



CITY COUNCIL AGENDA
July 21, 2014

4:30 p.m. – 7:00 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code
Second Floor Conference Room (Interviews and Appointments to Boards and Commissions)

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

Council Chambers

AWARDS/RECOGNITIONS
ANNOUNCEMENTS

MATTERS BY THE PUBLIC

Public comment will be permitted for the first 12 speakers who sign up in advance of the meeting (limit of 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

1. CONSENT AGENDA*

(Items removed from the consent agenda will be considered at the end of the regular agenda.)

a. Minutes for July 7

b. APPROPRIATION:

Appropriating Proceeds of Sale of Portion of 1279 Kenwood to the Parkland Acquisition Account – \$101,850 (2nd of 2 readings)

c. APPROPRIATION:

State Assistance for Spay and Neuter Program at S.P.C.A. – \$994.63 (2nd of 2 readings)

d. APPROPRIATION:

Chesapeake Bay Trust Green Streets, Green Jobs, Green Towns Grant – \$182,035 (2nd of 2 readings)

e. APPROPRIATION:

Bama Works Grant – \$5,000 (2nd of 2 readings)

f. APPROPRIATION:

Reimbursed Expenses for Fontaine Fire Station – \$52,500 (2nd of 2 readings)

g. APPROPRIATION:

Appropriation of Insurance Recovery Reimbursement – Environmental Division's Nissan Leaf – \$2,095.75 (1st of 2 readings)

h. APPROPRIATION:

Department of Behavioral Health and Developmental Services, Thomas Jefferson Area Crisis Intervention Team Mentorship Program – \$90,000 (1st of 2 readings)

i. APPROPRIATION:

Virginia Commission of the Arts Challenge Grant – \$5,000 (1st of 2 readings)

j. RESOLUTION:

Initiate Study of Zoning Ordinance Provisions for Short Term Rentals (1st of 1

k. ORDINANCE:

reading) Lumos Networks Telecommunications Franchise Renewal (2nd of 2 readings)

2. RESOLUTION*

Belmont Bridge (1st of 1 reading)

3. REPORT

CATEC Strategic Planning Update

4. RESOLUTION*

City of Promise Facility Program Needs – \$50,000 (1st of 1 reading)

5. REPORT

Human Rights Commission Update

OTHER BUSINESS

MATTERS BY THE PUBLIC

*ACTION NEEDED

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



Agenda Date:	July 7, 2014
Action Required:	Appropriation
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Leslie Beauregard, Director, Budget and Performance Management
Title:	Appropriating Proceeds of Sale of Portion of 1279 Kenwood to the Parkland Acquisition Account - \$101,850

Background: The City of Charlottesville, through Parks and Recreation, purchased a property at 1279 Kenwood. A large portion of the parcel was divided out and added to Greenbrier Park. The remaining portion was sold to a private owner for the purposes of building a home. The proceeds of the sale of the lot are to be returned to the Parkland Acquisition account in the Capital Improvement Program Fund to use for acquisitions of other properties for future parkland.

Discussion: Because Parkland Acquisition funds were used for this transaction, the proceeds are to be returned to the same fund.

Community Engagement: Purchase of the property for parkland and trail access was discussed during meetings related to Greenbrier Park and the Meadow Creek restoration project.

Alignment with City Council's Vision and Priority Areas: This appropriation supports Council vision to be both a green and connected community.

Budgetary Impact: This appropriation will return \$101,850 to the Parkland Acquisition account in the Capital Improvement Program Fund

Recommendation: Staff recommends appropriation of funds.

Alternatives: If the funds are not appropriated, the Parks Department will not have the appropriate amount of funding to continue purchasing parkland in other areas of the City.

Attachments: N/A

APPROPRIATION.

**Proceeds of Sale of Portion of 1279 Kenwood to the Parkland Acquisition Account
\$101,850.**

WHEREAS, the City of Charlottesville, through Parks and Recreation, purchased the entire parcel at 1279 Kenwood, and retained a large portion for parkland and trail access; and

WHEREAS, the City has sold the remaining portion of the lot for a net return of \$101,850; and

WHEREAS, the City wishes to continue acquiring parkland in other areas of the city using the Parkland Acquisition account.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$101,850 is hereby appropriated in the following manner:

Revenue

\$101,850 Fund: 426 WBS: P-00534 G/L Account: 451240

Expenditures

\$101,850 Fund: 426 WBS: P-00534 G/L Account: 599999

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



Agenda Date:	July 7, 2014
Action Required:	Approval and appropriation
Staff Contacts:	Leslie Beauregard, Director, Budget and Performance Management
Presenter:	Leslie Beauregard, Director, Budget and Performance Management
Title:	State Assistance for Spay and Neuter Program at S.P.C.A. – \$994.63

Background/Discussion: The City has received State assistance in the amount of \$994.63 from the Department of Motor Vehicles for sales of license plates bought to support spay and neutering of pets. These funds are appropriated to the local agency that performs the local spay and neutering program, which in this case is the Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals (S.P.C.A.).

Budgetary Impact: These funds will be appropriated into the General Fund and distributed to the S.P.C.A.

Community Engagement: N/A

Alignment with City Council’s Vision:

By keeping animals healthy and their populations under control, this contributes to Council’s vision to be America’s Healthiest City.

Recommendation: Staff recommends approval and appropriation.

Alternatives: Return funds to the State.

Attachments: N/A

Appropriation.

**State Assistance for Spay and Neuter Program at S.P.C.A.
\$994.63.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$994.63 is hereby appropriated to the Charlottesville/Albemarle S.P.C.A. in the following manner:

Revenues - \$994.63

Fund: 105 Cost Center: 9713006000 G/L Account: 430080

Expenditures - \$994.63

Fund: 105 Cost Center: 9713006000 G/L Account: 540100

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 7, 2014
Action Required:	Approval of Appropriation
Presenter:	Dan Frisbee, Water Resources Specialist
Staff Contacts:	Kristel Riddervold, Environmental Sustainability Manager Dan Sweet, Stormwater Utility Administrator
Title:	Chesapeake Bay Trust Green Streets – Green Jobs – Green Towns Grant - \$182,035

Background:

The goal of the Chesapeake Bay Green Streets – Green Jobs – Green Towns (G3) grant program is to help communities implement plans that reduce stormwater runoff, increase tree canopy, improve local and Bay water quality, and enhance the quality of life in communities of the Maryland, Delaware, Pennsylvania, Washington D.C., West Virginia, and Virginia portions of the Chesapeake Bay. The program is a partnership of the Chesapeake Bay Trust, the Maryland Department of Natural Resources, and the United States Environmental Protection Agency.

On May 22, 2014, the City received a grant award letter indicating approval of a grant in the amount of \$182,035 for costs associated with implementation of a bio-retention area and permeable pavers at Charlottesville High School.

Discussion:

The suite of stormwater management improvements at Charlottesville High School (CHS) will include removal of a portion of existing conventional asphalt parking lot and replacement with native trees and grasses; conversion of a portion of existing conventional asphalt parking lot to a permeable pavement parking lot; and installation of a bio-retention facility. The construction is anticipated to occur during Summer 2015.

The improvements will help to further the environmental sustainability efforts of the City and the City Council's Green City vision and it will help the City meet local and regional water quality improvement requirements. The improvements will provide Charlottesville City Schools with the opportunity to pursue a credit and associated stormwater utility fee reduction for the property.

Community Engagement:

The green infrastructure proposal was coordinated with the Charlottesville City Schools, the City’s Parks and Recreation Department, and the Public Works Department. Green stormwater infrastructure, discussed through the Stormwater Utility proposal process, is a high priority strategy of the Water Resources Protection Program to address local and regional water quality improvement requirements.

The water quality improvements will be publicly accessible features, and have the potential to serve as public environmental education amenities. They will also demonstrate the types of projects that the Water Resources Protection Program and stormwater utility will be pursuing and encouraging.

Alignment with Council Vision Areas and Strategic Initiatives:

The project supports City Council’s “Green City” vision and contributes to Goal 2, *Be a safe, equitable, thriving, and beautiful community*, and objective 2.5, *to provide natural and historic resources stewardship*, of the City’s recently adopted Strategic Plan. This also aligns with discussions and commitments of the PLACE Task Force and City Council, specifically with respect to Context Sensitive Street Design.

Budgetary Impact:

The financial match to the proposed grant award comes from funded programs established for stormwater demonstration projects as well as from Charlottesville City Schools.

Recommendation:

Staff recommends approval of the appropriation.

Alternatives:

Council may decline the grant.

Attachments:

N/A

APPROPRIATION
Chesapeake Bay Trust Green Streets – Green Jobs – Green Towns Grant
\$182,035

WHEREAS, the City of Charlottesville has received a \$182,035 grant from the Chesapeake Bay Trust and its funding partners (Maryland Department of Natural Resources and the United States Environmental Protection Agency) to support the implementation of a bio-retention area and permeable pavers at Charlottesville High School, and

WHEREAS, matching funds are available in funded programs.

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

Revenues

\$182,035	Fund: 211	IO: 1900224	G/L: 431110 Federal Grants
\$ 30,000	Fund: 211	IO: 1900224	G/L: 498010 Transfer from Other Funds
\$ 53,790	Fund: 211	IO: 1900224	G/L: 498010 Transfer from Other Funds

Expenditures

\$265,825	Fund: 211	IO: 1900224	G/L: 541011 Capital Purchase - Direct
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Transfer from

\$30,000	Fund: 426	WBS: P-00727-06	G/L: 561211 Transfer to Fed Grant Funds
\$53,790	Fund: 631	IO: 2000095	G/L: 561211 Transfer to Fed Grant Funds

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



Agenda Date:	July 7, 2014
Action Required:	Approve appropriation
Presenter:	Diane Kuknyo, Director Charlottesville Department of Social Services
Staff Contacts:	Diane Kuknyo, Director Sue Moffett, Assistant Director Charlottesville Department of Social Services
Title:	Appropriation of The Bama Works Fund of Dave Matthews Band in the Charlottesville Area Community Foundation Grant to Support Family Engagement for Foster Care Children- \$5,000.

Background:

The City of Charlottesville, through the Department of Social Services, has received a \$5,000 grant from The Bama Works Fund, through the Charlottesville Area Community Foundation, to support family engagement for foster care children. This project is based on the Family Finding model developed by Kevin A. Campbell of the National Institute for Permanent Family Connectedness.

The Family Finding model offers methods and strategies to locate and engage relatives of children currently living in out-of-home care. The goal of Family Finding is to connect each child in foster care with biological family members, so that every child may benefit from the lifelong connections that only a family provides. We believe this project will demonstrate a cost effective approach to serving our most difficult foster care cases and will result in strong, permanent family connections for these youth in the custody of Social Services.

Discussion:

This service model uses evidenced based methods to enhance family engagement services provided by Department of Social Services for a foster care youth that has been in care for two years or more and has very little connection to any of his or her relatives. We consider these youth to be the “loneliest” children in foster care. They often have mild to severe behavior problems, limited academic success and multiple foster care placements. These youth have often been in foster placements away from their home community and may currently be living in a group home or residential facility. They usually have a strong desire to know and reconnect with their biological family or other adults who have played a significant role in their lives. In these cases neither the children nor their family are able to achieve connections with each other without the assistance of the custodial agency.

Communities across the Commonwealth are working to embrace the quickly changing practices in child welfare. Program guidance has been issued in Virginia requiring local Departments of

Social Services to reduce out of family foster care placements, engage families in permanency planning for all children in foster care, and improve outcomes for children aging out of foster care. However, traditional funding sources for service provision remain disconnected from the innovative practice model. We anticipate this \$5,000 award would allow us to serve 2 cases in this project. These 2 cases will allow us to demonstrate the cost-effectiveness of this service delivery model and position us to advocate for a change in the mainstream funding structure for child welfare.

Alignment with Council Vision Areas and Strategic Plan:

This project aligns with the Vision 2025 areas **A Connected Community**, and a **Community of Mutual Respect**. It contributes to **Goal 2:** Be a safe, equitable, thriving and beautiful community; and objective 2.4 Ensure families and individuals are safe and stable. It also contributes to **Goal 5:** Foster Strong Connections; and objectives 5.1 Respect and nourish diversity; 5.2 Build Collaborative Partnerships; and 5.3 Promote Community Engagement.

Using innovative practices to improve program outcomes and evaluate cost efficiencies also aligns with Vision 2025 area **Smart, Citizen-focused Government**. It contributes to **Goal 4:** Be a well-managed and successful organization; and objective 4.4 Continue strategic management efforts.

Community Engagement:

This casework model is a natural enhancement of the Family Engagement practice model. Engaging family and other significant adults in the community with the planning for safety and permanency for child welfare involved children is proving to reduce out of family foster care placements and improve outcomes for children.

Budgetary Impact:

This grant will be appropriated into the Social Services Fund.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

We will be unable to implement this project if the grant funds are not appropriated.

Attachments:

None.

APPROPRIATION.
**Appropriation of The Bama Works Fund of Dave Matthews Band in the Charlottesville
Area Community Foundation Grant to Support Family Engagement for Foster Care
Children.**
\$5,000.

WHEREAS, the Charlottesville Department of Social Services has received \$5,000 to support family engagement for foster care children from the Bama Works Fund of the Dave Matthews Band

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

Revenue – \$5,000

Fund: 212 Cost Center: 3343011000 G/L Account: 451022

Expenditures - \$5,000

Fund: 212 Cost Center: 3343011000 G/L Account: 540060

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$5,000 from the Bama Works Fund of the Dave Matthews Band.

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



Agenda Date:	July 7, 2014
Action Required:	Appropriation of Funds
Presenter:	Mike Mollica, Division Manager and Capital Projects Coordinator, Facilities Development
Staff Contacts:	Lisa Robertson, Chief Deputy City Attorney, Office of the City Attorney Leslie Beauregard, Director – Budget and Performance Management Mike Mollica, Division Manager and Capital Projects Coordinator, Facilities Development
Title:	Appropriation of Reimbursed Expenses for Fontaine Avenue Fire Station Project - \$52,500

Background: Recently the City received funds in the amount of \$52,500, as reimbursement for expenses previously incurred/ paid during the initial site work for the Fontaine Fire Station Project.

Discussion: A clerical error in the construction plans (i.e., an incorrect benchmark reference) resulted in a need for a storm sewer line to be re-installed at an adjusted elevation. The City has received reimbursement of certain expenses associated with that work, and we request that this reimbursement be appropriated to the Project account.

Community Engagement: N/A

Alignment with Council Vision Areas and Strategic Plan: This request supports City Council’s “Smart, Citizen-Focused Government” vision. It contributes to Goal 4 of the Strategic Plan, Be a well-managed and successful organization, and objective 4.1, to align resources with the City’s strategic plan.

Budgetary Impact: The funds will be appropriated into the project account in the Capital Improvement Program Fund.

Recommendation: Approve appropriation as requested.

Alternatives: N/A

Attachments: N/A

APPROPRIATION.

**Appropriation of Reimbursed Expenses for Fontaine Avenue Fire Station Project.
\$52,500.**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$52,500 is hereby appropriated in the following manner:

Revenues - \$52,500

Fund: 426 WBS: P-00433 G/L Account: 451999

Expenses - \$52,500

Fund: 426 WBS: P-00433 G/L Account: 599999



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

Agenda Date:	July 21, 2014
Action Required:	Appropriation of Funds
Presenter:	Kristel Riddervold, Environmental Sustainability Manager
Staff Contacts:	Leslie Beauregard, Director, Budget and Performance Management Kristel Riddervold, Environmental Sustainability Manager
Title:	Appropriation of Insurance Recovery Reimbursement - Environmental Division's Nissan Leaf - \$2,095.75

Background: The City recently received payment from Progressive Insurance in the amount of \$2,095.75, as reimbursement for expenses previously paid for vehicle repairs related to an auto claim filed on 4/10/14.

Discussion: The auto accident occurred on 4/9/14 at the intersection of Barracks Road and West Park Road. The driver of the other vehicle was cited for illegal lane change. As a result, the City received reimbursement to cover expenses associated with the repair work.

Community Engagement: N/A

Alignment with Council Vision Areas and Strategic Plan: This request supports City Council's "Smart, Citizen-Focused Government" vision. It contributes to Goal 4 of the Strategic Plan, *Be a well-managed and successful organization* and objective 4.1, *to align resources with the City's strategic plan*.

Budgetary Impact: The funds will be appropriated into the Environmental Division's FY '15 operating budget to off-set the associated expenses related to repair of the vehicle.

Recommendation: Approve appropriation as requested.

Alternatives: N/A

Attachments: N/A

APPROPRIATION

**Appropriation of Insurance Recovery Reimbursement - Environmental Division's Nissan Leaf
\$2,095.75**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$2,095.75 is hereby appropriated in the following manner:

Revenues - \$2,095.75

Fund: 631

Cost Center: 2711001000

G/L Account: 451110

Expenses - \$2,095.75

Fund: 631

Cost Center: 2711001000

G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.



Agenda Date:	July 21, 2014
Action Required:	Appropriation of Department of Behavioral Health and Developmental Services and Department of Criminal Justice Services funding
Presenter:	Lieutenant C. Sandridge, Police Department
Staff Contacts:	Lieutenant C. Sandridge, Police Department Thomas Von Hemert, Jefferson Area C.I.T. Coordinator
Title:	Department of Behavioral Health and Developmental Services, Department of Criminal Justice Services, and Thomas Jefferson Area Crisis Intervention Team Mentorship Program - \$90,000

Background:

The Department of Behavioral Health and Development Services (D.B.H.D.S.) and the Department of Criminal Justice Services (D.C.J.S.) have entered into separate Memorandum of Understanding (M.O.U.) with the Thomas Jefferson Area Crisis Intervention Team/Charlottesville Police Department. These M.O.U.'s agree that D.B.H.D.S. will provide \$50,000, and D.C.J.S. will provide an additional \$40,000 of funding in order to assist our local C.I.T. program and its director, Thomas von Hemert, in mentoring C.I.T. programs across Virginia. This will provide for the creation, training, and expansion of much needed C.I.T. programs across the Commonwealth.

Discussion:

This funding will provide ongoing mentoring, training, technical assistance, and consultation, to developing C.I.T. programs. These programs will be identified in conjunction with the Department of Behavioral Health and Developmental Services and the Department of Criminal Justice Services, by the Jefferson Area C.I.T. program.

Alignment with Council Vision Areas and Strategic Plan:

Appropriation of this item aligns with Council's visions by providing additional funding to aid the Thomas Jefferson Crisis Intervention Team Program and the Charlottesville Police Department in delivering optimal CIT services to our City as a Smart, Citizen-Focused Government. It supports our Mission of **providing services that promote exceptional quality of life for all in our community** by providing important quality services to those in need of mental health assistance and safety.

This appropriation also supports **Goal 2** of the Strategic Plan: **Be a safe, equitable, thriving and beautiful community.** The C.I.T. program provides education and training to members of the Community who have frequent interaction with those in need of mental health assistance. These people include but are not limited to, police officers, dispatchers, corrections officers, and fire department personnel. C.I.T. encourages safer and more effective interaction between care providers

and those in need, making those interactions and the community more equitable and safer for all. The Jefferson Area C.I.T. program also embraces **Goal 5: Foster Strong Connections** by involving all aspects of the mental health processes and making them more efficient and safer. C.I.T. facilitates and fosters relationships between Region 10, mental health providers, law enforcement, local hospitals, jails, and many others to ensure that those in need of mental health services can obtain them as safely and efficiently as possible. Outcomes for C.I.T. programs can be reported through the number of people who received services related to the program. Outcomes for this appropriation can be measured by the number of people trained, the number of programs started or who received mentoring assistance.

Community Engagement:

N/A

Budgetary Impact:

The funds will be expensed and reimbursed to separate internal orders in a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

The alternative is to not approve this project to the detriment of increasing much needed mental health programs.

Attachments:

N/A

APPROPRIATION.

**Department of Behavioral Health and Developmental Services, Thomas Jefferson Area
Crisis Intervention Team Mentorship Program.
\$90,000.**

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, has received from the Department of Behavioral Health and Developmental Services, funding to support a M.O.U. for mentorship of Crisis Intervention Team programs from July 1, 2014 through June 30, 2016; and

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, has received from the Department of Criminal Justice Services, funding to support a M.O.U. for mentorship of Crisis Intervention Team programs from January 1, 2014 through December 31, 2015;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$50,000, received from the Department of Behavioral Health and Developmental Services is hereby appropriated in the following manner:

Revenue

\$ 50,000	Fund: 209	IO: 1900225	G/L: 430080 State Assistance
\$ 40,000	Fund: 209	IO: 1900226	G/L: 430080 State Assistance

Expenditure

\$ 50,000	Fund: 209	IO: 1900225	G/L: 599999 Lump Sum
\$ 40,000	Fund: 209	IO: 1900226	G/L: 599999 Lump Sum

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$50,000 from the Department of Behavioral Health and Developmental Services and \$40,000 from the Department of Criminal Justice Services.

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



Agenda Date:	July 21, 2014
Action Required:	Approval and appropriation
Staff Contacts:	Jim Tolbert, Neighborhood Development Services Leslie Beauregard, Director, Budget and Performance Management
Presenter:	Jim Tolbert, Neighborhood Development Services
Title:	Virginia Commission of the Arts Challenge Grant - \$5,000

Background/Discussion: The City has received a grant from the Virginia Commission of the Arts in the amount of \$5,000 to match City funding appropriated to arts organizations. These funds will be provided to the Piedmont Council for the Arts. In past years they were divided evenly between the Arts Council and the Virginia Discovery Museum but this year the Discovery Museum did not apply.

Alignment with City Council Vision and Strategic Plan: Approval of this item aligns directly with the City Council Vision for “Charlottesville Arts and Culture” by providing direct support arts organizations.

Community Engagement: N/A

Budgetary Impact: Matching funds have already been approved and appropriated by City Council as part of the F.Y. 2015 Budget.

Recommendation Staff recommends approval and appropriation.

Alternatives: The alternative is to not accept this grant funding.

Attachments: N/A

Appropriation.
Virginia Commission of the Arts Challenge Grant.
\$5,000.

WHEREAS, the Virginia Commission for the Arts has notified the City of Charlottesville of its grant award in the Local Government Challenge Grant category; and

WHEREAS, the grant award will be the Piedmont Council for the Arts for their activities during the F.Y. 2015 Fiscal Year;

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

Revenues

\$5,000 Fund: 209 Internal Order: 1900227 G/L Account: 430080

Expenditures

\$5,000 Fund: 209 Internal Order: 1900227 G/L Account: 540100

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



Agenda Date: July 21, 2014

Action Required: Approval of Resolution

Staff Contacts: Jim Tolbert, Neighborhood Development Services

Presenter: Jim Tolbert, Neighborhood Development Services

Title: **Initiation of Study of Zoning Ordinance Provisions for Short Term Rentals**

Background: Section 34-41 of the City of Charlottesville Code of Ordinances provides that a change to zoning may be initiated by resolution of the City Council.

Discussion: There has been growing concern in our community, as well as others across the country, about short-term rentals in single-family neighborhoods. The most well-known operator is Air B&B, but there are others operating in Charlottesville and other communities. While we do not know for sure, we believe there are around 100 properties operating as short-term rentals in Charlottesville. Some of these operate as “homestay” businesses which are legal if done consistent with the code.

Homestay – A bed and breakfast homestay shall be permitted only where the character of such use is such that it is clearly subordinate and incidental to the principal residential use of a dwelling. In addition to the resident of the dwelling, not more than one (1) other person may be engaged in the activities of a bed and breakfast homestay and two (2) other persons in all other bed and breakfast categories. There must be one off-street parking space available for each staff person in addition to bed and breakfast off-street parking requirements.

The others present challenges in a number of ways. Some clearly rent to many more than the allowable three or four unrelated persons per unit and this constant

transient occupancy does impact neighborhood character. On the positive side the opportunity to rent rooms or an apartment in many cases provides needed income, making housing more affordable. This is clearly not a simple issue.

The other significant side to this issue is taxation. If short-term rentals are going to be allowed in any way we need to be concurrently addressing the appropriate way to collect tax revenue. This is a fairness issue for the hotels/motels and the legitimate bed and breakfast establishments. Many have raised concerns with Kurt Burkhart and the Convention and Visitors Bureau and with Todd Divers. Todd thinks that it is clear that the short-term rentals must pay taxes but until we have a clear enforcement path he is reluctant to pursue them in case they are not legal. He does not want to make them seem legal.

If Council desires to step back and take a look at this issue we suggest that they initiate study of the zoning questions and ask the Commissioner of Revenue to study the tax issues. This will give staff a chance to work with the short-term rental operators, the CACVB, the hotel/motel owners and our neighborhoods to review our codes to determine if there are changes we might want to consider to make sure that our regulations are the best that we can have.

Alignment with City Council Vision and Strategic Plan: There is no direct alignment with the City Council Vision or Strategic Plan. However, this effort is not in conflict with any vision or plan item.

Citizen Engagement: There have not yet been any citizen engagement efforts. There will be meetings with neighborhoods, short-term rental operators, local hotel/motel representatives and the CACVB and Office of Economic Development.

Budgetary Impact: The study will not impact the budget.

Recommendation Staff recommends approval of the resolution to initiate the zoning study.

Alternatives: The alternative is to not institute study of the ordinance and to continue to operate under existing codes.

Attachments: Resolution

RESOLUTION
REQUESTING THE PLANNING COMMISSION TO STUDY ZONING
ORDINANCE PROVISIONS REGULATING TEMPORARY LODGING
FACILITIES OFFERED WITHIN THE CITY’S SINGLE-FAMILY
DWELLINGS

WHEREAS, like other communities throughout the nation, the City is experiencing a proliferation of temporary lodging facilities offered by property owners to tourists and other guests, for compensation, within buildings designed and constructed as single-family residences or other dwelling units; and

WHEREAS, non-traditional lodging facilities, advertised as being available through sources such as “Airbnb.com”, “Craig’s list”, individual websites, or other media, have become a popular source of overnight accommodations desired by tourists and other visitors to Charlottesville, and an attractive way for property owners to realize income from their property; and

WHEREAS, the use or operation of residential dwelling units as lodging for tourists or other temporary stays, within neighborhoods zoned for low-intensity residential uses, can potentially create impacts not anticipated by the City’s current zoning regulations; and

WHEREAS, City Council has been requested to study whether or not its current zoning regulations should be amended to expressly allow these uses, in various forms, within the City’s residential neighborhoods, and, if so, what, if any, suitable regulations should be established for such uses;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville that the Planning Commission is hereby requested to study this issue and report its findings to the City Council within **150 days** from the date of this Resolution. At the option of the Planning Commission, its report may take the form of:

- (a) a motion initiating specific zoning ordinance text amendments recommended by the Commission, and/or

- (b) a report listing specific findings and recommendations, for Council’s decision as to whether any specific text amendments should be initiated.

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



Agenda Date: July 7, 2014

Action Required: Adoption of Ordinance (Consent Agenda - 1st of 2 readings)

Staff Contacts: S. Craig Brown, City Attorney

**Title: Lumos Networks Inc.
Telecommunications Franchise Renewal**

Background: Lumos Networks Inc., successor to NTELOS Network, has requested a renewal of its current franchise to allow it to install new fiberoptic lines within City right-of-way and maintain its existing lines and equipment. Most of the new fiberoptic lines will be installed within the existing CenturyLink conduit, with a small segment installed within the Emmet Street right-of-way near Barracks Road, as shown on the attached drawing.

