



CITY COUNCIL AGENDA May 1, 2023

J. Lloyd Snook, III, Mayor
Juandiego Wade, Vice Mayor
Michael K. Payne, Councilor
Brian R. Pinkston, Councilor
Leah Puryear, Councilor
Kyna Thomas, Clerk

4:00 PM OPENING SESSION

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed on the City's streaming platforms and local government Channel 10. 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/Roll Call

Agenda Approval

Reports

1. Discussion: Focus on Homelessness: The State of the Unhoused and Unhoused Services

5:30 PM CLOSED SESSION pursuant to Sections 2.2-3711 and 2.2-3712 of the Virginia Code (TBD)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

- Proclamation: Older Americans Month
- Proclamation: Alpha Kappa Alpha Sorority, Inc. - Eta Phi Omega Chapter 60th Anniversary
- Proclamation: The Links, Inc. - The Charlottesville Chapter 25th Anniversary

Consent Agenda*

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. After the reading of the consent agenda, the mayor will open the floor for comments from the public on the items that were read. Speakers will have up to three minutes each to make comments before City Council votes on the consent agenda. Speakers must state their name and locality for the record.

2. Minutes: April 3 regular meeting
3. Resolution: 2023 City Climate Protection Program – Program Support Grant with LEAP - \$78,833 (2nd reading)
 - a. Resolution: Appropriating \$78,833 from the 2023 Climate Protection Program Support Grant to the LEAP (Local Energy Alliance Program) (2nd reading)
 - b. Resolution: Authorizing the city manager to sign a Memorandum of Understanding between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements (2nd reading)
4. Resolution: Resolutions to award FY23 Charlottesville Affordable Housing Funds (CAHF) (2nd reading)
 - a. Resolution: \$187,500 to the Charlottesville Redevelopment and Housing Authority (CRHA) for a Public Housing HVAC Equity Project (2nd reading)

- b. Resolution: \$67,806 to Community Services Housing, Inc. for rehabilitation repairs to preserve Community Services Housing Properties (2nd reading)
- c. Resolution: \$225,000 for the Habitat for Humanity of Greater Charlottesville Transitions to Homeownership 2023 project (2nd reading)
- d. Resolution: \$167,972 for the Piedmont Housing Alliance Anti-displacement through Prospect Homeownership Project (2nd reading)
- e. Resolution: \$186,722 for the Virginia Supportive Housing Premier Circle PSH Project, with conditions (2nd reading)
- 5. Resolution: Appropriating Rescue Squad Assistance Fund (RSAF) grant funding for AEDs in the amount of \$14,550 (1 of 2 readings)
- 6. Resolution: Authorizing Participation in a Cooperative Partnership Application for State Opioid Abatement Authority Grant Funding (1 reading)
- 7. Ordinance: Amending City Code Section 22-4. Methods of Procurement Authorized, to increase the bid bond limit from \$100,000 to \$200,000 (1 of 2 readings)

City Manager Report

- Report: May 2023 City Managers Report

Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces at <https://www.charlottesville.gov/692/Request-to-Speak>; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Comments on Public Hearing items are heard during the public hearing only.

Action Items

- 8. Public Hearing/Res.: TJPDC HOME Consortium Five-Year Consolidated Plan (Program Years 2023 - 2027) and the City of Charlottesville Annual Action Plan (FY 2023 - 2024)
- 9. Resolution: Resolution Transferring \$1,710,854 of Unallocated American Rescue Plan (ARP) funds (1 reading)
- 10. Resolution: Appropriating \$2,000,000 in FY23 Capital Improvement Program for Stribling Avenue Sidewalk and Buford School Reconfiguration Projects (1 of 2 readings)
- 11. Ordinance: Continuity of Government during the Covid-19 Pandemic disaster; supplemental changes and ratification (1 reading with four-fifths vote; or 2 readings)
- 12. Resolution: Amending the FY 2024 Budget for the City's contribution to Jaunt

General Business

Other Business

Community Matters (2)

Adjournment

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	None.
Presenter:	Misty Graves, Director of Human Services, Anna Mendez - The Haven, Jayson Whitehead - PACEM, Anthony Haro - BRACH
Staff Contacts:	Misty Graves, Director of Human Services Ashley Marshall, Deputy City Manager
Title:	Focus on Homelessness: The State of the Unhoused and Unhoused Services

Background

This report is to provide City Council and the public with an update on the state of the unhoused and housing insecure in our community by the Department of Human Services and our community partners who focus on homelessness - TJACH, PACEM, and The Haven.

Discussion

BRACH - Presenter: Executive Director Anthony Harro - Website: <https://blueridgehomeless.org/>

- The Blue Ridge Area Coalition for the Homeless/BRACH (formerly TJACH) aims to make homelessness rare, brief, and nonrecurring in our community. At BRACH, the work to reduce homelessness by initiating creative solutions and coordinating regional resources and services. BRACH was founded in 1998 and serves as the lead Continuum of Care/CoC agency for our region.

PACEM - Presenter: Executive Director Jayson Whitehead - Website: <https://pacemshelter.org/>

- People and Congregations Engaged in Ministry/PACEM's principal offering is overnight shelter each winter since 2004. Since March 2020, they also have provided year-round hotel shelter operations in addition to our "congregate" offerings through Premiere Circle which is set to sunset in Spring 2023. PACEM additionally co-manages a housing program for seniors with the Alliance for Interfaith Ministries (AIM) called Secure Seniors, submits disability claims for eligible clients using the SOAR process, provides specialized women's services, and engages in a wide array of other community partnerships.

The Haven - Presenter: Executive Director Anna Mendez (She/Her) - Website: <https://www.thehaven.org/>

- The mission of The Haven is: "The Haven endeavors to end homelessness in the greater Charlottesville community. "Motivated by radical hospitality, we strive to be the point of entry for people seeking stable housing. We open the doors wide for any and everyone, no matter their circumstances. Every day, our

trained staff and dedicated community volunteers come together, working side by side to make homelessness rare, brief, and nonrecurring for our neighbors." The Haven provides access to a day shelter for those who are unhoused daily from 7am-5pm (closed from noon-1pm every day) that includes access to breakfast, showers, laundry, computers, phones, storage bins, and mail. The Haven also provides various housing services to fulfill its mission of working to provide stable housing to those who seek it.

The **Salvation Army** is also a key participant in our communities' services for the unhoused through their provision of emergency services. The Salvation Army has 58 emergency shelter beds, partners with PACEM for warm room access, and provides meals through their Soup Kitchen (Soup Kitchen is open 365 days a year, three times a day (breakfast and supper Monday through Saturday, and breakfast and mid-day meal on Sunday are open to the public) as well as food pantry access in partnership with the Blue Ridge Food Bank's Food Pantry Program. You can find more information on their website at: <https://charlottesville.salvationarmypotomac.org/>.

Alignment with City Council's Vision and Strategic Plan

This is an informational presentation to City Council

Community Engagement

All three nonprofit presenters are integral parts of our community, and serve some of our most vulnerable community members.

Budgetary Impact

N/A

Recommendation

N/A

Alternatives

N/A

Attachments

None

CITY OF CHARLOTTESVILLE



PROCLAMATION

Older Americans Month May 2023

WHEREAS Charlottesville includes a growing number of older residents who contribute their time, wisdom, and experience to our community; and

WHEREAS communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

WHEREAS, the theme of Older Americans Month is “Aging Unbound”, recognizing the importance of:

- Not limiting our thinking about aging,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community’s diversity; and

WHEREAS Charlottesville recognizes our need to create a community that offers the services and supports that older adults may need to make choices about how they age; and

NOW, THEREFORE, the Charlottesville City Council hereby proclaims May 2023 to be **Older Americans Month**. We urge every resident to celebrate our older citizens, to help create an inclusive society, and to accept the challenge of flexible thinking around aging.

Signed and dated this 1st day of May 2023.

J. Lloyd Snook, III, Mayor

Attest:

Kyna Thomas, Clerk of Council

CITY OF CHARLOTTESVILLE



PROCLAMATION

Alpha Kappa Alpha Sorority, Inc.® Eta Phi Omega Chapter 60th Anniversary Recognition

WHEREAS Eta Phi Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated[®], was established on the principle of Service to All Mankind 60 years ago on February 10, 1963, by 13 college-educated ladies in the local area; and

WHEREAS the Eta Phi Omega Chapter is one of over 1000 chapters of Alpha Kappa Alpha Sorority, Incorporated[®], an international service organization founded in 1908 on the campus of Howard University in Washington, D.C., and which is the oldest Greek-letter organization established by African American college-educated women, and which is comprised of more than 355,000 members in graduate and undergraduate chapters in 12 countries including the United States, Bahamas, Bermuda, Canada, Dubai, Germany, Japan, Liberia, Nigeria, South Korea, South Africa, and the U.S. Virgin Islands, and which is often called “America’s premier Greek-letter organization for African American women”; and

WHEREAS Eta Phi Omega Chapter supports higher education scholastics, providing scholarships annually to six high school graduates in pursuit of a college education; and

WHEREAS Eta Phi Omega Chapter over the years has contributed to and supported many local non-profits and initiatives such as backpacks and snack packs for students, coat drives, over 2000 pairs of shoes to the Salvation Army, Alumni Burley School fund, The American Heart Association, volunteering at JABA, the Thanksgiving Turkey give-away, and the Alzheimer’s Association walk, just to name a few;

NOW, THEREFORE, BE IT RESOLVED that the Charlottesville City Council hereby takes great pleasure in recognizing **the Eta Phi Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated[®] upon its 60th Year Anniversary Celebration, May 6, 2023**, paying tribute to its Charter Members for their efforts and foresight in establishing this organization in our city and surrounding communities.

Signed and sealed this 1st day of May 2023.

J. Lloyd Snook, III, Mayor

Attest:

Kyna Thomas, Clerk of Council

CITY OF CHARLOTTESVILLE



PROCLAMATION

The Links Incorporated The Charlottesville (VA) Chapter 25th Anniversary Recognition

WHEREAS The Charlottesville Chapter of The Links, Incorporated was chartered on March 28th, 1998, based on the tenants of friendship and service 25 years ago by 20 African American women from Charlottesville and the central Virginia area who endeavored to provide much needed services to our community, and

WHEREAS The Charlottesville Chapter of The Links, Incorporated is one of over 299 chapters of The Links, Incorporated, with over 17,000 members, is an international, not-for-profit corporation, established in 1946. It is one of the nation's oldest and largest volunteer service organizations committed to enriching, sustaining, and ensuring the culture and economic survival of African Americans and other people of African ancestry.

WHEREAS The Charlottesville Chapter of The Links, Incorporated, supports five facet areas, The Arts, Services to Youth, Health and Human Services, National Trends and Services and International Trends and Services, we support local African American students and their families through mentorship, educational scholarships, health and wellness seminars, literacy, and other are impacting our local children and families,

WHEREAS The Charlottesville Chapter of The Links, Incorporated has sponsored author sessions for the Virginia Festival of The Book, given to the Children's dental clinic, The Charlottesville Free Clinic, sponsored the Buford Girls and the Burley Girls projects and donated countless items to local charitable organizations and food banks,

NOW, THEREFORE BE IT RESOLVED that the Charlottesville City Council hereby takes great pleasure in recognizing, The Charlottesville Chapter of The Links, Incorporated on its 25th anniversary, today, May 1, 2023, for the chapter's continuing commitment to provide quality leadership and service to Charlottesville and the Central Virginia communities today and in the years to come.

Signed and sealed this 1st day of May 2023.

J. Lloyd Snook, III, Mayor

Attest:

Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL MEETING

April 3, 2023 at 4:00 p.m.

In person: Council Chamber, 605 E. Main Street

Virtual/electronic: Zoom

The Charlottesville City Council met on Monday, April 3, 2023. The meeting was held in hybrid format with Council members and public seating in Council Chamber, and electronic participation on the Zoom webinar platform. Mayor Lloyd Snook called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Wade, seconded by Pinkston, Council unanimously ADOPTED the meeting agenda.

REPORTS

1. REPORT: The Center at Belvedere Annual Report

Peter Thompson, Executive Director, presented the annual report for The Center at Belvedere. The Center's mission is to positively impact the community by creating opportunities for healthy aging through social engagement, physical well-being, civic involvement, creativity, and lifelong learning.

Melanie Benjamin, Philanthropy Director at The Center at Belvedere, reviewed financial and programming highlights for Fiscal Year 2022. Some of the highlights were:

- 969 made a gift to support healthy aging
- 6,715 classes, events, programs and trips offered
- 283 volunteers
- 77 volunteer program leaders
- \$38,842 member scholarships
- 23 nonprofits supported by Center volunteers, and
- the installation of a permanent art exhibit.

Councilors provided feedback.

2. REPORT: UVA Law review for City Boards and Commissions

Mayor Snook introduced the item, stating that the city has a number of boards and commissions with varying rules, bylaws, membership requirements, term limits, mission creep, etc., and he asked Professor Andrew Block with the UVA School of Law to have students from the State and Local Government Policy Clinic review the boards and commissions landscape to offer recommendations for improvement.

Law students McKayla Brush and Madison Clark made the presentation which concluded with recommendations regarding board creation, board oversight, and board dissolution. Possible next

steps were:

1. Set uniform appointment times
2. Create uniform onboarding training
3. Establish a process to review the ongoing value of each non-statutory board or commission
4. Assess the current organizational structure
5. Determine which implementation method should be used to address board creation guidelines
6. Determine how and whether to incorporate these guidelines and approaches into existing boards
7. Identify other areas for further work

Councilors indicated a desire to give better direction to boards and commissions, to look into how to implement several of the recommendations, and to streamline processes.

Interim City Manager Michael Rogers stated that boards and commissions would be discussed as part of the Strategic Planning retreat in May.

Professor Block stated that he would be willing to have Local Government Policy Clinic students work on future projects.

With no closed session, Mayor Snook recessed the meeting at 5:34 p.m.

BUSINESS SESSION

City Council began the business session at 6:30 p.m. with a moment of silence.

ANNOUNCEMENTS

Vice Mayor Wade announced that the Charlottesville Albemarle Convention & Visitors Bureau (CACVB) partnered with Wheel the World to complete more than 60 accessibility assessments for hospitality and tourism businesses and attractions throughout the Charlottesville area. The entities assessed included 25 restaurants, 18 accommodations, 11 attractions, 6 vineyards and the Charlottesville Albemarle Airport. The CACVB is only the second destination management organization in the country to complete these extensive assessments. This effort is part of the CACVB's overarching "Tourism For All" initiative, which is aimed at creating a destination-wide inviting experience for all visitors.

Councilor Puryear announced the unveiling of the Honorary Black History Pathway sign on April 8 at 4th and West Main Streets, followed by a celebration at the nearby George Washington Carver Center.

Councilor Payne announced that the Charlottesville Redevelopment and Housing Authority housing choice voucher waiver list was open and would close on April 7.

RECOGNITIONS/PROCLAMATIONS

Mayor Snook acknowledged the death of Muriel Wiggins, a former member of the Charlottesville School Board, and well-known community member.

CONSENT AGENDA

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

- 3. MINUTES: March 16 budget work session, March 20 regular meeting, March 22 budget public hearing
- 4. RESOLUTION: Appropriating funding from the Virginia Land Conservation Fund for Moores Creek Parkland Acquisition - \$175,000 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS for
Virginia Land Conservation Fund Moores Creek Land Acquisition
\$175,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded funding from the Virginia Land Conservation Fund to acquire land along Moores Creek

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$175,000 is hereby appropriated in the following manner:

REVENUE

\$175,000	Fund: 426	WBS: PR-001	G/L Account: 430080
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EXPENDITURES

\$175,000	Fund 426	WBS: PR-001	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$175,000 from the Virginia Land Conservation Fund.

- 5. RESOLUTION: Appropriating funding from the Land and Water Conservation Fund for Moores Creek Parkland Acquisition - \$175,000 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS from
Land and Water Conservation Fund for
Moores Creek Land Acquisition
\$175,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded funding from the Land and Water Conservation Fund to acquire land along Moores Creek

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$175,000 is hereby appropriated in the following manner:

REVENUE

\$175,000 Fund: 426 WBS: PR-001 G/L Account: 430080

EXPENDITURES

\$175,000 Fund 426 WBS: PR-001 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$175,000 from the Virginia Land and Water Conservation Fund.

6. **ORDINANCE:** Consideration of a Zoning Text Amendment – Planned Unit Developments – Development Size for Urban Corridor Mixed Use District (URB) (carried)
7. **RESOLUTION:** Appropriating funding for the Runaway Emergency Shelter Program Grant - \$209,444 (carried)
8. **RESOLUTION:** Appropriating funding from the Batten Family Fund Grant Award - \$40,000 (carried)

Mayor Snook opened the floor for public comment on the Consent Agenda. No speakers came forward.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) **ADOPTED** the Consent Agenda.

CITY MANAGER REPORT

Interim City Manager Michael Rogers reported on the following items.

- The seasonal opening of fountains on Downtown Mall, with assurance that the fountains are compliant with the Americans with Disabilities Act.
- The lifting of seating limitations in Council Chamber, stating that an agenda memo will come before Council on April 17 proposing to redefine operational procedures that govern the use of Council Chamber and set a protocol for meetings of boards and commissions effective May 1.
- Beverley Multrey, Principal Consultant with Gallagher, made a presentation regarding the city's classification and compensation study and answered questions for Council, noting that work is still in progress. Human Resources Director Mary Ann Hardie also responded to Council questions.

Councilor Pinkston asked about the migration of the current financial system, SAP. Mr. Rogers stated that the current system will be out of date in a few years and a team is working to be ready to migrate to a newer version, with the help of a vendor who will be selected after responses are

reviewed from the request for proposals.

COMMUNITY MATTERS

Mayor Snook opened the floor for comments from the public.

1. Derek Hartline, city resident, spoke about precinct polling places in the city and the need to provide clarity to residents who could become confused by possible school name changes. He requested holding off on school name changes indefinitely. (Vice Mayor Wade stated that the school renaming process is on hold until after the November elections.)
2. John Hossack, city resident, spoke about the impacts of Airbnbs and other proposals in the Draft Zoning Ordinance.
3. Sylethia Carr, city resident, spoke about affordable housing needs for the decreasing African American population in the city. She spoke about the increase in homelessness in the Downtown area and the need for increased integration in more neighborhoods.
4. Brian Campbell, city resident, requested more funding for the Pathways program to help with housing costs.
5. Matthew Gillikin, city resident and Co-chair of Livable Cville, encouraged Council to fund the Dogwood Properties acquisition. He invited the community to a housing and racial equity webinar on April 19.
6. Marcia Geyer, city resident, spoke about Council meetings and the need to make accommodations for people to join by Zoom once Council Chamber is fully re-opened.

ACTION ITEMS

9. PUBLIC HEARING/ORDINANCE: FY2024 City Budget and Annual Tax Levy for Tax Year 2023

Mr. Rogers introduced the item and Krisy Hammill, Budget Director, made the presentation.

Mayor Snook opened the public hearing. With no speakers coming forward, Mayor Snook closed the public hearing.

Councilor Payne encouraged public input and Council agreed to carry the ordinances to the April 11 special meeting for second reading and vote.

a. ORDINANCE: Establishing the Annual Tax Levy for Tax Year 2023 (carried)

b. ORDINANCE: Approving a budget and annual appropriation of funding for the City of Charlottesville for the Fiscal Year ending June 30, 2024 (carried)

10. PUBLIC HEARING/RESOLUTION: Approval of Lease Agreement with Virginia Soccer Alliance, Inc. d/b/a Soccer Organization of the Charlottesville Area, Inc. (SOCA) for lease of Unity Field (1 Reading Resolution - Public Hearing)

Brenda Kelley, Office of Community Solutions, summarized the request. Riaan Anthony, Parks and Recreation Deputy Director, spoke about the long-term relationship between the organization and the City.

Mayor Snook opened the public hearing and the following individuals spoke:

- Matt Wilson, Executive Director of SOCA, spoke in support of the lease.
- John Hossack, city resident and neighbor of the soccer field, spoke in support of the lease.

With no additional speakers, Mayor Snook closed the public hearing.

On motion by Pinkston, seconded by Wade, Council by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) APPROVED the resolution.

RESOLUTION

Approving a lease of a portion of Unity Field to the Virginia Soccer Alliance, Inc. d/b/a Soccer Organization of the Charlottesville Area, Inc.

WHEREAS, the Soccer Organization of the Charlottesville Area (SOCA) desires to lease certain City-owned property for a term of five (5) years, and with option for renewal for up to five additional one year terms, and City Council has considered the terms of the proposed lease, and has conducted a public hearing in accordance with the requirements of Virginia Code Sec. 15.2-1800(B); NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the lease of a portion of City-owned property known as Unity Field, Charlottesville, Virginia, to SOCA, presented to Council this same date for consideration, is hereby APPROVED and the City Manager is hereby authorized to execute the approved lease on behalf of City Council.

11. RESOLUTION: Thomas Jefferson Planning District Commission 2023 Regional Natural Hazard Mitigation Plan update (postponed)

Ian Baxter, TJPDC, presented the Regional Natural Hazard Mitigation Plan and resolution, and answered Council questions. He stated that annual meetings are held in May and that TJPDC usually presents an annual report to provide updates on progress of localities related to the five-year plan.

Mayor Snook expressed a desire for more time to review the Plan. Mr. Rogers stated that staff could bring the item back for a vote on April 17 and Council agreed to postpone the vote on the resolution until the next regular Council meeting.

12. ORDINANCE: Adopting a new fee schedule for building permits and related fees (carried)

Charles Miller, Building Official, stated that Neighborhood Development Services is in the process of rolling out a new permitting program to replace obsolete software and to implement a system that will have the capability to support the calculation of fees for the new simplified permit fee structure. Mr. Miller stated a goal to for the permit fees to become a self-sustaining operation.

