



## CITY COUNCIL AGENDA July 18, 2022

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

### 4:00 PM OPENING SESSION

Register at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom). This portion of the meeting is held electronically in accordance with a local ordinance amended and re-enacted March 7, 2022, to ensure continuity of government and prevent the spread of disease during a declared State of Emergency. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

### Call to Order/Roll Call

### Agenda Approval

### Reports

1. Discussion: Presentation of American Rescue Plan Recommendations (verbal; no packet materials)

### 5:30 PM Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code (Boards and Commissions; legal consultation)

### 6:30 PM BUSINESS SESSION

This portion of the meeting will accommodate a limited number of in-person public participants in City Council Chamber at City Hall as we employ a hybrid approach to public meetings during the locally declared state of emergency. Registration is available for a lottery-based seating selection at [www.charlottesville.gov/1543/Reserve-a-Seat-for-City-Council-Meeting](http://www.charlottesville.gov/1543/Reserve-a-Seat-for-City-Council-Meeting). Reservation requests may also be made by contacting the Clerk of Council office at [clerk@charlottesville.gov](mailto:clerk@charlottesville.gov) or 434-970-3113.

### Moment of Silence

### Announcements

### Recognitions/Proclamations

- Proclamation: Parks and Recreation Month

### Board/Commission Appointments

### Consent Agenda\*

2. Minutes: April 18 Council meeting, May 2 Council meeting, May 16 Council meeting, May 24 special meeting, June 6 Council meeting
3. Resolution: Establishing a pool of funds in the amount of \$50,000, to be used for payment of refunds to licensed City businesses engaged in the same business activity as that considered by the Virginia Supreme Court on June 9, 2022 in Record Number 210414 (2nd reading)
4. Resolution: Authorizing a refund of \$8,132.19 to a taxpaying entity or business, for business license tax paid in error for 2022 (1 of 2 readings)
5. Resolution: Approving Settlement of Disputed Real Estate Assessment (Omni Hotel) (1 of 2 readings)

- 6. Resolution: COVID Homelessness Emergency Response Program-Community Development Block Grant Amendment - \$250,816 (1 of 2 readings)
- 7. Resolution: Appropriating Funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$250,000 (1 of 2 readings)
- 8. Resolution: State Criminal Alien Assistance Program (SCAAP) Grant for 15PBJA-20-RR-00381-SCAA for \$4,748 (1 of 2 readings)
- 9. Resolution: Reconstituting the Charlottesville Planning Commission to Achieve Staggered Terms (1 reading)

**City Manager Report**

- Report: City Manager Report

**Community Matters**

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Public comment will be conducted through electronic participation while City Hall is closed to the public. Participants can register in advance at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom).

**Action Items**

- 10. Public Hearing/Ord.: Plastic Bag Tax (1 of 2 readings; public hearing to be advertised for the 2nd reading, prior to vote)
- 11. Ordinance: Request for Vacation of Unaccepted Right-of-Way for Oak Street at 321 6th Street (2nd reading)
- 12. Resolution: 1000 Monticello Road, Special Use Permit for additional residential density (1 reading)
- 13. Resolution: 923 Harris Street, Special Use Permit for increased residential density (1 reading)
- 14. Resolution: Appropriation to Transfer Funds from the Council Strategic Initiatives Account to the Office of Equity and Inclusion - \$197,181 (1 of 2 readings)

**General Business**

- 15. Report: Youth Council Report (written only)
- 16. Report: Rivanna Authorities Quarterly Report (written only)

**Other Business**

**Community Matters (2)**

**Adjournment**

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



Agenda Date:	July 18, 2022
Action Required:	Discussion and guidance
Presenter:	Michael Rogers, City Manager
Staff Contacts:	Samuel Sanders, Jr., Deputy City Manager Chris Cullinan, Director
Title:	<b>Presentation of American Rescue Plan Recommendations (verbal; no packet materials)</b>

**Background**

**Discussion**

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

**Community Engagement**

**Budgetary Impact**

**Recommendation**

**Alternatives**

**Attachments**

None

# CITY OF CHARLOTTESVILLE



## PROCLAMATION

### PARKS and RECREATION MONTH 2022

**WHEREAS** parks and recreation programs are an integral part of communities throughout this country, including the City of Charlottesville; and

**WHEREAS** our parks and recreation experiences are vitally important to establishing and maintaining the quality of life in our communities, ensuring the healthy lifestyle for all citizens, and contributing to the economic and environmental well-being of community and region; and

**WHEREAS** parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and improve the mental and emotional health of all citizens; and

**WHEREAS** parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, families and retirees; and

**WHEREAS** parks and recreation is a leading provider of healthy meals, nutrition services and education; and

**WHEREAS** parks and recreation areas are fundamental to the environmental well-being of our community; our parks and natural recreation areas ensure the ecological beauty of our community and provide new learning opportunities and memorable experiences for children and adults by connecting with nature and the outdoors; and

**WHEREAS** the U. S. House of Representatives has designated July as Parks and Recreation Month; and

**WHEREAS** the City of Charlottesville recognizes the benefits derived from parks and recreation resources, offering over 300 programs such as swim lessons, dance, gymnastics, day camps, nature programs and athletics leagues, with over 5,000 registered participants for the summer of 2022; and

**WHEREAS** special events in July include Sunday Sundowns on July 17<sup>th</sup> at Washington Park Shelter and Pool from 4-7 p.m. with free swim, free meals (while they last) and music for the whole family, and Sounds of Summer on July 30 at Tonsler Park featuring The Original Moonlighters Band and a free meal off the grill from 6-8 p.m.;

NOW THEREFORE, BE IT RESOLVED BY the Council of the City of Charlottesville that July is recognized as Parks and Recreation Month in the City of Charlottesville, and residents and visitors are encouraged to participate in the range of activities that help to make Charlottesville a vibrant community.

Signed and sealed this 18th of July 2022.

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**J. Lloyd Snook, III, Mayor**

## **CHARLOTTESVILLE CITY COUNCIL MEETING**

**April 18, 2022 at 4:00 PM**

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

**Virtual/electronic: Zoom**

The Charlottesville City Council met in regular session using a hybrid meeting format with limited public seating in Council Chamber and full electronic access via Zoom on Monday, April 18, 2022, in accordance with a local ordinance amended and re-enacted on March 7, 2022, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following members present: Mayor Lloyd Snook, and Councilors Sena Magill, Michael Payne and Brian Pinkston. Vice Mayor Juandiego Wade had an excused absence.

On motion by Pinkston, seconded by Magill, Council voted 4-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

### **REPORTS**

#### **1. Presentation: UVA Law class presentation on tax relief**

Members of the UVA School of Law State and Local Government Policy Clinic presented a report on “Expanding Property Tax Relief in Charlottesville, Virginia.” Presenters were Scott Chamberlain and Maggie Woodward, who were accompanied by Professor Andy Block. The presentation concluded with seven proposals:

- Change Current Program Criteria
- Eliminate the Net Worth Limitation on Real Estate Tax Relief
- Amend the Real Estate Tax Relief Ordinance for Consistency
- Consider a Property Tax Deferral Program
- Conduct More Outreach on Available Opportunities
- Include Charlottesville in the Communities of Opportunity Tax Credit
- Amend the State Constitution

#### **2. Discussion: Climate Action discussion**

Kristel Riddervold, Environmental Sustainability and Facilities Development Manager led a presentation on the Climate Protection Plan including current and ongoing activities, joined by Susan Elliott, Climate Protection Program Manager and Stacy Smalls, Public Works Director. Upcoming next steps included:

- Increased Staff Capacity – July 2022
- Climate Vulnerability Assessment – Anticipated completion Sept. 2022
- Climate Action Plan – Anticipated completion before end of 2022
- Climate Adaptation Plan – Anticipated completion in 2023

- Ongoing delivery of Climate Action work
- Plan Progress & Updates to City Council

**BUSINESS SESSION**

Having established quorum with all councilors present with the excused absence of Vice Mayor Wade, Council observed a moment of silence.

**ANNOUNCEMENTS**

Mayor Snook noted a busy time in Charlottesville with several local festivals and events.

**RECOGNITIONS/PROCLAMATIONS**

- **Proclamation: Charlottesville Band 100<sup>th</sup> Anniversary**  
Mayor Snook proclaimed April 24, 2022 as Charlottesville Band Day and will present the proclamation at the season’s inaugural concert on April 24.
- **Proclamation: Fair Housing Month**  
Councilor Payne proclaimed April 2022 as Fair Housing Month. Alex Ikefuna, Interim Director for Community Solutions provided remarks.

**CONSENT AGENDA\***

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

3. MINUTES: March 7 Council meeting; March 10 Budget Work Session
4. RESOLUTION: Appropriating funding received from the Virginia Department of Social Services for Driving and Transportation Assistance for Foster Care Youth -\$13,877 (2nd reading)

**RESOLUTION**

**Appropriating Funding Received from the Virginia Department of Social Services for the Driving and Transportation Assistance for Foster Care Youth, in the amount of \$13,877**

**WHEREAS**, the Charlottesville Department of Social Services has received an allocation in the amount of \$13,877 in the Fiscal Year 2022 budget from the Virginia Department of Social Services to be used for Driving and Transportation Assistance for youth in, and formerly in, foster care.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$13,877, upon receipt by the City, is hereby appropriated for expenditure for a period running through August 31, 2022, in the following manner:

**Revenue – \$13,877**

Fund: 212      Cost Center: 9900000000      G/L Account: 430080      \$13,877

**Expenditures - \$13,877**

Fund: 212    Cost Center: 3333006000    G/L Account: 540060    \$13,877

5. RESOLUTION: Appropriating additional funding received from the Virginia Department of Social Services for the Promoting Safe and Stable Families Program - \$16,435 (2nd reading)

**RESOLUTION**

**Appropriating Additional Funding Received from the Virginia Department of Social Services for the Promoting Safe and Stable Families (PSSF) Program in the amount of \$16,435**

**WHEREAS**, the Charlottesville Department of Social Services has received an allocation of \$16,435 in the Fiscal Year 2022 budget from the Virginia Department of Social Services to be used for the Promoting Safe and Stable Families (PSSF) program.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$16,435, upon receipt by the City, is hereby appropriated for expenditure within the FY22 budget in the following manner:

**Revenue – \$16,435**

Fund: 212    Cost Center: 9900000000    G/L Account: 430080    \$16,435

**Expenditures - \$16,435**

Fund: 212    Cost Center: 3343008000    G/L Account: 540060    \$16,435

6. RESOLUTION: Appropriating Virginia Tourism Corporation American Rescue Plan Act supplemental funds for the Charlottesville Albemarle Convention and Visitors Bureau - \$280,000 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS for  
Charlottesville Albemarle Convention and Visitors Bureau Budget Supplemental  
Appropriation of Virginia Tourism Corporation American Rescue Plan Act Funds -  
\$280,000**

**WHEREAS**, the City of Charlottesville and Albemarle County jointly fund the efforts of the Charlottesville Albemarle Convention and Visitors Bureau (CACVB); and

**WHEREAS**, the Commonwealth of Virginia has chosen to allocate a portion of its American Rescue Plan Act (ARPA) funding to the Virginia Tourism Corporation (VTC) in support of enhancing the impact of tourism throughout the state; and

**WHEREAS**, VTC has determined a mechanism for distributing these funds by locality and the

City of Charlottesville and Albemarle County working with the CACVB to develop a coordinated plan to increase awareness of the Charlottesville and Albemarle markets; and

**WHEREAS**, this plan has been approved by VTC;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of **\$280,000** is hereby appropriated as a supplemental appropriation in the following manner:

**Revenue - \$280,000**

Fund: 209	Internal Order: 1900462	G/L Account: 430120	\$280,000
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**Expenditures - \$280,000**

Fund: 209	Internal Order: 1900462	G/L Account: 540100	\$260,000
Fund: 209	Internal Order: 1900462	G/L Account: 530670	\$20,000

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$280,000 from Virginia Tourism Corporation's ARPA funding and shall hereby be considered a continuing appropriation and shall not be deemed to expire unless further altered by Council.

7. RESOLUTION: Authorizing a refund of \$12,866.44 to a taxpaying entity or business, for business license taxes paid in error for 2020 (2nd reading)

**RESOLUTION**

**Authorizing a refund of \$12,866.44 to a taxpaying entity or business, for business license taxes paid in error for 2020**

**WHEREAS**, the Commissioner of the Revenue has determined that a taxpaying entity or business paid 2020 Business License Tax to the City of Charlottesville in error; and

**WHEREAS**, that taxpaying entity or business has requested a refund of the amount paid in error; and

**WHEREAS**, the Commissioner of the Revenue has certified that a refund of taxes paid is due in the amount of \$12,866.44; and

**WHEREAS**, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$2,500.00; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of \$12,886.44, payable to that taxpaying entity or business.



8. RESOLUTION: Appropriating state funds for the State of Good Repair Program project account for Dairy Road Bridge Replacement - \$7,210,664.00 (2nd reading)

**RESOLUTION**

**Appropriating State of Good Repair Funding in the amount of \$7,210,664.00 Awarded by the Commonwealth of Virginia for Costs of Replacement of the Dairy Road Bridge**

**WHEREAS** the City of Charlottesville has been notified that the Commonwealth has awarded state funding in the amount of \$7,210,664.00 from the Commonwealth’s State of Good Repair Program (“SGR Funding”), for a locally-administered transportation construction project to replace the Dairy Road Bridge (“Project”), and the awarded funding covers one hundred percent (100%) of the costs of engineering, design, project administration and construction; and

**WHEREAS** the Department of Public Works is prepared to commence work on the Project, using a design-build procurement process; therefore, the award of this funding allows the Project to be promoted to an active Capital Project within the City’s Capital Improvements Plan, beginning in Fiscal Year 2023; and

**WHEREAS** the SGR Funding will be payable to the City on a reimbursement basis, and the Department of Public Works expects to submit reimbursement applications periodically over the course of the Project;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, upon receipt of each reimbursement payment from the Commonwealth for the Project, the SGR Funding received shall be appropriated to the following accounts:

**Revenues**

**\$7,210,664** Fund: 426 WBS: P-01068 G/L Account: 430110

**Expenditures**

**7,210,664** Fund: 426 WBS: P-01068 G/L Account: 599999

9. RESOLUTION: Charlottesville Affordable Housing Fund (CAHF) Award Recommendations
- a. RESOLUTION: Allocating CAHF funds for Charlottesville Redevelopment and Housing Authority (CRHA) South First Phase Two - \$425,000 (2nd reading)

**RESOLUTION**

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Charlottesville Redevelopment and Housing Authority (CRHA) South First Phase Two - \$425,000**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$425,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Charlottesville Redevelopment and Housing

Authority (CRI-IA) for the purpose of providing funds for the South First Phase Two project.

