

**CITY COUNCIL AGENDA**  
**Tuesday, January 21, 2020**



**5:00 p.m.** **Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code**  
*Second Floor Conference Room (Boards & Commissions)*

**6:30 p.m.** **Regular Meeting - CALL TO ORDER**  
*Council Chamber*

**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**  
**ANNOUNCEMENTS**  
**PROCLAMATIONS**

- 1. CONSENT AGENDA\*** (Items removed from consent agenda will be considered at the end of the regular agenda)
- a. MINUTES: December 2, 2019 Regular meeting; December 16, 2019 Special and Regular meetings
  - b. APPROPRIATION: Runaway Emergency Shelter Program Grant - \$209,444 (2<sup>nd</sup> reading)
  - c. APPROPRIATION: Human Services Fund Balance for PACEM (People And Congregations Engaged in Ministry) Transportation Costs - \$20,000 (1<sup>st</sup> of 2 readings)
  - d. RESOLUTION: State Criminal Alien Assistance Program (S.C.A.A.P.) Grant for 2019 - \$4,478 (1 reading)
  - e. RESOLUTION: Legislative Theater Workshop and Belonging and Cultural Democracy Workshop (1 reading)
  - f. ORDINANCE: Amending Sec. 2-5 of Chapter 2 of the Code of the City of Charlottesville - Financial disclosure by certain officers and employees (1<sup>st</sup> of 2 readings)

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

**COMMUNITY MATTERS** Public comment is provided for up to 16 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration available for up to 8 spaces; pre-registered speakers announced by Noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

**2. APPROPRIATION:** Year-end appropriations (1<sup>st</sup> of 2 readings)

**OTHER BUSINESS**

**MATTERS BY THE PUBLIC**  
\*ACTION NEEDED

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**COUNCIL CHAMBER - December 2, 2019****ROLL CALL**

The Charlottesville City Council met in regular session on this date with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin and Mr. Mike Signer.

**ANNOUNCEMENTS/PROCLAMATIONS**

Ms. Hill announced the Grand Illumination event for December 6th.

Dr. Bellamy congratulated Ms. Tanesha Hudson for her film debut, "A Legacy Unbroken." He thanked those who participated in the turkey giveaway event, and announced a coat drive, with giveaway planned for December 22 at Tonsler Park.

Ms. Galvin read the Lighting of the Lawn proclamation.

Dr. Bellamy announced December 6<sup>th</sup> as the deadline for Police Civilian Review Board applications.

**CONSENT AGENDA\***

Clerk of Council Kyna Thomas read the consent agenda items into the record.

Ms. Walker opened the floor for public comment on the consent agenda.

Mr. Bill Atwood spoke on Item "p" and asked that Council defer the item to allow the next Council to review.

City Attorney John Blair advised of a correction to wording in Item "b". In consultation with the City Manager, he recommended revised language.

Mr. Signer expressed concern about Item "b" in reference to the council-manager form of government, and the impression that a decision was made without Council consent. Ms. Walker made comments about her level of involvement in the Home to Hope initiative. She advised that the City Manager and other staff have been involved throughout the process. Based on conversation between Ms. Walker and Mr. Signer...

Ms. Walker pulled Items "o" and "p" for separate vote.

Ms. Galvin pulled Item "n" for discussion after the regular agenda. She also spoke about Item "h", and asked that the Small Area Plan fund be replenished as soon as possible.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council by the following vote APPROVED consent agenda Items “a” through “m”:

4-1 (Ayes: Bellamy, Galvin, Hill, Walker. Noes: Signer)

**a. MINUTES: October 7, 2019 Regular meeting; October 21, 2019 Special meeting**

Minutes - October 7, 2019 regular meeting

Minutes - October 21, 2019 Special meeting

**b. APPROPRIATION: Re-appropriate funds from the Department of Human Services to the Department of Economic Development for the Home to Hope Program - \$321,103.35 (carried)**

Agenda memo; Home to Hope backup documents

**c. APPROPRIATION: Victim Witness Assistance Program Grant - \$265,024 (carried)**

Agenda memo; grant backup documents

**d. APPROPRIATION: Virginia Outdoors Foundation Grant - Land Acquisition - \$50,000 (2nd reading)**

Agenda memo; grant backup documents

**APPROPRIATION**

**VOF Grant for Acquisition of Parkland for 250 Bypass Trail - \$50,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$50,000 from the Virginia Outdoors Foundation to purchase land adjacent to McIntire Park; and

**Revenue**

\$50,000      Fund: 426                      WBS: PR-001                      G/L Account: 430120

**Expenditures**

\$50,000      Fund: 426                      WBS: PR-001                      G/L Account: 599999

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

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$50,000 from the Virginia Outdoors Foundation.

- e. **APPROPRIATION: Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$35,000 (2nd reading)**

Agenda memo; appropriation backup

**APPROPRIATION**

**Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$35,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$35,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

**WHEREAS**, the grant award covers the period from period October 1, 2019 through September 30, 2020;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$35,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

**Revenue – \$ 35,000**

Fund: 209 Internal Order: 1900342 G/L Account: 430120

**Expenditures - \$35,000**

Fund: 209 Internal Order: 1900342 G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$35,000 from the Virginia Department of Education Special Nutrition Program.

- f. **APPROPRIATION: Virginia Department of Social Services Employment Advancement for Temporary Aid to Needy Families Participants Grant - \$130,259.83 (2nd reading)**

Agenda memo; appropriation

**APPROPRIATION**

**Virginia Department of Social Services (V.D.S.S.) Employment Advancement for Temporary Aid to Needy Families (T.A.N.F.) Participants Grant  
\$130,259.83**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Social Services in the amount of \$130,259.83; and

**WHEREAS**, the funds will be used to support workforce development training programs and business development programs provided by the Office of Economic Development; and

**WHEREAS**, the grant award covers the period from October 1, 2019 and June 30, 2020;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$130,259.83 is hereby appropriated in the following manner:

**Revenue – \$130,259.83**

\$130,259.83 Fund: 209 IO: 1900343 G/L: 430120 State/Fed pass thru

**Expenditures - \$130,259.83**

\$130,259.83 Fund: 209 IO: 1900343 G/L: 599999 Lump Sum

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$130,259.83 from the Virginia Department of Social Services.

- g. APPROPRIATION: Fire apparatus payment reimbursement \$642,609 (2nd reading)**

Agenda memo; appropriation background

**APPROPRIATION  
Fire Apparatus Payment Reimbursement - \$642,609**

**WHEREAS**, the Charlottesville Fire Department has received a payment reimbursement from a vendor for fire apparatus that they are unable to deliver on time;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a refund amount of \$642,609 be appropriated in the following manner:

**Revenues**

\$642,609 Fund: 426 WBS Element: P-00976 G/L Account: 451999

**Expenditures**

\$642,609 Fund: 426 WBS Element: P-00976 G/L Account: 541011

- h. RESOLUTION: Transfer of funds from Small Area Plan - Penn Park study (African-American cemetery) - \$9,319**

Agenda memo; background information; resolution

**RESOLUTION**

**Approval for usage of Small Area Plans funding for the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park - \$9,319**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$9,319 be allocated from previously appropriated funds in the Small Area Plans project for an examination of possible burials, believed to be of formerly enslaved persons, near the Gilmer/Craven/Hotopp Cemetery at Pen Park.

Fund: 426      Project: P-00819      G/L Account: 530670

Pen Park Cemetery Examination \$9,319

**i. RESOLUTION: Request for Support of Refugee Resettlement**

Agenda memo; letter; resolution

**RESOLUTION**

**Authorizing Mayor Walker to Sign Correspondence to the United States Department of State Authorizing Refugee Resettlement in Charlottesville**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that Mayor Nikuyah Walker is hereby authorized to sign the attached correspondence to the United States Department of State.