Discussion: The proposed franchise ordinance contains the same terms as the model telecommunications franchise ordinance developed by the City Attorney's Office and used in other franchises granted by the City. The purpose of the franchise will not change. In accordance with the franchise terms, Lumos is prepared to comply with the bonding and insurance requirements of the agreement.

Budgetary Impact: The proposed franchise has no anticipated budgetary impact. However, the franchise agreement reserves the right to impose a public right-of-way use fee as allowed by Virginia law through passage of an ordinance providing for such fee. Previously, Council has declined to adopt such a fee.

Recommendation: Approve the renewal of the franchise agreement.

Alternatives: Council may decline to adopt the ordinance and decline to renew the franchise agreement with Lumos Networks Inc.

Attachments: Letter requesting Franchise Renewal
Proposed Lumos Franchise Ordinance

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Our Technology Comes with People

One Lumos Plaza
Waynesboro, VA 22980

June 9, 2014

Ms. Barbara Ronan
City of Charlottesville
P. O. Box 911
605 East Main Street
Charlottesville, VA 22902

RE: Renewal of Franchise – Lumos Networks Inc.

Dear Barbara:

Please accept this letter as Lumos Networks Inc.'s formal request to renew the Charlottesville, Virginia Franchise that expired July 2013.

We reviewed and agree to the City's standard template for a 5-year franchise agreement that was sent to me on April 10, 2014. Also, attached are the maps depicting our existing and proposed fiber within Charlottesville.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Anne Sarbin".

Anne Sarbin
Regulatory Manager

Attachments



U.S. ROUTES 29 & 250

Within Century Line conduit

new underground
overhead line

Approved by City Council on _____

**LUMOS NETWORKS INC.
TELECOMMUNICATIONS FRANCHISE**

TABLE OF CONTENTS

ARTICLE I	1
SECTION 101 PURPOSE AND SCOPE	1
SECTION 102 AUTHORITY TO MANAGE THE RIGHT OF WAY	1
SECTION 103 DEFINITIONS.....	2
ARTICLE II	2
SECTION 201 INITIAL INSTALLATION	2
SECTION 202 SUBSEQUENT INSTALLATION	2
SECTION 203 INSPECTION BY THE CITY	3
SECTION 204 AUTHORITY OF THE CITY TO ORDER CESSATION OF EXCAVATION	3
SECTION 205 LOCATION OF POSTS, POLES, CABLES AND CONDUITS	3
ARTICLE III	4
SECTION 301 ADMINISTRATION OF THE PUBLIC RIGHTS OF WAY	4
SECTION 302 SUBMISSION OF PROW PLAN.....	4
SECTION 303 GOOD CAUSE EXCEPTION.....	5
SECTION 304 DECISION ON PROW PLAN BY THE DIRECTOR	5
SECTION 305 MAPPING DATA.....	5
ARTICLE IV	6
SECTION 401 COMPLIANCE WITH ALL LAW AND REGULATIONS	6
ARTICLE V	6
SECTION 501 RELOCATION OF COMPANY FACILITIES WITHIN THE PUBLIC RIGHTS-OF WAY	6
SECTION 502 RIGHTS-OF WAY PATCHING AND RESTORATION	6
ARTICLE VI	9
SECTION 601 INDEMNIFICATION AND LIABILITY.....	9
SECTION 602 WAIVER BY THE CITY.....	9
SECTION 603 INSURANCE.....	10
SECTION 604 NEGLIGENCE AND INTENTIONAL ACTS.....	11
ARTICLE VII	11
SECTION 701 GENERAL REQUIREMENT OF A PERFORMANCE BOND.....	11
SECTION 702 CHANGED AMOUNT OF THE PERFORMANCE BOND	11
SECTION 703 PURPOSE OF PERFORMANCE BOND.....	12
SECTION 704 FEES OR PENALTIES FOR VIOLATIONS OF THE ORDINANCE	12
ARTICLE VIII	13
SECTION 801 COMPENSATION/PROW USE FEE.....	13
SECTION 802 FRANCHISING COSTS	13
SECTION 803 NO CREDITS OR DEDUCTIONS	13
SECTION 804 REMITTANCE OF COMPENSATION/LATE PAYMENTS, INTEREST ON LATE PAYMENTS	14
ARTICLE IX	14
SECTION 901 RESERVATION OF ALL RIGHTS AND POWERS	14
SECTION 902 SEVERABILITY	14

ARTICLE X	15
SECTION 1001 MAINTENANCE OBLIGATION	15
SECTION 1002 TREE TRIMMING	15
ARTICLE XI	15
SECTION 1101 INITIAL TERM OF TELECOMMUNICATIONS FRANCHISE	15
SECTION 1102 APPLICATION FOR NEW TELECOMMUNICATIONS FRANCHISE.....	15
SECTION 1103 OPERATION OF FACILITIES OWNED BY THE COMPANY WHILE RENEWAL IS PENDING	15
ARTICLE XII	16
SECTION 1201 NOTICE.....	16
SECTION 1202 EMERGENCY NOTIFICATION	16
SECTION 1203 REGISTRATION OF DATA	177
ARTICLE XIII	17
SECTION 1301 TERMINATION OF TELECOMMUNICATIONS FRANCHISE	17
ARTICLE XIV	17
SECTION 1401 REMOVAL OF FACILITIES FROM THE PUBLIC RIGHTS-OF-WAY.....	17
SECTION 1402 ABANDONMENT OF FACILITIES OWNED BY THE COMPANY IN THE PUBLIC RIGHTS-OF-WAY.....	18
ARTICLE XV	18
SECTION 1501 PRIOR WRITTEN CONSENT FOR ASSIGNMENT.....	18
SECTION 1502 SUCCESSORS AND ASSIGNS	18
ARTICLE XVI	19
SECTION 1601 NONEXCLUSIVE FRANCHISE	19
ARTICLE XVII	19
SECTION 1701 ALL WAIVERS IN WRITING AND EXECUTED BY THE PARTIES.....	19
SECTION 1702 NO CONSTRUCTIVE WAIVER RECOGNIZED.....	19
ARTICLE XVIII	19
SECTION 1801 NO DISCRIMINATION	19
ARTICLE XIX	19
SECTION 1901 FORCE MAJEURE	19
ARTICLE XX	20
SECTION 2001 EFFECTIVE DATE.....	20

**AN ORDINANCE
GRANTING A TELECOMMUNICATIONS FRANCHISE TO
LUMOS NETWORKS INC., ITS SUCCESSORS AND ASSIGNS
TO USE THE STREETS AND OTHER PUBLIC PLACES
OF THE CITY OF CHARLOTTESVILLE, VIRGINIA
FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES,
FOR A PERIOD OF FIVE (5) YEARS**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that NTELOS, Inc. (the “Company”), its successors and assigns, is hereby granted a telecommunications franchise for a period of five (5) years from the effective date hereof be and is hereby authorized and empowered to erect, maintain and operate certain telephone lines and associated equipment, including posts, poles, cables, wires and all other necessary overhead or underground apparatus and associated equipment on, over, along, in, under and through the streets, alleys, highways and other public places of the City of Charlottesville, Virginia (the “City”) as its business may from time to time require; provided that:

ARTICLE I

SECTION 101 PURPOSE AND SCOPE

To provide for the health, safety and welfare of its citizens and to ensure the integrity of its roads and streets and the appropriate use of the Public Rights-of-Way, the City strives to keep the right-of-way under its jurisdiction in a state of good repair and free from unnecessary encumbrances.

Accordingly, the City hereby enacts this Ordinance relating to a telecommunications right-of-way franchise and administration. This Ordinance imposes regulation on the placement and maintenance of Facilities and equipment owned by the Company currently within the City’s Public Rights-of-Way or to be placed therein at some future time. The Ordinance is intended to complement, and not replace, the regulatory roles of both state and federal agencies. Under this Ordinance, when excavating and obstructing the Public Rights-of-Way, the Company will bear financial responsibility for their work to the extent provided herein. Finally, this Ordinance provides for recovery of the City’s reasonable out-of-pocket costs related to the Company’s use of the Public Rights-of-Way, subject to the terms and conditions herein.

SECTION 102 AUTHORITY TO MANAGE THE RIGHT OF WAY

This Ordinance granting a telecommunications franchise is created to manage and regulate the Company’s use of the City’s Public Rights-of-Way along city roads pursuant to the authority granted to the City under Sections 15.2-2015, 56-460, and 56-462(A) of the Virginia Code and other applicable state and federal statutory, administrative and common law.

This Ordinance and any right, privilege or obligation of the City or Company hereunder, shall be interpreted consistently with state and federal statutory, administrative and common law, and such statutory, administrative or common law shall govern in the case of conflict. This Ordinance shall not be interpreted to limit the regulatory and police powers of the City to adopt and enforce other general ordinances necessary to protect the health, safety, and welfare of the public.

SECTION 103 DEFINITIONS

103.1 CITY means the City of Charlottesville, Virginia, a municipal corporation.

103.2 COMPANY means Lumos Networks Inc., including its successors and assigns.

103.3 DIRECTOR means the Director of Public Works for the City of Charlottesville.

103.4 FACILITY means any tangible asset in the Public Rights-of-Way required to provide utility service, which includes but is not limited to; cable television, electric, natural gas, telecommunications, water, sanitary sewer and storm sewer services.

103.5 PATCH means a method of pavement replacement that is temporary in nature.

103.6 PAVEMENT means any type of improved surface that is within the Public Rights-of-Way including but not limited to any improved surface constructed with bricks, pavers, bituminous, concrete, aggregate, or gravel or some combination thereof.

103.7 PUBLIC RIGHTS-OF-WAY or PROW means the area on, below, or above a public roadway, highway, street, cartway, bicycle lane, and public sidewalk in which the City has an interest, included other dedicated rights-of-way for travel purposes and utility easements of the City, paved or otherwise. This definition does not include a state highway system regulated pursuant to the direction of the Commonwealth Transportation Board.

ARTICLE II

SECTION 201 INITIAL INSTALLATION

The initial installation of equipment, lines, cables or other Facilities by the Company shall be a mixture of overhead and underground in Public Rights-of-Way as depicted in Exhibit A, attached hereto, and as may have been or may hereafter be modified, and incorporated by reference.

SECTION 202 SUBSEQUENT INSTALLATION

202.1 SUBSEQUENT INSTALLATION MADE PURSUANT TO AN APPROVED PROW PLAN:

Additional Facilities installed within the PROW may be placed overhead or underground pursuant to an approved request by the Company made pursuant to Article III, and in accordance with such generally applicable ordinances or regulations governing such

installations that have been adopted by the City from time to time.

202.2 GENERAL PREFERENCE FOR UNDERGROUND FACILITIES: As a matter of policy, the City prefers that the installation of any Facility within the PROW occur underground. Notwithstanding this preference, the City recognizes that in some circumstances the placement of Facilities underground may not be appropriate.

202.3 INSTALLATION OF OVERHEAD FACILITIES: Where a subsequent PROW plan is approved for overhead installation, the Company shall use its existing Facilities, or those of another utility where available. If the PROW plan calls for overhead installation and existing Facilities cannot accommodate the proposed installation, the Company will clearly indicate in the PROW plan its intended placement of new Facilities for the Director's review and consideration pursuant to Article III.

202.4 FUTURE ORDINANCES: Nothing herein shall be construed to limit the authority of the city to adopt an ordinance that will restrict the placement of overhead lines for all utilities using the PROW within a defined area of the City.

202.5 CONDITIONS FOR RELOCATING UNDERGROUND: The Company agrees that if, at some future time, the telephone and other utility lines on the posts, poles, and other overhead apparatus upon which the Company has placed some or all of its Facilities in the City's PROWs are relocated underground, the Company will also, at such time, relocate its Facilities on those posts, poles, and other overhead apparatus underground at its expense. Notwithstanding the foregoing, the City shall reimburse Company for any such relocation expense if such reimbursement is required by Section 56-468.2 of the Code of Virginia, or other applicable law.

SECTION 203 INSPECTION BY THE CITY

The Company shall make the work-site available to the City and to all others as authorized by law for inspection at all reasonable times, during the execution of, and upon completion of, all work conducted pursuant to this Ordinance.

SECTION 204 AUTHORITY OF THE CITY TO ORDER CESSATION OF EXCAVATION

At the time of inspection, or any other time as necessary, the City may order the immediate cessation and correction of any work within the Public Rights-of-Way which poses a serious threat to the life, health, safety or well being of the public.

SECTION 205 LOCATION OF POSTS, POLES, CABLES AND CONDUITS

In general, all posts, poles, wires, cables and conduits which the Company places within the Public Rights-of-Way pursuant to this Ordinance shall in no way permanently obstruct or

interfere with public travel or the ordinary use of, or the safety and convenience of persons traveling through, on, or over, the Public Rights-of-Way within the City of Charlottesville.

SECTION 206 OBSTRUCTION OF THE PROW

Generally, any obstruction of the PROW is limited to the manner clearly specified within an approved PROW plan.

206.1 REMOVAL OF OBSTRUCTIONS: Obstructions of the PROW not authorized by an approved PROW plan shall be promptly removed by the Company upon receipt of notice from the City. The City's notice of the Obstruction will include a specified reasonable amount of time determined by the Director for the Company's removal of the obstruction, given the location of the obstruction and its potential for an adverse effect on the public's safety and the public's use of the PROW. If the Company has not removed its obstruction from the PROW within the time designated within the notice, the City, at its election, will make such removal and the Company shall pay to the City its reasonable costs within thirty (30) days of billing accompanied by an itemized statement of the City's reasonable costs. If payment is not received by the City within the thirty (30) day period, the City Attorney may bring an action to recover the reasonable costs of the removal and reasonable attorney's fees in a court of competent jurisdiction pursuant to Section 56-467 of the Virginia Code. Reasonable costs may include, but are not limited to administrative, overhead mobilization, material, labor, and equipment related to removing the obstruction.

206.2 NO OBSTRUCTION OF WATER: The Company shall not obstruct the PROW in a manner that interferes with the natural free and clear passage of water through the gutters, culverts, ditches tiles or other waterway.

206.3 PARKING, LOADING AND UNLOADING OF VEHICLES SHALL NOT OBSTRUCT THE PROW: Private vehicles of those doing work for the Company in the PROW must be parked in a manner that conforms to the City's applicable parking regulations. The loading or unloading of trucks must be done in a manner that will not obstruct normal traffic within the PROW, or jeopardize the safety of the public who use the PROW.

ARTICLE III

SECTION 301 ADMINISTRATION OF THE PUBLIC RIGHTS OF WAY

The Director is the principal City official responsible for the administration of this Ordinance granting a telecommunications franchise to the Company and any of its PROW Plans. The Director may delegate any or all of the duties hereunder to an authorized representative.

SECTION 302 SUBMISSION OF PROW PLAN

At least thirty (30) days before beginning any installation, removal or relocation of underground or overhead Facilities, the Company shall submit detailed plans of the proposed action to the Director for his or her review and approval, which approval shall not unreasonably be withheld, conditioned, or delayed.

SECTION 303 GOOD CAUSE EXCEPTION

303.1 WAIVER: The Director, at his or her sole judgment, is authorized to waive the thirty (30) day requirement in Section 302 for good cause shown.

303.2 EMERGENCY WORK: The Company shall immediately notify the Director of any event regarding its facilities that it considers to be an emergency. The Company will proceed to take whatever actions are necessary to respond to the emergency, or as directed by the Director.

If the City becomes aware of an emergency regarding the Company's facilities, the City will attempt to contact the Company's emergency representative as indicated in Section 1202. In any event, the City shall take whatever action it deemed necessary by the Director to make an appropriate and reasonable response to the emergency. The costs associated with the City's respond shall be borne by the person whose facilities occasioned the emergency.

SECTION 304 DECISION ON PROW PLAN BY THE DIRECTOR

304.1 DECISION: The Director, or his or her authorized representative, shall, within thirty (30) days, either approve the Company's plans for proposed action as described in Section 302 or inform the Company of the reasons for disapproval. The Company shall designate a responsible contact person with whom officials of the Department of Public Works can communicate on all matters relating to equipment installation and maintenance.

304.2 APPEAL: Upon written request within thirty (30) days of the Director's decision, the Company may have the denial of a PROW Plan reviewed by the City Manager. The City Manager will schedule its review of the Director's decision within forty-five (45) days of receipt of such a request. A decision by the City Manager will be in writing and supported by written findings establishing the reasonableness of its decision.

SECTION 305 MAPPING DATA

Upon completion of each project within the Public Rights-of-Way pursuant to this Ordinance, the Company shall provide to the City such information necessary to maintain its records, including but not limited to:

- (a) location and elevation of the mains, cables, conduits, switches, and related equipment and other Facilities owned by the Company located in the PROW, with

the location based on (i) offsets from property lines, distances from the centerline of the Public Rights-of-Way, and curb lines; (ii) coordinates derived from the coordinate system being used by the City; or (iii) any other system agreed upon by the Company and the City;

- (b) the outer dimensions of such Facilities; and
- (c) a description of above ground appurtenances.

ARTICLE IV

SECTION 401 COMPLIANCE WITH ALL LAW AND REGULATIONS

Obtaining this telecommunications franchise shall in no way relieve the Company of its duty to obtain all other necessary permits, licenses, and authority and to pay all fees required by any applicable state or federal rule, law or regulation. The Company shall comply with and fulfill all generally applicable laws and regulations, including ordinances, regulations and requirements of the City, regarding excavations and any other work in or affecting the Public Rights-of-Way. The Company shall perform all work in conformance with all applicable codes and established rules and regulations, and it is responsible for all work conducted by the Company, another entity or person acting on its behalf pursuant to this Ordinance in the Public Rights-of-Way.

ARTICLE V

SECTION 501 RELOCATION OF COMPANY FACILITIES WITHIN THE PUBLIC RIGHTS-OF WAY

Upon written notice from the Director of a planned and authorized improvement or alteration of City sidewalks, streets or other property, or of a proposed relocation of any City-owned utilities that necessitate relocation of some or all of the Facilities owned by the Company and lines to accommodate same, the Company shall relocate at its own expense any such Facilities within one hundred eighty (180) days of receipt of the notice. At Company's request, the city may consent to a longer period, such consent not to be unreasonably or discriminatorily withheld, conditioned or delayed. Notwithstanding the foregoing, the City shall reimburse Company for any such relocation expense if such reimbursement is required by Section 56-468.2 of the Code of Virginia, or other applicable law.

SECTION 502 RIGHTS-OF WAY PATCHING AND RESTORATION

502.1 RESTORATION STANDARD: Where the Company disturbs or damages the Public Rights-of-Way, the Director shall have the authority to determine the manner and extent of the restoration of the Public Rights-of-Way, and may do so in written procedures of general application or on a case-by-case basis. In exercising this authority, the Director will

consult with any state or federal standards for rights-of-way restoration and shall be further guided by the following considerations:

- (a) the number, size, depth and duration of the excavations, disruptions or damage to the Public Rights-of-Way;
- (b) the traffic volume carried by the Public Rights-of-Way; the character of the neighborhood surrounding the right-of-way;
- (c) the pre-excavation condition of the Public Rights-of-Way and its remaining life expectancy;
- (d) the relative cost of the method of restoration to the Company balanced against the prevention of an accelerated deterioration of the right-of-way resulting from the excavation, disturbance or damage to the Public Rights-of-Way; and
- (e) the likelihood that the particular method of restoration would be effective in slowing the depreciation of the Public Rights-of-Way that would otherwise take place.

502.2 TEMPORARY SURFACING: The Company shall perform temporary surfacing patching and restoration including, backfill, compaction, and landscaping according to standards determined by, and with the materials determined by, the Director .

502.3 TIMING: After any excavation by the Company pursuant to this Ordinance, the patching and restoration of the Public Rights-of-Way must be completed promptly and in a manner determined by the Director.

502.4 GUARANTEES: The Company guarantees its restoration work and shall maintain it for twenty-four (24) months following its completion. The previous statement notwithstanding, the Company will guarantee and maintain plantings and turf for twelve (12) months. During these maintenance periods, the Company shall, upon notification by the City, correct all restoration work to the extent necessary, using the method determined by the Director. Such work shall be completed after receipt of notice from the Director, within a reasonably prompt period, with consideration given for days during which work cannot be done because of circumstances constituting force majeure. Notwithstanding the foregoing, the Company's guarantees set forth hereunder concerning restoration and maintenance, shall not apply to the extent another company, franchisee, licensee, permittee, other entity or person, or the City disturbs or damages the same area, or a portion thereof, of the Public Rights-of-Way.

502.5 DUTY TO CORRECT DEFECTS: The Company shall correct defects in patching, or restoration performed by it or its agents. Upon notification from the City, the Company shall correct all restoration work to the extent necessary, using the method determined by the Director. Such work shall be completed after receipt of the notice from the Director

within a reasonably prompt period, with consideration given for days during which work cannot be done because of circumstances constituting force majeure.

502.6 FAILURE TO RESTORE: If the Company fails to restore the Public Rights-of-Way in the manner and to the condition required by the Director pursuant to Section 502.5, or fails to satisfactorily and timely complete all restoration required by the Director pursuant to the foregoing, the City shall notify the Company in writing of the specific alleged failure or failures and shall allow the Company at least ten (10) days from receipt of the notice to cure the failure or failures, or to respond with a plan to cure. In the event that the Company fails to cure, or fails to respond to the City's notice as provided above, the City may, at its election, perform the necessary work and the Company shall pay to the City its reasonable costs for such restoration within thirty (30) days of billing accompanied by an itemized statement of the City's reasonable costs. If payment is not received by the City within the thirty (30) day period, the City Attorney may bring an action to recover the reasonable costs of the restoration and reasonable attorney's fees in a court of competent jurisdiction pursuant to Section 56-467 of the Virginia Code. Reasonable costs may include, but are not limited to, administrative, overhead mobilization, material, labor, and equipment related to such restoration.

502.7 DAMAGE TO OTHER FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY: The Company shall be responsible for the cost of repairing any Facilities existing within the Public Rights-of-Way that it or the Facilities owned by the Company damage. If the Company damages the City's Facilities within the Public Rights-of-Way, such as, but not limited to, culverts, road surfaces, curbs and gutters, or tile lines, the Company shall correct the damage within a prompt period after receiving written notification from the City. If the Company does not correct the City's damaged Facilities pursuant to the foregoing, the City may make such repairs as necessary and charge all of the reasonable costs of such repairs within thirty (30) days of billing accompanied by an itemized statement of the City's reasonable costs. If payment is not received by the City within such thirty (30) day period, the City Attorney may bring an action to recover the reasonable costs of the restoration and reasonable attorney's fees in a court of competent jurisdiction pursuant to Section 56-467 of the Virginia Code. Reasonable costs may include, but are not limited to, administrative, overhead mobilization, material, labor, and equipment related to such repair.

502.8 DIRECTOR'S STANDARD: All determinations to be made by the Director with respect to the manner and extent of restoration, patching, repairing and similar activities under the franchise granted by this Ordinance, shall be reasonable and shall not be unreasonably conditioned, withheld, or delayed. The Company may request additional time to complete restoration, patching, repair, or other similar work as required under the franchise granted by this Ordinance, and the Director shall not unreasonably withhold, condition, or delay consent to such requests.

ARTICLE VI

SECTION 601 INDEMNIFICATION AND LIABILITY

601.1 SCOPE OF INDEMNIFICATION: Subject to the following, the Company agrees and binds itself to indemnify, keep and hold the City council members, Board and its employees free and harmless from liability on account of injury or damage to persons, firms or corporations or property growing out of or directly or indirectly resulting from:

- (a) the Company's use of the streets, alleys, highways, sidewalks, rights-of-way and other public places of the City pursuant to the franchise granted by this Ordinance;
- (b) the acquisition, erection, installation, maintenance, repair, operation and use of any poles, wires, cables, conduits, lines, manholes, facilities and equipment by the Company, its authorized agents, subagents, employees, contractors or subcontractors; or
- (c) the exercise of any right granted by or under the franchise granted by this Ordinance or the failure, refusal or neglect of the Company to perform any duty imposed upon or assumed by the Company by or under the franchise granted by this Ordinance.

601.2 DUTY TO INDEMNIFY, DEFEND AND HOLD HARMLESS: If a suit arising out of subsection (a), (b), (c) of Section 601.1, claiming such injury, death, or damage shall be brought or threatened against the City, either independently or jointly with the Company, the Company will defend, indemnify and hold the City harmless in any such suit, at the cost of the Company, provided that the City promptly provides written notice of the commencement or threatened commencement of the action or proceeding involving a claim in respect of which the City will seek indemnification hereunder. The Company shall be entitled to have sole control over the defense through counsel of its own choosing and over settlement of such claim provided that the Company must obtain the prior written approval of City of any settlement of such claims against the City, which approval shall not be unreasonably withheld or delayed more than thirty (30) days. If, in such a suit, a final judgment is obtained against the City, either independently or jointly with the Company, the Company will pay the judgment, including all reasonable costs, and will hold the City harmless therefrom.

SECTION 602 WAIVER BY THE CITY

The City waives the applicability of these indemnification provisions in their entirety if it:

- (a) elects to conduct its own defense against such claim;

- (b) fails to give prompt notice to the Company of any such claim such that the Company's ability to defend against such claim is compromised;
- (c) denies approval of a settlement of such claim for which the Company seeks approval; or
- (d) fails to approve or deny a settlement of such claim within thirty (30) days of the Company seeking approval.

SECTION 603 INSURANCE

603.1 The Company shall also maintain in force a comprehensive general liability policy in a form satisfactory to the City Attorney, which at minimum must provide:

- (a) verification that an insurance policy has been issued to the Company by an insurance company licensed to do business in the State of Virginia, or a form of self insurance acceptable to the City Attorney;
- (b) verification that the Company is insured against claims for personal injury, including death, as well as claims for property damage arising out of (i) the use and occupancy of the Public Rights-of-Way by the Company, its agents, employees and permittees, and (ii) placement and use of Facilities owned by the Company in the Public Rights-of-Way by the Company, its officers, agents, employees and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground Facilities and collapse of property;
- (c) verification that the City Attorney will be notified thirty (30) days in advance of cancellation of the policy or material modification of a coverage term;
- (d) verification that comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the City Attorney in amounts sufficient to protect the City and the public and to carry out the purposes and policies of this Ordinance; and
- (e) verification that the policy has a combined single limit coverage of not less than two million dollars (\$2,000,000).

The policy shall include the City as an additional insured party, and the Company shall provide the City Attorney with a certificate of such coverage before beginning installation of any lines, cable or equipment.

603.2 The Company shall also require similar indemnification and insurance coverage from any contractor working on its behalf in the public right-of-way.

SECTION 604 NEGLIGENCE AND INTENTIONAL ACTS

Nothing herein contained shall be construed to render the Company liable for or obligated to indemnify the City, its agents, or employees, for the negligence or intentional acts of the City, its Council members, its Board, its agents or employees, or a permittee of the City.

ARTICLE VII

SECTION 701 GENERAL REQUIREMENT OF A PERFORMANCE BOND

Prior to the Effective Date of this Ordinance, the Company has deposited with the City a Performance Bond made payable to the city in the amount of one hundred thousand dollars (\$100,000). The Performance Bond is to guarantee that the project is done in a proper manner without damage to the PROW. The bond shall be written by a corporate surety acceptable to the City and authorized to do business in the Commonwealth of Virginia. Upon completion of construction of the Facilities, the Company may reduce the Performance Bond to the amount of twenty-five thousand dollars (\$25,000) and made payable to the City, and the Performance Bond shall be maintained at this amount through the term of this Agreement.

