



CITY COUNCIL AGENDA June 20, 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

4:05 PM CLOSED SESSION pursuant to Sections 2.2-3711 and 2.2-3712 of the Virginia Code (boards & commissions)

6:30 PM BUSINESS SESSION

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.

Moment of Silence

Announcements

Recognitions/Proclamations

Board/Commission Appointments

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.

1. Minutes: May 23 joint Council-Planning Commission work session; Special meetings - June 1, June 5, June 7 and June 8
2. Resolution: Appropriating Insurance Claim Reimbursement for The Avon Fuel Station Replacement Project - \$40,000 (2nd reading)
3. Resolution: Appropriating Virginia Department of Criminal Justice Services (DCJS) American Rescue Plan Act (ARPA) for Law Enforcement Equipment Grant 2023 - \$447,000 (2nd reading)
4. Resolution: Appropriating grant funding from the Virginia Department of Emergency Management (VDEM) Emergency Shelter Upgrade Assistance Fund - \$445,307 (2nd reading)
5. Resolution: Appropriating Charlottesville Supplemental Rental Assistance program (CSRAP) funding (FY23) for use in acquisition of property - \$137,500 (2nd reading)
6. Resolution: Appropriating supplemental Federal Transit Administration and State Capital Funding - \$7,323,087 (2nd reading)
7. Resolution: Appropriating funding received from UVA donation to Emmet Street and Fontaine Avenue Streetscape Projects - \$5,000,000 (2nd reading)

- 8. Resolution: Appropriating \$5,300,000 to the Charlottesville City School Board for the Acquisition of CATEC (2nd reading)
- 9. Ordinance: Authorizing the conveyance of city-owned sanitary sewerline easement on West Main Street and Water Street for CODE Building project (2nd reading)
- 10. Ordinance: Amending and reordaining Chapter 31 (Utilities) of the Code of the City of Charlottesville, 1990, as amended, to establish new utility rates and service fees for City gas, water and sanitary sewer (2nd reading)
- 11. Resolution: Fontaine Avenue Fire Station Alerting System update (1 of 2 readings)

City Manager 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.

Action Items

- 12. Ordinance: Charlottesville Police Department Firearms Buyback Program and Destruction of Surrendered Firearms Ordinance (1 of 2 readings)
- 13. Resolution: Minor Budget Amendment to Reprogram FY 2017-2019 Community Development Block Grant Funds - \$30,000 (1 of 2 readings)
- 14. Resolution: Approving an agreement with the Charlottesville Redevelopment and Housing Authority (CRHA) for the Dogwood Properties Portfolio and reassigning an \$850,000 Promissory Note (1 reading)
- 15. Resolution: Approving the Employment Contract with Jacob Stroman as City Attorney (1 reading)
- 16. Resolution: Adoption of the City of Charlottesville Emergency Operations Plan 2023 (1 reading)

General Business

Other Business

Community Matters (2)

Adjournment

Charlottesville City Council and Planning Commission
Joint Work Session – City Council Minutes
Tuesday, May 23, 2023, at 5:00 p.m.
CitySpace Main Conference Room (100 5th Street NE)

The Charlottesville Planning Commission held a joint work session with the Charlottesville City Council to discuss the Zoning Ordinance Update. Chair Lyle Solla-Yates called the work session to order with a quorum of Planning Commissioners. The following City Council members were present: Mayor Lloyd Snook and Councilors Michael Payne, Brian Pinkston and Leah Puryear. Vice Mayor Juandiego Wade gave prior notice of a scheduling conflict and was absent.

As with previous joint meetings for the Zoning Ordinance Update, the meeting notice indicated that public comment was accepted in writing at the meeting or by emailing comments to Deputy Director Missy Creasy during the meeting.

The meeting agenda followed the outline below:

1. Topics of Review in Association with Zoning Ordinance Update
 - a. Module Three
 - b. Zoning Map Review

Module 1 of the draft Zoning Ordinance covers the proposed zoning district rules, the use table, and the zoning map.

Module 2 of the draft Zoning Ordinance covers Development Standards, including landscaping, parking, signs, lighting, etc.

Module 3 of the draft Zoning Ordinance covers Zoning Administration (review processes).

James Freas, Director of Neighborhood Development Services, noted the planned release of Module 3 on May 24, and he led discussion starting with feedback received during and since the last joint meeting regarding the need to address elevations and transition between low-intensity and medium-intensity areas across streets and other transitions in addition to adjacent lot lines.

The meeting covered the following areas, primarily in response to public feedback:

1. Zoning Map Changes Requiring a FLUM Amendment
2. Zoning Map Changes
 - West Main
 - The intersection of E. High Street and Meade Avenue
 - Barracks Road Center
 - Allied Street
 - Gallery Court
 - Old Martha Jefferson Hospital Site

3. Zoning Map Errors
 - Wright's Scrap Yard
 - Barracks Road Center
 - Allied Street
 - Preston Avenue
 - West Main Street
4. Zoning Map Inconsistencies with Other Adopted Policies
5. Transition issues

An Interactive Map Viewer was made available at <https://cvilleplanstogether.com/draft-zoning/>.

Other topics discussed were:

- Split zoning
- Step-back requirements
- Height restrictions for Downtown Mall buildings to allow for sunlight
- Affordable housing
- Node zoning requirements
- Shared use paths
- Allied Street
- Low-intensity versus high-intensity

Public comments were received in writing during the meeting from the following individuals:

- Bill Emory
- Kimber Hawkey
- Penny Keiter
- Michelle Kelly Rowan
- Anne Benham
- John Hossack

Discussion ensued about the “missing middle” housing gap and the need to express intent with the Zoning Ordinance update. Participants expressed a desire to hold meetings in the future to discuss housing affordability as related to the Zoning Ordinance.

The meeting adjourned at 8:46 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL
SPECIAL MEETING
June 1, 2023 at 1:15 p.m.
In-person: Council Chamber, 605 E. Main Street
Electronic: Zoom

The Charlottesville City Council held a special meeting on Thursday, June 1, 2023, to interview candidates for the position of City Manager for the City of Charlottesville.

Mayor Lloyd Snook called the meeting to order at 1:20 p.m. and Clerk of Council Kyna Thomas called the roll, noting the following members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Michael Payne and Leah Puryear.

Having established a physical quorum, Council considered a request from Councilor Pinkston made on May 21 to participate electronically pursuant to Council's adopted procedures in compliance with Virginia Freedom of Information statute for meeting participation through electronic communication means.

The clerk verified that Mr. Pinkston was able to hear speakers in Council Chamber and that attendees could hear him. Mr. Pinkston stated that he could not join the meeting physically for a personal matter which was vacation, and that his location was Damascus, Virginia.

On motion by Wade, seconded by Puryear, Council voted 4-0 (Ayes: Payne, Puryear, Snook, Wade; Noes: none) to approve electronic participation by Councilor Pinkston.

On motion by Wade, seconded by Payne, Council voted 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Section 2.2-3711(A)(1), for discussion, consideration, and interviews of prospective candidates for employment for the position of City Manager for the City of Charlottesville.

On motion by Wade, seconded by Payne, Council certified by the following vote: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 4:46 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL
SPECIAL MEETING
June 5, 2023 at 2:00 p.m.
In-person: Council Chamber, 605 E. Main Street
Electronic: Zoom

The Charlottesville City Council held a special meeting on Monday, June 5, 2023, to interview candidates for the position of City Manager for the City of Charlottesville.

Mayor Lloyd Snook called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Section 2.2-3711(A)(1), for discussion, consideration, and interviews of prospective candidates for employment for the position of City Manager for the City of Charlottesville.

On motion by Pinkston, seconded by Puryear, Council certified by the following vote: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 4:01 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING
General District Courts Complex Groundbreaking Ceremony
June 7, 2023 at 9:00 a.m.
305 Park Street, Charlottesville, VA

The Charlottesville City Council held a special meeting on Wednesday, June 7, 2023, to attend the Albemarle County and City of Charlottesville General District Courts Complex Groundbreaking Ceremony. All members were present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

The event program was as follows:

Welcome

Emily Kilroy, Assistant to the County Executive

Remarks

Trevor Henry, Deputy County Executive
Donna Price, Chair, Board of Supervisors, Albemarle County
Lloyd Snook, Mayor, City of Charlottesville

Closing

Jeff Richardson, County Executive

Ceremonial Groundbreaking

The event concluded immediately thereafter.

Staff and other officials in attendance from the City of Charlottesville included Interim City Manager Michael S. Rogers, Deputy City Manager Samuel Sanders, Jr., Deputy City Manager Ashley Marshall, Sheriff James Brown, Clerk of Council Kyna Thomas, Facilities Development Manager Michael Goddard, and Public Engagement Coordinator Caroline Rice.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING

June 8, 2023 at 3:00 p.m.

In-person: Council Chamber, 605 E. Main Street

Electronic: Zoom

The Charlottesville City Council held a special meeting on Thursday, June 8, 2023, to consider and discuss prospective candidates for the position of City Manager for the City of Charlottesville.

Mayor Lloyd Snook called the meeting to order at 3:02 p.m., and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Pinkston, seconded by Wade, Council voted 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Section 2.2-3711(A)(1), for discussion and consideration of prospective candidates for employment and/or appointment to the position of City Manager for the City of Charlottesville.

On motion by Pinkston, seconded by Payne, Council certified by the following vote: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 4:17 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	June 20, 2023
Action Required:	Approve Appropriation of Reimbursement
Presenter:	Michael Goddard, Facilities Development Manager
Staff Contacts:	Michael Goddard, Facilities Development Manager Chris Cullinan, Director of Finance Kristel Riddervold, Environmental Sustainability Manager Scott Hendrix Harold Young
Title:	Appropriating Insurance Claim Reimbursement for The Avon Fuel Station Replacement Project - \$40,000 (2nd reading)

Background

Per the Petroleum Underground Storage Tank Financial Responsibility Requirements Regulation, specific annual insurance coverage is required. The City will receive reimbursements for expenses related to the Avon Fuel Station Replacement Project.

Discussion

Appropriation of these funds is necessary to replenish the Facilities Capital Projects Lump Sum Account (P-00980) for project related expenses.

Alignment with City Council's Vision and Strategic Plan

This request supports the City Council's "Green City" vision. It contributes to Goal 3 and 5 of the Strategic Plan, a beautiful and sustainable natural and built environment and a well-managed and responsive organization, and objectives 3.2 provide reliable and high-quality infrastructure, 3.4 be responsible stewards of natural resources, 5.1 integrate effective business practices and strong fiscal policies.

Community Engagement

N/A

Budgetary Impact

Funds have been expensed from the Facilities Capital Projects Lump Sum Account (P-00980) and the reimbursement is intended to replenish the project budget for a portion of those expenses.

Recommendation

Staff recommends approval and appropriation of the reimbursement funds.

Alternatives

If reimbursement funds are not appropriated, the Facilities Capital Projects Lump Sum Account (P-00980) will reflect a deficient balance.

Attachments

1. Avon Fuel Station Resolution

RESOLUTION

Insurance Claim Reimbursement for the Avon Fuel Station Replacement Project.

WHEREAS, the City of Charlottesville (the “City”) designed and bid a project called the Avon Fuel Station Replacement Project (the “Project”) to improve the Avon Fuel Station, and;

WHEREAS, the Project required specific annual insurance coverage, pursuant to the Petroleum Underground Storage Tank Financial Responsibility Requirements Regulation, and;

WHEREAS, funds have been expended from the Facilities Capital Projects Lump Sum Account (P-00980) to support this Project, and;

WHEREAS, the City will receive insurance claim reimbursements in the amount of \$40,000 for a portion of expenses related to the Project, to replenish the Project budget;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that upon receipt of the aforesaid insurance claim reimbursements, they shall hereby be appropriated and transferred in the following manner:

Transfer From

\$40,000 Fund: 426 WBS: P-00980 G/L Account: 451110

Transfer To

\$40,000 Fund: 426 WBS: P-00980 G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Appropriation of Funding
Presenter:	Michael Kochis, Police Chief, Holly Bittle, Budget and Management Analyst
Staff Contacts:	Holly Bittle, Budget and Management Analyst Taylor Harvey-Ryan, Grants Program Manager
Title:	Appropriating Virginia Department of Criminal Justice Services (DCJS) American Rescue Plan Act (ARPA) for Law Enforcement Equipment Grant 2023 - \$447,000 (2nd reading)

Background

The Virginia Department of Criminal Justice Services (DCJS) has awarded federal American Rescue Plan Act (ARPA) funds for law enforcement equipment to the Charlottesville Police Department (CPD) to address the dramatic increase in violent crimes that have occurred since the Covid-19 pandemic began.

As of March 20, 2023, the City of Charlottesville has seen a 150% increase in murder and nonnegligent manslaughter offenses in 2023 over the entire calendar year of 2022. Since 2019, annual violent crime offenses in the city have increased steadily year over year by a total of 59.3% from 2019 to the end of 2022. Over the same time period the Charlottesville Police Department's number of sworn staff has declined by 31.9% making it more difficult to prevent and address violent crime. The department currently has 28 vacant sworn positions.

Discussion

These grant funds will be used to address violent crime in at least one of these ways:

1. Analyze crime data to focus patrols in areas which are disproportionately effected by violent crime.
2. Facilitate rapid responses with the correct equipment to reported violent crime incidents and support scenes that include multiple agencies.
3. Provide tools to apprehend those involved in violent crime and secure weapons from violent crimes more quickly to keep them off the streets.
4. Improve the efficiency and accuracy of gathering evidence from violent crimes to build stronger cases for prosecution.
5. Increase the tools available to surveille large-scale events violent crime scenes, and to improve officer and citizen safety.

6. Support community involvement efforts that build trust and confidence between officers and community members which is necessary to interact effectively to prevent and solve violent crimes.

To support the implementation of these strategies, CPD requested funds to purchase the following equipment:

- A. A **total station** that digitally documents large or complex scenes in three dimensions to increase the efficiency of collecting more complete and accurate evidence to build stronger cases for prosecution and reduce the number of officer manhours needed to document crime scenes.
- B. Specialized **crime analysis software** to more efficiently analyze crime data, create heat maps, and other data visualizations to better utilize limited resources within the department and reduce manhours needed for crime analysis. This software will further improve the ability to develop data driven approaches to address emerging crime trends.
- C. An **Axon Cradle Point** and a **generator** to complete the final outfitting and deployment of a federal grant funded logistics trailer with mobile command capabilities (Bureau of Justice Assistance (JAG) Program Grant # 2020-VD-BX-1485) to facilitate quicker responses to major scenes and offer support for extended operations. It will also be used for community engagement activities.
- D. The purchase and outfitting of a **marked pickup truck** to serve as a tow vehicle for the logistics trailer and, alternatively, as a standalone mobile command center.
- E. The **Axon Cradle Point** and the **mobile tethered aerial unit** will support the integration of evidence gathering technologies using CPD's current Axon Evidence System which ensures integrity of evidence throughout the chain of custody.
- F. **Night Vision Systems** for up to 8 officers and mobile tethered aerial unit to increase surveillance capabilities in low light/nighttime situations to prevent crime, aid in the apprehension of suspects, and improve officer and citizen safety.
- G. The purchase and outfitting of a **highly visible marked community response vehicle** for CPD's new Community Involvement Coordinator to enable this Sergeant to build positive relationships with the community and not be perceived as being there for enforcement purposes.
- H. **Axon Virtual Reality System** to allow officers to train for multiple types of scenarios to include deescalation and less lethal use of force scenarios.
- I. Additional **marked patrol bicycles** and **trailer hitch bicycle racks** to enable more certified bicycle patrol officers to patrol the streets, allowing for rapid responses and better maneuverability in the City's urban environment.

Notification of award approval was received on May 11, 2023, to purchase law enforcement equipment totaling \$447,000.

Alignment with City Council's Vision and Strategic Plan

This project supports Goal 2 of the Strategic Plan, to be a Healthy and Safe City. Furthermore, this project supports the mission and vision of the Charlottesville Police Department, which states:

In partnership with our community, we strive to improve the quality of life of those who live, work, and visit our city. We will do this by creating a safe and secure environment through professional, empathetic, relational, and accountable policing practices. With community policing as our foundation, we strive to maintain trust and legitimacy through respectful, transparent, and impartial public safety practices.

Community Engagement

Budgetary Impact

This has no impact on the General Fund. No local match is required, and the funds will be expensed and reimbursed to a Grants Fund.

Recommendation

Staff recommends approval and appropriation of grant funds.

Alternatives

If these grant funds are not appropriated, CPD will not have grant funds to reimburse for the purchase and installation of an Axon Cradle Point, a Truck Vault for its Mobile Aerial Unit and its Axon Virtual Reality System. In addition, if these grant funds are not appropriated, the rest of the equipment will not be purchased.

Attachments

1. Revised Resolution - DCJS ARPA Grant 2023

APPROPRIATION

**Virginia Department of Criminal Justice Services (DCJS) American Rescue Plan Act (ARPA) for Law Enforcement Equipment Grant-2023
In the Amount of \$447,000**

WHEREAS, the City of Charlottesville Police Department (the “Department”), has been awarded from the Virginia Department of Criminal Justice Services (“DCJS”), American Rescue Plan Act (“ARPA”), Law Enforcement Equipment Grant-2023 (the “Grant”) in the amount \$447,000; and

WHEREAS, the purpose of the Grant is for the purchase of law enforcement equipment; and

WHEREAS, the Grant award covers the period from July 1, 2022, through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$447,000, received from the Virginia Department of Criminal Justice Services, American Rescue Plan Act Law Enforcement Equipment Grant, is hereby appropriated in the following manner:

Revenues – \$447,000

\$447,000	Fund: 209	Internal Order: 1900525	G/L Account: 430127
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Expenditures – \$447,000

\$35,353	Fund: 209	Internal Order: 1900525	G/L Account: 520900
\$132,740	Fund: 209	Internal Order: 1900525	G/L Account: 542040
\$248,907	Fund: 209	Internal Order: 1900525	G/L Account: 542090
\$30,000	Fund: 209	Internal Order: 1900525	G/L Account: 542140

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$447,000 from the Virginia Department of Criminal Justice Services, American Rescue Plan Act Grant for Law Enforcement Equipment.

Approved by Council

Kyna Thomas, CMC
Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Appropriation of Funding
Presenter:	Jeremy Evans, Emergency Management Coordinator
Staff Contacts:	Jeremy Evans, Emergency Management Coordinator Taylor Harvey-Ryan, Grants Program Manager
Title:	Appropriating grant funding from the Virginia Department of Emergency Management (VDEM) Emergency Shelter Upgrade Assistance Fund - \$445,307 (2nd reading)

Background

The Virginia Department of Emergency Management (VDEM) Shelter Upgrade Fund allows local governments to secure generators and retrofit shelters for citizens across the commonwealth. The purpose of the Shelter Upgrade Fund is to provide matching funds to localities to install, maintain, or repair infrastructure related to backup energy generation for emergency shelters, including solar energy generators, and to improve the hazard specific integrity (wind retrofit) shelter facilities owned by the locality.

The period of performance is April 15, 2023, through June 30, 2024.

Discussion

This VDEM Shelter Upgrade Grant is a state-funded program that will allow the City of Charlottesville to purchase two larger capacity generators that will replace the older models at Charlottesville High School. The capacity of the new generators is almost triple, (800kw vs 250kw). With the added capacity, it is possible to eventually add other areas of the High School to those generators, moving our City closer to opening an all-hazards disaster shelter.

Notification of award approval was received on May 8, 2023, for the state share amount of \$445,307.

Alignment with City Council's Vision and Strategic Plan

The VDEM Shelter Upgrade Grant meets City Council's Healthiest City vision. Specifically, "Our emergency response systems are among the nation's best", as well as Goal 2 of the City's Strategic Plan, sub-elements 2.1 (Provide an effective and equitable safety system) and 2.4 (Ensure families and individuals are safe and stable).

Community Engagement

N/A

Budgetary Impact

The local share amount is \$200,143 which is currently allocated for generator replacement within Public Works.

Recommendation

Staff recommends the approval and appropriation of grant funds.

Alternatives

If these grant funds are not appropriated, the City will have to purchase smaller generators which will not provide the same level of support for Charlottesville High School at an increased cost.

Attachments

1. VDEM Resolution for Generators

RESOLUTION
Appropriating funds from the Virginia Department of Emergency Management
(VDEM) Emergency Shelter Upgrade Assistance Fund
\$645,450

WHEREAS, the City of Charlottesville through the Department of Emergency Management, has received from the Virginia Department of Emergency Management (VDEM) Fiscal Year 2022 Emergency Shelter Upgrade Assistance Fund an award of up to \$445,307 to be utilized to upgrade the existing two generators at Charlottesville High School to support the City's emergency shelter.

WHEREAS, the period of performance is April 15, 2023, through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$445,307 received from the Virginia Department of Emergency Management and the local share requirement of \$200,143, is hereby appropriated in the following manner:

Revenues - \$645,450

\$445,307	Fund: 209	Internal Order: 1900526	G/L Code: 430110
\$200,143	Fund: 209	Internal Order: 1900526	G/L Code: 498010

Expenditures - \$645,450

\$645,307	Fund: 209	Internal Order: 1900526	G/L Code: 599999
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Transfers - \$200,143

\$200,143	Fund: 426	Funded Program: SH-023	G/L Code: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$445,307 from the Virginia Department of Emergency Management FY 2022 Emergency Shelter Upgrade Assistance Fund.

Approved by Council

Kyna Thomas, CMC
Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Approve Resolution
Presenter:	Alexander Ikefuna, Director of Community Solutions, Samuel Sanders, Jr., Deputy City Manager
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Alexander Ikefuna, Director of Community Solutions John Sales
Title:	Appropriating Charlottesville Supplemental Rental Assistance program (CSRAP) funding (FY23) for use in acquisition of property - \$137,500 (2nd reading)

Background

Council provides \$900,000 per year for the Charlottesville Supplemental Rental Assistance Program (CSRAP). There was a surplus in FY22 that produced a balance of \$1.9 million this fiscal year. CRHA projects the current monthly rental subsidy requires \$50,000 per month. That figure annualized is \$550,000 through June 2023. Based on this projection, the CSRAP account is sufficient to cover the request for \$137,500 to acquire 100 Harris Road without any additional funding needed from the city.

This is a continuation of Council's desire to acquire units of naturally occurring affordable housing that will not remain if placed on the market. The loss of a long-term affordable unit is the priority for pursuing this purchase.

Discussion

CRHA has an opportunity to acquire a single family unit of naturally occurring affordable housing that is being prepared to be placed on the market and will likely no longer be affordable after purchase. CRHA is requesting the city permit the use of \$137,500 from the FY23 CSRAP appropriation be re-appropriated to be used for acquisition of 100 Harris Road. Currently, the unit is occupied by a tenant of more than 20 years with a rent of \$750 per month. A sale and conversion to market rate will lead to displacement of an elderly resident.

Property information:

100 Harris Road
Assessed Value: \$369,000/Expected Sales Price: \$275,000
Single-Family Home/3 Bedrooms/2 bath
Currently renting for: \$750/month
Market: \$1200-1800/month

This unit will be added to the City Housing Portfolio being managed by CRHA, along with the previously acquired Coleman, Montrose, and the soon to be added to the Dogwood Properties Portfolio. This transaction would also be the only remaining transaction using currently available CSRAP funding. Any additional consideration of reuse of CSRAP funding would need to be determined by the Council as a revision to the annual appropriation of \$900,000 which is deemed in excess of what is needed to support the annual program.

Alignment with City Council's Vision and Strategic Plan

Affordable Housing Plan Guiding principles: Racial equity, regional collaboration and comprehensive approach,

Comprehensive Plan Guiding Principles

- Equity & Opportunity – All people will be able to thrive in Charlottesville.
- Community Culture and Unity – Charlottesville’s rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued and respected.

Strategic Plan (2018-2020) Goals: Goal 1.3 to increase affordable housing options, Goal 1.5 to intentionally address issues of race and equity; and Goal 5.4 to foster effective community engagement.

Community Engagement

There have been several community engagement meetings and activities conducted as part of the comprehensive plan update and affordable housing planning process. City staff have also been engaged with CRHA on a regular basis regarding redevelopment activities, including exploring proactive ways to spur affordable housing; one of which is this proposal to acquire 100 Harris Road for sustainable and permanent affordable housing.

Budgetary Impact

The requested \$137,500 has been approved within the City Council's FY23 Budget for use by CRHA in the CSRAP Program. The attached Resolution would allow the FY23 budgeted CSRAP funding to be reduced by \$137,500 and allow that same amount of money to be transferred to CRHA for use in the acquisition of a single family unit at 100 Harris Road.

Recommendation

The City Manager and staff recommend that the City Council approve the proposed request to use part of CSRAP fund for the acquisition of 100 Harris Road by CRHA, to be deed-restricted permanently, as units of affordable housing.

Recommended motion: *“I move the RESOLUTION appropriating \$137,500 of the FY2023 CSRAP budget allocation to be used by CRHA for the acquisition of 100 Harris Road as permanent units of affordable housing.*

Alternatives

Council may elect not to approve the recommendations, which would forego the opportunity to ensure that these four currently-affordable units of rental housing could be permanently dedicated as units of affordable housing.

Attachments

1. Resolution Reallocating CSRAP Funds-Harris

RESOLUTION

Appropriating \$137,500 OF THE FY23 CSRAP budget allocation to be used by CRHA for acquisition of 100 Harris Road as permanent units of affordable housing

WHEREAS pursuant to Virginia Code §36-19 (2) and (4) the Charlottesville Redevelopment and Housing Authority has the power and authority to acquire real estate for residential use, and to operate buildings for residential occupancy; and

WHEREAS pursuant to Virginia Code §36-6 and §36-7 the City of Charlottesville is authorized to lend or donate money to CRHA to enable CRHA to carry out its purposes; and

WHEREAS CRHA is requesting the City Council to provide the amount of \$137,500 to fund the acquisition of residential buildings located at 100 Harris Road, and the requested amount of funding is available within the City’s FY23 budget for the CSRAP Program; and

WHEREAS City Council desires that its donation of funding be used to acquire dwelling units that will be permanently reserved for use as affordable dwelling units; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT the amount of \$137,500 is hereby appropriated from the FY23 Budget for the CSRAP Program, to be donated to the Charlottesville Redevelopment and Housing Authority (“CRHA”) for use in acquiring land and buildings (together, “Real Estate”) located at 100 Harris Road. It shall be a condition of this donation that, immediately following the recordation of an instrument conveying title to the Real Estate to CRHA, CRHA shall record a covenant restricting the use of the Real Estate to residential uses and requiring that all dwelling units located on the Real Estate will be affordable dwelling units. The City Manager will provide CRHA with a declaration of covenants to accomplish the land use restriction, which shall be executed by CRHA and recorded on the same date as the instrument by which CRHA obtains title to the Real Estate.

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



Agenda Date: June 20, 2023

Action Required: Approve the appropriation

Presenter: Garland Williams, Director of Transit

Staff Contacts: Garland Williams, Director of Transit

Title: Appropriating supplemental Federal Transit Administration and State Capital Funding - \$7,323,087 (2nd reading)

Background

Capital Funding - \$7,323,087: The Federal Transit Administration (FTA) and the Virginia Department of Rail and Public Transportation (VDRPT) have awarded the Transit Division of the City of Charlottesville federal and state assistance to support Capital Projects in the operations of public transit services. The Capital Projects include the purchase of an Entry/Exit Gate, Inventory Management Software, Pre-Trip Management Software, Building/Facilities Camera System, two Support Vehicles, Passenger Amenity Improvements, and five buses (one 26-foot and four 35-foot).

Additionally, the funding will support the purchase of A/E (Architectural/Engineering) and NEPA (National Environmental Policy Act) services for the Alternative Fueling Modifications to the Operations Annex Facility and renovations/modifications to the Administration Building. This Capital Funding also includes funding for the Albemarle County Transit Expansion Project (Micro-Transit). The Transit Division has sufficient funds in the budget for the required match of these procurements due to an unallocated balance held in CIP. The local match requirement for the Micro-Transit project will be funded by Albemarle County (\$388,000).

Appropriation of Funds: Capital - \$7,323,087: The FTA has awarded \$1,433,959; VDRPT has awarded \$5,212,499, with a local match of \$676,629.