Fund: 426                                      Project:                      CP-084                                      G/L Account: 530670

Charlottesville Redevelopment and Housing Authority (CRHA)                                      \$425,000

- b. RESOLUTION: Allocating CAHF funds for Habitat for Humanity of Greater Charlottesville Equity Homeownership Initiative 2022 Down Payment Assistance - \$75,000 (2nd reading)

**RESOLUTION**

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Habitat for Humanity of Greater Charlottesville Equity Homeownership Initiative 2022 Down Payment Assistance - \$75,000**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$75,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Habitat for Humanity of Greater Charlottesville for the purpose of providing funds for the Equity Homeownership Initiative 2022 Down Payment Assistance program.

Fund: 426                                      Project:                      CP-084                                      G/L Account: 530670

Habitat for Humanity of Greater Charlottesville                                      \$75,000

- c. RESOLUTION: Allocating CAHF funds for Albemarle Housing Improvement Program (AHIP) Charlottesville Critical Repair Program - \$100,000 (2nd reading)

**RESOLUTION**

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Albemarle Housing Improvement Program (AHIP) Charlottesville Critical Repair Program - \$100,000**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$100,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Albemarle Housing Improvement Program (AHIP) for the purpose of providing funds for the Charlottesville Critical Repair program.

Fund: 426                                      Project:                      CP-084                                      G/L Account: 530670

Albemarle Housing Improvement Program (AHIP)                                      \$100,000

- d. RESOLUTION: Allocating funds from the Charlottesville Affordable Housing Fund for Local Energy Alliance Program (LEAP) Assisted Home Performance and Electrification Ready – Owner Occupied - \$50,000 (2nd reading)

**RESOLUTION**

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Local Energy Alliance Program (LEAP) Assisted Home Performance and Electrification Ready (AHP) - Owner Occupied - \$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 from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Local Energy Alliance Program (LEAP) for the purpose of providing funds for the Assisted Home Performance and Electrification Ready (AHP) - Owner Occupied program.

Fund: 426                                      Project: CP-084                                      G/L Account:                                      530670

Local Energy Alliance Program (LEAP)                                      \$50,000

- e. RESOLUTION: Allocating funds from the Charlottesville Affordable Housing Fund for Local Energy Alliance Program (LEAP) Assisted Home Performance and Electrification Ready – Renter Occupied - \$100,000 (2nd reading)

**RESOLUTION**

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Local Energy Alliance Program (LEAP) Assisted Home Performance and Electrification Ready (AHP) - Renter Occupied - \$100,000**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$100,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Local Energy Alliance Program (LEAP) for the purpose of providing funds for the Assisted Home Performance and Electrification Ready (AHP) - Renter Occupied program.

Fund: 426                                      Project:                                      CP-084                                      G/L Account: 530670

Local Energy Alliance Program (LEAP)                                      \$100,000

- 10. ORDINANCE: Amending, reenacting and reordaining Chapter 30 of the City Code, Section 30-283, to increase the meals tax (2nd reading)

**ORDINANCE AMENDING, REENACTING AND REORDAINING CHAPTER 30 OF**

## **THE CITY CODE, SECTION 30-283, TO INCREASE THE MEALS TAX**

11. REPORT: Calendar Year 2020 Annual Report for Human Rights Commission and Office of Human Rights (written report only)
12. REPORT: Rivanna Authorities Quarterly Report (written report only)

Mayor Snook opened the floor for public comment on the consent agenda.

Rory Stolzenberg, spoke in opposition to Item #10.

On motion by Pinkston, seconded by Payne, Council by the following vote Adopted the Consent Agenda: 4-0 (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

### **CITY MANAGER REPORT**

Michael C. Rogers, Interim City Manager introduced the quarterly city financial report, advising that it is available on the city website's Budget Explorer.

Krisy Hammill, Senior Budget and Management Analyst presented a review of data on the Budget Explorer, including General Fund revenues and expenses.

Jason Vandever, City Treasurer, shared the Cash and Investment Report for the quarter ending March 31, 2022.

### **COMMUNITY MATTERS**

Mayor Snook opened the floor for public comment.

1. Cabell Marshall, city resident, made design and funding proposals related to development at 240 Stribling Avenue.
2. Alice Washington, city resident, spoke about the need to keep the bus stop in front of Crescent Halls for the benefit of the elderly population.
3. Susan Kruse, Community Climate Collaborative Director, spoke about climate action planning, reaching climate targets, and in support of keeping the bus stop in front of Crescent Halls.
4. Caetano de Campos Lopes spoke about the Climate Action Planning process and thanked staff for the presentation earlier in the meeting.
5. John Marshall, city resident, expressed safety concerns about the proposed project at 240 Stribling Avenue. He spoke about sidewalk financing and asked that the financing agreement be amended.
6. William Mendez, Chair of the Police Civilian Oversight Board (PCOB), speaking as an

individual city resident, asked for approval of the Charlottesville PCOB operating procedures.

7. Judy Sandridge, city resident, spoke in support of keeping the bus stop in front of Crescent Halls.
8. Brandon Collins, city resident and employee of the Charlottesville Redevelopment and Housing Authority (CRHA), spoke about Transit and CRHA redevelopment, requesting to keep the bus stop in front of Crescent Halls.
9. Shelby Edwards, Executive Director of the Public Housing Association of Residents (PHAR), spoke in support of keeping the bus stop in front of Crescent Halls and bringing it to ADA standards. She spoke about having diverse voices on committees and requested a seat for PHAR on the Housing Advisory Committee and CDBG (Community Development Block Grant) Task Force.
10. Joy Johnson, Chair of PHAR and employee of CRHA, spoke in support of keeping the bus stop in front of Crescent Halls.
11. John Sales, Executive Director of CRHA, spoke in support of keeping the bus stop in front of Crescent Halls. He also advised that CRHA will be negatively impacted by the change in transit, with a new site plan being reviewed.
12. James Groves, city resident, spoke about the climate presentation from earlier in the meeting. He provided data related to Dominion Energy and other efforts to reduce carbon emissions.
13. Don Gathers, city resident, spoke in support of keeping the bus stop in front of Crescent Halls and in support of public input before making changes to the Community Development Block Grant (CDBG). He encouraged payment to board and commission participants and requested funding for support of commemoration of August 12 and urged Council to maintain the commitment to Affordable housing.
14. Paola Covarrubias, community organizer with PHAR, spoke in support of keeping the bus stop in front of Crescent Halls.
15. Jane Mills, Executive Director of Loaves and Fishes Food Pantry, spoke in support of maintaining an accessible, equitable and ADA-compliant bus stop in front of Crescent Halls.
16. Nancy Carpenter, city resident, spoke in support of keeping the bus stop in front of Crescent Halls. She stated that transit is a component of fair housing.

## **ACTION ITEMS**

### **13. PUBLIC HEARING/ORDINANCE: Community Development Block Grant (CDBG) and HOME Citizen Participation Plan Amendment**

- a. **ORDINANCE\***: Amending and reenacting Sections 2-417, 2-418 and 2-419 of the Code of the City of Charlottesville to establish a new CDBG and HOME Taskforce (1 reading)
- b. **BY MOTION**: Approving the proposed amendments to the 2016 Citizen Participation Plan for the City's CDBG and HOME Investment Partnership Act programs

Alex Ikefuna, Community Solutions, made the presentation, advising that a condition of receiving funds from the Department of Housing and Urban Development is to have a citizen participation program. He noted timeliness issues with completing certain projects. After staff answered clarifying questions from Council, Mayor Snook opened the public hearing.

- John Sales stated that timeliness issues have been a result of the types of projects selected and not the process. He added that the Priority Neighborhoods have drastically changed since Council first designated them as Priority Neighborhoods.
- Joy Johnson shared historical context for the intent of CDBG funding. She recommended redefining Priority Neighborhoods.
- Don Gathers recommended focusing on the process to fix issues with CDBG project timeliness and he recommended sharing more information with citizens regarding proposed changes.

Mayor Snook closed the public hearing.

After Council discussion and feedback from Sam Sanders, Alex Ikefuna and Erin Atak, no motion was made and Council agreed to DEFER the recommendations for at least 30 days, awaiting direction from the City Manager's Office.

**14. RESOLUTION: Approving the issuance by the Charlottesville Redevelopment and Housing Authority of its up to \$23,000,000 multifamily revenue bonds for Standard Midway Manor Venture LP**

Michael Graff, Jr. with McGuire-Woods made the presentation. Steven Kahn of Standard Communities, in response to a request from Councilor Pinkston, explained the developer's plans, which included:

- Ensuring that the property continues to provide affordable housing for at least the next 30 years; and
- Undergoing a substantial renovation of the property.

On motion by Pinkston, seconded by Magill, Council by the following vote Approved the resolution: 4-0 (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

**RESOLUTION**  
**Approving the issuance by the Charlottesville Redevelopment and Housing Authority of its up to \$23,000,000 multifamily revenue bonds for Standard Midway Manor Venture LP**

**WHEREAS** the Charlottesville Redevelopment and Housing Authority (the “Authority”) is authorized to advertise and hold public hearings relative to the issuance of private activity bonds; and

**WHEREAS** the Authority has considered the application of Standard Midway Manor Venture LP, a Virginia limited partnership (the “Applicant”) requesting that the Authority issue up to \$23,000,000 of its revenue bonds (the “Bonds”) to assist the Applicant or an entity affiliated with and controlled by, or under common ownership with, the Applicant (the Applicant or such resulting ownership entity hereinafter referred to as the “Borrower”) in acquiring, constructing, renovating, rehabilitating and equipping an age restricted multifamily residential rental housing project to be known as Midway Manor Apartments, to consist of 94 one-bedroom units and 4 two-bedroom units, to be located on approximately 2.32 acres of land located at 100 Ridge Street in Charlottesville, Virginia 22902 (the “Project”), including the financing of reserve funds as permitted by applicable law and the costs of issuance incurred in connection with the issuance of the Bonds. Based on representations of the Applicant, the Project is structured to meet the requirements of a qualified residential rental project within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the “Code”). The Applicant has represented that the Project will be owned by the Borrower; and

**WHEREAS** the facilities related to the Project to be financed or refinanced with the Bonds are located in the City of Charlottesville, Virginia; and

**WHEREAS**, the City of Charlottesville, Virginia is the geographic jurisdiction that contains the site of the Project to be financed or refinanced with the Bonds (“Host”) the City Council of the City of Charlottesville, Virginia (the “City Council”) constitutes the governmental unit having jurisdiction of the Project Site, and Section 147(f) of the Code requires the City Council, as the governmental unit, to approve the issue; and

**WHEREAS** a copy of the Authority’s resolution authorizing the issuance of the Bonds, a certificate of the public hearing (including a summary of statements expressed at the hearing) and a fiscal impact statement have been filed with the City Council; and

**WHEREAS** the Authority has recommended that the City Council approve the issuance of the Bonds;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville,  
**THAT:**

1. The City Council approves the issuance of the Bonds by the Authority for the benefit of the Borrower, to satisfy the requirements of Section 147(f) of the Code, to permit the

Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds does not constitute City Council's endorsement to a prospective purchaser of the Bonds or the creditworthiness of the Project or the creditworthiness of the Borrower.

3. The Bonds shall provide that the City of Charlottesville, Virginia shall not be obligated to pay the Bonds or the interest thereon, or other costs incident thereto, and neither the full faith and credit nor the taxing power of the City of Charlottesville, Virginia is pledged to payment of the principal of the Bonds, or the interest thereon, or other costs incident thereto.

4. The Bonds shall provide that the Authority shall not be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and monies pledged thereto and that full faith and credit of the Authority shall not be pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto.

5. In adopting this resolution, the City of Charlottesville, Virginia, including its elected councilors, representatives, officers, employees and agents, shall not be liable for, and hereby disclaim all liability for, any damages to any person, direct or consequential, resulting from the Authority's failure to issue the Bonds for any reason.

5. This resolution shall take effect immediately upon its adoption.

The undersigned Clerk of the City Council of Charlottesville, Virginia certifies that the foregoing Resolution was adopted by the City Council on April 18, 2022.

#### **15. ORDINANCE: Amending the Friendship Court (Phase 1) Loan Agreement (carried)**

Brenda Kelley, Redevelopment Manager with the Office of Community Solutions, presented the amendment request. In November 2020 City Council approved a forgivable loan for Phase 1 of the Friendship Court four-phase redevelopment project.

Council agreed to move the item to the May 2 Consent Agenda for second reading.

#### **16. ORDINANCE\*: 240 Stribling Avenue**

Interim City Manager Rogers summarized prior discussion and actions regarding the Stribling Avenue project and recommended approval of reenacting the Zoning Map and the funding agreement.



Charlie Armstrong, developer, answered Council questions about the project.

Jack Dawson, City Engineer, advised that with funding approved, the project design could begin as early as July 1, 2022. He answered questions for Council regarding sidewalks, parking, and general aspects of the project.

James Freas, Director of Neighborhood Development Services, advised that he will follow up on tree canopy questions.

- a. **ORDINANCE\***: Re-enacting the Zoning Map for the City of Charlottesville, Virginia, to reclassify certain property from R-1S and R-2 to Planned Unit Development (“240 Stribling PUD”) and granting a critical slope waiver for the 240 Stribling PUD (2nd reading)

On motion by Pinkston, seconded by Payne, Council by the following vote Approved the ordinance: 4-0 (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

**ORDINANCE AMENDING AND REENACTING THE ZONING MAP FOR THE CITY OF CHARLOTTESVILLE, VIRGINIA, TO RECLASSIFY PROPERTY FROM R-1S AND R-2 TO PLANNED UNIT DEVELOPMENT FOR THE “240 STRIBLING PUD”, AND GRANTING A CRITICAL SLOPE WAIVER FOR THE 240 STRIBLING PUD**

- b. **ORDINANCE\***: Consideration of a voluntary Infrastructure Funding Agreement in the amount of \$2.9 Million with Belmont Station, LLC, for construction of sidewalk along Stribling Avenue (2nd reading)

On motion by Pinkston, seconded by Payne, Council by the following vote Approved the ordinance: 4-0 (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

**ORDINANCE APPROVING A VOLUNTARY INFRASTRUCTURE FUNDING AGREEMENT IN THE AMOUNT OF \$2.9 MILLION UPON TERMS OFFERED BY BELMONT STATION, LLC FOR CONSTRUCTION OF SIDEWALK ALONG STRIBLING AVENUE**

The meeting recessed at 10:01 p.m. and reconvened at 10:08 p.m.