SECTION 702 CHANGED AMOUNT OF THE PERFORMANCE BOND

At any time during the Term, the City may, acting reasonably, require or permit the Company to change the amount of the Performance Bond if the City finds that new risk or other factors exist that reasonably necessitate or justify a change in the amount of the Performance Bond. Such new factors may include, but not be limited to, such matters as:

- (a) material changes in the net worth of the Company;
- (b) changes in the identity of the Company that would require the prior written consent of the City;
- (c) material changes in the amount and location of Facilities owned by the Company;
- (d) the Company's recent record of compliance with the terms and conditions of this Ordinance; and
- (e) material changes in the amount and nature of construction or other activities to be performed by the Company pursuant to this Ordinance.

SECTION 703 PURPOSE OF PERFORMANCE BOND

The Performance Bond shall serve as security for:

- (a) the faithful performance by the Company of all terms, conditions and obligations of this Ordinance;
- (b) any expenditure, damage or loss incurred by the City occasioned by the Company's failure to comply with all rules, regulations, orders, permits and other directives of the City issued pursuant to this Ordinance;
- (c) payment of compensation required by this Ordinance;
- (d) the payment of premiums for the liability insurance required pursuant to this Ordinance ;
- (e) the removal of Facilities owned by the Company from the Streets at the termination of the Ordinance, at the election of the City, pursuant to this Ordinance;
- (f) any loss or damage to the Streets or any property of the City during the installation, operation, upgrade, repair or removal of Facilities by the Company;
- (g) the payment of any other amounts that become due to the City pursuant to this Ordinance or law;
- (h) the timely renewal of any letter of credit that constitutes the Performance Bond; and
- (i) any other costs, loss or damage incurred by the City as a result of the Company's failure to perform its obligations pursuant to this Ordinance.

SECTION 704 FEES OR PENALTIES FOR VIOLATIONS OF THE ORDINANCE

704.1 FEE OR PENALTY: The Company shall be subject to a fee or a penalty for violation of this Ordinance as provided for in applicable law.

704.2 APPEAL: The Company may, upon written request within thirty (30) days of the City's decision to assess a fee or penalty and for reasons of good cause, ask the City to reconsider its imposition of a fee or penalty pursuant to this Ordinance unless another period is provided for in applicable law. The City shall schedule its review of such request to be held within forty-five (45) days of receipt of such request from the Company. The City's decision on the Company's appeal shall be in writing and supported by written findings establishing the reasonableness of the City's decision. During the pendency of the appeal before the City or any subsequent appeal thereafter, the Company shall place any such fee or penalty in an interest-bearing escrow account.

Nothing herein shall limit the Company's right to challenge such assessment or the City's decision on appeal, in a court of competent jurisdiction.

ARTICLE VIII

SECTION 801 COMPENSATION/PROW USE FEE.

The City reserves the right to impose at any time on the Company consistent with Section 253(c) of the Communications Act of 1934, as amended:

- (a) a PROW Use Fee in accordance with Section 56-468.1(G) of the Code of Virginia, and/or
- (b) any other fee or payment that the City may lawfully impose for the occupation and use of the Streets.

The Company shall be obligated to remit the PROW Use Fee and any other lawful fee enacted by the City, so long as the City provides the Company and all other affected certificated providers of local exchange telephone service appropriate notice of the PROW Use Fee as required by Section 56-468.1(G) of the Code of Virginia. If the PROW Use Fee is eliminated, discontinued, preempted or otherwise is declared or becomes invalid, the Company and the City shall negotiate in good faith to determine fair and reasonable compensation to the City for use of the Streets by the Company for Telecommunications.

SECTION 802 FRANCHISING COSTS

Prior to the execution of this Ordinance, the City incurred costs for the services of third parties (including, without limitation, attorneys and other consultants) in connection with the award of this telecommunications Franchise. Within thirty (30) days after receipt from the City of an invoice for such costs, the Company shall pay at such time and in such manner as the City shall specify to the City or, at the direction of the City, to third parties an amount equal to the costs the City incurs for the services of such third parties. Payment by Company of such franchising costs shall not in any way be offset nor deducted from applicable PROW use fees required pursuant to Section 801 herein. In the event of any renewal, renegotiations, transfer, amendment or other modification of this Ordinance or the Franchise, the Company will reimburse the City in the same manner for such third party costs, if any are incurred. The Company's obligations under this Section shall not exceed two thousand five hundred dollars (\$2500.00).

SECTION 803 NO CREDITS OR DEDUCTIONS

The compensation and other payments to be made pursuant to Article VIII: (a) shall not be deemed to be in the nature of a tax, and (b) except as may be otherwise provided by Section 56-468.1 of the Code of Virginia, shall be in addition to any and all taxes or other fees or charges that the Company shall be required to pay to the City or to any state or federal agency or authority, all of which shall be separate and distinct obligations of the Company.

**SECTION 804 REMITTANCE OF COMPENSATION/LATE PAYMENTS,
INTEREST ON LATE PAYMENTS**

(1) If any payment required by this Ordinance is not actually received by the City on or before the applicable date fixed in this Ordinance, or (2), in the event the City adopts an ordinance imposing a PROW Use Fee, if such Fee has been received by the Company from its customers, and has not been actually received by the City on or before the applicable date fixed in this Ordinance or thirty (30) days after receipt of the PROW Use Fee from its customers, whichever is later, then the Company shall pay interest thereon, to the extent permitted by law, from the due date to the date paid at a rate equal to the rate of interest then charged by the City for late payments of real estate taxes.

ARTICLE IX

SECTION 901 RESERVATION OF ALL RIGHTS AND POWERS

The City reserves the right by ordinance or resolution to establish any reasonable regulations for the convenience, safety, health and protection of its inhabitants under its police powers, consistent with state and federal law. The rights herein granted are subject to the exercise of such police powers as the same now are or may hereafter be conferred upon the City. Without limitation as to the generality of the foregoing the City reserves the full scope of its power to require by ordinance substitution of underground service for overhead service, or the transfer of overhead service from the front to the rear of property whenever reasonable in all areas in the City and with such contributions or at such rates as may be allowed by law.

Notwithstanding anything herein to the contrary, nothing herein shall be construed to extend, limit or otherwise modify the authority of the City preserved under Sections 253 (b) and (c) of the Communications Act of 1934, as amended. Nothing herein shall be construed to limit, modify, abridge or extend the rights of the Company under the Communications Act of 1934, as amended.

SECTION 902 SEVERABILITY

If any portion of this Ordinance is for any reason held to be invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

ARTICLE X

SECTION 1001 MAINTENANCE OBLIGATION

The Company will maintain the poles, wires, cable, conduits, lines, manholes, equipment and other Facilities it owns within the City's PROW in good order and operating condition throughout the term of the franchise granted by this Ordinance.

SECTION 1002 TREE TRIMMING

Should the Company install any overhead lines, it shall have the authority to trim trees upon or overhanging the streets, alleys, walkways or Public Rights-of-Way to prevent the branches of such trees from interfering with its lines or other Facilities. However, all such trimmings shall be performed in a safe and orderly manner under the general direction of the Director of Public Works or his or her designee and in compliance with the pruning standards of the National Arborists Association as currently in effect.

ARTICLE XI

SECTION 1101 INITIAL TERM OF TELECOMMUNICATIONS FRANCHISE

The term of the franchise granted by this Ordinance shall be for a period of five (5) years from the effective date of this Ordinance.

SECTION 1102 APPLICATION FOR NEW TELECOMMUNICATIONS FRANCHISE

If the Company wishes to maintain its equipment within the City and to continue the operation of the system beyond the term of the franchise granted by this Ordinance, it shall give written notice to the City at least one hundred twenty (120) days before expiration of the franchise granted by this Ordinance, stating that it wishes to apply for a new franchise. Such application shall include a report of the location of the Facilities owned by the Company within the City's PROW, and a statement as to whether the Company has complied with the provisions of this Ordinance.

SECTION 1103 OPERATION OF FACILITIES OWNED BY THE COMPANY WHILE RENEWAL IS PENDING

Upon a timely request by the Company prior to the expiration of its initial franchise, the Company shall be permitted to continue operations of the Facilities owned by the Company within the City under the terms of the franchise granted by this Ordinance until the City acts. Nothing herein shall be construed to grant the Company a perpetual franchise interest.

ARTICLE XII

SECTION 1201 NOTICE

All notices, except for in cases of emergencies, required pursuant to the franchise granted by this Ordinance shall be in writing and shall be mailed or delivered to the following address:

To the Company:

Mary McDermott
Sr. V.P. – Legal and Regulatory Affairs
Lumos Networks Inc.
One Lumos Plaza
Waynesboro, VA 22980

To the City:

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

With a copy to:

Anne Sarbin, Regulatory Manager
Lumos Networks Inc.
One Lumos Plaza
Waynesboro, VA 22980

With a copy to:

S. Craig Brown, City Attorney
City Attorney's Office
P.O. Box 911
Charlottesville, VA 22902

All correspondences shall be by registered mail, certified mail or regular mail with return receipt requested; and shall be deemed delivered when received or refused by the addressee. Each Party may change its address above by like notice.

SECTION 1202 EMERGENCY NOTIFICATION

Notices required pursuant to Section 303.2 shall be made orally and by facsimile to the following:

To the Company:

To the City:

Gas Dispatchers
(804) 970-3800 (office)
Emergency (804)293-9164 (leaks)
(804) 970-3817 (facsimile)

Judith Mueller, Director of Public Works
(804) 970-3301 (office)
(804) 970-3817 (facsimile)
(804) 971-6645 (home)

SECTION 1203 REGISTRATION OF DATA

The Company, including any subleasee or assigns, must keep on record with the City the following information:

- (a) Name, address and e-mail address if applicable, and telephone and facsimile numbers;
- (b) Name, address and e-mail address if applicable, and telephone and facsimile numbers of a local representative that is available for consultation at all times. This information must include how to contact the local representative in an emergency; and
- (c) A certificate of insurance as required under Article VI, Section 603 of this telecommunications franchise, and a copy of the insurance policy.

The Company shall keep update all of the above information with the City within fifteen (15) days following its knowledge of any change.

ARTICLE XIII

SECTION 1301 TERMINATION OF TELECOMMUNICATIONS FRANCHISE

The franchise granted by this Ordinance may be terminated:

- (a) by the Company, at its election and without cause, by written notice to the City at least sixty (60) days prior to the effective date of such termination; or
- (b) by either the Company or the City, after thirty (30) days written notice to the other party of the occurrence or existence of a default of the franchise granted by this Ordinance, if the defaulting party fails to cure or commence good faith efforts to cure, such default within sixty (60) days after delivery of such notice.

Notwithstanding the provisions of this Section, the terms and conditions of the franchise granted by this Ordinance pertaining to indemnification shall survive a termination under this Section.

ARTICLE XIV

SECTION 1401 REMOVAL OF FACILITIES FROM THE PUBLIC RIGHTS-OF-WAY

The Company shall remove all Facilities owned by the Company from the streets, alleys and public places of the City at the expense of the Company within six (6) months after the termination, abandonment, or expiration of this franchise granted by this Ordinance, or by such

reasonable time to be prescribed by the City Council, whichever is later. No such removal will be required while any renewal requests as provided for in Section 1102 and Section 1103, are pending before the City. If such renewal request is denied, the six (6) month period provided above shall commence on the date of denial or expiration, whichever is later. The City reserves the right to waive this requirement, as provided for in Section 1402 herein. The City shall grant the Company access to the Public Rights-of-Way in order to remove its telecommunications Facilities owned by the Company pursuant to this paragraph.

SECTION 1402 ABANDONMENT OF FACILITIES OWNED BY THE COMPANY IN THE PUBLIC RIGHTS-OF-WAY

The telecommunications Facilities owned by the Company may be abandoned without removal upon request by the Company and approval by the City. This Section survives the expiration or termination of this franchise granted by this Ordinance.

ARTICLE XV

SECTION 1501 PRIOR WRITTEN CONSENT FOR ASSIGNMENT

The franchise granted by this Ordinance shall not be assigned or transferred without the expressed written approval of the City, which shall not be unreasonably or discriminatorily conditioned, withheld or delayed.

In addition, the City agrees that nothing in this Ordinance shall be construed to require Company to obtain approval from the City in order to lease any Facilities owned by the Company or any portion thereof in, on, or above the PROW, or grant an indefeasible right of use (“IRU”) in the Facilities owned by the Company, or any portion thereof, to any entity or person. The lease or grant of an IRU in such Facilities owned by the Company, or any portion or combination thereof, shall not be construed as the assignment or transfer of any franchise rights granted under this Ordinance.

SECTION 1502 SUCCESSORS AND ASSIGNS

Notwithstanding Section 1501, the Company may assign, transfer, or sublet its rights, without the consent of the City, to any person or entity that controls, is controlled by or is under common control with the Company, any company or entity with which or into which the Company may merge or consolidate, to any lender of the Company provided the City is advised of the action prior to enactment. Any successor(s) of the Company shall be entitled to all rights and privileges of this franchise granted by this Ordinance and shall be subject to all the provisions, obligations, stipulations and penalties herein prescribed.

ARTICLE XVI

SECTION 1601 NONEXCLUSIVE FRANCHISE

Nothing in the franchise granted by this Ordinance shall be construed to mean that this is an exclusive franchise, as the City Council reserves the right to grant additional telecommunications franchises to other parties.

ARTICLE XVII

SECTION 1701 ALL WAIVERS IN WRITING AND EXECUTED BY THE PARTIES

Subject to the foregoing, any waiver of the franchise granted by this Ordinance or any of its provisions shall be effective and binding upon the Parties only if it is made in writing and duly signed by the Parties.

SECTION 1702 NO CONSTRUCTIVE WAIVER RECOGNIZED

If either Party fails to enforce any right or remedy available under the franchise granted by this Ordinance, that failure shall not be construed as a waiver of any right or remedy with respect to any breach or failure by the other Party. Nothing herein shall be construed as a waiver of any rights, privileges or obligations of the City or the Company, nor constitute a waiver of any remedies available at equity or at law.

ARTICLE XVIII

SECTION 1801 NO DISCRIMINATION

The Company's rights, privileges and obligations under the franchise granted by this Ordinance shall be no less favorable than those granted by the City to and shall not be interpreted by the City in a less favorable manner with respect to any other similarly situated entity or person or user of the City's Public Rights-of-Way.

ARTICLE XIX

SECTION 1901 FORCE MAJEURE

Neither the Company nor the City shall be liable for any delay or failure in performance of any part of the franchise granted by this Ordinance from any cause beyond its control and without its fault or negligence including, without limitation, acts of nature, acts of civil or military authority, government regulations embargoes, epidemics, terrorist acts, riots insurrections, fires,

explosions, earthquakes, nuclear accidents, floods, work stoppages, equipment failure, power blackouts, volcanic action, other major environmental disturbances, or unusually severe weather conditions.

ARTICLE XX

SECTION 2001 EFFECTIVE DATE

This Ordinance shall be effective upon its passage.

Adopted by the Council of the City of Charlottesville on the _____ day of _____, 2014.

Paige Rice, Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: July 21, 2014

Action Required: Approval of Resolution

Presenter: James E. Tolbert, AICP, Director

Staff Contacts: James E. Tolbert, AICP, Director
Tony Edwards, City Engineer

Title: Belmont Bridge – Alternative Selection

Background: At the June 16, 2014 City Council meeting, a public hearing was held on the four alternatives for the Belmont Bridge Replacement.

- In-Kind Bridge Replacement
- Enhanced Bridge
- Arch Bridge
- Underpass

Rather than make a decision Council asked for additional information and deferred action until the July 21, 2014 meeting. The discussion section below attempts to answer those questions and provide additional information.

Discussion: There are essentially four alternatives under consideration. Those are:

- In-Kind Bridge Replacement – This is the original project that was to simply replace the bridge using the identical foot print to the existing bridge. It could have more of the surface dedicated for pedestrians and bicycles within its existing section. Plans for this bridge are at 35% complete.
- Enhanced Bridge – This concept shortens the existing bridge span from over 440 feet to approximately 205 feet with a traditional highway bridge with horizontal girders supported by piers. The bridge would have two traditional abutments at each end and two sets of piers to support the bridge in three spans. The traditional steel girders

which flank each face of the bridge below the roadway deck could be hidden from view by providing ornamental treatments or the girders could be wrapped in architectural pre-cast.

- Arch Bridge – This concept shortens the existing bridge span from over 440 feet to approximately 205 feet with a steel network arch bridge. The bridge would have two traditional abutments at each end with no piers and is a single span bridge. The bridge has pre-tensioned floor beams and precast, with stay-in-place deck panels. All the bridge steel would be painted in a high performance paint to minimize maintenance and any staining.
- Underpass – This is the concept presented by Jim Rounsevell and Siteworks. It consists of three bridges going underneath Water Street, the railroad, and the access road south of the tracks. The plan also calls for a pedestrian bridge to the west of the underpass.

Below is a comparison of the alternatives. Also attached is the matrix prepared by Councilor Galvin.

Costs – Independent cost estimates have been prepared by Mr. Chris Weatherford of Barton Malow at the request of City Staff. He took available plans or concept drawings, talked to the designers and prepared the estimates based on his vast experience in construction management. Below are his estimates.

Alternative	Estimated Cost
In-Kind Replacement	\$15,712,800
Enhanced	\$17,209,600
Arch	\$18,866,100
Underpass	\$27,422,340
Pedestrian Bridge	\$3,500,000

There has been confusion around the contingency costs applied to each of the alternatives. The chart below shows the percentage assigned to each alternative as well as the escalation percent used.

	Replacement	Enhanced	Arch	Underpass
Contingency				
Design	5%	10%	10%	16%
Subsurface	2%	2%	2%	2%
Construction	10%	10%	10%	10%
Escalation	5%	8%	8%	8%

The area where there is a difference is design contingency. This is because the bridge designs are further along in the process and there are essentially no unknowns for the bridge in subsurface work.

Long-Term Costs – Several of the public hearing speakers raised the issue of long-term cost associated with the bridge versus underpass option and stated that the long-term cost would be greater for any of the bridge options. Although a study was cited by the staff report and is referenced on Mr. Rounsevell’s project web site it is really not a great comparison because it looks at bridges and tunnels as crossings for water bodies. When I spoke to Mr. John Lynch, Culpeper District Administrator with VDOT, his response was that from what he knew of the projects this was really a question of comparing a bridge to bridges. The bridge options are on larger bridge structure while the underpass is simply three smaller bridges, with the addition of a pedestrian bridge. He felt that a reasonable approach would be to consider the life-cycle cost relatively equal based on his project knowledge. Mr. Weatherford has indicated that he concurs with this thinking.

Dedicated Pedestrian Zone

Alternative	On Primary Structure	Secondary Structure
In-Kind	15/10 unobstructed	n/a
Enhanced	15/10 unobstructed	n/a
Arch	15/10 unobstructed	n/a
Underpass	11’ – 6”	10’ – 15’

While the underpass contains sidewalks there are general concerns from the public about walking under structures. Additionally the grades to Market and Graves Street will be steep and non-ADA compliant.

Bicycle Zones

Alternative	Bicycle Zone Width
In-Kind Bridge Replacement	10'
Enhanced	10'
Arch	10'
Underpass	5'

Again, the very steep grade for bicycles for the underpass option is a concern that must be acknowledged.

Pedestrian Access to the Mall – All three bridge options provide wider sidewalks and maintain the connection currently through the Pavilion. The bridge designs have a possible alternative connection that would wrap around the transit center and connect to the Mall outside the Pavilion leased area. This can be considered if the closure of direct access during paid Pavilion events is an issue.

The Underpass Pedestrian Bridge option is shown to tie into the Pavilion within the leased area. It will not provide access during events. Instead pedestrians will be directed to Water Street and back to the Mall by the steps adjacent to the Transit Center.

Grades – An area that has recently gained some clarity is the grade from the bridge or underpass to both Market and Graves Street. Mr. Rounsevell has provided a drawing that shows that his design can meet AASHTO standard grades of 9%. However, that drawing does not meet other design criteria such as vertical curvature. The standards that must be met for this type of road, a Urban Principal Arterial with a 30 mph design speed are as shown below:

Alternative	Max. Grade	Min. Site Distance	Railroad Clearance	Minimum Radius
Bridges	9%	200'	24' over	273'
Underpass	9%	200'	16.6 under	273'

City staff as well as MMM engineers have analyzed the grades using the available data provided from Mr. Rounsevell and have prepared drawings showing the bridge grades. There is a slight margin of error with the underpass grades because the drawings are not

as far along, but given the fixed elevations of the roads and the railroad we believe the numbers are very close.

Alternative	Grade to North w/forced tie-in	Grade to Levy w/forced tie-in
In-Kind Replacement Bridge	4.24	5.05
Enhanced or Arch	4.24	5.05
Underpass	12.85	8.81

This shows a forced tie in of the underpass at Market Street and Graves Street. When the correct AASHTO standards are applied so that all standards are met, it appears that Avon/9th Street will tie into grade approximately 158’ north of Market Street or adjacent to the Western Union Building leaving a drop of 11’ 8” in the Market/9th Street intersection. This would require additional grading of Market Street in both directions and possible regrading of the adjacent businesses. These costs are not included in the underpass estimates.

Mr. Rounsevell had an engineer provide drawings which were presented to you at your last Council meeting. These show that the grade is at 9% for most of the length from the underpass to both Market and Graves. However it is important to note two things when this drawing is analyzed.

- The depth of the structure shown is only 2.7 feet rather than the 4 feet that Mr. Rounsevell has stated would be required to support the railroad. In our own analysis we have accepted the 4 foot depth as a minimum requirement. This difference impacts grades in a way that makes the underpass appear more constructible.
- While the drawing shows the grade at 9% it also indicates that when Avon meets Market Street it will be approximately 3 feet below Market Street and when it meets Graves Street, it will be 6 feet below Graves.

Staff is working to have a series of drawings for you at the meeting that are all at the same scale. Drawings we will provide include site plan, street section, profiles, and elevations.

Community Engagement: There has been a great deal of citizen engagement throughout this project with the three most recent meetings held on:

- September 21, 2013
- April 23, 2014
- May 8, 2014

At the most recent meetings, attendees were asked to provide comments either in writing or through the web site. Additionally a public hearing was held at the June 16, 2014 City Council meeting.

Alignment with City Council Vision and Priorities: This agenda item aligns with the City Council Vision to be a Smart Citizen Focused Government.

Budgetary Impact: The relative cost of the four options was outlined above. While the VDOT budget for the project is approximately \$13 million, all options exceed that amount by a range of \$2 million to \$17 million.

Recommendation: Attached are two resolutions for City Council to consider. One is the staff proposal to proceed with the Enhanced Bridge option. We believe this option addresses the community desires for an enhanced bridge as summarized from our meetings held on November 21, 2013 to ask the question, “What are Your Goals and Expectations of an Enhanced Bridge”. Those comments are summarized below:

- Bridge is the Gateway into the City
- Maintain 25 MPH Speed Limit
- Two lanes – one in each direction
- “Should be a Pedestrian Experience”
- Views from the Bridge are Spectacular
- Design Approved – Innovative, entertaining
- Improve North & South Intersections along 9th Street
- Separate Pedestrian zone from vehicle & Bike Zone
- Reduce Span
- Enhance the Replacement Bridge Design
- Create New Approaches to the Design of the Replacement Bridge
- Accent Lighting to showcase Bridge
- Bike Lanes 10.0’, Pedestrian Lanes 10.0’, Traffic Lanes 11.0’

We also believe this option is cost effective and provides an improved connection to neighborhoods on both sides. It is a responsible use of public funds.

Additionally, we believe the design team should explore the alternative pedestrian connection that goes around the Transit Center to the Mall. There are design considerations that could eliminate this as well as costs but we feel it should be explored.

If City Council agrees with this direction it is staff's intent to convene the Steering Committee and refine the design, gain a Certificate of Appropriateness from the BAR, and proceed to final construction drawings. We will also work to narrow the gap of funding that was discussed at the public hearing.

Although the underpass concept is very compelling we do not believe that it is the appropriate response for the following reasons:

- The underpass option is not a viable alternative for bikes and pedestrians without the pedestrian bridge that is shown in the proposals. The cost of the pedestrian bridge is estimated at \$3.5 million by Mr. Rounsevell and is not included in the underpass estimate. Another concern is that the bridge lands within the Pavilion lease area rendering it not useful during Pavilion events.
- The bridge option has a Categorical Exclusion environmental classification. According to the VDOT Culpeper regional office, "Design and construction of an underpass would change the scope of the existing bridge replacement project and would likely result in a change to the current project's Categorical Exclusion environmental classification and increase the project's cost. Any CTB funding requested above the current allocations to the bridge replacement project would be subject to prioritization as required by HB 2. Given that the details of HB 2 have not been worked out, it is unclear how an underpass option would fare in the prioritization process".
- The agreement with LexisNexis contains a required \$1 million payment should the tunnel to their building from the downtown mall be closed. The underpass option requires closure of the tunnel.
- The underpass option will require closure of Avon/9th Street for a period of time. Mr. Rounsevell feels that the closure will be for six months. City Staff and Barton Malow believe it will be for much longer. The enhanced bridge can be constructed with no complete closure to traffic.

- The bridge design can be ready to move to construction in approximately 12 months. Given the need for environmental documents, design, and additional funding the underpass will likely require well over 24 months before construction can begin. This is an important issue because of the condition of the bridge. In 2004 the estimate for complete repair was at \$1,800,000. Although some work was done repairs were not made to the structure and staff believes that the costs would be at least as great now. In addition, just a few years ago, there was an estimate of \$300,000 to repair the sidewalk on the east side of the bridge. That work is still necessary and the west sidewalk is now in poor condition. Additional delay could force closure or substantial repair of both sidewalks and/or weight limiting the bridge.
- The cost estimates for the underpass do not include the pedestrian bridge. It has been admitted that the underpass does not work for pedestrians without the pedestrian bridge and it is of little use to pedestrians traveling north or east. The cost is an estimated additional \$3,500,000.
- We do not know the exact requirements of the railroad for an underpass. While we have basic information, until plans are developed their exact requirements are not known. What we do know from experience is that their permit process is lengthy and costly, that they will require the tracks to remain open at all times, that they will most likely require a bypass track which is not in the cost estimate, and that their requirement for flagging will add major costs to the project. None of these are issues for the bridge construction.
- The staff does not believe the underpass can be constructed to meet AASHTO standards and complete the connections to Market Street to the north and Graves or Levy to the south.
- One issue that has not been discussed is concern about increased Pavilion noise. With the bridge the retaining wall behind the stage and the hill on the south side provide some degree of noise protection. With the underpass there is nothing between the Pavilion and the properties to the east, and the hill is lowered which impacts noise spill over to the south. Additionally, the underpass will place vehicles at or just below the stage elevation which would prove to be a problem for performances.

For all these reasons, staff believes we should proceed with the enhanced bridge.

The second resolution is one proposed by Councilor Galvin. This resolution calls for a new design team and a new steering committee to essentially start over the design process. This would require the termination of the MMM Design contact of which approximately \$450,000 has been paid.

Alternatives: Essentially all alternatives are outlined in the memo above. One alternative that has been mentioned that has not been discussed is to use the funds allocated for the bridge replacement for the repair of the Belmont Bridge and other bridges. Staff explored this with VDOT and was told that could only happen after opening each bridge repair as a project and then having those go through the state prioritization process. Since the decision has already been made that the Belmont Bridge should be replaced rather than repaired, it is doubtful that VDOT would agree ten years later to fund only repair.