Transit Grants by Type	FY2023 Budget	Grants Awarded	Change to Appropriation
State Capital Award	\$ -	\$ 5,212,499	\$ 5,212,499
Federal Capital Award	\$ -	\$ 1,433,959	\$ 1,433,959
Local CIP Match (unallocated)	\$ 103,407	\$ 288,629	\$ 185,222

Local County Match	\$ -	\$ 388,000	\$ 388,000
Total Capital Change	\$ -	\$ 7,323,087	\$ 7,323,087
Total Appropriation Request			\$ 7,323,087

Discussion

Alignment with City Council's Vision and Strategic Plan

Approval of this agenda item aligns directly with City Council's vision for Charlottesville as a Connected Community, where the City is part of a comprehensive transportation system that enables citizens of all ages and incomes to easily navigate our community. It also aligns with Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment, Objective 3.3: Provide a variety of transportation and mobility options.

Community Engagement

Charlottesville Area Transit utilizes the Metropolitan Planning Organization's Public Participation Plan to fulfill its public engagement requirements. This includes an opportunity for members of the public to request a public hearing on Charlottesville Area Transit's Program of Projects. No public hearing was requested through those means. However, due to the amount of change to the Charlottesville Area Transit budget, a public hearing is required prior to appropriation.

Budgetary Impact

There is no impact to the General Fund. Local match requirements for the Capital Assistance is covered through the previously appropriated City contribution from the General Fund and Albemarle County's contribution. Local capital contributions are required in the amount of \$676,629. Matching requirements for these funds are 4% percent, except for the Micro-Transit project whereby Albemarle County is contributing 20%. The Transit division has sufficient funds in the unallocated CIP budget to accommodate the 4% match requirement without additional City funding.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

City Council may choose not to appropriate the match funds. Without this appropriation, CAT will not be able accept the federal capital funding as the local match is required for this Federal funding award.

Attachments

1. Resolution_CAT FY2023 Supplemental Appropriation of Federal Funding - Capital (May 1 2023)

**RESOLUTION APPROPRIATING FUNDS FOR
Federal Transit Operating Grants
\$7,323,087**

WHEREAS, The FY22 Federal Capital Grant in the amount of **\$1,433,959** and the State Capital Grant in the amount of **\$5,212,499** have been awarded to the City of Charlottesville with a local match of **\$676,629 (including the local match requirement from Albemarle County of \$388,000)**; the amount of capital grant funds is **\$7,323,087**; and

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

Revenue (Capital)

\$1,433,959	Fund: 245	Cost Center: 2804001000	G/L: 431010 Federal Grants
\$5,212,499	Fund: 245	Cost Center: 2804001000	G/L: 430110 State Grants
\$ 288,629	Fund: 245	Cost Center: 2804001000	G/L: 498010 Local Match
\$ 388,000	Fund: 245	Cost Center: 2804001000	G/L: 430230 Albemarle Revenue

Expenditures (Operating)

\$2,369,034	Fund: 245	Cost Center: 2804001000	G/L: 541040 Vehicles
\$4,755,500	Fund: 245	Cost Center: 2804001000	G/L: 541090 Other Controctd Svcs
\$ 198,553	Fund: 245	Cost Center: 2804001000	G/L: 541090 Equipment
\$ 185,222	Fund: 245	Order: 1000014	G/L: 561245 CAT Capital Match

BE IT FURTHER RESOLVED, that this appropriation is conditional upon the receipt of \$1,433,959 from the Federal Transit Administration, \$5,212,499 from the Virginia Department of Rail and Public Transportation, and \$676,629 from local sources.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Appropriating funding received from UVA for Emmet Street and Fontaine Avenue Streetscape Projects
Presenter:	Samuel Sanders, Jr., Deputy City Manager
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Michael Rogers, Interim City Manager
Title:	Appropriating funding received from UVA donation to Emmet Street and Fontaine Avenue Streetscape Projects - \$5,000,000 (2nd reading)

Background

In March 2018, the University of Virginia confirmed by letter, a commitment to provide \$5 million in support toward a safer and more bike and pedestrian friendly community. This funding was to support projects in areas adjacent to the University Grounds, as improvements for the safety, security, and walkability. With projects like Brandon Avenue and Ivy Corridor contributing positively to this goal, the desire was for direct collaboration in furthering other projects.

City staff collaborated with their peers at UVA on the Emmet Streetscape and West Main Streetscape projects as they were submitted for consideration of funding through VDOT's Smartscale Program. Both projects were eventually awarded funding for implementation.

Discussion

With the advent of COVID and challenges to budget and schedules with the city's transportation portfolio, the West Main Streetscape became the center of much discussion about the ongoing merits of this project moving forward. After a protracted period of discussion, the project was ultimately canceled and staff is currently making the arrangements to repay the early expenditures of up to \$78,000 to VDOT. VDOT has also allowed for the redistribution of previously awarded funding to help with bringing the entire portfolio into budget. VDOT has actively participated in the discussions and approves of this funding being used to trigger funding reassignments within the city's portfolio, as it strives to reach a higher level of sustained performance and compliance.

Last year, city leadership engaged with UVA leadership in a discussion about the \$5 million commitment to support the West Main Streetscape Project being shifted to support the two other projects in close proximity to the University Grounds. The desire was to redirect those funds to the Emmet Street and Fontaine Avenue Streetscape Projects, ensuring both became viable again due to serious cost escalation that could have led to their cancelations.

Having previously offered the generous support of pedestrian and bike improvements, the

administration has agreed to the allocation of funds to support the current projects as described. The University would like to remind council and staff of the importance of the West Main Corridor and hope that a revisit of the streetscape plan will be possible in the future.

Alignment with City Council's Vision and Strategic Plan **Comprehensive Plan Guiding Principles**

- Equity & Opportunity – All people will be able to thrive in Charlottesville.
- Community Culture and Unity – Charlottesville’s rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued and respected.

Strategic Plan (2018-2020) Goal 3: A Beautiful and Sustainable Natural and Built Environment

- 3.1 Engage in robust and context sensitive urban planning and implementation
- 3.2 Provide reliable and high quality infrastructure
- 3.3 Provide a variety of transportation and mobility options

Community Engagement

All of the corridors that are addressed in this Agenda Memo have been the subject of much study, evaluation, and debate on the priority for pedestrian improvements to ensure safety, security, and walkability. They each occupy a high priority in the Streets That Work Plan and the Bike/Ped Master Plan for the city.

Budgetary Impact

The impact of this funding will be used to cover significant cost escalation that now provides two important and viable streetscape projects within the city and adjacent to University Grounds. The cancelation of the West Main Streetscape project will have a cost impact to the city of up to \$78,000 and will be brought to council for resolution at a later date.

Recommendation

The City Manager and staff recommend approval of this appropriation to ensure two important transportation projects can proceed with adding critical bike and pedestrian infrastructure to the city landscape.

Recommended motion: “I move the RESOLUTION appropriating \$5,000,000 received from the donation by UVA be used for the Emmet Street and Fontaine Avenue Streetscape Projects”

Alternatives

Council may elect not to approve the recommendations, which would forego the opportunity to ensure that these two important streetscape projects can move forward.

Attachments

1. Revised Resolution_UVA donation_Emmet-Fontaine Streetscape Projects_\$5,000,000

RESOLUTION
**Appropriating UVA Donation of \$5,000,000 for the Emmet Street
and the Fontaine Avenue Streetscape Projects**

WHEREAS in March 2018, the University of Virginia confirmed by letter, a commitment to provide \$5,000,000 (Five Million Dollars) in support toward a safer and more bike and pedestrian friendly community; and

WHEREAS the University of Virginia previously committed \$5,000,000 (Five Million Dollars) to support the West Main Streetscape Project which has now been cancelled; and

WHEREAS the University of Virginia has agreed to reallocate these funds from the West Main Street Project to the Emmet Street and the Fontaine Avenue Streetscape Projects;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the sum of \$5,000,000 (Five Million Dollars) from the University of Virginia for the Emmett Street and Fontaine Avenue Streetscape Projects, the \$5,000,000 (Five Million Dollars) is hereby appropriated as follows:

Revenues:

\$5,000,000	Fund: 426	WBS: P-00932	G/L Account: 432155
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Expenditures:

\$4,183,586	Fund: 426	WBS: P-00932	G/L Account: 599999
\$ 816,414	Fund: 426	WBS: P-00933	G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Approve Resolution
Presenter:	Michael Rogers, Interim City Manager
Staff Contacts:	Royal Gurley Superintendent
Title:	Appropriating \$5,300,000 to the Charlottesville City School Board for the Acquisition of CATEC (2nd reading)

Background

In October, 1969, the School Board of the City of Charlottesville (“CCS”) and the School Board of Albemarle County (the “ACPS”) entered into an agreement (the “Agreement”) for the operation of a jointly owned and controlled “Vocational-Technical Education Center”, now known as “CATEC”. CATEC is comprised of certain real property consisting in the aggregate of 13.50 acres +/- and located at 1000 Rio Road East in Albemarle County, Virginia (more particularly described as County Tax Map Parcels 61-153 and 610167B) as well as other personal property (and goodwill) associated with its operations.

After several months of discussions on the future of CATEC, by way of a December 13, 2022 letter to CCS, ACPS offered to purchase all of CCS undivided one-half interest in the real and personal property comprising CATEC pursuant to Paragraph IX of the Agreement for \$5,300,000.00 (the “Purchase Price”). Pursuant to Paragraph IX of the Agreement, CCS elected to decline the ACPS offer to purchase and, instead, to proceed to purchase ACPS’ undivided one-half interest in the real and personal property comprising CATEC for the Purchase Price with a closing date on or about July 19, 2023.

Discussion

CCS is requesting that the City of Charlottesville i) affirm CCS’ election to purchase CATEC for the Purchase Price, ii) direct CCS to proceed with the acquisition of CATEC, and iii) make a one-time allocation of \$5,300,000.00 to CCS as payment of the Purchase Price in order to effectuate the purchase.

Dating back over 50 years, CATEC is a longstanding component of the educational fabric of the region, and it serves CCS students in a very meaningful way. The absence of CATEC or CATEC-like programming from the CCS curriculum would be extremely detrimental, not only to present and future CCS students, but to other key CCS stakeholders. CCS has thoroughly considered how to continue to operate CATEC so that it continues to serve its purpose for the community. The opportunity to own

the physical plant which comprises CATEC is a rare opportunity given the various difficulties associated with acquiring real property in the area real estate market.

Alignment with City Council's Vision and Strategic Plan

This item aligns with Goal 1 of the City's Strategic Plan - An Inclusive Community of Self-sufficient Residents by helping prepare students for academic and vocational success.

Community Engagement

City staff has been engaged with CCS on a regular basis regarding this purchase opportunity, including exploring proactive plans for on-going and sustainable programming for the future.

Budgetary Impact

The requested \$5,300,000 will be added to the City's Capital Improvement Fund as a bondable project under the education category.

Recommendation

The City manager and staff recommend that the City Council approve the proposed request to use funding to acquire the CATEC property.

Alternatives

Council may elect not to approve the recommendations, which would forego the opportunity to purchase the CATEC property.

Attachments

1. CATEC Resolution

RESOLUTION

**Resolution to appropriate \$5,300,000 to the Charlottesville City School Board
for the Acquisition of CATEC**

WHEREAS the Charlottesville City School Board is requesting that the Charlottesville City Council affirm the School Board's election to purchase CATEC; and

WHEREAS the School Board is requesting the City Council to provide the amount of \$5,300,000 to fund the acquisition of CATEC; and

THEREFORE BE IT RESOLVED that the amount of \$5,300,000 is hereby appropriated to the Charlottesville School Board for use in acquiring the CATEC property in the following manner:

Revenue – \$5,300,000

Fund: 426 Cost Center: 9900000000 G/L Account: 499010

Expenditures - \$5,300,000

Fund: 426 Project: XXXXXX G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	2nd Reading of Ordinance
Presenter:	Lauren Hildebrand, Director of Utilities
Staff Contacts:	Lauren Hildebrand, Director of Utilities Samuel Sanders, Jr., Deputy City Manager
Title:	Authorizing the conveyance of city-owned sanitary sewerline easement on West Main Street and Water Street for CODE Building project (2nd reading)

Background

A sanitary sewerline believed to have been constructed about 1920 previously conveyed wastewater from Water Street to West Main Street. In 1995 the City gave approval for a building to be constructed over a portion of the sewerline. As part of the approval, the owners of the building agreed to protect the sewerline during construction and also maintain the sewerline under the building after construction. In 2019, as part of the CODE building construction, the building and sewerline were demolished, and a new sewerline was installed in Water Street.

Discussion

The deed of vacation specifies the sewerline easement be vacated, since the sewerline was in conflict with the CODE building and is no longer needed. As stated in the background section, a new sewerline has been installed in Water Street to convey the wastewater flows from the area.

Alignment with City Council's Vision and Strategic Plan

This contributes to Objective 3.2 of the Strategic Plan: To provide reliable and high quality infrastructure.

Community Engagement

A public hearing is required by law to give the public an opportunity to comment on the proposed conveyance of a public interest. Notice of the public hearing was advertised in the local newspaper at least 7 days in advance of the public hearing.

Budgetary Impact

None.

Recommendation

Approval of the attached ordinance and deed of vacation.

Alternatives

If the vacation of the sewer line easement is not approved, the easement to a nonexistent sewerline will remain in conflict with the CODE building.

Attachments

1. Deed of Vacation - Brands Hatch
2. CODE Plat-C4
3. Revised Ordinance 652023

*Tax Map Parcel: 28-1
Prepared without benefit of title examination
Consideration: \$10.00*

This deed is exempt from state recordation taxes pursuant to Va. Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4) and is exempt from the fees imposed by Va. Code Sec. 17-275 pursuant to Va. Code Sec. 17-266

DEED OF VACATION

THIS DEED OF VACATION (“Deed”) is made as of this ____ day of _____, 2023, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (“City”), as GRANTOR, and **BRANDS HATCH LLC** (the “Grantee”), as GRANTEE, whose address is 240 W. Main Street, Charlottesville, Virginia 22902.

WITNESSETH:

WHEREAS, Grantee owns certain real property in the City of Charlottesville, Virginia, consisting of 0.979 acres, having tax map parcel number 28-1 and fronting on West Water and West Main Streets; and

WHEREAS, by Deed of Easement and Maintenance Agreement dated November 21, 1995, recorded in the Charlottesville Circuit Court Clerk’s Office in Deed Book 665, page 561, the City conveyed certain sanitary sewer and stormwater easements to Charlottesville 2000, a limited liability company, and Charlottesville 2000 conveyed to the City a perpetual easement over property owned by it so as to have the sanitary sewer and stormwater facilities located in such easements used and operated as a part of the City’s sanitary and stormwater sewer systems,

*Prepared by:
Benjamin W. Emerson, VSB # 23578
Sands Anderson PC, Interim City Attorney
Charlottesville City Attorney’s Office
P.O. Box 911
Charlottesville, VA 22902*

all as shown on a plat attached to and recorded with such deed of easement; and

WHEREAS, the Grantee, on information and belief, is successor in title to Charlottesville 2000 of all or a part of the property on which the such easements lie and as such successor in title has requested the City Council to vacate and release to it the sanitary sewer easement (but not the stormwater easements) to the extent the same lies on property owned by the Grantee (the “Sanitary Sewer Easement”) because the same is no longer needed by the City, which Sanitary Sewer Easement is identified by notation in a red box and depicted on that certain As-Built Survey by Timmons Group dated November 11, 2022, a copy of which is attached hereto and recorded herewith (the “Plat); and

WHEREAS, the City Council has authority to vacate such Sanitary Sewer Easements pursuant to Virginia Code Sec. 15.2-2272(2), by way of adoption of an ordinance; and

WHEREAS, by ordinance adopted _____, 2023 (# _____) by City Council, the City vacated the above-described Sanitary Sewer Easements;

NOW, THEREFORE, for and in consideration of TEN DOLLARS (\$10.00), cash in hand paid, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City does hereby CLOSE and VACATE the Sanitary Sewer Easement, as shown on the attached Plat, and the City hereby RELEASES and QUITCLAIMS to Grantee any interest that it has in the area within the Sanitary Sewer Easement, which area shall be added to and made a part of lands adjoining such area as shown and depicted on the Plat.

*[The remainder of this page is intentionally left blank.
Signatures appear on the following pages.]*

IN WITNESS WHEREOF, the Mayor of the City of Charlottesville, Virginia, has signed this Deed pursuant to Section 2-7 of the Code of the City of Charlottesville (1990), as amended, and the Grantee as signed this Deed to acknowledge its acceptance of the interests conveyed hereby.

GRANTOR:

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____ (SEAL)
Lloyd Snook, Mayor

COMMONWEALTH OF VIRGINIA

City of Charlottesville, Virginia, to wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the jurisdiction aforesaid, on this _____ day of _____, 2023, by Lloyd Snook, Mayor of the City of Charlottesville, Virginia, on its behalf.

Notary Public

My commission expires:

My registration number:

[Affix Seal]

Approved as to form:

Benjamin W. Emerson, VSB # 23578
Sands Anderson PC
Interim City Attorney

GRANTEE:

BRANDS HATCH LLC

By: _____(SEAL)
Member or Manager

COMMONWEALTH OF VIRGINIA

City/County of _____, to wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the jurisdiction aforesaid, on this ____ day of _____, 2023, by _____ as _____ of Brands Hatch LLC on its behalf.

Notary Public

My commission expires:

My registration number:

[Affix Seal]

AS-BUILT SURVEY



CHARLOTTEVILLE TECHNOLOGY CENTER

218-220, 230 WEST MAIN STREET + 215 WEST WATER STREET
CHARLOTTEVILLE, VA 22902
EDR PROJECT NO. 17002

PROJECT ISSUE DATE | 06 FEB 2018

FINAL SITE PLAN CONSTRUCTION DOCUMENTS

© Eskew+Dumez+Ripple 2017
A Professional Corporation

The sheet of the Contract Documents is to include all items necessary for proper execution and completion of the work by Contractor. The Contract Documents, including all amendments and addenda, shall be read in conjunction with the Contract Documents, and what is required by one shall be as binding as if required by all. Performance by the Contractor shall be required only as the extent consistent with the Contract Documents and responsibility inferable from them as being necessary to produce the indicated results.

- REVISIONS**
- 12/18/18 - SITE PLAN AMENDMENT SUB.
 - 2/21/19 - REVISED PER CITY COMMENTS
 - 8/11/19 - E&C REDLINES
 - 9/5/19 - SITE PLAN AMENDMENT SUB.
 - 11/8/19 - SITE PLAN AMENDMENT SUB.
 - 1/6/20 - SITE PLAN AMENDMENT RESUB./SIGNATURE SET

LAYOUT AND UTILITY PLAN

DRAWN BY | A. Allison

C4.0

AS-BUILT SURVEY

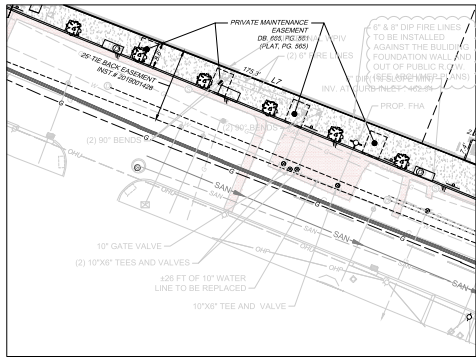
BY **TIMMONS GROUP**
28 IMPERIAL DRIVE
STAUNTON, VA 24401



DATE OF SURVEY:
NOVEMBER 11-2018

BOLD AND / OR BOXED
INFORMATION IS
AS-BUILT

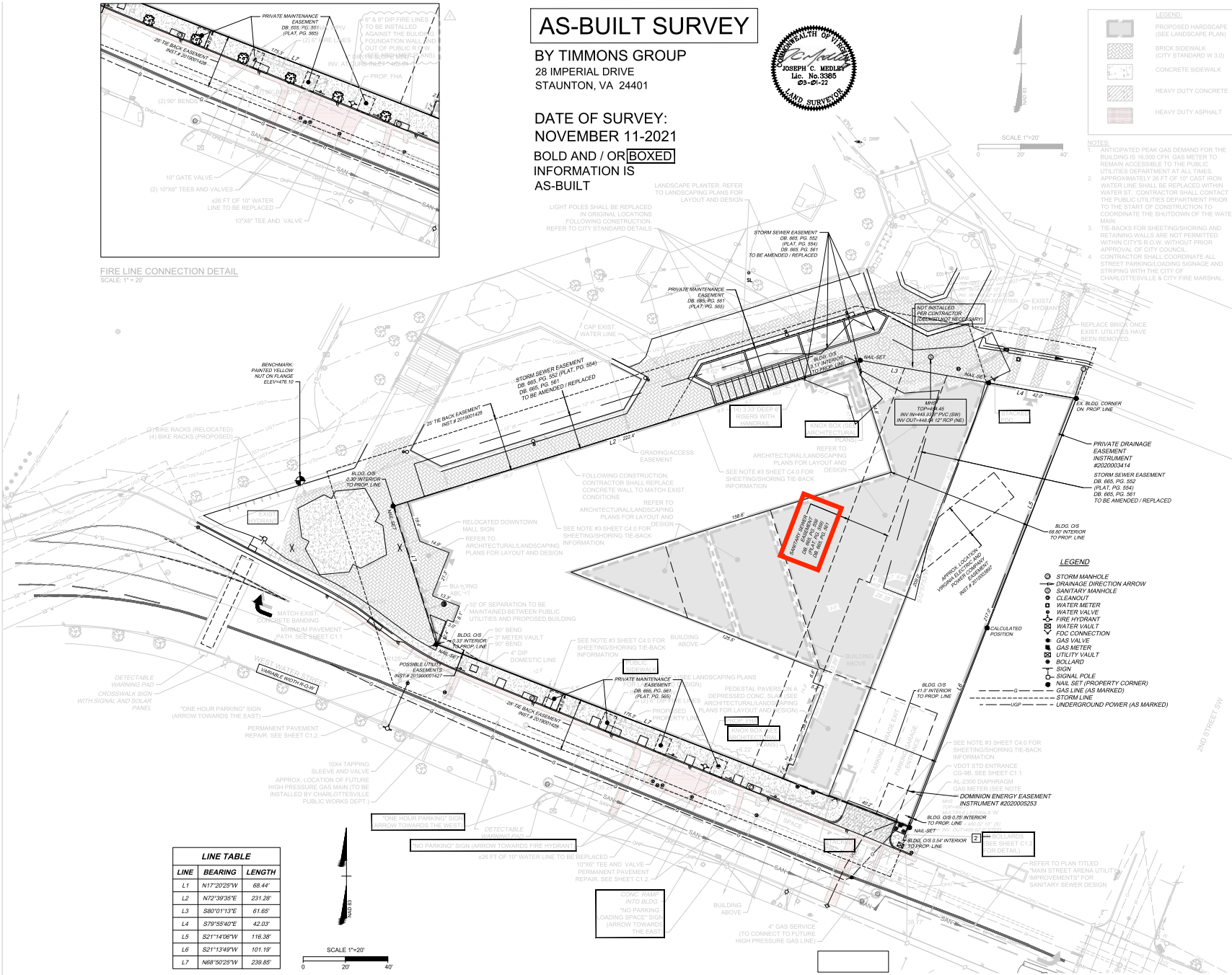
LANDSCAPE PLANTER, REFER TO LANDSCAPING PLANS FOR LAYOUT AND DESIGN
LIGHT POLES SHALL BE REPLACED IN ORIGINAL LOCATIONS FOLLOWING CONSTRUCTION REFER TO CITY STANDARD DETAILS



FIRE LINE CONNECTION DETAIL
SCALE: 1" = 20'



- NOTES**
- ANTICIPATED PEAK GAS DEMAND FOR THE BUILDING IS 15 000 CFH. GAS METER TO REMAIN ACCESSIBLE TO THE PUBLIC UTILITIES DEPARTMENT AT ALL TIMES. APPROXIMATELY 26 FT OF 10" CAST IRON WATER LINE SHALL BE REPLACED WITHIN WATER ST. CONTRACTOR SHALL CONTACT THE PUBLIC UTILITIES DEPARTMENT PRIOR TO THE START OF CONSTRUCTION TO COORDINATE THE SHUTDOWN OF THE WATER MAIN.
 - TIE-BACKS FOR SHEETING/SHORING AND RETAINING WALLS ARE NOT PERMITTED WITHIN CITY'S R.O.W. WITHOUT PRIOR APPROVAL OF CITY COUNCIL.
 - CONTRACTOR SHALL COORDINATE ALL STREET PARKING/LOADING SIGNAGE AND STRIPING WITH THE CITY OF CHARLOTTEVILLE & CITY FIRE MARSHAL.

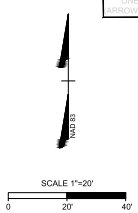


LEGEND

- STORM MANHOLE
- DRAINAGE DIRECTION ARROW
- SANITARY MANHOLE
- CLEANOUT
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- WATER VAULT
- FDC CONNECTION
- GAS VALVE
- GAS METER
- UTILITY VAULT
- SOLIARD
- SIGN
- SIGNAL POLE
- WAL SET (PROPERTY CORNER)
- GAS LINE (AS MARKED)
- UNDERGROUND POWER (AS MARKED)

LINE TABLE

LINE	BEARING	LENGTH
L1	N17°20'25"W	68.44'
L2	N72°39'35"E	231.28'
L3	S80°01'13"E	61.65'
L4	S78°55'40"E	42.03'
L5	S21°14'08"W	116.38'
L6	S21°13'49"W	101.19'
L7	N68°10'25"W	239.65'



Y:\904043111.002_502_502_CODE_Ashd\DWG\Sheet\Revised\SheetC4.0.dwg | Plotted on 7/22/2022 2:27 PM | by David Jackson

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY-OWNED EASEMENT
ON WEST MAIN STREET AND WATER STREET FOR CODE BUILDING PROJECT**

WHEREAS, Brands Hatch LLC, the owner of property designated as Parcel(s) 28-1, wishes for the City of Charlottesville, Virginia (the “City”) to vacate a certain portion of the sanitary sewer easement owned by the City, said easement being shown on the attached Exhibit dated November 11, 2022; and

WHEREAS, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the proposed conveyance of City-owned land as requested by Brands Hatch LLC; and

WHEREAS, staff of the Department of Public Utilities have reviewed the proposed conveyance and have no objection thereto; and

WHEREAS, the City has authority to vacate such Sanitary Sewer Easements pursuant to Virginia Code Sec. 15.2-2272(2), by way of adoption of an ordinance; and

WHEREAS, Section 2-7 of the Code of the City of Charlottesville (1990), as amended authorizes the Mayor of the City of Charlottesville to execute a deed of quitclaim on behalf of the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is authorized to execute a deed of quitclaim, in form approved by the City Attorney and substantially similar to the attached Exhibit A., for certain City owned sanitary sewer easement, being shown on the attached Exhibit dated November 11, 2022. The City Attorney is hereby authorized to take whatever steps are necessary to effect the closing of said property conveyance.

Approved by Council
Date: _____, 2023

Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	2nd Reading of Ordinance
Presenter:	Chris Cullinan, Director of Finance, Lauren Hildebrand, Director of Utilities
Staff Contacts:	Chris Cullinan, Director of Finance Lauren Hildebrand, Director of Utilities
Title:	Amending and reordaining Chapter 31 (Utilities) of the Code of the City of Charlottesville, 1990, as amended, to establish new utility rates and service fees for City gas, water and sanitary sewer (2nd reading)

Background

The City of Charlottesville owns and operates public utilities for water, wastewater, natural gas and stormwater. Utility services are essential on a daily basis to both individuals and to the entire community. Thoughtful, deliberate planning and sufficient financial resources ensure efficient and orderly maintenance and operation of these systems. The need for investment in our utility systems is not without cost, but our utility rates must also be balanced with the need for continued affordability for our customers.

Each of the City’s utilities is accounted for separately as enterprise funds. Enterprise funds are operated on a self-supporting basis, meaning that each utility is required to cover the full costs of providing its service. The City’s utilities are funded solely through their rates and related fees and charges and are not subsidized with general tax revenues. The utilities do not operate on a for-profit basis. As such, utility rates are calculated annually to bring each fund to a break-even point; however, variable factors such as weather, usage, and number of customers may result in an unexpected and unanticipated operating surplus or deficit during any given year. If so, the surpluses or deficits are accounted for and remain within their respective utility fund.

