for me.

8 MR. KLING: All right. We're going to try
9 to bring in Martha one last time. Martha, can you hear
10 us?

11 ATTENDEE: Yes, now I can hear you.

12 MR. KLING: Perfect.

13 ATTENDEE: I would also like to express
14 concern about these multiuse paths. I have a dog that I
15 walk on a leash and I walk down on the Riverview Road,
16 you know the river road down in the area down past the
17 woolen mills, and with bikes coming up behind you and
18 skate boards coming up behind you and children on
19 scooters coming up behind you -- it's really -- I'm sure
20 there must be some rules for these. But I feel that
21 we're not very good at making the rules for traffic
22 speed any better. I don't know who is going to monitor
23 the rules for multiuse paths, but it's really hard to
24 walk a dog on those paths when there's people coming up
25 behind you on bikes and whatnot.

1 So I think we really have to look at that
2 and I also feel that bikes will probably -- if they are
3 going down the hill would want to be going down when
4 they ride with traffic, which would be riding on the
5 north side of the road, and there's a terrible ditch
6 there. It is not very safe. So I'm really concerned
7 about that. And I am still very concerned about the
8 crosswalks. I think something has to be done to have at
9 least one lighted where you can push a button and
10 traffic stops on that stretch of road; whether it's at
11 Blue Ridge whether it's at Heshen, whether it's at
12 Hilltop, but there should be some way. This is still a
13 neighborhood even though I don't think you have treated
14 it like that in my opinion, but I think we should be
15 able to get across the street to go walk in the
16 neighborhood. So those are my two big concerns. Thank
17 you.

18 MR. KLING: Thank you. Up next we have
19 Crystal. Hi, Crystal.

20 ATTENDEE: Hi, can you hear me?

21 MR. KLING: We can.

22 ATTENDEE: I'm sorry. I came in a little
23 late. I was taking care of my three-year-old. So maybe
24 this has already been covered. But I just want to say
25 that I like the dual, the multiuse bike lanes. I mean,

1 ideally I'd like to see a lane on each side, a bike lane
2 on each side of the road so that maybe some of those
3 pedestrian, bike, dog walker incidents will be spread
4 out a little bit more. I'd like to say I also go to
5 River View Park and I walk on that path, again with my
6 son, and we've never really had an issue. People with
7 bikes will ring their bike bell when they are behind
8 you. I have issues with people with their dogs off
9 leash, but that's probably not what we're going to deal
10 with on this road. I get that this is a neighborhood
11 road, a road that borders a neighborhood. But I like
12 that it's actually going to be used for, like, people
13 commuting to and from work. I think that's great use of
14 this road and space alongside this road. Again, I'd
15 like bike lanes on both sides, but I don't feel like the
16 landowners in this area would be too happy with that.

17 The other thing on this that I kind of have
18 an issue with is also the slip lanes from Emmet to
19 Barracks on both sides. I feel like those are also not
20 pedestrian friendly and they're just a danger to
21 pedestrians. And if what you're trying to do here is,
22 like, help people commute safely and get across this
23 huge intersection safely, these plans are a pretty bad
24 way of doing that. And I also -- I like the small
25 islands, the pedestrian, whatever they are called, safe

1 islands to help you cross the street. It would be nice
2 if there's a tree in them because as a pedestrian it is
3 not the most pleasant thing to stand in the middle of
4 traffic in the sun on a road that is busy. But the slip
5 lanes I don't like. And I think it's great if people
6 can bike up and down this major artery into and out of
7 town. Thank you for taking my comment.

8 MR. KLING: Thank you. Currently no other
9 hands are raised, Kyle.

10 MR. KLING: All right. So just real quick
11 to Crystal's comment. This is something that we have
12 got a lot of written comments about were the slip lanes.
13 I'm not going to go into detail about them right now,
14 but I'd just like to reiterate because it is not clear
15 on the plans. Those will be stop controlled, so they're
16 not free-flowing. We will have signals at those slip
17 lanes to help control that movement.

18 All right. If there are no further
19 questions or comments at this time we'll go ahead and
20 formally end the public comment period. As I reiterated
21 earlier on, this public comment period will remain open
22 for the next two weeks. So if you review the
23 presentation and have additional comments, please feel
24 free to submit those via the website or by contacting me
25 directly either through e-mail or by giving me a call.

1 This presentation will be posted on the city's website
2 within the next couple of days as well if anybody wishes
3 to review it. Otherwise, we'll go ahead and end the
4 public comment period and I will stick around for a
5 couple of minutes to answer any additional questions
6 that individuals may have.

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HEARING CONCLUDED

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CERTIFICATE OF COURT REPORTER

I, JUAN ORTEGA, do hereby certify that I was the Court Reporter who took down and transcribed the proceedings of the hearing herein, when held on July 7, 2021, at 6:00 p.m. in Richmond, Virginia.

I further certify this is a true and accurate transcript to the best of my ability to hear and understand the proceedings and other incidents of the hearing herein as set down to the best of my ability.

Given under my hand this 23rd day of July, 2021.