Another alternative as suggested by Councilor Szakos, would be to have MMM Design Group expand their team to include an urban design firm and a community engagement team member. Rather than do like was done before and pick a team member to add, we could require them to add their team member of their choice with our approval. This could avoid the lack of teamwork that occurred previously.

Attachment: Issue Summary Table
 Resolutions
 Drawings

Resolution

Be It Resolved by the City Council of the City of Charlottesville that staff be directed to proceed with the completion of all construction documents for the

- Enhanced Bridge

Be It Further Resolved that staff be directed to put together a funding plan for closing the gap with VDOT funding and bring it to Council.

Adopted this 21st day of July, 2014

Resolution

Be It Resolved by the Charlottesville City Council that staff be directed to proceed with the completion of all construction documents for a new, Belmont Bridge that will be well-designed, well-functioning, multi-modal, and a memorable addition to the built landscape of Charlottesville.

Be It Further Resolved that the city staff (including but not limited to the urban designer, bike ped. coordinator, engineer, and director of Neighborhood Development Services-NDS) be directed to:

- Terminate the contract with the current engineering firm and its architect in order to make way for a new, well-integrated Design and Engineering Team to design, engineer, draw, engage the public and provide construction administration services for a well-designed, well-functioning, multi-modal, memorable bridge to replace the existing infrastructure;
- Work with five (5) members of the Belmont Bridge Steering Committee appointed by Council (two of whom shall be design professionals from the PLACE Design Task Force) to build upon the extensive research and community feedback collected to date and craft an appropriate project scope and Request for Proposal (RFP) for comprehensive design and engineering services;
- Work with the same five (5) members of the Belmont Bridge Steering Committee cited above to select the most qualified and appropriate team among candidates solicited from the AIA, ASLA, and other professional design and engineering organizations.
- Work with the full Belmont Bridge Steering Committee as a sounding board for the selected Design and Engineering Team, from schematic design phase through construction.
- Put together a plan for closing the gap with VDOT funding and cap project construction cost at \$20 million, not including design and engineering fees.

Adopted this 21st day of July, 2014

	Bridge Replacement	Underpass	Enhanced Bridge	Bow Arch Bridge
Schedule/Sequencing	18 months after design & bidding	28 months	18 months after design & bidding	16 months after design & bidding
# Bridges	1 (with 440' span)	3 + 1 pedestrian	1 (with 205' span)	1 (with 205' span)
Zone Dimensions (each direction)	Pedestrian – 7' east side and 10' west side Bike – two at 4.0' Roadway – 3 lanes at 11.0' each plus a 6' median	Requires the pedestrian bridge to accommodate non-vehicles? Non-vehicles can use the underpass.	Pedestrian – 10' Planting/Furnishig-5' Bike – 10' (3" higher than the road surface)	Pedestrian – 10' Planting/Furnishing – 5' Bike – 10' (3" higher than the road surface)
Constructability	Bedrock could affect installation of piers & abutment. Need a geotech report. A heavy duty 42" tall concrete vehicle barrier is included.	Bedrock could affect installation of piers & abutment. Need a geotech report. New road geometry must maintain required clearances from the 3 bridges (for the railroad, Avon and Water).	Two abutments and two sets of piers. Includes a heavy duty 42" tall concrete vehicle barrier ("cathedral" design with 4" wide openings). The "cathedral" barrier is one option.	Two abutments but no piers. Includes a heavy duty 42" tall concrete vehicle barrier ("cathedral" design with 4" wide openings.) The "cathedral" barrier is one option.
Logistics	Allows reconstruction without completely redirecting traffic or changing the railroad schedule	The 3 bridges must be in place before the underpass is built. Rail lines and Water St. will require temporary constructions to reroute traffic. City will be responsible for providing uninterrupted rail service. Avon and parking lot must be closed. Existing bridge must be demolished in 2 phases. Requires closing the Lexus tunnel and extensive regarding.	Allows for construction without completely redirecting traffic or changing the railroad schedule. Construction will be in two segments, first segment, east traffic lanes, second segment west traffic lanes.	Construction will require the rerouting of traffic for 16 months. Will not change the railroad schedule.
Risks & Impacts	Subsurface unknowns and rerouting traffic	Subsurface unknowns and rerouting traffic. Coordination of existing utilities and a large pump station are required.	Subsurface unknowns & rerouting traffic.	Subsurface unknowns & rerouting traffic.

Total Cost	\$15,712,800	\$27,422,340 +\$3,400,000 – ped. bridge	\$17,209,600 \$795,000 ped. bridge	\$18,866,100 \$795,000 ped. bridge
City Share	\$3.2 million	\$14.9 million	\$4.7 million	\$6.1 million
Contingency (% direct cost)	Design – 5% Subsurface – 2% Construction – 10% Escalation – 5%	Design – 16% Subsurface – 10% Construction – 10% Escalation – 8%	Design – 10% Subsurface – 2% Construction- 10% Escalation – 8%	Design- 10% Subsurface – 2% Construction – 10% Escalation – 8%

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



Agenda Date:	July 21, 2014
Action Required:	None
Presenter:	Adam Hastings, CATEC Director
Staff Contacts:	Adam Hastings
Title:	CATEC Strategic Planning Update

Background:

During the 2013-2014 school year, the Charlottesville Albemarle Technical Education Center (CATEC) began a strategic planning process designed to bring regional career and technical education up to a level that meets the needs of regional employers while increasing access to career and training ladders for all students that lead to economic prosperity. Now beginning its first year of implementation, the plan calls for significant changes to the conceptual structure of the regional center including program offers and community partnerships.

Discussion:

The CATEC community engaged in a six-month study of best practice for Career and Technical Education, active engagement of regional employers, and strong partnership with local post-secondary training options. The resulting plan reflects a joint effort between CATEC, PVCC, and regional employers to provide highest quality technical training for high school and adult students.

Alignment with Council Vision Areas and Strategic Plan:

This project aligns with Goals 1 and 3 of the City's Strategic Plan with focus on economic strength and the self-sufficiency of residents. Ultimately, the work of the CATEC through the direction of its strategic plan will result in technical education and training for high school and adult students within Charlottesville as they expand both their technical skills and educational attainment to increase competitiveness in the current and future economies.

Community Engagement:

Please see attached CATEC Strategic Planning Final Report.

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CATEC Strategic Planning & Design

September 2013
March 2014

*Bridgewater
Innovations Group,
LLC*



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Table of Contents

Executive Summary..... 4

Introduction..... 5

 Bridgewater Innovations Group, LLC (the bridge ltd) Team Members..... 5

 The Project Timeline..... 6

 The Design Process..... 6

 Research and investigation of the current landscape..... 6

 Determination of the need..... 6

 Development of prototypes..... 7

 Testing of prototypes with stakeholders..... 7

 Selection of best model(s)..... 7

 Proposal of phased plan..... 7

The Current CATEC..... 7

Phase I Research..... 8

 Career and Technical Education – What it is and how it has evolved..... 8

 Current and Future Workforce Trends..... 9

 The Global Perspective..... 12

 Job Shortage or Skills Shortage?..... 13

 Workplace Readiness Skills for the Future..... 13

 CTE – Significance, Barriers, Needs, and Promising Practices..... 18

 Barrier: Attitudes/Perceptions/Engagement..... 19

 Barrier: Lack of Effective, High-Quality CTE Programs..... 20

 What’s Needed..... 20

 Promising Practices..... 20

 Some notable programs across the country:..... 21

 Conclusions..... 22

Phase II and Phase III, Preliminary Model Development..... 22

 Preliminary Model Development..... 23

CATEC Strategic Planning and Design

Current CATEC model	24
Characteristics of this model.....	24
CATEC Full-time model	25
Characteristics of this model.....	25
Centers of Excellence model.....	26
Characteristics of this model.....	26
Certification Center model	27
Characteristics of this model.....	27
Career Path Integration model.....	28
Characteristics of this model.....	28
Do-It-Yourself model.....	29
Characteristics of this model.....	29
Gathering Input and Garnering Support	30
The Institutes Model.....	31
The Institutes Model: Components and features	32
Steps to Implement the Institutes Model	36
Redefine role of CATEC director to focus strategic objectives.	36
Appoint a Public/Private steering group to oversee the change process (representatives from CATEC, PVCC, business, experts).	36
Decide the sequence of institute formation.....	36
Establish/approve calendar of events.	36
Establish Program Design Center.....	36
Approve the outline and process for institute proposal presentations.	36
Approve budget for the detailed planning process.....	36
Organizing to Implement the Model	37
Institute Planning.....	37
Samples of step-by-step Institute design.....	38
Institute Rollout	39
Other Questions	39

CATEC Strategic Planning and Design

Risks	40
Summary	41
Endnotes.....	42

Executive Summary

This report presents the research and results from the Bridgewater Innovations Group, LLC (dba: the bridge, ltd) strategic planning and design project. The Charlottesville Albemarle Technical Education Center (CATEC) commissioned the bridge, ltd to conduct a strategic assessment of CATEC, carry out a process of discovery and design, and develop a final design incorporating the findings, recommendations, and implications from each stage of the process. The project team included Dr. Patty Culotta, Dr. Thomas Smith, Dr. Grant Tate, Ms. Jennifer Till and Mr. Kevin Willis.

The study comprised three phases over a six-month period. Phase I, research, examined the best practices in career and technical education; current and future work trends at the regional, national, and international levels; data on jobs and employment; and workplace skills requirements. Phase II built on Phase I results to determine characteristics of the ideal CATEC solution, identify strategic questions, develop preliminary models for stakeholder input, and design a comprehensive model. In Phase III, the comprehensive model, including a strategy for implementation, was presented to the CATEC Board.

The most salient findings of the Phase 1 research were: Methods of work, driven by innovation and accelerating knowledge generation, are in a state of flux, placing increased demands on employees' skill and knowledge. This requires agile and work-ready employees and requires collaborative relationships between education centers and employers. Various studies suggest that our supply system is not equipped to meet the demands for workers with mid-level skills. Accordingly, opportunities for education and training to afford workers the necessary tools for successful 21st century careers are crucial. Career and technical education, in partnership with other educational/training organizations and with businesses, is a means of developing a well-aligned, skilled workforce.

The Phase I research, combined with stakeholder interviews, formed the foundation for redesign of CATEC in Phase II. The bridge ltd team developed several alternative models, took them to stakeholders and community leaders for review. This process, by its nature, helped generate awareness, engagement and enthusiasm across the community. Feedback and comments from the interviews helped form the final strategic model, the Institutes Model. The model includes five institutes: Customer Service, Skilled Trades, Manufacturing and Information Technology, Healthcare, and Early Childhood Education. In addition, the model includes a program design center and a skills assessment center. This model was presented to CATEC's governing Board for initial review, followed by subsequent submission for approval. The Phase III process included timelines for Institutes planning and implementation.

The recommended Institutes Model builds on a strong collaboration between CATEC and PVCC. This means CATEC and PVCC, with additional collaboration with employers, will develop and implement the new model over the next five years. Ultimately the recommended model will reposition CATEC as a dynamic, progressive partner in the educational and workforce development community. The model requires collaborative efforts and leadership from CATEC, PVCC, their governing bodies, city and county executives, regional employers, and the community. Such a partnership will result in a significant force to develop an agile and well-aligned, adequately equipped workforce for the region.

Introduction

In August 2013, the Charlottesville Albemarle Technical Education Center (CATEC) contracted with Bridgewater Innovations Group, LLC (dba: the bridge, ltd) for the purpose of conducting Strategic Planning and Designing for CATEC. Specifically, Bridgewater Innovations Group, LLC will:

- Conduct a strategic assessment of all program areas, including a thorough review of existing materials and interviews with key stakeholders (staff, board members, partners, donors, program participants, volunteers, and beneficiaries).
- Conduct a three-stage process of strategic planning and designing to include:
 - Discovery: Discover state-of-the-art schooling practices related to Career and Technical Education and specific to regional technical education centers. (September-October, 2013)
 - Design: Design a state-of-the-art regional technical center that integrates community needs, stakeholder values, and highly effective teaching and learning practices while addressing community perceptions and school logistics. (November-December, 2013)
 - Create: Create a regional technical education center in partnership with the CATEC Center Board that incorporates the findings, recommendations, and implications, from each stage of the strategic planning and designing process. (January-February, 2014)
- Maintain regular contact with and prepare regular presentations for the CATEC Center board and the Joint School Boards of Albemarle County and Charlottesville City in accordance with established school board meeting schedules and ad-hoc meetings.
- Prepare a three-year strategic planning and design process for approval by the CATEC Center Board.

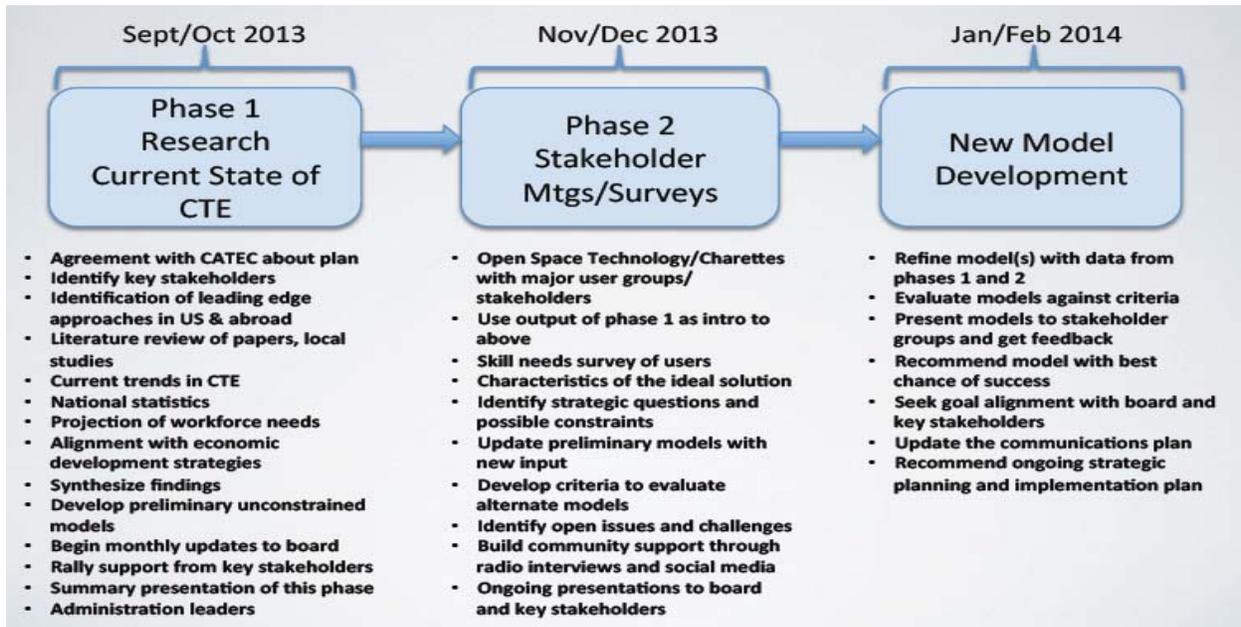
Bridgewater Innovations Group, LLC (the bridge ltd) Team Members

To address this project, the company assembled a team of experts with complementary backgrounds and capabilities: Education, training, strategic planning, operations, community service, industry relations and leadership.

Dr. Grant Tate
Ms. Jennifer Till
Mr. Kevin Willis
Dr. Patty Culotta
Dr. Thomas Smith

The Project Timeline

The team translated the project goals into the following timeline:



From the beginning, the team recognized that the project must have significant community and employer participation. Achieving consensus among all major stakeholder groups became a major goal of the work. Thus, the team developed a process that was open and involved a wide variety of participants.

The Design Process

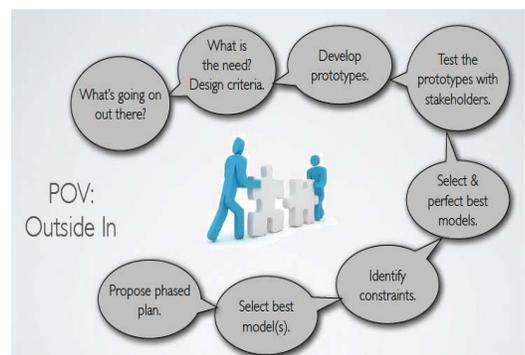
The team used a modern innovative approach to problem solving and design called “Design Thinking,” a technique that counts Dr. Jeanne Litke of the Darden School among its proponents. The CATEC design process included the following steps:

Research and investigation of the current landscape

In this stage the team studied the models of career and technical education around the world. As a result, the team developed a comprehensive list of characteristics common to the most successful models.

Determination of the need

The preceding stage, supplemented by interviews with employers, helped identify major trends in the field of careers and work, both nationally and in the local region. This work also helped identify the characteristics and skills employers want in their workforce.



CATEC Strategic Planning and Design

Development of prototypes

In the next stage, the team developed several prototype models, each containing characteristics that could be included in a final CATEC model. These models were designed to generate discussion and analysis in the interviews of the next stage.

Testing of prototypes with stakeholders

After the prototypes were developed, the team took them to employers, community leaders, school leaders, faculty and others. This is an important component of Design Thinking. It involves getting in-depth interviews with stakeholders while observing them sort their preferences. This approach yields more in-depth information than on-line or face-to-face surveys.

Selection of best model(s)

Based on the feedback from the interviews and from lessons learned in the research phase, the team developed a comprehensive model, which was again reviewed with samples of those previously interviewed.

Proposal of phased plan

The final presentation of the new model includes a suggested implementation plan. This report includes all steps in the design process.

The Current CATEC

CATEC is a jointly owned and operated facility of Charlottesville City and Albemarle County providing technical education to high school students and to adults. A Center Board composed of three members each from the Charlottesville City and Albemarle County school boards governs the 57,000 sq. ft. facility on 20 acres in Albemarle County, which opened in 1973.

During the school day CATEC offers career and technical education courses that supplement Albemarle and Charlottesville area high school students' regular comprehensive high school programs. Evening adult education programs are offered to community members 16 years of age and older.

The Center offers thirteen high-school programs of one- or two-year duration. Two-year programs include Automotive Service Technology, Automotive Body Technology, Barbering, Building Trades, Cosmetology, Culinary Arts, and Masonry. One-year programs include Dental Assisting, Music Industry Technology, and Nurse Aide. Also offered are Firefighting/EMT (one semester each) Green Energy Design & Technology (one- or two-year program), and a one-year Vocational Exploratory Program.

CATEC currently has a faculty/staff of 33 with 314 high school students enrolled in the thirteen offered programs. The facility has an enrollment capacity of 450 students. Fifty percent of the programs meet most industry workplace standards for equipment and facilities; thirty-three percent exceed industry workplace standards (Barbering, Cosmetology, Masonry, and Music Industry Technology). Automotive Body Technology and Green Energy Design & Technology meet most VDOE course standards but are not industry caliber.

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State and national certification and licensure vary by program. Students in Barbering, Cosmetology, and Nurse Aide programs may receive state certification/licensure. Automotive Service Technology, Culinary Arts, and Dental Assisting offer nationally recognized certification/licensure. Firefighting/EMT offers state and national certification/licensure. The Automotive Service Technology, Barbering, Cosmetology, Dental Assisting, and Nurse Aide programs receive strong industry recognition with certification/licensure, resulting in competitive employment.

Business involvement is very strong in the Automotive Service Technology and Cosmetology programs; strong in the Barbering, Culinary Arts, Dental Assisting, Nurse Aide, and Firefighting/EMT programs; and gaining strength in the Automotive Body Technology and Building Trades programs. Green Energy Design and Masonry programs have minimal business involvement.

The largest student population is in Cosmetology with 55 students, followed by Culinary Arts with an enrollment of 50 students. Building Trades has an enrollment of 37 followed by the Automotive Service Technology and Nurse Aide programs each with 31, and Automotive Body Technology with 26. Dental Assisting, Music Industry Technology, Firefighting/EMT, and Barbering have enrollments of 18, 16, 15, and 11 respectively. Green Energy Design has an enrollment of 4; Masonry has 7.

Evening offerings for adult continuing education at CATEC cover a range of technical education courses designed to enhance current skills, provide new knowledge and skills for increased job marketability, and continue life-long learning. Course offerings include computer training and health services. A broad spectrum of apprenticeship programs includes electronics, carpentry, masonry, plumbing, cosmetology, and barbering.

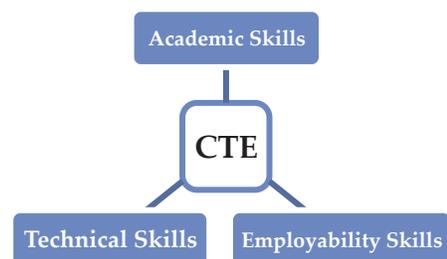
Phase I Research

Phase I in the project creation and proposal of a new model for the CATEC of the 21st Century included the clarification of Career and Technical Education (CTE) and its evolving role; the identification of leading edge CTE approaches in the United States and abroad; a literature review of national, state, and local studies and statistics; and projections of national, state, and local workforce needs.

Career and Technical Education – What it is and how it has evolved

Career and Technical Education (CTE) has replaced Vocational Education in the vocabulary of school administrators in the U.S., whereas Vocational Education and Training (VET) is the term used in Europe.

Today's CTE prepares students for a wide range of careers and further educational opportunities, including industry-recognized credentials, postsecondary certificates, and two- and four-year degrees. The goal of CTE is to promote college- and career-readiness skills such as *core academic skills* and the ability to apply those skills to concrete situations in order to function in the workplace and in routine daily activities, *employability skills* (such as critical thinking and responsibility) that are essential in any career area, and *job-specific, technical skills* related to a specific career pathway.¹

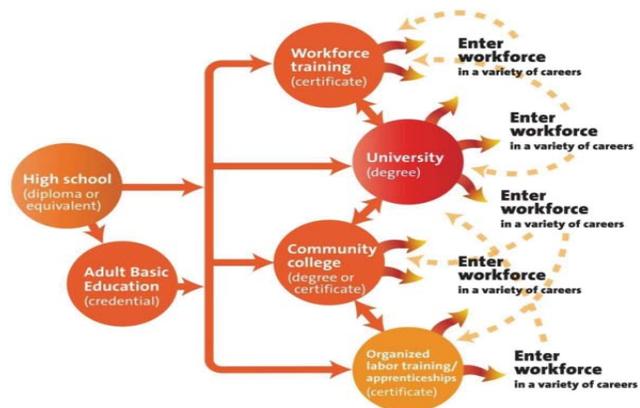


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Within CTE, 16 Career Clusters® group occupations and career specialties based on a set of common knowledge and skills that prepare learners for a full range of opportunities, each with 79 related Career Pathways. Comprehensive Programs of Study align academic and technical content in a coordinated, non-duplicative sequence of secondary and postsecondary courses, and lead to an industry-recognized credential or certificate at the postsecondary level or an associate or baccalaureate degree. Middle schools, high schools, area career and technical centers, community and technical colleges, and other postsecondary institutions offer CTE.²

In building the nation's economic vitality, we often overlook the importance of CTE. Too many educators assume that career and technical training is for the last century, not this one. Many reformers treat CTE as old school, rather than as a potential source of cutting-edge preparation for careers. Vocational education lacked academic rigor and relevance. It was a last-stop destination—rather than serving as a launching pad to postsecondary education and industry-recognized certifications leading to a good job.³

In past decades, high school graduates throughout the United States perceived minimal options for their futures. They felt compelled to choose one of two forks in the road, with one path leading to college, the other to an entry-level job. The choices, however, are much more complex and interconnected in today's 21st century global economy. Numerous paths, all of which begin with and require a robust high school experience that prepares all students, whether for college or job entry, have replaced the simple “fork in the road” idea.



As depicted by the graphic, effective career pathways rely on coordination across education and training programs in order to offer a clear sequence of industry-relevant coursework and credentials to job seekers. Today's education and training programs include online and in-person opportunities. After being in the workforce, a person may choose to go back for more credentials to make an upward or lateral career move.⁴

Nationwide, career & technical education programs are changing, evolving and innovating to better serve the country's 21st century needs. CTE is preparing students of all ages to help drive America's success and vitality. Further, it is creating an educational environment that integrates core academics with real-world relevance. CTE is leading this change, transforming expectations and making a difference for students, for secondary and postsecondary schools, for businesses and industry—for America.⁵

Current and Future Workforce Trends

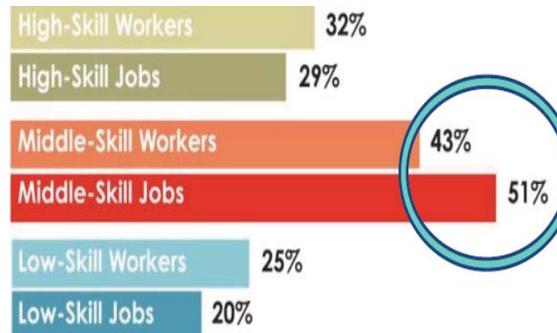
Numerous reports and studies focus on current workforce trends and attempt to predict the workforce of the future. While rapid changes in research, design, and technology make it difficult to accurately forecast the workplace of the next decades, commonalities in current research provide invaluable insights.

According to March, 2012 statistics from the Bureau of Labor Statistics Division of Occupational Outlook, by 2020 the economy will create 54.8 million job openings, 20,276,000 of which will be

CATEC Strategic Planning and Design

new jobs and 34,524,000 of which will be openings due to replacement of current workers (mostly due to retirement of current workers).