Rivanna Water and Sewer Authority (RWSA), which provides the treatment services for the City, is one of the largest fixed cost elements for the water and wastewater budgets. For FY’24, the rates for RWSA have increased and they are incorporated in the City’s proposed utility rates.

Discussion

Proposed Utility Rates for FY’24

The budgets for each of the utilities have been thoroughly examined for opportunities to minimize costs without sacrificing service. Based on the revenue requirements needed to operate and maintain each utility and the above recommendations, the City is proposing the following rates in the water, wastewater, and gas utility:

- \$75.17/1,000 cubic feet (cf) of water (average annual composite rate of seasonal rates),
- \$88.34/1,000 cf of wastewater, and;
- \$70.30/8,000 cf of natural gas.

In addition, the proposed Monthly Services Charges for Water and Wastewater are as follows:

Water Monthly Service Charge			
Meter Size	Current Monthly Service Charge	Proposed Monthly Service Charge	\$ Change
5/8"	\$5.50	\$6.50	\$1.00
1"	\$13.75	\$16.25	\$2.50
1 1/2"	\$27.50	\$32.50	\$5.00
2"	\$44.00	\$52.00	\$8.00
3"	\$88.00	\$104.00	\$16.00
4"	\$137.50	\$162.50	\$25.00
6"	\$275.00	\$325.00	\$50.00
14"	\$1,801.25	\$2,128.75	\$327.50

Wastewater Monthly Service Charge			
Meter Size	Current Monthly Service Charge	Proposed Monthly Service Charge	\$ Change
5/8"	\$5.50	\$6.50	\$1.00
1"	\$13.75	\$16.25	\$2.50
1 1/2"	\$27.50	\$32.50	\$5.00
2"	\$44.00	\$52.00	\$8.00
3"	\$88.00	\$104.00	\$16.00
4"	\$137.50	\$162.50	\$25.00
6"	\$275.00	\$325.00	\$50.00
14"	\$1,801.25	\$2,128.75	\$327.50

For the stormwater utility, there are minimal changes to the budget and stormwater fees are proposed to remain unchanged for the coming year at \$1.20 per 500 square feet of impervious surface.

Impact on Average Customer

Utility customers continue to conserve water and natural gas, which is both good for the environment and for their utility bill. The average residential water customer is using 400 cubic feet (cf) per month. Similarly, the average residential gas customer is using 4,600 cf. Based on these usage figures and the proposed utility rates, the average residential customer is projected to spend the following per month:

<u>Service</u>	<u>Current</u> <u>(based on rates adopted 7/1/22)</u>	<u>Proposed</u> <u>(Effective 7/1/23)</u>	<u>Change</u>	<u>Percent</u>
Water ¹	\$33.40	\$36.57	\$3.17	9.49%

Wastewater ¹	\$39.02	\$41.84	\$2.82	7.23%
Natural Gas ¹	\$48.27	\$51.70	\$3.43	7.11%
Stormwater ²	\$5.86	\$5.86	\$0	0%
TOTAL	\$126.55	\$135.97	\$9.42	7.44%

1. Rates include monthly service charge.
2. The budget impact shown reflects a residential monthly average fee and provides consistency with other utilities. Stormwater fees are rounded to the next whole billing unit and are billed to property owners biannually.

For City residential customers who receive water, wastewater, stormwater and natural gas (87.5% of City residents), their total utility bill is projected to rise by \$9.42 per month, or 7.44%. For residential customers who receive just water, wastewater and stormwater service, their utility bill will increase by \$5.99 per month, or 7.65%. The proposed rate report can be found at <https://www.charlottesville.gov/602/Utility-Billing>.

Alignment with City Council's Vision and Strategic Plan

City Utilities operations supports City Council's "A Green City" vision. It contributes to the Strategic Plan's Objectives:

- 3.2 - To provide reliable and high-quality infrastructure,
- 3.4 - Be responsible stewards of natural resources,
- 5.1 - Integrate effective business practices and strong fiscal policies.

Community Engagement

The public hearing is being held at tonight's Council meeting to establish the rates for City utility services (water, sanitary sewer, natural gas and stormwater). These rates would be effective as of July 1, 2023, if approved by Council on June 20, 2023. The notice for the public hearing was advertised in the newspaper during the weeks of May 15, 2023 and May 22, 2023.

Budgetary Impact

The Utility Funds (water, wastewater, and natural gas) are self-sustaining enterprise funds that are supported by the revenues from customers' usages. The stormwater fee is based on the impervious surface of the property.

Note: The approval of the utility rates has no impact on the General Fund.

Recommendation

Staff recommends approval of the proposed rates.

Alternatives

As noted above, the utilities operate on a self-sustaining, break-even basis. If the proposed rates are not adopted, the utilities would not financially perform in this manner which in turn would impact the City's ability to efficiently and reliably operate these systems. The City's ability to invest in these

critical infrastructure systems would be negatively impacted as well. Additionally, the City would not meet its long-term financial policy by not having sufficient working capital for its utilities.

Attachments

1. FY2024 Utility Rate Ordinance
2. At a Glance FY2024
3. PUDFY2024

**AN ORDINANCE
 AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE
 OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
 TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES
 FOR CITY GAS, WATER AND SANITARY SEWER.**

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

1. Sections 31-56, 31-57, 31-60, 31-61, 31-62, 31-102, 31-106, 31-153, 31-156 and 31-158 of Chapter 31, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:

CHAPTER 31. UTILITIES

ARTICLE II. GAS

DIVISION 2. TYPES OF SERVICE; SERVICE CHARGES

Sec. 31-56. Rates - Generally.

The firm service gas rates based on monthly meter readings shall be as follows:

Basic Monthly Service Charge	\$ 10.00	
First 3,000 cubic feet, per 1,000 cubic feet	\$8.8087	<u>\$9.2491</u>
Next 3,000 cubic feet, per 1,000 cubic feet	\$8.3559	<u>\$8.7216</u>
Next 144,000 cubic feet, per 1,000 cubic feet	\$7.9031	<u>\$8.1941</u>
All over 150,000 cubic feet, per 1,000 cubic feet	\$7.4504	<u>\$7.6666</u>

Sec. 31-57. Air conditioning...

Sec. 31-60. Interruptible sales service (IS).

(a) *Conditions.* . . .

(b) *Customer's agreement as to discontinuance of service.* . . .

(c) *Basic monthly service charge.* The basic monthly charge per meter for interruptible sales service ("IS gas") shall be sixty dollars (\$60.00).

(d) *Rate.* For all gas consumed by interruptible customers the rate shall be ~~\$7.0120~~ \$7.2264 per one thousand (1,000) cubic feet for the first six hundred thousand (600,000) cubic feet, and ~~\$6.5125~~ \$6.6275 per one thousand (1,000) cubic feet for all volumes over six hundred thousand (600,000) cubic feet.

(e) *Annual Minimum Quantity.* Interruptible rate customers shall be obligated to take or pay for a minimum quantity of one million two hundred thousand (1,200,000) cubic feet of gas annually. Each year, as of June 30, the director of finance shall calculate the total consumption of each interruptible customer for the preceding twelve (12) monthly billing periods and shall bill any customer that has consumed less than the minimum quantity for the deficient amount at the rate of ~~\$7.0120~~ \$7.2264 per one thousand (1,000) cubic feet. Any new customer shall be required to enter into a service agreement with the City prior to the start of service. If an interruptible customer terminates service, the annual minimum requirement shall be prorated on the basis of one hundred thousand (100,000) cubic feet per month for each month the customer has received service since the last June 30 adjustment.

(f) *Contract required.* . . .

Section 31-61. Interruptible Transportation Service (TS).

(a) *Generally.* ...

(b) *Rates.* The rates for interruptible transportation service (“TS gas”) shall be as follows:

- (1) ~~\$2.6287~~ \$3.0147 per dekatherm for a customer receiving only TS gas, and
- (2) ~~\$1.5772~~ \$1.8088 per dekatherm, for customers who transport 35,000 or more dekatherms per month (“large volume transportation customers”), regardless of whether such large volume transportation customer receives only TS gas, or also receives IS service.

(c) *Basic Monthly Service Charges.* ...

(d) *Special terms and conditions.* ...

(e) *Extension of facilities.* . . .

(f) *Billing month.* . . .

(g) *Lost and unaccounted-for gas.* . . .

(h) *Combined IS and TS customer using more than provided or scheduled by customer.*...

(i) *TS Customer providing more gas, or less gas, than customer’s usage.* ...

(j) *Other terms and conditions.* . . .

Section 31-62. Purchased gas adjustment.

In computing gas customer billings, the basic rate charges established under sections 31-56, 31-57, 31-60 and 31-61 shall be adjusted to reflect increases and decreases in the cost of gas supplied to the city. Such increases or decreases shall be computed as follows:

(1) For the purpose of computations herein, the costs and charges for determining the base unit costs of gas are:

- a. Pipeline tariffs;
- b. Contract quantities; and
- c. Costs of natural gas, in effect or proposed as of ~~April 1st, 2022~~, May 1st, 2023.

(2) Such base unit costs are ~~\$5.1715~~ \$3.9740 per one thousand (1,000) cubic feet for firm gas service and ~~\$3.4986~~ \$2.2350 per one thousand (1,000) cubic feet for interruptible gas service.

(3) In the event of any changes in pipeline tariffs, contract quantities or costs of scheduled natural gas, the unit costs shall be recomputed on the basis of such change in accordance with procedures approved by the city manager. The difference between the unit costs so computed and the base unit costs shall represent the purchased gas adjustment to be applied to all customer bills issued beginning the first billing month after each such change.

ARTICLE IV. WATER AND SEWER SERVICE CHARGES

Sec. 31-153. Water rates generally.

(a) Water rates shall be as follows:

(1) Monthly service charge.

Water Meter Size (inches)	Fee
5/8	\$5.50 \$6.50
3/4	\$5.50 \$6.50
1	\$13.75 \$16.25
1 ½	\$27.50 \$32.50
2	\$44.00 \$52.00
3	\$88.00 \$104.00
4	\$137.50 \$162.50
6	\$275.00 \$325.00
14	\$1,801.25 \$2,128.75

May-September

October-April

(2) Metered water consumption, per 1,000 cu. ft. ~~\$80.59~~ \$86.86 ~~\$62.00~~ \$66.82

(b) This section shall not apply to special contracts for the consumption of water which have been authorized by the city council.

Sec. 31-156. Sewer service charges generally.

(a) Any person having a connection directly or indirectly, to the city sewer system shall pay therefor a monthly charge as follows:

(1) Monthly service charge.

Water Meter Size (inches)	Fee
5/8	\$5.50 \$6.50
3/4	\$5.50 \$6.50
1	\$13.75 \$16.25
1 ½	\$27.50 \$32.50
2	\$44.00 \$52.00
3	\$88.00 \$104.00
4	\$137.50 \$162.50
6	\$275.00 \$325.00
14	\$1,801.25 \$2,128.75

(2) An additional charge of ~~eighty three dollars and eighty cents (\$83.80)~~ eighty-eight dollars and thirty-four cents (\$88.34) per one thousand (1,000) cubic feet of metered water consumption.

(b) Any water customer not discharging the entire volume of water used into the city's sanitary sewer system shall be allowed a reduction in the charges imposed under this section, provided such person installs, at his expense, a separate, City-approved water connection to record water which will not reach the City sewer system. The cost and other terms of City Code section 31-102 shall apply. For customers with monthly water consumption in excess of thirty thousand (30,000) cubic feet, where the director of finance considers the installation of a separate meter to be impracticable, the director may establish a formula which will be calculated to require such person to pay the sewer charge only on that part of the water used by such person which ultimately reaches the city sewers.

2. The foregoing amendments shall become effective July 1, 2023.

At A Glance

City of Charlottesville

Utility Rate Report



The following information provides a brief summary of the rate and fee recommendations for water, wastewater, stormwater and natural gas for FY2024, and new rates will go into effect July 1st, 2023. For a more thorough explanation and details of the recommendations, please refer to the FY2024 Utility Rate Report.

The table below illustrates the monthly impact on an average City residential customer using 400 cubic feet (cf) of water and wastewater, owning a property with approximately 2,440 square feet of impervious surface, and using 4,600 cubic feet (cf) of gas. This information is based on utility rates and charges adopted July 1st, 2022, and proposed rates and charges.

	Current Based on rates adopted 7/1/22	Proposed Effective 7/1/23	Change	Percent
Water ¹	\$33.40	\$36.57	\$3.17	9.49%
Wastewater ¹	\$39.02	\$41.84	\$2.82	7.23%
Gas ¹	\$48.27	\$51.70	\$3.43	7.11%
Stormwater ²	\$5.86	\$5.86	\$0	0%
Total	\$126.55	\$135.97	\$9.42	7.44%

(1) Rates include monthly service charges

(2) The budget impact shown reflects a residential monthly average fee and provides consistency with other utilities. Stormwater fees are rounded to the next whole billing unit and are billed to property owners biannually.

Water Rates

Where your Water Dollar goes ...



Usage Rate

Water rates are proposed to increase by \$5.42 per 1,000 cf based on the amount of water used (7.8% increase).



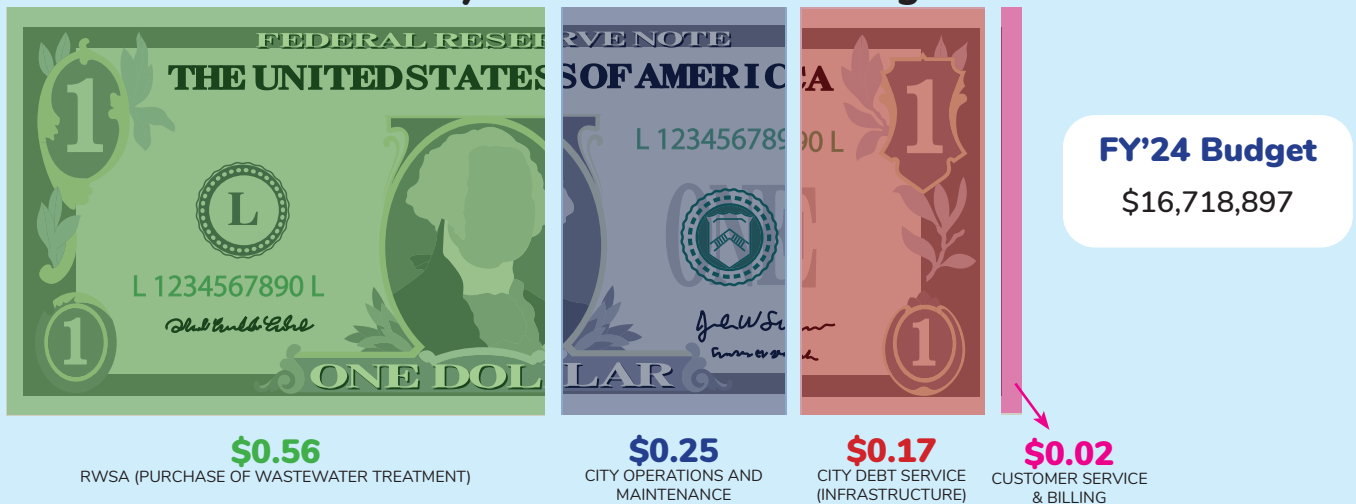
Impact on the Customer

The impact on a customer's bill will depend on how much water is consumed. The average single-family household uses 400 cf/month (2,992 gallons/month; approximately 100 gallons/day). To the extent an individual customer's usage differs from the average will determine the impact of the proposed rate on their bill. The table below shows the monthly impact on water customers at different amounts of usage.

	Water Use (cf per month)	Current Composite Water (per 1,000 cf)	Current Water Usage (charge per month)	Proposed Composite Water (per 1,000 cf)	Proposed Water Usage (charge per month)	\$ Change	% Change
Minimal User (10 th Percentile)	140	\$69.75	\$9.76	\$75.17	\$10.52	\$0.76	7.79%
Small User (25 th Percentile)	250	\$69.75	\$17.44	\$75.17	\$18.79	\$1.35	7.74%
Median User (50 th Percentile)	400	\$69.75	\$27.90	\$75.17	\$30.07	\$2.17	7.78%
Large User (75 th Percentile)	610	\$69.75	\$42.55	\$75.17	\$45.85	\$3.30	7.76%
High Volume User (90 th Percentile)	880	\$69.75	\$61.38	\$75.17	\$66.15	\$4.77	7.77%

Wastewater Rates

Where your Wastewater Dollar goes ...



Usage Rate

Wastewater usage rates are proposed to increase by \$4.54 per 1,000 cf based on the amount of water used (5.4% increase).



Impact on the Customer

The impact on a customer's bill will depend on how much water is consumed. The average single-family household uses 400 cf/month (2,992 gallons/month; approximately 100 gallons/day). To the extent an individual customer's usage differs from the average will determine the impact of the proposed rate on their bill. The table below shows the monthly impact on wastewater customers at different amounts of usage.

	Water Use (cf per month)	Current Wastewater (\$ per 1,000 cf)	Current Wastewater Usage (charge per month)	Proposed Wastewater Rate (\$ per 1,000 cf)	Proposed Wastewater Usage	\$ Change	% Change
Minimal User (10 th Percentile)	140	\$83.80	\$11.73	\$88.34	\$12.37	\$0.64	5.46%
Small User (25 th Percentile)	250	\$83.80	\$20.95	\$88.34	\$22.09	\$1.14	5.44%
Median User (50 th Percentile)	400	\$83.80	\$33.52	\$88.34	\$35.34	\$1.82	5.43%
Large User (75 th Percentile)	610	\$83.80	\$51.12	\$88.34	\$53.89	\$2.77	5.42%
High Volume User (90 th Percentile)	880	\$83.80	\$73.74	\$88.34	\$77.74	\$4.00	5.42%

Water & Wastewater

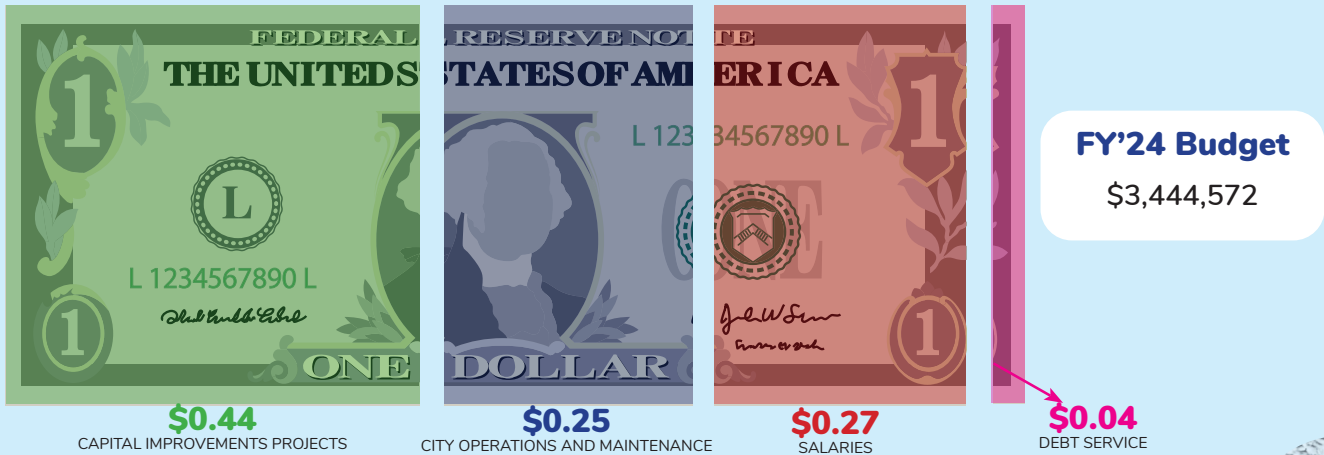
Monthly Service Charge

The monthly service charges for water and wastewater are proposed to change. The monthly service charges will increase to \$6.50 for water and \$6.50 for wastewater for a 5/8" meter. Approximately 95% of customers have a 5/8 meter. The proposed combined monthly service charges for water and sewer are as follows:

Water Meter Size (in inches)	Current	Proposed	\$ Change
5/8	\$ 11.00	\$ 13.00	\$2.00
1	\$ 27.50	\$ 32.50	\$5.00
1 1/2	\$ 55.00	\$ 65.00	\$10.00
2	\$ 88.00	\$ 105.00	\$17.00
3	\$176.00	\$208.00	\$32.00
4	\$ 275.00	\$ 325.00	\$50.00
6	\$ 550.00	\$ 650.00	\$100.00
14	\$ 3,602.50	\$ 4,257.50	\$655.00

Stormwater Rates

Where your Stormwater Dollar goes ...



Stormwater rates are proposed to remain constant for the coming year at \$1.20 per 500 square feet of impervious surface (or part thereof) per month.

Stormwater fees are billed concurrently with real estate tax assessments and are due in June and December.

Modernize and maintain infrastructure integrity while pursuing environmental stewardship.

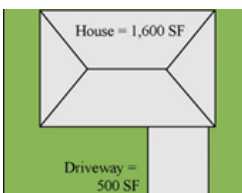
As part of the larger Water Resources Protection Program (WRPP), the City has adopted a stormwater utility fee to provide a dedicated and stable source of funding for stormwater management activities. Funds received are used to help the City comply with federal and state stormwater regulations, rehabilitate the City's aging stormwater infrastructure, address drainage and flooding problems, and pursue environmental stewardship.

Impact on the Customer

The stormwater utility fee is charged to property owners based on the amount of impervious area on their property (areas covered by hard surfaces, such as: buildings, concrete, gravel, etc.).

An example fee calculation is provided below:

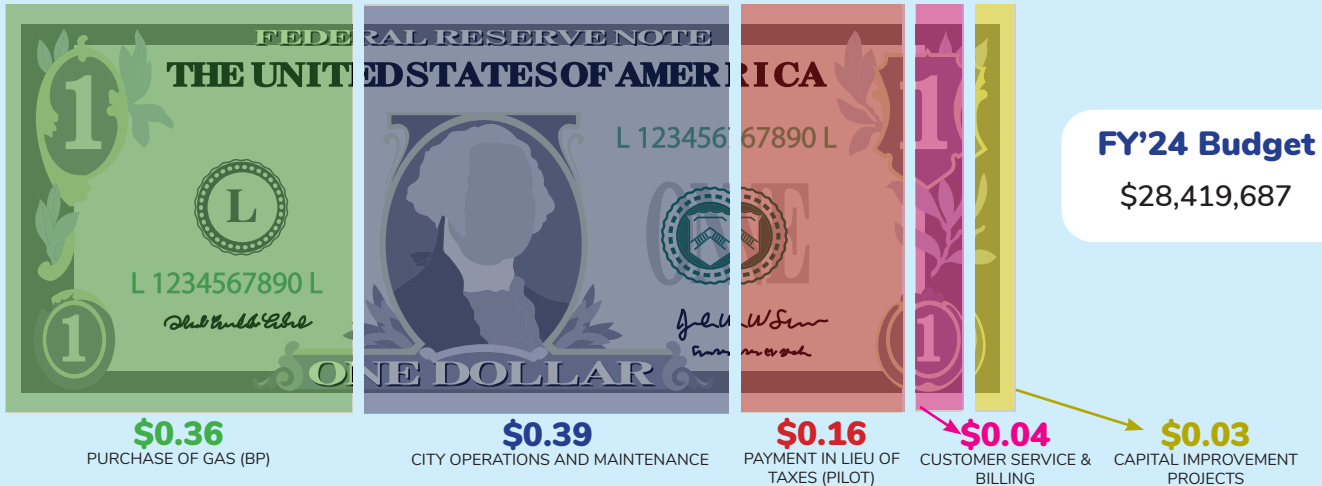
Example Fee Calculation



- Total impervious area (house and driveway): 2,100 SF
- Divide by 500 square feet: $2,100 / 500 = 4.2$ billing units
- Round to the next whole number: 4.2 rounds to 5 billing units
- Multiply the number of billing units by the rate (\$1.20 per billing unit per month) to determine annual fee: $5 \times \$1.20 \times 12 = \72 annual fee, billed \$36 due in June and December

Gas Rates

Where your Natural Gas Dollar goes ...



Usage Rate

Gas rates are proposed to increase for all natural gas customers. For the average residential gas customer, gas rates are proposed to increase by 7.11%.



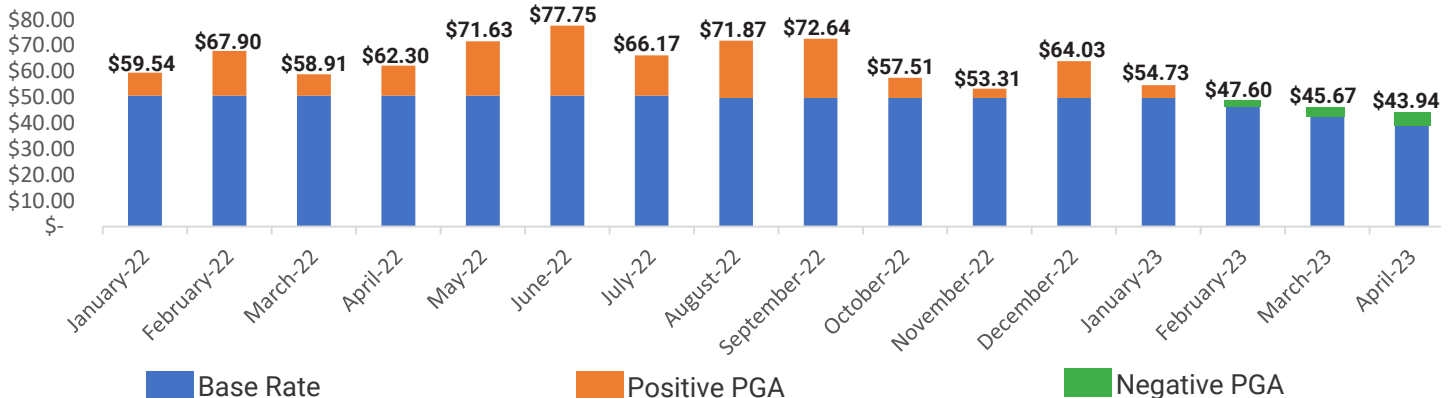
Impact on the Customer

The impact on a customer's bill will depend on the volume of gas that the customer uses. The average single family household uses 4,600 cubic feet of natural gas per month. The table below shows the monthly impact on gas customers at different amounts of usage. The base rate is set on July 1st each year. This base rate is calculated using the cost of gas at that time.

	Gas Used (cf per month)	Current Monthly Gas Bill with Most Recent PGA	Proposed Monthly Gas Bill with Most Recent PGA	\$ Change	% Change
Minimal User	4,000	\$43.45	\$46.47	3.02	6.95%
Average User	4,600	\$48.27	\$51.70	3.43	7.11%
Large User	20,000	\$165.50	\$178.63	13.13	7.93%
High Volume User	60,000	\$468.35	\$506.39	38.04	8.12%

However, gas is purchased throughout the year and the cost per cubic foot of natural gas varies by month due to various factors (weather, economics, etc.) which are hard to predict, as shown below for the past 18 months. The purchased gas adjustment (PGA) acts as a "true up" to account for the differences between the current market cost of gas and the gas cost used to calculate the base rate. This ensures that customers are not over or underpaying and that the City is not over or under collecting.

Average Residential Customer Gas Bill with PGA



Utilities Operations Overview



FY2024

The Charlottesville Department of Utilities provides the Charlottesville community with safe and reliable natural gas, drinking water, and wastewater services at a reasonable cost in an environmentally responsible manner.