Mayor Snook opened the public hearing.

- John Sales, Charlottesville Redevelopment and Housing Authority Executive Director, raised a question about fee impacts on low-income housing development.

Mayor Snook closed the public hearing and Council agreed to carry the item to the April 17 Consent Agenda for second reading and vote.

13. RESOLUTION: Supplemental Appropriation of Federal Transit Operating and State and Federal Capital Grants - \$7,886,856 (carried)

Garland Williams, Transit Director, presented the request for appropriation of funding for operations. The funds were expected and will cover expenses already incurred. Council agreed to carry the item to the April 17 Consent Agenda for second reading and vote.

14. RESOLUTION: Appropriating \$5,000,000 to Charlottesville Redevelopment and Housing Authority for acquisition of Dogwood Properties (carried)

Deputy City Manager Samuel Sanders presented a request for the city to co-acquire the 74-unit Dogwood Properties portfolio from Woodard Properties by awarding funding in the amount of \$5,000,000 to the Charlottesville Redevelopment and Housing Authority as half of the required funding for the transaction. CRHA would be responsible for adding the remaining \$5,000,000. CRHA has indicated readiness to enter into a loan agreement with a private lender, and the city would fund the balance of \$5M. The City would retain 50% interest in the portfolio and staff reviewed a ten-year pro forma which shows that the properties are profitable at this time. Mr. Sanders reviewed conditions connected to the city's funding and went through a series of questions for Council input in order to make the transaction a success.

Councilors reviewed benefits of joint ownership and capital investment. Mayor Snook requested holding the ongoing revenue funds distinguishable from other funds. Councilors spoke about preserving the legacy of Eugene Williams, who bought and refurbished the dilapidated properties forty years ago in order to positively impact children and families whom he believed were not faring well in public housing. Mr. Williams managed the properties for about twenty years before passing them on to the Woodards.

Council agreed to carry the item to the April 17 Council meeting for second reading and vote.

COMMUNITY MATTERS (2)

- John Sales, CRHA Executive Director, spoke about his conversation with Mr. Eugene Williams and Mr. Anthony Woodard, regarding the Dogwood Properties acquisition. and the use of the Housing Choice Voucher program. He further explained the funding options that were presented to Council.
- Emily Dreyfus, city resident, commended Mr. Sanders and Mr. Sales for working to carry on Mr. Eugene Williams's vision. She spoke about unallocated funds in the Vibrant Community Fund and requested appropriation to PHAR (Public Housing Association of

Residents) youth programs as well as the Pathways program. She requested funding for the Housing Authority's residence services, and she provided data about home ownership for black and white families in Charlottesville.

With no additional speakers coming forward, Mayor Snook closed Community Matters.

The meeting adjourned at 9:14 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: May 1, 2023

Action Required: Approvals

Presenter: Kristel Riddervold, Environmental Sustainability Manager

Staff Contacts: Emily Irvine
Climate Program Specialist
Kristel Riddervold, Environmental Sustainability Manager
Stacey Smalls, Director of Public Works

Title: 2023 City Climate Protection Program – Program Support Grant with LEAP - \$78,833 (2nd reading)

Background

The City of Charlottesville’s Environmental Sustainability Division is proposing to provide already appropriated funds of \$78,833 to the Local Energy Alliance Program (LEAP) for support to the Climate Protection Program. The City has partnered with LEAP since its establishment, and this will be the ninth Program Support Grant.

Charlottesville has been involved with climate protection related efforts at the local level for over 15 years, beginning with the establishment of the Climate Protection Program following the City of Charlottesville’s 2006 commitment through the US Mayors Climate Protection Agreement to reduce communitywide greenhouse gas (GHG) emissions. This focus and commitment were re-confirmed with the 2019 adoption of GHG emissions reduction goals and the approval of the Charlottesville Climate Action Plan in 2023.

Over 95% of Charlottesville’s GHG emissions are associated with non-municipal activities (the three largest sectors are residential buildings, commercial buildings, and transportation), indicating that success and progress in reducing our community’s emissions requires participation of the public and private sectors. Emissions-reducing actions are also associated with reduced energy usage, lower utility bills, greater comfort, and health benefits. As such, the Climate Protection Program has a focus on increasing the availability, accessibility, affordability, and awareness of programs and resources that support emission-reducing actions within the community. Successful efforts have routinely included an ongoing partnership with the Local Energy Alliance Program (LEAP) through a yearly program support agreement adjusted to the current needs of the City’s Climate Protection Program and the Charlottesville community.

LEAP, a Charlottesville-based 501c3 nonprofit, delivers energy efficiency solutions in Virginia to make homes safer, healthier, and more affordable, while also reducing energy usage and mitigating climate change. LEAP’s alliance model is a community-based, public-private partnership. LEAP’s

2022 Annual Report is attached.

LEAP leverages funding from various sources, including utility programs (e.g., Dominion Energy and Charlottesville Gas' low-income weatherization programs), grant opportunities, and the City-funded Home Energy Conservation Grant program – and braids them, where possible, to expand the services available to City residents and businesses. LEAP also harnesses the support of local nonprofits and other key stakeholders to increase awareness of relevant programs and educate community members about energy efficiency and renewable energy.

In 2022, LEAP connected residents with funded energy efficiency service programs and renewable energy programs (including Solarize Charlottesville) and launched a program to bring solar to low-income households, leveraging funding from Dominion Energy. LEAP brought energy efficiency services to 60 income and age-qualified households in the City of Charlottesville and installed solar on 22 homes. Annual reports reflecting LEAP's impact and reach are available at <http://leap-va.org/about/annual-reports>.

The passage of the Inflation Reduction Act will bring even more change to the funding landscape in the Commonwealth for energy efficiency and renewable energy services. With additional federal and state incentives and rebates, there will be an even greater need to connect City residents with fully-funded services and new programs. This is reflected in the proposed 2023 Program Support Agreement with LEAP.

Discussion

The proposed grant to LEAP provides ongoing support to the Climate Protection Program and continues the strategy to reduce energy consumption and associated greenhouse gas (GHG) emissions, increase cost savings for residents, and contribute to the City's climate policy goals. As presented in the attached proposal, the ongoing partnership between LEAP and the City will continue a demonstrable, effective, and nimble model for delivering increased energy performance to the City's building sectors – in particular, its residential sector (owner-occupied and renter-occupied homes) at multiple income levels. LEAP continues to utilize City funds through these agreements to leverage and increase access for our residents to significant non-City funding sources to support increased levels of energy efficiency and renewable energy services implemented in Charlottesville.

City staff has closely coordinated with LEAP on the development of this proposal and appreciates the blend of activities aimed at engaging market-rate and low-income households, rental- and owner-occupied properties, new homeowners, and layering outreach on existing and trusted communication channels to reach target demographics. The proposed grant of \$78,833 to LEAP to implement the 2023 Climate Protection Program Support Agreement (attached) during the coming year will be used to support the City's Climate Action Plan and directly responds to various strategies and key action items in the Community Buildings and Energy sector, including:

- Strategy: Move New Construction closer to Net-Zero through increased levels of energy efficiency, incorporation of onsite renewable energy, and solar-ready building standards
 - Key Action: Develop recommended lists of solar-ready, EV-ready, and energy-efficiency design standards for residential new construction
- Strategy: Increase energy efficiency and onsite renewable energy use in existing buildings
 - Key Action: Education/Encouragement

- Key Action: Increase participation by low-income households in fully funded programs for energy efficiency improvements and solar energy systems
- Key Action: Develop and identify funding assistance programs designed for mid-income households
- Key Action: Develop and promote resource material specific to historic buildings

The attached Memorandum of Understanding provides a summary of the purposes of the funds, program parameters desired by the City, and reporting expectations.

Alignment with City Council's Vision and Strategic Plan

Approval of the Resolutions for the 2023 Climate Protection Program Support Grant aligns directly with Council's vision for Charlottesville to be A Green City with clean air and energy-efficient homes and buildings. It also contributes to the following goal/objective in the City's Strategic Plan:

Goal 3: A Beautiful and Sustainable Natural and Built Environment

Objective 3.4: Be responsible stewards of natural resources

Community Engagement

There have been and will continue to be numerous initiatives engaging various community audiences. Utilization of the resources offered through past support agreements and questions that City staff receive from community members seeking resources and information regarding improved energy use speak to community interest in these services. Additionally, public comments received during adoption of the new greenhouse gas reduction goals and development of the Climate Action Plan reflect the need for continued and increased levels of GHG emission reduction and climate adaptation actions.

Budgetary Impact

There is no additional budgetary impact to the City. Funding support for this program would come from funds that were previously appropriated as part of the Fiscal Year 2023 Gas Fund adopted budget within the Environmental Sustainability Division.

Recommendation

Staff recommends approval of the Resolutions.

Alternatives

If Council chooses not to proceed, other approaches to promote energy efficiency improvements in the residential and non-residential sectors will be examined.

Attachments

1. Annual Report 2022
2. 2023 CPP PSA Funding Resolution
3. 2023 CPP PSA Signature Resolution
4. 2023 CPP PSA MOU
5. 2023 LEAP PSA Proposal

Our Impact 2022



Empowering Virginians with energy efficiency and solar solutions since 2009.

As we reflect on 2022, it is gratifying to see how we have served and been supported by the community. Our impact numbers quantify our productivity in families served, efficiency improvements installed, and energy saved.

Our real impact, however, goes deeper than numbers, producing real life-enhancing improvements to homes that make individual lives and the overall health of our community better. Our partnerships with other non-profits and local governments further strengthen our community. We draw inspiration from this and hope you do too.

Thank you for a great 2022. We're excited to do even more in 2023!

Katie VanLangen & Wilson Ratliff
Co-Executive Directors



299 Solar Installs

Our biggest campaign yet!
2943.25 kW

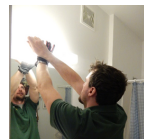


572 Homes Insulated

125,426 kWh saved annually =
10,812,475 smartphones charged

2,821 LED Lightbulbs

81,836 kWh saved annually =
yearly electrical usage of 11.3 homes



84 Heat Pumps

92,599 kWh saved annually =
72,606 pounds of coal not burned



61 Programmable Thermostats

24,845 kWh saved annually =
6.1 tons of waste recycled instead
of landfilled



254 Low-flow Fixtures

38,387 kWh saved annually =
carbon sequestered by 32.2
acres of forest

Families served

- 186 Income-qualifying single family homes
 - 386 Multifamily units
 - 20 Market-rate single family homes

2022 total energy savings

- 373,901 kWh = 33.4 homes' energy use for one year

LEAP Board

Louis O'Berry, Chair

Energy Services and Solutions Administrator
Rappahannock Electric Cooperative

Andy Lowe, Vice Chair

Environmental Compliance Manager
Albemarle County

Kristel Riddervold, Secretary

Environmental Sustainability Manager
City of Charlottesville

Chris Weatherford, Treasurer

Dir of Project Management, Apex Clean Energy

Will Cleveland

Staff Attorney

Southern Environmental Law Center

Bob Lazaro

Executive Director

Northern Virginia Regional Commission

Ann Mallek

Board of Supervisors Member
Albemarle County

Michael Payne

City Councillor, City of Charlottesville

Bill Prindle

Vice President, ICF International

Annie Suttle

Marketing Consultant

Kim Lundgren Associates

Narissa Turner

Policy & Campaigns Manager
Virginia Conservation Network

Jesse Warren

Sustainability Program Manager for
Buildings & Operations, University of Virginia



Partnership makes it possible. Thank you partners!

Utilities

Charlottesville Gas | Columbia Gas | Dominion Energy Virginia | Washington Gas

Municipalities

Albemarle County | Arlington County | City of Alexandria | City of Charlottesville
City of Falls Church | City of Roanoke | Fairfax City | Fairfax County | Northern
Virginia Regional Council | Town of Vienna

Non-profits

Albemarle Home Improvement Program | Building Goodness Foundation
Charlottesville Renewable Energy Alliance | Community Climate Collaborative
Community Housing Partners | Greater Charlottesville Habitat for Humanity |
Piedmont Environmental Council | Piedmont Housing Alliance

Program Partners

A&J Heating and Air | Advanced Energy Concepts | Charlottesville
Redevelopment and Housing Authority | Convert Solar | Fitch Services | Prospect
Solar | ReisingerGooch LLP | Secure Futures | Solar Connexion | Solar Energy
World | Think Little Home Energy | UVA Community Credit Union | UVA Facilities
Department | Virtue Solar

"LEAP is an incredible resource for anyone looking to make their home energy efficient! The assessor was knowledgeable and friendly. Their recommendations have already made a HUGE difference in our home. Choosing LEAP is a no brainer!" —R.H.

"This is a fantastic resource that I hope everyone in the community takes advantage of. You can lower your energy bill a lot." —R.S.

RESOLUTION
2023 Climate Protection Program Support Grant
\$78,833

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$78,833 is hereby paid to LEAP from previously appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:

\$78,833 Fund: 631 Cost Center: 2711001000 G/L Account: 599999

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, attached hereto, in form approved by the City Attorney or his designee.

Memorandum of Understanding (MOU) between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements.

**MEMORANDUM OF UNDERSTANDING
2023 CLIMATE PROTECTION PROGRAM SUPPORT**

This Memorandum of Understanding (“MOU”) is made this ___ of _____, 2023, by and among the City of Charlottesville, Virginia and the Local Energy Alliance Program.

Whereas, the City of Charlottesville, Virginia, (hereafter, the City) wishes to increase energy performance of Charlottesville homes and non-residential buildings, and to reduce the greenhouse gas associated with community-wide energy use, and;

Whereas, the Local Energy Alliance Program (hereafter, LEAP) wishes to serve our local community to conserve energy in existing buildings, to promote cost savings, job creation, sustainability, local economic development, and environmental stewardship, and;

Whereas, LEAP wishes to provide access to expertise and action steps for energy efficiency and renewable energy implementation;

Whereas, the parties agree that the intended use and release of City funds should be authorized in a mutually agreed fashion, in furtherance of these shared goals;

Now, Therefore, the City and LEAP jointly agree that upon execution of this MOU, LEAP will be granted an amount of Seventy Eight Thousand Eight Hundred and Thirty Three Dollars (\$78,833) the source of which is already appropriated funds in Fund 631, Cost Center 2711001000, for the purpose of providing 2023 Climate Protection Program support focused on providing access to expertise and action steps for improved energy performance and making the energy efficiency actions process streamlined, easy to understand, and financially attractive, affordable, and accessible. The parties agree to the terms and conditions of this MOU as set forth below:

1. Use of Funds: The parties agree that funds may be used only for the following purposes as covered in the 2023 Climate Protection Program Support proposal.
2. Program Parameters: Upon receipt of the grant, LEAP agrees to provide the proposed program support to promote energy performance improvements.
3. Program Progress Reports: LEAP acknowledges the City’s desire to receive progress reports regarding the accomplishments of the program at a minimum of three mutually established checkpoint dates. Both parties agree to the value of monthly meetings to ensure that pursuit of common goals is on track. Progress reports may be provided to those LEAP board members appointed to represent the City of Charlottesville and may contain the metrics outlined in the 2019 proposal.
4. Modification Terms
This MOU may be supplemented, modified, or amended by mutual agreement as set forth in writing.

In Witness Whereof, the City of Charlottesville and the Local Energy Alliance Program have executed this MOU effective the last date written below.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____

Title: _____

Date: _____

Approved as to Form:

Funds are Available:

City Attorney

Director of Finance, or designee

LOCAL ENERGY ALLIANCE PROGRAM

By: _____

Title: _____

Date: _____

2023 Climate Protection Program Proposal

The Local Energy Alliance Program (LEAP), a Virginia-based nonprofit, presents this proposal to the Climate Protection Program of the City of Charlottesville to deliver energy efficiency and renewable energy solutions to Charlottesville residents and businesses.

This proposal addresses the strategies and key actions noted within the City's Climate Action Plan (CAP). Delivery of this proposal will be done in collaboration with City Climate Protection Program staff.

Strategies and Actions

1. Strategy: Move New Construction closer to Net-Zero through increased levels of energy efficiency, incorporation of onsite renewable energy, and solar-ready building standards
 - a. CAP Key Action: Develop recommended lists of solar-ready, EV-ready, and energy-efficiency design standards for residential new construction

LEAP ACTION(S):

- i. Leverage LEAP expertise to develop and design best practices info sheet(s) for solar and energy efficiency*
- ii. Review and develop a supplemental memo to "Recommendations for Building Code standards for Energy Efficient Affordable-Public Housing in Charlottesville" with code updates*

2. Strategy: Increase energy efficiency and onsite renewable energy use in existing buildings
 - a. CAP Key Action: Education/Encouragement

LEAP ACTION(S):

- i. Develop and disseminate educational materials (i.e. Solar 101, basics of energy efficiency, how to prepare for summer, how to prepare for winter)*
 - 1. LEAP will create, optimize, and post content, including press releases, newsletters, graphics, and social media. We will share customizable content and images that the City and nonprofit partners can also distribute, as appropriate.*
- ii. Host webinars and other local in-person events*
 - 1. LEAP will create presentation materials on both energy efficiency and Solarize and will present them through webinars. The City is encouraged to participate in webinars (co-host), promote, and provide relevant content, as desired.*
- iii. Direct outreach to specific, program-eligible audiences to highlight benefits available*

1. *LEAP will draft a letter and coordinate printing and mailing to targeted addresses.*
 2. *Attend meetings or deliver presentations as requested.*
 - iv. *Radio (on-air ads and emails)*
 1. *LEAP will purchase radio ads (on-air and e-blast) to spread the word about relevant programs on local radio stations (i.e. WNRN, Charlottesville Radio Group, WMRA, WINA).*
- b. CAP Key Action: Increase participation by low-income households in fully funded programs for energy efficiency improvements and solar energy systems

LEAP ACTION(S):

- i. *Develop and promote a referral program (word-of-mouth)*
 - ii. *Coordinate targeted mailings from trusted partners*
 1. *Content will promote general assessments, as well as Dominion's Low-Income solar program.*
 - iii. *Customer support*
 1. *After individuals sign up for any of LEAP's programming, they will receive regular check-ins from our customer service team to answer questions, provide additional support, and connect with other services.*
- c. CAP Key Action: Develop and identify funding assistance programs designed for mid-income households

LEAP ACTION(S):

- i. *Create an overview of programs and benefits available for households of all income levels.*
 - ii. *Serve as a local resource for accessing federal and state rebates and incentives. This may involve developing web-based information, fielding questions from residents, supporting local staff and stakeholders in developing accurate and consistent messaging, and collaborating on potential state-wide strategies.*
- d. CAP Key Action: Develop and promote resource material specific to historic buildings

LEAP ACTION(S):

- i. *Update (as needed) and design info sheet using existing content*

Metrics

- Deliverables
 - Best practices info sheet for new construction
 - Educational materials (i.e. Solar 101, basics of energy efficiency, how to prepare for summer, how to prepare for winter)
 - Webinar presentation(s) (minimum one focused on energy efficiency and one focused on solar)
 - Letter to targeted City addresses
 - Summary of benefits available (one-pager)
 - Online resources to navigate benefits
 - Info sheet on energy efficiency and historic buildings
- Results
 - Number of households served
 - Work completed in each household
 - Estimated kWh reduction
 - Number of Solarize sign ups
 - Number of Solarize installations
 - Size and value of Solarize installations
 - Number of LI solar installations
 - Size of LI solar installations
 - Projected energy savings based

LEAP will invoice the City monthly. LEAP will coordinate with City CPP staff to make adjustments to the program and budget as needed throughout the duration of the agreement. LEAP will meet with the City monthly and provide updates on our progress; LEAP will also prepare an interim (six months) and a final report detailing the deliverables completed, as well as metrics and results noted above.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	Approve Resolutions
Presenter:	Alexander Ikefuna, Director of Community Solutions
Staff Contacts:	Alexander Ikefuna, Director of Community Solutions Brenda Kelley, Redevelopment Manager
Title:	Resolutions to award FY23 Charlottesville Affordable Housing Funds (CAHF) (2nd reading)

Background

The City's FY22/23 budget included funding the Charlottesville Affordable Housing Fund (CAHF).

In November 2021, the City Council approved and adopted the 2021 Comprehensive Plan Amendment, of which the Charlottesville Affordable Housing Plan was a part. As part of the implementation process of this new plan, the City revised its approach towards allocation of funding for affordable housing and homelessness support initiatives. A Notice of Funding Availability (NOFA) was issued in October 2022 to advise the community of the new approach and proposed timelines of upcoming invitations for funding for affordable housing-related initiatives for CDBG/HOME, Housing Development Project Investments, Housing Operations & Program Support (HOPS) and the Charlottesville Affordable Housing Fund (CAHF). Following the issuance of the NOFA, a series of competitive invitations for applications were issued separately, for each of the four programs.

On January 2, 2023, a competitive invitation for applications was issued for the CAHF for a total funding amount of \$835,000, with applications due January 30, 2023.

Discussion

Staff received six (6) applications for CAHF funding by the submission deadline. A total of \$1,720,611 in funding was requested. A review of all the applications was done over several meetings of the CAHF Committee, recently appointed by City Council as recommended by the Affordable Housing Plan. A summary of the applications and the recommendations for FY23 CAHF allocations are presented below:

Project: Charlottesville Critical Emergency Repair Program

Applicant: Albemarle Housing Improvement Program (AHIP)

CAHF Request: \$250,000

Funds will enable AHIP to serve 30 Charlottesville households (with an anticipated investment of \$5,000 to \$10,000 in CAHF funds per project)

Project: Public Housing HVAC Equity Project
 Applicant: Charlottesville Redevelopment and Housing Authority (CRHA)
 CAHF Request: \$450,000

The CRHA is proposing to install central air conditioning – to install the central air conditioning, we must also upgrade the electrical services in each unit. This project would preserve and modernize 57 deeply affordable housing units in the City.