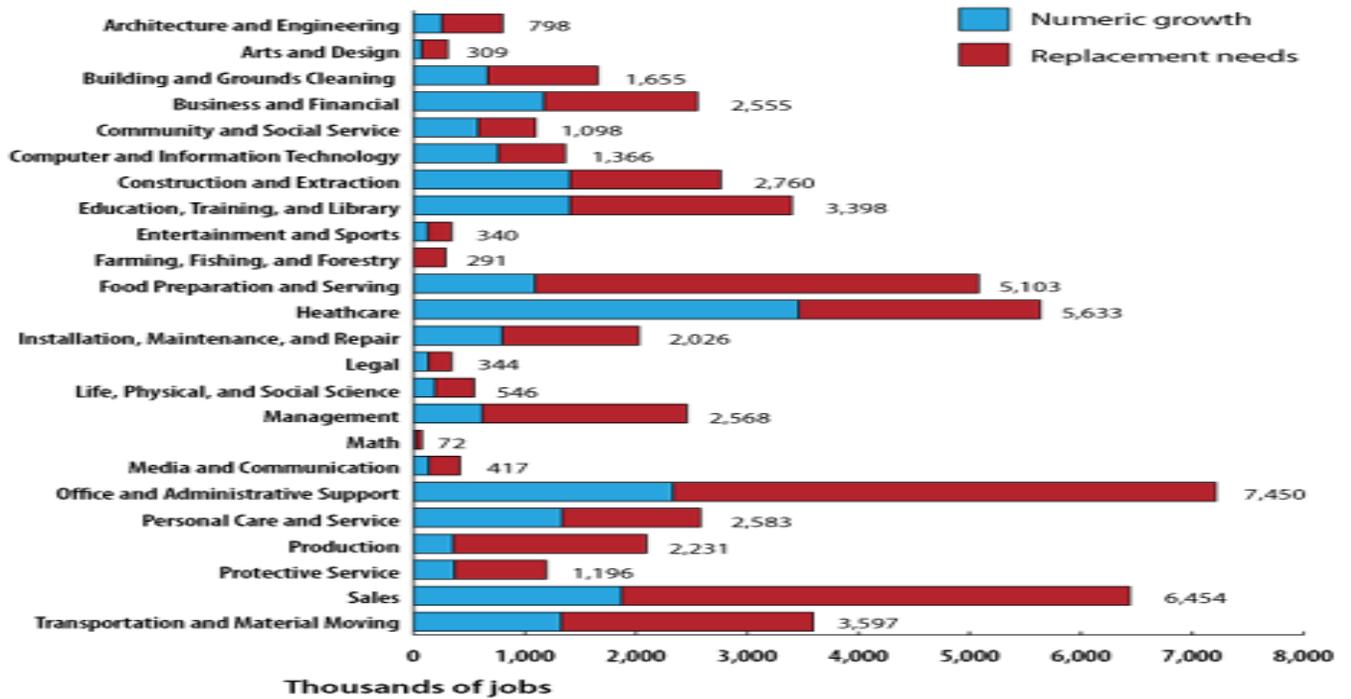
Other research reveals that current job openings are robust for both the middle skill jobs as well as BA+ jobs—and predict that trend will continue. Middle-skill jobs, which require more than a high school but less than a four-year degree, make up the largest part of America’s labor market. Job opportunities and workforce forecasts indicate concerns surrounding the demand for middle skills jobs and the supply of skilled workers. About 51 percent of all jobs today are middle-skill. About 43 percent of workers have training for these jobs. This results in a skills mismatch and a middle-skills gap.⁶



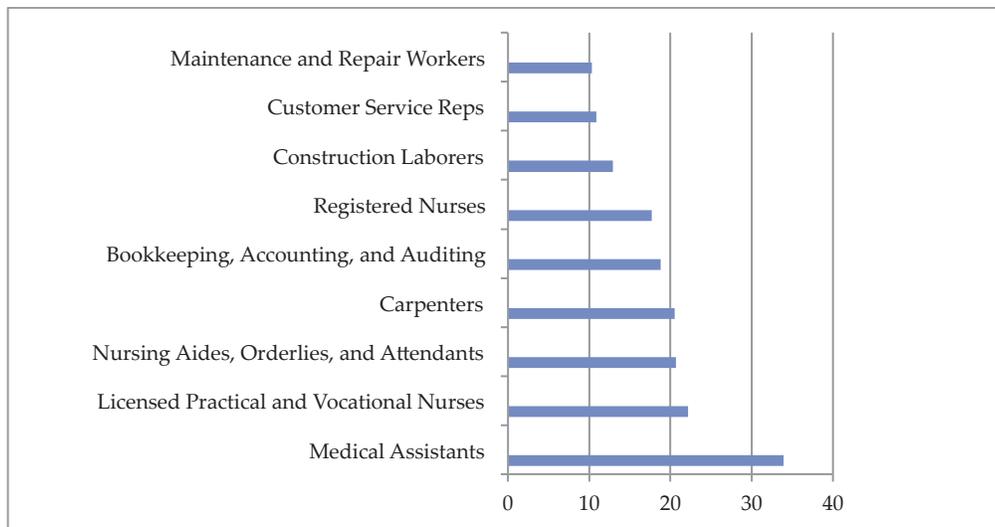
Recent surveys from business and industry support these data. One study, *Advancing Workforce Policy in the States: Developing Skills for Jobs*, a 2013 report by National Skills Coalition Washington DC, included information from two surveys. According to the McKinsey Survey, 64 percent of companies say they cannot find qualified applicants for management, scientific, engineering or technical positions. In another, the National Manufacturing Institute Survey, 67 percent of small and midsize manufacturers report moderate to severe workforce shortages, and they predict this will get worse, not better. Another survey, conducted by The Associated General Contractors of America (AGCA) in August 2013, revealed that 74 percent of construction firms report a struggle to find skilled construction workers at time when construction activity is finally on the upswing.

Information in 2012 from the Division of Occupational Outlook (Bureau of Labor Statistics) provides a graphic of job numeric growth and replacement needs by occupational group, 2010-2020. Notable are those occupations consistent with a foundation in CTE.

Jobs Due to Growth and Replacement Needs, By Occupational Group, 2010-20 (projected)



A 2009 publication, *The 30 Occupations with the Largest Employment Growth 2008-18*, depicted technical jobs with the largest employment growth in the US.



In a recent report, *Regional Existing and Target Industry Analysis*, the Thomas Jefferson Partnership for Economic Development determined targeted industries for Albemarle, Charlottesville, Culpeper, Fluvanna, Greene, Louisa, Madison, Nelson, and Orange. Both this chart and the ones above are consistent with occupations and industries correlated with CTE.

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	Albemarle	Charlottesville	Culpeper	Fluvanna	Greene	Louisa	Madison	Nelson	Orange
Bioscience & Medical Devices	•	•							
Business & Financial Services	•	•	•	•	•	•	•	•	•
Information Technology	•	•	•		•				
Defense & Security	•	•	•		•				
Health Services	•	•	•	•	•				•
Agribusiness, Food Processing & Tech	•					•	•	•	•
Transportation & Logistics				•		•			•
Chemicals & Plastics						•			
Forest & Wood Products				•		•		•	
Light Manufacturing			•	•		•			•
Arts, Design, Sports & Media	•	•			•		•	•	

The Global Perspective

Many industries look overseas to find workers with the skills required in growing fields like information technology and advanced manufacturing. Why? If you look at the U.S. secondary education system through a comparative lens, one big difference becomes immediately apparent: most advanced nations place far more emphasis on vocational education than we do.⁷ According to the **Organization for Economic Co-operation and Development's** (OECD) 2008 *Education at a Glance*, the U.S. does not have the focus on school-based career and technical education programs or on combined school and work-based career and technical education programs found in other countries.

A look at international models provides a better understanding of this focus on career and technical education absent in the U.S. OECD data show that secondary students in competitor nations devote a higher share of their course work to secondary vocational education programs than the United States, with the exception of Canada. Using OECD standards of vocational education enrollment, in most European countries examined, almost half or more of secondary school graduates enroll in a vocational-oriented program (in which they earn 25 percent or more of their total credits). Even in Korea and Japan, with their strong academic traditions, a quarter of secondary graduates major in vocational education by OECD standards. By contrast, since the early 1980s the percentage of U.S. secondary students meeting OECD standards declined from about 18 percent to six percent.⁸

Throughout northern and central Europe especially, vocational education and training (VET) is a mainstream system, the pathway helping most young people make the transition from adolescence to productive adulthood. In Austria, Denmark, Finland, Germany, the Netherlands, Norway, and Switzerland, after grade 9 or 10 between 40 and 70 percent of young people opt for an educational program that typically combines classroom and workplace learning over the next three years. This culminates in a "qualification" (diploma or certificate). In virtually all of these countries, vocational education also provides a pathway into tertiary education for those who choose to take it.⁹

VET has two basic models. The first, usually referred to as apprenticeship or the dual system, has students spend three or four days in paid company-organized training at the workplace, with the other day or two in related academic work in the classroom. Germany has the oldest and best-known apprenticeship system, which offers programs leading to recognized qualifications in about 350 different occupations. Switzerland also has a very highly regarded apprenticeship system.

A second group of countries have opted for a model of vocational education provided in school-based programs, although they all incorporate at least some work-based learning. These countries typically introduce students to a broad cluster of occupations (e.g. health care or IT) before narrowing the focus of training in the third year.¹⁰

Job Shortage or Skills Shortage?

Obtaining a good job—one capable of providing a family-sustaining wage—has become the ultimate standard for educational adequacy. The mass postsecondary educational system has arrived, leaving academics the debate over “college for all.” Experts might contest whether everyone needs some college education—but the labor market clearly has linked middle-class employability to postsecondary education and training.¹¹ Essentially, postsecondary education or training has become the threshold requirement for access to middle-class status and earnings in good times and bad. It is no longer the preferred pathway to middle-class jobs—it is, increasingly, the only pathway.¹²

The debate further continues as to whether the country is facing a job shortage or a worker shortage. As many studies indicate, we have a large potential workforce—an existing and growing population, many of whom are currently unemployed or underemployed. The focus is not on workers overall. It’s not a worker shortage. For many companies, it’s a talent shortage. The skills gap continues.¹³

To succeed, manufacturing and technical workers need better training, and must be more creative and highly skilled than ever before. Like their counterparts in other settings, such as hospitals and labs, manufacturing workers are now “knowledge workers” who must use their brains every minute of every shift to get the job done. They must understand complicated processes and be able to predict, prevent, troubleshoot, and solve problems in a high-pressure environment. This means that, as in other economic sectors, high-level, multidisciplinary technical training is a vital part of worker preparation.¹⁴

This problem is not limited to the manufacturing sector. Across a wide range of industries that rely on middle-level workers, institutions are not teaching the skills that employers need. The private sector spends roughly \$135 billion per year training its workers, struggling to correct for an ill-prepared workforce.¹⁵

Workplace Readiness Skills for the Future

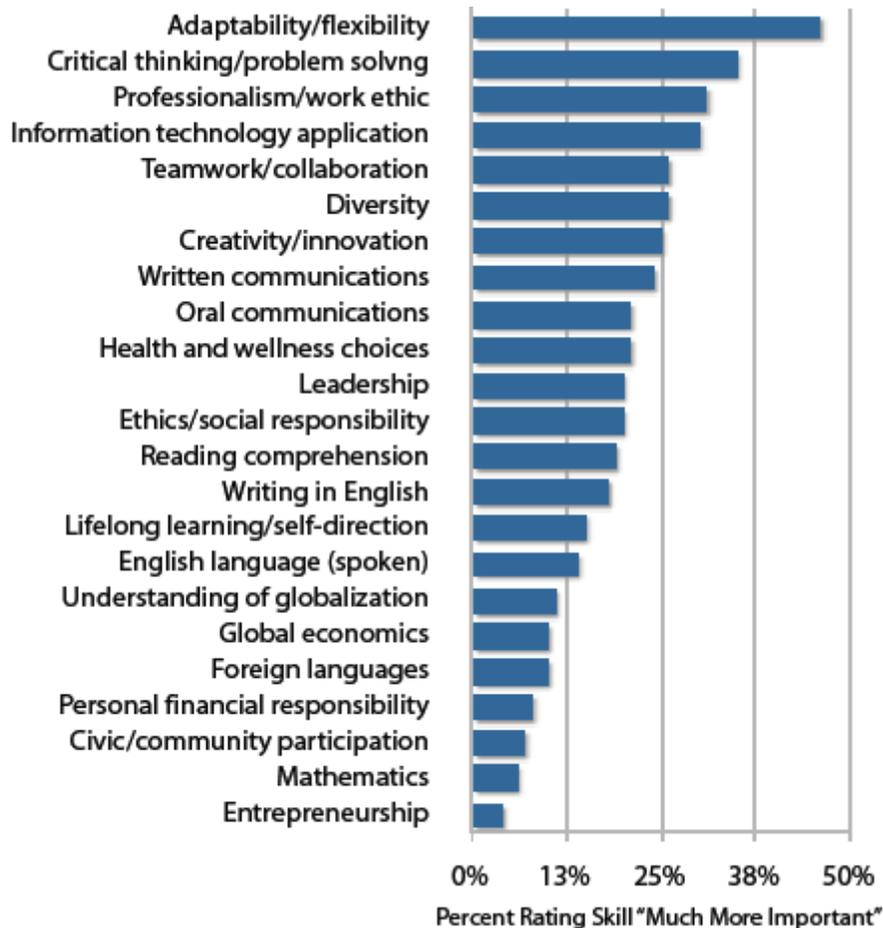
As technology races ahead, low-skill workers will reallocate to tasks that are non-susceptible to computerization—i.e., tasks requiring creative and social intelligence. For workers to win the race, however, they will have to acquire creative and social skills.¹⁶

The outlook for workers without college degrees may be uncertain, but not devoid of hope. There will be job opportunities in middle-skill jobs, but not in the traditional blue-collar production and white-collar office jobs of the past. Rather, what is expected is a growing employment among the ranks of the “new artisans”—licensed practical nurses and medical assistants; teachers, tutors and

learning guides at all educational levels; kitchen designers, construction supervisors and skilled tradespeople of every variety; expert repair and support technicians; and the many people who offer personal training and assistance, like physical therapists, personal trainers, coaches and guides. These workers will adeptly combine technical skills with interpersonal interaction, flexibility and adaptability to offer services that are uniquely human.¹⁷

Despite changes in the workplace over the past twenty years, employers from all sectors and across the nation rate workplace skills, character, and behavior as vital qualities for entry-level employees. In 2008, the Society for Human Resource Management reported responses from human resource professionals when asked how skill requirements had changed over the past two years. Respondents, from companies employing workers from high school graduates through four-year graduates, indicated that workplace readiness skills were becoming more important in the workplace—not less. As the chart below shows, workplace readiness skills such as adaptability/flexibility, critical thinking/problem solving, and professionalism/work ethic were judged as becoming more important than in the previous two years.¹⁸

Skills Considered “Much More Important Now” than Two Years Ago for New Entrants



In 2009, the Weldon Cooper Center researchers sought input from Virginia employers on a proposed update of the workplace readiness skills in Virginia’s career and technical education curriculum. Employers from a variety of fields submitted comments on a list of 21 skills developed by the Career and Technical Education Consortium of States, Virginia’s CTE Resource Center, and

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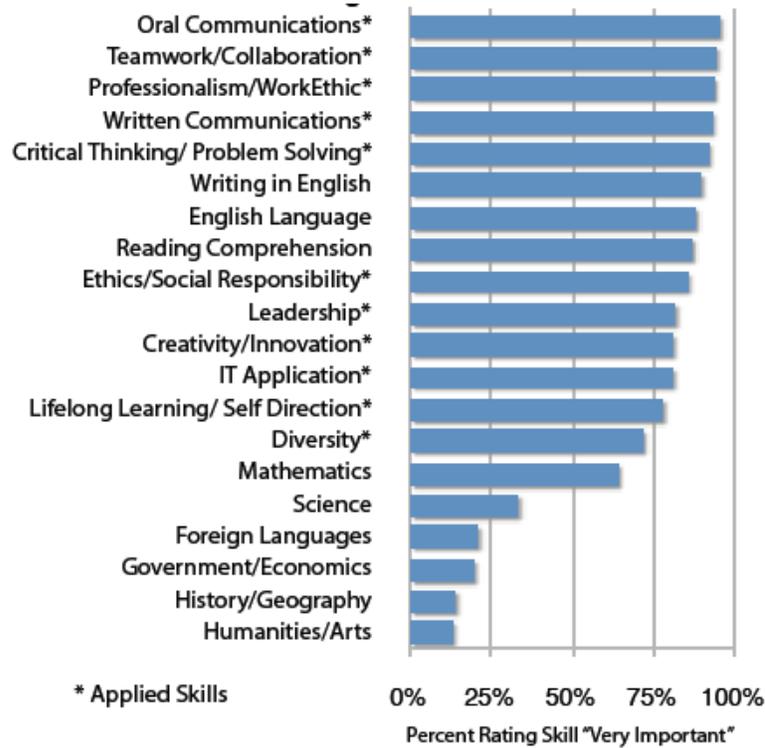
the Weldon Cooper Center and based on an evaluation of national research, national assessment programs, and workplace skills curricula in use in seven other states.¹⁹ Employers were asked to prioritize skills determined to be “essential” for employees.

Percent of Virginia Employers Rating Skills “Essential”

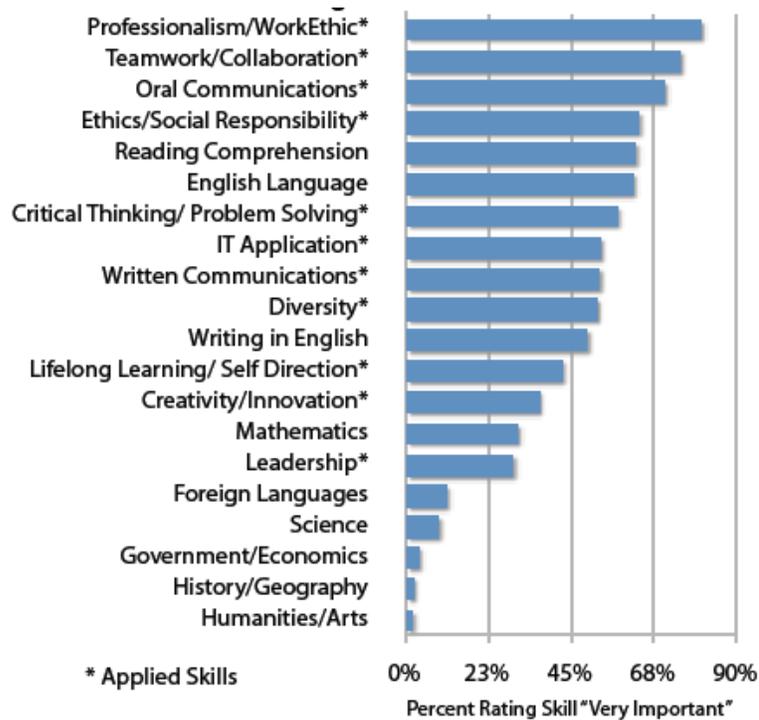
1	Positive Work Ethic	96%
2	Speaking & Listening	96%
3	Professional Ethics	95%
4	Participates As A Team Member	89%
5	Reading & Writing	89%
6	Diversity Awareness	82%
7	Reasoning, Problem-Solving, & Decision-Making	76%
8	Technology Applications	68%
9	Understanding Health, Wellness, & Safety	67%
10	Understands The Big Picture	64%
11	Lifelong Learning	63%
12	Job Acquisition & Advancement	60%
13	Telecommunications	58%
14	Internet Use & Safety	58%
15	Creativity, Innovation, & Adaptability	57%
16	Leadership & Resource Management	54%
17	Research & Synthesis	53%
18	Applying & Understanding Mathematics	51%
19	Data & File-Management	50%
20	Computer Hardware Basics	34%
21	Employment-Related Financial Literacy	34%

The Weldon Cooper Center reports on another study, in which over 400 employers across the nation ranked the importance of eleven “applied” skills (those called workplace readiness skills in Virginia), and nine basic or “academic” knowledge/skills. Respondents rated the importance of these skills for employees entering the workforce at three education levels: high school graduates, two-year college or technical school graduates, and four-year college graduates. For these employers, applied skills topped the list of skills rated “very important” for employees at all three educational levels.²⁰

“Very Important” Skills for 4-Year College Graduates



“Very Important” Skills for 2-Year College Graduates



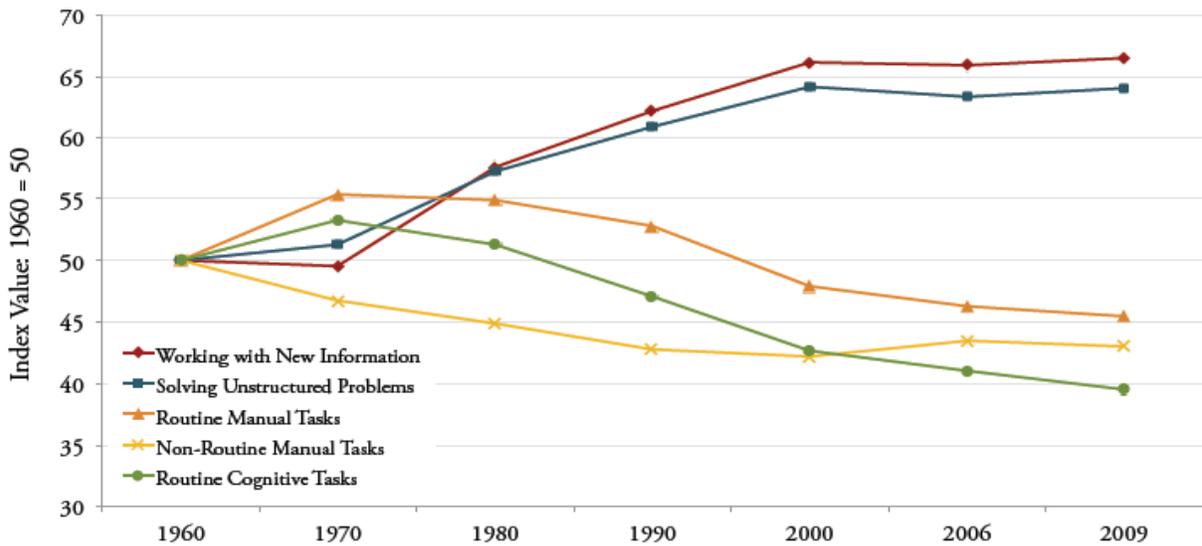
“Very Important” Skills for High School Graduates



While many middle-skill jobs are susceptible to automation, others demand a mixture of tasks that take advantage of human flexibility. These middle-skill jobs will persist, and potentially grow, because they involve tasks that cannot readily be unbundled without a substantial drop in quality. Consider, for example, the frustration of calling a software firm for technical support, only to discover that the technician knows nothing more than the standard answers shown on his or her computer screen—that is, the technician is a mouthpiece reading from a script, not a problem-solver. This is not generally a productive form of work organization because it fails to harness the complementarities between technical and interpersonal skills. Simply put, the quality of a service within any occupation will improve when a worker combines routine (technical) and non-routine (flexible) tasks.²¹

In *Dancing with Robots: Human Skills for Computerized Work*, Levy and Murnane contend that human work in the U.S. economy increasingly consists of three types of tasks: non-routine manual tasks, solving unstructured problems (car repair), and working with new information (determining a customer’s Internet problem). The growing importance of the second and third tasks represents a significant shift. For much of the 20th century a significant amount of work involved following directions. In many situations, directions were a shortcut—a way to accomplish a task without much knowledge of the underlying process. Today, computers and workers in lower-wage countries are increasingly carrying out work that consists of following clearly specified directions. The remaining jobs that pay enough to support families require a deeper level of knowledge and the skills to apply it.²² To further demonstrate the changing skills of the workplace, Levy and Murnane developed an Index of Changing Work Tasks in the U.S. Economy, depicted below.

Index of Changing Work Tasks in the U.S. Economy 1960-2009



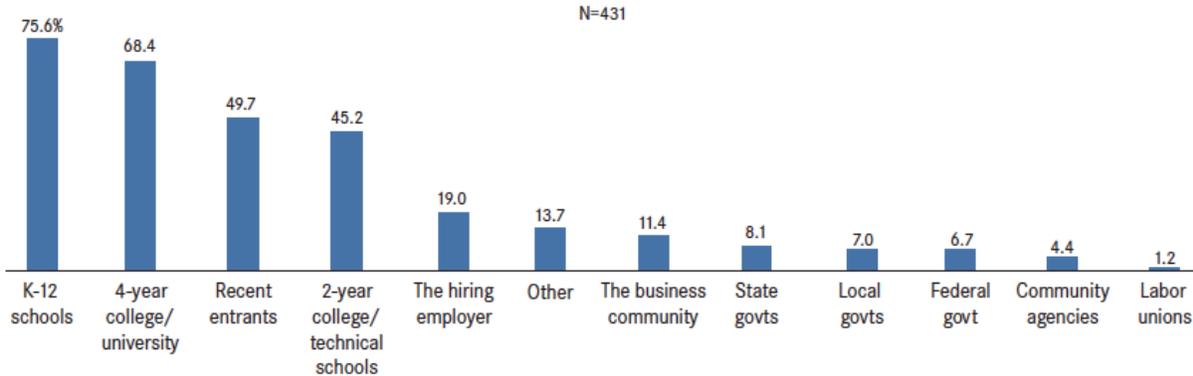
CTE – Significance, Barriers, Needs, and Promising Practices

Dr. Joseph Scarcella, Professor of Education and M.A. Program Coordinator for the Career and Technical Education Teacher Education Program, California State University, San Bernardino, predicts that with greater technological advances, the influence of CTE throughout education will become more profound and will require even more connection between academics and CTE: “As technology evolves, our society is going to become so complex that we will have to have some form of CTE imbedded in all of our education.”²³ And, according to Dr. Stephen S. Fuller, Center for Regional Analysis at George Mason University, “Demand for workers to fill new and replacement jobs will substantially exceed the supply of available workers in every major occupational category.”²⁴

In light of these comments and the research indicative of the need for middle-level skills for current and future employment, the evidence of job-skills gaps, and the diverse skills required for the 21st century workforce, it is imperative that career and technical education be considered a major component in the economic landscape. The question is, then, how do we make CTE programs viable resources for employers and who is responsible?

In the 2006 *Are They Really Ready to Work? Employers’ Perspectives on the Basic Knowledge and Applied Skills of New Entrants to the 21st Century U.S. Workforce*, a report conducted jointly by The Conference Board, Partnership for 21st Century Skills, Corporate Voices for Working Families, and the Society for Human Resource Management, over 400 employers across the nation employers were asked who should be responsible for providing the necessary basic knowledge and applied skills for their new entrants? Over seventy-five percent of employers indicated that K-12 schools should be responsible for making new entrants work-ready.²⁵

Responsibility for Providing the Necessary Basic Knowledge and Applied Skills for New Entrants²⁶



Yet, according to research, there are obstacles to overcome in order to elevate the position of CTE programs as viable sources of Virginia’s, and indeed the nation’s, future workforce. Numerous studies have determined barriers to the success of CTE.

Barrier: Attitudes/Perceptions/Engagement

For many, there is still a stigma attached to CTE and a perceived notion that career and technical education remains the “vocational training” of a generation ago.

Not all parents are receptive, fearing that CTE involves removal of students from the regular school setting and poses a threat to academic learning, drawing children away from college preparation and attendance.²⁷

Employer engagement and partnership is lacking. Some employers have little confidence that involvement in partnerships or school-to-work initiatives will be cost effective or reap rewards in reduced hiring costs and greater productivity. School-to-work concerns include costs of bringing students into the organization/allocating time for skilled workers to work with them, laws regarding child labor and safety, insurance costs for general liability and workers' compensation, and management and employee resistance to work-based learning.²⁸

Postsecondary institutions, both two- and four-year colleges, may be reluctant to participate in collaboration with high schools/CTE programs with concerns surrounding increased costs and hassles involved in collaboration efforts and the threat to institutional control and accountability.²⁹ The end result is a loose coupling and duplication among providers.

Teachers may be fearful of change and reluctant to devote the time and effort required to learn and incorporate new ways of teaching and learning into their instruction, curriculum, and classroom management.³⁰ Professional development to support and guide faculty is often deficient.

High school guidance counselors often guide students toward college preparation rather than career- pathway exploration. Career guidance at many CTE centers is nonexistent.

Minimal media attention to CTE results in limited public awareness of the opportunities available. CTE centers do not self-promote to highlight merits, accolades, and accomplishments.

While some employers turn to CTE as an important source of talent to fill skilled positions within their companies, education and workforce policies have not been sufficient to date to close major skills gaps in the U.S. labor market (relative to demand).³¹

Barrier: Lack of Effective, High-Quality CTE Programs

CTE programs often lack alignment with college- and career-readiness standards AND with the needs of employers/industry/labor. Programs do not provide students with a curriculum based on integrated academic, technical content, and strong employability skills AND work-based learning opportunities that enable students to connect what they are learning to real-life career scenarios and choices. Often students do not graduate with industry certifications or licenses and postsecondary certificates or degrees that employers use to make hiring and promotion decisions.³²

Many CTE centers are obsolete in terms of adequate the facility, space, equipment, and functional labs. Funding streams are inadequate to sufficiently maintain a center geared to the 21st century workplace. Too often, regulations or organization constraints impact the ability of a center to move forward.