Core Programs & Services

Department-Wide

- **Utility Location Oversight**
Protecting infrastructure & critical facilities, including utility locating: **20,791** tickets in 2022.
- **24/7/365 Utilities Call Center**
The Utilities Call Center handles approximately **25,000** calls per year.
- **Customer Service**
Last year, we processed **7,116** Move-ins and **7,013** Move-outs.
- **Online Bill Pay Services**
In October 2021, we launched a new bill pay portal. To date, **4,050** customers have registered for Autopay, and **9,647** customers receive paperless billing.
- **Emergency Operations**
Emergency response to water and gas leaks as well as sewer backups. Over **600** leaks checked per year.
- **GIS Mapping and Maintenance**
36,739 feet of utility lines entered and **580** CCTV videos cataloged last year.
- **Meter Reading and Maintenance**
We performed **483,751** meter readings including **2,060** implausible meter readings and **799** ERT replacements in 2022.
- **Development Site Plan Review**
Our engineers reviewed and followed the implementation of **190** site plans in 2022.

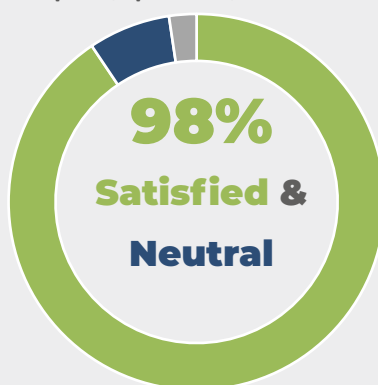
Customer Satisfaction

Experience Interacting with Utilities Department Staff (% Satisfied)*

Ease of contacting department staff



Overall responsiveness to your request, question, or concern



How satisfied are you with the new Utility Billing Online Payment Portal?



*Department of Utilities Customer Satisfaction Survey - SurveyMonkey – February, 2023



Water & Wastewater by numbers



14,800
CUSTOMERS
SERVED



4.6 million
GALLONS OF WATER
PROVIDED DAILY



179 miles
OF WATER
MAINS



169 miles
OF WASTEWATER
MAINS



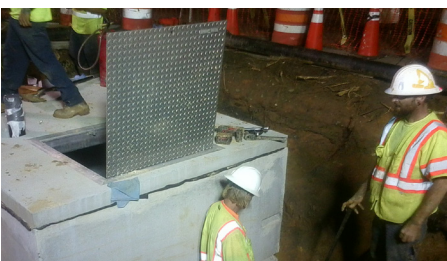
8,302
WORK ORDERS
COMPLETED

Water Quality

- The quality of our drinking water meets and exceeds all regulatory requirements and expectations for safety and reliability. A water quality report is prepared annually and is available online.
- Cross-contamination:
 - The situation in which water flows in a direction that is opposite from the intended flow is called backflow and presents a serious hazard to our water supply.
 - The City's Department of Utilities currently maintains inspection records for **935 backflow devices** in an effort to protect and provide the highest quality water to the City residents.



Granular Activated Carbon (GAC) treatment providing superior quality water to our community.

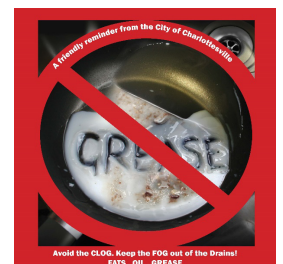


Water Loss Prevention

- Meter testing and replacement program:
 - Over **329** large water meters have been replaced since the program's inception.
- Annual system-wide leak detection survey:
 - In 2022, **14 leaks** totalling **502,560 GPD** were detected and repaired.
- Ultrasonic meter installation:
 - Is more accurate and measures low flow rates.

Fats, Oils, and Grease Program

- The City of Charlottesville prohibits the discharge of fats, oils, and grease (FOG) down the drain into the City's wastewater system.
- The City of Charlottesville maintains an active FOG program that routinely inspects and advises best management practices to over **300 city food service establishments** on an annual basis on how to properly dispose of FOG.
- We provide FOG Kits to residents to help properly dispose fats, oils, and grease from cooking.



Water & Wastewater Asset Management

- Water main replacement program:
 - **8,900 linear feet** in 2022 and **120,954 linear feet** of water lines have been replaced since 2010 (**12.8%** of the entire water system).
 - Total construction cost: **\$30.6 million**
- Water service line replacement:
 - **4,705 linear feet** in 2022 and **52,218 linear feet** of water services have been replaced since 2010 (**16.5%** of the City-owned water services).
- Wastewater main rehabilitation program:
 - **22,986 linear feet** of wastewater lines were rehabilitated or replaced in 2022 and over **343,728 linear feet** of main have been rehabilitated or replaced since the program's inception in 2009 (**38.5%** of the wastewater system).
 - Total construction cost: **\$33.6 million**
- Manhole rehabilitation or replacement:
 - **1,190 manholes** have been rehabilitated or replaced since the program's inception (**20.7%** of the City's wastewater manholes).



Customer Satisfaction

In our recent Utilities Customer Satisfaction Survey, our customers show high levels of satisfaction with the dependability of our services.

Reliability of water service to your home



Reliability of sewer service to your home



Rate the value that you pay for your water service



Rate the value that you pay for your sewer service



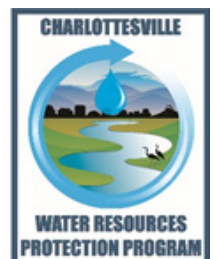
Also in this survey, the vast majority of our customers rated the value of their water and sewer service as fair and above (good and excellent).



Stormwater CIP

Stormwater Asset Management

- Utilities has had an active Stormwater Conveyance System Rehabilitation Program since 2010.
- Stormwater rehabilitation program:
 - **6,250 linear feet** of stormwater lines rehabilitated or replaced in 2022 and **77,695 linear feet** rehabilitated or replaced (**11.3%** of the system since the program's inception).
 - Total construction cost: **\$11.8 million**
- Structure rehabilitation or replacement:
 - **454 structures** rehabilitated or replaced since the program's inception (**5.4%** of the system's storm structures).





Gas System

Natural Gas by numbers



21,300
CUSTOMERS
SERVED



343 miles
GAS MAIN
LINES



303 miles
GAS SERVICE
LINES



32
REGULATOR
STATIONS



10,945
WORK ORDERS
COMPLETED

Greenhouse Gas Reduction Strategy

Adoption of a three-pronged strategy to help reduce greenhouse gas emissions (GHG) in our community due to natural gas usage.

1) Energy-efficiency programs:

- Energy-Saving Trees – this partnership with the Arbor Day Foundation provided **200 free trees** to Charlottesville Utilities customers to strategically plant on their property, delivering energy-and cost-saving benefits.
- Popular energy-efficiency rebates include **\$100 Programmable Thermostat** and **\$300 Attic Insulation** rebates.
- Charlottesville Gas Energy Efficiency Program – offers energy efficiency upgrades at **no cost to income-qualified households**, with **136 gas customers** benefitting from the program since its launch.

2) Carbon offset program:

- This program allows Utilities to invest in various carbon sequestration projects all over the world. Charlottesville Gas currently **offsets 25%** of its emissions through this program.

3) Updated Infrastructure:

- Charlottesville Utilities was awarded a **\$7.1 million grant** from the Natural Gas Distribution Infrastructure Safety and Modernization program, part of the broader Bipartisan Infrastructure Law, to replace Utilities' last remaining section of legacy cast iron pipes helping to strengthen the system's resiliency and reduce methane emissions.



Decarbonization Study

- The Decarbonization Study will help Charlottesville Utilities to responsibly and accurately determine how the gas utility can be part of the solution in achieving Community Climate Action goals of a **45% reduction** in community wide GHGs by 2030 and **carbon neutrality** by 2050. The Study will evaluate several pathways and their impact on emissions, reliability of service, and cost to customers.

In our recent Utilities Customer Satisfaction Survey, our customers show high levels of satisfaction with access to gas service, and value of natural gas.

How important is it to have gas available to your home?



Rate the value that you pay for your natural gas service



CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Approval of Resolution
Presenter:	Michael Thomas, Interim Fire Chief
Staff Contacts:	Mike Rogers, Deputy Chief of Business Services Krisy Hammill, Director of Budget
Title:	Fontaine Avenue Fire Station Alerting System update (1 of 2 readings)

Background

The call alerting system currently in use at the Fontaine Avenue Fire Station was installed during the initial construction of the building. The system is now more than ten (10) years old, and the system components and accessories are all proprietary and beginning to fail. The City would have to incur the upgrade cost to update the failing system and commit to an annual maintenance agreement with the current vendor. Since the installation of the original system, any new call types and subsequent programming codes created through the Emergency Communication Center (ECC) are not part of the system configuration and aren't recognized as part of an alert. The current system only allows the fire department to make the necessary programming changes after working through the vendor. Also, unlike the requested system, the current system does not have any backup or redundancy to notify the fire units about incidents.

Discussion

Since the construction of the Fontaine Avenue Station, the Ridge Street Station has been equipped with a newer alerting system that allows the City to program the system in-house and aftermarket product interfaces/usages are available. Additionally, this newer system is used by Albemarle County and other regional partners and is fully compatible with all the newer CAD programming used by the ECC system. The City of Charlottesville Fontaine Avenue Station is the last local agency on the old alerting system server housed and maintained at the ECC. Replacement of this system is currently programmed for FY26 in the 5-year CIP plan at a cost of \$175,000 but the limitations of the old system are requiring the need to continuously find more inefficient operational work-arounds that can not be sustained.

Alignment with City Council's Vision and Strategic Plan

This project supports Goal 2 of the Strategic Plan, to be a Healthy and Safe City and Goal 5, to be a Well-managed and Responsive Organization..

Community Engagement

N/A

Budgetary Impact

\$175,000 is currently programmed as a bondable expense in FY 26 for the replacement of this system. If this resolution is approved, the sale of the bonds will occur sooner but will not change the overall finances of the current 5-year plan.

Recommendation

Staff recommends approval of this resolution.

Alternatives

Approval could be denied and replacement of the alerting system would have to wait until the future funding programmed for the replacement becomes available.

Attachments

1. Resolution_Fontaine Avenue Fire Station Alerting System

RESOLUTION
Appropriating the amount of \$175,000
For the Fontaine Avenue Fire Station Alerting System

WHEREAS Council has planned for \$175,000 in FY 26 of the City's 5-Year Capital Improvement Plan for the replacement of the alerting system at the Fontaine Avenue Fire Station; and

WHEREAS additional investment is needed now to address on-going operational needs;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$175,000 is hereby appropriated as follows:

Revenues:

\$175,000	Fund: 426	Cost Center: 9900000000	G/L Account: 499010
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Expenditures:

\$175,000	Fund: 426	Internal Order: 1000031	G/L Account: 599999
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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Adoption of Ordinance
Presenter:	Michael Kochis, Police Chief
Staff Contacts:	Eric Thomas
Title:	Charlottesville Police Department Firearms Buyback Program and Destruction of Surrendered Firearms Ordinance (1 of 2 readings)

Background

Virginia law (15.2-915.5) authorizes localities to participate in firearm buyback programs where individuals may be given a thing of value in exchange for surrendering a firearm to the locality.

Although many localities in Virginia have not implemented an ordinance authorizing participation in a firearm buyback program, the Charlottesville Police Department (CPD) recognizes that reducing gun violence requires a multi-faceted approach.

As of March 20, 2023, the City of Charlottesville has seen a 150% increase in murder and nonnegligent manslaughter offenses in 2023 over the entire calendar year of 2022. Since 2019, annual violent crime offenses in the city have increased steadily year over year by a total of 59.3% from 2019 to the end of 2022.

Discussion

In general, voluntary firearm buyback programs allow gun owners to surrender their firearms to government entities for a thing of value. These programs have three main objectives.

1. Help to reduce the availability of firearms in a community.
 - a. Keeping firearms out of the hands of children and others who are prohibited from lawfully possessing a firearm.
2. Provide an opportunity for the safe disposal of firearms.
 - a. Option for responsible community members who wish to get rid of firearms in a safe manner
3. Community engagement.
 - a. Initiate conversations about responsible gun ownership
 - b. Relationship building amongst community partners working to reduce gun violence.

If authorized, CPD's firearm buyback program would partner with private and/or other governmental entities through memorandums of understanding to allow citizens to voluntarily surrender firearms to

CPD which may give the individual surrendering the firearm a thing of value. Through the firearm buyback program, the surrendered firearms shall be received and destroyed by the CPD, consistent with Virginia law.

Virginia localities such as Norfolk, Richmond, and Roanoke have all implemented successful Firearm Buyback Programs similar to the one proposed by CPD.

Alignment with City Council's Vision and Strategic Plan

This project supports Goal 2 of the Strategic Plan, to be a Healthy and Safe City. Furthermore, this project supports the mission and vision of the Charlottesville Police Department, which states: In partnership with our community, we strive to improve the quality of life of those who live, work, and visit our city. We will do this by creating a safe and secure environment through professional, empathetic, relational, and accountable policing practices. With community policing as our foundation, we strive to maintain trust and legitimacy through respectful, transparent, and impartial public safety practices.

Community Engagement

A firearm buyback program is an important community safety initiative that will help gun owners and their family members safely dispose of unwanted firearms to help reduce the risk of homicides, suicides, and unintentional shootings. Partnering with private and/or other governmental entities will help the Charlottesville Police Department keep guns from getting into the wrong hands - such as children and others who are prohibited from lawfully possessing a firearm.

Budgetary Impact

Currently, there are no known budgetary impacts. The City of Charlottesville will enter into memorandums of understanding with private and/or other governmental entities to assist with funding.

Recommendation

Adopt the proposed ordinance authorizing the Charlottesville Police Department to participate in firearms buyback programs.

Alternatives

The City of Charlottesville may decide not to participate in the voluntary program but a proactive approach needs to be taken to reduce the increase in gun violence.

Attachments

1. Firearm Buyback 2023 Ordinance

**AN ORDINANCE AUTHORIZING THE CITY OF CHARLOTTESVILLE
TO PARTICIPATE IN FIREARM BUYBACK PROGRAM
AND DESTROY SURRENDERED FIREARMS**

WHEREAS, the City of Charlottesville and the Charlottesville Police Department seek to utilize all available methods under the law to promote the health, welfare and safety of our community; and

WHEREAS, the Charlottesville Police Department seeks to establish a firearm buyback program within the City of Charlottesville to promote and enhance existing public safety efforts within the City of Charlottesville; and

WHEREAS, the City of Charlottesville is only authorized to participate in a program in which individuals are given a thing of value provided by another individual or other entity in exchange for surrendering a firearm to the locality upon the City Council's enactment of an ordinance, pursuant to Va. Code § 15.2-1425, authorizing the participation of the locality in such program as provided under Va. Code § 15.2-915.5; and

WHEREAS, consistent with Virginia law, Section 15.2-915.5 of the Code of Virginia (1950), as amended, localities are authorized to participate in firearm buyback programs where individuals may be given a thing of value in exchange for surrendering a firearm to the locality; and

WHEREAS, such surrendered firearms shall be received and destroyed by the Charlottesville Police Department consistent with Virginia law, removing unwanted guns off our streets and promoting a safer community;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlottesville, Virginia in accordance with their authority under Va. Code Ann. § 15.2-1425:

1. That the City is hereby authorized to participate in firearm buyback programs pursuant to Section 15.2-915.5 of the Code of Virginia, as amended.
2. That the Charlottesville Police Department is authorized to receive and destroy or provide for the destruction of such firearms pursuant to Section 15.2-915.5 of the Code of Virginia, as amended.
3. That the City Manager is authorized to enter into memoranda of understanding with private and/or other governmental entities that may organize and partner with the City on such buyback programs, if necessary, in a form approved by the City Attorney.
4. That this ordinance shall be effective on the date of adoption.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Approval by Council of a resolution to reprogram unspent CDBG funds to facilitate ADA-compliant accessibility enhancements to one or more City parks
Presenter:	Alexander Ikefuna, Director of Community Solutions, Anthony Warn, Grants Analyst
Staff Contacts:	Anthony Warn, Grants Analyst
Title:	Minor Budget Amendment to Reprogram FY 2017-2019 Community Development Block Grant Funds - \$30,000 (1 of 2 readings)

Background

The City of Charlottesville has been an Entitlement Community (EC) as designated by the U.S. Department of Housing & Urban Development (HUD) and has been the recipient of annual allocations of federal funds through HUD's Community Development Block Grants (CDBG) program. While the city has used these CDBG funds over the years to support many beneficial community development programs, in some prior years not all of the funds awarded by the city to specific subrecipient programs were fully utilized.

To ensure the effective and efficient use of federal funds, HUD has established rules requiring the timely use of CDBG funds for the benefit of recipient communities. These rules spell out specific time periods during which awarded funds must be used, after which they are at risk of being reclaimed by HUD to be awarded to other communities. In addition to losing the use of these funds to benefit city residents, having funds reclaimed by HUD puts future awards at risk of being reduced, an outcome we would very much like to avoid.

Discussion

HUD's CDBG programs are designed to advance several core community development goals, chief among them being the creation of suitable living environments for all. As such, CDBG funds are allocated to localities with statutory guidance that "makes specifically eligible the removal of material and architectural barriers that restrict the accessibility or mobility of elderly or handicapped persons" (Source: HUD Guide to National Objectives and Eligible Activities for CDBG Entitlement Communities at hudexchange.info).

HUD guidance also speaks repeatedly to the importance of increasing community access to public amenities, such as municipal parks. Charlottesville is home to a number of high quality community and regional parks that serve both city and country residents and which are staffed by a dedicated and highly capable Department of Parks & Recreation. A recent informal survey of these parks indicates some areas where accessibility to park amenities can be significantly enhanced, such as by

replacing older, narrow pathways with new, fully ADA-compliant pathways.

At Washington Park, for example, an existing pathway leading from the public sidewalk into the park and towards the main building and the public restrooms is narrow and uneven in some spaces and consists of loose gravel in others, all of which combine to impede access for mobility impaired visitors to the park and for participants in the city's Adaptive Recreation programs. The proposed program will fully replace these older, difficult to traverse pathways with new wider paved paths that are fully ADA-compliant that will significantly improve access to the park for those who may be mobility challenged.

Parks & Rec staff also report that it can at times become difficult to hear one another during specific indoor activities with many participants and that enjoyment for participants may be enhanced by the installation of decorative sound baffles on certain portions of the walls and in certain ceiling spaces. Parks & Rec staff also indicate that the preferred sound baffles can be installed by current city employees.

Program staff also indicated that participants could benefit from additional accessible picnic tables, similar to those already in place in the covered patio area, so as to provide program participants and park visitors with additional accessible seating options near the playground area.

Alignment with City Council's Vision and Strategic Plan

The proposed reprogramming of unused prior years CDBG funds for the proposed programs is not only in alignment with federal law, specifically the Americans with Disabilities Act of 1990 (ADA), but by helping to reduce barriers to access to public amenities is also deeply aligned with Council's vision of Charlottesville as 'A Connected Community' and as a 'Community of Mutual Respect.'

Community Engagement

In keeping with the intent of HUD's community development programs and with the spirit of Council's vision for Charlottesville as a city that is 'flexible and progressive in anticipating and responding to the needs of our citizens,' this proposal builds on active community involvement. Specifically, in developing this plan OCS staff consulted with several staff from the city's Department of Parks & Recreation, including experienced maintenance staff and supervisory staff from the city's Adaptive Recreation programs for residents experiencing physical and/or intellectual disabilities.

The proposed reprogramming of CDBG funds will also address community interests by addressing some of the citizen complaints filed through the city's MyCville citizen complaints hotline.

Budgetary Impact

As the funds to be used by the proposed program are federal funds already awarded to the city in prior years, the proposed course of action is not anticipated to impact the city budget and will instead serve to address important community needs while maintaining the city's eligibility for future awards of CDBG funds.

Recommendation

Staff recommends Council approval of the proposed resolution to reprogram unused CDBG funds from prior years to address current accessibility needs in one or more city parks.

Suggested motion: “I move that Council approve the RESOLUTION appropriating unused Community Development Block Grant funds from prior program years to fund accessibility improvements in one or more City parks.”

Alternatives

Given that the funds to be used have been previously awarded to the city but have not been used within the HUD-mandated time frame and are therefore at-risk of reclamation by HUD, no alternatives have been considered.

Attachments

1. Resolution_Reprogramming CDBG Funds from Fiscal Years 2017-2019 to Enact Accessibility Enhancements

RESOLUTION
Reprogramming Community Development Block Grant Funds from Fiscal Years 2017-2019 to Enact Accessibility Enhancements in One or More City Parks - \$30,000

WHEREAS the City of Charlottesville is and has been an Entitlement Community, as designated by the U.S. Depart of Housing and Urban Development (HUD), and as such Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) Fund; and

WHEREAS HUD has established expectations and guidance for the timely use of allocated funds to address important community needs; and

WHEREAS a balance of unspent CDBG funds exists that can be reprogrammed to meet current community needs; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that appropriations made to the following PY 2017-2019 expenditure accounts in the CDBG Fund be amended by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby re-appropriated to the respective PY22-23 account shown as follows:

Program Year	Account Code	Purpose	Proposed Reduction(s)	Proposed Revised Appropriation
FY17-18	P-00001-05-19	Reprogramming of unused CDBG from 10th & Page program	\$24,222.29	\$35,347.61
PY18-19	1900306	Closeout of unused CDBG funds from Belmont PN program	\$948.27	\$0
PY18-19	G1900308	Closeout of unused CDBG funds from AHIP Rehab program	\$4,829.44	\$0

Subtotal of Proposed Reductions \$30,000

Program Year	Account Code	Purpose	Proposed Addition	Proposed Revised Appropriation
PY22-23	1900527	Funding of a new CDBG program for Parks & Rec ADA Accessibility program	\$30,000	\$30,000

Subtotal of Proposed Additions \$30,000

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	Approval of Resolution
Presenter:	Samuel Sanders, Jr., Deputy City Manager
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager
Title:	Approving an agreement with the Charlottesville Redevelopment and Housing Authority (CRHA) for the Dogwood Properties Portfolio and reassigning an \$850,000 Promissory Note (1 reading)

Background

CRHA is acquiring multiple units of naturally occurring affordable housing that were on the market and would likely no longer be affordable after a sale to any owner who may not operate as exclusively affordable. The portfolio includes a total of 74 units within 26 individual parcels. In late 2022 CRHA began discussing the acquisition of the Dogwood Properties portfolio from Woodard Properties. The Dogwood Properties is currently available for \$10 million dollars. The CRHA is requesting the City of Charlottesville invest \$5 million dollars into ensuring the affordability in perpetuity of Dogwood Properties. The CRHA will ensure this by adding the City of Charlottesville to the deed with 1/2 interest. The CRHA has been in discussions with a philanthropic donor on providing a 10-year- interest-free loan which will allow CRHA to continue to keep the homes deeply affordable. If the portfolio is acquired, the CRHA would add the properties to the CRP and remove the housing barriers that exist in other federal programs and in the housing market.

Discussion

The City of Charlottesville has agreed to make a \$5 million capital investment to acquire the 74- unit Dogwood Properties Portfolio from Woodard Properties. CRHA will record a 1/2 interest conveyance for the City of Charlottesville, making the city a partner in the development. The agreement will include a first right of refusal to acquire CRHA's 1/2 interest before any sale of any unit in the portfolio to another potential owner.

The City of Charlottesville issued a loan in the amount of \$850,000 to Piedmont Housing Alliance for the purpose of assisting Dogwood Properties of Charlottesville, LLC with the purchase of 57 of the 74 units that makeup the portfolio being acquired.

Council may elect to require repayment using proceeds of the portfolio or cancel and forgive the balance. As such, the authorization to release PHA and Dogwood Properties from the note and substitute CRHA as the borrower is necessary at this time.

Alignment with City Council's Vision and Strategic Plan

Affordable Housing Plan Guiding principles: Racial equity, regional collaboration and comprehensive approach

Comprehensive Plan Guiding Principles:

- Equity & Opportunity - All people will be able to thrive in Charlottesville.
- Community Culture and Unity - Charlottesville's rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued and respected.

Strategic Plan (2018-2020) Goals:

- Goal 1.3 to increase affordable housing options
- Goal 1.5 to intentionally address issues of race and equity
- Goal 5.4 to foster effective community engagement.

Community Engagement

There have been several community engagement meetings and activities conducted as part of the comprehensive plan update and affordable housing planning process. City staff has also been engaged with CRHA on a regular basis regarding redevelopment activities, including exploring proactive ways to spur affordable housing one of which is this proposal to acquire naturally occurring affordable housing and sustaining that opportunity for residents.

Budgetary Impact

The prior appropriation action in April 2023 for \$5,000,000 will be added to the City's Capital Improvement Fund as a bondable project under the affordable housing category and there will be no additional expenditure.

Recommendation

Alternatives

Council may elect not to approve the recommendations, which would forego the opportunity to ensure that these affordable units could be permanently dedicated as unit of affordable housing.

Attachments

1. Dogwood Resolution approving joint ownership agreement
2. Loan Agreement between City of Charlottesville and CRHA - clean

RESOLUTION

Approval of Joint Ownership and Loan Agreement with CRHA to support the acquisition of the Dogwood Properties Portfolio as permanent units of affordable housing:

WHEREAS, pursuant to Virginia Code §36-19 (2) and (4) the Charlottesville Redevelopment and Housing Authority (“CRHA”) has the power and authority to acquire real estate for residential use, and to operate buildings for residential occupancy; and

WHEREAS, pursuant to Virginia Code §36-6 and §36-7 the City of Charlottesville is authorized to acquire property in partnership with CRHA that enables CRHA to carry out its purposes; and

WHEREAS, the City Council on April 17, 2023 previously approved the appropriation of the amount of \$5,000,000 to CRHA for the acquisition of residential properties within a scattered site portfolio referred to as Dogwood Properties upon certain conditions as set forth in such resolution; and

WHEREAS, the City Attorney has prepared a Joint Ownership and Loan Agreement (the “Agreement”) between the City and CRHA to set forth in detail in writing the terms and conditions of such appropriation, a copy of which Agreement has been provided to City Council for review; and

WHEREAS, City Council desires to approve such Agreement and authorize the City Manager and other city officials to execute and carry out the same; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE that the Council finds it to be in the best interests of the City and the citizens thereof to approve the Agreement and hereby does approve the Agreement with such changes as may deemed necessary or advisable by the City Manager, such changes and the approval thereof to be conclusively evidenced by his execution of the Agreement; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to release Piedmont Housing Alliance as borrower on that certain promissory note dated February 1, 2013 (the “Original Note”), which note will be cancelled on the condition that such debt thereunder is assumed by CRHA by (i) Assignment and Assumption Agreement or (ii) its execution of a new promissory note in the amount of \$850,000 (the “Substitute Note”) on similar terms to the original note, all as is provided for in the Agreement; and

BE IT FURTHER RESOLVED, that the City Manager, Deputy City Manager, and City Attorney are hereby authorized and directed to take such action as is necessary in their sole discretion to carry out the purposes and intents of this resolution, including without limitation, the execution and delivery of Agreement, the cancellation or assignment and assumption of the Original Note, the acceptance of the Substitute Note, the acceptance of a security agreement for the collateral described in the Original Note, and all documents related thereto; and

BE IT FURTHER RESOLVED, that all actions taken in furtherance of this matter prior to the date of adoption of this Resolution are hereby ratified and confirmed.

Adopted this 20th day of June, 2023.

JOINT OWNERSHIP AND LOAN AGREEMENT

THIS JOINT OWNERSHIP AND LOAN AGREEMENT dated as of _____, 2023 (together with all supplements, modifications and amendments thereto, this “**Agreement**”), is made by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “**City**”), and the **CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY**, a political subdivision of the Commonwealth of Virginia (the “**Authority**”).