Project: Rehabilitation Repairs to Preserve Community Services Housing Properties
 Applicant: Community Services Housing, Inc.
 CAHF Request: \$135,611

Funds for urgent rehabilitation repairs at 3 of its properties (34 units).

Project: Transitions to Homeownership 2023
 Applicant: Habitat for Humanity of Greater Charlottesville
 CAHF Request: \$410,000

Funds to provide tiered down payment assistance to 13 low- and very low-income families. Focus on supporting families with low AMI who are moving from CRHA public housing and local voucher assistance to homeownership.

Project: Anti-displacement through Prospect Homeownership
 Applicant: Piedmont Housing Alliance
 CAHF Request: \$225,000

Funds will support the rehabilitation and resale of 5 homes in the Fifeville neighborhood (\$45,000 per home) in conjunction with the Piedmont Community Land Trust.

Project: Premier Circle PSH
 Applicant: Virginia Supportive Housing
 CAHF Request: \$250,000

Funds will leverage the almost \$6 million of project funds that remain uncommitted. 85% of homeless individuals cite Charlottesville as their home, therefore 68 of 80 units @ +/- \$3,600 subsidy each resident.

The Charlottesville Affordable Housing Plan recommends that targeted funding awards should be allocated as follows:

Level of Funding	Amount of Funding	Households Served
Tier 1	\$420,000	serving households with incomes up to 30% of Area Median Income (AMI)
Tier 2	\$250,000	serving households with incomes up to 60% of Area Median Income (AMI)
Tier 3	\$165,000	serving households with incomes up to 80% of Area Median Income (AMI)

However, if City Council approves the allocation as recommended by the CAHF Committee, funding by Tier level, as recommended, should be awarded as follows:

Level of Funding	Amount of Funding	Households Served
Tier 1	\$480,306	serving households with incomes up to 30% of Area Median Income (AMI)
Tier 2	\$186,722	serving households with incomes up to 60% of Area Median Income (AMI)
Tier 3	\$167,972	serving households with incomes up to 80% of Area Median Income (AMI)

After careful consideration and discussion of all applications, the CAHF Committee recommended the following awards of CAHF funding:

- CRHA; Public Housing HVAC Equity Project; \$187,500
- Community Services Housing, Inc.; Rehabilitation Repairs to Preserve Community Services Housing Properties; \$67,806
- Habitat for Humanity of Greater Charlottesville; Transitions to Homeownership 2023; \$225,000
- Piedmont Housing Alliance; Anti-displacement through Prospect Homeownership; \$167,972
- Virginia Supportive Housing; Premier Circle PSH; \$186,722, with the condition that all funding be allocated to capital expenses only (no administrative/operating funding)

Alignment with City Council's Vision and Strategic Plan

The overall funding of affordable housing initiatives supports City Council's visions of Quality Housing Opportunities for All; A Green City; Community of Mutual Respect; and Smart, Citizen-Focused Government.

Approval of this request is also supported by the following:

Strategic Plan Goals:

- Goal 1.3: Increase affordable housing options
- Goal 1.4: Enhance financial health of residents
- Goal 1.5: Intentionally address issues of race and equity
- Goal 2.3: Improve community health and safety outcomes by connecting residents with effective resources

Comprehensive Plan Guiding Principles (2021):

- Equity & Opportunity – All people will be able to thrive in Charlottesville.
- Community Culture & Unity – Charlottesville's rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued and respected.
- Local & Regional Collaboration – From the neighborhood to the region, open conversations and partnerships will make the city stronger.
- Environmental Stewardship & Sustainability – The Charlottesville community will demonstrate environmental and climate leadership.

- (Numerous Goals in the Comprehensive Plan also support this request).

Community Engagement

This CAHF allocation is in keeping with the provisions in the Affordable Housing Plan and 2021 Comprehensive Plan that were recommended by the Planning Commission and approved by the City Council. Both documents went through an extensive public engagement process. Also, the application review was done by the CAHF Committee, which members are appointed by City Council.

Budgetary Impact

This request does not encumber any additional funding from the City budget. CAHF funding was allocated in the Capital Improvement Program (CIP) FY22/23 budget. This approval allocates this FY22/23 CIP funding.

Recommendation

Staff recommends City Council approve the attached Resolutions awarding FY23 CAHF funding. If approved, the funding will support various levels of affordable housing, as follows:

Level of funding: Tier 1 – serving households with incomes up to 30% AMI:

- CRHA; Public Housing HVAC Equity Project; \$187,500
- Community Services Housing, Inc.; Rehabilitation Repairs to Preserve Community Services Housing Properties; \$67,806
- Habitat for Humanity of Greater Charlottesville; Transitions to Homeownership 2023; \$225,000

Level of funding: Tier 2 – serving households with incomes up to 60% AMI:

- Virginia Supportive Housing; Premier Circle PSH; \$186,722, with the condition that all funding be allocated to capital expenses only (no administrative/operating funding)

Level of funding: Tier 3 – serving households with incomes up to 80% AMI:

- Piedmont Housing Alliance; Anti-displacement through Prospect Homeownership; \$167,972

Alternatives

City Council could decide to provide the recommended projects with different levels of funding than those recommended. Council could also decide to fund a different set of the projects outlined above, or choose to not award any funding for any of these projects at this time.

Attachments

1. Applications Summary CAHF Jan2023
2. Resolutions CAHF FY23 funding 041723

CAHF – FY23 Funds

January 2023

Applications Received

Funding Available: \$835,000

Applicant	Program Name	Total Funding Requested	Funding Request by Tier			Program Description	CAHF Funding Amount approved FY22
			Tier 1 <30% AMI \$420,000	Tier 2 <60% AMI \$250,000	Tier 3 <80% AMI \$165,000		
AHIP	Charlottesville Critical Emergency Repair Program	\$250,000	\$100,000	\$100,000	\$50,000	Funds will enable AHIP to serve 30 Charlottesville households (with an anticipated investment of \$5,000 to \$10,000 in CAHF funds per project)	\$ 100,000
Virginia Supportive Housing	Premier Circle PSH	\$250,000	\$15,625	\$234,375		Funds will leverage the almost \$6 million of project funds that remain uncommitted. 85% of homeless individuals cite Charlottesville as their home, therefore 68 of 80 units @ +/- \$3,600 subsidy each resident.	\$0
Piedmont Housing Alliance and Piedmont Community Land Trust	Anti-displacement through Prospect Homeownership	\$225,000		\$225,000		Funds will support the rehabilitation and resale of 5 homes in the Fifeville neighborhood (\$45,000 per home)	\$0
Community Services Housing, Inc.	Rehabilitation Repairs to Preserve Community Services Housing Properties	\$135,611	\$135,611			Funds for urgent rehabilitation repairs at 3 of its properties (34 units)	\$0
Charlottesville Redevelopment and Housing Authority (CRHA)	Public Housing HVAC Equity Project	\$450,000	\$375,000	\$75,000		The CRHA is proposing to install central air conditioning – to install the central air conditioning, we must also upgrade the electrical services in each unit. This project would preserve and modernize 57 deeply affordable housing units in the City.	\$425,000
Habitat for Humanity of Greater Charlottesville	Transitions to Homeownership 2023	\$410,000	\$250,000	\$160,000		Funds to provide tiered down payment assistance to 13 low- and very low-income families. Focus on supporting families with low AMI who are moving from CRHA public housing and local voucher assistance to homeownership.	\$75,000
Totals		\$1,720,611	\$876,236	\$569,375	\$275,000		

Suggested motion: "I move the Resolution allocating CAHF funding for CRHA Public Housing HVAC Equity project, in the amount of \$187,500"

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Charlottesville
Redevelopment and Housing Authority (CRHA)
Public Housing HVAC Equity Project -- \$187,500**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$187,500 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Charlottesville Redevelopment and Housing Authority (CRHA) for the purpose of providing funds for the Public Housing HVAC Equity Project.

Fund: 426	Project: CP-084	G/L Account: 530670
Charlottesville Redevelopment and Housing Authority (CRHA)		\$187,500

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: "I move the Resolution allocating CAHF funding for Community Services Housing Rehabilitation Repairs to Preserve Community Services Housing Properties project, in the amount of \$67,806"

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Community Services Housing, Inc.
Rehabilitation Repairs to Preserve Community Services Housing Properties -- \$67,806**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$67,806 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Community Services Housing, Inc. for the purpose of providing funds for the Rehabilitation Repairs to Preserve Community Services Housing Properties program.

Fund: 426	Project: CP-084	G/L Account: 530670
Community Services Housing, Inc.		\$67,806

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: “I move the Resolution allocating CAHF funding for Habitat for Humanity of Greater Charlottesville Transitions to Homeownership 2023 project, in the amount of \$225,000”

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Habitat for Humanity of Greater Charlottesville
Transitions to Homeownership 2023 - - 225,000**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$225,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Habitat for Humanity of Greater Charlottesville for the purpose of providing funds for the Transitions to Homeownership 2023 project.

Fund: 426	Project: CP-084	G/L Account: 530670
Habitat for Humanity of Greater Charlottesville		\$225,000

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: “I move the Resolution allocating CAHF funding for Piedmont Housing Alliance Anti-displacement through Prospect Homeownership project, in the amount of \$167,972”

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Piedmont Housing Alliance
Anti-displacement through Prospect Homeownership - - \$167,972**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$167,972 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Piedmont Housing Alliance for the purpose of providing funds for the Anti-displacement through Prospect Homeownership program.

Fund: 426	Project: CP-084	G/L Account: 530670
Piedmont Housing Alliance		\$167,972

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: "I move the Resolution allocating CAHF funding for Virginia Supportive Housing Premier Circle PSH project, in the amount of \$186,722, with conditions"

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Virginia Supportive Housing
Premier Circle PSH -- \$186,722**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$186,722 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Virginia Supportive Housing for the purpose of providing funds for the Premier Circle PSH project, with the condition that all funding be used for capital expenses only.

Fund: 426	Project: CP-084	G/L Account: 530670
Virginia Supportive Housing		\$186,722

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: May 1, 2023
Action Required: Resolution approval
Presenter: Michael Thomas, Interim Fire Chief
Staff Contacts: Paula Woods, Administrative Assistant
Title: Appropriating Rescue Squad Assistance Fund (RSAF) grant funding for AEDs in the amount of \$14,550 (1 of 2 readings)

Background

The Rescue Squad Assistance Fund (RSAF) is a grant program for a nonprofit licensed EMS agency or other Virginia medical service organizations operating on a nonprofit basis exclusively for the benefit of the general public. Items eligible for funding include EMS equipment and vehicles, computers, EMS management programs, courses/ classes and projects benefiting the recruitment and retention of EMS members.

Discussion

The Charlottesville Fire Department (CFD) applied for a 50/50 grant through the Office of Emergency Medical Services (OEMS) to purchase 16 LIFEPAK CR2 defibrillator-AEDs (AEDs) and was awarded funding in the amount of \$14,550.00 through RSAF.

The new AEDs are to replace the department's ten (10) current AEDs which are thirteen (13) years old. The additional AEDs help cover the department's increased need to add AEDs to our Bike Team, the Incident Support Unit (ISU), as the department's two (2) ERVs (Gators), and an increased number of vehicles.

Alignment with City Council's Vision and Strategic Plan

These funds align with the City's strategic plan under goal 2.1 Reduce adverse impact from sudden injury and illness and the effects of chronic disease and goal 5.1 Integrate effective business practices and strong fiscal policies.

Community Engagement

N/A

Budgetary Impact

The grant requires a 50/50 match which will be covered from existing funds within the Fire Department budget.

Recommendation

Recommend appropriation of grant funds.

Alternatives

None. Without the appropriation, the replacement for these devices would need to fall within the operating budget or need to be requested as an additional expenditure. The existing devices are at the end of their recommended service life and the pads are not able to be acquired.

Attachments

1. RSAF Grant - AEDs
2. Resolution - OEMS Grant for AEDs



COMMONWEALTH of VIRGINIA

Department of Health

PO BOX 2468
RICHMOND, VA 23218

TTY 7-1-1 OR
1 800 878 1128

January 01, 2023

Linda Johnson
Charlottesville Fire Department
2420 Fontaine Ave
Charlottesville, VA 22903

Dear Grant Administrator:

The Office of Emergency Medical Services (OEMS) is pleased to announce that your agency has been awarded funding from the Financial Assistance for Emergency Medical Services Grant Program, known as the Rescue Squad Assistance Fund (RSAF). The attached Award Page itemizes the actual dollar value, quantity, funding level and item(s) your agency has been awarded under this program. The following documents can be completed and submitted via E-Gift:

Memorandum of Agreement: Must be submitted by February 28, 2023.

Instructions for Grant Reimbursement: All items must be submitted in order to process your reimbursement.

Equipment Status/Final Report Form: This form must be submitted sixty (60) days after the grant cycle deadline.

If your agency has had special conditions placed on your grant award, any and all conditions must be met in order to receive reimbursement. Items awarded may be available by state contract, www.eva.virginia.gov, OEMS recommends your agency purchase under state contract if applicable.

Any funding your agency receives through Return to Localities funding cannot be used as the matching share of Rescue Squad Assistance Fund grants or any grants offered using Four-For-Life funds. "Any funds received from Section 16.2-694 by a non-state agency cannot be used to match any other funds derived from Section 46.2-691 by that same non-state agency".

All items awarded funding must be ordered from the vendor by **February 28, 2023** invoices for all items awarded funding must be submitted to OEMS by **July 31, 2023**. You must contact OEMS prior to the February 28, 2023 deadline if your agency has encountered difficulties in meeting these deadlines.

If you have any questions, please contact Michael Berg, OEMS Grant Program Manager at (804) 888-9106, Michael.Berg@vdh.virginia.gov or Linwood P. Pulling, Grant Specialist at (804) 888-9105, Linwood.Pulling@vdh.virginia.gov or 1-800-523-6019 for additional grant information.

Congratulations,

Gary R. Brown, Director



**Office of Emergency Medical Services
Consolidated Grant Program
AWARD PAGE**

January 1, 2023 - December 31, 2023 Grant Period

Agency Name: Charlottesville Fire Department

Grant Number: TJ-C02/12-22

Item Type (Item)	Status	Quantity Funded	Funding % Level	Amount Funded
LIF:EPAK CR2 Defibrillator-AED	FUNDED	16	50 / 50	\$14,550.00
<p>113-Acknowledgment must be provided on any printed material, equipment or vehicle as follows: "Funding was made possible by a grant from the Virginia Office of Emergency Medical Services, Virginia Department of Health."</p>				
<p>228-Agencies must remain compliant with EMS data submissions (Code of Virginia Section 32.1-116.1). This includes documenting "No Runs to Submit" as applicable. The monthly Data Quality Report will be used to monitor compliance.</p>				
<p>336-All agencies using an ePCR systems will submit in real-time unless approved in writing by the OEMS. EMS data quality will be assessed 7 days after the last day of the previous month</p>				
Total:				\$14,550.00

RESOLUTION
To Appropriate Funds from the Rescue Squad Assistance Fund
\$14,550

WHEREAS, the Office of Emergency Management Services has awarded the City of Charlottesville Fire Department a 50/50 grant for the purchase of 16 LIFEPAK CR2 DEFIBRILLATOR - AEDs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$14,550 is hereby appropriated in the following manner:

Revenues

\$14,550 Fund: 209 Internal Order: 1900521 G/L Account: 430110

Expenditures

\$14,550 Fund: 209 Internal Order: 1900521 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$14,550 from the Supreme Court of Virginia.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	Approval or Rejection of Resolution
Presenter:	Ashley Marshall, Deputy City Manager
Staff Contacts:	Ashley Marshall, Deputy City Manager
Title:	Authorizing Participation in a Cooperative Partnership Application for State Opioid Abatement Authority Grant Funding (1 reading)

Background

This seeks to affirm the City Council's approval for the City of Charlottesville to participate in an OAA Collaborative funding application as partner localities with Albemarle County, Nelson County, Greene County (tentatively), Fluvanna County (tentatively), and Louisa County (tentatively) along with Region 10 Community Service Board (CSB) to advance its substance use and co-occurring disorders services including Crisis Response, CITAC Expansion, and Community Engagement. It is the recommendation of the Interim City Manager, and the Office of the City Manager that the City of Charlottesville lend its support to this collaborative submission.

Discussion

Background on the Virginia Opioid Abatement Fund and Virginia Opioid Abatement Authority

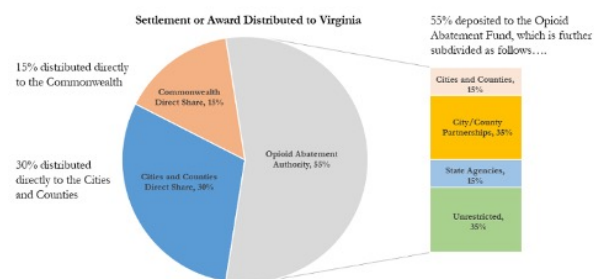
Due to the impact of the opioid epidemic, multiple legal suits were filed on behalf of various states and localities. The City of Charlottesville joined with the Commonwealth of Virginia in a multi-state class action lawsuit that accused OxyContin maker Purdue Pharma and other nationwide distributors of misleading doctors and catalyzing America's nationwide opioid epidemic.

A Memorandum of Understanding for the Virginia Opioid Abatement Fund and Settlement Allocation was drafted in August of 2021 that outlined the distribution process for the Commonwealth. All 122 counties and cities in the Commonwealth, including the City of Charlottesville, signed this MOU. The memorandum can be found in full at: <https://nationalopioidsettlement.com/wp-content/uploads/2021/10/VA-Opioid-Abatement-Fund-and-Settlement-Allocation-MOU1.pdf>

As these settlement agreements were being negotiated and finalized in 2020-2021, the Office of the Attorney General of Virginia worked with attorneys representing cities and counties and various statewide organizations to negotiate Virginia's memorandum of understanding (MOU), which establishes an allocation plan for opioid settlements within the Commonwealth. The MOU All 133 counties and cities in the Commonwealth signed this MOU. Nearly simultaneously the General Assembly overwhelmingly voted to pass bipartisan legislation that created the Opioid Abatement Authority as an independent entity of the Commonwealth. However, those entities may use funds they receive from the OAA to enter into agreements with service providers.

The Commonwealth also set up the Opioid Abatement Authority (OAA), which was established by the Virginia General Assembly in 2021 as an independent entity to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Virginia Opioid Abatement fund in the form of grants, donations, or other assistance. The Fund was established to provide support for efforts to treat, prevent, and reduce opioid use disorders and the misuse of opioids in the Commonwealth. The distribution of opioid settlement funds in Virginia is governed by (1) the specific agreement(s) with the settling companies (and incorporated in a Virginia court order) and in accordance with (2) the statewide MOU and (3) the statute establishing the Opioid Abatement Fund and the Opioid Abatement Authority. In accordance with the statewide MOU and statutory limitations, the OAA distributes funds to Virginia's cities, counties, and state agencies as these are the parties involved in the litigation. As of January 19, 2023, three national-level opioid settlements have been approved by Virginia state courts that result in payments to Virginia. Those settlements include McKinsey (roughly \$13 million); McKesson, Cardinal Health and AmerisourceBergen (referred to as "distributors" by the OAA; roughly \$21 billion); and Jansen Pharmaceutical (roughly \$64.7 million). Additionally, settlements with Mallinckrodt is expected to provide a possible \$17 million to the Commonwealth in full, and settlements with Walmart will provide roughly \$60 million to the Commonwealth in full. The above referenced MOU includes a formula for distributing the proceeds of opioid settlements based on a measure of harm per capita to communities across Virginia. The City of Charlottesville will receive roughly 0.0463% of the funding submitted to the Commonwealth per memorandum, and it may use the funds it receives to enter into agreements with service providers focused on the abatement of Opioid Use Disorder (OUD) or prevention of OUD. Estimated Opioid Fund information can be found on the OAA's website at:

<https://www.oaa.virginia.gov/media/governorvirginiagov/oaa/pdf/Summary-of-Opioid-Funds-to-Virginia-Localities-as-of-Jan-2023.pdf> and a snapshot is pictured below with information on Charlottesville's distributions as of March 2023.



Fiscal Year	Direct Distribution from Settlement Administrator			From OAA	25% Incentive
	Distributors	Janssen	Mallinckrodt		
FY 2022	18,827	0	0	0	0
FY 2023	32,658	81,683	4,846	43,128	10,782
FY 2024	19,786	0	Still	7,255	1,814
FY 2025	24,766	0	being	9,081	2,270
FY 2026	24,766	0	determined	9,081	2,270
FY 2027	24,766	3,802		10,475	2,619
FY 2028	24,766	3,802		10,475	2,619
FY 2029	29,127	3,802		12,074	3,018
FY 2030	29,127	4,840		12,455	3,114
FY 2031	29,127	4,840		12,455	3,114
FY 2032	24,484	4,840		10,752	2,688
FY 2033	24,484	0		8,978	2,244
FY 2034	24,484	0		8,978	2,244
FY 2035	24,484	0		8,978	2,244
FY 2036	24,484	0		8,978	2,244
FY 2037	24,484	0		8,978	2,244
FY 2038	24,484	0		8,978	2,244
FY 2039	24,484	0		8,978	2,244
Total	\$ 453,591	\$ 107,608	TBD	\$ 200,073	\$ 50,018

Updated March 3, 2023

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Additional Funding from the OAA

Outside of the individual distributions that localities will receive directly from the subjects of the settlement, as well as from the OAA for their use the Opioid Abatement Authority (OAA) has additionally established another stream of funding support via Cooperative Projects involving multiple cities and/or counties using the 35% of the Opioid abatement Funds' annual distribution. Cooperative projects must involve at least two (2) cities and/or counties from one (1) Community Service Board

(CSB) region. Awards are prioritized on various criteria that are available for review at: <https://www.oaa.virginia.gov/portal-grants/>

Region 10 Cooperative Application

The City of Charlottesville has been invited by Region 10 CSB to participate in a cooperative project application to be submitted on or before May 5, 2023 that would partner with Albemarle County, Nelson County, Green County (tentative), Fluvanna County (tentative, and Louisa County (tentative) along with the City of Charlottesville to advance their work in substance use and co-occurring disorders services. In the City of Charlottesville, 69% of the adult client population served by Region 10 has a diagnosis of Substance Use Disorder. The application will contain three priorities focused on crisis response and community outreach.