What's Needed

A 2012 report, *Investing in America's Future: A Blueprint for Transforming Career and Technical Education*, issued by the U.S. Department of Education's Office of Vocational and Adult Education, proposed a transformation of CTE and the ushering in of a new era of rigorous, relevant, and results-driven CTE shaped by four core principles: 1) Alignment between high-quality CTE programs and labor market needs; 2) collaboration among secondary and postsecondary institutions, employers, and industry partners; 3) accountability for improving academic outcomes and building technical/employability skills; and 4) innovation to support CTE implementation of effective practices.

The National Skills Coalition recommends two additional characteristics for robust CTE programs: Sector/Industry Partnerships and Career Pathways/Integrated Education and Training. Sector/industry partnerships involves engaging employers in a meaningful way by convening multiple employers from a regional industry sector to assess and validate labor market information, identify expected job openings and skills and credentials required for these jobs and to engage education/training providers and other stakeholders to develop solutions and training programs targeted to the skill needs. Career pathways/integrated education and training implies a sequence of education and training courses and credentials that are built around the skill needs of employers and industry sectors, contextualized learning, multiple entry and exit points, stackable credentials or credits leading to industry recognized credentials, intensive wraparound support services and job placement.³³

Promising Practices

A review of CTE programs across the U.S. revealed commonalities in successful practices. In these cases, the program:

- Is relevant to community/industry needs
- Is aligned with high employment demands & regional economic development plans
- Contains classroom instruction concurrent with work-based learning and soft skills training
- Gives exposure to multiple aspects of industry or job category
- Includes mentoring, apprenticeships, on-the-job work experience
- Provides performance evaluation of demonstrated competencies
- Provides credentialing: certificates, end-of-program assessments

CATEC Strategic Planning and Design

- Provides involvement with competitions, conferences, career development events
- Includes career and lifelong learning counseling
- Includes academies, career clusters, specific career pathways
- Includes partnerships among high schools, community colleges, employers
- Includes dual enrollment linkages among high schools, community colleges
- Includes two-, three-, and four-year programs
- Provides up-to-date lab and project-based learning opportunities
- Is part of a collaborative network of providers
- Has multiple funding streams
- Has engaged employer involvement
- Has highly competent faculty and staff with relevant practical experience
- Has a strong faculty recruiting and development capability
- Has strong competencies in project-based course design
- Has multiple course delivery channels

Some notable programs across the country:

Massachusetts and Wisconsin are two recipients of federal School-to-Work Opportunities Act (STWOA) implementation grants dedicated to combining school-based learning, work-based learning, and connecting activities.

Maryland and Pennsylvania have strong programs in tech prep and apprenticeship. In PA, 76 industry partnerships, concentrated in 11 targeted industry clusters, cover every county & encompass local workforce and economic development agencies, education and training providers, non-profit and faith-based organizations, and, most importantly, small and large employers with similar workforce challenges.

Pennsylvania's SOAR (Students Occupationally and Academically Ready) aligns PA Academic Standards and Validated Core Common Competency Lists.

Washington, D.C. allocated \$2.8 million to help city high schools plan for nine new "career academies" meant to help students gain the skills they will need to enter the workforce after graduation. The academies will offer internships and training in one of three career tracks: hospitality, engineering and information technology—three areas in which the District needs workers.

Oklahoma's Craftsmanship 2000 (C-2000) is a model school-to-work transition program.

Wisconsin's Youth Apprenticeship program is part of a statewide School-to-Work initiative. Designed for high school students, the program integrates school- and work-based learning to instruct students in employability and occupational skills defined by Wisconsin industries.

Importing the Northern European apprenticeship model to the United States, three community college programs combine classroom learning with paid worksite training and guarantee successful graduates a job:

- Volkswagen Academy – a partnership between VW and Chattanooga TN State Community College in a three-year apprenticeship program.

CATEC Strategic Planning and Design

- Apprenticeship Charlotte (NC) – apprentices earn a three-year associate degree or a more streamlined certification in a particular technical field and earn a wage for their on-the-job training.
- Future for ME – a Maine partnership of employers, community colleges, and philanthropists with the goal of training workers for 1,000 unfilled, mid-skill manufacturing jobs. Recruits earn a two-year associate degree and then work as machinists for small companies. A separate, one-year program trains workers in robotic textile manufacturing.

Conclusions

Methods of work are under pressure and changing rapidly. The continuous state of transformation in technologies, products, and markets requires agility in workforce development and redeployment. While some sources predict that many jobs of the future will require high-skilled, college-degreed workers, research also points to the current and growing need for workers with mid-level skills. Middle-level job requirements outstrip the supply; our supply system is simply not equipped to meet the demands. A skills gap—the mismatch between job requirements and the current skills of many workers—exists and is expected to continue.

Many studies attempt to predict the jobs of the future. Such predictions are difficult, with many past predictions proven wrong. While workforce-forecast research is inconsistent, job skills requirements are consistent across all sources. Future work skills—proficiencies and abilities required across different jobs and work settings—compel an integration of hard and soft skills.

The future of the country’s workplace necessitates that all workers have the opportunity to equip themselves with the tools necessary to succeed in their careers and in whatever field they choose in the 21st century global economy. Research drives the message: The landscape has changed, appropriate and applicable education and training is imperative, and educational institutions must adapt quickly in response. Career and technical education must be redefined so it is regarded as a valued and respected pathway, as a partner with other educational/training organizations and with industry sectors, and as a means of developing an agile and well-aligned, adequately equipped workforce.

There are obstacles, but also opportunities.

Phase II and Phase III, Preliminary Model Development

Phase II of the project design process used the results of Phase I to determine characteristics of the ideal CATEC solution, identification of strategic questions and possible constraints, identification of open issues and challenges, and development of preliminary models for stakeholder input. Preliminary models were modified and redesigned as prompted by input from numerous and varied sources. Efforts during this phase also included methods to advance community support for the design of a “new CATEC.”

Preliminary Model Development

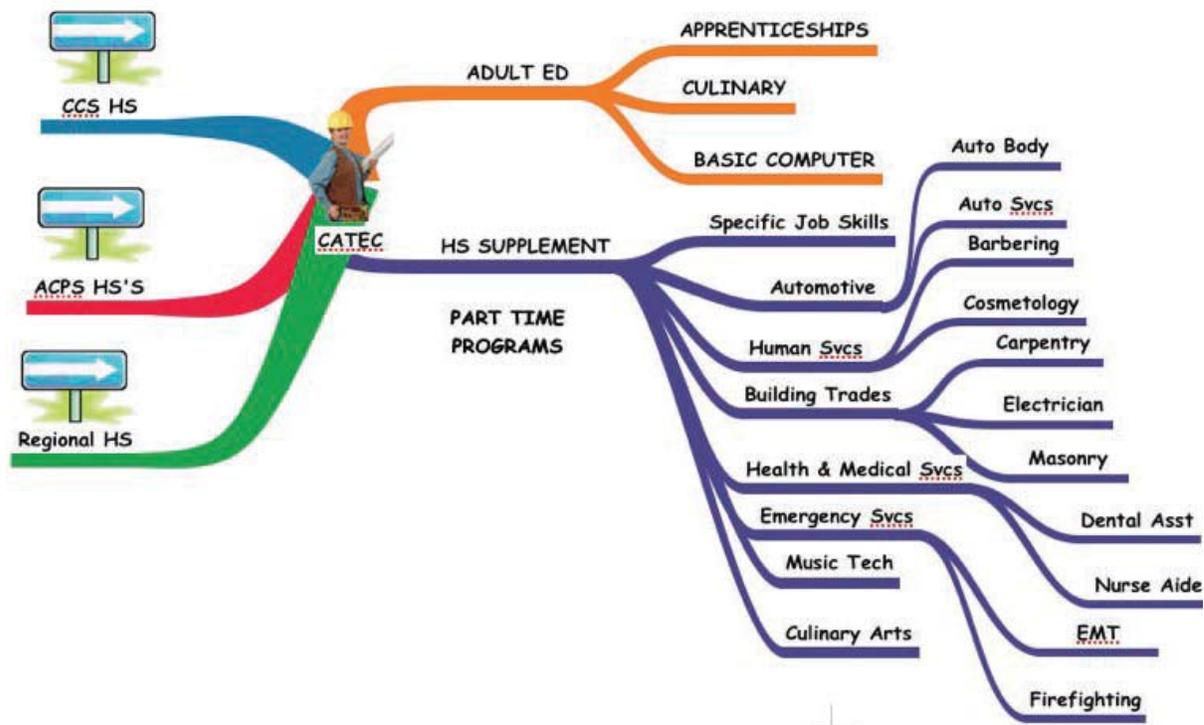
The creation and proposal of a new model for CATEC began with the development of several alternate models. Models development required examination and consideration of numerous elements of the current CATEC including facilities, program, administration, teachers, technology, career tracks, funding, relationships with stakeholders and other providers, simulation of job/work environment, instructional design, and core competencies.

The preliminary models presented a variety of features and modifications to enhance the training and career prospects of students and adults in the region. Beginning with a model of the existing CATEC, additional models, not intended to be “complete” alternatives or mutually exclusive, depicted diverse characteristics for potential incorporation into a new CATEC. A “Do-It-Yourself” (DIY) model allowed stakeholders and user groups to make recommendations to the CATEC design. Integration of these DIY model responses with feedback on the other preliminary models provided a composite picture.

Depictions of the models are on the following pages. Following each model are key characteristics specific to that model. Models included are:

- Current CATEC model
- CATEC Full-time model
- Centers of Excellence model
- Certification Center model
- Career Path Integration model

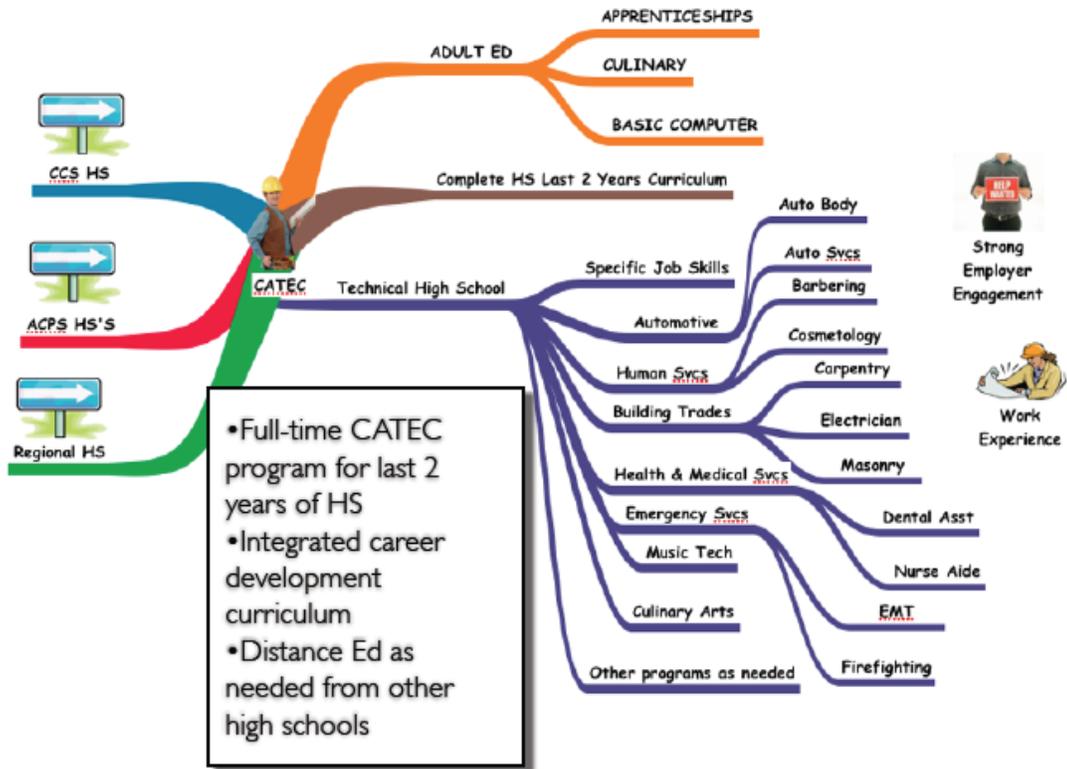
Current CATEC model



Characteristics of this model

- Jointly administered by Albemarle County and Charlottesville City Schools
- Part-time supplement to high school
- Students primarily non-college bound
- Adult training in selected fields
- Certification/licensing in some fields
- Mixed employer engagement
- Instructors from career tracks
- Obsolete building
- Equipment challenges
- Public funding through school systems
- Career guidance in high schools focused on college

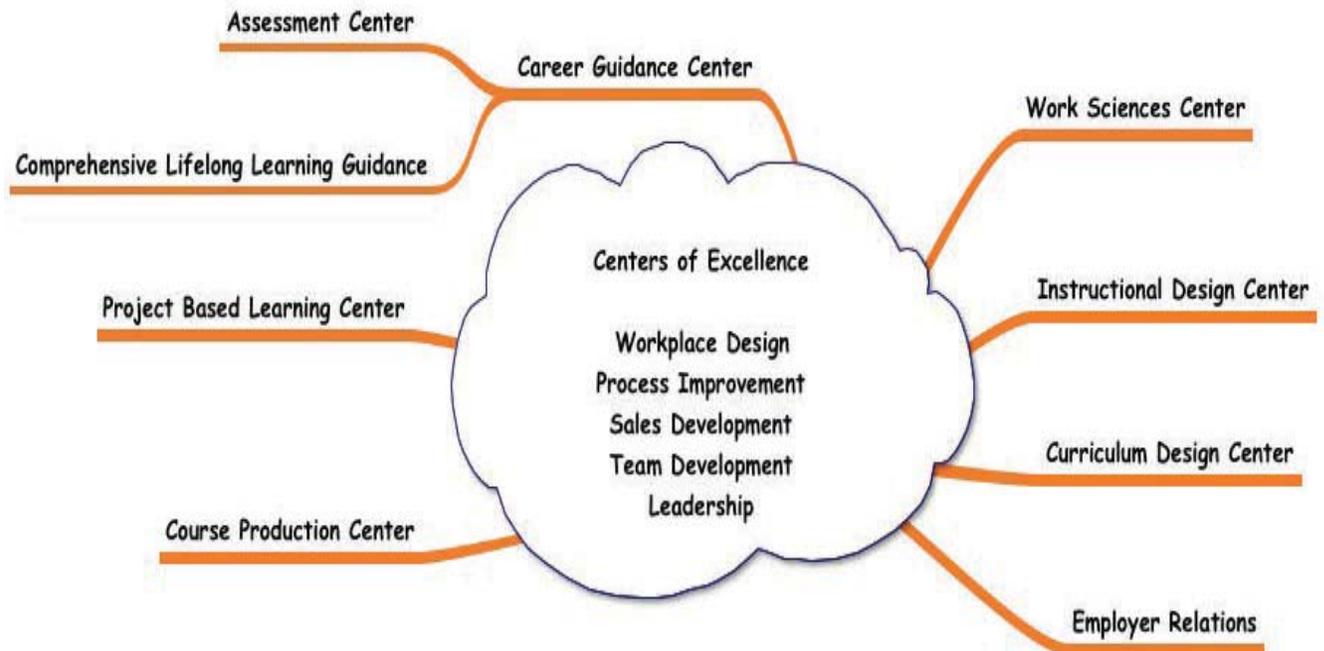
CATEC Full-time model



Characteristics of this model

- Full-time CATEC program for last two years of high school
- Integrated career development curriculum
- Distance education as needed from high schools
- School-to-work experiences
- Stronger employer engagement

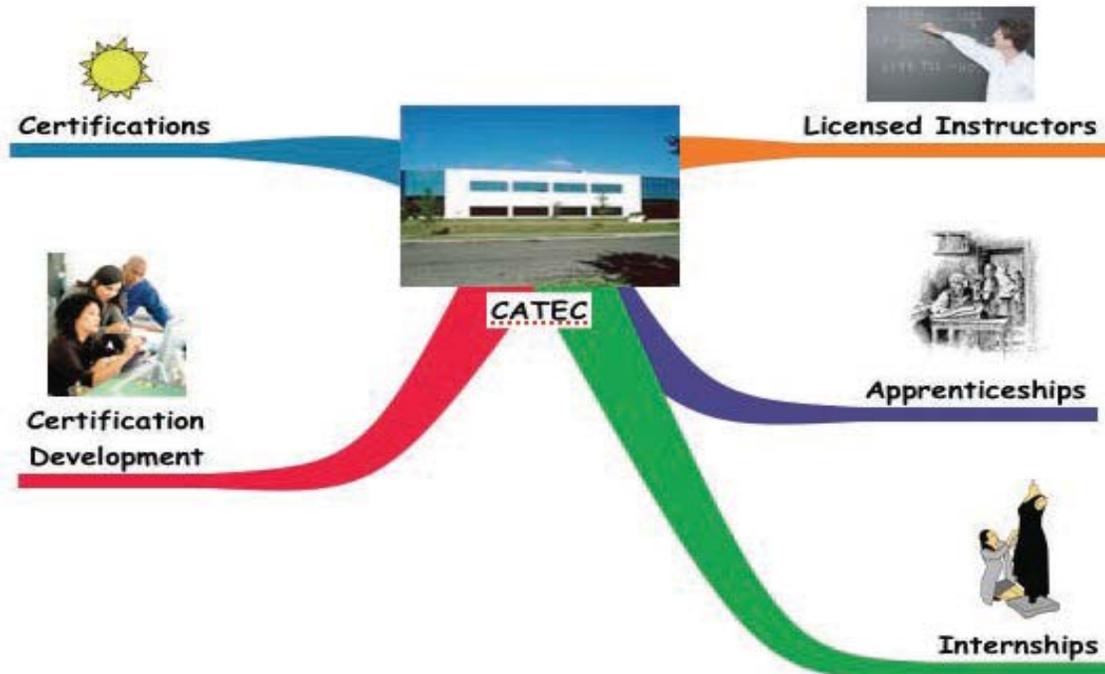
Centers of Excellence model



Characteristics of this model

- Strong employer engagement; focal point for employer needs and long-range trends
- Center of expertise for career guidance
- Interprets needs into career tracks; expertise in translating employer needs to training curricula
- Center of excellence for career-based training design
- Supplement to high school curriculum
- Career-based courses and labs; project-based learning courses
- Database of project-based learning courses
- Adjunct teachers as appropriate
- Rotational assignments for “expert” instructors
- Strong faculty development program
- Advanced, but flexible, labs and testing facilities
- Distance education center for career-based courses
- Developer and keeper of career-based training measurements

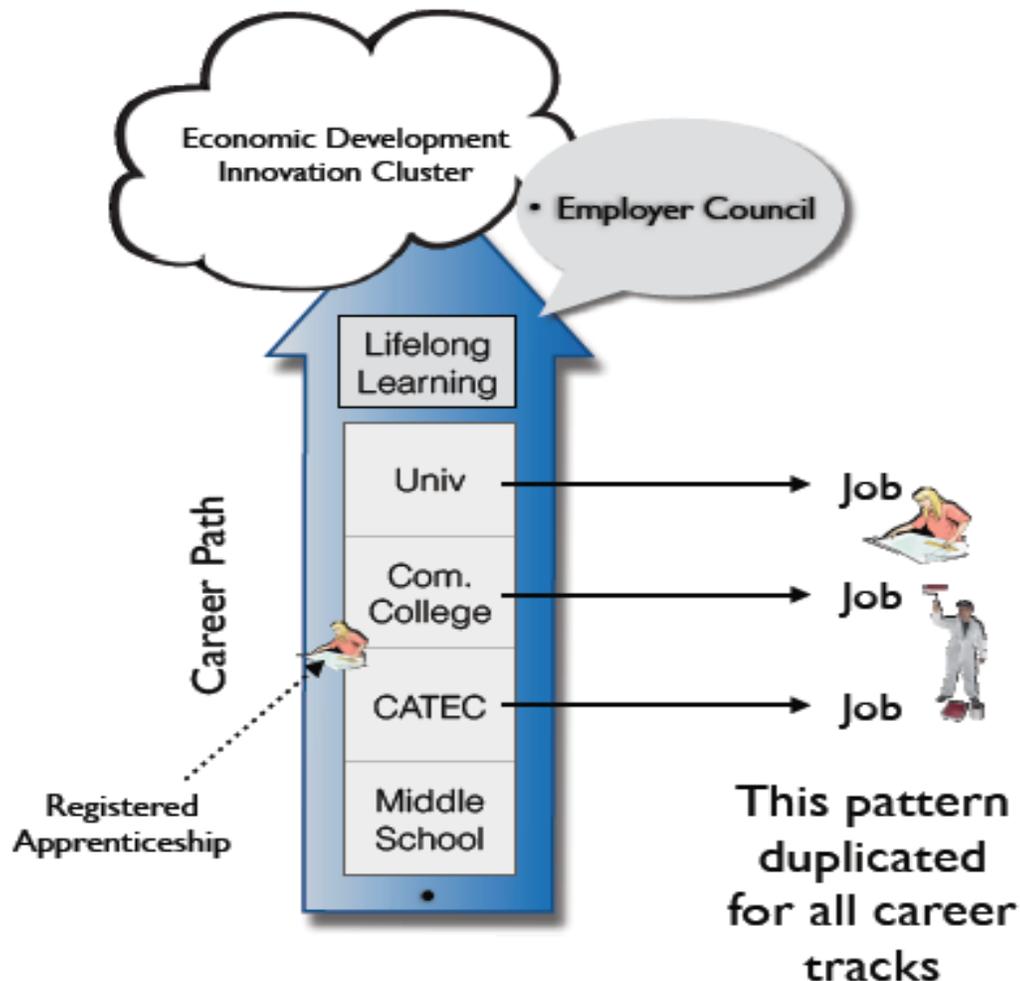
Certification Center model



Characteristics of this model

- Provides curriculum tracks for only certified/registered vocations
- Develops appropriate on-line courses and tests
- Develops certifications where needed, with employer involvement; manages certifications across the school systems
- Certifies students as work ready with a skills demonstration certification developed with input from employers; designs tests to certify students and adults
- Has strong employer engagement
- Has advanced labs and testing facilities
- Is center of faculty development for CTE instructors; certifies instructors
- Uses adjunct teachers as appropriate
- Has close relationship with Piedmont Virginia Community College (PVCC)
- Has exceptional engagement of employers in each career track
- All those who desire certification go to CATEC

Career Path Integration model



Characteristics of this model

- Strong link to innovation clusters
- Strong connection to employer needs in each career track
- Certifications in each track
- Linkage with economic development clusters
- Strong integration of CATEC and PVCC; curricula linkage; integrated/dual use of lab facilities
- Integration of learning and work experience
- Focus on broad needs, not just local
- Integrated curricula focus in each track
- Provides focus & clarity to career counseling
- Strong employer engagement: part of robust advisory network; help develop training curriculum; provide mentors/apprenticeships/internships; provide performance feedback, equipment, and access to equipment; and provide adjunct teachers

Do-It-Yourself model

Do it Yourself Model

Name: _____
 Organization: _____
 Date: _____

Employer Oversight Council

Linkage with target Industries

Employer Mentors

Expanded Apprenticeships

Work/study Programs

Internships

Career Track Employer Council

Primary CTE interface to employers

Leading edge labs

Equipment labs

Course design Center

•

CATEC

Shared Labs w/PVCC

Focus on statewide needs

Certifications

Training Design

Close linkage w PVCC

Focus on regional needs

Work readiness certification

Instructor Development

Integrated curriculum w/PVCC

Focus on technical skills

Adult Programs

Instructors from trades

Career guidance

Focus on soft skills

Full Time

Business Adjunc Teachers

Focus on trades

Part Time

Instructor Certification

This model was used to obtain the preferences of people interviewed after they had reviewed the other alternate models. They were asked to circle the characteristics they preferred and cross out those they did not prefer. This model also gave them the option of adding other characteristics.

Characteristics of this model

- Opportunity for stakeholders to design their own model
- Provides perceived needed components and features for inclusion in final model
- Means of soliciting input from community
- Means of sparking interaction and discussion

Gathering Input and Garnering Support

Communication with representatives of constituent groups to determine their needs, their perception of the current CATEC program, and their commitment and support of a redesigned career and technical education center was key in the Phase II process. Efforts were made to include diversity in groups and individuals in order to yield the best and broadest ideas and concepts, as well as to generate engagement and enthusiasm across the community, and to judge stakeholders' commitment to involvement. Extensive comments, suggestions, and recommendations were collected from various stakeholders, community members and organizations, and business and industry representatives.

The Project Team conducted copious individual interviews. While most were scheduled, formal interviews, many were informal, impromptu conversations with people from various careers and training backgrounds. Others included local politicians and business owners. Still others included individuals in various segments of the construction industry and in the trades education process. Project Team members with national and international colleagues sought information regarding current trends in career and technical education, workforce movements, and job predictions in the U.S. and abroad.

A compilation of Phase I research results was shared with Albemarle County and Charlottesville City School Boards in October, 2013. The preliminary models were provided to both Boards and presented to the CATEC Center Board (comprised of representatives from the two Boards) in December. The CATEC Center Board provided feedback in the form of questions, comments, and recommendations and participated in the DIY model exercise. At the January, 2014, CATEC Center Board meeting the Project Team presented a comprehensive model developed from components of the various preliminary models and constituent feedback. Based on Board evaluation and recommendations, the team presented a final proposal to the Board in February.

In addition to the CATEC Center Board and the CATEC director, groups and individuals associated with the technical education center offered contributions. The CATEC Foundation developed optimal designs for the facility. Interviews with CATEC students afforded suggestions regarding the current and potential future of the school. The first of two CATEC faculty dialogues provided overall insights and general observations; the second an opportunity for the staff to weigh in on the preliminary models.

Others in the field of education who contributed to the design process included school superintendents from Albemarle County and Charlottesville City, Career and Technical Education directors from Charlottesville and Albemarle Schools, Charlottesville High School staff, city and county high school principals, and Western Albemarle High School students. Leadership at Piedmont Virginia Community College provided broad participation and response in support of the preliminary models design process.

Project Team members met with numerous organizations for preliminary models feedback and discussion. Business groups included, for example, Robertson Electric, Barton Malow, McGuire Woods, Crutchfield, Branch Group, Merrill Lynch, Indoor Biotechnologies, Microaire, University of Virginia, Martha Jefferson Hospital, ACAC, CFA, SNL, Trump Winery, and Commonwealth Assisted Living.

Organizations such as the Charlottesville Chamber Economic and Government Affairs Committee and Leadership Charlottesville Alumni provided feedback, as did industry-specific groups including the Associated General Contractors of America (AGC), the Virginia Association of Career and Technical Education (VACTEA), and the PVCC Construction Academy Board.

CATEC Strategic Planning and Design

Project Team members garnered additional information via attendance at conferences and presentations. These included a VACTEA Conference: Connecting Construction Educators & Employers, the Virginia Small Business Partnership: Virginia Workforce Development Challenges and Solutions, STEM conference in D.C., Governor's STEM Summit: High School of the Future Startup, and the AGC of America National Chapter Leadership Conference.

Efforts to advance awareness of the strategic planning and designing for CATEC project and to build community support were also elements of the Phase II process. Presentations, open meetings, broadcast interviews, print media, and social media were avenues for these objectives.

The Project Team made multiple presentations including those to the CATEC Center Board and the joint Charlottesville City and Albemarle County school boards, and at an open meeting at City Space in January, 2014 and a second open meeting at the Albemarle County Office Building in February, 2014.