WITNESSETH:

WHEREAS, the Authority is authorized under the laws of the Commonwealth of Virginia to, among other purposes, promote the availability of affordable housing in the City of Charlottesville; and

WHEREAS, pursuant to Virginia Code § 36-6(g) and Virginia Code § 36-7, the City is authorized, for the purpose of aiding and cooperating in the planning, undertaking, construction or operation of housing projects located within the City, to purchase bonds of the Authority and lend money to the Authority to enable or assist the Authority to carry out its purposes; and

WHEREAS, pursuant to Virginia Code § 36-6(h), the City is authorized to do any and all things, necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of the Authority's housing projects; and

WHEREAS, pursuant to Virginia Code § 36-6(i), the City is authorized to enter into agreements with the Authority respecting action to be taken by the City pursuant to any of the powers granted by Virginia Code, Title 36, Chapter 1, Virginia Code § 36-1, *et seq.*; and

WHEREAS, the City previously loaned Eight Hundred, Fifty Thousand and no/100 Dollars (\$850,000.00) (the "**Woodward Loan**") to Piedmont Housing Alliance, a Virginia nonprofit charitable organization for the purpose of providing such funds to Renaissance Investment Corporation, a now inactive Virginia corporation doing business as Woodward Properties (Charlottesville CI) ("**Woodward Properties**") for the acquisition of certain real properties for use as affordable rental housing; and

WHEREAS, Woodward Properties is the owner of 74 units of affordable housing located in the City of Charlottesville, Virginia, identified on Exhibit A attached hereto and incorporated herein by reference (the "**Dogwood Portfolio**"); and

WHEREAS, by Resolution adopted by the City Council of the City of Charlottesville at a duly noticed public meeting on April 17, 2023, the City appropriated to the Authority Five Million Dollars and No Cents (\$5,000,000.00) (the "**Dogwood Funds**") to provide funding for the joint acquisition by the City and the Authority of the Dogwood Portfolio from Woodward Properties; and

WHEREAS, pursuant to this Agreement, the Authority has agreed to (i) assume the Woodward Loan in partial consideration for the joint acquisition of the Dogwood Portfolio, (ii),

jointly title the Dogwood Portfolio with the City so that each has a one-half undivided interest in the real properties comprising the Dogwood Portfolio, and (iii) observe the other covenants and agreements set forth herein; and

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the parties hereto covenant and agree as follows.

ARTICLE I

ACQUISITION OF DOGWOOD PORTFOLIO

Section 1.1. Acquisition of Dogwood Portfolio. The Authority will, at its expense, complete the joint acquisition of the Dogwood Portfolio.

Section 1.2. Title. Title to the Dogwood Portfolio shall be held by the City and the Authority as Tenants in Common, each having a one-half undivided interest in the real properties comprising the Dogwood Portfolio.

Section 1.3. Title Insurance. The Authority shall, at its expense, obtain at closing on the acquisition of the Dogwood Portfolio ("Closing") an ALTA standard form title insurance policy for the benefit of the City and the Authority, their successors and assigns, as their interests may appear insuring that the City and the Authority jointly hold marketable fee simple title to the Dogwood Portfolio, subject only to such exceptions as the City may approve, and containing such endorsements and affirmative insurance as the City in its discretion may require.

Section 1.4. Closing Costs. The Authority shall pay all costs and expenses of Closing other than those paid by Woodward Properties.

Section 1.5. Consideration for Acquisition. At Closing, the City will pay the Dogwood Funds to the Authority to use as part of the consideration for the acquisition of the Dogwood Portfolio, and the Authority will assume the Woodward Loan as the remainder of the consideration for the acquisition of the Dogwood Portfolio either (a) by an assumption of the existing promissory note evidencing the Woodward Loan or (b) enter into a new promissory note having essentially the same terms or terms more beneficial to the City as set forth in Sec. 2.1 below.

ARTICLE II

WOODWARD LOAN

Section 2.1. Issuance and Delivery of Note.

(a) In order to finance a portion of the costs of the acquisition of the Dogwood Portfolio, the Authority will deliver to the City its promissory note payable to the City, or assigns, in the amount owed by Woodward Properties on the Woodward Loan, dated as of the

date of Closing and in form and substance acceptable to the City (as the same may be amended, modified or supplemented from time to time, the “**Note**”), evidencing its obligation to repay the Woodward Loan; and, in consideration of the Note and the conveyance of the Dogwood Portfolio to the Authority and the City, the City will release and forgive the Woodward Loan.

(b) The Note shall not bear interest and shall be payable as provided therein. The Note shall mature and all outstanding principal on the Note shall be due and payable in full on upon demand, all as more fully set forth and provided in the Note.

ARTICLE III

REPRESENTATIONS AND COVENANTS

Section 3.1. Representations by the Authority. The Authority makes the following representations as of the date of the execution and delivery of this Agreement as the basis for the undertakings on its part herein contained:

(a) The Authority is a political subdivision of the Commonwealth of Virginia, duly organized, validly existing and in good standing under the laws of the Commonwealth of Virginia.

The Authority has the power and lawful authority to enter into and perform its obligations under this Agreement.

(b) The Authority has duly authorized the execution and delivery of the documents required by this Agreement (the "**Authority Documents**") and the performance of the obligations of the Authority thereunder.

The Authority Documents have been duly executed and delivered by the Authority and constitute the legal, valid and binding obligations of the Authority, enforceable against the Authority in accordance with their respective terms, except as enforceability may be limited by bankruptcy, insolvency, reorganization, moratorium or other laws relating to or affecting generally the enforcement of creditors' rights, and except to the extent that availability of the remedy of specific performance or injunctive relief is subject to the discretion of the court before which any proceeding therefor may be brought.

(c) Neither of the Authority nor any director, member, officer or employee of the Authority has any interest, financial, employment or other, in Woodward Properties or the Dogwood Portfolio or the transactions contemplated hereby.

There is no action, suit, proceeding, inquiry or investigation pending or, to the knowledge of the Authority, threatened against the Authority by or before any court, governmental agency or public board or body, which (i) affects or questions the existence or the territorial jurisdiction of the Authority or the title to office of any member of the Authority; (ii) affects or seeks to prohibit, restrain or enjoin the execution and delivery of any of the Authority Documents, or the issuance, execution or delivery of the Note; (iii) affects or questions the validity or enforceability of any of the Authority Documents or the Note; (iv) questions the exclusion from gross income

for federal income taxation of interest on the Note; or (v) questions the power or authority of the Authority to perform its obligations under any of the Authority Documents or the Note or to carry out the transactions contemplated by any of the Authority Documents or the Note.

(d) That the proceeds of the Woodward Loan, the Dogwood Funds, and other funds available to the Authority will be sufficient to finance the acquisition of the Dogwood Portfolio.

The Authority has used no broker in connection with the execution hereof and the transactions contemplated hereby.

Section 3.2. Representations by the City. The City makes the following representations as of the date of the execution and delivery of this Agreement as the basis for the undertakings on its part herein contained:

(a) The City is a political subdivision of the Commonwealth of Virginia, duly organized, validly existing and in good standing under the laws of the Commonwealth of Virginia.

The City has the power and lawful authority to enter into and perform its obligations under this Agreement.

(b) The City has duly authorized the execution and delivery of the documents required by this Agreement (the "**City Documents**") and the performance of the obligations of the City thereunder.

The City Documents have been duly executed and delivered by the City and constitute the legal, valid and binding obligations of the City, enforceable against the City in accordance with their respective terms, except as enforceability may be limited by bankruptcy, insolvency, reorganization, moratorium or other laws relating to or affecting generally the enforcement of creditors' rights, and except to the extent that availability of the remedy of specific performance or injunctive relief is subject to the discretion of the court before which any proceeding therefor may be brought.

(c) Neither of the City nor any director, member, officer or employee of the City has any interest, financial, employment or other, in Woodward Properties or the Dogwood Portfolio or the transactions contemplated hereby.

(d) The City has used no broker in connection with the execution hereof and the transactions contemplated hereby.

ARTICLE IV

SPECIAL COVENANTS OF THE AUTHORITY

Section 4.1. Operations. The Authority will be solely responsible for maintaining, operating, and leasing the Dogwood Portfolio and the two properties that are jointly owned by the parties and located on Montrose and Coleman Streets in the City, which together with

Dogwood Portfolio will be referred to herein as the “City Housing Portfolio,” and will pay all sums and perform all such acts as may be necessary or appropriate for such purposes. All expenses of the City Housing Portfolio for monthly utilities, including water, sewer, and trash services, to all units within the City Housing Portfolio shall be charged to the City Housing Portfolio. The Authority shall be paid a Ten percent (10%) monthly management fee of the total amount of rents collected on the City Housing Portfolio during the preceding month to compensate it for performing the functions of leasing, finance and other record keeping, auditing, and administration of the City Housing Portfolio. Any physical changes to the properties comprising the City Housing Portfolio beyond general maintenance and routine repairs will be required to be brought before City Council by the Authority and be approved by it before any expense for the same is incurred by the Authority. The City Housing Portfolio shall be included for evaluation each year in the City’s Sustainability Plan.

Section 4.2. The Authority hereby grants to the City a right of first refusal to purchase all or part of the City Housing Portfolio should the Authority ever decide to sell all or any part of it. The Authority shall provide the City with ninety (90) days written advance notice of any intention to sell any or all of the City Housing Portfolio, and written notice and a copy of any bona fide third party offer to purchase the same within five (5) business days of receipt of such offer. Upon receipt of such written notice and offer, the City shall have sixty (60) days to decide whether to match the purchase price and financial terms of such offer and to notify the Authority that it is exercising its right of first refusal to purchase the Authority’s interest in the property that is the subject of such offer.

Section 4.3. Records and Accounts. With regard to the City Housing Portfolio, the Authority will (a) keep true and accurate records and books of account in which full, true and correct entries will be made, which records and books will not be maintained on a consolidated basis with other accounts of the Authority or those of any other person, including any affiliate of the Authority and (b) maintain adequate accounts and reserves for all taxes (including income taxes), depreciation and amortization of the City Housing Portfolio, contingencies, and other reserves applicable thereto, all of which accounts shall not be commingled with other accounts of the Authority or any other person, including any affiliate of the Authority.

Section 4.4. Financial Statements and Information. The Authority will deliver, or cause to be delivered, to the City:

(a) annual financial statements and reports of the City Housing Portfolio for the prior year ending December 31 of each year no later than January 31 of the following year, including without limitation, financial statements for the previous year, an accounting of all leasing activities, operations, major repairs, and any other information requested by the City. All such financial and leasing statements and reports for the City Housing Portfolio will be maintained separately from all other financial accounts of the Authority;

(b) no later than January 31 of each calendar year, (i) a current rent roll and schedule of aging of lease receivables as of the end of such year, in form and level of detail reasonably acceptable to the City, detailing, with respect to each lease of property in the City Housing Portfolio, the tenant’s name, the lease date, the premises demised, the term, the rent, the security deposit, any rent paid more than one month in advance, the household size and income of any

new occupant during the previous year, the percent of current household income to rent amount, and such other information regarding occupancy and tenants as may be requested by the City, (ii) a leasing report setting forth the Authority's efforts to market and lease the then unleased space in the City Housing Portfolio and the results of such efforts, and (iii) an operating report for the City Housing Portfolio, in form and level of detail reasonably acceptable to the City, together with a certification by the chief financial officer that the information in all of the items required pursuant to this Section is true and correct; and

(c) on or before December 1 of each year, a copy of the proposed budget for operation of the City Housing Portfolio for the following year, and on or before January 31 of each year, a copy of the approved budget of the City Housing Portfolio for that year.

Section 4.5. Insurance.

(a) The Authority will obtain and maintain insurance with respect to the City Housing Portfolio and the operations of the Authority as required from time to time by the City. All renewal policies, with premiums paid, shall be delivered to the City at least thirty (30) days before expiration of the existing policies. If any such insurance shall expire or be canceled, or become void or voidable by reason of the breach of any condition of coverage, or if the City determines that any coverage is unsatisfactory by reason of the failure or impairment of the capital of any insurance carrier, or if any insurance is unsatisfactory to the City, in its sole judgment, the Authority shall promptly place new insurance satisfactory to the City.

(b) The Authority will provide the City with certificates evidencing such insurance upon the request of the City. All insurance policies shall provide for thirty (30) days notice of cancellation to the City by the insurance company.

(c) If the Authority fails to provide, maintain, keep in force or deliver to the City the policies of insurance and certificates required by this Agreement, the City may (but shall have no obligation to) procure such insurance, and the Authority will pay all premiums thereon promptly on demand by the City, and until such payment is made by the Authority, the amount of all such premiums shall bear interest at the legal rate of interest then in effect.

Section 4.6. Liens and Other Charges. The Authority will duly pay and discharge, cause to be paid and discharged, or provide a bond satisfactory to the City to pay or discharge, before the same shall become overdue all claims for labor, materials, or supplies that if unpaid might by law become a lien or charge upon any of the City Housing Portfolio.

Section 4.7. Inspection of Project and Books, Appraisals.

(a) The Authority shall permit the City upon reasonable notice at reasonable times, at the Authority's cost and expense, to visit and inspect the City Housing Portfolio and will cooperate with the City during such inspections; provided that this provision shall not be deemed to impose on the City any obligation to undertake such inspections.

(b) The Authority shall permit the City, upon reasonable notice at reasonable times, at the Authority's cost and expense, to examine the books of account of the Authority relating to

the City Housing Portfolio (and to make copies thereof and extracts therefrom) and to discuss the affairs, finances and accounts of the Authority relating to the City Housing Portfolio with, and to be advised as to the same by, its officers, partners, or agents, all at such reasonable times and intervals as the City may reasonably request; provided that so long as no Default or Event of Default shall have occurred and be continuing, the Authority shall only be obligated to pay the expenses associated with one (1) such investigation during any twelve (12) month period.

(c) The City shall have the right to obtain from time to time, at the Authority's cost and expense, updated appraisals of the City Housing Portfolio; provided that so long as no Default or Event of Default shall have occurred and be continuing, the Authority shall only be obligated to pay for the costs and expenses associated with one (1) such appraisal during any five (5) year period.

(d) The costs and expenses incurred by the City in obtaining such appraisals or performing such inspections shall be paid by the Authority promptly upon billing or request by the City for reimbursement.

Section 4.8. Compliance with Laws, Contracts, Licenses, and Permits. The Authority will comply with (a) all legal requirements, (b) the provisions of its organizational documents, (c) all applicable decrees, orders and judgments, and (d) all licenses and permits required by applicable laws and regulations for the conduct of its business or the ownership, use or operation of the City Housing Portfolio.

Section 4.9. Publicity. The Authority will permit the City to obtain publicity in connection with the acquisition of the City Housing Portfolio through press releases and participation in such events as ground breaking and opening ceremonies and placement of signs on the City Housing Portfolio.

Section 4.10. Further Assurances.

(a) Regarding Rehabilitation. The Authority will furnish or cause to be furnished to the City all instruments, documents, boundary surveys, footing or foundation surveys, certificates, plans and specifications, title and other insurance, reports and agreements and each and every other document and instrument required to be furnished by the terms of this Agreement, all at the Authority's expense.

(b) Regarding Preservation of Collateral. The Authority will execute and deliver to the City such further documents, instruments, assignments and other writings, and will do such other acts necessary or desirable, to secure the obligations of the Authority, as the City may require.

(c) Regarding this Agreement. The Authority will cooperate with, and will do such further acts and execute such further instruments and documents as the City shall reasonably request to carry out to their satisfaction the transactions contemplated by this Agreement.

Section 4.11. Notices. The Authority will promptly notify the City in writing of (i) the occurrence of any Default or Event of Default or event which, with the giving of notice or the

passage of time, or both, would constitute a Default or Event of Default; (ii) the Authority's receipt of notice from any governmental authority of any alleged violation of environmental laws or regulations or other legal requirements; (iii) any labor problems with respect to the Authority or the City Housing Portfolio; (iv) the occurrence of any other event which would have a material adverse effect on the City Housing Portfolio or the business or financial condition of the Authority; or (v) the receipt by the Authority of any notice of default or notice of termination with respect to any contract or agreement relating to the ownership, rehabilitation, equipping, operation, or use of the City Housing Portfolio.

Section 4.12. Management Contract.

(a) At all times during the term of this Agreement, the City Housing Portfolio shall be managed pursuant to a management contract with a property manager, which contract shall be terminable with or without cause by the Authority or the City as owners of the City Housing Portfolio and shall otherwise be in form and substance satisfactory to the City. The Authority acknowledges that the City will rely on a property manager's experience in operating the City Housing Portfolio as a means of maintaining the value of the collateral. In connection with the approval of a property manager, or any replacement management company:

(i) a property manager or holder of the stock or partnership interest therein, shall be a Person whose character, financial strength, stability and experience is acceptable to the City and who shall have experience managing properties of a type and size reasonably similar to the City Housing Portfolio;

(ii) a property manager shall deliver all organizational documentation and other materials evidencing its experience acceptable to the City; and

(iii) the terms of any management contract must be acceptable to the City in all respects.

(b) With the City's prior consent, the property manager described in subparagraph (a) above may be an employee of the Authority.

Section 4.13. Negative Covenants of the Authority. The Authority covenants and agrees that:

(a) Restrictions on Easements and Covenants. The Authority will not create or suffer to be created or to exist any easement, right of way, restriction, covenant, condition, license or other right in favor of any Person which affects or might affect title to the City Housing Portfolio or the use and occupancy of the City Housing Portfolio or any part thereof without obtaining the prior written consent of the City, which shall not be unreasonably withheld or delayed so long as the proposed action is necessary for the operation of the City Housing Portfolio for the purposes contemplated hereby and the proposed action does not materially impair the interests of the City.

(b) Restrictions on Indebtedness. Without obtaining the prior written consent of the City, the Authority will not create, incur, assume, guarantee or be or remain liable, contingently

or otherwise, with respect to any indebtedness regarding or related to the City Housing Portfolio other than:

- (i) Indebtedness arising under the Note or this Agreement;
 - (ii) A \$5 million loan to the Authority for acquisition and operating expenses of the City Housing Portfolio that will be secured by the City Housing Portfolio and be repayable as an operating expense of the City Housing Portfolio;
 - (iii) Liabilities of the Authority relating to the City Housing Portfolio, incurred in the ordinary course of business but not incurred through (A) the borrowing of money, or (B) the obtaining of credit except for credit on an open account basis customarily extended and in fact extended in connection with normal purchases of goods and services; and
 - (iv) Indebtedness relating to the City Housing Portfolio, in respect of taxes, assessments, governmental charges or levies and claims for labor, materials and supplies to the extent that payment therefor shall not at the time be required to be made.
- (c) Restrictions on Liens The Authority shall not subject the City Housing Portfolio, or permit the City Housing Portfolio to be subjected, to any lien or encumbrance.
- (d) Transfers. The Authority shall not transfer the City Housing Portfolio or any interest in the City Housing Portfolio, other than leases in the ordinary course business, without the prior written consent of the City.

Section 4.14. Leasing.

(a) The City (and all other parties whose approval is required) must approve the Authority's standard form of residential lease or rental agreement prior to its use by the Authority. The Authority may not materially modify the approved standard form of residential lease without the City's prior written consent in each instance (which consent shall not be unreasonably withheld), together with the approval of all other parties whose consent is required. Each lease, other than leases on the Authority's standard form of residential lease, of any part of the City Housing Portfolio is subject to the City's written approval as to form and substance prior to execution and delivery. Despite the foregoing, the Authority may enter into residential leases (and amendments) in the ordinary course of business with bona fide third party tenants without the City's prior written consent if the Authority uses the approved standard form of residential lease.

(b) The City's approval of any lease is for the sole purpose of protecting the City's security and preserving the City's rights. No approval by the City will result in a waiver of any default of the Authority. In no event will the City's approval of any lease be a representation of any kind with regard to the lease, its enforceability or the financial capacity of any tenant or guarantor.

(c) The Authority must perform all obligations required to be performed by it as landlord under any lease affecting any part of the City Housing Portfolio.

ARTICLE V

EVENTS OF DEFAULT AND REMEDIES

Section 5.1. Events of Default. The following shall be “**Events of Default**” under this Agreement, and the term “Event of Default” shall mean, whenever it is used in this Agreement, any one or more of the following events:

- (a) Failure by the Authority to pay any amounts required to be paid on the Note when due;
- (b) Any failure by the Authority to pay as and when due and payable any other sums to be paid by the Authority under this Agreement and the continuation of such failure for a period of five (5) days after the same are due; or
- (c) Any failure of any representation or warranty made in this Agreement to be true and correct; or
- (d) Any failure by the Authority to observe and perform any covenant or agreement on its part to be observed or performed hereunder or thereunder, for a period of thirty (30) days after written notice specifying such breach or failure and requesting that it be remedied, given to the Authority by the City; provided, however, that in the event such breach or failure be such that it can be corrected but cannot be corrected within said 30-day period, the same shall not constitute an Event of Default hereunder if corrective action is instituted by the Authority or on behalf of the Authority within said 30-day period and is diligently pursued to completion thereafter; or
- (e) Any change in the legal or beneficial ownership of the Authority's interest in the City Housing Portfolio without the written consent of the City; or
- (f) Any failure by the Authority to pay at maturity, or within any applicable period of grace, any Indebtedness, or any failure to observe or perform any material term, covenant or agreement contained in any agreement by which it is bound, evidencing or securing any Indebtedness, for such period of time as would permit (assuming the giving of appropriate notice if required) the holder or holders thereof or of any obligations issued thereunder to accelerate the maturity thereof; or
- (g) If the Authority shall file a voluntary petition in bankruptcy under Title 11 of the United States Code, or an order for relief shall be issued against the Authority in any involuntary petition in bankruptcy under Title 11 of the United States Code, or the Authority shall file any petition or answer seeking or acquiescing in any reorganization, arrangement, composition, readjustment, liquidation, dissolution or similar relief for itself under any present or future federal, state or other law or regulation relating to bankruptcy, insolvency or other relief of debtors, or the Authority shall seek or consent to or acquiesce in the appointment of any custodian, receiver, conservator or liquidator of the Authority, or of all or any substantial part of its respective property, or the Authority shall make an assignment for the benefit of creditors, or

the Authority shall give notice to any governmental authority or body of insolvency or pending insolvency or suspension of operation; or

(h) An involuntary petition in bankruptcy under Title 11 of the United States Code shall be filed against the Authority and such petition shall not be dismissed within ninety (90) days of the filing thereof; or

(i) A court of competent jurisdiction shall enter any order, judgment or decree approving a petition filed against the Authority seeking any reorganization, arrangement, composition, readjustment, liquidation or similar relief under any present or future federal, state or other law or regulation relating to bankruptcy, insolvency or other relief for debtors, or appointing any custodian, receiver, conservator or liquidator of all or any substantial part of its property.

Section 5.2. Remedies on Default.

(a) Whenever any Event of Default referred to in Section 7.1 hereof shall have occurred and be continuing, the City shall:

(i) by notice in writing to the Authority declare the unpaid indebtedness under the Note to be due and payable immediately, and upon any such declaration the same shall become and shall be immediately due and payable; and

(ii) take whatever action at law or in equity may appear necessary or desirable to collect the payments and other amounts then due under the Note, or to exercise any right or remedy or to enforce performance and observance of any obligation, agreement or covenant of the Authority under this Agreement, the Note.

Section 5.3. No Remedy Exclusive. No remedy conferred herein or in the Note upon or reserved to the City is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the City to exercise any remedy reserved to it herein or in the Note, it shall not be necessary to give any notice, other than such notice as may be herein expressly required.

Section 5.4. Agreement to Pay Fees and Expenses of Counsel. If an Event of Default shall occur under this Agreement or under the Note, and the City should employ counsel or incur other expenses for the collection of the indebtedness or the enforcement of performance or observance of any obligation or agreement on the part of the Authority herein or therein contained, the Authority agrees that it will on demand therefor pay to the City, or, if so directed by any such party, to its counsel, the reasonable actually incurred fees of such counsel and all other out-of-pocket expenses incurred by or on behalf of the City.

Section 5.5. No Additional Waiver Implied by One Waiver; Consents to Waivers. In the event any agreement contained in this Agreement should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder. No waiver shall be effective unless in writing and signed by the party making the waiver.

Section 5.6. Remedies Subject to Applicable Law. All rights, remedies, and powers provided by this Article may be exercised only to the extent that the exercise thereof does not violate any applicable provisions of law, and all the provisions of this Article are intended to be subject to all applicable mandatory provisions of law which may be controlling and to be limited to the extent necessary so that they will not render this Agreement invalid, unenforceable, or not entitled to be recorded, registered, or filed under the provisions of any applicable law.

ARTICLE VI

MISCELLANEOUS

Section 6.1. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the City and the Authority and their respective successors and permitted assigns.

Section 6.2. Construction. In this Agreement, unless the context otherwise requires, words of the masculine gender shall mean and include correlative words of the female and neuter genders, and words importing the singular number shall mean and include the plural number and vice versa. Whenever used in this Agreement, the word “shall” shall be deemed to connote a mandatory action or context and not a discretionary one.

Section 6.3. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 6.4. Amendments, Changes and Modifications. The Note and this Agreement may not be amended, changed, modified, altered or terminated by the City or the Authority except in writing.

Section 6.5. Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof and such invalid or unenforceable provision shall be deemed no longer to be contained in this Agreement.

Section 6.6. Applicable Law. This Agreement shall be governed exclusively by and construed in accordance with the laws of the Commonwealth of Virginia.

Section 6.7. Debtor-Creditor Relationship. It is expressly understood and agreed that the relationship between the Authority and the City established by the transaction contemplated by this Agreement that of creditor or lender, on the part of the City, and debtor or borrower, on the part of the Authority and is in no way to be construed as a partnership or joint venture of any kind.

IN WITNESS WHEREOF, the Authority and the City have caused this Agreement to be executed in their respective names, all as of the date first above written.

(SEAL)

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____
Signature

Printed Name

Title

Approved as to Form:

City Attorney

(SEAL)

CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY

By: _____
Signature

Printed Name

Title

EXHIBIT A
IDENTIFICATION OF UNITS IN
THE DOGWOOD PORTFOLIO
[TO BE ATTACHED]

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 20, 2023
Action Required:	City Council approval of the employment contract with Jacob Stroman effective July 1, 2023.
Presenter:	Michael Rogers, Interim City Manager
Staff Contacts:	Michael Rogers, Interim City Manager
Title:	Approving the Employment Contract with Jacob Stroman as City Attorney (1 reading)

Background

At the June 5, 2023 City Council meeting, Council approved the recommendation of the Interim City Manager to appoint Jacob Stroman to the role of City Attorney.

Discussion

Alignment with City Council's Vision and Strategic Plan

5.2 Recruit and cultivate a high quality and diverse workforce

Community Engagement

n/a

Budgetary Impact

Recommendation

Move approval of the employment contract resolution for Jacob Stroman as City Attorney for the City of Charlottesville, effective July 1, 2023

Alternatives

Attachments

1. Resolution_City Attorney Employment Contract 2023
2. Charlottesville City Attorney Employment Contract

RESOLUTION

Approving Employment Contract with Jacob Stroman as Charlottesville City Attorney

WHEREAS on June 5, 2023, the Council of the City of Charlottesville approved the recommendation of the Interim City Manager to appoint Jacob Stroman to the position of City Attorney; and

WHEREAS the Interim City Manager has negotiated a contract with Mr. Stroman;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Charlottesville approves the employment contract with Jacob Stroman as presented by the Interim City Manager.

EMPLOYMENT AGREEMENT FOR CITY ATTORNEY

THIS AGREEMENT is made this ___ day of _____, 2023, by and between the CITY OF CHARLOTTESVILLE, VIRGINIA, a political subdivision of the Commonwealth of Virginia (hereinafter referred to as "City"), acting by and through its ACTING CITY MANAGER ("City Manager") with the advice and consent of CITY COUNCIL (hereinafter referred to as "Council"), and, JACOB P. "JAY" STROMAN IV (hereinafter referred to as "Employee").

RECITALS

The parties recite and declare:

1. The City is in need of the services of a person possessing the skills and ability required to be the City Attorney; and
2. Employee, through education, necessary licensing, and experience, is admitted to the practice of law in the Commonwealth of Virginia and possesses the requisite skills to perform these duties; and
3. The City Manager desires, therefore, with the advice and consent of the Council, to appoint and employ Employee as City Attorney for the City by appointment of and under the direction of the City Manager, pursuant to Charlottesville City Charter § 5.01 and Charlottesville City Code § 2-211.

For the reasons set forth above and in consideration of the mutual covenants and promises of the parties, City Council and Employee agree as follows:

SECTION ONE Employment

City Manager appoints and employs Employee as the City Attorney of the City of Charlottesville, effective as of July 1, 2023 (hereinafter "Effective Date") and Employee accepts and agrees to this appointment and employment.

SECTION TWO Governing Law

This agreement and the employment of Employee as City Attorney shall be subject to all applicable provisions of the *Code of Virginia* (1950), as amended; the Charter (including specifically § 5.01) and Code of the City of Charlottesville, Virginia (including specifically § 2-211, et seq.); policies adopted by City Council and City Manager; and provisions of the City's personnel policies and procedures to the extent not altered by this Agreement.