**GENERAL BUSINESS**

**17. DISCUSSION: Reviewing Draft Operating Procedures for the Police Civilian Oversight Board (Discussion Only; No Vote)**

Mayor Snook stated that councilors would not be ready for a detailed discussion of the operating

procedures. He expressed concern with the Police Civilian Review Board requesting additional powers before implementing powers already in place.

Hansel Aguilar, Executive Director of the PCR/PCOB shared background information and areas for board development, including the need for additional training. Distinguish between a working board and a governing board.

Bill Mendez, Chair of the PCR, recommended moving forward with approval of the new operating procedures despite the PCR having an outstanding/pending hearing based on current operating procedures.

Mayor Snook stated that by the mid-May meeting, Councilors would send feedback to Mr. Mendez.

In response to a question from Councilor Magill, Mr. Aguilar advised that he provided budget projections to the Budget Office.

## **OTHER BUSINESS**

Council asked for City Manager follow up on the Crescent Halls bus stop and on the CDBG Committee.

## **COMMUNITY MATTERS (2)**

Mayor Snook opened the floor for public comment.

- Shelby Edwards supported Council's Midway Manor decision. She stated for the record that PHAR has reached out to Franklin Johnston and did not receive a response. She expressed concern with management responsiveness and possible willingness to be resident-centered.
- Ang Conn expressed concern with the proposed removal of the bus stop in front of Crescent Halls and regarding affordable housing and rent stabilization. She stated that police violence against community members is a serious matter.
- John Sales spoke about Community Development Block Grant, advising that boundaries for Priority Neighborhoods did not change, but Area Median Income levels changed. Regarding Priority Neighborhood projects, he stated that Council makes decisions based on recommendations from the Task Force, and that \$1000 would provide stipends for a year for committee members. He advised that CRHA needs an answer regarding the Crescent Hills bus stop to inform the site plan review and that the Supplemental Rental Assistance Program needs long-term commitment. He stated that the Special Use Permit and proffered units should be offered first to voucher holders or CSRAP recipients.
- Joy Johnson encouraged keeping the bus stop at Crescent Halls and approving the operating procedures for the PCOB. She read a section of a guide regarding CDBG, advising that lower income people are designated as the primary beneficiary.

- Dave Norris gave background information on the Crescent Halls bus stop.

Councilor Payne stated for the record that rent control is in the formally adopted affordable housing strategy.

The meeting adjourned at 11:11 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT

## CHARLOTTESVILLE CITY COUNCIL MEETING

May 2, 2022 at 4:00 PM

In person: Council Chamber, 605 E. Main Street

Virtual/electronic: Zoom

The Charlottesville City Council met in regular session using a hybrid meeting format with limited public seating in Council Chamber and full electronic access via Zoom on Monday, May 2, 2022, in accordance with a local ordinance amended and re-enacted on March 7, 2022, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the meeting to order at 4:03 p.m. and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Sena Magill, Michael Payne and Brian Pinkston.

On motion by Wade, seconded by Magill, Council voted 5-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook; Noes: none).

### REPORTS

#### 1. Report: Thomas Jefferson Area Coalition for the Homeless (TJACH) 2022 Point in Time (PIT) count presentation

Anthony Haro, TJACH, made the presentation. Some points made in the presentation were:

- Every system is perfectly designed to get the results it gets
- Homelessness is a symptom of an unhealthy housing ecosystem
  - Without access to safe and affordable housing, people will fall out of housing and into homelessness
  - Without the availability for people to find new housing they can afford, they will remain in homelessness for longer amounts of time, contributing to Chronic Homelessness
  - Without adequate resources and services at every point along the housing continuum – from homeless services to subsidized housing, to affordable rentals, to home ownership - we see stagnation and lack of movement across the whole system

Mr. Haro presented the Point in Time count for the previous twelve years, noting a significant increase in the past year for individuals occupying emergency shelters, a steady number of unsheltered individuals since 2010, and a decline for individuals in transitional housing. The distribution of homelessness by gender was consistent with previous years. People over age 55 made up 30% of the PIT Count, 50 people. Black and African Americans were significantly over-represented in the homeless population, with 37% of the homeless population identified as Black. Additional data indicated:

- 12 Veterans experiencing homelessness
- 20% of adults reported experiencing domestic violence at some point in their past

- 32% of adults reported mental health conditions
- 57% of adults reported a chronic health condition or physical disability

Mr. Haro emphasized that homelessness is dynamic, and that the PIT count was conducted in one day, a snapshot.

- 68% of individuals were experiencing homelessness for the first time.
- In 2021, 47% of participants who exited homeless programs to a housed situation, exited to a hotel or to living with friends and family
- The average length of stay in emergency shelters was 136 days

Mr. Haro acknowledged a lack of turnover in shelters and advised that it is not enough to just help people get back into housing, but services must ensure that households find stability and remain in housing. He stated that a balanced and healthy housing ecosystem with opportunity and resources at each part along the continuum is the answer.

Mr. Wade asked about panhandling and Mr. Haro advised that people panhandle for a variety of reasons which do not always overlap with homelessness.

Mr. Payne asked about the service area and substance abuse reporting. Mr. Haro stated that although the service area included other localities, no individuals were identified as homeless except in Albemarle County and City of Charlottesville.

Ms. Magill asked about last known localities for unhoused individuals and Mr. Haro stated that the information is not currently collected.

Mr. Pinkston asked about funding, and Mr. Haro commented on many sources of funding.

Discussion continued about case management and project-based housing vouchers.

## **2. Report: Regional Emergency Communications Center and Marcus Alert 9-8-8**

Sonny Saxton, Executive Director of the Emergency Services Communication Center, began the presentation on ensuring community access to emergency services, including persons experiencing mental health crisis. He was joined by Josh Powell, Manager of Support Services, who provided an overview of Emergency Communications Center core services, including the public safety radio system and computer aided dispatch. Mr. Powell shared data specifically related to 9-1-1 services.

The Emergency Communications Center is a consolidated center for Charlottesville, University of Virginia and Albemarle County, established in 1984, providing one call for Law, Fire and Emergency Medical Services.

Mr. Powell introduced the newer 9-8-8 call number for behavioral health response, which has not yet been activated while pilot programs are being tested in a few Virginia localities. Mr. Saxton

shared information about the Marcus Alert system:

- The Marcus Alert is named after Marcus-David Peters, a young, Black biology teacher; killed by Richmond police in 2018 amid a mental health crisis. The goal of the Marcus Alert is to provide a behavioral health response to behavioral health emergencies.
- Marcus Alert enhances services for people experiencing a crisis related to mental health, substance use, or developmental disability. Marcus Alert creates coordination between 911 and regional crisis call centers and establishes a specialized behavioral health response from law enforcement when responding to a behavioral health situation.

Mr. Saxton and Mr. Powell answered City Council questions and thanked Mayor Snook and Councilor Magill for their contributions on the Marcus Alert workgroup.

### **CLOSED SESSION**

On motion by Magill., seconded by Payne, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section **2.2-3711(A)(3)**, for discussion or consideration of the acquisition of real property within the City for a public purpose, and of the proposed disposition of publicly held property where discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy;
- Section **2.2-3711(A)(I)** for discussion or consideration of the assignment, appointment, or performance of the city manager and chief of police;
- Section **2.2-3711(A)(7)** for consultation with legal counsel regarding Civil Case No. CL 21-610 pending in Charlottesville Circuit Court, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City; and
- Section **2.2-3711(A)(8)** for consultation with legal counsel regarding matters relating to possible action by City Council pursuant to Virginia Code Section 63.2-314 for the provision of assistance to low- and moderate-income homeowners.

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

### **BUSINESS SESSION**

Having established quorum with all councilors present at 6:42 p.m., Council observed a moment of silence.

## ANNOUNCEMENTS

Councilor Magill announced the winners of the My Help List contest presented by Mr. Alex Zan: Andrew Scott, 1<sup>st</sup> grader; Selah Powe, 4<sup>th</sup> grader; Kelsey Bryan, 7<sup>th</sup> grader; and Bernice Edwards, 10<sup>th</sup> grader.

## RECOGNITIONS/PROCLAMATIONS

Mr. Pinkston recognized the Tom-Tom Festival for a successful event.

Mr. Snook also recognized the Dogwood Festival and Fridays After Five.

- **Proclamation: Older Americans Month**

Mayor Snook proclaimed May as Older Americans Month. Marta Keane, CEO of JABA (Jefferson Area Board for Aging) accepted with remarks and noted the 2022 theme: "Age My Way".

## CONSENT AGENDA\*

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

3. MINUTES: March 17 budget work session, March 23 budget public forum, March 31 budget work session, April 1 & 2 Council retreat
4. ORDINANCE: Amending and re-ordaining Chapter 9 (Elections), Section 9-31 (Central Absentee Voter District) to change the location of the Central Absentee Voter Precinct from City Hall to CitySpace (2nd reading)

**AN ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 9 (ELECTIONS), SECTION 9-31 (CENTRAL ABSENTEE VOTER DISTRICT) TO CHANGE THE LOCATION OF THE CENTRAL ABSENTEE VOTER PRECINCT FROM CITY HALL TO CITY SPACE**

5. ORDINANCE: Amending the Friendship Court (Phase 1) Loan Agreement (2nd reading)

**ORDINANCE AMENDING AND RE-ENACTING THE FORGIVABLE LOAN AGREEMENT APPROVED BY ORDINANCE NO. O-20-145, TO ADD THE AMOUNT OF \$394,841 TO THE FORGIVABLE LOAN TO PIEDMONT HOUSING ALLIANCE FOR THE FRIENDSHIP COURT REDEVELOPMENT**

6. RESOLUTION: Appropriating additional funding from the Virginia Department of Social Services for the VIEW Program - \$38,025 (carried)
7. RESOLUTION: Appropriating funding from the Virginia Department of Social Services for Child Abuse Prevention Month - \$1,000 (carried)
8. RESOLUTION: Approving a Special Use Permit at 209 Maury Avenue

**RESOLUTION GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY  
LOCATED AT 209 MAURY STREET (TAX MAP PARCELS 170018002,  
170018000, 170018001, 170018600, 170018500, and 170018400)**

**WHEREAS** Charlie Armstrong (“Owner”) is the owner of certain land identified by Tax Map Parcels 170018002, 170018000, 170018001, 170018600, 170018500, and 170018400 (collectively, the “Subject Property”), which have frontage on Maury Ave. and Stadium Road and is requesting a Special Use Permit to increase Dwelling Unit per Acre (“DUA”) density; and

**WHEREAS;** The Applicant seeks a Special Use Permit under City Code Sec. 34-420 to increase the density of the Property from a by-right twenty on (21) DUA condominium building to a forty-three (43) DUA condominium building; and

**WHEREAS** the Property is located within the R-3 (Residential) zoning district, a district in which, according to the Use Matrix set forth within City Code 34-420, increased DUA may be authorized by City Council by means of a special use permit; and

**WHEREAS** the Project is described in more detail within the application materials submitted in connection with SP22-00002, as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS** the Planning Commission considered and recommended approval of this application at their April 12, 2022 meeting, subject to conditions set forth within the staff report prepared for that meeting;

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that it hereby approves a Special Use Permit for the Subject Property, to allow for an increase in Dwelling Units per Acre from twenty-one (21) Dwe, subject to the following conditions:

- (1) Up to forty-three (43) dwelling units per acre (DUA) are permitted on the Subject Properties.
- (2) Yard requirements shall be:
  - a. Front yard: thirty-one (31) feet.
  - b. Side yard (Corner along Maury Avenue): twenty (20) feet.
  - c. Side yard (western side): twenty-two (22) feet.
  - d. Rear yard: Twenty-five (25) feet.
- (3) A new seven (7) foot sidewalk with three (3) foot curbside buffer shall be constructed along Maury Avenue in accordance with the City’s Streets That Work Plan.
- (4) The applicant will work with the City’s Traffic Engineer to develop a Master Parking Plan for the site. This plan will be kept on file with the City and may be updated or altered from time to time with authorization of the City’s Traffic Engineer. The plan shall indicate how the developer will distribute available parking spots on site, how potential residents are informed of their parking opportunities, and any possible offsite parking arrangements for residents, etc....

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



## **CITY MANAGER REPORT**

Interim City Manager Michael Rogers reported the following:

- A proposal for re-tooling the Charlottesville Housing Assistance Program will be presented on the May 16 City Council agenda for action.
- He provided feedback from a presentation at the Virginia Local Government Managers Association conference regarding Collective Bargaining as related to local governing bodies and school boards, stating that the 2020 legislative changes do not apply to elected school boards.
- Staff held a robust discussion last week with neighborhood associations.

Deputy City Manager Sam Sanders reported the following items:

- Regarding the Crescent Halls bus stop, advised that the move is on hold and he is working with JAUNT, Charlottesville Area Transit and residents to weigh options that will meet the service needs of residents.
- Regarding HOME-CDBG, staff is working on the citizen engagement plan and the task force function and representation, ensuring that they are working within objectives identified by the Department of Housing and Urban Development.

Deputy City Manager Ashley Marshall reported the following items:

- The Office of Equity and Inclusion is hosting a virtual Groundwater session in June for staff, focused on approaches to systemic racism. Consideration is being given to hosting a second session.
- From the City Treasurer, Real estate and personal property tax bills are being mailed, and the fee for electronic payments is being waived. They are working with the State Department to begin accepting applications for passports beginning July 1, 2022.
- The Office of Economic Development continues to implement the Recovery Roadmap, a plan for business recovery in Charlottesville. The Minority Business Program launched a Go-Startup cohort, a free entry level program for entrepreneurs who want to start their own businesses. May 1-7 is National Small Business Week.
- From the Department of Human Services, the Biennial Virginia Juvenile Crime Control Act funding contract was completed and submitted. The Westhaven Nursing Clinic Coordinator will be stepping down as of July 1 and recruitment will begin.