JUAN ORTEGA
COURT REPORTER

BARRACKS ROAD AND EMMET STREET IMPROVEMENTS - COMMENT/RESPONSE LOG

	Date	Name	Comment	Email	Response Details
1	6/9/2021	Holly Mason	<p>I see no crosswalk going from the south side of Barracks at the top near Buckingham over to Hilltop. In terms of walkability for the community and the neighborhood, this seems counter to the pedestrian goals. Speaking personally, my children have grown up running across Hilltop (at great peril) at this location to enter the neighborhood.</p> <p>Everything we are hearing from the City is to encourage more foot traffic out of the neighborhoods to commercial centers. Can our neighborhood have some protection crossing at this location?</p>	hollymcbryde.mason@gmail.com	<p>Based on the results of a study published by the Federal Highway Administration (FHWA) in 2005 (Safety Effects of Marked Versus Unmarked Crosswalks at Uncontrolled Locations), it was revealed that the presence of a marked crosswalk alone installed at uncontrolled locations made no difference in pedestrian crash rate when (pedestrian safety) compared to intersections with unmarked crosswalk. In fact, the study went on to find that pedestrian crash rate significantly increased when the presence of a marked crosswalk was in place on uncontrolled multi-lane roadways when compared to unmarked crosswalks. In summary of what this study demonstrated, the installation of marked crosswalks do not necessarily make an intersection safer for pedestrians to cross. However, experience has shown that other supplemental factors including the implementation of various traffic calming measures can have a more positive effect on pedestrian safety at uncontrolled crossings. As such, the project has proposed to implement reduced travel lane widths (11') by relocating the existing curb line on the south side of Barrack Road within the project limits. The design team and City believe crosswalks have been provided at the safest locations available along Barracks Road. That said, the City also commits to reassessing the merits of a crosswalk, and other supplemental safety measures, at Hilltop/Buckingham Road once future plans to extend sidewalks to/from this location are planned/programmed.</p>
2	6/11/2021	Thomas Gallagher	<p>Why is the proposed easement for Dominion on my property so huge? There is presently a pole, and it does not require anything like the amount of space shown on the plan.</p>	tfg@virginia.edu	<p>The size of the easement has been minimized by Dominion as much as possible, and is largely due to the required down guys (support wires that extend outwardly from the top of pole to the ground) to provide the necessary anchorage for tension on the cable running across Barracks Road. They require certain distances behind the pole for this anchorage to be installed and maintained in accordance with Dominion standards.</p>
3	6/12/2021	Joe and Eleanor Kett	<p>We would greatly appreciate your assistance in assessing the effects of the Project on the vegetation on our property. The relocation of the fence, as we see it, will require the removal of all the trees and plantings on the outside and just inside the fence. This said, we have great affection for the stand of holly trees, which are not part of our fenced property and hence would not be affected by the relocation of the fence. We ask whether the construction easement can be adjusted to save the hollies. We would not object if adjusting the easement required construction vehicles to cross our lawn in order to access the back yard as long as the root systems of the existing tulip poplars and the rhododendron in our front yard are protected.</p> <p>With respect to the Dominion Energy easements, the power pole near the corner of Barracks Road and Buckingham Road is now anchored within the hollies, if the hollies can be saved, this easement presents no problem. There is a separate power pole located farther down Barracks and parallel to our back yard. We would appreciate a clear picture, including specific dimensions, of how this easement will affect our property. We do not want a guy wire extending from this pole, as the existing plan appears to show, deep into our back yard.</p>	jfk9v@virginia.edu	<p>The replacement of the fence will be addressed as part of the right-of-way (RW) acquisition process. As portions of the fence will need to be removed to facilitate power pole relocation (before the project begins) and the remainder removed to facilitate construction of retaining walls (during construction), we would recommend RW compensation being made to address the replacement of the fence once the project is completed and the implementation of temporary fence closure, if needed, to ensure continuous containment of the back yard until the final replacement can be implemented (by the owner). With regard to the Hollies, we will add "Do Not Disturb" notation for any Hollies that can be avoided by the contractor, however impact to a few of the Holly trees may be unavoidable to implement the improvements, particularly the dominion pole relocation that is required. Compensation can be made for the loss of these trees. Discussion will continue to resolve the disposition of the fence and trees during the right-of-way acquisition process.</p>
4	6/20/2021	Nancy Summers	<p>Could you tell me more about the cost and other limitations to modifying the south side of the road? In fact, we need to have a cost analysis of modifying many roads in Charlottesville...(especially if the goal is to increase affordable housing) Thanks so much, Nancy (I've worked on projects concerned with affordable housing, and is been hard to get the city or country to set aside even relatively small amounts for affordable housing....and they have come up with some plans that seem wildly expensive.)</p>	nancysummers@hotmail.com	<p>Every roadway improvement project is different and there are a number of factors that can impact the cost depending on the characteristics of each location/project. As such, additional information would be necessary to full address this question.</p>
5	6/21/2021	Diana Salmon	<p>What side of Barracks Rd will the shared use path will be installed on?</p>	diasal@hotmail.com	<p>The shared use path (SUP) will be constructed along the south side of Barracks Road, going in the uphill direction towards Preston Ave (east). There will be shared lane markings (sharrows), beginning near Buckingham Road, placed in the westbound travel lane heading downhill towards Barracks Road Shopping Center. An existing shared use path along the northside of Barracks Road between Emmet St and Meadowbrook Road will remain in place.</p>

6	6/30/2021	Natalie Masri	The turn onto Barracks from Buckingham (particularly going left, but right too) has always been extremely dangerous due to the lack of visibility and the speed of cars coming up Barracks. I know that this design will encourage cars to slow down but I am curious to know if anything else can be done to improve the visibility at this intersection. I highly encourage you to spend some time in your vehicle at this intersection to get a sense of what I mean. You really have to accelerate super fast to get off Buckingham without getting hit! It has been a problem for a very long time despite signage related to turning vehicles on Barracks.	nsmasri@gmail.com	One of the most significant safety improvements being implemented is the relocation of the existing curb line on the south side of Barracks Road to promote compliance with the 25 MPH posted speed limit and provide a more hospitable environment for making turning movements at this intersection. The design team and City believe crosswalks have been provided at the safest locations available along Barracks Road. That said, the City also commits to reassessing the merits of a crosswalk, and other supplemental safety measures, at Hilltop/Buckingham Road once future plans to extend sidewalks to/from this location are planned/programmed.
7	6/30/2021	Natalie Masri	Another question that pertains to the fence. Will you replace the fence if needed?	nsmasri@gmail.com	The disposition of the fence will be addressed as part of detailed right-of-way acquisition discussions.
8	6/30/2021	Natalie Masri	Also, I gave this feedback at the initial design stage - this is a lovely improvement but it just stops at the top of the hill. Cyclists and pedestrians are then faced with the same uneven sidewalks and no bike lanes. What is the long term plan to make a bike/ped friendly corridor that continues all the way to downtown?	nsmasri@gmail.com	There is a plan to restripe the existing roadway to incorporate sharrow markings, but no plans to continue the shared use path due to budgetary constraints to do so with this project.
9	7/5/2021	Nancy Summers	I just watched the video presentation of the improvements on Barracks Rd. It looks very good. The lights are an excellent idea...I am impressed that home owners can choose their trees! I may not be able to attend the Zoom tomorrow because of another Zoom, but I wanted to thank you for the care you have given to including people in the project, informing us all, and listening to the community...your professionalism.	nancysummers@hotmail.com	Thank you for your thoughtful comments and participation in the planning process.
10	7/5/2021	Lou Hamby	How high will the retaining wall be and does this height vary? From the renderings it appears to be only about 4 feet high for the entire distance but I have heard neighbors state that it will actually be higher on places. Is this correct? Can the specific trees that will be lost be marked with colored tap so everyone can see which ones they are? I have not seen a single biker attempt the climb up Barracks Road from Emmett Street. Maybe it will be claimed that the current situation is too treacherous (true), but are there any legitimate projections as to how much bike traffic there would be if the multi use path is created? Who would these bikers be, where would they be coming from and where would they be going?	lhamby@amrl.com	The retaining wall will be variable height. The rendering was only intended to illustrate the various streetscape components as a typical application, and not location specific. The height of the walls will be between 3' and 12.5', with the tallest portions being at the western end near Hessian Road and eastern end near Buckingham Road. See cross-sections in the engineering drawings for specific heights at specific locations. The trees to be removed will be marked upon request from individual property owners if needed to support the RW acquisition process. While the shared use path (SUP) will support commuters to/from Emmet Street and the businesses that reside in that intersection, it is anticipated that the residents from the local neighborhood will be the most frequent users. In either case, the accommodation of safer bike/ped facilities along Barracks Road is a requirement of VDOT Smartscale funding, so is therefore a required improvement for the project within the established project limits.
11	7/6/2021	Leonard Schoppa	I am a resident of Rugby Hills (1439 Westwood Rd) and use this intersection regularly as a driver and biker. Four years ago I had a bike accident on the downhill slope approaching the intersection after hitting a bump created by asphalt repair, which sent me to the emergency room with a fractured collar bone, but I have continued to cycle down Barracks on my way out Garth Road as this is the most convenient exit from my neighborhood out into the countryside. I think the proposed changes all look great and applaud the work you are doing. It will help a great deal to have the extra right turn lane in front of Cava. I hope you plan to paint a "sharrow" on the lane going straight through the intersection, since this will be the most convenient place for a bike going this direction to wait at the light. You might even consider putting a green bike box there to make it clear bikes have a right to go there (and avoid the danger of waiting at a crossing where roll-through right turns on red happen frequently. I would also like to make a special plea for your construction crews to avoid leaving asphalt repair bumps, which are particularly hazardous at downhill speeds.	schoppa@virginia.edu	Thank you for your thoughtful comments and support for the project. We will add an additional sharrow marking in the westbound thru lane approach to the signalized Barracks/Emmet intersection as suggested, however considering the limited turn lane storage available for queued vehicles, will not be able to implement bike boxes at this intersection.