SECTION THREE
Duties

1. Employee shall perform all statutory responsibilities set forth in the *Code of Virginia* (1950), the City Charter, City Code, ordinances and resolutions of the City of Charlottesville, and policies, rules or regulations adopted by the Council or City Manager, as all may be amended from time to time. Employee shall be under the general direction and control of the City Manager.
2. Employee shall also be responsible to perform such other legally permissible and proper duties and functions as the City Manager may from time to time assign. The Council, by action of a majority of the elected members of the Council, may fix any other duties and responsibilities upon the position of City Attorney. All duties, functions and responsibilities shall not be inconsistent with the provisions of this Employment Agreement, law and legal professional responsibility.
3. Employee shall remain in the exclusive employ of the City and devote all of the Employee's working time, attention, knowledge and skills solely to the interests of the City, and the City shall be entitled to all of the benefits arising from or incident to all work, services and advice of Employee. Employee shall not engage in the private practice of law. The term "Employee's working time" shall not be construed to include Employee's annual and compensatory time off.
4. Employee shall be subject to and comply with the rules and standards of conduct specified with the City's Personnel Regulations which are not inconsistent with this Agreement, including but not limited to City Policies regarding the code of ethics and conflicts of interest, non-discrimination, harassment/sexual harassment, retaliation and fraud.

SECTION FOUR
Place of Employment

The duties and functions required of Employee under this Agreement shall be rendered at City Hall, located at 605 E. Main St, Charlottesville, VA 22902, and such other place or places as City Manager shall in good faith require or as the interests and needs of the City Manager shall require.

SECTION FIVE
Term of Agreement

- A. Employee is employed as of the Effective Date and until terminated by City Attorney or City Manager with the concurrence of the City Council, in accordance with the provisions set forth at Paragraphs D and E of this

Section with the understanding that Employee is appointed and engaged by the City Manager at will and that Employee is removeable at any time by City Manager with the concurrence of Council. Employment pursuant to this Agreement may be terminated at any time with or without cause in accordance with this Section.

- B. Termination of Employment by Employee. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time, provided Employee gives written notice to the City Manager and the Mayor of the City at least sixty (60) days prior to effective date of resignation unless the City Manager and Employee otherwise agree in writing to a shorter period of advance notice.
- C. Termination of Employment by City Manager. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of City Manager to terminate the employment of Employee at any time with the concurrence of Council, subject to the provisions set forth herein.
- E. In the event City Manager terminates Employee's employment without cause, as set forth below, the City shall, as severance, pay to Employee a lump sum cash payment which payment shall be equal to three months' worth of salary in the first six months of service, increasing to six months' worth of salary thereafter.

Should Employee's employment be terminated for cause, the City shall have no obligation to pay any sums otherwise provided under this Section. "For cause" is specifically defined herein as Employee's (i) malfeasance or misfeasance in office; (ii) legal malpractice proximately caused by the Employee resulting in damages to the City; (iii) violation of legal ethics punished by a public reprimand or suspension of license by the Virginia State Bar; (iv) inability to lawfully practice law in the Commonwealth of Virginia; (v) conviction of a felony or a crime of moral turpitude; or (vi) illegal act involving personal gain to Employee.

SECTION SIX Salary

City Council shall pay Employee, and Employee shall accept from City Council, an annual salary of \$208,665 payable on the same schedule as that for payroll for City employees. The City will deduct or withhold any taxes, FICA, or other deductions that the Employee is legally required to pay. Employee's salary may be adjusted from time to time by amendment of this Agreement or as otherwise agreed by the parties. Notwithstanding the foregoing, at no time shall such salary be less than that stated herein. On each July 1 for the term of this agreement while the Employee remains employed with the City, the Employee's salary shall increase by the same percentage as any across-the-board cost of living or other pay increases approved by City Council within its operating budget for all regular full-time, non-unionized (Unaffiliated) City

employees. If the Employee is at the maximum (top) of their pay range, they may instead receive a lump sum payment equal to the percentage of increase that would have been applied to the base annual salary for that year. Employee's salary shall be in full compensation for all services.

This position is classified as exempt from overtime provisions under the FLSA. Employee shall not be entitled to any compensatory time and/or overtime pay regardless of the number of hours worked within the pay period. The position is exempt from access to the City grievance procedure.

SECTION SEVEN Performance Evaluations

- A. City Manager shall annually review and evaluate the performance of Employee, with the advice of Council. Said evaluation shall occur on or before June 30 of each year and shall be based on and in accordance with specific criteria developed jointly by City Manager and Employee. Said criteria may be changed from time to time by City Manager, in consultation with Employee. City Manager shall provide Employee with a written summary of the evaluation findings and provide an adequate opportunity for Employee to discuss the evaluation.
- B. Annually, prior to the evaluation required above, City Manager, in consultation with Employee, shall establish goals and performance objectives which they determine necessary for the proper execution of Employee's responsibilities as provided herein and under law.
- C. City Manager may increase the compensation of Employee upon completion of its annual performance evaluation provided for pursuant to this Section 7, subject to appropriation by Council. Increases in Employee's compensation will be based on successful performance attainment of goals as documented by the Employee and approved by the City Manager.

SECTION EIGHT Benefits

- A. Employee shall be eligible for health, vision and dental insurance coverage and all other employee benefits generally available to City employees pursuant to terms applicable to the general city workforce. All benefits offered by the City to employees including department heads such as Employee are subject to modification at any time by the City.

Employee shall accrue vacation and sick leave on a biweekly basis. Vacation accrual is based on length of service. Employee's starting accrual rate for vacation (annual) leave will be 4.62 hours per pay period.

Employee will accrue 4.62 hours of sick leave per pay period. Neither sick nor vacation leave can be used until it is accrued.

Employee shall be eligible for the same City-paid holidays as the general non-unionized, (Unaffiliated) full-time, benefits eligible employees.

Employee shall receive benefits expressly identified in the offer letter dated May 19, 2023, signed by Employee on May 20, 2023, and consistent with other department heads, also be provided with eighty (80) hours of annual (paid) administrative leave at the start of each calendar year, which shall not accrue or carryover.

SECTION NINE

Membership Dues, Subscriptions, and Continuing Education

- A. City Manager and Council agree to budget and to pay for registration fees, travel and subsistence expenses of Employee continuing legal education and other training that is necessary for continued licensure and professional development, which the parties agree is good for the City.
- B. City Manager and Council agree to budget funding for professional licensing fees, professional organization dues and subscriptions necessary for Employee's full participation in associations and organizations necessary or desirable for Employee's training and continued professional education, participation, growth, and advancement, which the parties agree is good for the City.
- C. City Council hereby agrees to budget for and to pay the travel and subsistence expenses of Employee for professional and official travel, meetings and occasions adequate to continue the legal education and professional development of Employee, which the parties agree is good for the City.

SECTION TEN

Modification

Any amendment, modification, or waiver of this Agreement or of any covenant, condition or provision of it shall not be valid unless in writing executed by all parties.

SECTION ELEVEN

Entire Agreement; Severability

This written Agreement embodies the whole agreement between the parties. There are no inducements, promises, terms, conditions, or obligations made or entered into by either City Council or Employee other than those contained in this Agreement.

All agreements and covenants in this Agreement are severable, and in the event any of them shall be held to be invalid by any competent court, this Agreement shall be interpreted as if the invalid agreements or covenants were not contained.

IN WITNESS THEREOF, the Charlottesville City Manager has signed and executed this Agreement, City Council has caused this Agreement to be signed and executed in its behalf by its Mayor, and the Employee has signed and executed this Agreement, to be effective as of the Effective Date provided above.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Signatures for Employment Agreement for City Attorney:

CITY MANAGER:

City Manager

Name: _____

CITY COUNCIL,
CITY OF CHARLOTTESVILLE, VIRGINIA:

By _____
Mayor

JACOB P. "JAY" STROMAN IV:

Employee

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



Agenda Date:	June 20, 2023
Action Required:	Adoption of the 2023 Emergency Operations Plan.
Presenter:	Jeremy Evans, Emergency Management Coordinator
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager
Title:	Adoption of the City of Charlottesville Emergency Operations Plan 2023 (1 reading)

Background

The City of Charlottesville Emergency Operations Plan (EOP) is a multidisciplinary all-hazards plan that establishes a comprehensive framework for the management of major emergencies and disasters within the City. This plan is implemented when it becomes necessary to mobilize community resources to save lives and protect property and infrastructure. The EOP incorporates the National Incident Management System as the standard for incident management and reflects other changes resulting from the adoption of the National Response Framework.

The EOP outlines the roles and responsibilities assigned to City departments and other agencies for response to disasters and emergencies. The EOP is not intended as a stand-alone document but serves as the overarching strategy that aligns more detailed department and agency plans and operating procedures to meet response and recovery needs.

Discussion

The successful implementation of the EOP is contingent upon a collaborative approach between city agencies and organizations that provide crucial support during emergency operations. The EOP recognizes the significant role these agencies and organizations perform during emergencies and disasters and their specific roles and responsibilities are also included within the EOP. Additionally, a separate memorandum of understanding will be established with outside partners and agencies who will assist the City of Charlottesville when events or incidents grow beyond the City's capacity to effectively respond or supply resources.

Alignment with City Council's Vision and Strategic Plan

The 2023 Emergency Operations Plan supports the City Council's Healthiest City vision. Specifically, "Our emergency response systems are among the nation's best", as well as Goal 2 of the City's Strategic Plan, sub-elements 2.1 (Provide an effective and equitable safety system) and 2.4 (Ensure families and individuals are safe and stable).

Community Engagement

N/A

Budgetary Impact

No impact on the budget.

Recommendation

Council approval

Alternatives

N/A

Attachments

1. Resolution_2023 CvilleEOP
2. 2023 CvilleEOP
3. City of Charlottesville Virginia 2023 Emergency Operations Plan2

City of Charlottesville Resolution

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, ADOPTING THE EMERGENCY OPERATIONS PLAN

WHEREAS, the City Council of the City of Charlottesville, Virginia, recognizes the need to prepare for, respond to, and recover from natural and man-made disasters; and

WHEREAS, the City of Charlottesville has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, the City of Charlottesville has established an Office of Emergency Management and appointed a Director and Coordinator of Emergency Management:

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

That the Emergency Operations Plan, as revised April 2023, is officially adopted; and it is further proclaimed and ordered that the Director of Emergency Management, or their designees, are tasked and authorized to maintain and revise as necessary this document over the next four-year period or until such time it is ordered to come before this Council.

Approved: June 20, 2023

Mayor

Vice Mayor

Councilor

Councilor

Councilor

ATTEST:

Clerk of Council/City Clerk



2 0 2 3

CITY OF CHARLOTTESVILLE, VIRGINIA EMERGENCY OPERATIONS PLAN

Prepared by :

City of Charlottesville
Office of Emergency
Management

City of Charlottesville

605 E. Main St
Charlottesville VA.
22902



WWW.CHARLOTTESVILLE.GOV

Table of Contents

Council Resolution.....	vi
Letter of Promulgation.....	vii
Record of Change.....	viii
Declaration of Local Emergency....	ix
Executive Summary.....	x

PART 1: BASIC PLAN, TABLE OF CONTENTS

1. INTRODUCTION	1
1.1 Purpose.....	1
1.2 Scope.....	2
1.3 Policies and Authorities	2
1.4 Assumptions.....	3
1.5 Levels of Emergency	4
1.6 Incident Management.....	4
2. SITUATION.....	5
2.1 Geographic Characteristics	5
2.2 Climate.....	6
2.3 Population	6
2.4 Government.....	6
2.5 Land Use	7
2.6 Economic Growth and Development.....	7
2.7 Historical Places.....	8
2.8 Critical Infrastructure.....	8
2.9 Hazard Identification and Risk Assessment	8
3. ROLES AND RESPONSIBILITIES.....	9

- 3.1 Individuals, Families, and Households9
- 3.2 Communities10
- 3.3 Non-governmental and Volunteer Organizations10
- 3.4 Private Sector 10
- 3.5 Local Government10
- 3.6 Commonwealth of Virginia12
- 3.7 Federal Government..... 12
- 4. **CONCEPT OF OPERATIONS** 12
 - 4.1 Organization..... 12
 - 4.1.1 Emergency Operations Center Team 13
 - 4.1.2 On-Scene Incident Commanders.....15
 - 4.1.3 Emergency Operations Center..... 15
 - 4.2 Emergency Support Functions 15
 - 4.3 Sequence of Actions.....17
 - 4.3.1 Preparedness..... 17
 - 4.3.2 Incident Recognition17
 - 4.3.3 Incident Notification 17
 - 4.3.4 Activation of the Emergency Operations Center 18
 - 4.3.5 Response18
 - 4.3.6 Recovery 20
 - 4.3.7 Mitigation.....21
- 5. **REQUESTS FOR ASSISTANCE**.....21
 - 5.1 Local 21
 - 5.2 Private Sector 21
 - 5.3 Non-governmental Organizations21
 - 5.4 State.....22

5.5 Federal..... 22

6. **PROCESS IMPROVEMENT** 22

APPENDICES

Appendix A Authorities and Succession.....24

Appendix B Succession for Director of Emergency Management... .. 25

Appendix C Glossary of Terms.....26

Appendix D Acronyms..... 31

Appendix E Victims of Crimes in an Emergency..... 33

For official use only:

EMERGENCY SUPPORT FUNCTION ANNEXES (SECTION 2)

ESF's 1-17

SUPPORT ANNEXES (SECTION 3) Under Review

Regional Emergency Management Coordination Plan

Incident Management

Damage Assessment

Information Sharing

HAZARD SPECIFIC ANNEXES (SECTION 4) Under Review

Introduction

Biological Incident

Flood Incident

Freight Road/Rail

Severe Weather

Special Events

Active Threat and Terrorism

VDEM Radiological Emergency Response Plan: Ingestion Exposure Pathways

Cyber Incident

Dam Failure

City of Charlottesville Resolution

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, ADOPTING THE EMERGENCY OPERATIONS PLAN

WHEREAS, the City Council of the City of Charlottesville, Virginia, recognizes the need to prepare for, respond to, and recover from natural and man-made disasters; and

WHEREAS, the City of Charlottesville has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, the City of Charlottesville has established an Office of Emergency Management and appointed a Director and Coordinator of Emergency Management:

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

That the Emergency Operations Plan, as revised (insert date), is officially adopted; and it is further proclaimed and ordered that the Director of Emergency Management, or their designees, are tasked and authorized to maintain and revise as necessary this document over the next four-year period or until such time it is ordered to come before this Council.

Approved: (insert date)

Mayor

Councilor

Councilor

Councilor

Councilor

ATTEST:

Clerk of Council/City Clerk

Letter of Promulgation of the City of Charlottesville Emergency Operations Plan

By the authority vested in me by Section 44-146.19E of the Code of the Commonwealth of Virginia as the City of Charlottesville, Virginia’s Director of Public Safety and Emergency Management, I hereby promulgate and issue the City of Charlottesville Virginia’s Emergency Operations Plan (“EOP”), dated (insert date), which provides for a City response to emergencies and disasters wherein assistance is needed by affected citizens in order to save lives; to protect public health, safety, and, property; to restore essential services; and to affect an economic recovery.

As necessary, the Emergency Management Coordinator, on behalf of the Director, is hereby authorized to activate the City’s Emergency Operations Center (EOC) to direct and control City emergency operations. Activation of the City’s EOC shall prompt the activation of the Emergency Operations Plan partially and/or fully.

As directed by the Emergency Operations Plan, the Director of Emergency Management is responsible for command and control, and direction of recovery efforts following any disaster that confronts the City. In the absence of the Director, this responsibility is assumed by the Coordinator.

In accordance with the duties and responsibilities assigned in the EOP, each designated city department or agency shall:

1. Become familiar with and maintain the part(s) of the EOP for which it is responsible;
2. Conduct an on-going training program and participate in exercises as needed to maintain an appropriate emergency response capability;
3. In time of emergency, implement emergency response actions as specified in the EOP in coordination with the City’s EOC; and
4. Assist with post-disaster restoration and recovery operations as required

The EOP is consistent with the Virginia Emergency Services and Disaster Laws of 2022 (Chapter 3.2-3.5, Title 44 of the Code of Virginia; see also Executive Orders No.1 2011), and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended) and its implementing regulations.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive order.

Dated: _____

Michael C. Rogers
Interim City Manager
Charlottesville, Virginia

Record of Changes

The record of changes to the City of Charlottesville Emergency Operations Plan will be kept, documented, and distributed by the Office of Emergency Management. The record of changes will include the plan version number, a description of the change, the date of the change, and who approved the change. Upon publication, the change will be considered part of the Emergency Operations Plan.

Version	Description of Change	Date	Responsible Party

Record of Distribution

The City of Charlottesville’s EOP will be distributed to each agency and organization that has a role in the plan and those noted in the table below.

Agency/Department	Title of Recipient	Date Distributed	Date Acknowledged

Declaration of a Local Emergency (IAW Virginia Disaster and Emergency Laws 44-146-21)

AT A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, HELD AT _____, ON __, 20__. A RESOLUTION DECLARING A LOCAL EMERGENCY TO EXIST IN CITY OF CHARLOTTESVILLE, VIRGINIA

WHEREAS, the City Council of the City of Charlottesville, Virginia, does hereby find as follows:

- That due to the occurrence of _____, the City of Charlottesville is facing dangerous or hazardous conditions impacting the lives, safety, and property of the residents of City of Charlottesville;
- That because of these dangerous or hazardous conditions, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with these hazards or conditions.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City Council of the City of Charlottesville, Virginia, that a local emergency now exists throughout the City of Charlottesville; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Management and the Emergency Management organization and functions of the City of Charlottesville shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the City of Charlottesville to mitigate the effects of said emergency.

Dated: _____

City Council, City of Charlottesville, VA

Mayor

Vice-Mayor

Member of Council

Member of Council

Member of Council

Attest: _____

Clerk of Council, City of Charlottesville,

Executive Summary

The City of Charlottesville Emergency Operations Plan (EOP) is a multidisciplinary all-hazards plan that establishes a comprehensive framework for the management of major emergencies and disasters within the City. This plan is implemented when it becomes necessary to mobilize community resources to save lives and protect property and infrastructure. The EOP incorporates the National Incident Management System as the standard for incident management and reflects other changes resulting from the adoption of the National Response Framework.

The EOP outlines the roles and responsibilities assigned to City departments and other agencies for response to disasters and emergencies. The EOP is not intended as a stand-alone document but serves as the overarching strategy that aligns more detailed department and agency plans and operating procedures to meet response and recovery needs.

The successful implementation of the EOP is contingent upon a collaborative approach between city agencies and organizations that provide crucial support during emergency operations. The EOP recognizes the significant role these agencies and organizations perform during emergencies and disasters and their specific roles and responsibilities are also included within the EOP. Additionally, a separate memorandum of understanding will be established with outside partners and agencies who will assist the City of Charlottesville when events or incidents grow beyond the City's capacity to effectively respond or supply resources.

Plan Format

The EOP consists of the following:

- **Basic Plan**—provides an overview of the management structure, key responsibilities, and emergency assignments during and immediately after an emergency.
- **Appendices**—define the authorities, terms and acronyms used throughout the EOP.
- **Emergency Support Functions Annexes**—outline the scope of responsibilities associated with specific emergency operations functions and describes expected mission execution activities for each emergency phase.
- **Support Annexes**—describe actions to coordinate and execute common emergency management strategies (e.g., information sharing, damage assessment).
- **Hazard, Threat, and Incident Specific Annexes**—describe unique considerations for response and recovery from likely hazards.

Plan Maintenance and Distribution

The City of Charlottesville's Emergency Management Coordinator is responsible for developing, maintaining, and distributing the EOP under the authority of the Director of Emergency Management (City Manager). The EOP will be reviewed periodically as required to incorporate new state, federal, and regional guidelines, or directives and to address significant operational issues. At a minimum, the EOP is significantly updated every four years in accordance with The Commonwealth of Virginia's Disaster and Emergency Management Laws.

Changes will include additions of new or supplementary material or deletions of outdated information. No proposed change should contradict, or override authorities or other plans contained in statute or regulation. All requests for changes will be submitted to the Director of Emergency Management (City Manager) and the Emergency Management Coordinator for coordination, approval, and distribution.

Designated city departments or agencies who are tasked with emergency support functions are responsible for maintaining and updating their assigned functional annexes. Annexes should be reviewed annually. Proposed changes or updates to the annexes will be coordinated with all other support agencies prior to submission to the Director of Emergency Management and the Emergency Management Coordinator.

Any department or agency may propose a change to the EOP and is encouraged to do so. Prior to submitting proposed changes to the Emergency Management Coordinator, the proposing department or agency will obtain the written approval from their agency head.

Every four years, the Emergency Management Coordinator will provide a full copy of the EOP to all City departments and agencies listed in the plan as a Primary or Supporting agency, the Virginia Department of Emergency Management, and other partner organizations as necessary. Modifications to the EOP outside of the four-year revision required by state code will be communicated through a Notice of Change and revised pages will be provided for replacement within the EOP.

Notice of Change

Notices of change to the EOP will be prepared and distributed by the Emergency Management Coordinator. The notice of change will include the effective date, the change number, subject, purpose, and action required by the departments and agencies. The notice of change will include revised pages for replacement within the EOP.

Upon publication, the change will be considered a part of the EOP. The Emergency Management Coordinator is responsible for the distribution of the approved notices of change following the same process as identified above.

BASIC PLAN

1. Introduction

To respond effectively to any emergency of a size or complexity beyond routine response systems, it is critical that all City of Charlottesville officials, departments and agencies, non-governmental organizations, and the public understand their roles and responsibilities. These non-routine responsibilities begin as the incident is recognized and response ensues and becomes particularly important as command organizes beyond the initial reactive phase of first responders.

The foundation for this coordinated response is established through the City of Charlottesville's Emergency Operations Plan (EOP). The EOP identifies the departments and agencies that are responsible for providing command and coordination capabilities for large-scale or unusual events and describes how the multiple command and response components are organized and managed. A planned-for and coordinated response on the part of local officials in support of in-the-field emergency responders can save lives, protect property, contain provisions that ensure the plan is applied equitably and the needs of minority and vulnerable communities are met during emergencies, and more quickly restore essential services. The "Commonwealth of Virginia Emergency Services and Disaster Laws of 2000" (Code of Virginia, § 44-146.13 to 44-146.29:2) requires that state and local governments develop and maintain current emergency operations plans to be prepared for such events.

1.1 Purpose

The EOP establishes the organizational framework for a coordinated all-hazards response to and recovery from disasters and emergency situations. Key concepts established throughout the EOP are as follows:

- Systematic organization of interagency efforts to minimize damage, restore impacted areas, and implement programs to mitigate vulnerability to future events
- Proactive identification and deployment of resources in anticipation of or in response to a disaster event
- Coordinated mechanisms for vertical and horizontal coordination, communications, and information-sharing in response to threats or incidents
- Establishment of fundamental agreements that are the basis for interagency and intergovernmental planning, training, exercising, assessment, coordination, and information exchange.

The EOP addresses the immediate requirements for an emergency in which normal operations are interrupted and special measures must be taken to:

- Save lives and protect the health and safety of the public, responders, and recovery workers
- Ensure security of the City of Charlottesville and potentially areas outside of the city limits.
- Provide and analyze information to support decision-making and action plans
- Effectively manage response and support assets

- Protect critical infrastructure and key resources and aid in their restoration
- Ensure local government continues to function throughout the incident
- Manage communication regarding emergency response and recovery operations
- Communicate critical information to residents
- Protect property and mitigate damages and impacts to individuals, communities, and the environment
- Track response resources immediately and throughout response and recovery
- Facilitate recovery of individuals, families, businesses, government, and the environment.

The EOP does not supersede or replace the procedures for safety, hazardous materials response, or other procedures that are already in place in the City. It supplements those procedures with a temporary crisis management structure, which provides for the immediate focus of management on response operations and the early transition to recovery operations.

1.2 Scope

The EOP establishes a method of operation that spans the management of an emergency from initial monitoring through post-disaster response, recovery, and mitigation. The plan also defines mechanisms to aid delivery of immediate assistance as well as assigns specific functions to appropriate departments and organizations. This includes methods to coordinate with the private sector and voluntary organizations active in disasters (VOAD).

The EOP addresses various types of emergencies that are likely to occur and the actions the City of Charlottesville will initiate, in coordination with the state and federal governments as appropriate.

This EOP is applicable to all City departments, agencies, private sector, and volunteer organizations that may be requested to assist whether in an actual incident or an imminent threat to the community.

Activation of the EOP starts with Incident Commanders who have determined that incident conditions will continue to deteriorate and will make the request to ECC to notify the Emergency Management Coordinator.

1.3 Policies and Authorities

Various statutory authorities, regulations and policies provide the basis for actions and activities regarding incident management. Nothing in the EOP alters the existing authorities of City departments or agencies. The EOP establishes the coordinating structures to integrate the specific regulatory authorities of the spectrum of participating agencies in a collective framework for action to include mitigation, prevention, preparedness, response, and recovery. See Appendix A.

1.4 Assumptions

The following planning assumptions outline the assumed operating conditions and provide a foundation for establishing protocols and procedures:

- Emergencies can happen with little to no warning, causing significant loss of life, property damage, environmental and economic impact.
- Some emergencies or disasters will occur with enough warning that appropriate emergency notification will be achieved.
- The City of Charlottesville will commit all available resources to save lives, stabilize an incident and minimize property damage.
- As a part of their commitment to this plan, coordinating and cooperating departments and agencies will engage in systematic assessments of procedures, resources, and training to ensure their continued ability to carry out their responsibilities as outlined in the plan.
- During an emergency, the department heads and agencies will continue to be responsible for the protection and preservation of records essential for the continuity of government operations. Department and agency heads will establish lists of succession of key emergency personnel.
- In the event of an emergency, the immediate response priority will be saving lives, incident stabilization and property conservation.
- Incidents are typically managed at the lowest possible level of government.
- City residents, businesses, and industry will be expected to use their own resources and be self-sufficient for at least 72-96 hours following a significant event.
- The effects of disaster or emergency may extend beyond City boundaries and many other areas of the Commonwealth may experience casualties, property loss, and disruption of normal life support systems.
- There may be competition among residents and communities for scarce resources and widespread power and communications outages may require the use of alternate methods of providing public information and delivering essential services.
- Communications may be problematic due to demands exceeding capacities.
- Protection and restoration of critical infrastructure and key resources is a priority.
- When local capabilities are overwhelmed or local resources are exhausted, the Commonwealth of Virginia or federal government will be asked to aid.
- Incident Management activities will be initiated and conducted using the principles contained in the National Incident Management System.
- The EOP is the core plan for managing emergencies during major emergencies and disasters. Other supplemental agency and interagency plans may provide details on the authorities, response protocols, and technical guidance for responding to and managing specific contingency situations (i.e., hazardous materials spills, wildfires, etc.). In many cases, local agencies manage incidents under these plans using their own authorities. These supplemental agency or interagency plans may be implemented concurrently with the EOP but are subordinated to the overarching core coordinating structures, processes, and protocols detailed in the EOP.

1.5 Levels of Emergency

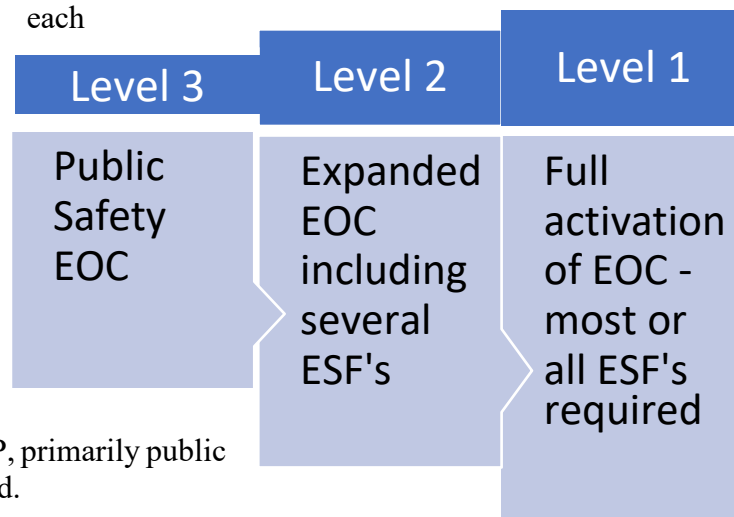
Emergency conditions vary with each incident and action. For reference, there are three emergency levels listed (see diagram) that are noted and specified as follows:

Level 3-an emergency incident that normal community emergency response resources can handle. While there may be some damage or interruption, the conditions are localized and activation of the full EOP is not needed. Aspects of the EOP, primarily public safety and sheltering, may be activated.

