

CERTIFICATIONS



CITY COUNCIL AGENDA September 20, 2021

Members

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

5:30 PM Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code (Boards and commissions appointments)

Virtual/electronic meeting

6:30 PM 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 **Item #16 Added 5-0 (Walker/Payne; Agenda APPROVED 4-1 (SNOOK/HILL; Walker opposed, stating for the record that two other items she wanted to add were not supported)**

ANNOUNCEMENTS (and Update from Blue Ridge Health Department)

RECOGNITIONS/PROCLAMATIONS

BOARD/COMMISSION APPOINTMENTS **APPROVED 5-0 (HILL/SNOOK)**

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

1. Minutes: August 16 closed and regular meetings
2. 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 (2nd reading)
#O-21-128
3. 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 (2nd reading)
#R-21-129
4. Resolution: Appropriating funds from the Thomas Jefferson Area Coalition for the Homeless (TJACH) to the Department of Human Services - \$10,000 (2nd reading)
#R-21-130
5. Resolution: Appropriating funds for the Virginia Behavioral Health Docket Grant - \$49,000 (2nd reading)
#R-21-131
6. Resolution: Appropriating funds for the Charlottesville-Albemarle Adult Drug Treatment Court Grant Award - \$240,000 (2nd reading)
#R-21-132
7. Resolution: Appropriating Bama Works Grant funds for the recruitment and retention of Black, Indigenous and People of Color (BIPOC) Foster Families - \$5,000 (2nd reading)
#R-21-133
8. Resolution: Appropriating VDOT funds for VDOT Highway Safety Improvement (HSIP) Grant for Washington Park to Madison Avenue Trail - \$88,350 (1st of 2 readings)

- 9. Resolution: Appropriating funds for Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (TANF) Grants - \$257,479.76 (1st of 2 readings)
- 10. Ordinance: Amending and reenacting the Transient Occupancy Tax of the Code of the City of Charlottesville (1990), to conform the City's process for collection and reporting of Transient Occupancy Tax with Changes in State Enabling Legislation (1st of 2 readings)
- 11. Ordinance: Amending and reenacting the Meals Tax to Clarify that Meals Tax Reports are Due from the Sellers to the City Every Month (1st of 2 readings)

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. Public Hearing/Res.: #R-21-134 Reviewing program performance and setting priorities for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds for Program Year 2022-2023 (1 reading) **APPROVED 4-1 (HILL/MAGILL; Walker opposed)**
- 13. Resolution*: Approving a long-term lease of a portion of McIntire Park to the Botanical Garden of the Piedmont (1st of 2 readings; public hearing on 2nd reading)
- 14. Resolution*: #R-21-135 Ratifying or approving the formation by the Charlottesville Redevelopment and Housing Authority (CRHA) of certain entities identified as Limited Liability Companies (LLCs) (1 reading) **APPROVED 5-0 (HILL/SNOOK)**
- 15. Resolution: Considering an off-cycle budget request from the BUCK Squad - \$50,000 (1st of 2 readings)

GENERAL BUSINESS

- 16. ADDED Discussion: Process for hiring new Police Chief

OTHER BUSINESS

MATTERS BY THE PUBLIC

*Action Needed

**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.**

**RESOLUTION TO APPROPRIATE FUNDS for
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.

**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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**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.

**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.

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

RESOLUTION

Setting City Council Priorities for Community Development Block Grant and HOME Investment Partnership funds for FY 2022-2023

WHEREAS, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2022; and

WHEREAS, in accordance with the City of Charlottesville's Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2022;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2022-2023 shall be as follows:

- Council's priorities for the CDBG and HOME program for FY 22-23 shall be access to affordable housing (including but not limited to low income housing redevelopment), workforce development (including but not limited to efforts to bolster Section 3 training opportunities and partnerships with the City's GO programs), microenterprise assistance, access to quality childcare, homeowner rehabilitation, and down payment assistance.
- For FY 22-23, \$244,950.82 CDBG entitlement shall be set aside for Belmont Priority Neighborhood Franklin Street Sidewalk.
- For FY 22-23, the Priority Neighborhood shall be Ridge Street and the allocation shall be \$150,000 of the total CDBG entitlement. If the CDBG entitlement received is less than the estimate amount of \$150,000 this amount will be decreased accordingly.
- The CDBG Admin and Planning budget shall be set at 20% of the total CDBG entitlement.

RESOLUTION

RATIFYING OR APPROVING THE FORMATION BY THE CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY (CRHA) OF CERTAIN ENTITIES IDENTIFIED AS LIMITED LIABILITY COMPANIES (“LLCs”)

WHEREAS, the Charlottesville Redevelopment and Housing Authority was created pursuant to the Virginia Housing Authorities Law (the “Act”), found in Chapter 1, Title 36, Code of Virginia of 1950, as amended (the “Virginia Code”), and is now existing and operating as a public body corporate and politic, and the Act empowers the CRHA to form corporations, partnerships, joint ventures, trusts, or any other legal entity or combination thereof, on its own behalf or with any person or public or private entity; and

WHEREAS, the CRHA, through various entities, has applied to the formerly known as Virginia Housing and Development Authority (“VHDA”) program or the now known as Virginia Housing program for Low Income Housing Tax Credits (“LIHTCs”), in part to provide financing for the rehabilitation or development of affordable multi-family residential rental projects on various CRHA-owned properties, the funding of debt service and other reserve funds and the payment of other transaction costs related to the award of LIHTCs to the projects; and

WHEREAS, to secure VHDA or Virginia Housing funding for its affordable housing redevelopment projects, certain entities need to be created by CRHA to undertake the development of such projects; and

WHEREAS, Section 36-19(12) of the Virginia Code, requires, among other things, the approval by the local governing body of the formation by the CRHA of corporations, partnerships, joint ventures, trusts, or any other legal entity; and

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Charlottesville, Virginia, hereby ratifies the creation of the following LLCs, already created by the Charlottesville Redevelopment and Housing Authority, to enable the CRHA to secure VHDA or Virginia Housing funding for affordable housing redevelopment projects:

SOUTH FIRST PHASE ONE, LLC

SOUTH FIRST PHASE ONE MANAGEMENT, LLC

SOUTH FIRST PHASE TWO, LLC

SOUTH FIRST PHASE TWO MANAGEMENT, LLC

CRESCENT HALLS RENO, LLC

CRESCENT HALLS RENO MANAGEMENT, LLC

FURTHER, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the Charlottesville Redevelopment and Housing Authority is authorized to create the following LLCs, to enable the CRHA to secure Virginia Housing funding for an affordable housing redevelopment

project at South Sixth Street (Phase One):

SOUTH SIXTH PHASE ONE, LLC (or similar name)

SOUTH SIXTH PHASE ONE MANAGEMENT, LLC (or similar name)

FURTHER, BE IT RESOLVED that the Council of the City of Charlottesville, Virginia, does not ratify the creation of CRHA ASSET MANAGEMENT, LLC, already created by the Charlottesville Redevelopment and Housing Authority, for affordable housing redevelopment.