First, funding would go to a 23-hour bed program that would work to provide the appropriate level of assessment and support to people who are experiencing a psychiatric emergency while diverting from involuntary inpatient hospitalization where appropriate. 23-hour beds are defined as a period of up to 23 hours during which assessment and stabilization services are provided at less than an acute level of care. This level of care offers an opportunity for re-assessment and the gathering of additional data which may support the appropriateness of admission or a non-inpatient setting.

Second, funding would go to provide support, assessment, and response to people who are experiencing a psychiatric emergency in a respectful, confidential setting. The Region 10 CITAC (Crisis Intervention Team Assessment Center) provides persons in crisis with an environment outside of the criminal justice system for proper intervention, assessment, and care. The program would accept transfers of Emergency Custody Orders (ECOs) based on CITAC capacity and appropriate referral parameters. The CITAC's goal is to decrease reliance on law enforcement, provide diversion from hospitalization and incarceration for people experiencing psychiatric emergencies. Further, it will work to increase connections to services and support.

Third, funding would work to provide community outreach and support through responding to people in the community at the right time, in the right setting, with behavioral health expertise to support, engage, and link to appropriate longer-term services. Region 10 staff would work to provide community-based response to a local incident, episodic support for disconnected individuals who are not functioning well in the community, and outreach to consumers who would benefit from a high-touch team to engage in services. This team would work as part of the day program at the Blue Ridge Center in the City.

Region 10 estimates a cost connected to personnel and totals \$1,363,961. The CSB believes it has the infrastructure in place to build out the proposed programming, so the funding from the OAA would not supplant existing frameworks but would expand upon them. This collaborative application does *not* require the expenditure of any of the localities' individual distributions or locality-specific OAA distributions. The localities may contribute funding now, or further into the project timeline.

Alignment with City Council's Vision and Strategic Plan

Community Engagement

N/A. This proposed collaborative project was submitted by Region 10 in order for the City to consider participating. Community Engagement was not a requirement of the OAA process.

Budgetary Impact

None at this time.

Recommendation

The Interim City Manager recommends that Council approve this resolution to participate in the Region 10 Cooperative Application for OAA funding at this time.

Alternatives

The Council may choose to reject the resolution and then the City would not be a participant in this Cooperative Application.

Attachments

1. Resolution for Region 10 OAA Cooperative Partnership Application Submission Spring 2023 (AMD Edits)

RESOLUTION AUTHORIZING THE CITY OF CHARLOTTESVILLE, VIRGINIA'S PARTICIPATION IN A VIRGINIA OPIOID ABATEMENT AUTHORITY (OAA) COOPERATIVE PARTNERSHIP AGREEMENT WITH REGION 10 COMMUNITY SERVICE BOARD AND VARIOUS OTHER LOCALITIES

WHEREAS, the mission of the Virginia Opioid Abatement Authority (OAA) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA operates a financial assistance program to support certain cooperative partnerships of cities and/or counties in Virginia that implement regional efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids; and

WHEREAS, the cities and/or counties listed below, including the City of Charlottesville, have committed to work together to develop and jointly submit an application for regional cooperative partnership funding from the OAA; and

WHEREAS, at least two of the cities and/or counties listed below are located within the same region of the Department of Behavioral Health and Developmental Services; and

WHEREAS, the cities and/or counties and other organizations listed below agree they will execute a legally binding agreement formalizing the cooperating partnership if the application for financial assistance is approved; and

WHEREAS, the cities and/or counties and other organizations listed below agree that the signatory cities, counties and other organizations will designate the County of Albemarle as a fiscal agent for the cooperative partnership if it is awarded; and

WHEREAS, the cities and/or counties and other organizations listed below seek to mutually pursue grant funding collaboratively from the OAA for Fiscal Year 2024.

NOW, THEREFORE, BE IT RESOLVED, the cities and/or counties and other organizations listed below hereby authorize the County of Albemarle, Virginia, acting as fiscal agent to execute the cooperative partnership grant application to the Virginia Opioid Abatement Authority and to execute all documents in connection therewith.

Name of City, County, or Organization	Printed Name of Authorized Signor	Title of Authorized Signor Signature	Signature
Albemarle County	Jeffrey Richardson	Albemarle County Executive	
Nelson County	Candice McGarry	Nelson County Administrator	
City of Charlottesville			

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: May 1, 2023

Action Required:

Presenter:

Staff Contacts: Allyson Davies, Senior Deputy City Attorney
Vernice Grooms

Title: Amending City Code Section 22-4. Methods of Procurement Authorized, to increase the bid bond limit from \$100,000 to \$200,000 (1 of 2 readings)

Background

The City of Charlottesville's current bonding limit is lower than the limit permitted under the Virginia Code and under Federal law for bonding. This lower limit meets the minimum requirement of both the Virginia Code and Federal requirements, but recently, the City's small purchase limits were updated and the City's small purchase threshold increased to \$200,000.

The following language is currently included in the City's Invitation for Bids (IFB) for Construction Greater than 100K template (attached):

B. Each bid in excess of \$100,000 submitted in response to this IFB shall be accompanied by a bid bond in an amount equal to five percent (5%) of the total monetary amount of the bid (total base bid plus all additive bid items). The bid guarantee may be either (i) a certified or cashier's check made payable to "The City of Charlottesville, Virginia," or (ii) a bid bond made payable to "The City of Charlottesville, Virginia." The bid guarantee shall be for the purpose of promising and guaranteeing that the bidder will not withdraw its bid for a period of 30 days following bid opening. The proceeds of the bid guarantee shall be and remain the sole property of the City, as liquidated damages, should the successful bidder fail to execute a contract, proof of all required insurance and endorsements and all required payment and performance bonds within five days of the City's issuance of notice of award of the contract. In lieu of a bid bond, a bidder may furnish a certified check or cash escrow in the face amount required for the bond, or, if approved in advance by the city attorney, a bidder may furnish a personal bond, property bond, or a bank or savings institution's letter of credit on certain designated funds in the face amount required for the bid bond.

E. In lieu of a bid bond, a bidder may furnish a cashier's check or cash escrow in the face amount required for the bid bond. If approved by the city attorney, a bidder may furnish a personal bond, property bond or bank or savings and loan association's letter of credit on certain designated funds in the face amount required for the bid bond. Approval shall be granted only upon a determination by the city attorney that the alternative form of security proffered affords protection to the city equivalent to a corporate surety's bond.

The following is what is stated in the Code of Virginia:

§ 2.2-4336. Bid bonds; construction contracts.

A. Except in cases of emergency, all bids or proposals for nontransportation-related construction contracts in excess of \$500,000 or transportation-related projects authorized under Article 2 (§ [33.2-208](#) et seq.) of Chapter 2 of Title 33.2 that are in excess of \$350,000 and partially or wholly funded by the Commonwealth shall be accompanied by a bid bond from a surety company selected by the bidder that is authorized to do business in Virginia, as a guarantee that if the contract is awarded to the bidder, he will enter into the contract for the work mentioned in the bid. The amount of the bid bond shall not exceed five percent of the amount bid.

B. No forfeiture under a bid bond shall exceed the lesser of (i) the difference between the bid for which the bond was written and the next low bid, or (ii) the face amount of the bid bond.

C. Nothing in this section shall preclude a public body from requiring bid bonds to accompany bids or proposals for construction contracts anticipated to be less than \$500,000 for nontransportation-related projects or \$350,000 for transportation-related projects authorized under Article 2 (§ [33.2-208](#) et seq.) of Chapter 2 of Title 33.2 and partially or wholly funded by the Commonwealth.

Issue:

The \$100,000 bonding requirement now falls within the City's small purchase threshold. Small purchases are handled by decentralized buyers and others throughout the City. The \$100,000 bonding limit was okay when the City's Small Purchase threshold was \$10,000 to \$100,000 because bonding was only required for formal solicitations handled by select individuals with delegated authority to make those purchases.

Discussion

This request seeks City Council's approval for the City of Charlottesville's bid bond threshold to be increased to \$200,000, which would only require bid bonds for formal solicitations, which is consistent with what the City has required in the past. As stated earlier, the City currently has a bonding limit at a lower amount than the Virginia Code limit and the Federal limit. A \$200,000 limit would still be lower than the Virginia Code and the Federal bonding limits.

Alignment with City Council's Vision and Strategic Plan

The change to Chapter 22 of the City of Charlottesville Code of Ordinances aligns with the Council's vision for Charlottesville to be a Smart, Citizen-Focused Government. It contributes to Goal 4 of the Strategic Plan, be a well-managed and successful organization, and objective 4.2, maintain strong fiscal policies.

Community Engagement

This is a required administrative change to reconcile the City Code to the City's purchasing procedures and therefore public comment is not applicable to this administrative change.

Budgetary Impact

There is no anticipated impact on the General Fund.

Recommendation

Staff recommends approval of this ordinance change.

Alternatives

If the ordinance is not approved, contractors will still be required to submit bid bonds for projects in excess of \$100,000, which again is lower than state and federal requirements. The City's informal solicitation templates for construction will need to be revised to include the \$100,000 bonding requirement and all staff having purchasing authority will need to be trained on the collection and handling of bid bonds.

Additional Thoughts:

The City does need to be careful not to implement excessive bonding, which can negatively impact the City's Disadvantaged Business Enterprise program.

Attachments

1. Bid bond limit increase amended ordinance 4858-0014-1663 v.1

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 22-4 OF CHAPTER 22 OF THE
CHARLOTTESVILLE CITY CODE, AS AMENDED, TO INCREASE THE SMALL
PURCHASE THRESHOLD LIMIT FROM ONE HUNDRED THOUSAND DOLLARS
(\$100,000) TO TWO HUNDRED THOUSAND DOLLARS (\$200,000)**

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

Section 22-4 of Article I of Chapter 22 (City Procurement of Goods and Services from Non-Governmental Sources) is hereby amended and reordained, as follows:

**CHAPTER 22. CITY PROCUREMENT OF GOODS AND SERVICES FROM NON-
GOVERNMENTAL SOURCES**

ARTICLE I. IN GENERAL

Sec. 22-4. Methods of procurement authorized.

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...

(f) The purchasing manager may establish written procedures ("small purchase procedures"), approved by the city manager, for single- or term-contracts for:

- (1) Goods and services (other than professional services) and non-transportation related construction, if the aggregate or the sum of all amounts to be paid to the contractor is not expected to exceed ~~one hundred thousand dollars (\$100,000);~~ **two hundred thousand dollars (\$200,000);** and
- (2) Transportation-related construction, if the aggregate or sum of all phases is not expected to exceed twenty-five thousand dollars (\$25,000); and
- (3) Professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed eighty thousand dollars (\$80,000).

Such small purchase procedures shall provide for competition wherever practicable.

- (g) ...
- (h) ...
- (i) ...
- (j) ...
- (k) ...



City Manager's Report

May 2023

UPDATES FROM INTERIM CITY MANAGER MICHAEL ROGERS

- Community Brief
 - The City Manager's office would like to extend a hearty congratulation to Paul Beyer and the Tom Tom Foundation on the excellent presentation of the Tom Tom Festival, The City was pleased to support the Downtown Block Party, which brought out many families to the Downtown Mall. The Block Party certainly represented the diversity of what is Charlottesville. I think all who experienced the evening felt good about the event and felt good about our city. We will ask Paul Beyer to come to Council at a future meeting to provide a full briefing on this event.

- Staffing Update
 - The process for identifying candidates for City Attorney and Deputy City Attorney continues and are expected to be concluded in May.
 - The search for a Director of Communications continues. The Candidate that was our choice ultimately could not take the job, so we are having to repost for this critical position a third time.

UPDATES FROM DEPUTY CITY MANAGER ASHLEY MARSHALL

- Internship Opportunity for Community Youth
 - The Department of Human Services summer youth internship program, Community Attention Youth Internship Program (CAYIP), will be accepting applications until May 1, 2023, for City residents ages 14 - 21 who are interested in earning a stipend while building professional connections, mentorship, workplace skills, and on-the-job experiences. More information on the program is available on their website at: <https://www.charlottesville.gov/256/Community-Attention-Youth-Internship>
 - In addition, any interested organizations or businesses who are interested in hosting an intern this summer can also reach out through the Department of Human Services website at <https://www.charlottesville.gov/FormCenter/Human-Services-23/Prospective-Site-Form269>

- Staffing
 - The Office of Human Rights is delighted to welcome Mr. Saad Khalifa, who joined the team in April as the OHR Intake & Administrative Specialist.
 - The Office of Civilian Oversight is delighted to welcome Ms. Inez Gonzalez as the new Executive Director of the Police Civilian Oversight Board. Ms. Gonzalez begins work on May 1, 2023.

- Community Partnerships
 - The Office of the City Manager would like to thank members of the Office of Human Rights team and members of the Home to Hope Staff in the Office of Equity and Inclusion for working collaboratively with CRHA during the last opening of their Housing Choice Voucher waitlist. The team worked to support individual requests for reasonable accommodations to apply for the waitlist.

UPDATES FROM DEPUTY CITY MANAGER SAMUEL SANDERS

- Ting
 - Working with Ting to explore the expansion of service in the city, with a specific focus on neighborhoods with higher concentrations of households on a lower income who need the service.
 - Currently reviewing trenching requirements as defined by statute and local practices; will include looking at an active deployment in Alexandria, to include a site visit and peer sharing that will help to advise an effort locally.

- External Relationships
 - Albemarle County: working to coordinate a peer exchange session in June for the City and County Executive Teams so we continue to build a collaborative and cooperative connection on matters about joint ownership, operation, and shared priority.
 - Key Agenda Topics:
 - Court Operations
 - Azalea Park and Darden Towe Park Projects

- JAUNT & CAT Matters
 - Mutual Aid for Fire Services
 - Staffing & Strategic Planning
-
- We continue working to “reboot” our local transportation program with VDOT with a focus on both our state and federal resources; we are developing a corrective action plan that allows our program to be reset as functioning well and making appropriate progress on progress updates to completion; there will be additional considerations of canceling projects that will help to right-size the portfolio so the team can remain focused on results-oriented management of the portfolio of projects. The key deliverable will also include a better progress reporting effort that can be offered to the public for transparency and awareness.
-
- SPCA Update
 - We are continuing our efforts to investigate the matters that have arisen around the CASPCA fully. While we will not hear from the Executive Director on May 15th as planned, both city and county teams are conducting a site visit in May to confirm the changes submitted to the state following their spontaneous visit and the joint Corrective Action Plan presented in April.

- **Office of the City Manager** – Executive Assistant Terry Bentley (she/her)
 - The public is reminded that beginning May 1, meetings of the Council and all boards, commissions, and gas forces are resuming in person.
 - Hybrid participation will still be available for the Council, Planning Commission, BAR, Human Rights Commission, PCOB, CRHA, joint Council & Planning Commission meetings, and Budget Work Sessions.

- **Office of Budget and Management** – Director Krisy Hammill (she/her)
 - The Adopted FY 2024 Budget is now online at www.charlottesville.gov/budget.

- **Office of Communications & Public Engagement** – Deputy Director David Dillehunt (he/him)
 - No Update.

- **Office of Community Solutions** – Director Alex Ikefuna (he/him)
 - Continuing to work on developing a comprehensive grants management system for the city.
 - Completed the 5-year Consolidated Plan in partnership with TJPDC.

- **Office of Economic Development** – Director Chris Engel (he/him)
 - No Update.

- **Office of Human Rights** – Director Todd Niemeier (he/him)
 - **OHR Service Provision Overview:**
 - Total incoming and outgoing contacts from January 1, 2023, through April 19, 2023, were 800. Some contact data is still pending entry for April.
 - The total incoming contacts alone for the above timeframe was 550.
 - 546 (68%) of all incoming and outgoing contacts were classified as “Navigation & Advocacy.” Navigation & Advocacy refers to individual service involving tasks other than those related to addressing a complaint of discrimination.
 - The OHR currently has seven open complaint cases and four new complaints pending assessment.
 - **Administrative Updates:**
 - As a next step in our process to become a Fair Housing Assistance Program (FHAP), HUD has asked that we make additional revisions to the Human Rights Ordinance before proceeding. Given other more pressing demands on the OHR, focus on this work will resume in May.
 - Saad Khalifa began work on April 10, 2023, as the OHR Intake & Administrative Specialist. The office is assessing the best moment to start the hiring process for a Human Rights Investigator.
 - Preparation of the CY2022 HRC & OHR annual report is underway, with an anticipated completion date before the HRC meeting on May 18, 2023, and with a planned presentation to Council on June 5, 2023.

Human Rights Commission Updates

- The Commission meets again on April 20, 2023. At this meeting, Commissioners will discuss revisions to their Rules & Procedures and develop a plan of action to advance the goals they set during their strategic planning meeting last month. The HRC has chosen to focus broadly on issues related to Housing, and they are narrowing their focus by consulting other active groups and local City and non-governmental experts.
- Per the Code of the City of Charlottesville, Article XV, Chapter 2, Sec. 2-432(i), the HRC must submit quarterly reports to Council. Accordingly, for the first quarter of 2023, the Director will submit a copy of the OHR Monthly Report provided to the HRC at its regular monthly meetings. In addition, the reporting format will evolve to include a summary of actions taken by the HRC to fulfill its roles under Sec. 2-433. and duties and responsibilities under Secs. 2-434. and 2-435.

• Outreach Updates

- Victoria McCullough, Community Outreach and Administrative Specialist, represented the OHR at weekly Coordinated Entry System meetings and monthly Continuum of Care meetings to coordinate support for individuals between service providers.
- Victoria represented the OHR at outreach events, including the Fountain Fund's One Stop Shop and Region Ten's Community Connections Day at Friendship Court on March 20th.
- Victoria joined the planning team for the annual Westhaven Community Day, hosted in partnership with PHAR (Public Housing Association of Residents) and other community organizations.
- Victoria continued contributing significant time to assisting with incoming inquiries and individual service follow-up, especially for contacts involving navigation and advocacy.
- CRHA (Charlottesville Redevelopment and Housing Authority's) opened its Housing Choice Voucher waitlist during the first week of April. Together with Home to Hope staff, Victoria worked to register individuals for that waitlist, including supporting individual requests for reasonable accommodations to apply for the waitlist.
- The Office of Human Rights is also working on creating new educational materials, including short videos on protected activities under the Human Rights Ordinance. This month, the graphic designer we are working with in Richmond sent a storyboard for our first video.

• Office of Equity and Inclusion

- **Americans with Disability Act (ADA)**– ADA Coordinator Paul Rudacille (He/Him)
 - The City of Charlottesville has signed a contract for an ADA self-evaluation and transition plan. During this process, the City will undergo a comprehensive assessment of its accessibility infrastructure and policies. This evaluation will identify any existing barriers that may prevent individuals with disabilities from accessing public services, programs, and activities.
 - The transition plan will outline specific actions and timelines for removing identified barriers, as well as provide a roadmap for ongoing improvements to ensure

compliance with the Americans with Disabilities Act (ADA) and other applicable laws.

- By undertaking this process, the city will gain valuable insight into the areas where it needs to improve accessibility for people with disabilities and take proactive measures to create a more inclusive and equitable community for all. This will not only benefit those with disabilities but also improve the overall quality of life for everyone in the city.
- **Home to Hope Program** – Employment & Financial Opportunity Manager Roy Fitch Jr. (he/him)
 - The Home to Hope program is free of charge for community members reentering the community after “time served.”
 - For assistance, please email Home to Hope at hometohope@charlottesville.org, call them at 434-970-3601, visit their office on the Pedestrian Mall at 507 E. Main Street, or you can fill out an intake form online at: <https://www.surveymonkey.com/r/HometoHopeIntake>
 - **Downtown Job Center** – Employment & Financial Opportunity Manager Roy Fitch Jr. (he/him)
 - The City of Charlottesville Downtown Job Center is located on the Pedestrian Mall at 507 E. Main Street. Assistance is free of charge to anyone who visits the center. For more information, please call them at 434-970-3933 or visit Tuesday-Thursday from 9:30-4:30 pm. Mondays and Wednesdays are by appointment.

- **Charlottesville Area Transit** – Director Garland Williams (he/him)
 - The Virginia Department of Rail and Public Transportation requires that public transportation agencies develop a Transit Strategic Plan (TSP) to ensure that services are planned to meet the mobility needs of communities throughout the state. The development of a TSP allows agencies to evaluate and update their services and networks to respond to changes in demand.
 - The main goal of a TSP is to create a strategic blueprint outlining desired changes that will improve the provision of transit services throughout the service area within the existing funding structures. CAT has hired Kimley-Horn to assist in the development of its TSP. CAT's TSP is projected to be completed by December 31, 2023.

- **Charlottesville Fire Department** – Interim Chief Michael Thomas (he/him)
 - Working with Albemarle County Fire Department to develop a new Mutual Aid Agreement.
 - We are engaging with UVA to consider renewing a collaborative Fire Services Agreement.
 - Received the Master Plan from our consultant ECSI and considered the recommendations in the report.