## **COMMUNITY MATTERS**

Mayor Snook opened the floor for public comment.

1. Amanda Nelsen, city resident and professor, introduced a piece of artwork created by UVA students and ceded her time to student Johnny Lindberg who described the mural as a depiction of climate warming beginning in 1880 and going through present time. The postcards sewn together to create the mural also each express a community member's feelings about the climate crisis. He spoke in favor of a strong Climate Action Policy. Councilors followed up with questions.

There were no additional speakers.

## **ACTION ITEMS**

### **2. RESOLUTION: Considering a Special Use Permit at 207 14th Street NW (1 reading)**

Dannan O'Connell, City Planner, introduced the request. Staff recommended approval of the application, while the Planning Commission voted 4-2 to recommend the application be denied.

Councilor Pinkston asked a clarifying question about by-right development.

William Chapman, applicant, provided remarks regarding the proposed project and Council asked follow-up questions to Mr. Chapman and staff. After discussion the following action was taken.

On motion by Payne to DENY, seconded by Magill, Council by the following vote DENIED the Special Use Permit: 3-2 (Ayes: Magill, Payne, Snook; Noes: Pinkston, Wade).

## **OTHER BUSINESS**

Councilor Payne requested an update on a timeline for Collective Bargaining. Mr. Rogers stated that he expects to award a contract before the end of the month and with the consultant craft an ordinance to present to Council late summer.

## **COMMUNITY MATTERS (2)**

- John Sales, Charlottesville Redevelopment and Housing Authority Executive Director spoke in favor of Council's decision to deny the Special Use Permit at 207 14<sup>th</sup> Street NW.
- James Groves, city resident, spoke about the need for environmental sustainability action. He requested that the city stop subsidizing fossil fuels.
- Don Gathers, city resident, spoke about personal property taxes.

The meeting adjourned at 7:42 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CITY COUNCIL REGULAR MEETING**  
**May 16, 2022 at 4:00 PM**  
**In person: Council Chamber, 605 E. Main Street**  
**Virtual/electronic: Zoom**

The Charlottesville City Council met in regular session using a hybrid meeting format with limited public seating in Council Chamber and full electronic access via Zoom on Monday, May 16, 2022, in accordance with a local ordinance amended and re-enacted on March 7, 2022, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne and Brian Pinkston. Councilor Sena Magill had an excused absence.

On motion by Payne, seconded by Pinkston, Council voted 4-0 to ADOPT the meeting agenda (Ayes: Payne, Pinkston, Snook, Wade; Noes: none).

## **REPORTS**

### **1. REPORT: JAUNT Update**

Deputy City Manager Sam Sanders introduced Ted Rieck, the new JAUNT CEO. Mr. Rieck provided an update on the JAUNT organization and services, including information about board members, multijurisdictional services, funding, ridership and performance data with improved recordkeeping and tracking. He advised that JAUNT and Charlottesville Area Transit (CAT) have met to discuss collaboration in the areas of:

- Studying alternative fuels
- Addressing the bus operator shortage, recognizing overlaps in CAT and Albemarle County Public Schools service and creating a bus operator institute.

Some opportunities identified were: Microtransit demonstration, Transit “deserts”, and Crescent Halls.

Councilors asked for further details on the microtransit model and opportunities discussed for service to Crescent Halls. When asked what has been done to correct prior structural issues that led to a situation of distrust at JAUNT, Mr. Rieck shared that more eyes are now on the data and staff are keeping the board more engaged. As a private entity, they will treat themselves as a public agency, following Freedom of Information Act requirements and appointing a FOIA Officer.

Mr. Rieck stated that he intends to provide an annual report to the governing bodies, creating a public engagement plan and working harder to be transparent.

Councilor Magill joined the meeting at 4:15 p.m.

## 2. REPORT: City leases

DCM Sanders stated that the presentation is a culmination of internal staff work done to compile a single source repository for City lease and service agreements. Brenda Kelley, Office of Community Solutions, has been identified as the contact person.

Ms. Kelley presented a report on City leases, as defined: “City owns the property (or jointly-owns) and leases to others; or the property is privately-owned and the City is a tenant”. Not included in the report were outdoor café spaces.

Ms. Kelley provided data for each lease category, noting that many numbers were approximate because of the available data.

Staff made recommendations based on current challenges identified with City leases:

ITEM	RECOMMENDATION
<b>Need for Point Person</b>	One point person to be the official contact with “Leases”. This person will coordinate with various departments, etc. for new leases and lease renewals. In addition, identify a departmental staff Point of Contact for each Lease. This POC will be responsible for tracking expiration, renewals, tenant contact information, negotiations, etc.
<b>Lease creation/renewal</b>	A standard template will be created for Leases and renewals/amendments. However, each Lease will be customized to address specific terms and other considerations.
<b>Lease rates</b>	Every Lease should include information on the current Market Value of the proposed Premises.
<b>Property inspections</b>	City staff will schedule and inspect Premises on an ongoing basis, as well as prior to a new Lease or renewal/amendment.
<b>Tenant and City responsibilities</b>	Maintenance and repairs, as well as other considerations will be clearly defined in each Lease. In addition, City responsibilities should be commensurate to the Rent paid.
<b>Need for system to track Lease Renewals</b>	City staff will create a system to track lease renewals, and compliance with leases.
<b>Need for System to track Rent Payments</b>	City staff will create a system to track rent payments, increases in rent payments, and reporting.
<b>Need for System to track Property Inspections</b>	City staff will create a system to schedule and inspect Premises on an ongoing basis, as well as prior to a new Lease or renewal/amendment.

<b>Need for system to track Maintenance Requests and track Costs to the City</b>	City staff will create a standard point of contact and procedures to handle maintenance requests. This information will be included in all Leases. In addition, maintenance and repair costs to the City will be tracked.
<b>Need for information on updated Market Value for city-owned properties during lease discussions</b>	Every Lease discussion should include information on the current Market Value of the proposed Premises

Next steps will include:

- Implementing recommendations;
- Assessing expired leases and leases due for renewal;
- Assessing compliance of existing leases; and
- Assessing maintenance and repair costs to the City.

Councilor Magill thanked Ms. Kelley for the presentation as this has been a point of interest. She noted that City Council would need to discuss related policy and standards for lease renewals as well as opportunities. She requested a presentation from the Charlottesville Economic Development Authority, which manages many lease agreements. Other councilors made statements in agreement as well as suggested a desire to plan for future use of spaces.

**CLOSED SESSION**

On motion by Wade, seconded by Pinkston, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section **2.2-3711(A)(3)**, for discussion or consideration of the acquisition of real property within the City for a public purpose, and of the proposed disposition of publicly held property where discussion in an open meeting would adversely affect the City’s bargaining position or negotiating strategy;
- Section **2.2-3711(A)(1)** for discussion or consideration of the assignment or appointment of a chief of police;

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

**BUSINESS SESSION**

Having established quorum, Council observed a moment of silence, acknowledging the impacts of a domestic terrorist act in Buffalo, New York, which occurred on May 14, and denouncing similar acts of hatred and terror against marginalized communities.

## ANNOUNCEMENTS

Vice Mayor Wade announced that Mr. Alex-Zan in collaboration with the City of Charlottesville and local patrons will launch the YOGO (Yo, Let it Go) Campaign on May 17, aimed at interrupting the culture of violence. Mr. Wade acknowledged National Police Week and thanked police for their service to the community.

Councilor Payne announced that on May 15, Virginia's Covid tenant protections and new applications for the Virginia rent relief program ended. He stated that the City's Pathways and Emergency Funds as well as the Legal Aid Justice Center rent relief hotline were still operating and he provided contact numbers.

## RECOGNITION/PROCLAMATIONS

- **PROCLAMATION: Mental Health Awareness Month**

Mayor Snook proclaimed May as Mental Health Awareness Month. Ms. Daniels, a Partners for Mental Health client who spoke about personal struggles, accepted the proclamation.

## CONSENT AGENDA\*

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

3. MINUTES: March 21 meeting
4. Appropriating additional funding from the Virginia Department of Social Services for the VIEW Program - \$38,025 (2nd reading)

## RESOLUTION

### **Appropriating Additional Funding Received from the Virginia Department of Social Services for the VIEW Program in the amount of \$38,025**

**WHEREAS**, the Charlottesville Department of Social Services has received an allocation of \$38,025 in the Fiscal Year 2022 budget from the Virginia Department of Social Services to be used for the VIEW program.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$38,025, upon receipt by the City, is hereby appropriated for expenditure within the FY22 budget in the following manner:

#### **Revenue – \$38,025**

Fund: 212	Cost Center: 9900000000	G/L Account: 451022	\$38,025
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#### **Expenditures - \$38,025**

Fund: 212	Cost Center: 3333002000	G/L Account: 540060	\$38,025
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5. Appropriating funding from the Virginia Department of Social Services for Child Abuse Prevention Month - \$1,000 (2nd reading)

**RESOLUTION**  
**Appropriating Funding Received from the Virginia Department of Social Services  
for Child Abuse Prevention Month in the amount of \$1,000**

**WHEREAS**, the Charlottesville Department of Social Services has received an allocation of \$1,000 in the Fiscal Year 2022 budget from the Virginia Department of Social Services to be used for Child Abuse Prevention Month Activities.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$1,000, upon receipt by the City, is hereby appropriated for expenditure within the FY22 budget in the following manner:

**Revenue – \$1,000**

Fund: 212	Cost Center: 9900000000	G/L Account: 430080	\$1,000
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**Expenditures - \$1,000**

Fund: 212	Cost Center: 3301008000	G/L Account: 520990	\$1,000
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6. Appropriating Supplemental Funding received from Virginia Department of Housing and Community Development for HOPWA (Housing Opportunities for People with AIDS/H.I.V.) - \$10,098 (carried)
7. Appropriating anticipated supplemental grant funding from Virginia Housing Solutions Program to be used for contracted services - \$141,000 (carried)
8. Appropriating funding received from The United Way as reimbursement of Community Resource Hotline Staff Costs - 35,311.50 (carried)

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

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

**CITY MANAGER REPORT**

Interim City Manager Michael Rogers stated that the report will be given at the first City Council meeting each month.

## COMMUNITY MATTERS

Mayor Snook opened the floor for comments from the public.

1. Oleg Glushkov, Senior at Monticello High School spoke about a student-conducted study regarding affordable housing and community gardens in Charlottesville. He suggested that Council provide small amounts of growing land in city parks.
2. Pastor Brenda Brown-Grooms spoke about poor living conditions at 800 Franklin Street. She advised that she and others have tried all known options for help and coming before City Council was a last resort.
3. Dr. Elizabeth Emrey, Co-pastor with Ms. Brown-Grooms, shared additional information and photos of living conditions at 800 Franklin Street.
4. Dr. Gregory Moyer spoke about poor living conditions at 800 Franklin Street.
5. Tanesha Hudson questioned the request for support of the YOGO program to combat violence in the community. She suggested providing funds for armed security in the neighborhoods. She spoke about the Disproportionate Minority Contact report, stating that black and brown residents are more likely to be pulled over by police in the city. She spoke about the need for more affordable housing. She also referenced a recent security incident at Buford Middle School.
6. Nancy Carpenter asked about the location and plan for the Vinegar Hill Memorial plaque. Regarding living conditions at 800 Franklin Street, she referenced Region Ten as a potential resource.
7. Shelby Edwards, Executive Director of Public Housing Association of Residents, reiterated concerns about living conditions for many low-income residents, specifically 800 Franklin Street. She spoke and asked Council to do the work to provide affordable housing.
8. Ang Conn, city resident, spoke about housing choice vouchers that were turned in. She stated that the lottery program is unfair to the unhoused population. She asked where to locate emergency vouchers and about what can be done to change the lottery process.

## ACTION ITEMS

### **9. PUBLIC HEARING/RESOLUTION: Authorizing the issuance and sale of General Obligation Public Improvement Bonds in an aggregate principal amount not to exceed \$26,000,000**

Krisy Hammill, Director of Budget provided an overview of the bond issue resolution.

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

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

## **RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF**



**CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$26,000,000, TO FINANCE THE COSTS OF CERTAIN PUBLIC IMPROVEMENT PROJECTS AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF**

**10. PUBLIC HEARING: Land acquisition for park and trail use with Virginia Outdoors Foundation Grant funding**

Chris Gensic, Parks and Trails Planner introduced the public hearing with a brief report and advised that the item will come back to Council for action.

Mayor Snook opened the public hearing:

- Rex Linville with the Piedmont Environmental Council spoke in support of the land acquisition.

Mayor Snook closed the public hearing.

Mayor Snook asked where the collection of \$3 per deed goes. Mr. Gensic stated that he would incorporate the answer into the next report to City Council.

**11. PUBLIC HEARING/RESOLUTION: Community Development Block Grant (CDBG) funding and FY2022-2023 Annual Action Plan**

DCM Sanders outlined CDBG next steps, advising that the project timeliness test came in all clear from the Department of Housing and Urban Development.

- Staff will not be proposing changes to the public engagement plan at the moment.
- Staff will no longer recommend changing the Task Force to staff advisory.
- Staff will focus on locating income-eligible participants to ensure diversity in participation.
- Compensating low-income participants does not qualify as an eligible activity for CDBG.
- Staff will not recommend priority neighborhoods going forward; instead they will identify projects that prioritize investing in lower income areas.
- The CAPER (Consolidated Annual Performance and Evaluation Report) will be presented to Council in August and staff will begin the next five-year report in September, due to HUD in May. This will be an opportunity to connect with the community to identify needs and work with other city departments.

Erin Atak, Grants Coordinator presented the agenda item report and explained the CDBG-HOME funding process, including priorities set by City Council in September 2021, meetings with interested applicants, and applications submitted.

The Annual Action Plan for July 1, 2022 – June 30, 2023 is due in its final form to HUD by June 15 and The draft Action Plan was advertised for over 30 days and comments from tonight's public hearing as well as Council comments will be incorporated in the final submission.

DCM Sanders presented the staff recommendations for CDBG-HOME funding. Councilors

asked clarifying questions.

Mayor Snook opened the public hearing.

- John Sales, CRHA Executive Director, spoke in support of staff recommendations. He suggested a more robust community engagement process for projects.
- Joy Johnson, city resident, thanked staff for listening to community concerns about CDBG projects, and she referenced a student project in California that addresses CDBG funds.

Mayor Snook closed the public hearing.