Level 2-an incident with substantial damages and interruptions to City operations. Resources beyond public safety alone will be required to manage the incident and the EOC is required to coordinate those many resources.

Level 1-an incident requiring the full activation of the EOP to address immediate emergency response across most if not all emergency support functions. Emergency conditions are widespread, and local resources are depleted; the City must be self-sufficient for a period of hours to several days. Requests for assistance from the Commonwealth are anticipated to be submitted by the City Manager or his designee, the Emergency Management Coordinator.

The designated level for an incident may change as emergency conditions intensify or lessen.



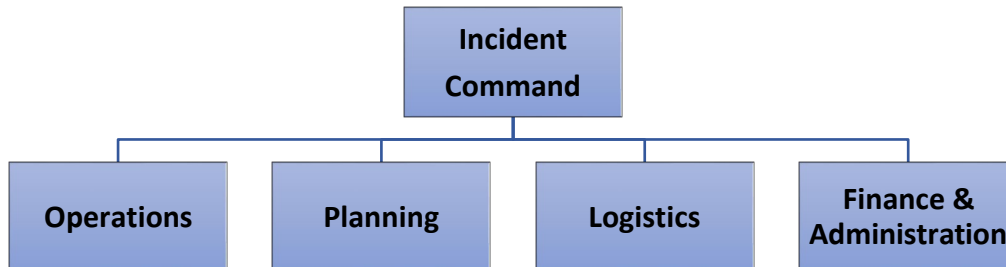
1.6 Incident Management

The EOP uses a team approach and operates under a structure based upon the principles of the National Incident Management System (NIMS) to manage, coordinate, and direct resources committed to an incident. The Incident Command System, a component of NIMS, is the combination of facilities, equipment, personnel, procedures, and communications systems operating within a common organizational structure. The five sections of the organizational structure (Figure 2) are:

- **Command**—responsible for overall management of the incident, including assessment and establishment of incident priorities, assessing resource needs and orders, and coordinating with outside agencies. Public information, safety, and liaison duties are executed as part of the Command Staff.
- **Operations**—responsible for managing tactical operations to reduce immediate hazards, save lives and property, establish situational control, and restore normal operations. The make-up of the Operations section will vary based on incident priorities.
- **Planning**—responsible for collecting, evaluating, and disseminating information about the incident and the status of resources to create a shared understanding of the current situation and prepare alternative strategies to address incident priorities.

- **Logistics**—responsible for providing facilities, services, and materials to support incident response.
- **Finance and Administration**—responsible for all incident costs and financial considerations related to the incident.

Figure 2. Incident Management Structure



This approach divides management of an incident, or the EOC, into smaller more manageable sections, while maintaining a coordinated focus. The size and number of designated positions within each section can be expanded or contracted to meet requirements as an event progresses. This allows for maximum flexibility in meeting the unique requirements of each situation.

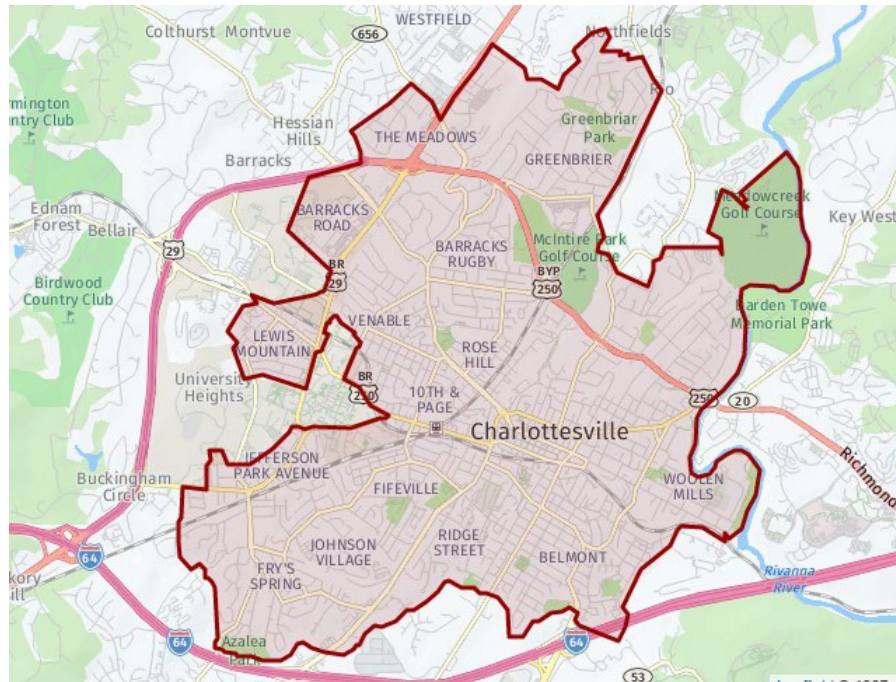
2. SITUATION

Most of the information in this section is excerpted from the 2023 Draft Regional Hazard Mitigation Plan – Thomas Jefferson Planning District. The full reference is available at <https://tjpd.org/our-work/hazard-mitigation/>

2.1 Geographic Characteristics

The City of Charlottesville was founded 1762 and located in Central Virginia in Albemarle County. It is 10.4 square miles in size and located approximately 100 miles southwest of Washington, D.C. and 70 miles northwest of Richmond, Virginia. The City is situated within the upper Piedmont Plateau at the foothills of the Blue Ridge Mountains and at the headwaters of the Rivanna River, The City is autonomous and entirely independent of any county or any other political subdivision (See Figure 3).

Figure 3. The City of Charlottesville



2.2 Climate

The area has a moderate climate. Average temperatures are approximately 50 degrees and range from January lows in the mid-twenties to July highs in the high eighties. Annual rainfall averages above 40 inches and is supplemented with approximately 14 inches of snow.

2.3 Population

The 2019 population estimates 47,096 for the City of Charlottesville and an additional 27,115 (2021) for the student population at the University of Virginia.

2.4 Government

The City of Charlottesville is served locally by a five-member elected city council, a seven-member elected School Board, and elected Constitutional Officers (Clerk of Circuit Court, Sheriff, and Commonwealth's Attorney). At the state level, the City is served by the 25th State Senate District and 57th House of Delegates District. At the Federal level, The City of Charlottesville is served by Virginia's 5th Congressional District.

Although a separate legal entity, the City of Charlottesville is the county seat of Albemarle County. Charlottesville has a council/manager form of city of government.

2.5 Land Use

Table 1. Building Numbers

Although there is limited developable land remaining in the City of Charlottesville, redevelopment and selected small-scale infill has been occurring. Much of this growth occurred around the University of Virginia in the Venable and Jefferson Park Avenue neighborhoods, as well the Belmont and Fifeville neighborhoods. Commercial and office growth has been relatively healthy in downtown Charlottesville and the warehouse district, with few changes elsewhere in the city.

Locality	Total Buildings	Residential Buildings	Non-Residential Buildings
Charlottesville	21,244	19,603	1,641

2.6 Economic Growth and Development

Reflecting national trends, the greatest increases in jobs have been in the service, retail, and government sectors, while farm and manufacturing jobs have been on the decline. Major employers in the area include Aramark, City and County governments, Consolidated Analysis Centers Inc., Crutchfield Corporation, Food Lion, GE Fanuc, Lexis Publishing, Martha Jefferson Hospital, Northrup Grumman Corporation, Piedmont Virginia Community College, State Farm, the University of Virginia, US Department of Defense, the Virginia Department of Corrections, and Wal-Mart. The following table shows changes in various non-farm employment sectors from the Bureau of Labor Statistics.

Rank	Industry Sector	2010 Establishments	2020 Employees
	Total nonfarm industries	6,490	112,800
1	Government	110	36,500
2	Professional and Business	809	15,600
3	Educational and Health	720	14,400
4	Trade, Transport, and Utilities	467	14,200
	Leisure and Hospitality	834	10,400
6	Mining Logging, and Construction	753	5,700
7	Other (Except Financial and Manufacturing)	117	5,400
8	Financial Activities	750	4,900
9	Manufacturing	193	3,900

Source: Labor Market Statistics, Quarterly Census of Employment and Wages Program

Most jobs in the region are in the City of Charlottesville, along the Route 29 corridor, or in the Pantops area of Albemarle County. Rural employment is distributed more evenly in relation to residential density. The Education and Health Care sectors are the largest in the region, comprising about a third of all employment. The University of Virginia and the UVA Health System are major drivers in the regional economy.

2.7 Historical Places

Although best known for Thomas Jefferson's Monticello, the region is also home to several historical attractions, including:

Ash Lawn-Highland, home of James Monroe, fifth President of the United States and author of the Monroe Doctrine

The Albemarle County Court House, built in 1803 and still in use today

Michie Tavern, a Museum of Historical Tavern Americana

Montpelier, the lifelong home of President James Madison and a museum property of the National Trust for Historic Preservation

The University of Virginia Rotunda, Academical Village and Pavilion Gardens.

2.8 Critical Infrastructure

Government and privately owned infrastructure that are deemed critical do exist in the City of Charlottesville. Critical Infrastructure will not be discussed in detail in the EOP for public safety and security reasons.

2.9 Hazard Identification and Risk Assessment

The regional Hazard Identification and Risk Assessment (completed 2022) resulted in a ranked and prioritized evaluation of hazards based on historical and anticipated impact to the region. Straight line wind, hurricanes, flooding, and winter storms offer the most significant threats to the area. The following table is a prioritized list of hazards for the region as determined by the Thomas Jefferson Planning District Hazard Mitigation Working Group, relying on National and State-level data as well as local experiences and results of prior assessments.

EVENT	PROBABILITY	HUMAN IMPACT	PROPERTY IMPACT	BUSINESS IMPACT	RISK
	Likelihood this will occur	Possibility of death or injury	Physical losses and damages	Interruption of services	Relative threat*
SCORE	0 = N/A 1 = Low 2 = Moderate 3 = High	0 = N/A 1 = Low 2 = Moderate 3 = High	0 = N/A 1 = Low 2 = Moderate 3 = High	0 = N/A 1 = Low 2 = Moderate 3 = High	0 - 100%
Hurricane/high wind/windstorms	3	2	2	2	74%
Flooding	3	1	2	2	65%
Winter storms/ weather	3	1	1	2	56%
Communicable Disease/Pandemic	2	2	1	2	30%
Lightning	2	1	1	1	22%
Wildfire	2	1	1	1	22%
Drought / Extreme Heat	2	1	1	1	22%
Dam Failure	1	2	2	2	22%
Tornado	2	1	1	1	22%
Earthquake	1	1	2	2	19%
Landslide	1	1	1	1	11%
AVERAGE SCORE	1.88	1.37	1.5	1.58	33%

RISK = PROBABILITY * SEVERITY		
0.32	0.43	0.17

*Threat increases with percentage.

Table 4. TJPDC Hazard Mitigation Plan HIRA Results

3. ROLES AND RESPONSIBILITIES

3.1 Individuals, Families, and Households

Although not formally part of emergency management operations, individuals, families, and households play an important role in emergency preparedness and response. By reducing hazards in and around their homes, individuals reduce potential emergency response requirements. Individuals, families, and households should also prepare emergency supply kits and emergency plans so they can take care of themselves and their neighbors for at least 72-96 hours following a significant event.

Individuals can also contribute to the preparedness and resilience of their households and communities by volunteering with emergency organizations and completing emergency response training courses. Individuals, families, and households should prepare with family members who have access and functional needs or medical needs. Their plans should also include provisions for their animals, including household pets or service animals. During an actual disaster, emergency,

or threat, individuals, households, and families should monitor emergency communications and follow guidance and instructions provided by local authorities.

3.2 Communities

Communities are groups that share goals, values, and institutions. They are not always bound by geographic boundaries or political divisions. Instead, they may be faith-based organizations, neighborhood partnerships, advocacy groups, academia, social and community groups, and associations. Communities bring people together in different ways for different reasons and can contribute to preparedness and resilience by sharing information and promoting collective action. Engaging in local emergency planning efforts is important to identifying needs and potential contributions to local planners.

3.3 Non-governmental and Volunteer Organizations

Non-governmental organizations (NGO's) play vital roles in delivering important services, including core response capabilities. These organizations, including racial and ethnic, faith-based, veteran-based, and voluntary and nonprofit organizations, provide sheltering, emergency food supplies, and other essential support services. NGO's are inherently independent and committed to specific interests and values, which drive the group's operational priorities and shape the resources they provide. These organizations also bolster government efforts and often provide specialized services to the whole community, as well as to certain members of the population including children; individuals with disabilities and others with access and functional needs; those from diverse religious, racial, and ethnic backgrounds; and people with limited English proficiency. Non-governmental organizations are key partners in preparedness activities and response operations.

3.4 Private Sector

Private sector organizations play key roles before, during, and after incidents. Private sector entities include large, medium, and small businesses; commerce, private cultural and educational institutions; and industry, as well as public/private partnerships that have been established specifically for emergency management purposes. A fundamental responsibility of private sector organizations is to provide for the welfare of their employees in the workplace. In addition, some businesses play an essential role in protecting critical infrastructure systems and implementing plans for the rapid reestablishment of critical infrastructure operations following a disruption. Others are required by existing law and regulation to bear the cost of planning and response to incidents, regardless of the cause. In many cases, private sector organizations have immediate access to commodities and services that can support incident response. During an incident, key private sector partners have a direct link to emergency management operations.

3.5 Local Government

At all times in the EOP, reference to any position shall be understood, in the absence of the referenced individual, to include designees.

Director of Emergency Management

The Director of Emergency Management is the City Manager who directs and controls emergency operations in time of emergency and issues directives to other services and organizations concerning disaster preparedness. Responsibilities of the Director of Emergency Management:

- Ensure that emergency planning and operations are applied equitably and that the needs of minority and vulnerable communities are met during emergencies pursuant to VA Code Section 44-146.19E
- Commit and leverage local resources to address the full spectrum of actions to prevent, prepare for, respond to, and recover from incidents involving all hazards including terrorism, natural disasters, accidents, and other contingencies
- Enact emergency powers, dependent upon state and local laws and only as required, to suspend local laws and ordinances, such as to establish a curfew, direct evacuations, and order a quarantine, in coordination with the local health authority
- Provide leadership and play a key role in communicating to the public, and in helping people, businesses, and organizations cope with the consequences of any type of incident within the jurisdiction.

Emergency Management Coordinator

The day-to-day activities of the emergency management program are delegated to the Emergency Management Coordinator. The Emergency Management Coordinator works with City leadership to establish unified objectives regarding the City's emergency plans and activities. In addition, the Emergency Management Coordinator:

- Works cooperatively with departments and agencies, community organizations, private sector entities, and non-governmental organizations to develop plans that outline the strategy for delivering the capabilities most likely required during an incident
- Coordinates the integration of the rights of individuals with disabilities, individuals from racially and ethnically diverse backgrounds, and others with access and functional needs into emergency planning and response
- Manages the Emergency Operations Center during an incident
- Conducts workshops and trainings to build and maintain emergency response capabilities across response agencies
- Conducts exercises to assess the capacity and completeness of plans and systems
- Identifies gaps in capabilities and works with partners to resolve the gaps
- Develops and executes accessible public awareness and education programs.

Departments and Agencies

City departments and agencies collaborate with the Emergency Management Coordinator during the development of emergency plans and provide key response resources as part of the Emergency Support Function structure. Participation in the planning process helps to ensure that specific capabilities are integrated into a workable plan to safeguard the community. Departments and agency staff develop, plan, and train on internal policies and procedures to meet response needs safely and effectively. They also participate in interagency training and exercises to develop and maintain necessary capabilities.

3.6 Commonwealth of Virginia

The public safety and welfare of a state or Commonwealth's residents are the fundamental responsibilities of every governor. The governor, through the Virginia Department of Emergency Management (VDEM), coordinates state resources and provides the strategic guidance for response to all types of incidents. This includes supporting local governments as needed and coordinating assistance (including information collection, analysis, and dissemination through the Virginia Fusion Center) with other states and the federal government. The governor also:

- In accordance with state law, may make, amend, or suspend certain orders or regulations associated with response
- Communicates to the public, in an accessible manner, and helps people, businesses, and organizations cope with the consequences of any type of incident
- Commands the state military forces (National Guard personnel not in federal service and state militias)
- Coordinates assistance from other states through interstate mutual aid and assistance agreements, such as the Emergency Management Assistance Compact
- Requests federal assistance including, if appropriate, a Stafford Act declaration of an emergency or major disaster.

As public institutions of higher education, the University of Virginia and Piedmont Virginia Community College are required to coordinate with local emergency management, as defined by § 44-146.16, to ensure integration into the local emergency operations plan. To this end, both institutions maintain collaborative relationships with each jurisdiction's Emergency Management Coordinator and share emergency plans accordingly.

3.7 Federal Government

The federal government maintains a wide range of capabilities and resources to respond to domestic incidents. Federal assistance can be provided to state and local jurisdictions through several different mechanisms and authorities. For incidents in which federal assistance is provided under the Stafford Act, the Federal Emergency Management Agency (FEMA) coordinates the assistance. There is significant coordination with VDEM and FEMA to document expenditures for cost recovery. For non-Stafford Act incidents, federal response or assistance may be led or coordinated by various federal departments and agencies consistent with their authorities.

4. CONCEPT OF OPERATIONS

The EOP will be activated to quickly assess and respond to the impacts of an incident. Local resources will be fully committed before state or federal assistance is requested. If the incident exceeds the region's emergency response capabilities, assistance will be requested through the Virginia Emergency Operations Center.

4.1 Organization

The City has adopted the National Incident Management System as the standard for incident management. The City will implement a unified/incident commander management strategy that

aligns Emergency Support Functions within the Incident Command System to manage, coordinate, and direct resources committed to an incident. This structure supports effective coordination across personnel, facilities, equipment, and systems by maintaining a manageable span of control, staffing functional positions only when needed, and ensuring accountability.

4.1.1 Emergency Operations Center Team

The Emergency Operations Center Team (EOC Team) is comprised of the Policy Group and the EOC Manager's (IC's/UC's) Command and General staff.

Policy Group—provides high level direction during an incident, relying on the On-scene Incident Commander(s) and EOC Command and General Staff to execute the plan through the EOC Manager (IC/UC) using the Incident Command System. The Policy Group is comprised of senior leadership from the City and has the following responsibilities:

- Provide policy decisions and guidance as required for incident response and recovery operations
- Delegate necessary authorities for incident stabilization, protection of life, property, and critical infrastructure
- Negotiate resolutions to conflicting incident priorities
- Recommend the allocation of resources required to accomplish incident management priorities
- Ensure coordination with external agencies and resource providers
- Aid with critical business maintenance and restoration
- Monitor recovery progress and provide guidance as needed to ensure recovery benchmarks are met in a timely manner.

The City Attorney should be present in person or virtually to advise the Policy Group as needed.

Command and General Staff—supports the field response during the implementation of the EOP. Branch and Group leaders are assigned to General Staff positions as necessary to accomplish the work of the EOC. Branch and Group leaders are responsible for carrying out specific work categorized as Emergency Support Functions (ESF – see next section). ESF's are functions and/or services of city government and other key agencies or service providers. Each ESF is assigned a primary agency responsible for ensuring the ESF has standard operating procedures and resources necessary to execute specific plans in support of the overall EOP. ESF's are further grouped and assigned to a Branch or Group Leader as shown in the example organization chart reflected below. The composition of the EOC Team may vary depending on the size and type of emergency.

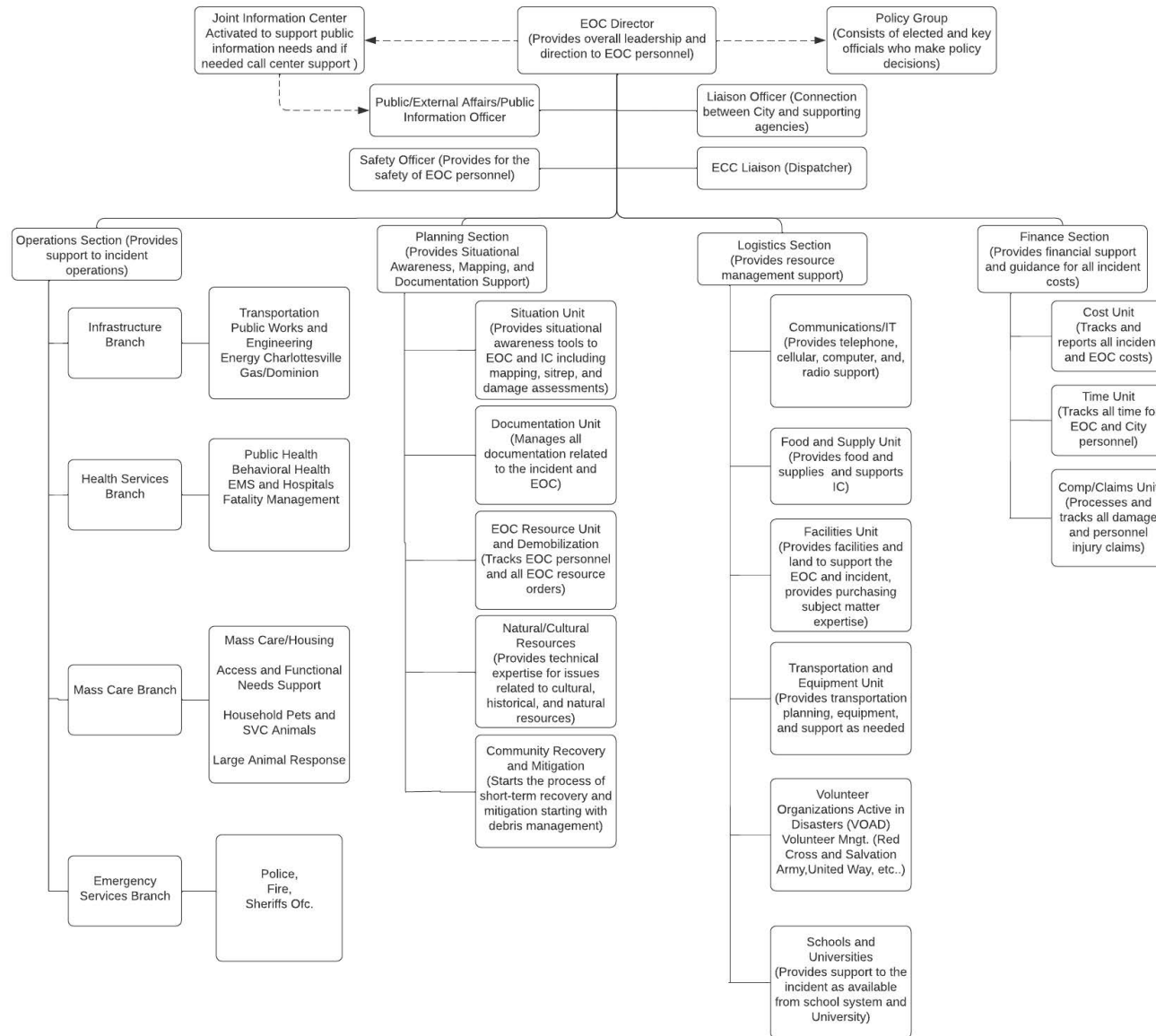


Figure 4

4.1.2 On-Scene Incident Commanders

The Director of Emergency Management delegates authority to the Fire Chief and Police Chief to appoint on-scene incident commanders and establish standard operating procedures to guide management of emergency operations. Upon arrival at an emergency, the senior official on scene will establish incident command and designate a command post location to manage the emergency. Incidents that begin as a single agency response may evolve into an operation requiring a multi-agency response to meet community needs. On-scene Incident Commanders regularly report information to the Emergency Operations Center. Any on-scene requests for resources are directed through the EOC, once it is activated and operational.

4.1.3 Emergency Operations Center

The Emergency Operations Center (EOC) is a facility where City personnel and partners work collaboratively to establish emergency priorities and policies, assign resources, and coordinate requests for assistance. Available warning time will be used to implement increased readiness measures, which will ensure maximum protection of the population, property, infrastructure, and resources from the effects of threatened or actual disasters. For smaller incidents (Level 3 or 2 activation), the EOC is located at City space or the Fontaine Fire Station (Alternate EOC). For larger incidents requiring activation of regional Emergency Support Functions (Level 1), the EOC will be located at City Space or in Zehmer Hall at the University of Virginia. The Emergency Operations Center is managed by the Emergency Management Coordinator. The Emergency Management Coordinator may request additional staff and support positions as necessary depending upon the nature, scope, and complexity of the incident or the requirements.

Once the EOP is activated, the EOC may be partially or fully staffed depending on type and scope of the disaster. The EOC may be staffed physically at the locations specified, virtually using (VEOCI) virtual EOC software, or a hybrid combination of both. The EOC Manager will determine whether individual Command Staff, or General Staff, positions within the EOC Team must be staffed physically or virtually. Any EOC Team member who cannot staff virtually or has suddenly lost the capability to staff virtually, must physically report to the EOC as soon as possible.

Some departments and agencies represented at the EOC will have a department operations center. In these circumstances, the individual at the EOC serves as a liaison to the department operations center. As missions are assigned at the EOC, this information is conveyed to the department operations center for implementation. Department operations centers will coordinate their activities with the EOC, to maintain shared situational awareness and reduce duplication of effort.

4.2 Emergency Support Function

The EOP organizes the various departments, agencies, and voluntary organizations into 17 Emergency Support Functions to facilitate planning and coordination prior to an incident, achieve an effective emergency response and recovery, and then implement mitigation actions to reduce disaster impacts.

Each Emergency Support Function has an assigned primary city department/agency and supporting agencies. The primary departments/agencies are designated because they either have statutory responsibility or the prerequisite expertise and resources due to their programmatic or regulatory responsibilities. The primary agency is responsible for leading pre-incident planning and coordination to ensure that all agencies are prepared to provide resources and perform their assigned operational roles. The primary agency is responsible for maintaining a functional annex to the EOP (if necessary), in collaboration with the Emergency Management Coordinator. All primary and supporting agencies are responsible for maintaining standard operating procedures for their assigned responsibilities.

Emergency Support Functions will be activated as needed to support actual or anticipated requirements and primary agencies will provide representatives to the EOC upon activation. Within the EOC, the Emergency Support Function representatives are assigned to specific sections within the EOC General Staff: Command, Operations, Logistics, Planning, and Finance/Administration Sections:

COMMAND

ESF #15—External Affairs

OPERATIONS SECTION

Public Safety Branch

ESF #4—Fire Fighting

ESF #9—Search and Rescue

ESF #10—Oil & Hazardous Materials

ESF #13—Public Safety & Security

ESF #16—Military Support

Infrastructure Branch

ESF #1—Transportation

ESF #2—Communications

ESF #3—Public Works & Engineering

ESF #12—Energy

Human Services Branch

ESF #6—Mass Care, Housing, Human Services

ESF #8—Public Health and Medical Services

ESF #11—Resource Protection

ESF #17—Donations and Volunteer Management

PLANNING SECTION

ESF #5—Emergency Management

ESF #14—Cross Sector Business and Infrastructure

LOGISTICS SECTION

ESF #5—Emergency Management and Recovery

ESF #7—Resource Support

FINANCE & ADMINISTRATION SECTION

ESF #5—Emergency Management and Recovery

Detailed information on each Emergency Support Function is provided in the corresponding Emergency Support Function annexes

4.3 Sequence of Actions

This section describes incident management actions ranging from initial threat identification and notification to activation of the Emergency Operations Plan, EOC, and its supporting structures in support of incident response and recovery operations.