12	7/6/2021	Gregory Orr	<p>I live on Hessian Road and usually gain access to Barracks Road via the Barracks/Blue Ridge Road intersection. While I think the new design for the pedestrian/bike path along Barracks is an excellent idea, and I am glad Barracks will not be expanded on the other side (which respects the tree canopy and the steep slope on that side). On the other hand, there is still a problem with how fast through traffic streams down Barracks Road toward Emmet Street AND how difficult it is for a car to enter Barracks from Blue Ridge (turning in either direction, but left turn/uphill is much worse). That intersection is inherently dangerous and the addition of a BLINKING YELLOW light at that spot to alert traffic to the intersection would be a huge improvement in terms of safety. It might also persuade through traffic to go a bit slower (traffic speeds down that hill-- way past the posted "25 mph speed limit." Otherwise, I think it is a sensible and respectful plan (i.e. it respects the grove of trees/forest on either side of Barracks).</p>	gso@virginia.edu	<p>Thank you for your thoughtful comments and support for the project. Similar to concerns with making turning movements at Buckingham Road (per previous comment), these difficulties are created by the combination of vehicle speeds and marginal/poor sight distance at the Hessian Road, Blue Ridge Road and Buckingham/Hilltop road intersections. Due to the fact the scope of the project is limited only to providing bike/pedestrian improvements up Barracks Road, limited budgetary constraints, potential impacts to private property and need to preserve tree canopy, there is very little we can do to enhance sight distance without significant encroachments/impacts or adding significant cost/scope to the project. We have however elected to implement traffic calming measures, as part of the bike/pedestrian improvements, by relocating the existing curb line on Barracks Road (as previously mentioned), which we believe will have a positive impact on reducing vehicle speeds within the limits of the project on Barracks Road. We also believe this measure will have a far better effect on speeds, and thus safety, than advance warning signage. That said, if warranted, these may be implemented in the future if needed.</p>
13	7/7/2021	Josh Krahn	<p>I have watched the presentation and find some things I like, and other things that will move us in the wrong direction.</p> <p>Things I like: -Multi-mode path -Narrowed vehicle lanes (presentation says they're reduced to 11' but I don't know what they are now) -The lighting looks cool</p> <p>Things I don't like: -2 new vehicle lanes -Slip lanes! -"Pedestrian refuge" feels like a gaslighting term. Nobody wants to stand in the sun waiting for another light.</p> <p>As much as I want more bike paths (I depend on them to commute from my home on North Ave to my office by the airport) the new car lanes spoil the project for me. I'm not sure what the options are since there is non-city funding on the table, but I will ask Council to approve the path and lane narrowing without the additional lanes. And, above all not to build bike-hostile slip lanes.</p> <p>If we're ever going to get traffic under control, we need to start *eliminating* car lanes, not build more. Adding new vehicle lanes will just make us more dependent on cars for trips that could/should be made on foot or by bike. Let's build our city for humans, not automobiles.</p>	joshkrahn@gmail.com	<p>Thank you for your thoughtful comments and support for the components of the project you like, and for offering suggestions regarding the items you don't. To address the latter, first let us clarify the matter of the slip lane. Based on the latest engineering drawings, and to address these concerns, the slip lane will be signal controlled rather than a free flowing movement. This slip lane will not only provide for a protected pedestrian phase in the signal, but also accommodate the turning footprint of larger commercial vehicles making this acute right turn onto Barracks at the CVS.</p> <p>Regarding the additional travel lane, this addition is aimed at meeting the primary purpose/need of the project, which is to improve traffic operations in the intersection. Having this additional dedicated left turn lane in the westbound direction will allow this movement to run concurrently with the eastbound dual left turn movement, thereby allowing for increased green time (reduced delays) through the intersection. The signal will be timed to accommodate the pedestrian crossing speed needed to cross the entire leg of the intersection. However, the refuge islands are being provided as an additional safety measure to accommodate the occasional pedestrian that may find themselves short of completing the crossing maneuver.</p>
14	7/7/2021	Matthew Gillikin	<p>I like the portion of the design from Emmett up the hill - it will be way better for pedestrians and cyclists. However I would like to see the slip lanes at the intersection of Emmett and Barracks removed from the design. These will make the intersection less safe for pedestrians and cyclists.</p>	matthew.t.gillikin@gmail.com	<p>Thank you for your thoughtful comments and support for the components of the project you like, and for offering a suggestion about the slip lane. Based on the latest engineering drawings, the slip lane will be signal controlled rather than a free flowing movement, which we agree can create concerns with pedestrian safety. This slip lane will not only provide for a protected pedestrian phase in the signal, but also accommodate the turning footprint of larger vehicles making this acute right turn.</p>
15	7/7/2021	Ellen Blackmon	<p>What traffic-slowing measures are being taken on Barracks Road between Hilltop and Emmet?</p>	ellendblackmon@gmail.com	<p>The existing lane widths along Barracks, between Emmet and Hilltop, range between 12'-16', which creates an environment that is conducive for vehicles to easily travel above the posted speed limit. As part of the project, we will be relocating the curb line on the south side of Barracks Road to create narrower, 11 foot travel lanes in both directions. This will result in a more constrained driving environment, and thus have a calming effect on traffic traveling in both directions. This is implemented to address the many concerns with multi-modal maneuvers at the side street intersections.</p>
16	7/7/2021	Eleanor Kett	<p>One of my concerns is that all of the design renditions from Buckingham down to the intersection continue to show a lovely same-height wall. I believe somewhere I saw something that said the wall by our property will be eight or more feet high. Have you any picture showing what it will actually look like by our property on the corner of Barracks and Buckingham? Of so, could you supply that to me?</p>	ehkett@gmail.com	<p>The retaining wall will be a variable height adjacent to the frontage of your property. The height will range from 3' (near Buckingham) to 8.5' (western edge). The variable height of the wall is needed to provide enough room behind the wall to install the concrete ditch to assist with stormwater runoff, while also mitigating the need to cut further into properties and remove more trees. Unfortunately, we do not have a rendering created that shows what the planned walls will look like near your property, however we did have a supplier provide a sample of the brick pattern form liner, which is available for viewing upon request.</p>