- **Charlottesville Police Department** – Chief Michael Kochis (he/him)
 - No Update.

- **Emergency Management** – Coordinator Jeremy Evans (he/him)
 - Finalized the city Emergency Operations Plan and submitted it to review and consideration.

- **Human Resources** – Director Mary Ann Hardie (she/her)
 - Continuing to work on the Compensation & Class Study and subsequent analysis work.
 - We are continuing to work on the framework to support Collective Bargaining.

- **Department of Human Services** – Director Misty Graves (she/her)
 - The Department of Human Services has continued to operate the Pathways fund through the Community Resource Hotline. During the third quarter, we distributed \$238,683.88 to 271 households in the City of Charlottesville. We have distributed \$946,399 overall this fiscal year.
 - The Community Attention Youth Internship Program will be accepting applications until May 1st for City residents ages 14 - 21 interested in earning a stipend while building professional connections, mentorship, workplace skills, and on-the-job experiences. Interested organizations or businesses interested in hosting an intern this summer can also reach out through the Department of Human Services website.
 - The Community Attention Foster Families will partner with the Charlottesville Department of Social Services to host a Transracial Fostering training for the community.

- **Department of Information Technology** – Director Steve Hawkes (he/him)
 - Some significant projects underway in IT include two affecting the City's Enterprise Resource Planning system, SAP. The first project will be implementing the SAP Human Resources module, SuccessFactors. Initially, we will implement the Training/Learning and Performance modules of SuccessFactors. The goal is to have both modules implemented before the second project, SAP Upgrade, which is scheduled to start sometime this summer. The SAP Upgrade project has been discussed for several years, and with funding, resources, and a new push from Finance and IT, the City Manager approved moving forward with the project earlier this year. Since approval, an RFP requesting implementation assistance was developed and included input from many departments and staff. The RFP was posted this month and will be closing in May. It is expected that there will be two major phases to the project, and the timeframe for completing the project is 24-30 months. Another significant project underway is a result of a large number 150, of City PCs being eligible for PC replacement through the City's PC replacement program. Due to the large number, we will order 90 new laptops and 60 desktop pcs. Our goal is to have the 150 PCs deployed in the organization by the end of the summer. Another recent project of note is the new NDS permitting system, CityWorks, as IT provided several required items for the new system. The new system is scheduled to go live the first week of May, and we provided GIS support for the project and a better, more accurate, and robust City address and parcel listing. The listing will benefit CityWorks and other City applications that rely on City addresses and parcels.
 - On the Cybersecurity front, the City's annual Cybersecurity training program kicked off at the beginning of April. The training, updated every year with new and pertinent cybersecurity information, is required of all City staff with network accounts. The networking team also made a recent security update to upgrade the security of the City's wireless networks.
 - The iTeam/IT's fourth and final, What's in It for Me (WIIFM) workshop took place on April 19 at Cityspace. Approximately 30 employees throughout the organization were given a presentation on Microsoft OneDrive. The presentation focused on why they should consider using OneDrive. Reasons include OneDrive's collaboration features, the ability to access OneDrive files from anywhere at any time from any device, and a number of other advantages. We then focused on how to use the different features by providing demonstrations. Following the presentation, attendees participated in small group labs for hands-on experience.
 - On the staffing side, we are almost entirely staffed. We are currently in the process of interviewing candidates for our open SAP Software Engineer position. Considering the two SAP projects underway, filling the position will become even more critical. We also hired a summer intern, Jonathan Lee from JMU, to help with the PC replacement program.

- **Neighborhood Development Services** – Director James Freas (he/him)
 - The new permitting software will go live on May 1 for building permits. Customers will be able to submit their permit applications and track progress digitally. All remaining permits will be available online in the fall.

- **Parks & Recreation** – Director Dana Kasler (he/him)
 - Summer Registration for Parks and Recreation programs begins April 24th. Members of the community can review the class, course, and camp offerings and sign up online at: https://webtrac.charlottesville.gov/wbWSC/webtrac.wsc/splash.html?InterfaceParameter=WebTrac_1

- **Police Civilian Oversight Board** – Deputy City Manager Ashley Marshall (she/her)
 - The City of Charlottesville’s City Council approved hiring Ms. Inez Gonzalez as the new Executive Director for the Police Civilian Oversight Board. Ms. Gonzalez will begin working with the city on May 1, 2023.

- **Public Works** – Director Stacey Smalls (he/him)
 - Administration:
 - No Update.

 - Engineering:
 - No Update.

 - Environmental Sustainability:
 - A Rain Barrel Workshop is being offered on May 11 from 6-7 pm. The Water Conservation Program is hosting it in collaboration with the Albemarle County Service Authority and the Rivanna Stormwater Education Partnership. Captured rainwater is perfect for irrigating landscaped beds and gardens, watering potted plants, and doing outdoor chores like bike, car, or pet washing. In addition, rain barrels can reduce stormwater runoff, which benefits local waterways.
 - Rivanna RiverFest, a community event to celebrate and experience this wonderful community resource, will be held on Saturday, May 20, from 2-9 pm at the Rivanna River Company. The event will include family-friendly activities, river recreation, live performances, food, drink, and more. The City is one of the key sponsors for this event. The Environmental Services (ES) Division has been intimately involved in planning the event and will be participating.
 - A full application for the Department of Energy’s Renew America’s Schools funding opportunity has been submitted. The proposed project involves substantial energy efficiency upgrades and expanded solar energy generation at Charlottesville High School.
 - ES staff recently participated in several community events during April, including UVA’s Community “EcoFair,” two career fairs, a community Earth Day event, and “Kidvention!” to promote the City’s many sustainability programs and services as well as highlighting career opportunities in the sustainability field.
 - Our division coordinated with Rivanna Conservation Alliance on a National Fish and Wildlife Foundation grant application to address streambank erosion and a severely

degraded stormwater channel at Riverview Park.

○ Facilities Development:

- The City's Seasonal City, Market Composting Program kicked off on April 1st. Residents can drop off their household kitchen scraps every Saturday at the Downtown Farmer's Market between 9 am and 1 pm. Contracts for the Buford project have been returned from Nielsen and moved to City Hall for signature circulation. The agreement includes the total value of all the additive bid items approved by the council. We could not negotiate a hold on pricing due to the involvement of the many subcontractors and their need to safeguard themselves against future escalation. However, should we decide in the future that we need to reduce our commitment due to failure to secure grant funding, we can execute a change order to remove the unwanted scope from the contract, though this will come at some cost, which in the near term will be nominal. This will increase as time passes, as our Contractor will have committed more resources to fulfill those parts of the contract.

○ Facilities Maintenance:

- The Board of Architectural Review has approved the Facility Maintenance (FM) Division's application and design for adding a secure gate and extending the height of the brick walls to the dumpster enclosure between Ting and Key Recreation. The area has already had its first round of graffiti cleaning. We have also confirmed that the Dumpster Contractor will replace the unit with a fresh canister. Facilities Maintenance expects to begin construction work next week.
- FM is currently working on the Fire Alarm Control Panel, Sprinkler, and Fire Extinguisher annual inspections and tests for Government and School Buildings. As a result, all information notifications have gone out.

○ Fleet:

- The City of Charlottesville Fleet has received an Honorable Mention for the National Association of Fleet Administrators (NAFA) 100 Best Fleets award. This award was announced while staff attended the NAFA conference last week.

○ Public Service:

- [Details Here]

● **Utilities** – Director Lauren Hildebrand (she/her)

- The Department of Utilities takes its responsibility for water quality seriously. The Annual Water Quality Report for 2023 once again finds that the city's water exceeds all standards established by the Safe Drinking Water Act, the Environmental Protection Agency, and the Virginia Department of Health. The report will be available to residents at the beginning of May and will be found on the city website at www.charlottesville.gov/waterquality. Its announcement, with directions on how to access it electronically, or to receive a paper copy,

will be sent as a Utility Billing insert in the upcoming billing cycle and shipped to paperless billing customers in Utilities' May electronic newsletter.

- **Social Services** – Director Sue Moffett (she/her)
 - Family Partnership (FPM) meetings are one-way child welfare staff build collaborative relationships with families and engage other natural supports to improve child and family wellbeing and safety. CDSS held 14 FPMs in the last reporting period, 12/1/22-2/28/23. As a result, we received \$4,200 in FPM Incentive Funds from the Virginia State Department of Social Services. These incentive funds are used to provide tangible support for future FPMs (like transportation for family members to/from the FPMs, and childcare to allow family members to attend an FPM).

- **Circuit Court** – Honorable Lizelle Dugger, Clerk of Circuit Court (she/her)
 - *No Update*
- **Commissioner of the Revenue** – Commissioner Todd Divers (he/him)
 - The Charlottesville Homeowner Assistance Program will come before Council for reauthorization in May. If approved, the application period will open in July.
- **Finance Office** – Director Chris Cullinan (he/him)
 - The Department of Finance and the Department of Information Technology have issued an RFP for implementation services to upgrade the City's financial management system (SAP). RFPs are due mid-May.

Utility Billing Office

- UBO continues to partner with the Commonwealth's Low Income Water Assistance Program (LIWAP) to provide financial assistance to eligible water and sewer customers with their utility bills.
- To date, approximately \$60,000 has been awarded to 95 accounts.

City Assessor's Office

- The Assessor's office has completed the administrative appeals process for the recent reassessment. The Board of Equalization (BOE) is scheduled to review assessments and appeals on May 16, 17, and 18.

- **Treasurer's Office** - Treasurer Jason Vandever (he/him)
 - Over the past month, the Treasurer's office has spent significant time testing and producing real estate and personal property tax bills. As a result, 1st half of the 2023 tax bills will be mailed to taxpayers the last week of April and are due June 5, 2023. As a reminder, taxpayers can view their bills online, set up scheduled payments, enroll in paperless billing, and get text reminders. Additionally, taxes can be paid online via e-check at no cost. These features are available at www.charlottesville.gov. In addition, our office is currently working with Neighborhood Development, Parks and Recreation, the Library, and the Commissioner of the Revenue on enhancements to online payment options.
- **Sheriff's Office** – Sheriff James Brown (he/him)
 - *No Update.*
- **Voter Registrar** – Registrar Taylor Yowell (she/her)
 - *No Update.*

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



Agenda Date:	May 1, 2023
Action Required:	Approval of the Thomas Jefferson Area HOME Consortium Five-Year Consolidated Plan (FY 2023-2027) and the City of Charlottesville One-Year Annual Action Plan (FY 2023-2024) (2nd Reading)
Presenter:	Alexander Ikefuna, Director of Community Solutions, Laurie Jean Talun (TJPDC)
Staff Contacts:	Anthony Warn, Grants Analyst Alexander Ikefuna, Director of Community Solutions Laurie Jean Talun (TJPDC)
Title:	TJPDC HOME Consortium Five-Year Consolidated Plan (Program Years 2023 - 2027) and the City of Charlottesville Annual Action Plan (FY 2023 - 2024)

Background

The City of Charlottesville is designated an Entitlement Community (EN) by the United States Department of Housing and Urban Development (HUD), and as such is a recipient of HUD Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds. A requirement of receipt of this funding is the development of a multi-year Consolidated Housing and Community Development Plan (hereafter Consolidated Plan) to guide the use of federal funds over a five (5) year period and the development of Annual Action Plans, both of which are reviewed by HUD and either approved or returned for revisions.

Upon approval of these plans by HUD, the City and the HOME Consortium will be eligible to receive their FY2023-24 allocations, which are currently estimated by HUD at approximately \$410,468 for the City’s CDBG program and approximately \$785,286 for the Consortium’s HOME program. The City of Charlottesville receives its CDBG allocation directly and develops a funding plan based on established city goals, input from the community and the work of a taskforce composed of representatives from across the city. HOME funds are coordinated by the Thomas Jefferson Planning District Commission (TJPDC) Area HOME Consortium, and shared among the six (6) member jurisdictions (the City of Charlottesville and the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson) as follows:

Participating Jurisdictions	Share of HOME Fund
City of Charlottesville	\$98,160
Albemarle County	\$98,160
Fluvanna County	\$98,160
Green County	\$98,160

Louisa County	\$98,160
Nelson County	\$98,160
Community Housing Development Organization (CHDO)	\$117,792
Designation	
Program Planning/Administration (TJPDC) 10%	\$78,534
Total HUD Allocated HOME Fund	\$785,286

HOME funds available for housing activities are currently estimated at approximately \$588,965, and are divided equally between the City and the five counties that make up the Consortium. Based on current estimates of the Consortium’s FY2023-24 HOME allocation, the City’s portion of the HOME funds for housing activities will be approximately \$215,952; this includes approximately \$98,160 in funds to be awarded to a local nonprofit dedicated to affordable housing and \$117,792, specifically designated for a HUD-approved Community Housing Development Organization (CHDO). (Note that these amounts represent preliminary HUD estimates of potential funding and are subject to change at HUD’s discretion.)

Staff of the Office of Community Solutions (OCS) and the Thomas Jefferson Planning District Commission (TJPDC) have been working closely with valued community partners to revise the plan currently in effect to closely align with the City’s current plans, including the 2021 Comprehensive Plan and the Affordable Housing Plan. These plans have been open to a period of public comment for no less than 30 days, after which OCS and TJPDC worked to incorporate feedback received.

Based on guidance from HUD, the development of the Consortium’s 5-year Consolidated Plan is designed to inform a guide data-driven, place-based regional approach to housing and community development needs based on established goals and with opportunities for meaningful input from community stakeholders. Each Consortium member both contributes to the development of the 5-year regional Consolidated Plan and develops their own Annual Action Plan based on their unique local needs and priorities.

In order to maintain the city’s eligibility for HUD entitlement funding, a locally approved 5-Year Consolidated Plan and the first year 1-Year Annual Action Plans are due to HUD on or before 15 May. At a public hearing on April 11, 2023, the draft 1-Year Action Plan and the Taskforce’s funding recommendations to Council were presented to the Planning Commission. The Commission recommended approval and forwarding on to City Council.

Discussion
Timeline

2022

- September 19: City Council establishes priorities for FY23-24 CDBG & HOME programs (#R-22-115)
- December 13: OCS staff and staff of the TJPDC begin working on revising the 5-year and 1-year plans

2023

- February 28: Charlottesville CDBG/HOME Taskforce begins meeting to review applications for funding from area nonprofits
- March 21: Draft 5-year and 1-year plans are publicized to begin 30-day public comment period
- March 15: Charlottesville CDBG/HOME taskforce finalizes funding recommendations
- April 11: OCS staff presents draft 5-year and 1-year plans to Planning Commission for review (1st reading); Planning Commission unanimously approved forwarding to City Council
- 20 April: End of the 30-day public comment period; OCS & TJPDC staff begin to incorporate received feedback
- May 1, 2023: OCS/TJPDC staff joint presentation at City Council public hearing (2nd reading & council vote)
- 4 May: TJPDC/OCS staff joint presentation to TJPDC Commission
- May 15, 2023: Final deadline to submit locally approved 5-year and 1-year plans to HUD for review

Needs Assessment

Development of the Consolidated Plan begins with a comprehensive needs assessment. This process was led in part by a hired consultant in collaboration with the City’s Comprehensive Plan Steering Committee, which was composed of representatives from all backgrounds, appropriate City departments, the Planning Commission, the Charlottesville Redevelopment and Housing Authority, City Council, University of Virginia, Albemarle County, the Blue Ridge Coalition for the Homeless and other service providers. Extensive focus groups and public needs assessment processes were also conducted.

The City develops a comprehensive needs-based Five-Year Capital Improvement Program (CIP) as a part of its annual capital budgeting process. To be approved for funding, projects must support one or more of the City Council’s priority objectives as well as respond to an established need. Public participation in the CIP decision-making process is robust, including meetings, consultations with residents and neighborhoods, stakeholders, budget forums, and public comments and public hearings.

Goals

The Consolidated Plan and Annual Action Plans have been designed to be responsive to the community needs identified during the Needs Assessment noted above and with the aim of maximizing the impact of the limited funding available. Core goals of this process include:

Housing:

1. Expanding the affordable housing stock
2. Preserving the existing supply of affordable housing
3. Ensure housing access for low-income residents
4. Support investments that aid fair housing choice

Community Development:

1. Enhance and improve access to transportation

2. Support the expansion of mental health services
3. Support the homeless and transition to independence
4. Support the provision of supportive housing
5. Increase access to jobs that pay a living wage
6. Foster small and local business development
7. Support Climate Action Plan and expand energy efficiency and environmental stewardship

Alignment with City Council's Vision and Strategic Plan

This agenda item aligns directly with Council's vision for Charlottesville to have *Economic Sustainability, Quality Housing Opportunities for All* and *A Connected Community*. Projects also have the potential to many of the objectives and goals listed in the City's Strategic Plan: *An Inclusive Community of Self-sufficient Residents; A Beautiful and Sustainable Natural and Built Environment; A Strong, Creative and Diversified Economy; and a Healthy and Safe Community*. This addresses several of the provisions in the 2021 Affordable Housing Plan and the 2021 Comprehensive Plan.

Community Engagement

Meaningful engagement with a broad range of stakeholders is a core goal of this work and has involved multiple avenues of community outreach, as detailed in the draft Consolidated Plan.

To develop the 5-Year Consolidated Plan, the City of Charlottesville and the TJPDC conducted a thorough, multi-layered consultation process and engaged with a variety of government agencies and organizations that provide community services. In addition to providing both formal and informal settings for citizen participation, the City and the TJPDC coordinated the following meetings and outreach with public agencies, private organizations, and the greater public to identify shared housing and community development needs and solutions. The public was given a thirty-day public comments period to provide comments; no comment was received. This process is described in more detail within the body of the Consolidated Plan, notably the section entitled 'PR-10 Consultation.' For more information, please follow this link: <https://tjpd.org/public-notice-2023-2027-home-and-cdbg-consolidated-plan/>

Budgetary Impact

HOME funds will require a 25% local match. In previous years, this match came from the Charlottesville Affordable Housing Fund (CAHF). While approval of the Consolidated Plan and the Annual Action Plan have no financial impact, the funding (CDBG/HOME) will bring approximately \$1.2 million annually that would not otherwise be available to the City and TJPDC Consortium.

Recommendation

Staff recommends approval by Council of the Thomas Jefferson Area HOME Consortium Five-Year Consolidated Plan (FY 2023-2027) and the City of Charlottesville One-Year Annual Action Plan (FY 2023-2024).

Alternatives

Given that continued eligibility for receipt of CDBG and HOME funds is dependent on local approval of the Consolidated Plan and the Annual Action Plan, no alternative courses of action are proposed.

Attachments

1. Proposed City Council Resolutions (Appropriations & Approval)
2. Planning Council Approval for Consolidated & Annual Action Plans
3. HUD Letter of Estimated FY 2023-2024 Funding
4. City Council CDBG & HOME Priorities Resolution #R-22-115
5. Overview of Received FY 2023-2024 Applications
6. FY 2023-2024 CDBG/HOME Taskforce Evaluation Criteria
7. FY 2023-2024 CDBG/HOME Taskforce Funding Recommendations
8. Public Notice #1
9. Public Notice #2
10. FY 2023-2024 CDBG/HOME Taskforce Minutes1
11. FY 2023-2024 CDBG/HOME Taskforce Minutes2
12. FY 2023-2024 CDBG/HOME Taskforce Minutes3

RESOLUTION

Appropriation of Community Development Block Grant Funds Anticipated from the U.S. Department of Housing and Urban Development as part of the City’s FY 2023-2024 Annual Action Plan, in the Amount of Approximately \$410,468

WHEREAS the City of Charlottesville has been advised by the U.S. Department of Housing and Urban Development of an anticipated Community Development Block Grant (CDBG) allocation for the 2023-2024 fiscal year in the approximated amount of \$410,468; and

WHEREAS City Council has received recommendations for the expenditure of funds from the city’s CDBG/HOME Task Force, as reviewed and approved by the City Planning Commission, which conducted a public hearing thereon as provided by law; now, therefore

BE IT RESOLVED by the City Council of Charlottesville, Virginia, that upon receipt of anticipated CDBG funding from the U.S. Department of Housing and Urban Development (HUD), said funds are hereby appropriated to the following individual expenditure accounts in the Community Development Block Grant Fund in accordance with the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations, as set forth below:

Community Services

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	1900514	Resident-Centered Redevelopment (Charlottesville Public Housing Association of Residents)	\$40,000.00

Economic Development

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	1900515	Microenterprise Entrepreneur Programs (Community Investment Collaborative)	\$25,000.00
218	1900516	Beginning Level Workforce Development (Literacy Volunteers of Charlottesville/Albemarle)	\$64,477.89

CDBG Housing

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	1900517	Charlottesville Critical Rehab Program (Albemarle Housing Improvement Program)	\$40,000.00
218	1900518	Coordinated Entry into Homelessness System of Care (The Haven at First & Market St.)	\$45,000.00

Programmatic Funds

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
218	3914001000	Planning & Admin	\$82,093.60

218	1900520	Council Priority: Public Facilities & Improvements	\$89,896.51
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Subtotal CDBG Funding Recommendations \$410,468.00

In the event that funding received from the U.S. Department of Housing and Urban Development for FY 2023-2024 differs from the amounts referenced above, all appropriated amounts may be administratively increased/reduced at the same prorated percentage of change to actual funding received. No sub-recipient’s grant may be increased above their initial funding request without further consideration by Council.

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of not less than \$410,468 in CDBG funds from the Department of Housing and Urban Development for FY 2023-2024, and all sub-recipient awards are also conditioned upon receipt of such funds.

BE IT FURTHER RESOLVED that the amounts appropriated above within this resolution will be provided as grants to public agencies or private non-profit, charitable organizations (individually and collectively, “sub-recipients”) and shall be utilized by the sub-recipients solely for the purpose stated within their grant applications. The City Manager is hereby authorized to enter into agreements with each sub-recipient as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations. To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147, are authorized to establish administrative procedures and provide for guidance and assistance in the sub-recipients’ execution of the funded programs.