**j. RESOLUTION: Acceptance of new public streets within the Burnet Commons 3 Development**

Agenda memo; plat; resolution

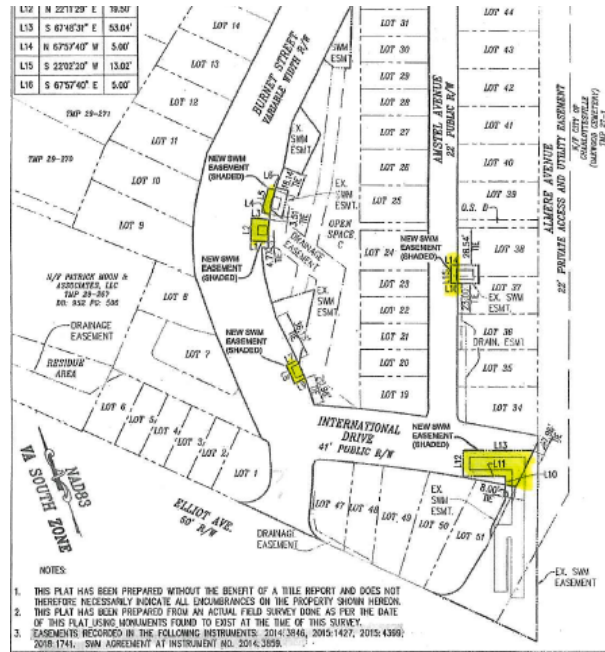
**RESOLUTION**

**ACCEPTING BURNET STREET, INTERNATIONAL DRIVE AND AMSTEL AVENUE INTO THE CITY STREET SYSTEM FOR MAINTENANCE, EXCLUDING CERTAIN ENCROACHMENTS**

**WHEREAS**, the Burnet Street, International Drive and Amstel Avenue rights-of-way have been constructed within Phase 3 of the Burnet Commons development and the developer has asked the City to accept these streets into the City’s street system;

**WHEREAS**, certain stormwater management features have been constructed within the public rights-of-way, in the locations generally depicted within the following Exhibit and labeled “new SWM easement (shaded)”:

**Exhibit:**



**WHEREAS**, all of said stormwater management features have been installed for the benefit of the lots within Phase 3 of the Burnet Commons development, and said features are owned by, and are to be maintained by, said lot owners or an owners’ association of which the owners are members; and

**WHEREAS**, all of said stormwater management features are encroachments into City-owned public rights-of-way and, notwithstanding the reference to “new easements” within the foregoing Exhibit, no easements have been granted by City Council in accordance with Va. Code §15.2-1800(B);

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Charlottesville, Virginia, Burnet Street, International Drive, and Amstel Avenue, as improved, are hereby accepted into the City’s public street system for maintenance, excluding the existing stormwater management features in the locations depicted within the foregoing Exhibit; and

**BE IT FURTHER RESOLVED** that the stormwater management features are hereby authorized to remain within the public rights-of-way as encroachments, until those features are destroyed or removed, pursuant to the provisions of Va. Code §§ 15.2-2009 and 2011. The stormwater features shall owned and maintained by the owners of lots within Phase 3 of the Burnet Commons development or an owners’ association of which the owners are members, who shall be liable for negligence on account of such encroachments. Pursuant to Va. Code §15.2-2009, authorization of these encroachments may be revoked by resolution of this City Council,



and City Council hereby reserves the right, at its option, to institute and prosecute a suit or action in ejectment or other appropriate proceedings to recover possession of the public rights of way occupied by the stormwater management features.

**k. RESOLUTION: Acceptance of 11th Street as a residential permit parking block**

Agenda memo; memo to City Manager; resolution

**RESOLUTION  
APPROVING CERTAIN STREETS AS RESTRICTED PARKING BLOCKS**

**WHEREAS**, certain residents of 11<sup>th</sup> Street Northwest between Gordon Avenue and West Street, and/or the City Traffic Engineer have requested that City Council designate those streets or portions of streets as restricted parking areas; and

**WHEREAS**, in accordance with §15-203 of the Charlottesville City Code, 1990, as amended, the City Traffic Engineer has conducted on-street parking surveys and mailed notice to all residents of the affected areas that Council will consider this request; and

**WHEREAS**, the surveys have shown that at least 75% of the total number of on-street parking spaces in the proposed restricted parking blocks were occupied, and at least 50% of the total number of on-street parking spaces in those blocks were occupied by commuter vehicles; and

**WHEREAS**, Council has considered:

- (a) the purpose and intent of Chapter 15, Article 5, Division 3 of the Charlottesville City Code, 1990, as amended;
- (b) the alternate means of transportation, if any, to and from the restricted parking areas being established;
- (c) the impact, if any, that establishment of a restricted parking area may have on nearby neighborhoods or blocks that do not have permit parking; and
- (d) the impact, if any, that a restricted area may have on persons who do not reside within that area and their ability to find parking near their place of work; and
- (e) the hours, if any, during which the proposed restricted parking areas are affected by commuter vehicles.

**BE IT RESOLVED** by the Council of the City of Charlottesville that, pursuant to §15-203 of the City Code, the following areas are each hereby designated restricted parking areas: 11<sup>th</sup> Street Northwest between Gordon Avenue and West Street.

**l. RESOLUTION: Ethnic Studies Course by African-American Heritage Center - \$15,000**

Agenda memo; background information; resolution

**RESOLUTION  
City Funding to Jefferson School African American Heritage Center  
for Ethnic Study Course - \$15,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$15,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to Jefferson School African American Heritage Center in support of the Ethnic Studies Course work being undertaken.

\$15,000

Fund: 105

Cost Center: 1011001000

**m. RESOLUTION: Capital Funding Transfer - Electronic Poll Books - \$24,618**

Agenda memo; background information; resolution

**RESOLUTION  
Capital Funding Transfer for Purchase of Electronic Poll Books for the Office of  
Voter Registration and Elections - \$24,617.60**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the funding for the purchase of Electronic Poll Books is hereby transferred in the following manner:

**Transfer From:**

\$13,550.50 Fund: 426

WBS: P-00664

G/L Account: 599999

\$11,062.10 Fund: 426

WBS: P-00666

G/L Account: 599999

**Transfer To**

\$24,617.60 Fund: 425

WBS: P-00566

G/L Account: 599999

**n. ORDINANCE: Adding Section 2-159 to Chapter 2 (Administration), Article III (City Manager) of the Charlottesville City Code (1990) (DENIED)**

Agenda memo; ordinance

This item was pulled from the consent agenda by Ms. Galvin for discussion at the end of the meeting.

**o. ORDINANCE: Bicycle & E-Scooter Sharing System (aka "Dockless Mobility") Ordinance and Permit Program (2nd reading)**

Agenda memo; background information; ordinance

**AN ORDINANCE AMENDING, REENACTING, AND RECODIFYING SECTIONS OF ARTICLE VI OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF CHARLOTTESVILLE WITH RESPECT TO THE USE OF BICYCLES, ELECTRIC POWER-ASSISTED BICYCLES, AND MOTORIZED SKATEBOARDS OR SCOOTERS**

This item was pulled from the consent agenda by Ms. Walker.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council by the following vote APPROVED the Ordinance amending, reenacting, and recodifying sections of Article VI of Chapter 15 (Motor Vehicles and Traffic) of the Code of the City of Charlottesville with respect to the use of bicycles, electric power-assisted bicycles, and motorized skateboards or scooters:

4-1 (Ayes: Bellamy, Galvin, Hill, Signer. Noes: Walker).

**p. ORDINANCE: 209 Maury Avenue rezoning request (2nd reading)**

Agenda memo; background information; ordinance

**AN ORDINANCE APPROVING REZONING APPLICATION ZM19-00002 A REQUEST TO REZONE LAND FRONTING ON MAURY AVENUE AND STADIUM ROAD FROM R-2U (TWO-FAMILY RESIDENTIAL, UNIVERSITY) TO R-3 (MULTIFAMILY RESIDENTIAL) SUBJECT TO PROFFERED DEVELOPMENT CONDITIONS**

This item was pulled from the consent agenda by Ms. Walker for a separate vote.

Ms. Galvin acknowledged her previous reservations, and stated that after further review of the site plan, she would support the Ordinance.

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the Ordinance approving rezoning application ZM19-00002, a request to rezone land fronting on Maury Avenue and Stadium Road from R-2U (Two-family Residential, University) to R-3 (Multifamily Residential) subject to proffered development conditions:

4-1 (Ayes: Bellamy, Galvin, Hill, Signer. Noes: Walker).

### **CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

Dr. Richardson advised that the Disproportionate Minority Contact report should be complete by the end of December, and a public meeting should be held in January.