17	7/12/2021	Eleanor Kett	<p>One very critical need for safety is a lighted pedestrian crosswalk at Hilltop (such as the one on Preston just passed Washington Park). Children walk that way to school and adults walk across Barracks to walk in the Hilltop/Blueridge neighborhood.</p> <p>As we have expressed to you on many occasions, we hope you are taking seriously our request to move the construction right of way to save our 30+ year old stand of 10 hollies and my husband wrote about incursions of the electric company guy wires both in our front and back yards.</p>	ehkett@gmail.com	<p>Based on the details provided in previous comment responses, installation of marked crosswalks do not necessarily make an intersection safer for pedestrians to cross. However, experience has shown that other supplemental factors, including the implementation of various traffic calming measures and/or advance warning signage can have a positive effect on pedestrian safety at uncontrolled crossings. As such, the project has proposed to implement reduced travel lane widths (11') by relocating the existing curb line on the south side of Barrack Road within the project limits. As an additional measure, once the project is completed, the City will monitor the safety at this intersection and seek to implement additional measures at the intersection, if warranted. We have heard your concern about impact to the stand of holly trees and will do what we can to protect as many of them as possible and mitigate for the ones we cannot as part of the right-of-way acquisition process.</p>
18	7/7/2021	Tara Little	<p>Pursuant to the meeting tonight my two concerns were:</p> <p>1) Aesthetic of brick facade proposed</p> <p>2) Proactive that new plantings of trees (and tree canopy) in the corridor not destroyed by prevalence of devastating utility (Asplundh) pruning. Better to bury utilities if possible, but you said that is not included in the plan.</p> <p>You suggested I email you to arrange to see the sample of the brick facade material proposed in the project. Thank you for letting me know how easiest to take a look.</p> <p>Seeing the rendering tonight was very encouraging and your group have done an excellent job with design, safety and function, especially considering the amount of land you had to work with.</p>	tjlittlejl@gmail.com	<p>The brick pattern to be implemented on the façade of the retaining wall was selected amongst 4 other options as the preferred treatment by the project Steering Committee. Following this selection, a sample was created in order to see/feel how this façade will look, which is available for viewing upon request at City Hall. Unfortunately, the pruning of trees by utility companies to protect their overhead lines is unavoidable, and due to budget constraints, the project will not be able to underground the overhead lines. We did extensively engage Dominion Energy on various options to relocate the existing poles in conflict with the project, and after lengthy discussion, the approach to relocate in-kind poles on the south side near Buckingham Road was selected as the best approach within the available project budget.</p>
19	7/8/2021	Hamilton Lombard	<p>I listened to the public hearing last night for the Barracks/Emmet improvements and I think the plan that was selected is the best among the various options that were proposed a couple years ago.</p> <p>A concern I have had with part of the project since it was first proposed is its eastern terminus at Buckingham Road, where I live. There is limited visibility for eastbound traffic as they crest the hill, which is the same place where cyclists will be joining the road as the shared use pathway ends. As eastbound vehicles approach the terminus they are typically accelerating to climb the last section of the hill.</p> <p>Additionally, residents on Hilltop and parts of Rugby often cross Barracks Road near the terminus to walk down the hill rather than walk two blocks out of the way to get to a crosswalk. When the improvements are completed there will likely be more people crossing Barracks in a location with very limited visibility for eastbound traffic.</p> <p>In the detailed engineering plan I saw an analysis for the stopping sight distance at some intersections with Barracks Road. Was the stopping sight distance calculated for eastbound traffic approaching Buckingham Road?</p>	hl2qs@virginia.edu	<p>Thank you for your thoughtful comments and support for the project, as well as providing your safety concerns at the Buckingham/Hilltop Road, which is created by the combination of vehicle speeds and marginal/poor sight distance. Due to budgetary constraints, impacts to private property and need to preserve of tree canopy, there is very little we can do to enhance sight distance without significant encroachments/impacts or adding significant cost/scope to the project. We have however elected to implement traffic calming measures as part of the shared use path construction by relocating the existing curb line on Barracks Road (as previously mentioned), which we believe will have a positive impact on reducing vehicle speeds within the limits of the project on Barracks Road. The design team and City believe crosswalks have been provided at the safest locations available along Barracks Road. That said, the City also commits to reassessing the merits of a crosswalk, and other supplemental safety measures, at Hilltop/Buckingham Road once future plans to extend sidewalks to/from this location are planned/programmed.</p>