Council engaged in discussion and generally supported the direction indicated by staff. Council agreed to carry all items forward to the June 6 Consent Agenda for second reading and vote.

- a. **RESOLUTION: Appropriating Community Development Block Grant funds received from the U.S. Department of Housing and Urban Development for the FY 2022-2023 Action Plan -\$433,471 (carried)**
  - b. **RESOLUTION: Appropriating HOME Investment Partnership Program funds received from the U.S. Department of Housing and Urban Development for FY 2022-2023 - \$84,576.88 (carried)**
  - c. **RESOLUTION: Approving the FY 2022-2023 Annual Action Plan for the City of Charlottesville's CDBG/HOME Programs (carried)**
12. **RESOLUTION: Appropriating a grant of public funds for housing assistance to low-and moderate-income homeowners within the City of Charlottesville – \$1,500,000 (carried to May 24 joint meeting with Planning Commission)**

Commissioner of the Revenue Todd Divers made the presentation. He explained changes to the Charlottesville Homeownership Assistance Program (CHAP) Grant for Tax Year 2022.

Council asked clarifying questions and agreed to expedite the vote by carrying the item forward to the May 24 joint meeting with the Planning Commission for a second reading and vote.

## **GENERAL BUSINESS**

Councilor Magill recognized the prior week as Transportation Week, thanking transit and pupil drivers and staff that form Charlottesville Area Transit

She recognized the current week as Emergency Medical Services Week, thanking all who provide emergency medical services in the area; and Public Works Week, thanking Charlottesville staff especially for their work with snow and flooding.

## **OTHER BUSINESS**

Mayor Snook stated that city staff has already activated to follow up on concerns at 800 Franklin Street.

## **COMMUNITY MATTERS (2)**

- John Sales, Executive Director of CRHA, addressed Ms. Conn's question about the housing voucher program. He stated that the waitlist for the Supplemental Rental Assistance Program (CSRAP) was exhausted, so the waitlist will open again soon for unhoused individuals.
- Joy Johnson spoke about the housing voucher program and landlords increasing rents. She stated that there needs to be a deeper discussion about truly affordable housing.

The meeting adjourned at 8:04 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT

**CHARLOTTESVILLE CITY COUNCIL  
SPECIAL MEETING  
May 24, 2022 at 5:00 p.m.  
Virtual/electronic meeting via Zoom**

The Charlottesville City Council met electronically on Tuesday, May 24, 2022 at 5:00 p.m. in accordance with a local ordinance amended and re-enacted on March 7, 2022, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. The special meeting was called to expedite the action taken on a resolution to provide housing assistance.

Mayor Lloyd Snook called the meeting to order at 5:00 p.m. and called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Sena Magill, Michael Payne and Brian Pinkston.

Commissioner of the Revenue Todd Divers summarized the presentation made at the May 16 City Council meeting and answered clarifying questions for Council.

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

**RESOLUTION  
Appropriating a grant of public funds for housing assistance  
to low-and moderate-income homeowners within the City of Charlottesville**

**WHEREAS** pursuant to the provisions of Va. Code §63.2-314 this City Council may offer public grants to its local director of social services, serving in her capacity as the “local board” under the provisions of §63.2-304; and

**WHEREAS** this City Council desires to offer a grant of public funds during Fiscal Year 2022-2023, to aid low- and moderate-income homeowners within the City who are affected by the rising costs of homeownership (which include mortgage payments, fees and taxes, insurance, utilities, maintenance and repairs; and

**WHEREAS** the average assessment of a single-family residential property within the City has risen by approximately 12 percent over the past year, and with rising inflation, transportation costs, and utility costs, many individuals who have income significantly lower than the Charlottesville area median income will experience significant financial stress and may need financial assistance to remain in their homes; and

**WHEREAS** City Council hereby finds and determines that it is both necessary and desirable, to promote the general welfare of the City, and to promote the safety, health, comfort and convenience of City inhabitants, to support the affordability of continuing homeownership by low- and moderate-income individuals;

**WHEREAS** public funding is available and has been appropriated within the City budget for the proposed public grant, in the amounts set forth within this resolution;

**NOW, THEREFORE BE IT RESOLVED BY THE** Council of the City of Charlottesville, Virginia, THAT effective July 1, 2022 and for calendar year 2022 a grant of public funds is hereby made to the Director of Social Services, in her capacity as the “local board of social services” pursuant to Va. Code §63.2-304, to be used to provide housing assistance to City homeowners in need of such, as follows:

**Expenditures**

**\$1,500,000**                      Fund: 105              Cost Center: 3343019000                      G/L Account: 540065

**BE IT FURTHER RESOLVED THAT** the Director of Social Services (“Director”) is solely responsible for administration of this assistance fund, pursuant to the provisions of Va. Code §63.2-304 and §63.2-314, provided that the Director may enter into written agreements with the Commissioner of Revenue, Treasurer, and City Manager, as may be necessary to administer the fund. And

**BE IT FURTHER RESOLVED THAT** it is the desire of City Council that this grant of public funds, hereafter to be referred to as the “Charlottesville Homeownership Assistance Program”, shall be provided to City homeowners in need of assistance due to rising costs of homeownership, in accordance with the following parameters:

<b>2022 CHAP—(Public Grant for Homeownership Assistance)</b>				
<b>Applicant Household Income</b>	<b>\$0 - \$35,000</b>	<b>\$35,001 - \$45,000</b>	<b>\$45,001 - \$55,000</b>	<b>\$55,001 - \$60,000</b>
<b>Grant</b>	<b>\$2,500</b>	<b>\$2,000</b>	<b>\$1,500</b>	<b>\$1,000</b>

- 1) Applicant/ Grantee must be a human being, own a home within the City of Charlottesville, and must reside within the home. As of January 1, 2022 and as of the date an application is submitted, the applicant must occupy that real estate as his or her sole residence and must intend to occupy that real estate throughout the remainder of calendar year 2022. An applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration. “Ownership” may be any of the following: (i) individually, or in conjunction with a spouse holding life rights, (ii) individually, or in conjunction with a spouse holding the power of revocation in a revocable inter vivos trust of which the home is an asset, or (iii) alone or in conjunction with a spouse who possesses a life estate, or an estate for joint lives, or a continuing right of use or support under the terms of an irrevocable trust of which the property is an asset.
- 2) Maximum value of the home cannot exceed \$420,000 (this is the average assessed value in 2022 of single family improved parcels).
- 3) Applicant, applicant’s spouse, or any other owner residing in the home cannot own any other interest in real estate, either within the City or at any other location. This includes

any real estate interest owned (i) as an individual, (ii) as the beneficiary of a trust, (iii) as a member of an LLC, or (iv) by virtue of any other interest in a legal entity.

- 4) Applicant/ Grantee must demonstrate evidence of Household Income within the limits established for calendar year 2022, as set forth above within this Resolution. *Household Income* means (i) the adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, or (ii) for applicants/grantees for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant and of any other relatives who reside in the applicant's home, and any other person(s) who (i) owns any interest in the home and (ii) resides in the applicant's home. The Director shall establish the Household Income of applicants/ grantees for whom no federal tax return is required through documentation satisfactory for audit purposes.
- 5) This public grant shall be used only to assist individuals who are not receiving the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the Charlottesville City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) during 2022.
- 6) Not more than one grant shall be provided to any one (1) address.

The meeting adjourned at 5:05 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

## CHARLOTTESVILLE CITY COUNCIL MEETING

June 6, 2022 at 4:00 PM

In person: Council Chamber, 605 E. Main Street

Virtual/electronic: Zoom

The Charlottesville City Council met in regular session using a hybrid meeting format with limited public seating in Council Chamber and full electronic access via Zoom on Monday, June 6, 2022, in accordance with a local ordinance amended and re-enacted on March 7, 2022, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the meeting to order at 4:10 p.m. and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Sena Magill, Michael Payne and Brian Pinkston.

On motion by Pinkston, seconded by Magill, Council voted 5-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

### REPORTS

#### 1. Report: Charlottesville Albemarle Convention and Visitors Bureau update

Courtney Cacatian, Executive Director of the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) presented an update on CACVB including mission, equity and inclusivity statement, marketing efforts, organizational structure and funding. She showed a video for the Black Cville initiative and concluded the presentation with tourism data, noting an increase in overnight visitors.

In response to a councilor question, Ms. Cacatian provided feedback on areas for improvement: wayfinding signage, attracting a workforce to support hospitality businesses, and transportation to various attractions.

#### 2. Report: Thomas Jefferson Planning District Commission project update and draft plan for the Regional Transit Vision Plan project

Lucinda Shannon, TJPDC, introduced members of the project team. Tim Bruille, Transportation Planner and Project Manager with AECOM and Scudder Wagg of JWA Associates presented an update on the Transit Vision Study. The Project website is: <http://www.tinyurl.com/transitvision>.

The project is a collaborative effort to evaluate and establish a clear long-term vision for transit service in the region, led by the TJPDC and funded in part by the Department of Rail and Public Transportation and the local jurisdictions. The focus of the Transit Vision Study is potential improvements to the regional transit system.

Two Vision Concepts were presented: Constrained Vision and Unconstrained Vision to show the range of transit expansion possibilities.

Presenters shared a Phase Two: Next Steps calendar and summary, which included online public

engagement.

Councilors suggested that consultants put more effort into outreach for public feedback, search for innovative concepts, solutions for users with needs outside of regular hours, address bus driver issues and route travel times, address the level of investment required to implement findings, and work with major employers as partners.

## **CLOSED SESSION**

On motion by Magill., seconded by Payne, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section 2.2-3711(A)(1) and (A)(8), for consideration of future appointments by Council to the City's planning commission and other boards and commissions, and legal consultation regarding compliance with requirements of Va. Code 15.2-2212 and City council ordinances and resolutions.

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

## **BUSINESS SESSION**

Having established quorum with all councilors present, Council observed a moment of silence and made comments regarding recent incidents of gun violence.

## **RECOGNITIONS/PROCLAMATIONS**

### **• PROCLAMATION: Gun Violence Awareness**

Mayor Snook read a proclamation which was presented on June 3 for Gun Violence Awareness Day and acknowledged June as Gun Violence Awareness Month.

Mayor Snook acknowledged the Tonsler Basketball League's bicycle giveaway event on June 5 and thanked organizers.

Councilor Pinkston spoke about a successful gun violence awareness event held on June 3 with several violence prevention organizations.

## **CONSENT AGENDA\***

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

3. RESOLUTION: Appropriating Supplemental Funding received from Virginia Department of Housing and Community Development for HOPWA (Housing Opportunities for People with



AIDS/H.I.V.) - \$10,098 (2nd reading)

**RESOLUTION**

**Appropriating Supplemental Funding in the Amount of \$10,098 Received from Virginia Department of Housing and Community Development for H.O.P.W.A.**

**WHEREAS**, The City of Charlottesville, through its Department of Human Services, has received a supplemental H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$10,098, for expenditure during the period July 01, 2020 to April 30, 2023.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, upon receipt of the supplemental grant funds from the Virginia Department of Housing and Community Development, the sum of \$10,098 is hereby appropriated in the following manner:

**Revenues**

\$10,098 Fund: 209 IO: 1900390 (H.O.P.W.A.) G/L: 430120 Federal Pass-Thru State

**Expenditures**

\$10,098 Fund: 209 IO: 1900390 (H.O.P.W.A.) G/L: 530550 Contracted Services

- 4. RESOLUTION: Appropriating anticipated supplemental grant funding from Virginia Housing Solutions Program to be used for contracted services - \$141,000 (2nd reading)

**RESOLUTION**

**Appropriating Supplemental Funding in the Amount of \$141,000 To Be Received from Virginia Housing Solutions Program**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has been notified that it will be awarded an additional grant from the Virginia Housing Solutions Program (V.H.S.P.) Fund of the Virginia Department of Housing and Community Development, in the amount of \$141,000.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, upon receipt of the additional VHSP funding from the Commonwealth, said funding, anticipated in the sum of \$141,000, is hereby appropriated in the following manner:

Revenues

\$455,982 Fund: 209 IO: 1900370 G/L: 430110 State Grant

\$83,218 Fund: 209 IO: 1900370 G/L: 430120 Federal Pass-Thru State

Expenditures

\$141,000 Fund: 209 IO: 1900370 G/L: 530550 Contracted Services

5. RESOLUTION: Appropriating funding received from The United Way as reimbursement of Community Resource Hotline Staff Costs - 35,311.50 (2nd reading)

**RESOLUTION**  
**Appropriating the Amount of \$35,311.50 Received from The United Way, as reimbursement of Community Resource Hotline Staff Costs**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received reimbursement from the United Way of Greater Charlottesville in the amount of \$35,311.50;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$35,311.50 is hereby appropriated in the following manner:

**Revenues**

\$35,311.50    Fund: 213    Cost Center: 3411001000    G/L: 451022

**Expenditures**

\$35,311.50    Fund: 213    Cost Center: 3411001000    G/L: 599999

6. RESOLUTION: Community Development Block Grant (CDBG) funding and FY2022-2023 Annual Action Plan
- a. RESOLUTION: Appropriating Community Development Block Grant funds received from the U.S. Department of Housing and Urban Development for the FY 2022-2023 Action Plan - \$433,471 (2nd reading)

**RESOLUTION**  
**Appropriating Community Development Block Grant funding anticipated from the U.S. Department of Housing and Urban Development for the FY 2022-2023 Action Plan, in the amount of \$433,471**

**WHEREAS** the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of a Community Development Block Grant (CDBG) for the 2022-2023 fiscal year in the total amount of \$433,471; and

**WHEREAS** City Council has received recommendations for the expenditure of funds from the CDBG Task Force, and Ridge Street Priority Neighborhood Task Force and the City Planning Commission; and has conducted a public hearing thereon as provided by law; now, therefore

**BE IT RESOLVED** by the City Council of Charlottesville, Virginia, upon receipt of the sums hereinafter set forth from the U.S. Department of Housing and Urban Development, the said funds are hereby appropriated to the following individual expenditure accounts in the

Community Development Block Grant Fund for the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations.