Approved by Council
May 1, 2023

Kyna Thomas, CMC
Clerk of Council

RESOLUTION

Appropriation of HOME Investment Partnership Program Funds Anticipated from the U.S. Department of Housing and Urban Development as part of the City’s FY 2023-2024 Annual Action Plan, in the Amount of Approximately \$98,161

WHEREAS the City of Charlottesville has been advised by the U.S. Department of Housing and Urban Development that the region served by the Thomas Jefferson Area HOME Consortium will be receiving an anticipated HOME Investment Partnerships (HOME) allocation for fiscal year 2023-2024, of which the City will receive approximately \$98,161 to support affordable housing initiatives; and

WHEREAS City Council has received recommendations for the expenditure of funds from the city’s CDBG/HOME Task Force, as reviewed and approved by the City Planning Commission, which conducted a public hearing thereon as provided by law; and

WHEREAS it is a requirement of this grant that projects funded with HOME initiatives money must be matched with local funding in varying degrees; now, therefore,

BE IT RESOLVED by the City Council of Charlottesville, Virginia, that upon receipt of anticipated HOME funding from the U.S. Department of Housing and Urban Development (HUD), said funds are hereby appropriated to the following individual expenditure accounts in the HOME Fund in accordance with the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations, as set forth below:

HOME Investment Partnerships

<i>Fund</i>	<i>Account Code</i>	<i>Funding Recommendation</i>	<i>Proposed Award</i>
210	1900519	Permanent & Long-Term Affordable Homeownership Opportunities (Piedmont Housing Alliance)	\$98,161.00
Subtotal HOME Funding Recommendations			\$98,161.00

HOME Local Match Funds

Transfer from:			
<i>Fund</i>	<i>Cost Center</i>	<i>G/L Account</i>	<i>Amount to Transfer</i>
426	CP-084	561425	\$19,632.20
Transfer to:			
<i>Fund</i>	<i>Cost Center</i>	<i>G/L Account</i>	<i>Receiving Amount</i>
425	P-00507	498010	\$19,632.20
Subtotal HOME Local Match Funding			\$19,632.20

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, Virginia that the amount of \$19,632.20 is hereby appropriated from the Charlottesville Housing Fund for expenditure as the local match for HOME funding received from HUD (a transfer from Fund 426 to Fund 425; from Lump Sum: CP-084 to WBS: P-00507; from GL: 561425 to GL: 498010); and

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of not less than \$98,161 in HOME funds from the Department of Housing and Urban Development for FY 2023-2024, and all sub-recipient awards are also conditioned upon receipt of such funds, and

In the event that funding received from the U.S. Department of Housing and Urban Development for FY 2023-2024 differs from the amounts referenced above, all appropriated amounts may be administratively increased/reduced at the same prorated percentage of change to actual funding received. No sub-recipient's grant may be increased above their initial funding request without further consideration by Council.

BE IT FURTHER RESOLVED that the amounts appropriated above within this resolution will be provided as grants to public agencies or private non-profit, charitable organizations (individually and collectively, "sub-recipients") and shall be utilized by the sub-recipients solely for the purpose stated within their grant applications. The City Manager is hereby authorized to enter into agreements with each sub-recipient as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations. To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147, are authorized to establish administrative procedures and provide for guidance and assistance in the sub-recipients' execution of the funded programs.

Approved by Council
May 1, 2023

Kyna Thomas, CMC
Clerk of Council

**Resolution Approving the Thomas Jefferson Area HOME Consortium
Five-Year Consolidated Plan (FY 2023-2027) and the City of Charlottesville
One-Year Annual Action Plan (FY 2023-2024)**

WHEREAS the City of Charlottesville is a designated Entitlement Community by the United States Department of Housing and Urban Development (HUD), and as such is a recipient of federal Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds, and

WHEREAS the City of Charlottesville is a contributing member of the Thomas Jefferson Planning District Commission Area HOME Consortium, in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program,

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlottesville, Virginia, hereby approves the Thomas Jefferson Area HOME Consortium Five-Year Consolidated Plan (FY 2023-2027) and the City of Charlottesville One-Year Annual Action Plan (FY 2023-2024), as presented at the May 1, 2023, meeting of the City Council.

Approved by Council
May 1, 2023

Kyna Thomas, CMC
Clerk of Council

CITY OF CHARLOTTESVILLE



Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.gov

TO: Michael C. Rogers, Interim City Manager, Sam Sanders and Ashley Marshall, Deputy City Manager
FROM: Missy Creasy, AICP, Deputy Director NDS
DATE: April 12, 2023
SUBJECT: **Planning Commission Highlights April 11, 2023**

COMMISSION'S ACTION ITEMS

Public Hearings

FY23-24 ACTION PLAN FOR THE CITY OF CHARLOTTESVILLE AND THE DRAFT 2023-2027 CONSOLIDATED PLAN FOR THE THOMAS JEFFERSON PLANNING DISTRICT HOME CONSORTIUM

The Planning Commission recommended approval of the application and will move forward to City Council on May 1, 2023.

Regular Meeting Items

1. Preliminary Discussion – 1709 JPA
2. Presentation - Transportation Updates

Presentations only – no action taken.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

February 27, 2023

The Honorable Lloyd Snook
Mayor of Charlottesville
PO Box 911
Charlottesville, VA 22902

Dear Mayor Snook:

Congratulations! I am pleased to inform you of your jurisdiction’s Fiscal Year (FY) 2023 allocations for the Office of Community Planning and Development’s (CPD) formula programs. Your jurisdiction’s FY 2023 available amounts are as follows:

CPD Programs:	Amount
Community Development Block Grant (CDBG)	\$410,468
Emergency Solutions Grant (ESG)	\$0
HOME Investment Partnerships (HOME)	\$785,286
Housing Opportunities for Persons With AIDS (HOPWA)	\$0
CDBG Recovery Housing Program (RHP)	\$0

These grant funds provide the financial tools to support individuals, families, and communities to address homelessness, affordable housing challenges, aging infrastructure, and economic hardships. CPD is committed to being your partner throughout the process of using these funds. Our local office will assist in finalizing grant agreements, offer technical assistance and training when needed, and monitor and implement grant funds for eligible projects in a timely manner. We will work with you to ensure proper reporting in the Integrated Disbursement and Information System (IDIS) so we can together improve performance data on how these programs are benefitting and touching people’s lives, build trust with stakeholder groups and Congress, and amplify the success stories that you and your jurisdiction are able to accomplish with these vital resources.

Based on your jurisdiction’s CDBG allocation for this year and outstanding Section 108 balances as of February 27, 2023, you also have \$2,052,340 in available Section 108 borrowing authority. Since Section 108 loans are federally guaranteed, this program can leverage your jurisdiction’s existing CDBG funding to access low-interest, long-term financing to invest in your jurisdiction.

Thank you for your continued interest in CPD programs, I greatly appreciate your leadership in using these funds to address your most urgent housing and community development needs, including preventing and reducing homelessness. If you or any member of your staff have questions, please contact your local CPD Field Director.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marion McFadden', with a stylized flourish at the end.

Marion Mollegen McFadden
Principal Deputy Assistant Secretary
for Community Planning and Development

RESOLUTION
Establishing Council Priorities for
CDBG and HOME Funds FY 2023-2024

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, 2023; 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 2023;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2023-2024 shall be as follows:

- Council’s priorities for the CDBG and HOME program for FY 2023-2024 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 23-24, \$89,896.51 CDBG entitlement shall be set aside for Economic Development
- For FY 23-34 \$89,896.51CDBG Entitlement shall be set aside for Public Facilities and Improvements.
- The CDBG Admin and Planning budget shall be set at 20% of the total CDBG entitlement.

	<u>Aye</u>	<u>No</u>
Magill	_absent_	___
Payne	_x_	___
Pinkston	_x_	___
Snook	_x_	___
Wade	_x_	___

Approved by Council
September 19, 2022



Kyna Thomas, MMC
Clerk of Council

CDBG/HOME Taskforce FY23 Summary of RFP Applications

CDBG Community Services

<i>Applicant</i>	<i>Contact</i>	<i>Proposed Program</i>	<i>Funding Requested</i>
Charlottesville Public Housing Association of Residents (CPHAR)	Taylor Frome	PHAR Resident-Centered Redevelopment	\$ 40,000
<i>Subtotal CDBG Community Services</i>			<i>\$40,000</i>

CDBG Economic Development

<i>Applicant</i>	<i>Contact</i>	<i>Proposed Program</i>	<i>Funding Requested</i>
Community Investment Collaborative (CIC)	Yvonna Bryant	CIC Entrepreneur Programs	\$ 25,000
Literacy Volunteers of Charlottesville/Albemarle (LVCA)	Ellen Osborne	Beginning Level Workforce Development	\$ 65,000
<i>Subtotal CDBG Economic Development</i>			<i>\$90,000</i>

CDBG Housing

<i>Applicant</i>	<i>Contact</i>	<i>Proposed Program</i>	<i>Funding Requested</i>
Albemarle Housing Improvement Program (AHIP)	Cory Demchak	Charlottesville Critical Rehab Program	\$ 100,000
Greater Charlottesville Habitat for Humanity	Michelle Wamsley	Flint Hill	\$ 60,000
The Haven at First & Market St.	Kay Comer	Coordinated Entry into Homelessness System of Care	\$ 65,000
<i>Subtotal CDBG Housing</i>			<i>\$225,000</i>

HOME Investment Partnerships

<i>Applicant</i>	<i>Contact</i>	<i>Proposed Program</i>	<i>Funding Requested</i>
Piedmont Housing Alliance (PHA)	Sunshine Mathon	Permanent & Long-Term Affordable Homeownership Opportunities	\$ 112,173
<i>Subtotal HOME</i>			<i>\$112,173</i>

Est. HOME Allocation FY23-24*	\$ 98,161.00
Est. CDBG Allocation FY23-24*	\$ 410,468.00
<i>Subtotal Allocations =</i>	<i>\$ 508,629.00</i>

Evaluation Criteria for CDBG/HOME Requests for Funding

CDBG/HOME Taskforce FY23-24

Category	Exceeds Standard (4 points)	Meets Standard (3 points)	Approaching Standard (2 points)	Developing (1 point)	Points (1-4)
1. Program Description/ Scope of Work	Provides a clear description and clearly explains how it will address one or more Council priorities	Provides a description that adequately explains how it will address one or more Council priorities	Provides a description that somewhat explains how it will address one or more Council priorities	Provides a vague and/or unclear description and little explanation as to how it addresses Council priorities	
2. Program Goal(s)	Provides a clear explanation of the programs goal(s). Identifies what services will be provided and to whom. Provides clear demographic information of the intended beneficiaries and how they will meet the income guidelines.	Provides an adequate explanation of the programs goal(s)	Minimally or somewhat explains the programs goal(s)	Goal is missing and/or not clearly explained. Identification of beneficiaries, number of beneficiaries, demographic information, and information about how the beneficiaries will meet the income guidelines is vague and/or missing.	
3. Demonstration of Need	Clearly describes how the program will directly address the important needs. Provides local data to describe the needs of the community and beneficiaries	Adequately describes how the program will directly address the needs using some local data to describe the needs of the community and the beneficiaries	Description of need needs improvement. Only state, regional, or national data provided, data not specific to clients	Does not describe how the program will directly address the needs and/or does not provide data to describe the needs of the community and the beneficiaries	
4. Projected Outcomes	Clearly explains how proposed outcomes will be meaningful, client-focused and related to the service(s) being provided	Adequately explains how proposed outcomes will be meaningful, client-focused and related to the service(s) being provided	Explanation of how proposed outcomes will be meaningful, client-focused and related to the service(s) being provided needs improvement	Does not explain how proposed outcomes will be meaningful, client-focused and/or related to the service(s) being provided	

Category	Exceeds Standard	Meets Standard	Approaching Standard	Developing	Points
5. Implementation Strategies	Provides evidence-based strategies for how the program/project will address the program goal(s)	Adequately describes how strategies address program goal(s) using researched best practices strategies at a minimum	Describes how strategies address program goal(s) without information about best practices or research	Does not identify how strategies directly support program goal(s)	
6. Implementation Timeline	Timeline is detailed and realistic	Timeline is adequate	Timeline is limited or not realistic	Timeline is unclear, unrealistic an/or missing key details	
7. Evaluation Plan	Provides a rigorous evaluation plan which informs ongoing work, explains metrics and why they are used	Provides a solid evaluation plan	Evaluates some elements of its work, but the evaluation is not thorough	Proposal does not provide an evaluation plan or the plan is insufficient	
8. Eligibility Verification	Proposal clearly describes how the applicant will collect and verify all required information	Proposal adequately describes how the applicant will collect and verify all required information	Proposal describes how the applicant will collect and verify some required information	Proposal does not describe how the applicant will collect and verify any required information	
9. Financial Benefits	Proposal describes how the program fully meets two financial benefits	Proposal describes how the program fully meets one financial benefit	Proposal describes how the program partially meets one to two financial benefits	Proposal does not describe how the program will provide a financial benefit	
10. Collaboration	Proposal describes how the program collaborates with other organizations to achieve a common goal using defined deliverables and metrics (eg, clear accountability, shared management, such as MOUs or formal partnership agreements)	Proposal describes formal agreements with more than two organizations describing how they cooperate, but does not share common deliverables or metrics.	Proposal describes collaboration informally with other organizations (ex. information sharing, resource sharing)	Proposal does not describe collaboration with other entities	

Category	Exceeds Standard	Meets Standard	Approaching Standard	Developing	Points
11. Engagement/ Outreach Strategy	Proposal describes complete outreach and engagement strategies and explains how it will serve needy and underserved populations	Proposal describes some outreach and engagement strategies and how it will serve needy and underserved populations	Proposal explains that services are available to needy and underserved populations but program/project does not conduct outreach or engagement	Proposal does not provide strategies for outreach and engagement to needy and underserved populations	
12. Budget	Proposal clearly demonstrates: (A) How requested funds will be applied to expense line items (B) How the amount requested is reasonable (C) That the overall program budget shows a direct relationship with proposed service items	Proposal provides an adequate budget. Adequately addresses A, B, and C	Proposed budget needs improvement and barely addresses A, B, and/or C. Proposed budget needs improvement.	The proposal does not demonstrate how the requested funds will be applied to expense line items, how the amount requested is reasonable, and does not show a direct relationship with proposed service items	
13. Organizational Capacity	Proposal provides clear evidence of the capacity and ability to ensure timely performance and reporting	Proposal provides adequate evidence of the capacity and ability to ensure timely performance and reporting	Evidence of capacity and ability needs improvement. Does not address the question fully	Proposal does not provide evidence of the capacity and ability	

Total Score (1 to 4 points; whole number values only)

0

Organizational Capacity (STAFF EVAL)	Organization demonstrated sufficient capacity and fully met projected outcomes in previous grant year	Organization demonstrated adequate capacity and almost met projected outcomes in previous grant year	Organization capacity needs improvement, did not meet projected outcomes	The organization demonstrated a lack of a capacity	
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Revised 2023 February

FY 2023-2024 CDBG & HOME BUDGET ALLOCATIONS
RECOMMENDED BY CDBG/HOME TASKFORCE: FEBRUARY 27, 2023
RECOMMENDED BY PLANNING COMMISSION: APRIL 11, 2023
APPROVED BY CITY COUNCIL: PENDING

Anticipated HUD Funding FY2023-24

CDBG Programs	\$410,468.00
HOME Programs	\$98,161.00
	\$508,629.00

CDBG Program Administration & Setasides

• Planning & Admin	\$82,093.60
• Council Priority: Public Facilities & Improvements	\$89,896.51
	\$171,990.11

CDBG Funding Recommendations

• Charlottesville Critical Rehab Program (Albemarle Housing Improvement Program)	\$64,000.00
• Resident-Centered Redevelopment (Charlottesville Public Housing Association of Residents)	\$40,000.00
• Microenterprise Entrepreneur Programs (Community Investment Collaborative)	\$25,000.00
• Beginning Level Workforce Development (Literacy Volunteers of Charlottesville/Albemarle)	\$64,477.89
• Coordinated Entry into Homelessness System of Care (The Haven at First & Market St.)	\$45,000.00
	\$238,477.89

HOME Funding Recommendations

• Permanent & Long-Term Affordable Homeownership Opportunities (Piedmont Housing Alliance)	\$98,161.00
	\$98,161.00

Order Confirmation

Order# 0001410374

Client: NEIGHBORHOOD DEVELOPMENT/CITY OF CHVILLI
Phone: 4349703182

Payor : NEIGHBORHOOD DEVELOPMENT/CITY OF CHVILLI
Phone: 4349703182

Account: 3373357
Address: POST OFFICE BOX 911
 CHARLOTTESVILLE VA 22902

Account: 3373357
Address: POST OFFICE BOX 911
 CHARLOTTESVILLE VA 22902

Sales Rep **Acct Rep** **Ordered By**
 dhubbard cvlcallctr Misy Creasy

Fax:
Email: spitlerk@charlottesville.org

Total Amount \$853.00
Payment Amount \$0.00

Amount Due \$853.00 **Tear Sheets** **Proofs** **Affidavits** **PO Number:**
 Tax Amount: 0.00 0 0 1
Payment Meth: Invoice - Statement

Ad Number **Ad Type** **Ad Size** **Color**
 0001410374-01 CLS Legal Liner 2 X 45 li \$0.00

Production Method
 AdBooker (liner)

Production Notes

Product and Zone **Placement** **Position** **# Inserts**
 CVL Daily Progress C-Legal Ads Legal Notices 2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Notice is hereby given that

Run Dates 3/28/2023, 4/ 4/2023

Product and Zone **Placement** **Position** **# Inserts**
 CVL dailyprogress.com C-Legal Ads Legal Notices 17

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Notice is hereby given that

Run Dates 3/28/2023, 3/29/2023, 3/30/2023, 3/31/2023, 4/ 1/2023, 4/ 2/2023, 4/ 3/2023, 4/ 4/2023, 4/ 5/2023, 4/ 6/2023, 4/ 7/2023, 4/ 8/2023, 4/ 9/2023, 4/10/2023, 4/11/2023, 4/12/2023, 4/13/2023

TagLine: NOTICEOFPUBLICHEARINGNOTICEISHEREBYGIVENTHATTHECHARLOTTESVILLEPLANNINGCOMMISSIO
 NANDCITYCOUNCILWILLHOLDAHYBRIDJOINTPUBLICHEARINGONTUESDAY

Ad Content Proof

Note: Ad size does not reflect actual ad

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Charlottesville Planning Commission and City Council will hold a Hybrid Joint Public Hearing on Tuesday April 11, 2023 beginning at 6:00 p.m. at Cityspace, 100 5th St NE, Charlottesville, VA 22902 and by Zoom Webinar. Limited in person seating will be available for public hearings with advanced registration beginning with the May 2022 Planning Commission meeting and will continue at this time. For additional information, instructions and registration see <https://www.charlottesville.gov/955/Planning-Commission> or call 434-970-3182. Public hearings and other matters from the public will also be heard via the Zoom webinar for which advanced registration and can be found here: www.charlottesville.gov/zoom. The webinar is broadcast on Comcast Channel 10 and on all of the City's streaming platforms including: Facebook, Twitter, and www.charlottesville.gov/streaming. Interested persons may also participate via telephone and a number is provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for the meeting.

Community Development Block Grant (CDBG) and HOME Funding – DRAFT FY23-24 ACTION PLAN FOR THE CITY OF CHARLOTTESVILLE AND THE DRAFT 2023-2027 CONSOLIDATED PLAN FOR THE THOMAS JEFFERSON PLANNING DISTRICT HOME CONSORTIUM – 1st Year Action Plan, FY23-24: The Planning Commission and City Council will be considering projects to be undertaken as part of the federal fiscal year 2023-2024 Annual Action Plan for the city's CDBG and HOME programs. The Department of Housing and Urban Development (HUD) has informed the City that funding for these two programs is currently estimated at approximately \$410,468 for CDBG and approximately \$98,161 for HOME, although these numbers may change with the final HUD allocation. CDBG funds will be used in the City to address economic development activities, housing activities, and public service projects that benefit low- and moderate-income citizens. HOME funds will be used to support the housing needs of low- and moderate-income citizens through homeownership opportunities. Report prepared by Anthony Wam, Grants Analyst.

Charlottesville City Council and the Charlottesville Planning Commission will jointly conduct public hearings to receive public comment on the above-referenced applications. Following each public hearing, it is the intention of the City that the Planning Commission will vote on each proposed action. (City Council's vote would take place at a later City Council meeting agenda, following receipt of the Commission's recommendation). Each application and related materials are available for inspection viewed online (at least 5 days before the meeting) at www.charlottesville.gov/agenda. Please contact Neighborhood Development Services at 434-970-3182 with any questions.

City of Charlottesville
To be One Community Filled with Opportunity

Office of Community Solutions
P.O. Box 911 Charlottesville, Virginia 22902
Telephone 434-970-3127 Fax 434-970-3359
www.charlottesville.gov



NOTICE OF PUBLIC HEARING

Presentation of Draft FY 2023-2027 Consolidated Plan for the Thomas Jefferson Area HOME Consortium and Draft FY 2023-2024 Annual Action Plan for the City Of Charlottesville to the Thomas Jefferson Planning District Commission and to the Charlottesville City Council

30-DAY COMMENT PERIOD:
March 21 – April 20, 2023

PUBLIC HEARINGS:
Monday, May 1, 2023, 6:30 pm in Charlottesville City Council Chambers
Thursday, May 4, 2023, 7:00 pm at TJPDC's Water Street Center

Charlottesville and the Thomas Jefferson Planning District Commission (TJPDC) invite all interested citizens to comment on the Draft FY 2023-2027 Consolidated Plan for the Thomas Jefferson Area HOME Consortium and the FY 2023-2024 Annual Action Plan for the City of Charlottesville. The Consolidated Plan and the Action Plan guide the use of federal Community Development Block Grant (CDBG) funds in the City of Charlottesville and federal HOME funds in the Thomas Jefferson Planning District (consisting of the City of Charlottesville and the counties of Albemarle, Fluvanna, Greene, Louisa, and Nelson).