20	7/8/2021	Andrew Dunnington	<p>Thank you for leading the presentation and discussion regarding Barracks / Emmet improvements last night. On the whole it looks good.</p> <p>A few follow up points / questions. Will the landowners that do have property that abut to the construction zones on the north side of Barracks be provided direct communications / updates regarding schedules, traffic impacts, etc.? And not be dependent on the public forums / discussions? With the work being performed during off peak hours knowing such will be key for minimizing disruptions. Also, will the pole lights currently in place be removed where pedestrian path downlighting in the retaining wall on the south side of Barracks exists?</p> <p>I do have one question that is not directly linked to the B/E improvements. What is the status of the Hessian Road proposed changes that would result in eliminating the lawful exit from Hessian onto Barracks and in turn only one way through traffic onto Hessian from Barracks?</p>	adunnington@comcast.net	<p>We will be certain to coordinate directly with those property owners/residents who are in or near the construction zones throughout the project and make sure they are not relying on what we are pushing out to the general public. It is highly doubtful that there will be a substantial amount of night work associated with the job considering the close proximity to many of the home in the area. There may be a night or two where it is warranted but we envision almost all the work along Barracks to occur during the day. To my knowledge, there are existing cobra head lights on some of the Dominion energy poles along the corridor. We have not had discussions w/ Dominion on this matter but I envision these lights to remain, especially on the poles along the northside. The City is no longer considering restricting movements at on Hessian Road.</p>
21	7/8/2021	Martha Bass	<p>1.) Request to see Retaining Wall Treatment Options 2.) Desire to see improved crossing, particularly with RRFB installed at Blue Ridge or Buckingham</p>	marthamckbass@gmail.com	<p>Opportunity to view the architectural wall treatment has been provided. Supplemental signage or other flashing beacons/RRFB options will be considered in the future if the primary method of calming traffic is proven to be ineffective.</p>
22	7/9/2021	Stephen Bach	<p>I fully support the design which has been created for these improvements. As a lifelong cyclist, and someone who for several years commuted to work at UVa on this segment of Barracks Road, I appreciate how much of an improvement this will constitute both for people who walk there and people who bike there.</p> <p>Thanks, and keep up the good work</p>	stephen.bach@runbox.com	<p>Thanks for taking time to look over project materials and for providing your comments. Your support of the project is greatly appreciated!</p>
23	7/11/2021	John Mason	<p>Holly and I both listened to the public hearing July 7 and posed no questions or comments. This email serves as my comments, which echo those made previously. Some have been addressed by you and others, but I feel it important to make a few salient points.</p> <ol style="list-style-type: none"> 1. Barracks Road is part of the neighborhood. Guiding principles should respect this designation without a desire to convert it to a major thoroughfare. 2. Safety for all should serve as a compass. I fully agree with Marty Bass who commented during the session that crossing Barracks Road at any intersection is always dangerous. We respectfully request any available safety measures at these crosswalks to be employed. 3. Traffic calming measures are welcomed and critical. Traffic up and down the hill is routinely fast and crazy. 4. Minimizing impact on the land of those of us who live on Barracks Road will help preserve the neighborhood feel of the space. With increasing land acquisition and higher walls, the more industrialized and urban this road will become. 5. Tree canopy. This has been discussed at length. <p>Lastly, and philosophically, it is critical for the city to preserve its neighborhoods. This is a neighborhood first and foremost. Via necessity it has become a "Cut-through" overtime as traffic planning has been unable to direct traffic patterns outside of neighborhoods. We respectfully request this area be viewed as a neighborhood, with all future plans aiming to preserve and regain what was once a slow, quiet neighborhood environment</p>	johnmasonmd@gmail.com	<p>We believe reducing the lane widths on Barracks to 11' in each direction will mitigate excessive vehicle speeds along the corridor. Once this primary method of calming traffic is implemented (lane width reduction), the City will reassess the need for additional mitigation to supplement the intersections along Barracks, including but not limited to advance warning signage and/or RRFB's (rapid rectangular flashing beacons).</p>

24	7/11/2021	Lyle Solla-Yates	<p>The bike/ped stuff is pretty good, I don't love the lighting but it's still better than what we have. The intersection is rough for two reasons. One: I'm concerned this is going to encourage even more cut through traffic on Barracks between Emmet and Preston. Two: I'm concerned this is even more dangerous for pedestrians to cross. Is it possible to address these issues within this project? Eliminating the slip lane and left turns onto Emmet jumps out to me as high impact and low cost.</p>	<p>lyle.sollayates@gmail.com</p>	<p>On the matter of slip lanes, there is quite a bit of confusion regarding how it will function for this right turn movement. We first looked at the geometry of the intersection (acute angle) and the fact that we are narrowing lanes on Barracks Road. We came to the conclusion that we either needed a slip lane or excessively large radius to accommodate the turning path of large buses and commercial vehicles. A traditional slip lane allows vehicles to make this movement without stopping at all or at most with a yield. The modified slip lane as it is currently configured will be controlled by the traffic signal (full stop condition with signal control). We felt that this struck the best compromise between creating the shortest crossing distance possible while still allowing for the required turning radius for the larger vehicles. Again, just to reiterate all that, these are NOT traditional slip lanes and will function just like any other right turn at a signalized intersection. The only difference is that there will be the pedestrian island between the through lanes and the turn lane. As far as cut through traffic on Barracks Road, Barracks and Preston are Primary Arterial streets, therefore traffic on these streets cannot be cut through.</p>
25	7/12/2021	Holly Mason	<p>Thank you for the public ZOOM meeting last week. Appreciate all the effort from the Timmons group and the City.</p> <p>I write specifically to comment on the lack of appropriate crosswalks on Barracks Rd at Blue Ridge Rd and at Hilltop Rd. As a resident of this neighborhood and someone who has walked three children, multiple canine friends and who jogs regularly through this neighborhood and these roads, I feel qualified to comment on the use of these roads. Many in our neighborhood, like me, use these roads. This project demands crosswalks to protect pedestrians across Barracks Rd. Furthermore, there is every expectation that this project will increase that foot traffic significantly. In fact, that is a goal if I understand VDOT's smart scale project.</p> <p>Both Blue Ridge and Hilltop locations are extremely dangerous and can take many minutes before any vehicles slow down or stop to allow pedestrians to cross. In my opinion, both places need push buttons with flashing lights to ensure pedestrian safety.</p> <p>In light of the project's commitment and priority to pedestrian safety, I respectfully and strongly request every consideration for safe crosswalks at both Blue Ridge and Hilltop intersections.</p>	<p>hollymcbryde.mason@gmail.com</p>	<p>Thank you for your thoughtful comments and support for the project, as well as providing your safety concerns at the Blue Ridge and Buckingham Road intersections, which created by the combination of vehicle speeds and marginal/poor sight distance. Due to budgetary constraints, impacts to private property and need to preserve of tree canopy, there is very little we can do to enhance sight distance without significant encroachments/impacts or adding significant cost to the project. We have however elected to implement traffic calming measures by relocating the existing curb line on Barracks Road (as previously mentioned), which we believe will have a positive impact on reducing vehicle speeds within the limits of the project on Barracks Road. On the matter of crosswalks, as explained in greater detail at the top, the installation of marked crosswalks do not necessarily make an intersection safer for pedestrians to cross. In fact, studies have shown the opposite in other crossing environments. The design team and City believe crosswalks have been provided at the safest locations available along Barracks Road. That said, the City also commits to reassessing the merits of a crosswalk, and other supplemental safety measures, at Hilltop/Buckingham Road once future plans to extend sidewalks to/from this location are planned/programmed.</p>
26	7/13/2021	Jamie Leonard	<p>I was unable to attend the public meeting last week, but I did review the materials and have two things to share regarding this project. First, I am so happy that this intersection is being improved, and many of the proposed changes are ones that I have often thought of in the past - so thank you! One additional change that may have already been considered is the following: When heading down Barracks Road away from 250 towards Emmet St (ie, next to the Bank of America), there should be one lane turning left and heading north on Emmet/29N, one lane going straight and continuing on Barracks Rd towards downtown, and one lane turning right onto Emmet towards JPJ Arena. Currently there are two left-hand turn lanes, and I have never once seen either of those two filled to capacity. Additionally, the one lane currently dedicated to either going straight or turning right gets backed up with people turning right into Kroger and/or turning right/south onto Emmet. As you make this intersection more pedestrian and bike friendly (as it should!), the backup for people turning right will continue to increase as they yield to pedestrians, thereby hindering traffic attempting to go straight onto Barracks. Spreading this traffic across three lanes (and three directions) will help with overall flow vs essentially keeping it at 'two' lanes.</p>	<p>alohajamie@msn.com</p>	<p>The approach of EB Barracks Road to US Route 29 currently has 374 lefts in the PM peak hour and 415 lefts in the Saturday peak hour (2019 counts). The typical maximum volume a single left turn lane can accommodate in a signalized condition is approximately 250 lefts. The total volume of lefts during both the PM and Saturday peak hours will overwhelm the available queue storage for the existing 300' x 100' EB left turn lane. In addition, there are only 36 EB rights during the PM peak hour and 63 EB rights during the Saturday peak hour. So in summary, the existence of one continuous lane on EB Barracks Road becoming a dedicated left turn lane allows for the intersection to accommodate more left turn lane storage. If the middle lane configuration is changed, then any queues that occur will block access to the existing storage bay, which create further queuing issues upstream. In other hours of the day (ie. AM peak hour), it may be true that a majority of traffic wishes to go through or right. However, in the PM and Saturday peak hours, the majority of traffic is attempting to travel left onto NB US Route 29. The change in lane configuration would negatively impact operations on Barracks Road and impact other upstream traffic signals.</p>