FUND	ACCOUNT CODE	DESCRIPTION	AMOUNT
218	1900464	Ridge ST Priority Neighborhood	\$186,376.16
218	1900465	Community Investment Collaborative Microenterprise Scholarships	\$25,000.00
218	1900466	LEAP – Workforce Development	\$30,130.00
218	1900467	PHAR – Resident Involved Redevelopment	\$37,510.32
218	1900468	LVCA – Workforce Tutoring	\$27,510.32
218	1900469	LEAP – Solar Maintenance	\$40,250.00
218	3914001000	Administrative and Planning	\$86,694.20
TOTAL			\$433,471.00

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$433,471 from the Department of Housing and Urban Development, and all sub-recipient awards are also conditioned upon receipt of such funds.

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

- b. Appropriating HOME Investment Partnership Program funds received from the U.S. Department of Housing and Urban Development for FY 2022-2023 - \$84,576.88 (2nd reading)

**RESOLUTION**

**Appropriating the HOME Investment Partnership Program funding to be received from the U.S. Department of Housing and Urban Development for FY 2022-2023, in the amount of \$84,576.88**

**WHEREAS**, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of HOME Investment Partnerships (HOME) funding for the 2022-2023 fiscal year;

**WHEREAS**, the region served by the Thomas Jefferson Planning District Commission will be receiving an award for HOME funds for fiscal year 2022-2023, of which the City will receive the sum of \$84,576.88 to be expended on affordable housing initiatives such as energy maintenance and homeowner rehabilitation.

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

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the local match in the amount of \$21,144.22 is hereby appropriated from the Charlottesville Housing Fund (accounting code CP-084 to Fund 210/ Account Code 1900463, for expenditure as the local match for HOME funding received from the U.S. Department of Housing and Urban Development for FY 2022-2023; and,

**BE IT FURTHER RESOLVED THAT**, upon receipt, HOME funding received from the U.S. Department of Housing and Urban Development for FY 2022-2023 is hereby appropriated to Fund 210/ Account Code 1900463, to be expended in accordance with the program(s) to be funded as the City’s FY 2022-2023 Action Plan, as set forth below:

<b>FUND</b>	<b>PROJECTS</b>	<b>Account Code</b>	<b>HOME EN</b>	<b>MATCH</b>	<b>TOTAL</b>
210	LEAP – Assisted Home Energy Performance	1900463	\$84,576.88	\$21,144.22	\$105,721.10

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$84,576.88 from the Department of Housing and Urban Development, and any sub-recipient award(s) are also conditioned upon receipt of such funds.

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

- c. Approving the FY 2022-2023 Annual Action Plan for the City of Charlottesville’s CDBG/HOME Programs (2nd reading)

**RESOLUTION**  
**Approving the 2022-2023 Annual Action Plan for the City of Charlottesville’s CDBG/HOME Programs**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the FY 2022-2023 Action Plan for implementation of the City’s 2018-2019 CDBG/HOME Consolidated Plan is hereby approved, as follows:

<b>ACCOUNT CODE</b>	<b>PROJECTS</b>	<b>AMOUNT</b>
1900464	Ridge ST Priority Neighborhood	\$186,376.16
1900465	Community Investment Collaborative Microenterprise Scholarships	\$25,000.00
1900466	LEAP – Workforce Development	\$30,130.00
1900467	PHAR – Resident Involved Redevelopment	\$37,510.32
1900468	LVCA – Workforce Tutoring	\$27,510.32
1900469	LEAP – Solar Maintenance	\$40,250.00
3914001000	Administrative and Planning	\$86,694.20
	\$433,471.00	

<b>Account Code</b>	<b>PROJECT</b>	<b>HOME EN</b>	<b>MATCH</b>	<b>TOTAL</b>
1900463	LEAP – Assisted Home Energy Performance	\$84,576.88	\$21,144.22	\$105,721.10

In the event that funding received by the U.S. Department of Housing and Urban Development for FY 2022-2023 differs from the amounts referenced above, all CDBG and HOME project estimates shall be increased or reduced at the same pro-rated percentage in relation to actual CDBG/ HOME funding received by the City. No sub-recipient’s grant may be increased above their initial funding request.

- 7. RESOLUTION: Approving the Rivanna Water and Sewer Authority Northern Area Projects Allocation Agreement

**RESOLUTION**

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

An agreement among the City of Charlottesville, the Albemarle County Service Authority, and the Rivanna Water and Sewer Authority regarding the Northern Area Drinking Water Projects for the urban water system.

8. BY MOTION: Pursuant to the Continuity of Governance Ordinance, authorization for Regular Meetings of Planning Commission and Board of Architectural Review to be held in hybrid format
9. RESOLUTION: Amending the contract for City Manager services with The Robert Bobb Group, to extend the contract through December 31, 2022

### **RESOLUTION**

#### **To amend the Contract for City Manager Services with The Robert Bobb Group, to Extend the Contract through December 31, 2022**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the January 6, 2022 contract for City Manager Services entered into between the City Council for the City of Charlottesville and The Robert Bobb Group (“Contract”), is hereby amended as follows:

#### **Section 2 (Time for Performance)**

- (A) RBG shall commence performance of Services effective as of the date this Contract is executed by City Council, and shall continue its performance through December 31, 2022 (“Term”)

All terms and conditions of said Contract shall be and remain in effect throughout the extended term of the Contract, with the above-referenced amendment.

**BE IT FURTHER RESOLVED** that, on behalf of City Council, the Mayor is hereby authorized to sign an instrument reflecting this contract amendment, and the City Attorney shall prepare said instrument for signature of the Mayor and The Robert Bobb Group.

10. RESOLUTION: Appropriating the amount of \$15,000 to be expended for the Local Emergency Management Performance Grant (carried)

Mayor Snook opened the floor for public comment on the consent agenda. No speakers came forward. He then addressed an email sent to Council regarding decommissioning the North Fork Rivanna water treatment plant. Director of Utilities Lauren Hildebrand stated that through discussions it was determined that the city should pay its fair share in the decommissioning.

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

### **CITY MANAGER REPORT**

Interim City Manager Rogers provided an update on:

- Security concerns at Buford Middle School, stating that school cameras are operated and maintained by the school system. A conversation with School Superintendent Gurley

indicated that the camera in question is operational, it captured the incident and is being handled accordingly.

- Various City Manager outreach activities and attendance at community meetings.
- City supervisor training certificates.
- Challenges with workforce hiring.
- Collective bargaining negotiations, with a contract to be awarded within a few days.
- City bond rating of AAA for the 41st time.

Deputy City Manager Sam Sanders shared updates regarding:

- Emergency Management. The city is working with a Launch Consulting on a Continuity of Operations Plan.
- Staff is working with City Schools on a Summer safety workshop.
- The City hired Kimely Horne to complete the Alternative Fuel Feasibility Study.
- Neighborhood Development Services and Traffic Engineering staff are working to develop a traffic safety plan for the city, which is required to access certain infrastructure funding.
- The environmental sustainability team is working on the Climate Vulnerability Assessment and several initiatives related to transit, alternative fuels, and health implications.

Deputy City Manager Ashley Marshall shared updates regarding:

- Board of Equalization hearings regarding real estate assessment appeals.
- The City successfully submitted its quarterly report to the U.S. Treasury for its use of American Rescue Plan funds as of March 31.
- Utility disconnection notifications and funds receipted.
- The Office of Equity and Inclusion hosting a virtual Groundwater session (addressing racial bias).
- The lighting of City Hall - green (mental health awareness) and orange (gun violence awareness). She thanked Facilities staff.
- From the Department of Social Services eligibility for the childcare subsidy program continues through June 30, 2022.
- Department of Human Services Community Connector Program and rental assistance
- Key staff hires: Human Resources Director, Deputy Director of Communications and Public Engagement, and Human Services Director

In response to a question from Mayor Snook about outdoor pools, Mr. Sanders advised of a critical shortage of lifeguards, and stated that all aquatic facilities are open.

## **COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

1. John Edward Hall, city resident, stated that he would like to start meetings with the Pledge of Allegiance and acknowledge the anniversary of the Normandy invasion.
2. Kate Fraleigh, city resident, spoke about how city money is spent, and the amount provided to the police department. She specifically spoke about the J. Edward Byrnes grant and its possible uses beyond the police department. She encouraged finding other avenues to address public safety.

3. John Pfaltz, city resident, spoke about traffic on Hydraulic Road and issues with the VDOT proposed round-about at Hydraulic/Hillsdale and other traffic concerns.
4. Gretchen Brown, co-leader for Moms Demand Action, thanked Council for the gun violence awareness proclamation.
5. Tanesha Hudson spoke about updating city parks to address equity and safety. She also spoke about affordable housing and rent relief.
6. Greg Weaver, city resident, spoke about flaws in the Transit Vision draft. He voiced support for the 5th Street road diet.
7. Robin Hoffman, city resident, spoke about gun violence and reducing military-style weapons in the community.
8. Chris Meyer, city resident, spoke about Charlottesville gas utility, climate strategy, and suggested planning to decommission the gas utility.
9. Joy Johnson, city resident, shared concerns about the rent relief voucher program and rent rates.
10. Dede Smith, city resident, spoke about the city's commitment to climate change. She advised that as the city moves toward reaching climate goals, the revenue from the gas utility will decrease.
11. Lakeshia Washington, city resident, spoke about the city's climate goal and the impact on renters. She suggested that Council encourage landlords to better insulate properties and implement better heating options besides baseboard heating. She stated that many renters and low-income households spend a significant portion of their budget on utilities.

## **ACTION ITEMS**

### **11. PUBLIC HEARING/ORDINANCE: Proposed Utility Rate Report for FY2023 (carried)**

Chris Cullinan, Director of Finance and Lauren Hildebrand, Director of Utilities, presented an update on utility operations, greenhouse gas reduction strategy, and utility rates.

After clarifying questions from Council, Mayor Snook opened the public hearing and the following people spoke:

- Chris Meyer spoke about the cost of pollution and decommissioning the gas utility and spoke against replacing gas piping along West Main Street. He suggested changes to the utility rate report.
- Dede Smith advised that there should be a separate accounting for Payment in Lieu of Taxes. She spoke about affordability and asked for clarification of utility rates.

Mayor Snook closed the public hearing. Councilors agreed to move the item to the June 21 consent agenda. Councilor Payne asked for additional information about the scoping and timing of the report that was mentioned regarding the future of the city's natural gas utility. He also asked for information about carbon offset programs and a comparison to other industry standards.



**12. PUBLIC HEARING/RESOLUTION: Considering the Concurrent Resolution of the City Council of the City of Charlottesville, Virginia and the Board of Supervisors of the County of Albemarle, Virginia to extend the existence of the Rivanna Water and Sewer Authority**

Mr. Rogers introduced the resolution.

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

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

**CONCURRENT RESOLUTION OF  
THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA AND THE  
BOARD OF SUPERVISORS OF THE COUNTY OF ALBEMARLE, VIRGINIA TO  
EXTEND THE EXISTENCE OF THE RIVANNA WATER AND SEWER AUTHORITY**

WHEREAS, by concurrent resolution of the City Council of the City of Charlottesville, Virginia (the “City”) and the Board of Supervisors of the County of Albemarle, Virginia (the “County”) and a certificate of incorporation issued by the Virginia State Corporation Commission pursuant to the Virginia Water and Sewer Authorities Act (currently enacted as the Virginia Water and Waste Authorities Act, Virginia Code Section 15.2-5100 et seq.), the Rivanna Water and Sewer Authority (the “Authority”) was incorporated as a public body politic and corporate on June 7, 1972; and,

WHEREAS, pursuant to Virginia Code Section 15.2-5114, the Authority can only be authorized to exist for a period of up to 50 years as a corporation, and for such further period or periods as may from time to time be provided by resolution of the political subdivisions which are members of the Authority; and

WHEREAS, the City and the County, as the political subdivisions which are members of the Authority, now wish to extend the existence of the Authority for an additional 50 years; and

WHEREAS, pursuant to Virginia Code Section 15.2-5104, the City and the County caused to be advertised in a newspaper of general circulation in the City and the County a descriptive summary of this Concurrent Resolution with a reference to the location in the City and the County where a copy of the Resolution could be obtained, and giving notice of the date on which public hearings would be held on the proposed Concurrent Resolution; and,

WHEREAS, public hearings on the proposed Concurrent Resolution were held by the Charlottesville City Council and by the Albemarle County Board of Supervisors, prior to consideration of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia and the Board of Supervisors of Albemarle County, Virginia that:

(1) The existence of the Authority is hereby extended for an additional fifty (50) years from the date of approval and adoption of this Concurrent Resolution.

**IN WITNESS WHEREOF**, the City Council of the City of Charlottesville and the Board of Supervisors of the County of Albemarle have extended the existence of the Authority pursuant to Virginia Code Section 15.2-5114 in the name of the City of Charlottesville and the County of Albemarle, respectively, by their presiding officers and attested by their Clerks as set forth below.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: Lloyd Snook, Mayor

Attest:

Kyna Thomas, Clerk, City Council

COUNTY OF ALBEMARLE, VIRGINIA

By: Donna P. Price, Chair

Attest:

Claudette K. Borgersen, Clerk, Board of Supervisors

**13. RESOLUTION\*: ~~Granting a Special Use Permit (SUP) for property located at 2005/2007 Jefferson Park Avenue and 104 Observatory Avenue (1 reading)~~  
RESCHEDULING to a yet undetermined date**

**14. RESOLUTION: Albemarle-Charlottesville Regional Jail Authority**

DCM Marshall presented the report. Councilor Magill added clarifying information regarding board seats for member jurisdictions - the City of Charlottesville, the County of Albemarle, and Nelson County. The joint City-County Board seat would be replaced by a representative from Nelson County, with Nelson County paying more of a fair share toward operations costs.

Councilor Payne expressed concern about a potential change in board dynamics with changing seats and he stated that he would abstain from the vote.

**a. RESOLUTION\*: Approving, and authorizing the City Manager to sign, an amended and re-stated Service Agreement for the Albemarle-Charlottesville Regional Jail Authority**

On motion by Wade, seconded by Magill, Council by the following vote APPROVED the Consent Agenda: 4-0-1 (Ayes: Magill, Pinkston, Snook, Wade; Noes: none; Abstention: Payne).

**RESOLUTION**

**To approve, and to authorize the City Manager to sign, an amended and re-stated Service Agreement for the Albemarle-Charlottesville Regional Jail Authority**

**WHEREAS**, the City of Charlottesville and other member jurisdictions of the Albemarle- Charlottesville Regional Jail Authority wish to amend and restate their current service agreement, to provide for the funding of debt service and operational costs based on each member’s proportional usage of the jail and replace the joint representative with an additional member from Nelson County along with other technical amendments;

**WHEREAS**, an Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement has been drafted and presented to the Charlottesville City Council, as set forth within this Resolution;

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville that the Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement is hereby approved, and the City Manager is hereby authorized to sign said agreement.