Broadcast and print media coverage included interviews on *1070 WINA*, interviews and coverage by *Charlottesville Tomorrow*, the *Daily Progress*, and *Channel 29*. Documents regarding Project research and models development were also available at the *Channel 29* website.

YouTube presentations delivered an overview of Project Team's work and preliminary models.

The Institutes Model

An extensive process of compilation and coordination of all responses amassed during the two-month collection period followed. The result was a comprehensive preliminary model reflecting research, best practices, and input as previously delineated.

This preliminary model for CATEC incorporates the findings, recommendations, and implications from each stage of the strategic planning and designing process. The model is representative of an organization tuned to excellence, agile in nature, aligned with partners (employers and other education organizations), geared for flexibility, focuses on needs and users, and anticipates the need rather than lagging the need. Further, the model promotes robust curricular and staff development, effective instructional design, strong human values, learning competence, and lifelong learning.

The Institutes Model combines elements of the previously described Career Path Integration and Centers of Excellence models. As a composite model, it incorporates the career paths from middle school to CATEC to the universities, as well as a focus on economic innovation clusters with employer council advisement on the curricular needed in each track. It further incorporates the finding of a strong need for experts to design the kind of hands-on courses needed for workplace development or skills development—a skills set primarily found in businesses more so than in the academic communities within the school system where the focus is mainly on academic topics.

The model breaks CATEC into groupings that facilitate employer involvement, program development, laboratory optimization, and skill outcomes. The model includes five institutes: Skilled Trades, Customer Service, Healthcare Services, Manufacturing and Information Technology, and Early Childhood Education, each with an active employer/academic/instructional design council to guide program development, lab development, work experiences, and long-range planning. Institutes serve both high school students and adults who need course work, and may be funded by public/private partnerships. Based on a long-range view, with model elements developed according to demand, the institutes produce “trainable” graduates who opt to go to community college, apprenticeships, university, or company training. All five institutes incorporate computer skills.

CATEC Strategic Planning and Design

The model builds on a closer relationship and strong collaboration between CATEC and Piedmont Virginia Community College. It proposes a smooth transition between grades 11 and 12 provided by CATEC, and grades 13 and 14 provided by PVCC. This is not an implication that the two organizations will merge, but rather a robust alliance by which students move effortlessly from CATEC into PVCC in any chosen career track. The model features collaborative curricula and labs development with courses, as designed, assigned to CATEC or PVCC. The model also promotes employers working in conjunction with PVCC and CATEC to design curricular specific to workforce needs and to create a system of certification, apprenticeship, and internships.

Employer engagement is critically important to the formation and implementation of the institutes. A board comprised of employers, along with CATEC, and PVCC representatives will design each institute, oversee curriculum and program development and continually mentor and advise institute management.

The following graphics depict major components and features of the Institutes Model, with illustrations of the possible topics and career paths within each institute. Additional comments follow each graphic.

The Institutes Model: Components and features



The model includes a Self-Development Foundations component that targets basic workforce skills, often referred to as soft skills, embedded across, and within, the five institutes to provide students with the fundamental human skills needed for job. The model also features a Skills Assessment Center to assess the skills of incoming students and, as they exit the school, provide career guidance to align students with their interests, and develop program certifications. The Program Design Center focuses on curricular design, job research, and distance education. The Program Design Center also stays cognizant of technological and workplace trends, thus giving CATEC the ability to continually update offerings to meet the needs of current and future students. In addition, it is the center for institutional research, collecting and analyzing data regarding student achievement, career choices and success in the world of employment.

The following charts show the various institutes, Skilled Trades, Customer Service, Healthcare Services, Manufacturing and Information Technology, and Early Childhood Education in sequence.

While each institute planning team will decide curriculum, potential illustrative topics and career paths are shown for each. The charts illustrate the institutes with potential topics or career paths in each.



All employer interviews and surveys cited the need for the “soft skills” and work ethic required by modern workplaces. In an environment where teamwork, flexibility, and customer service are fundamental to the success of every organization, leaders want employees who have the social, human, analytic, and critical thinking skills to deal with the complexities of rapidly changing business and economic environments. In addition, to keep pace with the demands of these changes, successful employees and professionals must continue to learn throughout their career. The motivation and ability to continue learning is fundamental to economic success in the 21st century. Students need to learn in school, but they must also learn how to continue to learn.

To address the foregoing needs, students in all institutes will participate in The Self Development Foundations program. This program will help students learn work cultures while developing and practicing the skills necessary for a rewarding and satisfying work career.

Superior customer service is an important foundation of all modern organizations. To be successful, organizations must develop loyal customers and constituents; those who return over and over to take advantage of the organization’s products and services. Customers who have memorable experiences at every point of contact with the organization become loyal over time. Whether president, sales person, or customer service representative, each employee strives to provide exceptional customer experiences.

Customers interact with organizations in multiple ways, face-to-face, telephone, mail, texting, Internet, receiving or sending packages and materials, or interacting with multimedia. All organizations need employees with customer service skills. Indeed, the Charlottesville/Albemarle

CATEC Strategic Planning and Design

region demonstrates the wide variety of customer service skills needed. At the high end, SNL's customer service representatives work via phone and Internet to help customers with sophisticated, complex financial analysis requests. Crutchfield's representatives help customers with hi-technology questions, while hotels, banks and others work both online and face-to-face with customers.

One could say that the level of customer service in a region can shape the regions reputation with other businesses, tourists, and the general public. What if the Charlottesville region became the "customer service capital of the USA," a place known for great hospitality and warm experiences?

The Customer Service Institute will develop people with the skills and background to thrive in the customer service environment.

The Skilled Trades Institute incorporates many of the topics currently covered in CATEC's curricula, but provides a broader perspective that can fill the needs of large construction firms and a broad range of other sectors that need employees with hands-on physical and mental skills. As with other institutes in the mix, the studies and skills development within this institute will provide a smooth path through PVCC so students can attain certifications and credentials recognized by prospective employers.



Planning for the Early Childhood Education Institute is already in progress at CATEC and aims to train students to be assistants, teachers or care providers of children in their preschool years. When fully implemented, an on-site laboratory will give students experience in a real-life child care center.

The need for specialists and technicians in 21st century information technology, networking, and associated technologies is well established. This Manufacturing and Information Technology Institute aims to help students develop the skills to produce and support companies that provide

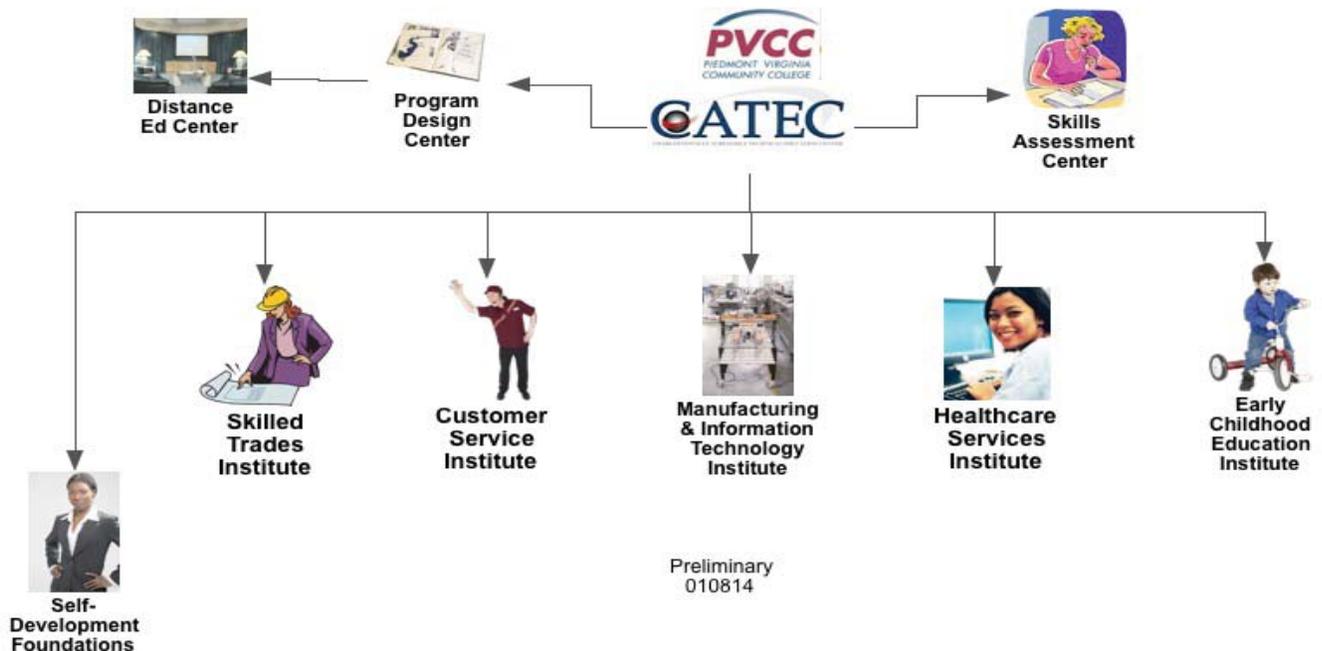
CATEC Strategic Planning and Design

technological solutions, as well as those who depend on the technologies for the everyday running of their business. Keeping up to date on the latest trends and technological development is especially important to this institute. The program must give students the fundamental skills needed to advance in the field, and also give them the ability to move into important new technological areas.

Many manufacturing companies moved out of the Charlottesville region over the last twenty years, yet, here, as well as all over the nation, there are hopeful signs that the manufacturing industry is reviving. The “new manufacturing” will probably look much different from the plant of old. Robots and automated processes with sophisticated software controls will likely be the norm. Products customized to a particular client’s needs will probably replace high-volume sameness. New materials and new processes, including nanotechnology and additive printing will bring new possibilities for products and services. Overnight or one-hour deliveries will accentuate the need for fast turnaround manufacturing and distribution methods. Sophisticated control systems will assure the manufacturing facility operates in an efficient, sustainable way. The Manufacturing and Information Technology Institute will provide forward-thinking, relevant paths to employment in the new manufacturing environment.

Healthcare is the primary industry in the Charlottesville/Albemarle region offering job opportunities from administrators to technicians to surgeons. The Healthcare Institute will focus primarily on the skilled support workers who employ medical technology, provide important services, and administer the healthcare system.

The following chart shows another view of the model, depicting Institutes and Centers.



Steps to Implement the Institutes Model

The following represent the broad, initial steps to implement the Institutes model:

Redefine role of CATEC director to focus strategic objectives.

Managing the transition to the new model will be a full-time job. The current CATEC Director, Dr. Adam Hastings has the strategic vision, leadership abilities and operational experience needed to fulfill that role. That means he will need additional support to manage the day-to-day operations of the center.

Appoint a Public/Private steering group to oversee the change process (representatives from CATEC, PVCC, business, experts).

This group needs to be well informed about the new model and the institutes involved. Each member should be strongly engaged and passionate about the mission and future of CATEC, PVCC, and the need for good workforce development in our region.

Decide the sequence of institute formation.

The following chart suggests a sequence of implementation for each institute. Several participants in the discussions of the model suggested starting with a career path that could be implemented quickly and from which the team could refine the process of institutes design. In other words, go for an “early win.” Some suggested Culinary Arts as a place to start because there are good programs at both CATEC and PVCC which, when linked, could provide a good visible example of the collaborative relationship between CATEC and PVCC.

Establish/approve calendar of events.

A later paragraph addresses the proposed calendar of events.

Establish Program Design Center.

Dr. Frank Friedman suggested the design team employ the DACUM (Design a Curriculum) approach developed by Ohio State University. This approach would give the institute design teams a firm process foundation for design. This means finding experts already trained in the process or sending someone to Ohio State for training. These experts could then become the core of the Program Design Center.

Approve the outline and process for institute proposal presentations.

The following sections demonstrate a tentative step-by-step process to use when developing each institute. Each institute planning team will design its own process, but the one presented here can serve as an example.

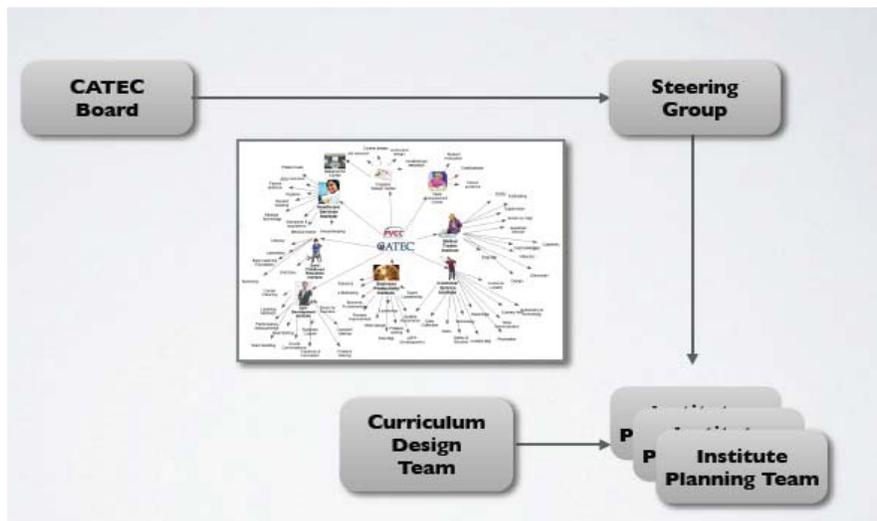
Approve budget for the detailed planning process.

This report does not include a budget for the planning process. However, once the Board approves the model, the CATEC director will develop and present the budget.

Organizing to Implement the Model

With this proposed structure, the CATEC Center Board, governing body for CATEC, composed of three members each from the Charlottesville City and Albemarle County school boards approves and oversees the implementation of the Institutes Model. This occurs in conjunction with PVCC. A Steering Group oversees the overall planning and process, managing and supervising Planning Teams for each Institute. These Planning Teams, one for each institute, develop curriculum and program. Planning Teams are supported by specialists comprising the Curriculum Design Team.

This structure should also continue after the institutes are formed. Members may change, but employer involvement in the development of the CATEC/PVCC collaboration, and in the implementation of the institutes, will be critical to their success.



Institute Planning

The following chart demonstrates the proposed schedule to plan each of the institutes. This recommends starting with the Customer Service Institute because it represents the broadest need in the region and is also a new focus for CTE. As mentioned earlier, however, participants in discussions of this model suggested starting with a “quick win,” an initiative that would cement and demonstrate the collaboration between CATEC and PVCC, perhaps Culinary Arts. Such a start would build on the good work already done by faculties at both CATEC and PVCC.

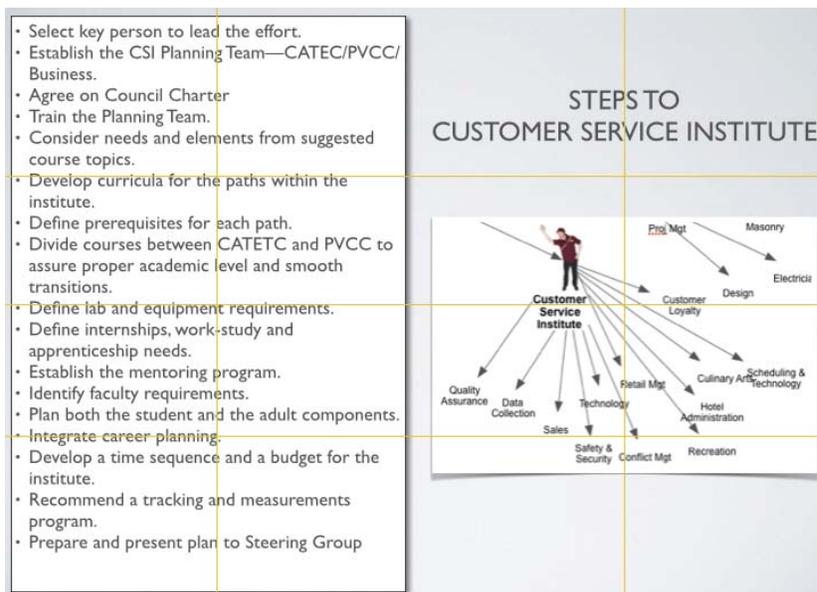
The following chart assumed CATEC’s Board approval of this plan at its February 2014 meeting. Because of a weather delay and other board considerations, final approval will likely come in March 2014, thus delaying the schedule by one to three months.

CATEC Strategic Planning and Design



Samples of step-by-step Institute design

The following depicts an example of a schedule for institute planning using the Customer Service Institute. It is seen as a two-to-three month task, and as previously described, is performed by a team comprised of CATEC, PVCC, members of the employer communities associated with the particular institute and others as determined by the expertise needed.



Institute Rollout

This plan initially proposed an ambitious rollout to occur over the next three to four school years with Service, Early Childhood Education, and Skilled Trades institutes and the Self-Development Foundation being the first steps. Further discussions with the CATEC Board and others have suggested a roll-out over four to five years.

	2014-2015	2015-2016	2016-2017
Customer Service	→		
Early Childhood Ed.	→		
Skilled Trades	→		
Self Development	→		
Manufacturing & IT			→
Healthcare		→	
Program Design Center		→	
Skills Assessment Center		→	
Distance Education			→

Other Questions

Finalization of the Institutes Model requires several to-be-determined factors. Some of these, as noted, must be determined with the planning of each institute. Open questions include:

Should CATEC remain a part-time program or become a full-time program for participating high school students? Can implementation of the model occur with the current part-time schedule whereby students split the school day between CATEC and high schools? Or, does it necessitate a full-time platform in which students attend CATEC for the entire school day, taking all required academic coursework as well as courses dictated by institute design? How would shifting to a full-time program impact the feeder high schools and CATEC? And, how might distance-learning delivery of some courses occur? The most successful models around the world are full-time programs. As planning teams form each institute, they will consider the best mode to deliver the curriculum. This suggests that the institutes be planned first, after which the full-time/part-time question will be addressed. In the meantime, the Steering Group could begin considering the implications of alternate scenarios for program scheduling.

Should the program be centralized or distributed? There are several “academies” in the various high schools in Albemarle and Charlottesville, each designed to support career and technical education (CTE) career paths. The schools could provide a richer, more comprehensive program of CTE if there was stronger coordination and collaboration among these entities. As technology to support education and training becomes more robust, the content of the various programs could become available to a broader population of students.

Given a networked approach to CTE, other regional municipalities may want to take advantage of the CATEC/PVCC program’s strength and depth. This also suggests adding a CATEC component to existing and future PVCC remote locations, such as Stanardsville and downtown Charlottesville.

CATEC Strategic Planning and Design

Is renaming and rebranding needed? A brand is not just a logo; it is a promise and a vision of what organization and its services means to its constituents. The model proposed raises the standard of offerings and excellence for the organization, positioning it as a vital element of workforce and economic development and a place where students develop the critical skills leading them to productive and satisfying careers. “Come to CATEC, and you will be on your way to a good job.” This differentiated identity in the minds of consumers and public will ultimately involve a new name, logo, promotion theme, or combination of these. Such changes will reposition CATEC as a comprehensive, multiple-path organization, thus distancing it from current connotations of a “one-stop vocational education” training center.

In the Institutes planning stages, planners must examine the building and equipment. Will the current facility, built in 1973, support the new program designs? Will the infrastructure support 21st century technology demands? Do obsolete learning tools and machinery need updating? Will new, state-of-the-art tools and machinery be acquired? Facility needs will be an important result of the detailed institute planning process. Some proponents have proposed locating CATEC near PVCC, thus selling and vacating the current location. If implemented hand-in-hand with a networked approach to CTE in the region, this could be the ultimate program repositioning strategy.

Risks

There are risks associated with a program redesign of this magnitude and reach.

This is ultimately a community project. During the six months of this project, the project team engaged many business people, community leaders and educators. To be successful, CATEC and its supporters should continue to build community engagement. The Executive Director of CATEC should focus on implementing the strategy and continually building community support. The job becomes more of an “outside” rather than an “inside” job, with equal focus on students and employers. The community will need education to alter current perceptions of technical/career training and the persisting “college OR career training” and “college vs. career training” attitudes.

Will employers deliver on their parts? The very foundation and subsequent success of the Institutes Model necessitates the support, inclusion, and active participation of area employers, and requires a linkage with employers and their training needs. Employers must be partners with the organization, collaborators in individual institute design and planning, supporters in instructional delivery, and providers of school-to-work experiences such as internships, mentorships, and apprenticeships. Will employers view students emerging from the Institutes Model as promising and talented, well-trained, and work-ready recruits? Are employers willing to aid through funding or provision of equipment and materials? Do employers acknowledge that regardless of pre-employment education and training, some on-the-job training is unavoidable due to certain job-specific tasks required in diverse workplaces? The proposed structure of Steering Group and Institute Planning Teams is designed to engage the employers in every stage of implementation. An active employer-relations strategy will help build trust and engagement. Enlightened employers invest in building and sustaining their talent pool. Many employers reduced their training budgets and training departments during the recession, cutting back also on internships, apprenticeships and other work experience programs. CATEC, PVCC and other agencies must work with employers to develop new innovative ways to help students gain work experiences.

Can the structures be agile enough to adapt to changing environments? The world of work and the dynamics of the workplace are changing—and at a rapid pace. Consider the changes in

communications, technology, and automation that have occurred over the past twelve years and how these have impacted jobs and workers. Then consider the potential for change in the next twelve years, when current kindergartners will be exiting high schools. Can the Model be flexible enough to adjust and adapt in tandem with unpredictable and shifting environments in order to educate and train individuals for new skills acquisition as they move through life and work? The Model includes a Program Design Center, with responsibility to continually scan workforce trends and employer needs, then translate them into programmatic initiatives. This is a challenging task, but the organization needs to continually upgrade and adapt its offerings.

Can we find ways to help students at all levels of capability? It is important, indeed imperative, that the proposed Institutes provide for a range of students and student abilities and capabilities. This includes students with special learning needs, students who desire to transition immediately from career training to the workforce, and students who intend to pursue attendance at two- or four-year colleges or universities. It also includes students who elect to take advanced courses alongside Institute-specific coursework. This approach will require continuing strong cooperation and collaboration between CATEC and the various high schools.

Summary

This strategy recommends a model and focus for CATEC over the next five years. It aims to position CATEC as a vital, innovative partner in the educational and workforce development community in our region. Collaboration with PVCC forms the foundation for the model's development and implementation, thus providing employers with an integrated approach to talent development and students with the promise of career studies that lead to real work opportunities. Because this is a five-year plan, the model will inevitably need to be adjusted as necessary to meet changing external and internal developments. Nevertheless, the following decisions are necessary to move toward the strategic model.

1. Approve the general structure of the model, which includes significant involvement by business and other external stakeholders.
2. Assign Dr. Adam Hastings with the responsibility to lead implementation of the strategic model. This means he will need administrative and institutional support for the everyday running of CATEC.
3. Approve the CATEC Steering Group to include community and business leaders as well as representatives from CATEC and PVCC. Dr. Hastings should recommend members.
4. Build on CATEC as a critical, agile CTE resource for the region. An agile organization has three important characteristics: a strong strategic awareness of its external environment, leaders who can adapt to changing needs, and flexible resources.
5. Continue to build the network of CTE units across all schools and strengthen the relationships among the units, as well as with their collaboration with PVCC and universities.

Implementing this plan will require enlightened and sustained leadership from CATEC, PVCC, and their boards, elected officials, employers and the community in general. Sustaining the public information campaign is an important ingredient of community support.

Endnotes

- ¹ Association for Career and Technical Education. (2013). *Fact sheet: what is CTE?* Retrieved September 5, 2013, from <https://acteonline.org>.
- ² Association for Career and Technical Education. (2013). *Fact sheet: what is CTE?* Retrieved September 5, 2013, from <https://acteonline.org>.
- ³ U.S. Department of Education. (2011, February 2). *The new CTE: Secretary Duncan's remarks on career and technical education*. Retrieved September 3, 2013, from <http://www.ed.gov/news/speeches/new-cte-secretary-duncans-remarks-career-and-technical-education>.
- ⁴ Seleznow, E. M. (2013). *Advancing workforce policy in the states: developing skills for jobs*. Washington DC: National Skills Coalition. Retrieved September 3, 2013, from www.ncsl.org/documents/sfn/Seleznow_2013.pdf.
- ⁵ National Association of State Directors of Career Technical Education Consortium. (2013). *CTE: learning that works for America*. Retrieved September 5, 2013, from <http://www.careertech.org>.
- ⁶ Seleznow, E. M. (2013). *Advancing workforce policy in the states: developing skills for jobs*. Washington DC: National Skills Coalition. Retrieved September 3, 2013, from www.ncsl.org/documents/sfn/Seleznow_2013.pdf.
- ⁷ Harvard Graduate School of Education Pathways to Prosperity Project. (2011, February). *Meeting the challenge of preparing young Americans for the 21st century*. Retrieved September 4, 2013, from www.gse.harvard.edu/.../2011/Pathways_to_Prosperty_Feb2011.pdf.
- ⁸ U.S. Department of Education Office of Planning, Evaluation and Policy Development. (2013). *National assessment of career and technical education interim report*. Retrieved September 4, 2013, from www2.ed.gov/.../nacte/career-technical-education/interim-report.pdf.
- ⁹ Harvard Graduate School of Education Pathways to Prosperity Project. (February, 2011). *Meeting the challenge of preparing young Americans for the 21st century*. Retrieved September 4, 2013, from www.gse.harvard.edu/.../2011/Pathways_to_Prosperty_Feb2011.pdf.
- ¹⁰ Harvard Graduate School of Education Pathways to Prosperity Project. (2011, February,). *Meeting the challenge of preparing young Americans for the 21st century*. Retrieved September 4, 2013, from www.gse.harvard.edu/.../2011/Pathways_to_Prosperty_Feb2011.pdf.
- ¹¹ Georgetown University Center on Education and the Workforce. (2010). *Help wanted: projections of jobs and educational requirements through 2018*. Retrieved September 6, 2013, from cew.georgetown.edu/jobs2018.
- ¹² Georgetown University Center on Education and the Workforce. (2010). *Help wanted: projections of jobs and educational requirements through 2018*. Retrieved September 6, 2013, from cew.georgetown.edu/jobs2018.
- ¹³ Deloitte, Oracle, and The Manufacturing Institute. (2009, May). *People and profitability: a time for change*. Retrieved September 7, 2013, from www.deloitte.com/.../us_pip_peoplemanagementreport_100509.pdf.
- ¹⁴ NGA Center for Best Practices. (2010, June). *A sharper focus on technical workers: how to educate and train for the global economy*. Retrieved September 10, 2013, from www.nga.org/.../NGA/files/pdf/1007technicalworkers.pdf.
- ¹⁵ NGA Center for Best Practices. (2010, June). *A sharper focus on technical workers: how to educate and train for the global economy*. Retrieved September 10, 2013, from www.nga.org/.../NGA/files/pdf/1007technicalworkers.pdf.
- ¹⁶ Frey, C. & Osborne, M. (2013, September 17). *The future of employment: how susceptible are jobs to computerization?* Retrieved September 7, 2013, from http://www.futuretech.ox.ac.uk/sites/futuretech.ox.ac.uk/files/The_Future_of_Employment_OMS_Working_Paper_1.pdf.