He also followed up regarding street cameras and advised that the City does not have a resident-driven camera program.

### **COMMUNITY MATTERS**

Ms. Fran Feigert asked Council to reconsider the proposed building at East Market Street, referencing parking challenges already existing downtown.

Mr. Richard Tremblay made recommendations for changes to the Standards and Design Manual.

Ms. Tanesha Hudson asked that Parks and Recreation consider support for more than one event in the same day. She made suggestions for building a new City Hall and using the old one as a parking deck location. She also requested benches for bus stops, and commented on the Grand Illumination tree.

Ms. Rosia Parker followed up with the City Manager about City cameras in the public, and she asked for his opinion of the Civilian Review Board.

Mr. David Rhodes, County resident, spoke about cameras offered for surveillance of the statues that have been vandalized in City parks.

Mr. Rory Stolzenberg, City resident, spoke about Agenda Item #4, and encouraged the purchase of the 50% stake that the County owns in the service lot at 7<sup>th</sup> and Market Streets. He also spoke in opposition to the parking garage proposal.

Ms. Walker closed public comment.

### **PUBLIC HEARING/ORDINANCE\*: Vacation and release of public utilities easements - Lochlyn Hill Subdivision (1st of 2 readings; consideration of waiving 2nd reading)**

Agenda memo; background information; ordinance

Mr. Blair advised that at the request of the developer, this item was being pulled from the agenda.

The meeting recessed at 7:22 p.m.

The meeting reconvened at 7:36 p.m.

### **COMMUNITY MATTERS (continued)**

Ms. Walker re-opened Community Matters, as some members of the public did not understand the procedure for public comment on regular agenda items.

Ms. Elizabeth Turner, City resident, spoke against Item #8 and asked that Council support the Board of Architectural Review decision, and deny the appeal for 605 Preston Place.

Ms. Lisa Kendrick, City resident, spoke about Agenda Item #8 and asked Council to uphold the BAR decision, and deny the appeal for 605 Preston Place.

Mr. Josh Bart spoke about parking demand downtown and advised to avoid building parking that is not needed. He asked that Council strike the item regarding building a new parking structure and use those funds for other pressing City needs.

Ms. Walker closed public comment.

### **RESOLUTION\*: City Manager's Recommendation to Address Organizational Equity - \$113,596**

#### Agenda memo; background information; resolution

Dr. Richardson introduced the item and described the recommendation options.

Human Resources Director Michele Vineyard advised that she reviewed the recommendations from the Equity Advisory Committee, and suggested moving forward with a more refined approach. She advised that her recommendation of allowing the subject matter expert to determine the needs of the organization would be a better use of funds upfront. She advised that organizational change needs to be intentional and incremental.

Ms. Walker shared her perspective of the needs and the power required of this position at the department director level. She advised that this decision should not be based on fiscal responsibility.

Ms. Galvin asked how the HR Director recommendation related to the Advisory Board. Ms. Vineyard advised that the work of the committee was valuable, and that there was not a representative from a human resources role.

Ms. Walker advised that there is reason for alarm, and that the new position would work in alignment with Human Resources.

Dr. Bellamy agreed with Ms. Walker that a director should be hired and given the opportunity to build a team. Discussion ensued about the reporting structure for the equity and inclusion subject matter expert and the work that this position would do internally and in the community.

Mr. Signer advised that he was inclined to defer to the City Manager's judgment and to avoid the semblance of micromanagement of operational details from Council.

Dr. Bellamy advised that subtleties and titles matter and the hire should be at the higher level of Director.

On motion by Ms. Galvin, seconded by Mr. Signer, Council by the following vote APPROVED the Resolution implementing recommendations from the City Manager to address organizational equity as per the original memo from August 19, 2019 in the amount of \$197,181:

5-0 (Ayes: Bellamy, Galvin, Hill, Signer, Walker. Noes: none).

**RESOLUTION**  
**Implementing Recommendations from the City Manager to Address**  
**Organizational Equity \$197,181**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$197,181 is hereby allocated from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to implement the recommendations from the City Manager on Organizational Equity.

\$197,181                      Fund: 105                      Cost Center: 1011001000

**RESOLUTION\*: General District Court and 7th Street Deck Project - \$1.28 Million**

Agenda memo; resolution

Mr. Chris Engel, Economic Development Director, made the presentation and shared highlights of the work done on this joint City-County project since 2004. He advised that the consultants looked at a variety of lots and the conclusion is in the proposal and takes into account the zoning requirements. He advised that the lease end dates for the businesses on the property end in October 2021, which coincides with the scope of the project. The new structure would include retail/commercial space. He advised of waitlists and demand for parking garage spaces, which cannot currently be met with the current inventory, and that the Belmont Bridge project would reduce the number of spaces even further. He shared considerations made for the possibility of affordable housing structure above the garage, and that there would be a surcharge of at least 30 percent to prepare for future building above a parking deck.

In response to comments made by Mr. Signer, Parking Manager Rick Seibert, shared parking industry knowledge about the potential impact of autonomous vehicles on the future of parking garages.

Ms. Galvin added background information in relation to preserving access to people of all income levels to the court systems as well as staff and attorneys, and maintaining trust between the City and County governments. She recommended that the next Council consider bringing back parking meters for on-street parking.

On motion by Ms. Galvin, seconded by Ms. Hill, Council by the following vote APPROVED the Resolution to transfer \$1,280,000 from the CIP Contingency Account for Acquisition of Land at 701 East Market Street:

5-0 (Ayes: Bellamy, Galvin, Hill, Signer, Walker. Noes: none).

Ms. Walker added that the County at one point considered moving their courthouse to another location in the County, which would have been prohibitive for legal professionals and others who may have needed to be in multiple places fairly simultaneously. She also spoke about the reality of people needing to use vehicles.

### **RESOLUTION**

#### **Transfer CIP Contingency Account for Acquisition of Land at 701 East Market Street - \$1,280,000**

**WHEREAS**, on December 17, 2018, Albemarle County and the City of Charlottesville signed a memorandum of agreement to develop a joint court complex located at 350 Park Street in downtown Charlottesville; and

**WHEREAS**, the agreement is premised on the City's stated intention to construct a parking structure on property owned jointly by the City and the County and adjacent property owned solely by the City, both on East Market Street; and

**WHEREAS**, the agreement stipulates that the City will purchase the County's one-half interest of the jointly owned property following the completion of a professional appraisal; and

**WHEREAS**, the appraisal indicates the value of the County's one-half ownership to be \$1,280,000;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that funding for purposes of acquiring parcel #530159000 located at 701 East Market is hereby transferred in the following manner:

**Transfer From:**

\$1,280,000    Fund: 426    WBS: CP-080    G/L Account: 599999

**Transfer To**

\$1,280,000 Fund: 426 WBS: P-01008 G/L Account: 599999

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute, on behalf of the City of Charlottesville, all necessary documents required in conjunction with the aforementioned purchase of property; and

**BE IT FURTHER RESOLVED** that City staff is directed to proceed immediately with development of a parking structure as presented at this meeting, consisting of approximately 300 spaces and 12,000 square feet of street front commercial space, such that the timelines prescribed in the memorandum of agreement can be met.

**RESOLUTION\*: 218 West Market Street Special Use Permit**Agenda memo; resolution

Mr. Brian Haluska, Principal Planner for the Department of Neighborhood Development Services, introduced the agenda item. The development team of Jeff Dreyfus and LJ Lopez, shared a presentation and additional information about the request, advising of project deadlines, design guideline considerations and the affordable dwelling unit component.

The developers answered Council questions regarding walkways, how much of the agreement would be enforceable, the length of the commitment, about parking, and about proposed greenery on each tier of the building.

Mr. Blair reviewed procedure.

Ms. Galvin expressed concern that the project creates demand for high end luxury housing, rather than solving the problem of creating affordable housing. She expressed frustration with the current Zoning Ordinance.

Mr. Signer and Ms. Hill shared concern that the scale of the project would change the character of the Downtown Mall.

Mr. Lopez advised that there is consideration for height and density, and asked that they be considered separately. Mr. Blair advised that if the desire were to modify the proposal, the item would need to go back before the Planning Commission.