**b. RESOLUTION\*: Authorizing any deputy city manager to attend and vote in place of the City Manager at meetings of the Albemarle-Charlottesville Regional Jail, as the alternate for the City Manager**

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

**RESOLUTION**

**Authorizing any deputy city manager to attend and vote in place of the City Manager at meetings of the Albemarle-Charlottesville Regional Jail, as the alternate for the City Manager**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the City Manager is hereby authorized to delegate to any staff member who holds a deputy city manager position the responsibility for attending any meeting(s) of the governing board of the Albemarle- Charlottesville Regional Jail Authority, and any such deputy city manager may attend and vote in place of the City Manager, as the City Manager’s alternate.

**15. RESOLUTION\*: Authorizing changes to or cancellation of various state-funded transportation projects locally administered by the City of Charlottesville**

Jack Dawson, City Engineer, presented the resolution.

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

## **RESOLUTION**

### **Authorizing changes to or cancellation of various state-funded transportation projects locally administered by the City of Charlottesville**

**WHEREAS** the Virginia Department of Transportation (VDOT) and the City of Charlottesville (City) are committed to the delivery of transportation projects for the public's use and safety with the City of Charlottesville; and

**WHEREAS** the City desires to reduce the number of projects for which local administration is required by contract or agreement with VDOT; now therefore,

#### **BE IT RESOLVED by the Council of the City of Charlottesville THAT:**

- 1) The City Manager is authorized to request that VDOT administer the Route 250/Hydraulic Road Turn Lane Extension project (UPC 116906). If VDOT agrees, any local City funding previously appropriated for UPC 116906 are hereby re-appropriated for expenditure as any local funding match required in connection with VDOT's administration of this project;
- 2) The City Manager is authorized to cancel the Pedestrian Improvements at Monticello Avenue/Ridge Street project (UPC 113915);
- 3) The City Manager is authorized to cancel the Emmet Street Signal Coordination project (UPC 106529);
- 4) The City Manager is authorized to cancel the West Main Streetscape project - Phases 1, 2 & 3 (UPC 113176, 113177 & 118874);
- 5) The City Manager is authorized to cancel the Preston Avenue/Grady Avenue Intersection Improvements project (UPC 118873);

The Charlottesville City Manager is hereby authorized, on behalf of the City of Charlottesville and the Charlottesville City Council, to execute all documents and to take any and all other actions, including, without limitation, reimbursement of state funding previously received by the City for a project, as may be necessary to cancel or terminate any locally administered project agreements, to cancel or terminate any grant agreements, and to take any other actions necessary to implement the actions authorized by this Resolution.

## **GENERAL BUSINESS**

### **16. REPORT: Office of Economic Development update**

Chris Engel, Director, provided an update on the Office of Economic Development. He introduced new staff members Ajoni Wynn-Floyd and George Sandridge. The presentation reviewed business recovery initiatives, recent activities and major developments, the 2021 annual report, and reviewed various taxes. Some ongoing initiatives discussed were:

- GO Startup 2.0
- GO Hire/GO Cook
- Minority Business activities
  - Minority Business Month Planning
  - Minority Business Directory
  - Vendor registration efforts
  - Minority Business Commission
- Buy Local partnership with Albemarle County

Mr. Engel listed the following next steps:

- Complete Recovery Roadmap
- Continue to rebuild team
- Develop new 5-year plan for Economic Development

Councilors provided feedback and asked clarifying questions. Mr. Engel and Krisy Hammill provided responses.

## **COMMUNITY MATTERS (2)**

- John Sales, CRHA Executive Director, complimented Neighborhood Development Services Director James Freas for being solution-oriented and working with CRHA. He expressed a need for site inspectors. He spoke about economic development, specifically HUD Section 3 components and the need for skilled workers such as construction workers and carpenters. He suggested the City create a Section 3 policy for city projects and contracts. He also stated that the housing voucher program needs more available units.
- Robin Hoffman spoke about efforts to disarm people with military-style weapons.
- Joy Johnson reiterated her prior comments about affordable rental units.
- Susan Kruse, Community Climate Collaborative (C3) and city resident, expressed concerns about carbon offsets that the gas utility is purchasing and made suggestions for how the city can address it. She spoke about transit alternative fuel study concerns, and concerns about the Transit Vision.

The meeting adjourned at 9:50 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date: July 18, 2022

Action Required: Adopt Resolution

Presenter: Todd Divers

Staff Contacts: Todd Divers, Commissioner of the Revenue  
Lisa Robertson, City Attorney  
Jason Vandever, City Treasurer

**Title: Establishing a pool of funds in the amount of \$50,000, to be used for payment of refunds to licensed City businesses engaged in the same business activity as that considered by the Virginia Supreme Court on June 9, 2022 in Record Number 210414 (2nd reading)**

**Background**

The Supreme Court of Virginia recently determined that the City's Business License Ordinance Classification of "any other repair, personal or business service not specifically included in any other subclassification under this section" does not apply to a particular activity engaged in by a specific business entity conducting business in the City. Further, the Supreme Court ruled that the City's Business License Ordinance does not contain a suitable alternative license category for that specific business activity. Therefore, the Court ruled that the City had erroneously assessed and collected license tax from this business. The City is therefore required to refund this entity for taxes paid in error for tax years 2015 through 2018. The amount of the refund totals \$3,304.21, including interest.

In addition to the refund for the above-referenced entity, we expect that a number of other entities engaged in the same business activity will come forward requesting refunds. The Commissioner of the Revenue has tried to identify any other similarly licensed entities engaged in the same activity in anticipation of refund requests from those entities. He has identified roughly twenty-five businesses that may be engaged in a similar business activity. Since the license classification in question is a catch-all provision, it is sometimes difficult to tell with precision the exact nature of a business's activities. Further inquiries would be made upon any application for correction to determine whether the Court's ruling applies to the entity in question. The Commissioner anticipates refund requests from all affected business entities totaling

less than \$50,000, including interest. Some refunds will be greater than \$2,500.

The City is required to refund business license taxes paid in error with interest per Code of Virginia 58.1-3703.1 (A) (2) (e). In addition, Code of Virginia 58.1-3703.1(A)(2)(e) states: "Interest shall be paid on the refund of any BPOL tax from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the same rate charged under 58.1-3916."

### **Discussion**

City Code requires Council approval for any tax refunds resulting from an erroneous assessment in excess of \$2,500 (City Code Sec. 30-6b). Payment of interest at the same rate charged by the City is also required in accordance with Section 14-12(g) of the Charlottesville City Code and §58.1-3703.1(A)(2)(e) of the Code of Virginia.

Per City Code Sec. 30-6(b), the Commissioner of the Revenue has provided to the City Attorney information necessary to enable her to consent to the determination of the Commissioner of the Revenue that the taxes paid by certain entities subject to the Court's ruling were erroneous and should therefore be refunded. He has also provided her with information about the above-mentioned entities who may subsequently come forward requesting a refund, and whose eligibility for such refund will be made on a case by case basis.

The total for all refunds, including interest, is expected to be less than \$50,000. Should more qualifying entities come forward such that the total refunded amount exceeds, \$50,000, a separate request will be made for Council approval.

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

N/A

### **Community Engagement**

N/A

### **Budgetary Impact**

The total of all refunds will reduce current year Business License Tax revenue (GL 410150) by no more than \$50,000. If revenues in GL 410150 are not sufficient to cover such refunds, funds shall be drawn from the Citywide reserve (GL 1631001000).

### **Recommendation**

Approve refund of \$3,304.21 for the entity that was the subject of litigation, and approve further refunds determined by the Commissioner of Revenue to be required by Virginia Code by the totaling no more than \$46,695.79 (for a total of \$50,000) for similar

entities that are determined to be eligible on a case by case basis by the Commissioner of Revenue, acting pursuant to Virginia Code §58.1-3980, with the concurrence of the City Attorney that such entities are engaged in the same activity as the business who prevailed in the Supreme Court case.

***Suggested Motion: “I move the RESOLUTION establishing a pool of funds in the amount of \$50,000, to be used for payment of refunds to licensed City engaged in the same business activity as that considered by the Virginia Supreme Court on June 9, 2022 in Record Number 210414.”***

**Alternatives**

None

**Attachments**

1. Resolution\_Tax Refund BPOL \$50,000 fund



## RESOLUTION

*Establishing a pool of funds in the amount of \$50,000, to be used for payment of refunds to licensed City businesses engaged in the same business activity as that considered by the Virginia Supreme Court on June 9, 2022 in Record Number 210414.”*

**WHEREAS**, the Supreme Court of Virginia has determined that City’s Business License Ordinance Classification of “any other repair, personal or business service not specifically included in any other subclassification under this section” does not apply to a specific business activity engaged in by one particular business entity located within the City; and

**WHEREAS**, the Supreme Court of Virginia determined that the City’s current Business License Ordinance does not contain a suitable alternative license category for the specific business activity in question; and

**WHEREAS**, on the basis of the Supreme Court’s ruling, the Commissioner of the Revenue has determined that a specific business entity conducting business in Charlottesville paid 2015, 2016, 2017, and 2018 Business License Tax to the City of Charlottesville in error, and that the Commissioner is required to correct the assessment pursuant to Virginia Code §58.1-3980; and

**WHEREAS**, the business entity that prevailed in the Court proceedings has requested a refund of the amount paid in error; and

**WHEREAS**, the Commissioner of the Revenue has certified that a refund of taxes paid is due to that entity in the amount of \$3,304.21; and

**WHEREAS**, other similar entities may come forward requesting refunds on the basis of the Court’s ruling, some of which will exceed \$2,500; and

**WHEREAS**, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$2,500.00; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of \$3,304.21 to the entity that was the subject of the Supreme Court decision rendered June 9, 2022 (Record Number 210414); and

**BE IT FURTHER RESOLVED** that City Council hereby approves and directs refunds to be issued to other business entities located in the City, who are determined by the Commissioner of Revenue, with the concurrence of the City Attorney to be, or to have been, engaged in the same business activity as that considered by the Supreme Court in Record Number 210414, without presenting each such matter to City Council, so long as, collectively, the additional refunds do not exceed \$46,695.79. When approved in this manner, the Treasurer shall be authorized to issue any additional refund(s) corrected by the Commissioner of Revenue, with the concurrence of the City Attorney, contemplated by this Resolution. The pool of funds authorized by this resolution shall come from GL# 410150 (business license tax revenue) or from GL# 1631001000 (Citywide reserve) as necessary.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2022
Action Required:	Approval of Refund of Business License Tax Payment
Presenter:	Todd Divers, Commissioner of the Revenue
Staff Contacts:	Todd Divers, Commissioner of the Revenue Lisa Robertson, City Attorney Jason Vandever, City Treasurer
Title:	<b>Authorizing a refund of \$8,132.19 to a taxpaying entity or business, for business license tax paid in error for 2022 (1 of 2 readings)</b>

**Background**

Ownership of a Charlottesville City business changed in August of 2021. In addition to filing for a renewal of their business license for 2022 under the new entity, they mistakenly submitted and paid for a renewal under the old entity. We subsequently discovered that the old entity had ceased operations and therefore did not need a 2022 business license. We, therefore, are obliged to refund the tax collected in error.

The City is required to refund business license taxes paid in error with interest per Code of Virginia §58.1-3703.1 (A) (2) (e). The amount paid for the 2022 business license was \$7,891.76. In addition, Code of Virginia §58.1-3703.1(A)(2)(e) states: "Interest shall be paid on the refund of any BPOL tax from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the same rate charged under §58.1-3916." The interest amount is \$240.43.

**Discussion**

City Code requires Council approval for any tax refunds resulting from an erroneous assessment in excess of \$2,500 . Payment of interest is also required in accordance with Section 14-12(g) of the Charlottesville City Code.

Per City Code Sec. 30-6(b), the Commissioner of the Revenue has provided to the City Attorney information necessary to enable her to consent to the determination of the Commissioner of the Revenue that the tax paid by the taxpayer was erroneous and should therefore be refunded. The refund has therefore been approved for

presentment to Council by the City Attorney, Commissioner of the Revenue, and City Treasurer.

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

n/a

**Community Engagement**

n/a

**Budgetary Impact**

The refund will reduce current year Business License Tax revenue (GL 410150) by \$8,132.19. If revenues in GL 410150 are not sufficient to cover such refund, funds shall be drawn from the Citywide reserve (GL 1631001000).

**Recommendation**

Approval of the tax refund.

Suggested Motion: *“I move the RESOLUTION authorizing a refund of \$8,132.19 to a taxpaying entity or business, for business license taxes paid in error for 2022”*

**Alternatives**

n/a

**Attachments**

1. Refund Calculation
2. Resolution

**Refund Interest Calculation**

Payment	Paid Date	Refund Date	Days	Rate	Payment Amount	Annualized Interest	Tax Refund	Interest Refund
2022 BL	3/1/2022	7/18/2022	139	8%	\$ 7,891.76	\$ 631.34	\$ 7,891.76	\$ 240.43

Total           \$     8,132.19

*Suggested Motion: "I move the RESOLUTION authorizing a refund of \$8,132.19 to a taxpaying entity or business, for business license taxes paid in error for 2022"*

## **RESOLUTION**

### **Authorizing a refund of \$8,132.19 to a taxpaying entity or business, for business license taxes paid in error for 2022**

**WHEREAS**, the Commissioner of the Revenue has determined that a taxpaying entity or business paid 2022 Business License Tax to the City of Charlottesville in error; and

**WHEREAS**, that taxpaying entity or business has requested a refund of the amount paid in error; and

**WHEREAS**, the Commissioner of the Revenue has certified that a refund of taxes paid is due in the amount of \$8,132.19; and

**WHEREAS**, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$2,500.00; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of \$8,132.19 from GL 410150 (business license tax revenue) or from GL 1631001000 (Citywide reserve) as necessary, payable to that taxpaying entity or business.