CATEC Strategic Planning and Design

- ¹⁷ Autor, D. & Dorn, D. (2013, August 25). *How technology wrecks the middle class*. Retrieved September 7, 2013, from opinionator.blogs.nytimes.com/2013/08/24/how-technology-wrecks-themiddleclass.
- ¹⁸ Carrier, A. & Gunter, M. (2010, November). *Critical workplace skills for Virginia's economic vitality*. Charlottesville, VA: Weldon Cooper Center, University of Virginia. Retrieved September 10, 2013, from www.coopercenter.org/demographics/publications/readiness-skills.
- ¹⁹ Carrier, A. & Gunter, M. (2010, November). *Critical workplace skills for Virginia's economic vitality*. Charlottesville, VA: Weldon Cooper Center, University of Virginia. Retrieved September 10, 2013, from www.coopercenter.org/demographics/publications/readiness-skills.
- ²⁰ Carrier, A. & Gunter, M. (2010, November). *Critical workplace skills for Virginia's economic vitality*. Charlottesville, VA: Weldon Cooper Center, University of Virginia. Retrieved September 10, 2013, from www.coopercenter.org/demographics/publications/readiness-skills.
- ²¹ Autor, D. & Dorn, D. (2013, August 25). *How technology wrecks the middle class*. Retrieved September 7, 2013, from opinionator.blogs.nytimes.com/2013/08/24/how-technology-wrecks-themiddleclass.
- ²² Levy, F. & Murnane, R. (2013) *Dancing with robots: human skills for computerized work*. Retrieved September 7, 2013, content.thirdway.org/publications/714/Dancing-With-Robots.pdf.
- ²³ Reese, S. (2009, May). *The future of CTE: gazing into the future*. Retrieved September 9, 2013, from www.acteonline.org.
- ²⁴ Stephen S. Fuller, Ph.D., Dwight Schar Faculty Chair and University Professor Director, Center for Regional Analysis George Mason University, cra.gmu.edu.
- ²⁵ Reese, S. (2009, May). *The future of CTE: gazing into the future*. Retrieved September 9, 2013, from www.acteonline.org.
- ²⁶ The Conference Board, Partnership for 21st Century Skills, Corporate Voices for Working Families, and the Society for Human Resource Management. (2006). *Are they really ready to work? employers' perspectives on the basic knowledge and applied skills of new entrants to the 21st century U.S. workforce*. Retrieved September 5, 2013, from www.p21.org/storage/documents/FINAL_REPORT_PDF09-29-06.pdf.
- ²⁷ Brown, B. L. (1998). *What's happening in school-to-work programs*. Columbus OH: Clearinghouse on Adult Career and Vocational Education. ERIC Document Reproduction Service No. ED414435.
- ²⁸ Brown, B. L. (1998). *What's happening in school-to-work programs*. Columbus OH: Clearinghouse on Adult Career and Vocational Education. ERIC Document Reproduction Service No. ED414435.
- ²⁹ Brown, B. L. (1998). *What's happening in school-to-work programs*. Columbus OH: Clearinghouse on Adult Career and Vocational Education. ERIC Document Reproduction Service No. ED414435.
- ³⁰ Seleznow, E. M. (2013). *Advancing workforce policy in the states: developing skills for jobs*. Washington DC: National Skills Coalition. Retrieved September 3, 2013, from www.ncsl.org/documents/sfn/Seleznow_2013.pdf.
- ³¹ Seleznow, E. M. (2013). *Advancing workforce policy in the states: developing skills for jobs*. Washington DC: National Skills Coalition. Retrieved September 3, 2013, from www.ncsl.org/documents/sfn/Seleznow_2013.pdf.
- ³² U.S. Department of Education. (2012, April). *Investing in America's future: a blueprint for transforming career and technical education*. Retrieved September 3, 2013, from www2.ed.gov/about/offices/list/ovae/pi/cte/transforming-career.
- ³³ Seleznow, E. M. (2013). *Advancing workforce policy in the states: developing skills for jobs*. Washington DC: National Skills Coalition. Retrieved September 3, 2013, from www.ncsl.org/documents/sfn/Seleznow_2013.pdf.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 21, 2014
Action Required:	See Recommendation
Presenter:	Kathy McHugh, Housing Development Specialist Neighborhood Development Services
Staff Contacts:	Kathy McHugh, Housing Development Specialist James E. Tolbert, Director Neighborhood Development Services
Title:	City of Promise Facility – Determination of How to Best Accommodate Program Needs

Background:

On October 31, 2011, City Council approved \$80,000 (and incidental expenses for title search/closing costs) from the Charlottesville Affordable Housing Fund (CAHF) to purchase 204 and 210 8th Street NW. Another \$7,824 from the CAHF was spent on demolishing the dilapidated house located at 210 8th Street NW. On July 2, 2012, approval was also provided for \$20,000 from the CAHF to procure architectural services to design a facility for use by the City of Promise.

On May 20, 2013, Council approved funding from the Economic Development Strategic Investment Fund for bidding and construction of the facility designed for 210 8th Street NW, as well as limited funds for grading/drainage and outdoor recreational improvements at 204 8th Street NW. Based on feedback from City Council, staff subsequently worked with the City's Preservation & Design Planner regarding finalizing exterior features and then coordinated with the City's Purchasing Office to bid the City of Promise facility. City staff negotiated with the low bidder (R.E. Lee & Son, Inc.) to value engineer the project within budget. An agreement with R.E. Lee & Son, Inc. was entered into effective March 27, 2014 for \$269,985.

Subsequent to the initial contract, one change order was approved to address remedial work needed to address unsuitable soils with insufficient load bearing capacity. Approved on June 11, 2014, this change order increased the agreement by \$29,264 for a total of \$299,249. This work has been done and excavation/concrete work has been done for the footers. All work has stopped at this point pending a decision by City Council as to how to proceed.

Independent of the effort to build a facility at 210 8th Street NW, the City Attorney's office determined that the adjacent property (708 Page Street) needed to be acquired by the City due to City related drainage issues. Given the proximity of this house to 210 8th Street NW (they share a

property line), it is thought that use of this facility for the City of Promise (rather than building a new one due to the expense involved) might be a better option, but given timing constraints (i.e., Council just authorized purchase of this property on July 7, 2014) staff did not consider this as a viable alternative until then.

In order to allow City Council to evaluate all options, the following discussion elaborates on the current need for a change order at the 210 8th Street NW, the associated costs, and the potential for use of 708 Page Street by the City of Promise instead.

Discussion:

Due to a curb elevation difference on the Page Street side of the property, City engineering staff has recommended that the slab on grade be elevated 10” to avoid issues associated with water ponding against the foundation. This issue is not associated with general drainage problems in the area; rather it is a site specific limitation that was identified once construction of the slab began. The architect provided a markup of the foundation sections/details necessary for elevation of the slab and to inform an estimate of costs.

In arriving at this recommendation, NDS reviewed various alternatives as recommended by City engineering staff. Specifically, three options were examined: 1) raise the slab 10 inches (with need to incorporate ADA accommodations at the rear of facility); 2) provide a positive grade via an earthen swale on the Page Street side of the facility; or 3) install a storm drain system which would require yard inlets and tie into the City storm drain system. Option 1 was priced by the contractor at \$17,421 (including job delay costs to accommodate City Council consideration) and City engineering staff recommends allowing an extra \$10,000 for construction of a ramp to accommodate accessibility for a total of \$27,421. Option 2 was determined to be infeasible due to site topography and need for driveway/handicap parking area at rear. Option 3 has been estimated to cost \$21,931, with long term concerns over the need to maintain yard drainage inlets.

To date, the City has paid \$68,066 to the R.E. Lee & Son, Inc. and has been advised that rough framing materials have been ordered, but that these can be returned for a re-stocking fee of approximately \$2,000. Roof trusses and TJI joists have also been ordered at a cost of \$7,200 and these cannot be returned. As the agreement is unclear regarding materials ordered but not installed, the City attorney would need to determine payment obligations; however, inclusive of these costs, the City has \$77,266 invested in the facility to be built at 210 8th Street NW at this time. The project is on hold pending a decision by City Council as to whether to proceed with this current contract or look to cancel the contract with R.E. Lee & Son, Inc. and consider use of 708 Page Street by the City of Promise instead. Completion of the facility would be extended until December 26, 2014. A review of prior cost and total current obligations is as follows.

Action	Costs
Purchased property at 210 8 th Street NW	\$80,000 (plus incidental closing cost)
Demolished Former House	\$7,824
Architecture Services to Design City of Promise Facility for 210 8 th Street NW	\$20,000
Current Contract with R.E. Lee & Son, Inc.	\$299,249
Total	\$407,073

Approval of a change order to implement option 1 (described above) would increase total cost for this project to **\$434,494** when acquisition/demolition costs are also considered. Using the full budget set aside on May 20, 2013 for 210 and 204 8th Street NW, this would require \$21,860.70 to finish construction of the facility, with an additional \$28,139.30 requested to provide a contingency. Depending on final facility construction costs, only limited (if any) additional work would be possible at 204 8th Street NW to provide grading/drainage and outdoor recreational improvements.

On July 7, 2014, City Council approved purchase of 708 Page Street for \$259,400. No firm decision has been made as to what to do with the property, but possible relocation and future use of the lot for affordable housing purposes were offered as possible options. As this property adjoins 210 8th Street NW, staff would also like Council to consider the option of terminating the contract with R.E. Lee and Son, Inc. and using the house at 708 Page Street for the City of Promise instead. This option has various implications including consideration of the current City investment at 210 8th Street, NW and the additional cost that will have to be paid to complete the facility.

The house at 708 Page Street was totally renovated in 2010/11; however, there have been on-going problems with on-site drainage issues. While installation of comprehensive improvements could improve the drainage problems, City engineering staff does not believe that these would totally resolve the wet yard conditions that result after heavy rains. Leaving the house at this location will mean that these conditions will continue; however, it is thought that this location would still provide an adequate facility to support the City of Promise programming. At the writing of this memo and due to timing issues, City staff had not been able to inspect the inside of the home; however, it is hoped that this can be done prior to Council consideration. Based on an external inspection, staff recommends raising the exterior HVAC unit, repair the existing sump pump in the crawl space, have a HVAC specialist conduct a thorough inspection of the air handler/ductwork in the crawl space, and look to install a ramp to the front porch to provide accessibility. Modifications to the front doorway and inclusion of an accessible downstairs restroom will also likely be needed. In order to also facilitate access/off-site parking, it is thought that the lot line shared with 210 8th Street NW would need to be abandoned and the parcels combined. Staff would examine options including bidding

various tasks and/or use of City staff and on-call contracts to undertake needed work in the most cost effective way.

If the house remains at 708 Page Street, the City would grass the lot at 210 8th Street NW, provide signage for the City of Promise facility (as allowed under zoning), and green space for outdoor City of Promise activities.

The house could also be moved to 210 8th Street NW and placed at the site prepared to construct the facility under contract with R.E. Lee & Son, Inc. This would resolve the drainage issues for this house and provide a facility for the City of Promise, but would still require accessibility improvements for entrance and a downstairs restroom. In consideration of this option, it is thought that the lot line shared with 708 Page Street will have to be abandoned and the parcels combined. Moving the house would be more expensive; however, 708 Page Street would be grassed and used for green space/ outdoor City of Promise activities.

Due to timing constraints, no cost information is available for the option of repurposing 708 Page Street; however, it is thought that the house can either be used at its current location (realizing that drainage could be improved or left the same) or moved to 210 8th Street NW with funds remaining, as approved on May 20, 2013 for use at 210 and 204 8th Street NW. Depending upon final costs due to R.E. Lee & Son, Inc. to satisfy contract obligations, it is thought that at approximately \$227,543.30 will remain available for use; however, this will vary depending upon final costs associated with termination of the contract.

As to long term use, the City of Promise would continue to use the facility (as determined by Council) until the organization ceases operations or no longer has need of the facility. City facilities maintenance staff would be responsible for on-going maintenance of the City of Promise facility. Staff would come back to Council to determine future use options at the appropriate time.

Alignment with Council Vision Areas and Strategic Plan:

The project supports City Council's vision for Charlottesville to provide a center for lifelong learning (helping children in this area to better reach their potential); America's healthiest City (honoring the commitment to community-wide wellness) and smart, citizen focused government (improved service delivery at a neighborhood level). It also contributes to goal 1.1 of the Strategic Plan to "Promote education and training" and goal 1.5 to "Improve college/ career readiness of students."

Community Engagement:

In order to facilitate City of Promise programming needs, the City utilized an administrative variance to adjust zoning set-backs at the beginning of this project. As a result of this effort, adjacent property owners were notified about the proposed change and offered an opportunity to provide input. The City received comments from only one property owner (i.e., 208 8th Street N.W.) and consequently followed up to discuss the proposed City of Promise project. The comments received were positive overall and the City has incorporated a front porch /façade design to accommodate remarks from the owner at 208 8th Street N.W. More recently, the owner was contacted to advise of construction

progress and replied that they were pleased that the project was moving forward.

City of Promise staff has been involved in all aspects of the design effort and were consulted as to the need for space, configuration of the facility and more recently in selecting finishes that will be utilized. While the facility to be constructed at 210 8th Street NW was specifically designed with the City of Promise in mind, it is thought that the house at 708 Page Street would be adequate, although slightly smaller. Further, it is thought that the timeframe for moving into this facility would be less than that required for construction of a new facility at 210 8th Street NW. This would place the City of Promise staff in their target service area sooner with the same or less expense to the City and provide for an adaptive reuse of the house at 708 Page Street that will sit vacant until another option can be identified.

Budgetary Impact:

\$50,000 additional dollars are needed to continue with construction of 210 8th Street NW. No additional dollars are being requested to cancel the contract for 210 8th Street NW and utilize 708 Page Street.

If a decision is made to continue with the construction of the facility at 210 8th Street NW, an additional budget of \$50,000 is being requested. This includes both the cost of both the proposed change order and funds for a contingency. These funds are being requested from the Charlottesville Affordable Housing Fund.

If a decision is made to discontinue the contract for construction of the facility at 210 8th Street NW and utilize 708 Page Street for the City of Promise instead, it is thought that no additional budget will be needed as funds remaining from the existing budget for 210 8th Street should be adequate (even after finalizing the contract with R.E. Lee & Son, Inc.). It is assumed that work can be done less expensively than continuing with the current construction effort at 210 8th Street NW; however, no firm estimates of cost are currently available for necessary repairs, accessibility improvements, and/or possible relocation of the house to 210 8th Street NW. Every effort would be made to undertake work as economically as possible with consideration for City of Promise operational requirements. Further, reuse of the house at 708 Page Street would alleviate carrying costs (utilities, insurance, etc...) for this property and make immediate use of a City owned asset, upon closing as approved by Council on July 7, 2014.

Recommendation:

Due to the costs associated with completing the facility at 210 8th Street NW, staff recommends termination of the contract with R.E. Lee & Son, Inc. for convenience due to lack of availability and appropriation of additional funds. The City Purchasing Office has confirmed that termination is a viable option. Staff further recommends that Council approve use of funds approved previously on May 20, 2013 for 210 & 204 8th Street NW to go toward repurposing the house at 708 Page Street for use by the City of Promise. Although no final plans have been identified, the options are overviewed in the discussion above.

Alternatives:

Council could decide to continue with the current contract with R.E. Lee & Son, Inc. In doing so, the attached resolution would need to be approved to provide \$50,000 from the Charlottesville Affordable Housing Fund.

Attachments:

Resolution (only used if determination is made to continue with R.E. Lee & Son, Inc. contract)

RESOLUTION
City of Promise Facility/
Single Family Residence at 210 8th Street N.W.
Transfer of Funding From Charlottesville Affordable Housing Fund Assistance
\$50,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$50,000 be allocated and transferred from the Charlottesville Affordable Housing Fund in the following manner to provide for extra costs associated with the City of Promise Facility / Single Family Residence at 210 8th Street N.W., and

Transfer From \$50,000:

Fund: 426

Project: CP-084 (P-00672)

G/L Account: 599999

Transfer To \$50,000:

Fund: 426

Project: P-00772

G/L Account: 530670

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 21, 2014
Action Required:	None.
Presenter:	Written report only.
Staff Contacts:	Zan Tewksbury, Manager, Office of Human Rights and Director, Human Rights Commission, City of Charlottesville, with assistance from Charlene Green, Community Outreach Specialist, and Aidyn Mills, Chair, Human Rights Commission
Title:	Interim Report from the Office of Human Rights and the Human Rights Commission

Background:

This is an interim report for informational purposes, to provide a non-exhaustive summary of the activities and accomplishments of the Office of Human Rights and the Human Rights Commission since their respective inceptions in September and November of 2013.

Discussion:

Office of Human Rights

Charlottesville's newly-created Office of Human Rights (COHR) was first staffed in September 2013 with a manager, who was tasked with, among other things, creating operating procedures for the office; fielding complaints from individuals in the community of possible violations of Charlottesville's Human Rights Ordinance (HRO) and, where appropriate, referring or investigating those complaints (summary of complaint data through 6/30/14 attached); fostering connections and forming partnerships with, and communicating the work of the COHR to, community groups and other departments within city government; crafting a job description for, recruiting, and hiring the second staff position approved by Council for the COHR; procuring mediation services required under the HRO through the RFQ process; creating agenda, facilitating meetings, providing background information to, and educating the newly appointed members of the Human Rights Commission about the scope of their duties and responsibilities under the HRO. After the Community Outreach Specialist was added to the staff of the COHR in mid-January 2014, multiple public education campaigns were launched; including informational posters on all CAT buses and in Parks and Recreation community facilities; educational and informational materials were created and distributed; community forums were held; a mission statement created; and the strategic planning process in alignment with City Council's Vision 2025 and the City's own Strategic Plan were begun.

In March 2014, COHR moved into its offices at 106 5th Street NE, in the Market Street Parking

Garage building. The location and set up of the office allows members of the public to walk-in and have confidential conversations with staff. The offices are also frequently used for meetings with community group representatives and Human Rights Commission subcommittees.

On May 15, 2014, COHR held an Open House for City employees and the public, which was well-attended and covered by the media.

COHR staff have attended facilitation and complaint investigation techniques trainings, and also attended the Virginia Association of Human Rights annual conference (along with the Chair and Vice-Chair of Charlottesville's Human Rights Commission) in Virginia Beach in June. At that conference, Community Outreach Specialist Charlene Green (who formerly held the position of Program Coordinator for Charlottesville's Dialogue on Race initiative) received the Human Rights Staff of the Year award.

COHR was listed as a contributor on the Disparate Minority Contact Task Force report.

COHR has referral and (deidentified) data-sharing MOUs with Piedmont Housing Alliance and Charlottesville Area Transit (CAT), and is working on obtaining a similar MOU with the Richmond office of the Equal Employment Opportunity Commission, and the Charlottesville Police Department. COHR manager has met with many City department heads and has presented information on the COHR at departmental staff meetings, including to Lead Team. COHR manager has also given interviews for Cville Weekly, the Daily Progress, and on the radio and television.

There have been over 60 complaints received by COHR between 9/10/13 and 6/30/14. Complaint activity in the COHR through 6/30/14 is summarized in the attached chart.

Charlottesville's Human Rights Commission:

Since it first met in November 2013, the Human Rights Commission has largely focused on establishing its structure, with an aim towards creating a Commission that is sustainable and effective. Among those activities critical to ensuring sustainability and effectiveness have been the creation of operating rules and procedures; learning about the nature of Commission responsibilities and capacities under the Human Rights Ordinance with the aid of COHR staff and City Attorney, Lisa Robertson; reviewing and considering relevant materials produced through the Dialogue on Race, City Task Force reports, and other sources; electing officers; developing a mission statement; identifying priorities through community input as well as from reports and prior initiatives; and starting a strategic plan, in cooperation with the one being created by COHR.

More recently, the Commission has identified outreach as its priority for its first year. Given the unprecedented presence of a Human Rights Commission in the City, as well as the acknowledged importance of building off of the work of the Dialogue on Race initiative (DOR), the Commission deemed it imperative to focus its efforts in its first year on educating individuals and groups regarding the significance of human rights and the nature of the Commission's work, and on engaging and involving the Community in the Commission's work. Through dialogue and engagement with the Community, the Commission has prioritized continuing and building off of the work of the Dialogue on Race.

Regular Commission meeting minutes are viewable online at <http://www.charlottesville.org/Index.aspx?page=3529>

Alignment with Council Vision Areas and Strategic Plan:

The mission the Office of Human Rights ("*Helping the Charlottesville community effectively address past and present discrimination on an individual and institutional basis*") and that of the Human Rights Commission ("*Promoting an inclusive, empowered, and diverse community through education, engagement, and enforcement of Charlottesville's Human Rights Ordinance*") both align with City Council's vision of a connected community and a community of mutual respect. Specific to the City's Strategic Plan, Goals 5.2 to build collaborative partnerships and 5.3 to promote community engagement are involved. The Human Rights Commission is currently in the process of undertaking a widespread community outreach effort with the goals of (1) raising the visibility of the Commission throughout the City, and 2) engaging the community in its work, in ways that will include the processes used in the City's Dialogue on Race initiative.

Community Engagement:

COHR has had a presence at many community events, including but not limited to the NAACP annual Freedom Fund awards banquet, the AATF awards banquet, Charlottesville Pride festival, Festival of Cultures, and Forward/Adelante Celebration of Business Diversity.

COHR's Community Outreach Specialist is currently following a strategic plan to accomplish several goals:

- *Increase the understanding of what services the Office of Human Rights provides
- *Engage people in activities that promote a "community of mutual respect"
- *Increase the visibility of the Human Rights Commission

Each goal has very specific objectives and strategies so that the outcomes are measureable and evaluated in a manner that will improve the effectiveness of the Community Outreach Specialist. A power point presentation titled "The Office of Human Rights and You" was created to inform different community groups about the Office of Human Rights. In addition to making the presentation available, the Community Outreach Specialist has also attended different events to increase the office presence either as a vendor at festivals or by attending meetings relevant to the work for community outreach.

A list of community outreach events is listed in the charts below:

"The Office of Human Rights and You" presentation dates			
DATE	LOCATION	TIME	Attendance
March 13 (Thursday)	CRHA Residents Association meeting Crescent Halls	1:00pm (20 min.)	15
March 19 (Wednesday)	Tonsler Park Recreation Center	6:00pm – 7:30pm	3
March 24 (Monday)	City Space	6:30pm – 8:00pm	3
March 27 (Thursday)	South First St. Community Center	6:00pm – 7:30pm	3
March 29 (Saturday)	Sixth Street Community Center	1:00pm – 2:30pm	0
April 8 (Tuesday)	Carver Recreation Center	6:00pm – 7:30pm	0
April 9 (Wednesday)	Crescent Halls Community Room	6:00pm – 7:30pm	0
April 11, 18,25	Buford Middle School (AVID program)	7:40am – 2:30pm	56
April 14 (Monday)	NAACP First Baptist Church West Main St.	7:00pm (20 min.)	23
April 15 (Tuesday)	Mary Williams Center	11:00am – 11:30am	25
April 19 (Saturday)	Westhaven Community Center	1:00pm – 2:30pm	0
May 5 (Monday)	Virginia Organizing	6:00pm	7
May 8 (Thursday)	Friendship Court Community Center	6:00pm (20 min.)	Cancelled by their staff
June 3 (Tuesday)	Center for Peace & Justice	6:00pm	70
June 12 (Thursday)	City of Promise Community Dinner*	6:00pm	44

Other COHR Community Outreach			
DATE	LOCATION	TIME	Attendance
April 29 (Tuesday)	Fair Housing Month panel discussion (City Council Chambers)	6:00pm	68
May 8 (Thursday)	PHA Fair Housing Advisory Board Meeting (City Council Chambers)	3:30pm	20
May 10 (Saturday)	Festival of Cultures (Lee Park)	10am – 4pm	
May 14	Racial & Ethnic History of Charlottesville (City Council Chambers)	6:00pm	42
June 2 (Monday)	Event honoring the Curry Desegregation Center (City Council Chambers)	4:00pm	67
June 14 (Saturday)	Fathers and Community Day at Tonsler Park	11:00pm	N/A
June 21 (Saturday)	Juneteenth Celebration (PVCC): presentation of Racial and Ethnic History of Charlottesville	1:00pm	46

In addition to the foregoing outreach activities, COHR has provided funding for events in the community, including the City of Promise dinner on June 12, the Desegregation Center honoring reception on June 2nd, and the Chuck Lewis Passion Award dinner put on by Forward/Adelante on June 24.

COHR is considering additional measures to increase participation of the community in the educational forums that provide information on the Office of Human Rights and the Commission, the Ordinance, discrimination in general, protected activities and classes, and the COHR Complaint Procedure. These measures may include offering more of a "Jefferson dinner" format, with food provided and conversation after the presentation, and/or including information about the COHR, etc. as part of presentations on the "Racial and Ethnic History of Charlottesville" that have proved very popular with the community.

From the May 14, 2014 presentation, feedback was received that this information regarding the history of legal discrimination against African American citizens of our city needs to be told to the entire community, regardless of race, that study circles like the ones from the Dialogue on Race should be reconvened around this topic, and that it would be desirable for this information to be made available to City employees so that they can better understand the community they serve.

Budgetary Impact:

This report has no impact on the General Fund.

Attachment: COHR Complaint Data Summary

Office of Human Rights Complaint Data Summary 09/10/13 - 6/30/14

Month/Year	Total number/number by type
09/13	2 Other (1)*; Systemic (1)**
10/13	8 Employment (3); Housing (2); Other (3)
11/13	11 Employment (7); Public Accommodation (3); Systemic (1)
12/13	2 Public Accommodation (1); Systemic (1)
01/14	2 Employment (1); Housing (1)
02/14	6 Employment (4); Public Accommodation (2); Systemic (1)
03/14	10 Employment (3); Housing (1); Other (5); Systemic (1)
04/14	9 Employment (1); Housing (1); Public Accommodation (4); Other (1); Systemic (2)
05/14	6 Employment (4); Public Accommodation (1); Unknown (1)***
06/14	5 Employment(1); Other (1); Systemic (2); Unknown (1)
TOTAL	61 Employment (24); Housing (5); Public Accommodation (11); Other (10); Systemic (9); Unknown (2)

*Other = Complaint involved an issue whose subject matter is not covered under the Human Rights Ordinance. These complaints are referred to appropriate agencies or organizations where possible.

**Systemic = Complaint was framed in terms of an issue that potentially falls within the Human Rights Commission's charge to examine official policies and practices that may have the effect of adversely impacting a class of persons protected under the Ordinance. These complaints are shared with the HRC for their consideration.

***Unknown = Complaining person has not as of the date of this report, specified the nature of their complaint. Follow up communications to these persons are being made in an attempt to discover the nature of the issue involved.

Note: There is currently one active Public Accommodation investigation and another of the same type being tracked pending the filing of a complaint. All Employment calls to the Office of Human Rights to date have fallen under the jurisdiction of the Equal Employment Opportunity Commission (involving workplaces with 15+ employees) and have been referred to the Richmond EEOC office for investigation, except for one case which was referred to the state's Human Rights Division (HRD), where the employer was smaller (between 6 and 14 workers) but located in Albemarle County. This office is working with the Director of the Richmond EEOC office on a Memorandum of Understanding (MOU) to share de-identified complaint resolution data involving Charlottesville-based employers. Pending the finalization of a formal MOU, this office is tracking those referrals and if contacted with questions about the EEOC process, etc., assists. All but two of the Public Accommodation complaints did not occur within the City of Charlottesville, and were referred to the HRD in Richmond. All Housing complaints are referred to Piedmont Housing Alliance (PHA) for investigation/resolution under the terms of the Ordinance. This office has an MOU with PHA for data sharing and referrals.