On motion by Ms. Hill, seconded by Mr. Signer, Council by the following vote DEFERRED the item back to the Planning Commission:

3-2 (Ayes: Galvin, Hill, Signer. Noes: Bellamy, Walker).



**RESOLUTION\*: 167 Chancellor Street Special Use Permit**

Agenda memo; resolution

Mr. Joey Winter, City Planner, presented the request.

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the Resolution authorizing a fraternity house at 167 Chancellor Street for up to 16 occupants:

5-0 (Ayes: Bellamy, Galvin, Hill, Signer, Walker. Noes: none).

**RESOLUTION  
AUTHORIZING A FRATERNITY HOUSE  
AT 167 CHANCELLOR STREET FOR UP TO 16 OCCUPANTS**

**WHEREAS**, pursuant to City Code §34-420, landowner Alpha Omicron of Chi Psi Corporation has submitted an application seeking to modify a special use permit previously approved in 1985, for the purposes of authorizing a “*boarding, fraternity and sorority house*”, as defined within City Code §34-1200, at 165 and 167 Chancellor Street (the proposed “Special Use Permit”); and

**WHEREAS**, the proposed Special Use Permit will apply to the land, buildings and structures located at 165 and 167 Chancellor Street (the “Subject Property”), which is further identified on 2019 City Tax Map 9 as Parcels 126 and 127 (City Parcel ID Nos. 090126000 and 090127000, respectively) and both lots are located within the City’s R-3 zoning district, subject to an historic district overlay (the Corner major design control district, per §34-272(6); and

**WHEREAS**, previously, on July 15, 1985 City Council granted a special use permit to authorize a “sorority complex” to be established at 165 and 167 Chancellor Street, consisting of two buildings: one, at 165 Chancellor, another at 167 Chancellor, together, having thirty-three (33) residents, total. The current owner of the land, buildings and structures located at 165 Chancellor Street (WADS Holdings, LLC) has confirmed in writing that it does not object to this application, which will update and modify the previously-granted special use permit as to both 165 and 167 Chancellor Street; and

**WHEREAS**, the proposed Special Use is generally described within written materials submitted in connection with SP19-00007, including: the application materials dated September 17, 2019, and related narrative; and a proposed preliminary site plan *dated* September 17, 2019 as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS**, the Planning Commission reviewed the Application Materials, and the City’s Staff Report pertaining thereto, and then, following a joint public hearing duly advertised and conducted by the Planning Commission and City Council on November 12, 2019, the

Planning Commission voted to recommend that City Council should approve this proposed Special Use, subject to certain conditions; and

**WHEREAS**, upon consideration of the comments received during the joint public hearing, the Planning Commission's recommendation, and the Staff Report, as well as the factors set forth within Sec. 34-157 of the City's Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, pursuant to City Code Sec. 34-420, the proposed Special Use is granted, subject to the following conditions:

1. The fraternity house located at 167 Chancellor Street shall have a maximum of sixteen (16) residents. Any expansion of the fraternity house beyond sixteen (16) residents will require an amendment to this Special Use Permit.
2. 165 Chancellor Street: Special Use Permit approval for the land, buildings and structures located at 165 Chancellor Street to be used for a "boarding, fraternity and sorority house", as that term is defined in City Code §34-1200 is expired and no longer valid. However, yard regulations for this lot will remain modified as follows:
  - a. Building setback (front), adjacent to Madison Lane: the required building setback along Madison Lane shall remain modified as shown on the site plan for 165 and 167 Chancellor Street approved on November 4, 1985.
3. 167 Chancellor Street: The land, buildings and structures located at 167 Chancellor Street may be used for a "boarding, fraternity and sorority house", as that term is defined in City Code §34-1200. The number of residents shall not exceed 16 at 167 Chancellor Street.
  - a. Building setback (front), adjacent to Madison Lane: the required building setback along Madison Lane shall be 8 feet.
  - b. Building setback (corner side), adjacent to Chancellor Street: the required building setback along Chancellor Street shall be 4 feet.
  - c. Building setback (side), adjacent to 165 Chancellor Street: the required building setback along the property line shared with 165 Chancellor Street shall be 4 feet.
  - d. Building setback (rear), property corner adjacent to Chancellor Street and 165 Chancellor Street: the required building setback from property corner adjacent to Chancellor Street and 165 Chancellor Street shall be 25 feet.
4. The "boarding, fraternity or sorority house" use approved by this special use permit, and (except as specifically modified within condition (2) and condition (3), above), all buildings and structures located on the Subject Property, shall comply with the provisions of City Code

Sec. 34-353 and all other applicable provisions of Chapter 34 (Zoning) of the Code of the City of Charlottesville.

5. Bicycle storage facilities shall be provided at 167 Chancellor Street at a rate of one (1) bicycle storage facility per resident, and all such facilities shall be a type permitted by the Zoning Ordinance.
6. Sidewalk shall be extended along the frontage of Madison Lane as shown on the proposed preliminary site plan for 167 Chancellor Street dated September 17, 2019.
7. Curb ramps shall be installed at the end of any proposed sidewalk on Madison Lane to align with the existing curb ramp on the east side of Chancellor Street.
8. The elevated sidewalk to the south on Chancellor Street must be repaired and vegetation cleared to remove obstructions. If this work is not done prior to requesting an updated Certificate of Occupancy for 167 Chancellor Street then the landowner shall provide a development agreement specifying the timing for completion of sidewalk work.
9. An accessible route from the public sidewalk to 167 Chancellor Street shall be required.

**BE IT FURTHER RESOLVED THAT** the Special Use Permit approved by this Resolution amends and supersedes the special use permit previously approved by resolution dated July 15, 1985 for the buildings and structures located at 165 and 167 Chancellor Street.

**RESOLUTION\*: Adopting an updated Standards and Design Manual**

[Agenda memo; resolution; link to Standard and Design Manual](#)

Mr. Marty Silman, Interim Director of Public Works, shared a summary of the reasons for the Standards and Design Manual updates, and the engagement process for gaining feedback for revisions. He responded to concerns raised earlier in the meeting about the proposed manual. Mr. Silman answered Council questions about street acceptances and related costs.

On motion by Ms. Galvin, seconded by Ms. Hill, Council by the following vote APPROVED the resolution adopting an updated Standards and Design Manual:

5-0 (Ayes: Bellamy, Galvin, Hill, Signer, Walker. Noes: none).

**RESOLUTION  
APPROVING AN UPDATED STANDARDS AND DESIGN MANUAL**

**WHEREAS**, this City Council has provided for a set of design and construction specifications for public improvements and infrastructure, referred to within the City’s Subdivision Ordinance at City Code §29-140(6) and §29-141, and in various provisions of Chapter 10 (Water Protection), Chapter 28 (Streets and Sidewalks) and Chapter 34 (Zoning Ordinance) as the City’s “Standards and Design Manual” (SADM); and

**WHEREAS**, in 2017 the City commenced a process to review and update the contents of the SADM, which was originally approved by City Council in 2008 and had not received a comprehensive update since that time; and

**WHEREAS**, the text of the proposed updated SADM has been developed by the City Engineer in consultation with the departments and public officials referenced in City Code §29- 61, and was made available for public review and comment, and many public comments have been incorporated into the SADM presented to this Council for approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville that the proposed updated Standards and Design Manual (2019), together with existing Appendices A through H, are hereby approved by City Council as the City’s official “Standards and Design Manual”, effective December 2, 2019 (collectively, the SADM approved by this resolution). In the event of any conflicts between the updated SADM text approved by this resolution and the contents of any existing Appendices, the updated text of the SADM shall be the controlling provision; and

**BE IT FURTHER RESOLVED THAT**, consistent with the provisions of City Code §2-154, the City Engineer, with the approval of the City Manager and the concurrence of the City Attorney’s Office, may amend and update the SADM, or any appendices thereto. Any proposed amendment to the SADM or its appendices shall contain a specific revision date, and shall be posted on the City’s website for public information for at least ten (10) business days prior to being approved by the City Engineer and City Manager.