27	7/15/2021	Chris Schooper	<p>The addition of the slip lanes + pedestrian islands was mentioned as a pedestrian safety component, but in my own experience, I've found other intersections in the city to be less safe and welcoming for pedestrians for several reasons.</p> <p>To start, these pedestrian islands permit for faster travel through the intersection, with turning drivers typically at a faster speed when they come around the turn. Additionally, these islands create a larger intersection, marooning pedestrians between two streams of cars generally traveling at relatively fast speeds. Islands also increase the distance needed to cross the intersection, like the intersection of Monticello and 2nd street downtown. Finally, on a busy corridor like this one, it seems likely that traffic turning right could frequently block the crosswalk to the pedestrian island, again making things less pedestrian friendly..</p> <p>Generally speaking, I find that intersections with tighter turns and no islands result in slower traffic as drivers have the cue that they need to apply the brakes more vigorously. Additionally, the actual distance from one curb to the other is smaller, making for a more welcoming intersection that can easily be crossed within ~15 seconds.</p>	cjschopper@gmail.com	<p>On the matter of slip lanes, there is quite a bit of confusion regarding how it will function for this right turn movement. We first looked at the geometry of the intersection (acute angle) and the fact that we are narrowing lanes on Barracks Road. We came to the conclusion that we either needed a slip lane or excessively large radius to accommodate the turning path of large buses and commercial vehicles. A traditional slip lane allows vehicles to make this movement without stopping at all or at most with a yield. The modified slip lane as it is currently configured will be controlled by the traffic signal (full stop condition with signal control). We felt that this struck the best compromise between creating the shortest crossing distance possible while still allowing for the required turning radius for the larger vehicles. Again, just to reiterate all that, these are NOT traditional slip lanes and will function just like any other right turn at a signalized intersection. The only difference is that there will be the pedestrian island between the through lanes and the turn lane.</p>
28	Oral comment at the public hearing	Patricia Gibson	<p>Hi, just to get on the public comment. Yes, I am asking about pedestrians crossing from the bank where the wall does obscure vehicles making a right-hand turn. And as the pedestrians are walking from the bank to CVS their back is at the traffic that's turning. So that was my concern. And the other would be vehicles trying to get onto Barracks Road from Meadowbrook Road when the cars block that intersection despite the sign that is on the right-hand side. Thank you. I really appreciate all the effort to make this a safer intersection that will clear more easily with the traffic. Thank you.</p>		<p>The project plans to implement a leading pedestrian indication (LPI). This would mean that the signal goes all red, then the pedestrian signal turns on first for a few seconds and then the green is given for cars. This only takes a few seconds from time but would allow pedestrians to enter the intersection first so that they are already in the roadway and vehicles will be more likely to respect their right-of-way. This is common in other urban signal timings for pedestrian safety, and will improve visibility for the right turning vehicles you mention. Regarding traffic entering Barracks Road from Meadowbrook Road, this entrance will be restricted to right-in/right-out movements only, so although queueing is still expected to extend beyond Meadowbrook Road, finding gaps for right turns will be made easier when compared to gaps needed for left turns through queued vehicles.</p>
29	Oral comment at the public hearing	Tara Little	<p>I guess I would just maybe make the point that I was trying to make earlier that I would lobby for an attractive brick. I mean, it is a gateway to UVA, this corridor, and it can be truly as attractive as you are rendering or it can not be very attractive at all if the material is cheap and fake looking. I don't know how best to explain it, but I'm lobbying for good-looking material as far as the brick facade goes on the wall. Thank you.</p>		<p>A sample has made available for viewing by the public to assess the attractiveness of the brick pattern form liner to be applied to the retaining walls. In our opinion, it can be just as attractive as actual brick.</p>
30	Oral comment at the public hearing	Mary Lewis	<p>If you can't make a left-hand turn onto Barracks from Meadowbrook, doesn't that imply that there's going to be a lot more traffic up Spots Wood and Blue Ridge, because right now Blue Ridge is so dangerous because there's lots of blind corners, it's a narrow road and there's no street lights. Just a thought.</p>		<p>There are multiple ways to exist the neighborhood onto Barracks Road other than Meadowbrook, including Blue Ridge Road, Hilltop Road, Rugby Road, Hessian Road, and the signalized intersection of Morton Drive to the Barracks Road/Emmet Street intersection. The community is encouraged to use the route that best suits their level of comfort.</p>
31	Oral comment at the public hearing	Herb Cutler	<p>I wanted to express concern about the shared path for pedestrians and bicyclists and I assume scooters count in there too, although it wasn't mentioned. And I want to know how those bicycles and scooters are going to be managed so that the pedestrians are not threatened by the bicycle and scooter traffic.</p>		<p>The functional width of the shared use path (8'), in addition to the 2' shoulder space provided on each side, is intended to provide a reasonable level of comfort suitable for all users. The design is meant to strike a balance between providing adequate bike/ped space (or space for the use of other pedestrian vehicles) and limiting impacts to private properties and/or tree canopy.</p>