Public hearings for the presentation of the draft Consolidated Plan and the draft Annual Action Plan will be held in TJPDC's Water Street Center and in City Council Chambers at 605 East Main St, as listed above.

The draft 5-year Consolidated Plan and the draft 1-year Action Plan are available online at <https://tjpd.org/our-work/thomas-jefferson-regional-home-consortium/> and may be requested in hard copy by contacting either Laurie Jean Talun, TJPDC, at litalun@tjpd.org, or Anthony Warn, City of Charlottesville, at warna@charlottesville.gov.



CDBG & Home Taskforce FY 23-24

Tuesday, February 28, 2023

CitySpace Large Conference Room/Virtual

6-7 PM

MINUTES

- Introductions
 - Attendance & sign-in page
- Minutes
 - How will the group record minutes at each meeting?
 - I suggest on a rotating basis, with recorder emailing group a copy of minutes shortly after each meeting concludes (e.g., email to me and CC to membership)
- Review Process
 - AW led the group through a review of the Taskforce binder, including a brief history of the CDBG and HOME programs in Charlottesville and an overview of the application evaluation process
 - Group reviewed and discussed the specific evaluation criteria to be used and the scoring sheet
- Review of Applications
 - Each taskforce member received a binder containing printed copies of the application received during the RFP process
 - Taskforce members briefly reviewed the standardized sections of the application
- Questions & Closing
 - AW took taskforce members questions
 - Review session meeting dates were set for Wednesday, March 15, and Monday, March 27
 - With no further questions, orientation was adjourned and AW stayed behind for individual member questions



CDBG & Home Taskforce FY 23-24

Wednesday, March 15, 2023

CitySpace Large Conference Room/Virtual

5-7:30 PM

MINUTES

- Introductions
 - Attendance & sign-in page:
 - Present: AW, AI, SC, JM, HS, JB, PDO
 - Absent: CB
 - Taskforce members shared their personal experiences as residents and what brought them to this work
- Minutes
- Initial Review:
 - AW led group through a review of the applications received and initiated a general conversation about each applicant organization and their work in the community
 - Taskforce members reviewed the evaluation criteria in detail
- Next Steps:
 - Taskforce decided to review applications before next meeting and to submit their scores to AW prior to the next meeting so they could be compiled and an average score for each applicant calculated
 - Discussion of whether to start with the HOME application as there was only one received for that program
- Closing



CDBG & Home Taskforce FY 23-24

Monday, March 27, 2023

CitySpace Large Conference Room/Virtual

5-7:30 PM

MINUTES

- Introductions
 - Attendance & sign-in page
- Minutes
- Nomination of Officers
 - Taskforce typically elects officers, at minimum a Chair and a Vice-Chair
 - Nominations; all aye, no objections
 - FY23-24 Taskforce Officers
 - Chair: PDO
 - Vice-Chair: Syleethia Carr
- Available Program Funding
 - PDO facilitated a discussion of the amounts available per category based on review of Council Priorities
 - Questions: Day services for residents unhoused is a community service?
- Scoring
 - Individual scorers reviewed their submitted scores prior to this meeting and confirmed as accurate on master spreadsheet
- Funding Recommendations Discussion
 - Driving Questions:
 - Which applications to fund?
 - Funding amount recommendations?
 - How do we handle an application if the applicant is also likely to receive funding from another city program (i.e., Vibrant City, HOPS)?
 - How do we balance homeownership opportunity building versus other housing services?
 - PDO facilitated discussion on specific applications:
 - An application had a discrepancy between its requested amount and its line-item budget, so which takes priority?
 - Consensus emerges that all community need identified are essential and deserve

to be fully funded

- Evaluating funding decisions based on the number of beneficiaries to be served
- Taskforce Recommendations
 - CDBG:
 - PDO motion to fund AHIP at \$64,000 (JB second; all in favor)
 - PDO motion to fund CIC at \$25,000 (JB second; all in favor)
 - PDO motion to fund PHAR at \$40,000 (HS second; all in favor)
 - PDO motion to fund LVCA at \$64,478.89 (PDO motion; SC second; all in favor)
 - PDO motion to fund The Haven at \$45,000 (PDO motion; HS second; all in favor)
 - HOME:
 - PDO motion to fund full allocation to PHA (\$98,161) (HS second; all in favor)
 - Not funded:
 - Habitat: PDO motion to not fund Habitat; seconded by HS; all in favor due to possibilities of funding in subsequent rounds of city programs
- Final Motion
 - Final PDO motion to approve recommended funding as is; JB second; all in favor
- Closing
 - With that the session ended and taskforce members were thanked and dismissed

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	Approval
Presenter:	Chris Cullinan, Director of Finance
Staff Contacts:	Michael Rogers, City Manager Chris Cullinan, Director of Finance Ashley Marshall, Deputy City Manager Mary Ann Hardie, Director of Human Resources
Title:	Resolution Transferring \$1,710,854 of Unallocated American Rescue Plan (ARP) funds (1 reading)

Background

This agenda item requests approval to transfer \$1,710,854 of unallocated American Rescue Plan (ARP) funds.

Staff requests funds be transferred for the following uses in the following amounts:

1. \$1,375,854 for Human Resources to purchase and implement Success Factor HRIS system. This system will be integral in managing collective bargaining and related activities as well as centralizing and coordinating employee data and files. Funds will be used to purchase a learning and performance module, time management module, learning and training context, and the first two years of licensing costs.
2. \$240,000 to update the ADA Transition Plan. The Plan update will provide a comprehensive evaluation of Americans with Disabilities Act (ADA) accessibility compliance of public rights-of-way, parks, City-owned open spaces, City buildings. The scope of the plan will include a comprehensive review of the City's website, social media, and online information resources for ADA compliance, including but not limited to digital ordinances, GIS viewer, and Assessor's database, and provide recommendations for changes.
3. \$95,000 for the Fire Department, including \$30,000 for public safety messaging materials, \$5,000 for "stop the bleed" kits, training and outreach, and \$60,000 for ballistic vests pursuant to departmental policy for responding to certain calls.

Funds will be transferred from the following previously appropriated ARP funds:

- \$1,375,854 from unallocated Revenue Replacement Funds (I/O 1900498). This transfer will fully expend the Revenue Replacement funds.

- \$335,000 from ARP 1 Unallocated Funds (I/O 1900480). There will be a balance of \$2,014,565 of unallocated funds in this account after this transfer.

Discussion

City staff continues the process of identifying needs resulting from the impacts of the COVID-19 virus. This appropriation request includes requests to “support the public health response”, “address negative economic impacts caused by the public health emergency”, and provide eligible "general government services".

Alignment with City Council's Vision and Strategic Plan

This resolution contributes to Goal 1 of the Strategic Plan, to be an inclusive community of self-sufficient residents; Goal 2 to be a healthy and safe City; and Goal 5 to be a well-managed and responsive organization.

Community Engagement

N/A

Budgetary Impact

These transfers are unallocated ARP funds. As noted earlier, Revenue Recovery funds will be fully obligated. A balance of \$2,014,565 will remain unobligated from the first tranche of ARP funds.

Recommendation

Staff recommends approval of the resolution.

Alternatives

City Council may elect not to appropriate funding for these purposes at this time or may elect other ARP eligible program expenditures.

Attachments

1. 5.1.2023 Resolution Transferring ARP Funds

**RESOLUTION TRANSFERRING FUNDS FOR
American Rescue Plan for Eligible Local Activities**

\$1,710,854

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$1,710,854 from previously appropriated, unallocated American Rescue Plan funds is hereby designated to be available for expenditure for costs associated with following eligible purposes and amounts:

Transfer from:

Unallocated Revenue Replacement Funds.	I/O 1900498	\$1,375,854.
ARP 1 Unallocated Funds.	I/O 1900480	\$335,000.
TOTAL.		\$1,710,854.

Transfer to:

Success Factors HRIS System and Implementation.		\$1,375,854.
ADA Transition Plan Update.		\$240,000.
Fire Department Uses:		
Public Safety Messaging Materials.		\$30,000.
“Stop the Bleed” kits, training, outreach.		\$5,000.
Ballistic vests.		\$60,000.
TOTAL.		\$1,710,854.

Note: account codes will be established following the first reading and approval of these transfers.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	Approval of each resolution
Presenter:	Samuel Sanders, Jr., Deputy City Manager
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Jack Dawson, City Engineer Michael Goddard, Facilities Development Manager Krisy Hammill, Director of Budget
Title:	Appropriating \$2,000,000 in FY23 Capital Improvement Program for Stribling Avenue Sidewalk and Buford School Reconfiguration Projects (1 of 2 readings)

Background

Council has approved a multi-year funding plan for the Stribling Avenue Sidewalk and Buford School Reconfiguration projects. The majority of the funding for each project was approved as part of the FY 2024 5-year CIP, however some funds are needed in the current year to help pay for project design costs.

Discussion

Stribling Avenue Project

On April 6, 2023, the City Council held its final budget work session on the FY 24 budget. At that time, proposed made decisions and requests for several changes to the City Manager's Proposed budget. Part of that conversation related to a request from staff to increase the funding that would be needed for the design phase of the Stribling Avenue sidewalk. At that time, staff requested \$500,000 be made available in FY 23 and \$750,000 in additional funds be programmed in FY 24. The total project cost is now projected to be \$5,467,000. The purpose of this resolution is to seek approval from the Council for the additional funds (\$500,000) that are needed in this current fiscal year (FY 23). If approved, the additional budget will be funded using an existing balance in the CIP Contingency fund.

Buford School Reconfiguration Project

Construction bids for the Buford School Renovation project were received in early March and an update was provided by staff to Council as part of the March 30, 2023 budget work session on the 5-year CIP plan. As part of the FY 24 budget, the Council approved several bid additives and approved funding for a total project cost of \$91,813,410. A total of \$5.5 million was previously appropriated for the project (\$3M in FY 20 and \$2.5M in FY 23) to be used for the design phase of the project. Now that the full project budget has been approved, work is continuing toward a construction start date of July 2023. Part of that work includes securing a contract for construction management services at a total cost of \$1.2M which has been encumbered. When funds are encumbered, they are no longer available to be used for payment of other expenses. This action has

consumed the majority of the funds that were currently available. Staff is requesting that City Council appropriate \$1,500,000 to be available for spending now in the current year in order to be able to pay remaining invoices that are due for the design work. If approved, the FY 24 CIP budget amount for the project will be reduced by the same \$1,500,000. The net effect of this change is only a timing change for when the funding is available and can be spent. There is no change to the total project budget, which will remain at \$91,813,410.

Alignment with City Council's Vision and Strategic Plan

The actions being requested of City Council align with Goal 3 to be a Beautiful and sustainable Natural and Built Environment and Goal 5 to be a Well-managed and Responsive Organization of the City's Strategic Plan.

Community Engagement

Both of these projects were discussed at the March 30, 2023 FY 2024 CIP Budget Work Session as well as several other public meetings and work sessions.

Budgetary Impact

The only budgetary impact of the Buford School resolution is the timing of when the funds will be available. The budgetary impact of the Stribling Resolution adds \$500,000 to the project costs, which will be covered by using existing funds in the CIP contingency account.

Recommendation

Staff recommends approval of both resolutions.

Alternatives

If the funds are not appropriated, outstanding invoices for the Buford School project will become delinquent as they will remain unpaid until after July 1, 2023. If additional funds are not approved for the Stribling Avenue sidewalk, there will be inadequate funding for the necessary design work that must be done before the project can begin.

Attachments

1. Stribling Avenue Sidewalk Resolution
2. Buford School Reconfiguration Resolution (2AMD)

RESOLUTION

**Appropriating the amount of \$500,000
For the Stribling Avenue Sidewalk Project**

WHEREAS Council previously appropriated funding to design and construct a sidewalk on Stribling Avenue;

AND WHEREAS staff has advised Council that the amount of funds previously appropriated were not sufficient for the work required;

AND WHEREAS staff has requested additional funding be made available in the current fiscal year;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$500,000 is hereby appropriated as follows:

Transfer From;

\$500,000 Fund: 426 WBS: CP-080 G/L Account: 599999

Transfer To

\$500,000 Fund: 426 WBS: P-0XXXX G/L Account: 599999

RESOLUTION

**Appropriating the amount of \$1,500,000
For the Buford School Reconfiguration Project**

WHEREAS Council has appropriated a total project budget of \$91,813,410 for the Buford School Renovation and Reconfiguration project; and

WHEREAS the majority of the funding has been approved as part of the FY 2024 budget and therefore will not be available for spending until July 1, 2023, or after; and

WHEREAS as some funds are needed prior to July 1, 2023, to secure and encumber funds related to contracts associated with the project; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$1,500,000 is hereby appropriated as follows:

Revenues:

\$1,500,000 Fund: 426 WBS: CP-080 G/L Account: 599999

Expenditures:

\$1,500,000 Fund: 426 WBS: P-01012 G/L Account: 599999

BE IT FURTHER RESOLVED that this action does not result in an increase in the total amount of funds available for the project. The only result of this approval is one of timing to allow for the availability of funds prior to July 1, 2023. Upon Council approval, the FY 2024 CIP budget will also be amended to reduce the funding allocation in FY 2024 for this project by \$1,500,000 hereby being appropriated in FY 2023.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	Adopt the ordinance by a four-fifths vote.
Presenter:	Andrew McRoberts, Sands Anderson PC
Staff Contacts:	Allyson Davies, Senior Deputy City Attorney
Title:	Continuity of Government during the Covid-19 Pandemic disaster; supplemental changes and ratification (1 reading with four-fifths vote; or 2 readings)

Background

In response to the COVID- 19 pandemic emergency, the City Council developed and voted on a series of ordinances to ensure that City operations could continue in accordance with Virginia Code § 15.2-1413. Virginia Code § 15.2-1413 states in relevant part, "Notwithstanding any contrary provision of law, general or special, any locality may, by ordinance, provide a method to assure continuity in its government, in the event of.... disaster."

Virginia Code § 15.2-1413 is a statutory provision dating back to the 1920s, enacted in response to the Spanish Flu pandemic and World War I. Since that time and through various Virginia Code recodifications, a locality has been authorized to adopt an ordinance to provide for a method to assure continuity of government in the event of a disaster such as the COVID-19 pandemic. This method may be adopted in lieu of normal procedures provided by general laws such as the Virginia Freedom of Information Act.

City Council adopted the continuity of government ordinances beginning March 25, 2020, in Ordinance # 20-049 and thereafter reenacted, amended and extended its continuity of government ordinances many times by Ordinances # O-20-117, # O-20-135, # O-21-053, # O 21-146, and finally by # O-22-029, which remained in effect until it expired on September 8, 2022. Thereafter, the City Council and the City Manager continued certain pandemic-indicated measures for some City public bodies, including virtual meetings consistent with the Virginia Freedom of Information Act ("FOIA"), such as Virginia Code §§ 2.2-3708.2 and 2.2-3708.3. The open public meeting requirements of FOIA allow properly claimed exemptions provided under that Act (e.g., Virginia Code §§ 2.2-3708.2, 2.2-3708.3 and 2.2-3711) or any other statute (e.g., Virginia Code §§ 15.2-1413, and 15.2- 2907(D)). The City's above referenced continuity of government ordinances allowed for the City to continue operations even while the pandemic made it unsafe to physically assemble. City Council, during the time period from March 25, 2020, through September 6, 2022, and many other City public bodies met virtually due to the danger to the public, staff and City Council.

On March 23, 2023, the Virginia Supreme Court issued an opinion in the case of Berry v. Board of Supervisors of Fairfax County (the "Berry Opinion"). The Berry opinion interpreted Virginia Code §

2.2-3708(A)(2) and the Fairfax County continuity of government ordinance which were applicable to the adoption of a Fairfax County zoning ordinance under the facts of that case. The Court held that the remedy for a violation of FOIA for decisions not authorized by a continuity of government ordinance or other authorized exception is that the vote taken is void ab initio.

This decision and the reasoning were unexpected and suggested a sudden shift in what was otherwise well-understood and well-settled law. The Berry Opinion is not yet final. It is currently under reconsideration by the Virginia Supreme Court. Several local government organizations and state-wide non-profits are raising an issue with the Berry Opinion's holding at this time. During this period of uncertainty, the City seeks to clarify their previous continuity of government ordinances to authorize and ratify the actions taken by the City Council and its various Boards and Commissions during the pandemic disaster.

Therefore, the attached ordinance is provided to achieve this goal and provide for the City of Charlottesville and its citizens a degree of certainty for however long the Berry Opinion remains under consideration. There are multiple possible outcomes from a revised Berry Opinion that could impact the effectiveness of the attached Ordinance. However, at the current time, the clarification of the city's various continuity of government ordinances and the City Council's ratification, in an in-person public meeting, of the actions taken during the virtual public meetings can offer a greater degree of certainty over the actions taken by the City during the pandemic.

The attached ordinance is intended to provide a remedial method by which, if FOIA did not permit the City's public bodies to meet in excess of then-applicable law, alternative, flexible procedures would be available to allow the work of government to continue unabated and to protect the public health and that of our citizens, staff and the members of the public bodies.

Discussion

During the pandemic, the City did take steps to provide alternative means for public communication and participation in city business. The public was given additional access to public meetings virtually through the internet and other means, which expanded and increased public participation opportunities. The access to public meetings and opportunities afforded citizens via virtual choices for input expanded opportunity for the Community to be part of City meetings. The City, from September 8, 2022, onward, provides in person access to Council meetings under certain safeguards and conditions as well as virtual opportunities. During those times, City Council and other City public bodies conducted the important, continuing work of local government and acted to serve the good of the community, notwithstanding the ongoing emergency pandemic and public health concerns.

The Berry Opinion appears to be in conflict with the long-standing precedent of the Virginia Supreme Court that holds "when a statute creates a right and provides a remedy for the vindication of that right, then that remedy is exclusive unless the statute says otherwise." *Concerned Taxpayers of Brunswick Cnty. v. Cnty. of Brunswick*, 249 Va. 320, 330, 455 S.E.2d 712, 717–18 (1995), quoting *Vasant & Gusler, Inc. v. Washington*, 245 Va. 356, 360, 429 S.E.2d 31, 33 (1993) (quoting *School Bd. v. Giannoutsos*, 238 Va. 144, 147, 380 S.E.2d 647, 649 (1989)). Like the Procurement Act and the other statutes discussed in these cases, FOIA and its rights did not exist at common law, and "confers certain rights and obligations upon citizens of the Commonwealth, nongovernmental contractors, and governmental entities." See *W.M. Schlosser Co. v. Board of Supervisors*, 245 Va. 451, 456, 428 S.E.2d 919, 922 (1993) (Virginia Public Procurement Act). This rule applies whenever

the rights and obligations did not exist in the common law and were created through a statutory scheme. In *Concerned Taxpayers and W.M. Schlosser Co.* the Procurement Act was involved; in the *Berry Opinion*, FOIA was involved, but the same long-standing rule should apply in any case involving an alleged violation of FOIA.

The *Berry Opinion* has caused uncertainty regarding the validity of actions of City Council and other City public bodies during the Covid-19 pandemic emergency. For the City's citizens, businesses, property owners, and visitors to rely upon the certainty and finality of the actions of the City Council and the other City public bodies for decisions, investments, purchases, and other actions and behavior, it is important to try and take any available actions.

The City Council has the power to adopt retroactive legislation such as this Ordinance. As a legislative power, retroactive adoption has been upheld or referenced in such authorities as *Fallon Florist v. City of Roanoke*, 190 Va. 564 (1950)(retroactive tax ordinance upheld as legal and constitutional); *Gallagher v. Stathis*, 186 Va. 444 (1947)(local building code ordinance stated it would not have retroactive effect unless expressly stated so was not retroactive); *Chesterfield Civic Ass'n v. Board of Zoning Appeals of Chesterfield County*, 215 Va. 399 (1974) (ordinance held not to be retroactive but referencing the general rule on retroactivity that legislation is presumed not to be retroactive unless there is an express intent otherwise); *Barton v. Town of Middlesburg*, 27 Va. Cir. 20 (Loudoun Cir. 1991)(recognizing the general rule that a local legislature can make an ordinance retroactive by clear expression of intent, but holding the ordinance in question was not retroactive); *City of Virginia Beach v. Octo, Inc.*, 30 Va. Cir. 507 (Va. Beach Cir. 1981) (recognizing the potential for the ordinance to be retroactive, but holding it was not in this case); 1986-87 Va. A.G. 242 (localities may adopt retroactive civil ordinances so long as no vested rights are disturbed or contract violated); 1972-73 Va. A.G. 251 (local retroactive line of duty act ordinance valid); see also 6 *McQuillen*, *Municipal Corporations* § 20.70 (1980); 62 *CJS Municipal Corporations* § 443(c) (1949). Adoption of the Ordinance by City Council is in line with long established precedent.

The method authorized by Virginia Code § 15.2-1413 and this Ordinance to address the pandemic disaster is a multi-layered method of various, more flexible procedures in addition to what FOIA authorized. The pandemic disaster went through various stages and took multiple turns. The City Council and public bodies were expected to, and did, in good faith, continue local government for the good of the community, while attempting to maintain health and safety through virtual meetings. It is important to clearly reaffirm the methods and procedures taken during the emergency in a now, safe, public, in-person meeting. This Ordinance is to be retroactive and remedial. If adopted, it is a remedial effort to provide certainty in response to the disaster caused by the COVID-19 pandemic, as recognized by national, state and local authorities. It promotes public health, safety and welfare, and is consistent with the laws of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America.