**BE IT FURTHER RESOLVED THAT** the City Engineer shall have the authority to administer and interpret the provisions of the SADM, including, without limitation, the authority to issue technical bulletins or written interpretations of the contents of the SADM. This administrative authority shall be carried out subject to oversight by the City Manager or his or her designee, and subject further to the requirement that the Engineer’s findings and conclusions shall be official only with the concurrence of the City Attorney’s Office. Upon issuance of a technical bulletin or written interpretation containing the concurrence of the City Attorney’s office, the content of that document shall have the same weight of authority as the text within the SADM; and

**BE IT FURTHER RESOLVED THAT**, notwithstanding the effective Date of December 2, 2019, the following may proceed using the SADM provisions in effect prior to December 2, 2019:

1. Development depicted within a final site plan approved prior to December 2, 2019;
2. Charlottesville Redevelopment and Housing Authority (CRHA), South First Street Project (Phase 2);
3. Piedmont Housing Alliance, Friendship Court Redevelopment (Phase 1); and

4. Any common plan of development or sale, or an individual phase within such common plan, for which (i) a proposed final site plan was officially submitted on or after November 1, 2019 and (ii) that officially submitted plan satisfies all requirements necessary to be deemed final, per Va. Code §15.2-2261(A), on or before March 31, 2020.

### **RESOLUTION\*: Board of Architectural Review appeal - 605 Preston Place**

#### Agenda memo; background information; resolution

Mr. Blair set the procedural ground rules.

Mr. Jeff Werner, presented as staff for the Board of Architectural Review (BAR). He shared information about the structure of the BAR, and advised that appeals of the BAR decisions are not common. He shared the background of the BAR denial 6-0 for the certificate of appropriateness for the proposed parking area at 605 Preston Place, advised that staff recommend that Council uphold the recommendation of the BAR to deny the Certificate of Appropriateness.

Mr. Richard Spurzem requested that Council approve the appeal and reverse the BAR decision. He advised that parking is a by-right use and alluded to potential financial consequences to the City.

Mr. Breck Gastinger spoke on behalf of the BAR, also a landscape architect and advised that the issue considers more than aesthetics. He advised that the decision of the BAR was clear-cut, and in the interest of preserving the historic character of City property. He shared historically significant information of this property called Wyndhurst. He noted the project impact on demolition, parking, and the historic district. He urged upholding the BAR denial.

Mr. Werner advised that with a Council denial of the appeal, the next level for litigation would be the Circuit Court. He added that the applicant would have the opportunity to work with the BAR.

On motion by Ms. Galvin, seconded by Ms. Hill, Council by the following vote DENIED the appeal, citing the same provisions as mentioned by the BAR:

5-0 (Ayes: Bellamy, Galvin, Hill, Signer, Walker. Noes: none).

### **OTHER BUSINESS**

**n. ORDINANCE: Adding Section 2-159 to Chapter 2 (Administration), Article III (City Manager) of the Charlottesville City Code (1990) (DENIED)**

Agenda memo; ordinance

This item was pulled from the consent agenda by Ms. Galvin for discussion at the end of the meeting.

Ms. Galvin moved that Council not adopt the ordinance. Mr. Signer seconded.

Discussion ensued with Ms. Galvin reading an excerpt from a Virginia Municipal League article describing encroachment on City Manager duties, and confusing staff on reporting structure. She advised that it hampers the City Manager from picking their own staff.

Ms. Hill shared a desire for Council to be included for awareness purposes.

Ms. Walker advised that the ordinance came from discussions amongst Council members. She expressed concern about when Councilors are introduced to new department directors.

Mr. Blair shared specific language from the Danville, Virginia, City Charter which explicitly referenced "Interference by Council", and he suggested future discussion of potential Charlottesville Charter changes to provide absolute clarity.

Mr. Signer expressed that Council should ensure that the City Manager has the appropriate support, and advised councilors to learn more about the council-manager form of government to avoid erosion of the City Manager's authority.

Ms. Walker expressed concern about learning of staff hires and other information from the media before learning from the City Manager.

On motion by Ms. Galvin to DENY the Ordinance, seconded by Mr. Signer, Council by the following vote DENIED the Ordinance adding Section 2-159 to Chapter 2 (Administration), Article III (City Manager) of the Charlottesville City Code (1990):

3-2 (Ayes: Galvin, Hill, Signer. Noes: Bellamy, Walker).

## **MATTERS BY THE PUBLIC**

None

The meeting adjourned at 11:14 p.m.

**December 16, 2019**  
**Charlottesville City Council Special Meeting**

A special meeting of the Charlottesville City Council was held on Monday, December 16, 2019, at 5:00 p.m. in the Second Floor Conference Room, City Hall, 605 E. Main Street, Charlottesville, Virginia.

Mayor Nikuyah Walker called the meeting to order at 5:14 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin, and Mr. Mike Signer.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted (Ayes: Walker, Hill, Bellamy, Galvin and Signer. Noes: None) to meet in closed session as authorized by Va. Code Sections 2.2-3711 and 2.2-3712, specifically:

- as authorized by Virginia Code Section 2.2- 3711(A)(1) for discussion of the performance of the Charlottesville City Manager and for the discussion and consideration of specific prospective candidates for the Measurements and Solutions Group, Ridge Street Priority Neighborhood Task Force, Police Civilian Review Board, and CDBG Task Force, Ridge Street Representative; and
- as authorized by Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel concerning the Government Data Collection and Dissemination Practices Act.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council certified by the following vote (Ayes: Walker, Hill, Bellamy, Galvin, Signer. Noes: None), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

Mayor Walker adjourned the meeting at 6:36 p.m.

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



<b>Agenda Date:</b>	January 6, 2020
<b>Action Requested:</b>	Appropriation
<b>Presenter:</b>	Shayla Givens, Human Services Department
<b>Staff Contacts:</b>	Shayla Givens, Department of Human Services Kaki Dimock, Director, Department of Human Services
<b>Title:</b>	<b>Runaway Emergency Shelter Program Grant - \$209,444</b>

**Background:**

In FY2018 the Human Services Department, in partnership with ReadyKids, applied for and received a 3 year grant from the Department of Health and Human Services Administration for Children and Families in the amount of \$200,000 in federal funds and \$22,222 in local matching funds. In FY2020, the third year of the grant, the local match will be met with a transfer of \$9,444 from the Human Services Department for a total appropriation of \$209,444. An in-kind match of \$12,778 from ReadyKids, to provide Runaway Emergency Shelter Program (R.E.S.P.) services, will be applied to the grant as well.

**Discussion:**

The funds support services that provide emergency shelter, counseling and after care services for youth in crisis for the purpose of keeping them safe and off the streets, with a goal of reunification with family. Funded services will include: emergency shelter available 24 hours per day, 7days a week; individual and family counseling to help resolve conflict and develop new communication skills to facilitate reunification with the family; and additional support services that help youth build meaningful connections with their community and encourage positive youth development.

**Alignment with City Council's Vision and Strategic Plan:**

The Runaway Emergency Services Program grant aligns with the City of Charlottesville's Strategic Plan – Goal 2: A Healthy and Safe City; Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

The Human Service Department's programs, including the Runaway Emergency Shelter Program, provide residential and community based services that prevent delinquency and promote the healthy development of youth.

**Community Engagement:**

In order to increase prevention services, R.E.S.P. staff conduct extensive outreach efforts, particularly in area schools reaching out to youth through a variety of activities including presentations to health classes and at tables during lunch.

**Budgetary Impact:**

There is no impact to the General Fund. The grant will be appropriated and expensed from the grants fund. There is a local match that the Human Service's Department and ReadyKids will provide (cash match of \$9,444 – Human Services Fund and in-kind match \$12,778 – ReadyKids). The cash match of \$9,444 will come from funding that was previously appropriated as part of the FY20 Human Services budget.

**Recommendation:**

Staff recommends approval and appropriation of funds.

**Alternatives:**

If the funds are not appropriated, the grant would not be received and the Runaway Emergency Shelter Program services would not be provided.