32	Oral comment at the public hearing	Martha Bass	<p>I couldn't tell whether you heard my comments about the usage of the joint pedestrian path and how you're going to manage, A, the safety of the pedestrians with bicyclists on there and secondly, are the scooters going to be allowed on there as well, which is even more threatening to a walker. I would also like to express concern about these multiuse paths. I have a dog that I walk on a leash and I walk down on the Riverview Road, you know the river road down in the area down past the woolen mills, and with bikes coming up behind you and skate boards coming up behind you and children on scooters coming up behind you -- it's really -- I'm sure there must be some rules for these. But I feel that we're not very good at making the rules for traffic speed any better. I don't know who is going to monitor the rules for multiuse paths, but it's really hard to walk a dog on those paths when there's people coming up behind you on bikes and whatnot. So I think we really have to look at that and I also feel that bikes will probably -- if they are going down the hill would want to be going down when they ride with traffic, which would be riding on the north side of the road, and there's a terrible ditch there. It is not very safe. So I'm really concerned about that. And I am still very concerned about the crosswalks. I think something has to be done to have at least one lighted where you can push a button and traffic stops on that stretch of road; whether it's at Blue Ridge whether it's at Heshen, whether it's at Hilltop, but there should be some way. This is still a neighborhood even though I don't think you have treated it like that in my opinion, but I think we should be able to get across the street to go walk in the neighborhood. So those are my two big concerns. Thank you.</p>		<p>The functional width of the shared use path (8'), in addition to the 2' shoulder space provided on each side, is intended to provide a reasonable level of comfort suitable for all users. The design is meant to strike a balance between providing adequate bike/ped space (or space for the use of other pedestrian vehicles) and limiting impacts to private properties and/or tree canopy. Interaction between modes is managed by the users. Bike traffic traveling down the hill in the westbound lane will have plenty of room to maneuver without conflicting w/ the existing ditch on the north side. Regarding the design treatment of roadway improvements in a neighborhood setting, we would respectfully disagree. All of the design decisions we've made have been in keeping with the neighborhood feel and desires of the community, as evidenced by the feedback. We have heard that vehicles speeds and intersection safety is a concern, so we have implemented traffic calming measures by reducing the travel lane widths. We have heard that the existing tree canopy gives Barracks Road an attractive neighborhood feel and should be preserved, so we are investing in retaining walls to maximize the preservation of the trees. In short, we believe the design strikes a reasonable balance between accomplishing the purpose/goals of the project while being mindful and respectful of the environmental in which it resides (a.k.a. context sensitive design).</p>
33	Oral comment at the public hearing	Crystal	<p>But I just want to say that I like the dual, the multiuse bike lanes. I mean, ideally I'd like to see a lane on each side, a bike lane on each side of the road so that maybe some of those pedestrian, bike, dog walker incidents will be spread out a little bit more. I'd like to say I also go to River View Park and I walk on that path, again with my son, and we've never really had an issue. People with bikes will ring their bike bell when they are behind you. I have issues with people with their dogs off leash, but that's probably not what we're going to deal with on this road. I get that this is a neighborhood road, a road that borders a neighborhood. But I like that it's actually going to be used for, like, people commuting to and from work. I think that's great use of this road and space alongside this road. Again, I'd like bike lanes on both sides, but I don't feel like the landowners in this area would be too happy with that. The other thing on this that I kind of have an issue with is also the slip lanes from Emmet to Barracks on both sides. I feel like those are also not pedestrian friendly and they're just a danger to pedestrians. And if what you're trying to do here is, like, help people commute safely and get across this huge intersection safely, these plans are a pretty bad way of doing that. And I also like the small islands, the pedestrian, whatever they are called, safe islands to help you cross the street. It would be nice if there's a tree in them because as a pedestrian it is not the most pleasant thing to stand in the middle of traffic in the sun on a road that is busy. But the slip lanes I don't like. And I think it's great if people can bike up and down this major artery into and out of town. Thank you for taking my comment.</p>		<p>Thank you for your support of the project, and as you suggested, making improvements on both sides of Barracks Road would be cost prohibitive. As stated in many of the responses above, the slip lane will be signal controlled so as to avoid the concerns with free flowing turning movements while pedestrians are attempting to make this crossing. They will only be given a "walk" indication when cars controlled by the signal to stop. Unfortunately due to conflict w/ existing underground utilities under the island, the planting of new trees won't be possible.</p>

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Report Only – No Action
Presenter:	Chip Boyles, City Manager
Staff Contacts:	Chip Boyles, City Manager
Title:	Report on Offers for Sacajawea Lewis & Clark Statue and Base

Background and Discussion:

The City issued a Solicitation of Offers inviting persons or organizations interested in acquiring ownership of the historic bronze sculpture depicting Lewis & Clark and Sacajawea from the City of Charlottesville. Offers were due August 27, 2021. Seven offers were received by the City Manager’s Office. Offers ranged from locally to states of Virginia, Texas, North Dakota, Montana and Missouri. The statue and base are currently stored at the Lewis & Clark Exploratory Center at Darden Towe Park. City Council is being provided this summary of offers and summary of solicitation requirements for a future decision by City Council of who and where to transfer ownership of this sculpture. Offers are good for 120 days from August 27, 2021.

Evaluation criteria of offers:

The Charlottesville City Council may sell or otherwise dispose of the Statue, as may be in the best interests of the public. In assessing what is in the public interest, City Council may consider any factors it deems relevant, including, without limitation, the following:

- 3.0 The Offeror’s opinion of the fair market value of the Statue, and any financial benefits to be realized, or financial obligations incurred, in the event that the City Council were to accept the Offer.
- 3.1 The City Council’s assessment of the quality and long-term sustainability of the Offeror’s Recontextualization Plan.
- 3.2 City Council’s assessment of the desirability of the Offeror’s intended use of the Statue, and whether or not the intended use is consistent with City Council’s core values.

Alignment with City Council’s Vision and Strategic Plan:

Future actions on this agenda item aligns with Goal 1: An Inclusive Community of Self-Sufficient Residents “Intentionally addressing issues of race and equity” and Goal 3: A Beautiful and Sustainable Natural and Built Environment, “Protect historic and cultural resources”.

Community Engagement:

At this point, limited community engagement has occurred other than public comment at City Council meetings and the receipt of comments as part of the two solicitations of interest and offers. Public comment will be received prior to a final decision by City Council.