4.3.1 Preparedness

The City of Charlottesville is deeply committed to preparedness, focusing on educating community members on mitigation, preparedness, response, and recovery strategies. The Emergency Management Coordinator assesses the City’s preparedness for all hazards natural or man-made then develops and communicates the strategies, plans and procedures to address these hazards. Key personnel from across City government are engaged in planning as well as training and exercising emergency response plans. These efforts are complemented through collaboration with representatives from surrounding jurisdictions, regional, state, and federal levels partners.

4.3.2 Incident Recognition

Incident commanders who have proactively evaluated incident progression using information provided by emergency responders and situational awareness tools and have determined that incident conditions will continue to deteriorate will make the request to ECC to notify the Emergency Management Coordinator. Based on the information received, the Emergency Management Coordinator will make a recommendation on how to respond and will notify the Director of Emergency Management of the situation and the need to activate the EOP. A local disaster declaration may also be requested, but is not required for activating the EOP.

4.3.3 Incident Notification

Based on the information received, the Emergency Management Coordinator will make a recommendation on how to respond and will notify the Director of Emergency Management. Once a decision is made regarding EOC/EOP response levels, the EOC Team will be notified. (The

Emergency Management Coordinator and Director will determine the levels of activation and communicate those). Notification will occur through text message, e-mail, telephone call, in-person notification, or other notification methods.

The Director of Emergency Management, operating within the ICS structure will direct the Director of Communications and or the Public Safety PIO to begin formulating regular press releases to inform community members of an imminent or active emergency. Additionally, the following communications systems will be utilized to convey emergency information: telephone, email, text messaging, social media, website postings, and the regional emergency notification system as appropriate for the situation. In addition, the Emergency Management Coordinator reports the activation of the EOC and local emergency declaration to the Virginia Emergency Operations Center.

4.3.4 Activation of the Emergency Operations Center

If the EOC Team is required to convene in person, the Emergency Management Coordinator will activate an Emergency Operations Center. Activities include transporting equipment and supplies to the selected locations, setting up workspaces, computers and telephones, and associated technology support. EOC Team members are expected to sign in and out of the EOC to assist in resource tracking.

The Emergency Management Coordinator or designee will create an incident ‘room’ in VEOCI, the virtual information management system used to manage information during incidents. At the discretion of the EOC Director, EOC Team members not required to be physically present in the EOC can monitor and contribute information virtually using VEOCI. The EOC Director will coordinate with on-scene incident commanders and establish operational periods as a basis for the incident action planning process at the EOC. Typically, the operational periods are twelve hours.

Typical periods run accordingly 0700 to 1900hrs. and 1900 to 0700hrs. during a 12-hour operational period. The incident action planning process is designed around identifying expected accomplishments over the next operational period. An Incident Action Plan (IAP) will be updated for each operational period to communicate incident progress. The EOC will conduct a shift change briefing at the beginning of each operational period to ensure EOC staff are briefed on the operational elements of the Incident Action Plan and are aware of the objectives to be accomplished.

Operations within the EOC will be organized and conducted with established operational procedures, checklists, and job aids.

4.3.5 Response

Once an incident occurs, priorities shift from prevention, preparedness, and incident mitigation to immediate and short-term response activities to preserve life, property, and the environment.

Once a local emergency declaration is recommended by the Emergency Management Coordinator, it will be officially declared by the City Manager via the Director of Communications (See below Local Declarations for the detailed explanation). Beyond the local declaration to activate the EOP, there are two additional types of emergency declarations that may apply depending upon the scope and magnitude of the event:

- **Local Declaration**-A local emergency may be declared by the local Director of Emergency Management with the consent of the governing body of the political subdivision. In the event the governing body cannot convene due to the disaster or other exigent circumstances, the Director and Deputy Director, or in the absence of both the Director and Deputy Director, any member of the governing body may declare the existence of a local emergency, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first. The governing body, when in its judgement all emergency actions have been taken, shall take appropriate action to end the declared emergency. A declaration of a local emergency as defined in 44-146.16 shall activate the local Emergency Operations Plan and authorize the furnishing of aid and assistance thereunder.
- **Commonwealth Declaration**-a declaration of an emergency by the Governor of Virginia that includes the City provides the combined jurisdictions access to the resources and assistance of the departments and agencies of the Commonwealth, including the National Guard, in the event local resources are insufficient to meet the needs. These requests for assistance are coordinated through the Virginia Emergency Operations Center.
- **Federal Declaration**-the Governor of Virginia may request a federal emergency or major disaster declaration. If the City is declared a federal disaster area, the resources of federal departments and agencies are available to provide resources and assistance to augment those of the City and the Commonwealth.

Response actions, managed through the previously defined incident management structure, will be prioritized, and swiftly implemented. These actions may include, but are not limited to:

- Immediate law enforcement, fire, and/or emergency medical services
- Evacuations
- Transportation system detours
- Emergency public information
- Rapid needs assessment
- Actions to minimize additional damage
- Urban search and rescue
- Provision of public health and medical services, food, ice, water, and other emergency essentials
- Debris clearance
- Emergency restoration of critical infrastructure
- Control, containment, and removal of environmental contamination
- Protection of responder health and safety.

Response activities will be coordinated and supported by the EOC Team. Once immediate response missions and life-saving activities conclude, the emphasis shifts from response to recovery operations and, if applicable, hazard mitigation efforts.

4.3.6 Recovery

Recovery includes short-term and long-term actions taken to return individuals and the region to a state of normalcy. There is no clear line between the response and recovery phases, but rather a transition in focus from providing support for immediate needs to a more deliberative process of sustained program delivery. Recovery activities may include coordination with the state and federal government for administering state and federal assistance. Generally, the termination of the local declaration of emergency or the closing of the EOC will signal the formal transition to the recovery phase. The formal transition from response and recovery will be announced to all departments and agencies using existing notification protocols and procedures.

During the recovery phase, the damage assessment process will be implemented with the goal of determining the extent of damage, recovery activities, relocation needs, and public information needs that are immediately required. If City operations are disrupted for an extended period, the following guidelines should be followed:

- Continuity Plans (COOP activation) will be implemented to facilitate continuation of services at alternate work locations.
- To the extent possible, normal workflow should be maintained in the alternate location or through teleworking. City employees may be assigned temporary duties to aid in the recovery, as appropriate.
- The City will undertake all actions to return to normal operations as soon as feasibly possible. Recovery analysis and planning will focus on:
 - **Economic Recovery.** Gather, share, aggregate, and integrate economic impact data to assess economic issues and identify potential inhibitors to fostering stabilization of the affected communities.
 - **Health and Social Services.** Identify affected populations, groups, and key partners in recovery.
 - **Housing.** Assess preliminary housing impacts and pre- and post-disaster needs, identify available options for temporary housing, and support the local development of the plan for permanent housing.
 - **Infrastructure Systems.** Facilitate the restoration of and sustain essential services (public and private) to maintain community functionality.
 - **Natural and Cultural Resources.** Implement measures to protect and stabilize records and culturally significant documents, objects, and structures.

Disaster recovery operations require coordination at all levels of government.

4.3.7 Mitigation

The City along with state and federal agencies will take actions to reduce or eliminate long-term risk to people and property from recognized hazards and their side effects. Mitigation measures will be incorporated in the rebuilding of infrastructure damaged in the event. The regional Hazard Mitigation Plan will be reviewed and updated as necessary, adding mitigation actions that could be of value in preventing similar impacts for future disasters. The Emergency Management Coordinator will work with the Virginia Department of Emergency Management Mitigation Program to develop mitigation grant projects to address the most at-risk areas.

5 REQUESTS FOR ASSISTANCE

All resources of the City including people, facilities, and equipment, can be leveraged by the Director of Emergency Management to respond to a local emergency or elsewhere in the region if requested. Additional resources are available should the emergency exceed the City's emergency response capability.

5.1 Local

Identified response needs will be addressed initially with available City resources. If these capabilities are exceeded, outside assistance is available through mutual aid agreements with surrounding and volunteer emergency organizations. Police, fire, and medical services maintain mutual aid agreements with surrounding communities. Mutual aid for other support may be requested through the Virginia Statewide Mutual Aid program.

5.2 Private Sector

The private sector may be contracted to assist in emergency response in the City. This could include private owners of critical infrastructure; a response organization such as private ambulance services and environmental clean-up services; or a regulated or responsible party, who would implement protective actions as requested or required by the City.

5.3 Non-governmental Organizations

Non-governmental organizations (NGOs) are voluntary, faith-based, philanthropic, or community organizations that coordinate and collaborate to help individuals and communities respond to and recover from disasters. NGO support is provided by a range of organizations from small community-based nonprofits to national organizations with extensive experience in disaster response and recovery. NGOs provide targeted services to groups such as children, individuals with disabilities, people with access and functional needs, ethnically and culturally diverse communities, people with limited English proficiency, and animal owners, including household pets and service and assistance animals. Some NGOs are part of Voluntary Organizations Active in Disaster (VOAD) that are responsible for meeting disaster-caused unmet needs of disaster survivors.

5.4 State

For assistance beyond tactical mutual aid (i.e., that which might be used in everyday incidents), a local emergency must be declared, and local resources fully committed with unmet needs before state assistance is requested. However, with the onset of a major incident or event, requests for state assistance may occur prior to experiencing shortages after deployment of all local resources and based on anticipated needs.

Requests for State assistance will be made by the Emergency Management Coordinator through the Virginia Emergency Operations Center to the State Coordinator of Emergency Management.

In certain circumstances, if there are victims because of the incident or emergency, as defined in §19.0-11.01 of the Code of Virginia, the Emergency Management Coordinator will immediately contact the Virginia Department of Criminal Justice Services (VDCJS) and the Virginia Criminal Injury Compensation (VCICF) Fund to deploy assistance to the region (see Appendix E).

5.5 Federal

The National Response Framework (NRF), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (1974 as amended April 2007), and other relevant federal statutes determine how the federal government will augment state and local response efforts when authorized. Federal assistance must be requested through the Virginia Department of Emergency Management. Federal regulations require that the request be made after the Commonwealth determines it cannot meet the identified need through statewide resources. The request for assistance must provide enough detail about the unmet needs so that an accurate evaluation of the appropriate response resources can occur.

6 PROCESS IMPROVEMENT

The constantly changing hazard environment requires a commitment to process improvement. The EOP will rely on the testing of systems and equipment, training of personnel according to recommendations in NIMS, and exercising plans and procedures. Regularly scheduled tests, training, and exercises will improve capacity to respond effectively to emergencies.

After-action reviews are essential for identifying issues that need correction or capturing improvised approaches that may be applicable for future incidents. For issues to be addressed there needs to be a process for identification and documentation. The Emergency Management Coordinator will organize after action reviews and provide documentation, dissemination and archiving of findings.

As needed, Primary Emergency Support Function agencies will conduct after action reviews with their supporting partners to identify ESF-specific issues or concerns. The results of the Emergency Support Function focused review will be provided to the Emergency Management Coordinator for documenting, tracking, and incorporating corrective action processes.

Through a collaborative and objective process with incident management partners, a corrective action plan will be developed that documents areas for improvement and recommended actions

to address the problem. Actions will be implemented to address deficiencies identified through the evaluation process.

Appendix A: Authorities, Guidance, and References

Table 1 outlines significant authorities, guidance and references that influenced the development of the EOP.

Table 1. Authorities, Guidance and References	
Type	Authority/Guidance/Reference
Local	TJPDC Regional Hazard Mitigation Plan, 2023
	<p>City Code</p> <p>(1) 2-146. To be chief executive and administrative officer of the city: general powers and duties. Additionally, COV 15.2</p> <p>(2) 2-147. Delegation of powers and duties.</p>
State	Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended 2022 Edition.
	The Code of Virginia, Title 1 Chapter 23, and Chapter 44
	The Commonwealth of Virginia Emergency Operations Plan, 2021, Updated October, 2021
	Executive Order 42
Federal	Robert T. Stafford Relief and Emergency Assistance Act of 1988, as amended, 42 U.S.C., Public Law 93-288 as amended by Public Law 100-707
	Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135
	National Planning Frameworks
	Homeland Security Presidential Directive 5— Management of Domestic Incidents
	Homeland Security Presidential Directive 8—National Preparedness
	Emergency Management and Assistance 44 CFR Chapter 1 (January 9 th , 2023)
	Emergency Planning and Community Right-to-Know Act of 1986 (Public Law 99-499, October 17, 1986), Title III of the Superfund Amendments and Reauthorizations Act (SARA) as Amended December 20 th , 2019
	FEMA Comprehensive Preparedness Guide (CPG) 101, version 3.0, September, 2021
	Local and Tribal NIMS Integration: Integrating the National Incident Management System into Local and Tribal Emergency Operations Plans and Standard Operating Procedures, V.1, Department of Homeland Security

Appendix B: Succession of the Director of Emergency Management

Continuity of emergency operations is critical to the successful execution of emergency operations. The following lines of succession anticipate the unavailability of the ranking member of the administrative hierarchy. The decision-making authority for each organization or service function is listed in order.

Organization/Function	Line of Succession
Director of Emergency Management	City Manager 1. Emergency Management Coordinator 2. Deputy City Manager/OPS 3. Deputy City Manager/REDI
Emergency Management Coordinator	Emergency Management Coordinator 1. Deputy City Manager/OPS 2. Deputy City Manager/REDI

Appendix C: Glossary of Terms

Amateur Radio Emergency Service

A public service organization of licensed amateur radio operators who have voluntarily registered their qualifications and equipment to provide emergency communications for public service events as needed.

American Red Cross

An organization charged by statute and agreements with the responsibility of helping meet the human needs of disaster victims.

Comprehensive Resource Management

Maximizes the use of available resources, consolidates like resources, and reduces the communications load on the Incident Command Operation.

Primary Agency

The primary agency is responsible for leading the planning, training, testing, and evaluating efforts for that specific emergency support function.

Coordination

The process of systematically analyzing a situation, developing relevant information, and informing appropriate personnel of viable alternatives for selection of the most effective combination of available resources to meet specific objectives.

Supporting Agency

The supporting agency for an emergency support function augments emergency response operations with specialized expertise and resources.

Declaration of Emergency

Whenever, the safety and welfare of the people of the state require the exercise of extreme emergency measures due to a threatened or actual disaster, the Governor may declare a state of emergency to exist. (Also see “Local Declaration of Emergency.”)

Decontamination

The process of making people, objects, or areas safe by absorbing, destroying, neutralizing, making harmless, or removing the Hazardous Materials (HAZMAT).

Emergency/Disaster/Incident

An event that demands a crisis response beyond the scope of any single line agency or service and that presents a threat to a community or larger area. An emergency is usually an event that can be controlled within the scope of local capabilities; a major emergency or disaster usually requires resources beyond what is available locally.

Emergency Alert System

A network of broadcast stations interconnecting facilities authorized by the Federal Communications Commission to operate in a controlled manner to warn and inform the public of needed protective actions in the event of a disaster or emergency.

Emergency Operations Center

A facility from which government directs and controls its emergency operations; where information about the status of the emergency is officially collected, assimilated, and reported on; where coordination among response agencies takes place; and from which outside assistance is officially requested.

Emergency Operations Plan

A document which provides for a preplanned and coordinated response in the event of an emergency or disaster situation.

Emergency Management

The preparation for and the carrying out of functions (other than functions for which military forces are primarily responsible) to prevent, minimize, and repair injury and damage resulting from natural or man-made disasters. These functions include firefighting, law enforcement, medical and health, rescue, warning, engineering, communications, evacuation, resource management, plant protection, restoration of public utility services, and other functions related to preserving the public health, safety, and welfare.

Emergency Support Function

A function which takes agencies to provide or to coordinate certain resources in response to emergencies or disasters.

Exercise

An activity designed to promote emergency preparedness; test or evaluate emergency operations plans, procedures, or facilities; train personnel in emergency response duties, and demonstrate operational capability. There are three specific types of exercises: tabletop, functional, and full scale.

Evacuation

Assisting people to move from the path or threat of a disaster to an area of relative safety.

Federal Disaster Assistance

Aid to disaster victims and/or state and local governments by federal agencies under provisions of the Robert T. Stafford Relief and Emergency Assistance Act of 1988 (PL 93-288).

National Response Framework

Establishes a process and structure for the systematic, coordinated, and effective delivery of federal assistance to address the consequences of any major disaster or emergency.

Geographic Information System

A computer system capable of assembling, storing, manipulating, and displaying geographically referenced information, i.e., data identified according to their locations.

Hazardous Materials

Substances or materials which may pose unreasonable risks to health, safety, property, or the environment when used, transported, stored, or disposed of, which may include materials that are solid, liquid, or gas. Hazardous materials may include toxic substances, flammable and ignitable materials, explosives, corrosive materials, and radioactive materials.

Incident Command System

A model for disaster response that uses common terminology, modular organization, integrated communications, unified command structure, action planning, manageable span of control, pre-designed facilities, and comprehensive resource management. In ICS there are five functional elements: Command, Operations, Logistics, Planning and Finance/Administration.

Initial Damage Assessment Report

A report that provides information regarding overall damage to public and private property, thereby providing a basis for emergency declaration and/or disaster assistance.

Integrated Communications Plan

This plan coordinates the use of available communications means and establishes frequency assignments for certain functions.

JAUNT

JAUNT, Inc. is a regional transportation system providing service to the citizens of Charlottesville, Albemarle, Fluvanna, Louisa, Nelson, Buckingham, and Amherst Counties.

Local Declaration of Emergency

The condition declared by the local governing body when, in its judgment, the threat or actual occurrence of a disaster or threatens to be of sufficient severity and magnitude to warrant coordinated local government action to prevent, or alleviate loss of life, property damage, or hardship. The Governor, upon petition by a local governing body, may declare a local emergency arising wholly or substantially out of a resource shortage when he or she deems the situation to be of sufficient magnitude to warrant coordinated state and local government action to prevent or alleviate the hardship or suffering threatened or caused thereby.

Local Emergency Planning Committee

Appointed representatives of local government, private industry, business, environmental groups, and emergency response organizations responsible for ensuring that the hazardous materials planning requirements of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) are complied with.

Mitigation

Activities that eliminate or reduce the chance occurrence or the effects of a disaster. Examples of mitigation measures include, but are not limited to, the development of zoning laws and land use ordinances, state building code provisions, regulations and licensing for handling and storage of hazardous materials, and the inspection and enforcement of such ordinances, codes, and regulations.

Mutual Aid Agreement

A written agreement between agencies and/or jurisdictions in which they agree to assist one another, upon request, by furnishing personnel and equipment in an emergency.

National Weather Service

The federal agency which provides localized weather information to the population, and during a weather-related emergency, to state and local emergency management officials.

Preparedness

The development of plans to ensure the most effective, efficient response to a disaster or emergency. Preparedness activities are designed to help save lives and minimize damage by preparing people to respond appropriately when an emergency is imminent. Preparedness also includes establishing training, exercises, and resources necessary to achieve readiness for all hazards, including weapons of mass destruction incidents.

Presidential Declaration

A presidential declaration frees up various sources of assistance from the federal government based on the nature of the request from the governor.

Situation Report

A form which, when completed at the end of each day of local Emergency Operations Center operations, will provide the Director(s) of Emergency Management with an official daily summary of the status of an emergency and of the local emergency response. A copy should be submitted to the State EOC via fax or submitted through the Virginia Department of Emergency Management website.

Span of Control

As defined in the Incident Command System, span of control is the number of subordinates one supervisor can manage effectively. Guidelines for the desirable span of control recommend three to seven persons. The optimal number of subordinates is five for one supervisor.

State of Emergency

The condition declared by the Governor when, in his judgment, a threatened or actual disaster in any part of the state is of sufficient severity and magnitude to warrant disaster assistance by the State to supplement local efforts to prevent or alleviate loss of life and property damage.

Unified Command

Shared responsibility for overall incident management because of a multi-jurisdictional or multi-agency incident. In the event of conflicting priorities or goals, or where resources are scarce, there must be a clear line of authority for decision-making. Agencies contribute to unified command by determining overall goals and objectives, jointly planning for tactical activities, conducting integrated tactical operations, and maximizing the use of all assigned resources.

Voluntary Agency

Any chartered or otherwise duly recognized tax-exempt local, state, or national organization or group that has provided or may provide needed services to the states, local governments, or individuals in coping with an emergency or a major disaster.

Appendix D: Acronyms

ARES	Amateur Radio Emergency Service
CERT	Community Emergency Response Team
DHS	Department of Homeland Security
EAS	Emergency Alert System
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
ESF	Emergency Support Function
FEMA	Federal Emergency Management Agency
GIS	Geographic Information System
HAZMAT	Hazardous Materials
ICS	Incident Command System
JIC	Joint Information Center
LEPC	Local Emergency Planning Committee
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NGO	Nongovernmental Organization
NIMS	National Incident Management System
NRF	National Response Framework
NWS	National Weather Service
OEM	Office of Emergency Management
PDA	Preliminary Damage Assessment
PIO	Public Information Officer
RACES	Radio Amateur Civil Emergency Services
SAR	Search and Rescue
SITREP	Situation Report

SOP	Standard Operating Procedures
UVA	University of Virginia
VDEM	Virginia Department of Emergency Management
VOAD	Voluntary Organizations Active in Disaster

Appendix E: Victims of Crimes in an Emergency

The 2009 Session of the General Assembly introduced legislation amending Code of Virginia, § 44-146.18, which was signed into law with an effective date of July 1, 2009, which states:

“The plan shall include, but not be limited to, responsibilities of all local agencies and shall establish a chain of command, and a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan shall also contain current contact information for both agencies.”

In the event of an emergency when there are crime victims involved as defined by §19.2-11.01 of the Code of Virginia, The City of Charlottesville will contact the Virginia Department of Virginia Criminal Justice Services (DCJS) and the Virginia Criminal Injuries Contact Fund (VCICF) to deploy. Both entities will serve as the lead for coordinating services and assistance to the victims.

Contact information:

Criminal Injury Compensation Fund

Jack Ritchie, Director, CICF
Criminal Injuries Compensation Fund (CICF) Department
Virginia Workers' Compensation Commission
1000 DMV Drive
Richmond, VA 23220
CICF Toll Free: 1-800-552-4007
Phone: (804) 367-1018
Email: Jack.Ritchie@cicf.virginia.gov
804-307-5431 (after hours)

Leigh Snellings
CICF Asst. Director
800-552-4007 (normal business hours)
804-212-4232 (after hours)

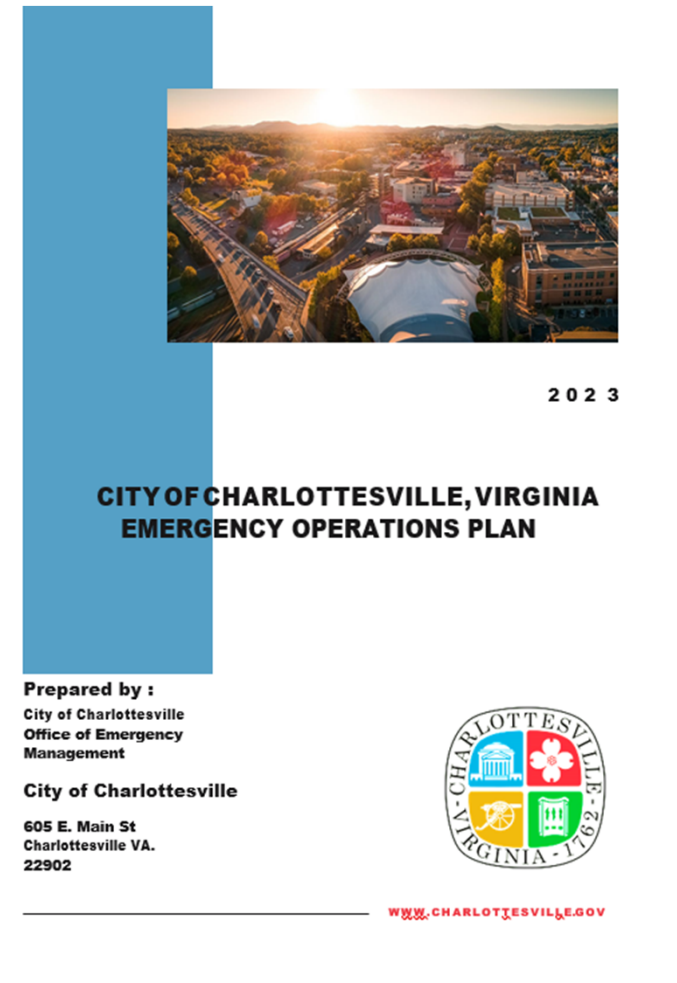
Virginia Department of Criminal Justices Services

Melissa Roberson
Training and Critical Incident Response Coordinator
1100 Bank Street
Richmond, VA 23219
Phone: (804) 840-4276
Fax: (804) 786-3414
Link: <http://www.dcjs.virginia.gov/research/reportemergency/>

City of Charlottesville Virginia 2023 Emergency Operations Plan

Prepared By:

City of Charlottesville
Emergency Management



2023 Emergency Operations Plan

The City of Charlottesville Emergency Operations Plan (EOP) is a multidisciplinary all-hazards plan that establishes a comprehensive framework for the management of major emergencies and disasters within the City. This plan is implemented when it becomes necessary to mobilize community resources to save lives and protect property and infrastructure.

2023 Emergency Operations Plan

The EOP outlines the roles and responsibilities assigned to City departments and other agencies for response to disasters and emergencies. The EOP is not intended as a stand-alone document but serves as the overarching strategy that aligns more detailed department and agency plans and operating procedures to meet response and recovery needs.

2023 Emergency Operations Plan

Plan Format

The EOP consists of the following:

- **Basic Plan**—provides an overview of the management structure, key responsibilities, and emergency assignments during and immediately after an emergency. (Public Facing)
- **Appendices**—define the authorities, terms and acronyms used throughout the EOP. *
- **Emergency Support Functions Annexes**—outline the scope of responsibilities associated with specific emergency operations functions and describes expected mission execution activities for each emergency phase.
- **Support Annexes**—describe actions to coordinate and execute common emergency management strategies (e.g., information sharing, damage assessment).
- **Hazard, Threat, and Incident Specific Annexes**—describe unique considerations for response and recovery from likely hazards. *

(*For Official Use Only)

2023 Emergency Operations Plan

The EOP is a living document. Changes will include additions of new or supplementary material or deletions of outdated information. No proposed change should contradict, or override authorities or other plans contained in statute or regulation. All requests for changes will be submitted to the Director of Emergency Management (City Manager) and the Emergency Management Coordinator for coordination, approval, and distribution.

Every four years, the Emergency Management Coordinator will provide a full copy of the EOP to all City departments and agencies listed in the plan as a Primary or Supporting agency, the Virginia Department of Emergency Management, and other partner organizations, as necessary. Modifications to the EOP outside of the four-year revision required by state code will be communicated through a Notice of Change and revised pages will be provided for replacement within the EOP.

2023 Emergency Operations Plan

Authorities, Guidance, and Reference.

Local	TJPDC Regional Hazard Mitigation Plan, 2023
	City Code
	(1) 2-146. To be chief executive and administrative officer of the city: general powers and duties. Additionally, COV 15.2
	(2) 2-147. Delegation of powers and duties.

2023 Emergency Operations Plan

State	Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended 2022 Edition.
	The Code of Virginia, Title 1 Chapter 23, and Chapter 44
	The Commonwealth of Virginia Emergency Operations Plan, 2021, Updated October, 2021
	Executive Order 42

2023 Emergency Operations Plan

Federal	Robert T. Stafford Relief and Emergency Assistance Act of 1988, as amended, 42 U.S.C., Public Law 93-288 as amended by Public Law 100-707
	Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135
	National Planning Frameworks
	Homeland Security Presidential Directive 5— Management of Domestic Incidents
	Homeland Security Presidential Directive 8—National Preparedness
	Emergency Management and Assistance 44 CFR Chapter 1 (January 9 th , 2023)
	Emergency Planning and Community Right-to-Know Act of 1986 (Public Law 99-499, October 17, 1986), Title III of the Superfund Amendments and Reauthorizations Act (SARA) as Amended December 20 th , 2019
	FEMA Comprehensive Preparedness Guide (CPG) 101, version 3.0, September, 2021
	Local and Tribal NIMS Integration: Integrating the National Incident Management System into Local and Tribal Emergency Operations Plans and Standard Operating Procedures, V.1, Department of Homeland Security

2023 Emergency Operations Plan

Questions?