**Attachments:**

Appropriation

**APPROPRIATION**  
**Runaway Emergency Shelter Program**  
**\$209,444**

**WHEREAS**, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$9,444 provided by the Human Services Fund and in-kind match of \$12,778 provided by ReadyKids;

**WHEREAS**, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between the Human Services Department and ReadyKids. The grant award covers the period from September 30, 2019 through September 29, 2020;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$209,444 is hereby appropriated in the following manner:

**Revenue – \$209,444**

\$200,000	Fund: 211	Internal Order: 1900344	G/L Account: 431110
\$ 9,444	Fund: 211	Internal Order: 1900344	G/L Account: 498010

**Expenditures - \$209,444**

\$ 69,948	Fund: 211	Internal Order: 1900344	G/L Account: 519999
\$125,000	Fund: 211	Internal Order: 1900344	G/L Account: 530010
\$ 14,496	Fund: 211	Internal Order: 1900344	G/L Account: 599999

**Transfer - \$9,444**

\$ 9,444	Fund: 213	Cost Center: 3413003000	G/L Account: 561211
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	January 21, 2020
Action Required:	Appropriation
Presenter:	Kaki Dimock, Director, Department of Human Services Jayson Whitehead, Executive Director, PACEM
Staff Contacts:	Kaki Dimock, Director, Department of Human Services
Title:	<b>Appropriation of Human Services Fund Balance for PACEM Transportation Costs - \$20,000</b>

**Background:**

PACEM is a seasonal, low-barrier thermal shelter serving people experiencing homelessness in the greater Charlottesville community. Created in 2004, PACEM has provided more than 105,765 nights of shelter over the last 15 seasons. In the winter months of 2018-2019, the agency sheltered 250 guests at an average of 42 men and 12 women every evening.

PACEM partners with 25-30 congregations in the region to serve as host sites with the vast majority of sites within the city limits. In general, two sites are used at a time as men and women are sheltered at different sites.

PACEM conducts intake at The Haven every evening during the shelter season around 5:30pm. Guests are transported to host sites immediately following the intake process. In the morning, guests are transported back to The Haven by 7:00am. Under a historical agreement with JAUNT, PACEM has used JAUNT vehicles to transport guests to and from host sites using PACEM drivers.

**Discussion:**

As the number of PACEM guests has increased and the cost of vehicle maintenance has increased, JAUNT has participated in this community collaboration at a discounted rate. Earlier this year, JAUNT reasonably encouraged PACEM to identify other sources of transportation for the shelter season. After a significant and unsuccessful search for alternative transportation sources, PACEM once again sought an agreement with JAUNT. JAUNT has agreed to transport guests for the 2019-2020 winter season at a higher rate, though still discounted.

Transportation is a requirement for PACEM's operations and, while some guests may be able to walk to area host sites, a significant majority of PACEM's guests are older and impaired by substance use, mental health challenges or chronic disease that make walking such distances prohibitive.

PACEM is able to absorb much of this increase in transportation expense for this fiscal year but seeks support from the city for the remainder. PACEM seeks \$20,000 in support of this season's unexpected transportation costs from the city. The Department of Human Services has been engaged in conversations with PACEM staff and board about this issue and is aware that the agency is actively in search of alternatives for transportation services for future years including possible ownership or long-term rental of small bus, ride-sharing services, and collaborations with private transportation companies.

**Alignment with City Council's Vision and Strategic Plan:**

PACEM's service to this community aligns with the City of Charlottesville Strategic Plan Goals # 1 (Inclusive, self-sufficient community) and #2 (Healthy and safe city).

**Community Engagement:**

This request for support originated from a community agency and due to the time constraints of the request extensive community engagement is not feasible.

**Budgetary Impact:**

This appropriation has no financial impact on the general fund. Funds will be expensed from the departments current fund balance.

**Recommendation:**

Staff recommend appropriating \$20,000 from the Department of Human Services fund balance to provide support to PACEM to ensure continuation of shelter and transportation services for the current shelter season.

**Alternatives:**

Council could decline to appropriate funds to support PACEM's unexpected transportation costs.

**Attachments:**

Appropriation

## **APPROPRIATION**

### **Department of Human Services Fund Balance for PACEM Transportation Costs**

**\$20,000**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of up to \$20,000 in department fund balance, is hereby appropriated in the following manner:

#### **Revenues - \$20,000**

Fund: 213                      Cost Center: 3411001000                      G/L Account: 498011

#### **Expenditures - \$20,000**

Fund: 213                      Cost Center: 3411001000                      G/L Account: 599999

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



<b>Agenda Date:</b>	January 21, 2020
<b>Action Required:</b>	Approval and Appropriation
<b>Presenter:</b>	Jeff Brill, Albemarle-Charlottesville Regional Jail
<b>Staff Contacts:</b>	Ryan Davidson, Senior Budget and Management Analyst Gail Hassmer, Chief Accountant Symia Tabron, Accountant
<b>Title:</b>	<b>State Criminal Alien Assistance Program (S.C.A.A.P.) Grant for 2019 - \$4,478</b>

**Background:**

The City of Charlottesville has received the State Criminal Alien Assistance Program Grant (S.C.A.A.P.), on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$4,478. These are federal funds to reimburse the Albemarle-Charlottesville Regional Jail for Fiscal Year 2019 expenses of housing alien inmates. Albemarle County is appropriating funds received under the same program that will also be passed through to the Regional Jail.

**Discussion:**

The State Criminal Alien Assistance Program (S.C.A.A.P.) provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating certain undocumented criminal aliens. The award amount is based on the number of undocumented persons incarcerated at the Albemarle-Charlottesville Regional Jail. As this is not a one-time grant, the Jail will receive future payments from the City as they are granted. The majority of these funds (78% or \$3,492.84) will be passed through directly to the Regional Jail. The remaining 22% (\$985.16) will be sent to Justice Benefits, Inc., for their management services for the administrative functions of the S.C.A.A.P. reimbursements for the regional jail.

**Alignment with City Council's Vision and Strategic Plan:**

These funds align with Council's Vision for a Smart, Citizen-Focused Government -- Acceptance of these funds will support quality services at our Regional Jail and will help ensure that services are provided in the most efficient and cost effective way to citizens.

These funds also support Goal 2: Be a safe, equitable, thriving and beautiful community, and Objective 2.1. Provide an effective and equitable public safety system

**Community Engagement:**

N/A

**Budgetary Impact:**

There is no budgetary impact to the City as these funds will be passed through directly to the Regional Jail and Justice Benefits, Inc., which provides administrative support for the regional jail.

**Recommendation:**

Staff recommends approval and appropriation of funds to the Regional Jail.

**Alternatives:**

N/A

**Attachments:**

Appropriation

**APPROPRIATION**  
**State Criminal Alien Assistance Program (SCAAP) Grant for 2019 reimbursement**  
**\$4,478**

**WHEREAS**, the State Criminal Alien Assistance Program (SCAAP) grant, providing federal payments for correctional officer salary costs incurred for incarcerating certain undocumented criminals has been awarded the City of Charlottesville, on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$4,478.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that a total of \$3,492.84 be appropriated and passed through to the Albemarle-Charlottesville Regional Jail and \$985.16 be appropriated and passed through to Justice Benefits, Inc.

**Revenues**

\$4,478 Fund: 211      Internal Order: 1900328                      G/L Account: 431110

**Expenses**

\$3,492.84      Fund: 211      Internal Order: 1900328                      G/L Account: 530550  
\$ 985.16      Fund: 211      Internal Order: 1900328                      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$4,478 from the U. S. Bureau of Justice Assistance.

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



Agenda Date:	January 21, 2020
Action Required:	Resolution Adoption
Presenter:	John C. Blair, II, City Attorney
Staff Contacts:	John C. Blair, II, City Attorney
<b>Title:</b>	<b>Legislative Theater Workshop and Belonging and Cultural Democracy Workshop</b>

**Background:**

Matthew Slaats, a doctoral candidate at the University of Virginia, requested that City Council make Council Chambers available for two workshops on February 6, 2020 from 6 to 8:30 p.m. and on February 7, 2020 from 11:00 a.m. to 1:30 p.m.

The purpose of this request is to conduct a Legislative Theater Workshop on February 6 and a workshop on Belonging and Cultural Democracy on February 7. Mr. Slaats is conducting these workshops as part of the University of Virginia's Public Humanities Lab. These workshops are supported by a grant from the UVA Arts Council.

**Discussion:**

The workshops are designed to consider alternative modes of listening and participation between the city government and its residents. Specifically, the Legislative Theater Workshop will be used to think about the Council Chambers space and possibly develop policies on the use of the space in terms of Council-resident interaction.