Budgetary Impact:

The budgetary impact is dependent upon the selected disposal means. The City could maintain the statue and base requiring a cost to load, transport and store at a City location; or the City could donate to a non-profit or governmental entity which would bare no cost to the City; or the City could sell to a private entity with a positive revenue source to the City of up to \$325,000.

Recommendation:

Staff recommends a two-person City Council committee to work with staff for a recommendation back to City Council for final disposition recommendation.

Alternatives:

City Council may individually review offers for a future selection and approval at a City Council meeting; or City Council could decide to relocate and indefinitely store the statue and base at a City location, or City Council could propose a community selection process for a recommendation for final disposition.

Attachments:

Summary spreadsheet of offers.

Lewis & Clark & Sacajawea Sculpture "Their First View of the Pacific".

Solicitation of Offers
Summary August 27, 2021

Offer #	Organization	Contact name	Relocation Site	Ownership	Location Public/Private	Donation Status	Relocate base & statue	Contextualization	Offer to City
1	Virginia Art Preservation LLC	David Petit, Attorney	Albemarle County	Private	Private	N/A	Yes	No	\$50,000
2	City of St. Charles, MO	Dan Borgmeyer, Mayor	St. Charles, MO	Public	Public	Local Government	Yes	Yes, as attached	
3	Crow Holdings	Harlan Crow	Dallas, Texas	Private	Public	N/A	Yes	Yes	\$325,000
4	Lewis & Clark Exploratory Center	Alexandria Searles	Albemarle County	Non-profit	Public	Eligible Non- profit	Yes	Yes	
5	Mandan Hidatsa & Arikara Nation	Delphine Baker	New Town, ND	Public	Public	Tribal Government	Yes	Yes	
6	Cowtown Promotions	Kelly Reid	Miles City, MT	Non-profit	Public	N/A	Yes	No	\$5,501
7	Robert Hermann, Jr.	Robert Hermann, Jr.	Saint Louis, MO	Private	Private	N/A	Yes	Yes	\$11,000

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 7, 2021
Action Required:	Ratification of Prior Council Action (no public hearing required)
Presenter:	Charles P. Boyles, II, City Manager
Staff Contact:	Charles P. Boyles, II, City Manager; Lisa Robertson, City Attorney
Title:	Ratification of Council’s July 10, 2021 decision so remove and relocated the Statue of Lewis/Clark/Sacajawea (“LCS Statue”)

Background:

On July 10, 2021 a contractor engaged by the City to remove and relocate statuary from two Downtown public parks completed that work much more quickly than anticipated. The contractor was performing that work for a fixed price (\$980,000), and the time allotted for removal of the statuary was one day (24 hours). By mid-morning the contractor had successfully removed both statues that were the subject of the City contract. Since specialized workers, cranes and other equipment had been mobilized for a full day, the contractor offered to remove the LCS Statue—at no additional cost to the City—if the City could authorize that work before the contractor demobilized its forces. Following conversations among councilors and staff, a special/emergency meeting of Council was called.

Discussion:

The LCS Statue is not subject to the “pre-disposition” process set out within Virginia Code §15.2-1812. Pursuant to Section 14 of the City’s Charter, the City has broad express authority to control and manage its personal property (such as statues) without any requirement for an advance public hearing. City Council has delegated to the City Manager day-to-day supervision and control of all personal property belonging to the City, *see* City Code §2-154. However, City Council itself has taken an active role in planning for the disposition of the LCS Statue and consulting relatives of Sacajawea (in November 2019 Council conducted a work session for extensive discussion of this topic). City Council is the decision-maker as to any ultimate disposition of the LCS Statue.

In that context: on July 10, 2021, the special/ emergency meeting of City Council was called, and took place, after notice given to the public and City Council members contemporaneously. Staff believes that the notice given was reasonable, given the circumstances of the unforeseen opportunity that arose on the morning of July 10, 2021.

As City Council prepares to give consideration to various proposals for final disposition of the LCS Statue, and to ensure that the matter of deciding the ultimate disposition of the LCS Statue can be as transparent and expeditious as possible, we recommend that City Council ratify the July 10, 2021 decision at its regular meeting on Tuesday, September 7, 2021. On that same meeting date, City Council will also receive an update regarding the various proposals and expressions of

interest received from persons interested in acquiring ownership of the LCS Statue. Eventually, City Council will vote to determine whether or not to approve a sale to a third party, or some other final disposition of the LCS Statue.

Budgetary Impact: None.

Alignment with Council Vision Areas and Strategic Plan: Yes.

City Manager Recommendation: The City Manager recommends approval of the attached Resolution, to ratify the City Council's prior July 10, 2021 decision.

Community Engagement: yes; previously, in November 2019 City Council conducted an in-depth workshop meeting, at which a public comment period was provided, and comments were received from descendants of Sacajawea.

Attachment:

- Proposed Resolution (to Ratify the City's July 10, 2021 removal/ relocation of the LCS Statue)

RESOLUTION

TO RATIFY CITY COUNCIL'S JULY 10, 2021 DECISION TO REMOVE AND RELOCATE A CITY-OWNED STATUE DEPICTING MERIWETHER LEWIS, WILLIAM CLARK AND SACAJAWEA

WHEREAS for some time, the Charlottesville City Council has publicly expressed its desire, and has stated its intention, to remove and relocate a statue/ sculpture depicting Sacajawea, Meriwether Lewis, and William Clark currently located on West Main Street in the City (hereinafter, referred to as the "LCS Statue"), such desires and intentions having previously been expressed by Resolution adopted by City Council on November 15, 2019; and

WHEREAS on July 10, 2021, unforeseen circumstances arose, when the contractor engaged in the process of removing other statuary within the City notified City staff that it would finish that work in substantially less than the full day that had been anticipated, and the contractor offered that, since the personnel, cranes and other equipment had already been mobilized for a full day, for a fixed-price, the contractor would remove and relocate the LCS Statue at no additional cost to the City; and

WHEREAS on July 10, 2021, in order to take advantage of an opportunity to save hundreds of thousands of public dollars, the circumstances presented to City Council by the aforesaid contractor required immediate action by City Council; therefore, the Mayor called a special/ emergency meeting of City Council upon public notice, reasonable under the circumstances, and said notice was given contemporaneously to the public and members of city council; and

WHEREAS pursuant to Section 14 of the municipal Charter for the City of Charlottesville, this City Council has broad and express authority, without the requirement for a public hearing, to control and manage the City's personal property; and

WHEREAS this City Council now desires to ratify its decision to remove and relocate the LCS Statue;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT the City's July 10, 2021 removal of the LCS Statue from its original location on West Main Street, and its relocation on July 10, 2021 to a storage location owned/ co-owned by the City of Charlottesville, is hereby ratified.