Alignment with City Council's Vision and Strategic Plan

Adoption of this Continuity of Government and Ratification Ordinance is consistent with the City's vision to be flexible and progressive in anticipating and responding to the needs of our citizens.

Community Engagement

This proposed ordinance is a ratification of actions taken during virtual meetings under the Covid-19 emergency. Community engagement has already occurred with respect to the various actions taken by the City Council during the pandemic.

Budgetary Impact

There is no new budgetary impact on the adoption of this ordinance. All of the actions ratified by this ordinance already occurred during the Covid-19 pandemic.

Recommendation

Staff recommends adoption of this ordinance.

Alternatives

The City Council could decline to adopt this ordinance and wait to see what the final Berry Opinion holds with respect to actions taken at virtual meetings during the Covid-19 pandemic.

Attachments

1. Retroactive COG Ordinance - FINAL 4864-4892-6047 v

ORDINANCE TO ASSURE CONTINUITY OF GOVERNMENT DURING THE COVID-19 PANDEMIC DISASTER BY ENACTING AND AUTHORIZING SUPPLEMENTAL TEMPORARY CHANGES IN CERTAIN DEADLINES, MODIFIED SUPPLEMENTAL AND REMEDIAL PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES, AND OTHER EMERGENCY ACTIONS NECESSARY TO ASSURE SAFE AND EFFICIENT AND EFFECTIVE GOVERNMENT OPERATIONS

WHEREAS, on March 13, 2020, the former President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19, and also declared the novel Coronavirus (“COVID-19”) emergency which the Federal Emergency Management Agency (“FEMA”) designated as “Disaster #3448” in Virginia (“EM-3448-VA”), with an “incident period” that began on January 20, 2020 and continued until April 10, 2023, when the current President of the United States signed into law House Joint Resolution 7 (“H.J.R.7”), terminating the national emergency and disaster over COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic, and according to the International Federation of Red Cross and Red Crescent Societies, pandemics are classified as a natural hazard; and

WHEREAS, on March 12, 2020, former Governor Ralph S. Northam issued his Executive Order Fifty-One (“E.O.-51”) declaring a state of emergency for the Commonwealth of Virginia arising from the COVID-19 pandemic; and

WHEREAS, the former Governor’s E.O.-51 acknowledged the existence of a public health emergency which constitutes a disaster, as defined by Virginia Code § 44-146.16, arising from the public health threat presented by a communicable disease anticipated to spread, and this public health emergency continued to be a state-recognized emergency and a disaster through July 1, 2021, by the former Governor’s E.O.-79 and Order of Public Health Emergency Ten Ending of Commonsense Public Health Restrictions Due to COVID-19 on May 14, 2021; and

WHEREAS, the Governor’s Executive Orders ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

WHEREAS, by Public Safety Order dated March 12, 2020, the City of Charlottesville City Manager (“City Manager”)/ Director of Emergency Management declared a state of local emergency, based on a threat to the public health and safety of the residents of the City of Charlottesville (the “City”) resulting from the communicable and infectious COVID-19 virus, which threat was and continued to be an emergency as defined in Virginia Code § 44-146.16 for a lengthy time as evidenced by the Center for Disease Control’s weekly positivity rate for the City of Charlottesville; and

WHEREAS, the Virginia Supreme Court unanimously issued a series of emergency orders, beginning with its March 16, 2020, Order Declaring a Judicial Emergency in Response to the

COVID-19 Emergency in reliance on and in response to the former Governor’s E.O.-51, and ending with its May 27, 2022, Fortieth Order Extending the Judicial Emergency in Response to the COVID-19 Emergency, which expired on June 22, 2022. Said emergency orders recognized “the ongoing impact and effects of the COVID-19 pandemic [which] continue[d] to impede the operation of Virginia’s courts, and to limit the courts’ ability to ensure (i) immediate access for litigants and others, and (ii) that schedules or time deadlines imposed by court order, rule, or statute are met,” the “public health threat,” and “the current COVID-19 emergency,” which affected the courts system across Virginia ultimately for a time period from March 16, 2020, through June 22, 2022; and

WHEREAS, the City of Charlottesville City Council (“City Council”) found and finds that the COVID-19 virus constituted a real, substantial and continuing threat to public health and safety and constituted a “disaster” in the City as defined by Virginia Code §44-146.16 and as established in Virginia Code § 15.2-1413, said virus being a “communicable disease of public health threat” from at least as far back as March 13, 2020, and lasting through April 10, 2023, when the national pandemic emergency and disaster was terminated; and

WHEREAS, Virginia Code § 15.2-1413 is a statutory provision dating back to the 1920s, which in light of the then-recent Spanish Flu pandemic and World War I, has since provided through various recodifications that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster such as the COVID-19 pandemic emergency for a period not to exceed twelve months from the date of such disaster, and this method may be in lieu of normal procedures provided by general law; and

WHEREAS, City Council adopted continuity of government ordinances beginning March 25, 2020, in Ordinance # 20-049 and thereafter reenacted, amended and extended its continuity of government ordinances many times by Ordinances # O-20-117, # O-20-135, # O-21-053, # O-21-146, and finally by # O-22-029, which remained in effect until it expired on September 8, 2022, but thereafter City Council and the City Manager continued certain pandemic-indicated measures for some City public bodies including virtual meetings consistent with this Ordinance, the above-named continuity of government ordinances, the Virginia Freedom of Information Act (“FOIA”), including Virginia Code §§ 2.2-3708.2 and 2.2-3708.3, and/or other law; and

WHEREAS, the open public meeting requirements of FOIA allow properly claimed exemptions provided under that Act (e.g., Virginia Code §§ 2.2-3708.2, 2.2-3708.3 and 2.2-3711) or any other statute (e.g., Virginia Code §§ 15.2-1413, and 15.2- 2907(D)), and this ordinance is intended to provide a remedial method by which, if FOIA did not permit the City’s public bodies to meet in excess of then-applicable law, that alternative, flexible procedures would be available to allow the work of government to continue unabated and to protect the public health and that of our citizens, staff and the members of the public bodies; and

WHEREAS, City Council, during the time period from March 25, 2020, through September 6, 2022, and many other City public bodies (as defined herein), from March 25, 2020, through April 10, 2023, met virtually due to the danger to the public, applicants, community, staff and City Council from the pandemic disaster pursuant to various authorizations and actions from

national, state and local leaders, and continued local government functions and operations despite that danger and disaster; and

WHEREAS, during that time period, the public was given additional access to public meetings virtually through the internet and other means, which expanded and increased public participation opportunities and the access to public meetings and opportunities afford citizens virtual choices for input in the City, and additionally, from September 8, 2022, onward, in-person access was given to City Council meetings under certain safeguards and conditions, and during those time frames, City Council and other City public bodies conducted the continuing work of local government and acted to serve the good of the community, notwithstanding the ongoing emergency pandemic and the public health concerns; and

WHEREAS, on March 23, 2023, the Virginia Supreme Court issued in its opinion in the case of *Berry v. Board of Supervisors of Fairfax County* (the “Berry Opinion”), which opinion interpreted Virginia Code § 2.2-3708(A)(2) and the Fairfax County continuity of government ordinance which were applicable to the adoption of a Fairfax County zoning ordinance under the facts of that case, and held that the remedy for a violation of FOIA for decisions not authorized by a continuity of government ordinance or other authorized exception is that the vote taken is void ab initio, which was unexpected and a sudden shift in what was otherwise well-understood and well-settled law; and

WHEREAS, the Berry Opinion is not yet final, as it is currently under reconsideration by the Virginia Supreme Court, and in the opinion of the City Attorney, appears to be in conflict with the long-standing precedent of the Virginia Supreme Court that holds “when a statute creates a right and provides a remedy for the vindication of that right, then that remedy is exclusive unless the statute says otherwise.” *Concerned Taxpayers of Brunswick Cnty. v. Cnty. of Brunswick*, 249 Va. 320, 330, 455 S.E.2d 712, 717–18 (1995), quoting *Vansant & Gusler, Inc. v. Washington*, 245 Va. 356, 360, 429 S.E.2d 31, 33 (1993) (quoting *School Bd. v. Giannoutsos*, 238 Va. 144, 147, 380 S.E.2d 647, 649 (1989)). Like the Procurement Act and the other statutes discussed in these cases, FOIA and its rights did not exist at common law, and “confers certain rights and obligations upon citizens of the Commonwealth, nongovernmental contractors, and governmental entities.” See *W.M. Schlosser Co. v. Board of Supervisors*, 245 Va. 451, 456, 428 S.E.2d 919, 922 (1993)(Virginia Public Procurement Act). This rule applies whenever the rights and obligations did not exist in the common law and were created through a statutory scheme. In *Concerned Taxpayers* and *W.M. Schlosser Co.* the Procurement Act was involved; in the Berry Opinion, FOIA was involved, but the same long-standing rule should apply in any case involving an alleged violation of FOIA; and

WHEREAS, the Berry Opinion has caused uncertainty regarding the validity of certain actions of City Council and other City public bodies, for the City’s citizens, businesses, property owners, and visitors who rely upon the certainty and finality of the actions of City Council and the other City public bodies for decisions, investments, purchases, and other actions and behavior; and

WHEREAS, City Council has the power to adopt retroactive legislation such as this Ordinance as a legislative power, which has been upheld or referenced in such authorities as *Fallon Florist v. City of Roanoke*, 190 Va. 564 (1950)(retroactive tax ordinance upheld as legal and

constitutional); *Gallagher v. Stathis*, 186 Va. 444 (1947)(local building code ordinance stated it would not have retroactive effect unless expressly stated so was not retroactive); *Chesterfield Civic Ass'n v. Board of Zoning Appeals of Chesterfield County*, 215 Va. 399 (1974) (ordinance held not to be retroactive but referencing the general rule on retroactivity that legislation is presumed not to be retroactive unless there is an express intent otherwise); *Barton v. Town of Middlesburg*, 27 Va. Cir. 20 (Loudoun Cir. 1991)(recognizing the general rule that a local legislature can make an ordinance retroactive by clear expression of intent, but holding the ordinance in question was not retroactive); *City of Virginia Beach v. Octo, Inc.*, 30 Va. Cir. 507 (Va. Beach Cir. 1981) (recognizing the potential for the ordinance to be retroactive, but holding it was not in this case); 1986-87 Va. A.G. 242 (localities may adopt retroactive civil ordinances so long as no vested rights are disturbed or contract violated); 1972-73 Va. A.G. 251 (local retroactive line of duty act ordinance valid); *see also* 6 McQuillen, Municipal Corporations § 20.70 (1980); 62 CJS Municipal Corporations § 443(c) (1949); and

WHEREAS, in response to the uncertainty created by the Berry Opinion, and to reassure the community, City Council wishes to retroactively adopt a remedial continuity of government ordinance to assure public health, and ensure certainty and continuity of government to supplement as needed, but not necessarily replace, the authority referenced above to allow City Council and all other public bodies of the City to have met solely virtually by electronic means from March 25, 2020, through the termination of the national emergency and disaster as declared in Virginia on April 10, 2023; and

WHEREAS, the method authorized by Virginia Code § 15.2-1413 and this Ordinance to address the pandemic disaster is a multi-layered method of various, more flexible procedures in addition to what FOIA authorized, recognizing that the pandemic disaster went through various stages and took multiple turns, while at the same time the City Council and public bodies were expected to and did bravely and in good faith continue local government for the good of the community, while attempting to maintain health and safety; and

WHEREAS, this Ordinance is intended to be retroactive and remedial, and is enacted in response to the disaster caused by the COVID-19 pandemic, as recognized by national, state and local authorities; it promotes public health, safety and welfare, and is consistent with the laws of the Commonwealth of Virginia, the Constitution of Virginia and the Constitution of the United States of America.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that City Council finds and ordains the following to retroactively apply in the City of Charlottesville for the emergency and disaster period from March 25, 2020, through April 10, 2023, as if these provisions were in effect for that time period:

1. **THAT** the continuing COVID-19 pandemic and disaster from March 25, 2020, through April 10, 2023, made it unsafe for public bodies to conduct their meetings in accordance with normal practices and procedures, because such practices and procedures required the physical presence of members of a public body and members of the public within the same room and facilities. That such congregate gathering did not allow adequate measures to be taken in accordance with public health requirements and guidelines of the CDC and Virginia Department of Health. For

the purposes of this Ordinance the term “Public Body” means the City Council, and each board, commission, or agency of the City of Charlottesville, including any committee, subcommittee, or other entity, however designated, created by City Council to perform delegated functions of City Council or to advise the City Council, or entities which exist to carry out statutorily-directed duties and powers as a local public body whether appointed by City Council or the Circuit Court for the City of Charlottesville (collectively “Public Bodies”); and

2. **THAT** in accordance with Virginia Code § 15.2-1413, and notwithstanding any other provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of the City government during the COVID-19 emergency and disaster from March 25, 2020, through April 10, 2023, and Public Bodies may utilize these procedures in lieu of, or in addition to other procedures otherwise applicable:

a. Any meeting or activities which normally would require the physical presence of a quorum of members of a Public Body may be held only through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location, and

b. The City Manager is hereby authorized to restrict the number of electronic meetings each Public Body may conduct each calendar month, based on the capacity and availability of the City staff who are capable and qualified to support the meeting to ensure compliance with this Ordinance, and

c. Prior to holding any such electronic meeting, the Public Body shall provide public notice of at least three (3) days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment, and

d. Any such electronic meeting of a Public Body shall state on its agenda the location at which members of the public can obtain information as to the means by which the public may access and participate in such electronic meeting, and

e. Any such electronic meeting of a Public Body shall be open to electronic participation by the public and closed to in-person participation by the public, and each electronic meeting shall be conducted in a manner designed to maximize public participation, and

f. A video recording of all electronic meetings shall be made available on the City’s website within three (3) business days following each electronic meeting, and

g. With respect to any matter which requires a public hearing, the public hearing may be conducted by an open public comment period called for during an electronic meeting, as well as by submission of written comments to the Clerk of City Council prior to, during, and for five (5) business days after the electronic meeting. Notice of the public hearing shall be posted on the City’s website at least five (5) business days prior to the date of the public hearing.

h. The minutes of all electronic meetings shall conform to the requirements of law, shall identify how the meeting was conducted, the identity of the members participating, and shall specify what actions were taken at the meeting. A Public Body may approve minutes of an electronic meeting at a subsequent electronic meeting, and

i. Any provision of Virginia Code §2.2-3708.2 requiring the Public Body's approval of electronic participation due to a member's personal matter or medical condition shall not apply for the duration of the time period that this Ordinance is applicable.

IT IS FURTHER ORDAINED THAT, notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Body or any City officers (including Constitutional Officers) or City employees, within a period of sixty (60) or fewer days, shall be suspended during this emergency and disaster. The Public Bodies, and the City's officers and employees, are encouraged to take all such action as is practical and appropriate to meet those deadlines; however, failure to meet any such deadlines shall not constitute or be deemed to be a default, violation, approval, official recommendation or other action.

IT IS FURTHER ORDAINED THAT any scheduled non-emergency public hearings and action items of a Public Body may be postponed to a date certain if, in the judgment of the Public Body, it would be in the best interests of the public to do so, provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED THAT this Ordinance shall not operate to preclude any Public Body from making its own decisions and rules regarding the conduct of its meetings either electronically or by means of having a quorum physically assembled, so long as those meetings are in compliance with applicable Executive Orders of the former Governor of Virginia, any local ordinance which may be enacted by this City Council (including this one) in response to the COVID-19 virus emergency within the City locally or statewide, and/or other state and local laws and policies; however, any such Public Body may also elect to conduct its meetings virtually solely electronically within the purview of this Ordinance and/or any other applicable laws and policies.

IT IS FURTHER ORDAINED THAT a continuing emergency existed, and the City Manager's declaration of a local emergency, authorized by resolution of this City Council on March 12, 2020 (#R-20-035) remained in effect through the September 8, 2022, Virginia emergency declaration, which declaration was in effect through July 1, 2021, and the nationally-declared emergency and disaster in Virginia remained in effect from March 12, 2020, through April 10, 2023; and the various actions referred to within this Ordinance are necessary to be taken to address the continuing emergency referenced in one of more of these declarations; and

IT IS FURTHER ORDAINED THAT to the extent permitted by law, City Council hereby ratifies and authorizes all ordinances, resolutions, motions and actions taken by City Council or any Public Body within the City during the timeframe referenced above of emergency and pandemic disaster; and

IT IS FURTHER ORDAINED THAT pursuant to Charlottesville City Code § 2-96, by a four-fifths vote of City Council, this Ordinance is enacted on the date of its introduction, shall be immediately and retroactively effective upon its adoption, shall be applied retroactively as in full force and effect for the time period from March 25, 2020, through April 10, 2023, and supplements (but does not supersede) any other ordinance, statute or law authorizing actions of City Council or any other Public Body in the City.

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



Agenda Date:	May 1, 2023
Action Required:	Approval of Resolution
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Michael Rogers, City Manager
Title:	Amending the FY 2024 Budget for the City's contribution to Jaunt

Background

Jaunt's FY 24 budget request totaled \$1,973,232, which represents a \$530,151 or 36.7% increase over the FY 23 budget request. When City staff met with Jaunt to review the budget request, Jaunt advised the City that it would be returning excess funds back to the City and other shareholders as a result of an operating surplus at the end of FY 22. Several options for distribution of the surplus were being considered by Jaunt's finance committee. Pending a final decision on the distribution, the City Budget included \$1,443,081 as the budgeted contribution to Jaunt in FY 24. This amount was equal to the amount that the City contributed to Jaunt in FY 23. The balance of Jaunt's budget request (\$530,121) was budgeted as part of the Citywide Reserve account pending further discussion with Council.

Discussion

At the end of FY 22, Jaunt ended its fiscal year with a substantial surplus. Some of the surplus was used to create \$6.2 million in reserves (\$3 million Rainy Day Reserve, \$1 million Capital Reserve and \$2.2 million Working Capital Reserve) leaving a little more than \$1.2 million in excess to be returned to shareholders. Two options for calculating the shareholder distributions were considered. One option was to base the distribution on total expenses which would yield a distribution of \$281,171 back to the City. The second option was to base the distribution on local shares which would yield a distribution of \$483,981 back to the City. At the March 16, 2023 budget work session, Ted Rieck, Jaunt's CEO, spoke to Council about Jaunt's budget request. At that time, Mr. Rieck also advised Council that the Jaunt board had voted and approved the use of the total expense option as the means for calculating and distributing Jaunt's FY 22 excess fund balance to the shareholders. As a result, Jaunt will be issuing a check to the City in the amount of \$281,171.

As part of the City Manager's Proposed Budget, staff placed funds to cover the increased funding request from Jaunt in the Citywide Reserve account pending any further discussion and decisions from Council after speaking with Mr. Rieck. No further discussion on the topic occurred after the presentation. This action will change the budget to reflect the Council's decision to fully fund Jaunt's funding request for FY 24.

Alignment with City Council's Vision and Strategic Plan

This item aligns with Goals 1: An inclusive Community of Self-sufficient Residents, Goal 3: A Beautiful and sustainable Natural and Built Environment and Goal 5: A Well-managed and Responsive Organization of the City's Strategic Plan.

Community Engagement

The topic was discussed as part of the March 16, 2023 budget work session and numerous opportunities for public comment were provided throughout the budget development process.

Budgetary Impact

This resolution will amend the City's FY 24 budget to reflect Council approval to fully fund Jaunt's FY 24 budget request in the amount of \$1,973,232. In doing so, the total amount of the FY 24 budget will remain unchanged at the originally approved amount of \$230,390,143. The \$530,131 increase added to the Jaunt Contribution will be offset by a reduction of the same amount in the budget amount approved for the Citywide reserve account.

Upon receiving the excess distribution from Jaunt (\$281,171), those funds will be deposited in the Citywide Reserve account and remain available for spending in FY 24 accordingly.

Recommendation

Staff recommends approval of the resolution.

Alternatives

Council could recommend an alternative funding decision for Jaunt.

Attachments

1. Jaunt FY 24 Budget Adjustment

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 1, 2023
Action Required:	Approval of Resolution
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Michael Rogers, City Manager
Title:	Amendment to FY 2024 Budget for City's Contribution to Jaunt

Background

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Discussion

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Upon receiving the excess distribution from Jaunt (\$281,171), those funds will be deposited in the Citywide Reserve account and remain available for spending in FY 24 accordingly.

Recommendation

Staff recommends approval of the resolution.

Alternatives

Council could recommend an alternative funding decision for Jaunt.

Attachments

1. Jaunt FY 24 Budget Adjustment

RESOLUTION
To Reallocate Funds in the FY 2024 for Jaunt
\$530,151

WHEREAS, the FY 2024 City of Charlottesville, VA budget reflected a City Contribution in the amount of \$1,443,081;

WHEREAS, the Charlottesville City Council wishes to fully fund Jaunt’s request in the amount of \$1,973,232;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$530,121 is hereby transferred in the following manner:

Transfer from:

\$530,151 Fund: 105 Cost Center: 1631001000 G/L Account: 599999

Transfer to:

\$530,151 Fund: 105 Cost Center: 972300100 G/L Account: 540100

BE IT FURTHER RESOLVED, that a payment from Jaunt is due to the City of Charlottesville as its share of an excess distribution in the amount of \$281,171 based on FY 22 results. Once received, those funds will be deposited in the Citywide Reserve account and remain available for spending in FY 24 accordingly.