Council Chambers are only provided for community events or government meetings or hearings. Therefore, if Council wishes for this event to be hosted in Council Chambers, it will need to approve the accompanying resolution declaring the workshops to be community events pursuant to Charlottesville City Code Section 28-29.

**Budgetary Impact:**

None.

**Alternatives:**

The Council could decline to adopt the Resolution

**Attachments:**

Resolution

**RESOLUTION PERMITTING USE OF  
COUNCIL CHAMBERS ON  
FEBRUARY 6 AND 7, 2020**

**WHEREAS**, the Charlottesville City Council's Chambers, located at 605 East Main Street, Charlottesville, Virginia are under the direct control of the Charlottesville City Council; and

**WHEREAS**, the Council Chambers are only used for official local or state government meetings or functions or for Community Events.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Charlottesville, Virginia finds that the Legislative Theater Workshop scheduled for February 6, 2020 from 6:00 p.m. to 8:30 p.m. and the Belonging and Cultural Democracy Workshop scheduled for February 7, 2020 from 11:00 a.m. to 1:30 p.m. are community events pursuant to Charlottesville City Code Section 28-29 designed to consider alternative modes for listening and participation between the city government and its citizens; and

**BE IT FURTHER RESOLVED** that the Legislative Theater Workshop and Belonging and Cultural Democracy Workshop directly relate to the relationship between the Council and the residents it serves, are open to the public, and may use the Council Chambers for the aforementioned hours.

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



Agenda Date:	January 21, 2020
Action Required:	Ordinance Amendment
Staff Contacts:	Katrina Callsen, Assistant City Attorney
Presenter:	Katrina Callsen, Assistant City Attorney
<b>Title:</b>	<b>Amend Section 2-5 of the Charlottesville City Code</b>

**Background:**

On September 18, 1989, the Charlottesville City Council enacted Charlottesville City Code Section 2-44.1 (Current City Code Section 2-5) codifying the requirement that certain city employees file financial disclosure statements as prescribed by the State and Local Government Conflict of Interests Act (COIA). At that time, the COIA filing deadline was on or before January 15<sup>th</sup> of each year and that deadline was thus codified into the Charlottesville City Code.

In 2017, the General Assembly of Virginia enacted an amendment to the State and Local Government Conflict of Interests Act and changed the applicable filing deadline for local government officers and employees in Va. Code § 2.2-3115 from January 15 to February 1.

**Discussion:**

The proposed ordinance amendment is to change the current financial disclosure filing deadline in City Code Section 2-5 from January 15 to February 1.

This amendment would align Charlottesville City Code with the current statutory filing deadlines of the State and Local Government Conflict of Interests Act.

**Budgetary Impact:**

There is no budgetary impact.

**Attachments:**

Proposed Ordinance amending the financial disclosure filing deadline to February 1.



**AN ORDINANCE  
AMENDING SECTION 2-5  
OF CHAPTER 2 (ADMINISTRATION)**

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

Section 2-5 of Chapter 2 of the Code of the City of Charlottesville (1990) is amended as follows:

**Sec. 2-5. Financial disclosure by certain officers and employees.**

The following officers and employees shall file, on or before ~~January fifteenth~~ February 1 of each year, as a condition to assuming or continuing office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in the State and Local Government Conflict of Interests Act, Code of Virginia, section 2.2-3117:

- (1) City manager;
- (2) Deputy city manager;
- (3) Assistant city manager;
- (4) Chairman and members of the Charlottesville Economic Development Authority;
- (5) Director, chairman and members of the Charlottesville Redevelopment and Housing Authority; and
- (6) All department heads.

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# CITY OF CHARLOTTESVILLE, VIRGINIA. CITY COUNCIL AGENDA.



Agenda Date:	January 21, 2020.
Action Required:	Council Appropriation (1 <sup>st</sup> of 2 readings).
Presenter:	Christopher Cullinan, Director of Finance.
Staff Contacts:	Christopher Cullinan, Director of Finance. Krisy Hammill., Senior Budget and Management Analyst
Title:	Year End Adjustments- F.Y. 2019 and General Fund Balance Transfer.

## **Background:**

The City Manager prepares and City Council adopts a balanced budget (revenues = expenditures) each fiscal year. When City Council adopts the annual budget in April of each year, the actual results of the fiscal year will not be known until 15 months later. The budget is a projection based on known factors (fixed costs, funding formulas) and factors based on best information available (past revenue and expenditure trends, economic forecasts). The annual audit and Comprehensive Annual Financial Report (CAFR) are prepared at the end of each fiscal year detailing actual financial results and whether a surplus or deficit occurred.

After the annual audit and depending on the funds available after closing the fiscal year, City management makes recommendations for one-time appropriations and transfers to other funds.

To the extent that the surpluses are based on on-going, identifiable trends, the City incorporates these into the preparation of the next year's balanced budget. Surpluses can also result from one-time occurrences or events and thus cannot, nor should not, be planned to repeat in future years. Given these practices, the City treats surpluses as one-time events. As one-time events, surpluses should only be used for one-time expenses so as not to create a structural imbalance in the City's finances. This approach is considered a financial management best practice.

As shown below, while the recent trend has been for the General Fund to have surpluses, the City does not plan on surpluses occurring.

## **Discussion:**

For the fiscal year ending June 30, 2019 (fiscal year 2019), the City's General Fund ended with a positive, unallocated surplus of \$5,829,266 or 3.2% within budget. As evidenced by the table below, this result is consistent with the City's recent financial performance:

Fiscal Year	Adopted Budget	Fund Balance Surplus/(Deficit)	Fund Balance as % of Adopted Budget	
2014	\$146,269,910	\$2,986,157	2.0%	
2015	\$150,742,327	\$4,316,606	2.9%	
2016	\$156,391,435	\$5,995,549	3.8%	
2017	\$162,018,737	\$8,941,570	5.5%	
2018	\$171,657,127	\$4,701,082	2.7%	<u>Ave % FY14-FY18</u>
<b>2019</b>	<b>\$179,725,535</b>	<b>\$5,829,266</b>	<b>3.2%</b>	3.4%

As a percentage of the General Fund budget, the FY'19 results are similar to the past five fiscal years. Note: actual financial results within +/-5% of projected budget results are considered to be within best financial management practices.

Including FY'19, the trend has been revenues performing better than expected and the City spending less than budgeted. Specific examples are cited below.

Significant, positive revenue budget variances (actual revenues exceeding budgeted amounts) were as follows:

- **Real Estate Taxes** exceeded budget by \$1,996,555.
- **Business and Professional License (BPOL)** = \$1,140,881.
- **Personal Property Taxes** = \$681,003
- **Transient Occupancy Taxes (Lodging Taxes)** = \$559,226
- **Meals Taxes** = \$395,427

Note these are all locally derived revenues reflecting the strength of the City's economy.

Significant budget savings (actual expenses below budgeted amounts) included:

- **Parks and Recreation** was under budget by \$346,804.
- **School Pupil Transportation** = \$238,993.
- **Police Department** = \$225,205.
- **City Manager** = \$223,699.
- **Neighborhood Development Services** = \$206,054.

Salaries and benefits for employees are the City's largest expense. Vacancies often produce budget savings.

**Resolution/Carryover Request:**

At each year-end, the City calculates required fund balance amounts to maintain compliance with its policies. Any additional surplus generated is earmarked for spending on one-time items in future years.

For FY2019, the City ended \$5,829,266 in excess of its 17% fund balance policy. The resolution recommends that \$5,204,500 be approved and carried over to be spent as described in the memo and on Exhibit 1. The remaining surplus balance of \$624,766 will be placed in the Capital Improvement Program Contingency Fund for future programming as per City policy.

Attached is Exhibit I which provides a summary of appropriations requested.

**Community Engagement:**

This agenda item is the first reading of this appropriation. A public hearing will occur at the next Council meeting to take comments and possible amendments to these year-end results and recommended use of carryover funds followed by the second reading of the appropriation.

**Budgetary Impact:**

The \$5,204,500 of expenditure recommendations are one-time in nature and in alignment with sound financial management practices.

The remaining \$624,766 is recommended to be transferred to the Capital Improvement Fund contingency for future capital needs. This recommendation is in accordance with our financial policy and allows the City to contribute more towards a “pay as you go” (PAYGO i.e. cash) C.I.P. versus issuing bonds. This is something the bond rating agencies track closely and consider a good financial management practice .

**Alignment with Council Vision Areas and Strategic Plan:**

This resolution aligns with Goal 4 of the Strategic Plan, to be a well-managed and successful organization.

**Recommendation:**

Staff recommend that Council approve the first reading of the attached resolution.

**Alternatives:**

Amend the Recommendations.

**Attachments:**

1. Memo- End of Year Adjustments/Exhibit I.
2. FY 2019 Year End Appropriation.

**To:** Members of City Council.

**From:** Christopher Cullinan, Director of Finance.  
Krisy Hammill, Senior Budget and Management Analyst.  
**Date:** January 21, 2020  
**Subject:** **F.Y. 2019 End of Year Adjustments.**

In order to close the City's financial records for F.Y. 19 City Council is requested approve the attached resolution to adjust certain accounts.

Provided below is a brief description of the items contained in the various sections of the appropriation:

- Section I - General Fund.
- Section II - Facilities Repair Fund.
- Section III - Grants Funds.
- Section IV – Capital Projects Fund.

Included are names of the department or program, the amount of the adjustment and a brief discussion of the reason(s) for the appropriation.

**I. General Fund - \$5,852,530.**

(a) Departmental Appropriations – Section 1 (a).

The following appropriations are requests for carryovers of unspent funds and funds not previously appropriated.

From unallocated, General Fund surplus:

- Citizen Review Board - \$50,000.  
These funds will be used to fund the startup personnel and operating costs of the Civilian Review Board during the current fiscal year. On-going funds will be included in next year's budget.
- Citywide Reserve - \$1,014,000.  
\$614,000 will be used to replenish the Citywide Reserve for funds used to replace radios for various City departments. \$400,000 will be reserved as a contingency to address potential legislative actions taken by the General Assembly.
- Communications Department - \$18,500.  
\$15,000 will be used for Unity Days marketing costs. \$3,500 will be used for the Census 2020 project coordinated by the Thomas Jefferson Planning District Commission to encourage participation in the upcoming Census.
- Assessor's Office - \$29,000.  
These funds will be used for the City's share of updating pictometry files for the Geographic Information System (GIS). This project is being done in

conjunction with Albemarle County.

- Police Department - \$96,000.  
Funds will be used for several one-time equipment replacement costs and facility repairs.

Funds not previously appropriated:

- Police Department/Crisis Intervention Team - \$23,536  
These funds will be used to fund training for the City's Crisis Intervention Team.

(b) Additional Transfers and Appropriations – Section 1(b).

The following appropriations are requests for transfers from the General Fund to other funds.

From unallocated, General Fund surplus:

- Transfer to Retirement Fund - \$1,800,000.  
These funds will be carried over and transferred to the Retirement fund. The FY19 budget granted a 4.17% cost of living adjustment (COLA) to employees. The budgeted annual retirement contribution only funded a 2.0% COLA. These funds are needed fulfill the City's entire contribution.
- Transfer to Capital Projects Fund - \$1,250,000.  
These funds will be used to commission a citywide Compensation study as discussed by staff and City Council during the F.Y. 20 budget discussions.
- Transfer to Capital Projects Fund - \$247,000.  
Software will be purchased to automate the City's account payables process resulting in Citywide efficiency improvements.
- Transfer to Capital Projects Fund - \$700,000.  
These funds will be transferred to the Charlottesville Affordable Housing Fund (CAHF).
- Transfer to Capital Projects Fund - \$624,766.  
These funds will be transferred to the C.I.P. Contingency Fund per the City's financial policy.

## **II. Facilities Repair Fund - \$46,494**

- Courthouse Maintenance (P-00099) - \$20,908 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.

- Courthouse Construction (P-00783) - \$25,586 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

### **III. Grants Fund - \$924**

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$924 – these funds will be used for additional qualifying State Fire Grant expenditures (1900010).

### **IV. Capital Projects Fund - \$2,280,423**

- Charlottesville-Albemarle Rescue Squad (CARS) EMS Equipment Fund - \$83,423 – These funds represent the unspent contingency funds required as part of the Memorandum of Understanding and will be carried over from the General Fund to this account and used to fund equipment for the Charlottesville-Albemarle Rescue Squad (CARS).
- Compensation Study - \$1,250,000 (P-01032) - These funds will be used to commission a citywide Compensation study as discussed by staff and City Council during the F.Y. 20 budget discussions.
- Accounts Payable Automation Project - \$247,000 (P-01033) - Software will be purchased to automate the City's account payables process resulting in Citywide efficiency improvements.
- Charlottesville Affordable Housing Fund (CAHF) - \$700,000 (CP-084) – These funds will be transferred to the Charlottesville Affordable Housing Fund (CAHF).

Cc: John C. Blair, II, City Attorney.



## Exhibit I – Recommended Uses F.Y. 19 Unallocated, General Fund Surplus

<b>Unallocated Fund Balance in Excess of Target &amp; Reserves June 30, 2018 (FY19)</b>	<b>5,829,266</b>
<b>Recommended Appropriations</b>	
Compensation Study	\$1,250,000
Citizen Review Board (CRB) Startup Costs	\$50,000
Citywide Reserve/Radio Replacement	\$614,000
Citywide Reserve/Reserve for Legislative Changes	\$400,000
Communications Department/2020 Census	\$3,500
Communications Department/Unity Days	\$15,000
Assessor's Office/GIS - pictometry update	\$29,000
Police Department/Facilities and Equipment	\$96,000
Finance Department /Automation and Processing of Accounts Payable	\$247,000
Transfer to Retirement Fund/FY2020 COLA	\$1,800,000
Transfer to Charlottesville Affordable Housing Fund (CAHF)	\$700,000
	<b>-\$5,204,500</b>
<b>Surplus Fiscal Year 2019</b>	<b><u>\$624,766</u></b>
Transfer to CIP Contingency	(\$624,766)
<b>Remaining Surplus</b>	<b>\$0</b>

## FY 2019 Year End Appropriation

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the actions hereinafter set forth are herein authorized with respect to the accounts of the City listed herein, for the fiscal year ended June 30, 2018. The memo to Council dated January 21, 2020 is hereby made part of this appropriation.

### General Fund (105).

#### (a) Departmental Appropriations.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year:

20141.	Citizen's Review Board.	\$50,000.
1631001000.	Citywide Reserve.	\$1,014,000.
1611001000.	Communications Department.	\$18,500.
2041001000.	Assessor's Office.	\$29,000.
3101001000.	Police Department.	\$96,000.
3111001000.	Police Department – CIT.	\$23,536.
Total Section 1 (a).		<u>\$1,231,036.</u>

#### (b) Additional Transfers and Appropriations.

9803030000.	Transfer to Retirement Fund.	\$1,800,000.
9803030000.	Transfer to Capital Projects Fund (Comp. Study).	\$1,250,000.
9803030000.	Transfer to Capital Projects Fund (AP Software).	\$247,000.
9803030000.	Transfer to Capital Projects Fund (CAHF).	\$700,000.
9803030000.	Transfer to Capital Projects Contingency Fund.	\$624,766.
Total Section 1 (b).		<u>\$4,621,766.</u>

### Facilities Repair Fund (107).

- Courthouse Maintenance (P-00099) - \$20,908 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$25,586 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

## **Grants Fund (209).**

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$924 – these funds will be used for additional qualifying State Fire Grant expenditures (1900010).

## **Capital Projects Fund**

- Charlottesville-Albemarle Rescue Squad (CARS) EMS Equipment Fund - \$83,423 – These funds represent the unspent contingency funds required as part of the Memorandum of Understanding and will be carried over from the General Fund to this account and used to fund equipment for the Charlottesville-Albemarle Rescue Squad (CARS).
- Compensation Study - \$1,250,000 (P-01032) - These funds will be used to commission a citywide Compensation study as discussed by staff and City Council during the F.Y. 20 budget discussions.
- Accounts Payable Automation Project - \$247,000 (P-01033) - Software will be purchased to automate the City's account payables process resulting in Citywide efficiency improvements.
- Charlottesville Affordable Housing Fund (CAHF) - \$700,000 (CP-084) – These funds will be transferred to the Charlottesville Affordable Housing Fund (CAHF).