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



Agenda Date:	July 18, 2022
Action Required:	Approval of Resolution
Presenter:	Lisa Robertson, City Attorney
Staff Contacts:	Lisa Robertson, City Attorney
<b>Title:</b>	<b>Approving Settlement of Disputed Real Estate Assessment (Omni Hotel) (1 of 2 readings)</b>

**Background**

In March 2021 the Omni Charlottesville Virginia Corporation ("Omni") filed an action in the Charlottesville Circuit Court, challenging the City's real estate assessment for Tax Year 2020; subsequently, the lawsuit was amended to include a challenge to the City's real estate assessment for Tax Year 2021. The Omni currently has an appeal pending before the City's Board of Equalization (BOE) challenging its real estate assessment for Tax Year 2022.

**Discussion**

Over the course of the past year, attorneys for the Omni and for the City (the law firm of Gentry Locke) have engaged in mutual discussions regarding the challenged assessments. At this time the parties have reached a tentative settlement agreement, which would not become effective unless approved by action of City Council.

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

N/A

**Community Engagement**

N/A

**Budgetary Impact**

The fiscal impact of the proposed settlement to the City is a total of \$150,099.19.

**Recommendation**

Approval.

Suggested Motion: *"I move the RESOLUTION approving the Settlement Agreement and Release between the Omni Charlottesville Virginia Corporation and the City of Charlottesville, made as of July 1, 2022."*

**Alternatives**

If the City Council elects not to approve the Settlement Agreement and Release, then City City and the Omni would proceed to trial in Charlottesville Circuit Court Case No. CL21-116 and within the Board of Equalization appeal of the Omni's assessment for Tax Year 2022.

**Attachments**

1. RESOLUTION for Omni Settlement Agreement

## RESOLUTION

### **Approving a Settlement Agreement and Release between the Omni Charlottesville Virginia Corporation and the City of Charlottesville, made as of July 1, 2022**

WHEREAS the Omni Charlottesville Virginia Corporation (“Omni”) and the City of Charlottesville (“City”) are parties to an action pending in the Circuit Court of the City of Charlottesville styled Omni Charlottesville Virginia Corporation v. City of Charlottesville, Virginia, Case No. CL21-116 (the “Action”), addressing the real estate tax assessments for the Omni property for tax years 2020 and 2021; and

WHEREAS Omni currently has an appeal of the City’s assessment of the Omni property for tax year 2022 pending before the City’s Board of Equalization (the “BOE Appeal”); and

WHEREAS Omni and the City wish to settle the disputes between them and dismiss the Action and the BOE Appeal on the terms and conditions stated below; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia THAT a Settlement Agreement and Release made between Omni and the City as of July 1, 2022 is hereby ratified and approved, upon the following terms and conditions:

1. Settlement Payment. In consideration of the release set forth in this Agreement, the City shall refund to Omni, and agrees to accept, a payment in the principal amount of \$135,304.57, plus accrued interest in the amount of \$14,794.62 as of June 20, 2022, with interest accruing thereafter at the rate of \$37.07 per diem (collectively the “Settlement Payment”), as a refund of a portion of the real property taxes imposed on real property owned by Omni, known as 212 Ridge McIntire Road, Charlottesville, Virginia, bearing Parcel No. 330155L00 (the “Property”). The Settlement Payment amount includes the refunds of taxes and interest due to Omni based on the revised assessments set forth in Paragraph No. 3 of this Agreement.

2. Dismissal. Upon receipt of the Settlement Payment, counsel for Omni shall endorse and deliver to counsel for the City an Agreed Order dismissing the Actions, with prejudice.

3. Compromise Assessments for Tax Years 2020, 2021, and 2022. For purposes of this settlement, the City shall set the assessment of the Property for tax years 2020-2022 as follows: \$40.0 million for tax year 2020, \$30.0 million for tax year 2021, and \$30.6 million for tax year 2022. Due to the compromise assessment for tax year 2022, the real estate tax installment due on the Property to the City no later than December 5, 2022, shall be \$146,880.00.

4. No Admissions. The parties acknowledge that the City’s assessments of the Property for tax years 2020-2022 remain in dispute. Omni maintains that the City’s assessments are erroneous and significantly exceed the fair market value of the Property. The City maintains that its assessments are not erroneous and are at the fair market value of the Property. Accordingly, the parties agree that nothing in this Agreement or the performance hereof shall be taken as an admission or concession of any type or kind regarding or relating to the Property’s actual fair market value for tax years 2020-2022.



5. Mutual Releases. In consideration of the promises and rights granted in this Agreement, the sufficiency of which is expressly acknowledged, Omni discharges and releases the City and its officers, employees, agents, attorneys, and representatives, from all claims, debts, suits, actions, charges, demands, judgments, costs, executions, liabilities and all other obligations, whether in contract, tort, or other, known and unknown, both legal and equitable, which have been brought or could have been brought, relating to the subject matter of the Actions or related in any way to the City's real property tax assessments of the Property for the tax years 2020, 2021, and/or 2022.

In consideration of the promises and rights granted in this Agreement, the sufficiency of which is expressly acknowledged, the City discharges and releases Omni and its shareholders, officers, employees, agents, attorneys, and representatives, from all claims, debts, suits, actions, charges, demands, judgments, costs, executions, liabilities and all other obligations, whether in contract, tort, or other, known and unknown, both legal and equitable, which have been brought or could have been brought, relating to the subject matter of the Actions or related in any way to the City's real property tax assessments for the Property for the tax years 2020, 2021, and/or 2022.

6. Fees and Costs. Each party shall bear its own attorney's fees and costs.

7. Merger. No promise or agreement not herein expressed has been made by, between or among the parties, and in executing this Agreement, the parties are not relying upon any statement or oral representations made to them by each other or by anyone else who has not acted for them or on their own behalf but are each relying solely upon their own judgment. No consideration has been given, or is or has been offered, promised, expected, or held out other than as provided herein, and no conditions precedent to the effectiveness of this Agreement exist other than as expressly provided herein. This Agreement creates no new rights other than as expressly provided herein.

8. Full and Final Settlement. The parties understand that this is a full and final disposition of the claims and disputes between them, both as to the existence, and the nature and extent of, liability by any party except as specified herein. The parties understand and agree fully that this Agreement constitutes a compromise settlement and is mutual, final, and binding upon the parties.

9. Compromised Claims. The parties understand and agree that this Agreement constitutes the settlement of disputed claims, that liability has been denied by all parties, and that this Agreement, the consideration therefor, and all negotiations relating thereto, are for settlement purposes only and shall not be construed as an admission of liability or responsibility for any wrongful act or omission at any time on the part of any party. Accordingly, the parties agree to this compromise in lieu of litigation and in consideration of the avoidance of litigation, its expenses, and the potential risk of loss, and for no other reason. The parties further agree that this Agreement shall not be admissible or usable in any future lawsuit or tax controversies between the parties relating to the City's assessments of the Property for ad valorem tax purposes for tax year 2023 and/or any subsequent tax years.

10. Modifications. No modification of this Agreement shall be valid unless it is in writing and signed by all parties, with the approval of the Charlottesville City Council as may be required by Virginia law.

11. Successors and Assigns. This Agreement shall bind and inure to the benefit of all parties, their successors, and permitted assigns, and each of them.

12. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

13. Authority. Each signor warrants that he/she has full legal authority to execute this Settlement Agreement on behalf of the parties.

14. Governing Law. This Agreement shall be governed and construed in accordance with Virginia law. In the event any litigation arises concerning enforcement of this Agreement, venue shall be a court of competent jurisdiction in the City of Charlottesville, Virginia. This Agreement has been read by the parties hereto, and where appropriate, by the attorneys for all of the parties hereto, and the parties understand its content and are satisfied with its terms.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute a written Settlement Agreement and Release, upon the terms stated above within this Resolution, upon the approval of the City Attorney as to the form of such written Settlement Agreement and Release.

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



Agenda Date:	July 18, 2022
Action Required:	Approval and Appropriation
Presenter:	Misty Graves, Director
Staff Contacts:	Misty Graves, Director
<b>Title:</b>	<b>COVID Homelessness Emergency Response Program- Community Development Block Grant Amendment - \$250,816 (1 of 2 readings)</b>

**Background**

A C.O.V.I.D. Homelessness Emergency Response Program amended grant of \$200,000 has been awarded to support non-congregate emergency shelter operations and administrative expenses from July 1, 2021 to March 31, 2022. The Thomas Jefferson Area Coalition for the Homeless plans, designs and coordinates the local homelessness continuum of care and is the provider of record for data collection.

**Discussion**

The City of Charlottesville has staff from the departments of Human Services and Social Services taking leadership roles in the governance of T.J.A.C.H. This grant supports the additional costs associated with maintaining the required data associated with the C.O.V.I.D. global pandemic.

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

This grant advances the City of Charlottesville's Strategic Plan Goal #1 of an inclusive community of self-sufficient residents. Specifically, it will facilitate the objective of increasing affordable housing options.

**Community Engagement**

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for T.J.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

**Budgetary Impact**

This grant will be entirely Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

**Recommendation**

Staff recommends approval and appropriation of grant funds.

**Alternatives**

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing a housing crisis: Emergency low-barrier shelter, coordinated assessment, rapid rehousing, H.M.I.S., coalition coordination and administration.

**Attachments**

1. Resolution\_COVID Homelessness Emergency Response Program-Community Development Block Grant Amendment (\$250,816)

**RESOLUTION**

**Appropriating Supplemental Funding in the Amount of \$250,816 to be received from Community Development Block Grant for the COVID Homelessness Emergency Response Program (C.H.E.R.P.)**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the C.H.E.R.P. Grant from the Virginia Department of Housing and Community Development in the amount of **\$250,816**.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of **\$250,816** is hereby appropriated in the following manner:

Revenues  
**\$250,816**      Fund: 209      IO: 1900448      G/L: 430120 Federal Pass Thru

Expenditures  
**\$250,816**      Fund: 209      IO: 1900448      G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of **\$250,816** in funds from the Virginia Department of Housing and Community Development.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2022
Action Required:	Approval and Appropriation
Presenter:	Christopher Carr, Management Specialist II
Staff Contacts:	Christopher Carr, Management Specialist II Victor Garber, Deputy Director
Title:	<b>Appropriating Funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$250,000 (1 of 2 readings)</b>

**Background**

The City of Charlottesville, through the Parks and Recreation Department, has received approval for reimbursement of up to \$250,000 from the Virginia Department of Education Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs, and dinner to our community housing centers.

**Discussion**

Charlottesville Parks and Recreation will operate five Summer Camp programs and four community housing centers (Westhaven, Friendship Court, South First, and Greenstone) throughout the City of Charlottesville. These sites serve children in Pre K-9th grades, for eight weeks during the summer, June 22-August 12. Various activities are planned from 9:00am-4:00pm, Monday through Friday. This summer we will be sponsoring the Girls and Boys Club and the YMCA. The reimbursement will cover the costs of nutritious meals at these locations, which also have an educational/enrichment component. The Virginia Department of Education Special Nutrition Program provides a free, nutritious breakfast and lunch for these children, and the community housing centers will provide a free, nutritious dinner. Most of the children served receive free or reduced meals during the school year. The Parks & Recreation Camp has almost 2,000 enrollees this summer.

The \$250,000 appropriation covers the cost of the food and administration of the summer food service program. The breakfast and lunches are purchased through the City of Charlottesville School Food Service and the dinners will be purchased through Pearl Island Foods, LLC. The Parks and Recreation Department pays the bills to the

City of Charlottesville Food Service and Pearl Island Food, LLC, and is then reimbursed by the Virginia Department of Education Special Nutrition Programs.

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

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and it contributes to Goal 2 of the Strategic Plan to be a safe, equitable, thriving, and beautiful community. Children will receive nutritious breakfast, lunch and/or dinner, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

**Community Engagement**

N/A

**Budgetary Impact**

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

**Recommendation**

Staff recommends approval and appropriation of funds.

**Alternatives**

If money is not appropriated, the free breakfast and lunch program will not be offered to youth, most of whom receive free or reduced meals during the school year.

**Attachments**

1. SFSP Resolution

**RESOLUTION APPROPRIATING FUNDS FOR  
Virginia Department of Education Special Nutrition Program  
Summer Food Service Program  
\$250,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$250,000 from the Virginia Department of Education Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs; and

**WHEREAS**, the grant award covers the period from period June 22, 2022 through October 31, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, which the sum of \$250,000, received from the Virginia Department of Education Special Nutrition Program, is hereby appropriated in the following manner:

**Revenue – \$250,000**

Fund: 209                      Internal Order: 1900473                      G/L Account: 430120

**Expenditures - \$250,000**

Fund: 209                      Internal Order: 1900473                      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$250,000 from the Virginia Department of Education Special Nutrition Program.



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



Agenda Date:	July 18, 2022
Action Required:	Approval and Appropriation
Presenter:	Ashley Marshall, Deputy City Manager
Staff Contacts:	Ashley Marshall, Deputy City Manager Gail Hassmer, Chief Accountant
<b>Title:</b>	<b>State Criminal Alien Assistance Program (SCAAP) Grant for 15PBJA-20-RR-00381-SCAA for \$4,748 (1 of 2 readings)</b>

**Background**

The City of Charlottesville has received the State Criminal Alien Assistance Program Grant (SCAAP), on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$4,748. These are federal funds to reimburse the Albemarle-Charlottesville Regional Jail for Fiscal Year 2020 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 (SCAAP) 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.

**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 as 78% of these funds will be passed through directly to the Regional Jail. The remaining 22% will be sent to 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**

1. Resolution\_ \$4,748 SCAAP Regional Jail appropriation

**RESOLUTION**  
**Appropriating funds for State Criminal Alien Assistance Program**  
**(SCAAP) Grant for 2020 reimbursement - \$4,748**

**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 \$4,748.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that a total of \$3,703.44 be appropriated and passed through to the Albemarle-Charlottesville Regional Jail and \$1,044.56 be appropriated and passed through to Justice Benefits, Inc.

**Revenues**

\$4,748.00	Fund: 211	Internal Order: 1900474	G/L Account: 431110
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**Expenses**

\$3,703.44	Fund: 211	Internal Order: 1900474	G/L Account: 530550
\$1,044.56	Fund: 211	Internal Order: 1900474	G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$4,748 from the U. S. Bureau of Justice Assistance.

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



Agenda Date:	July 18, 2022
Action Required:	Approval of resolution
Presenter:	Lisa Robertson, City Attorney
Staff Contacts:	Maxicelia Robinson, Deputy Clerk of Council Kyna Thomas, Clerk of Council
<b>Title:</b>	<b>Reconstituting the Charlottesville Planning Commission to Achieve Staggered Terms (1 reading)</b>

**Background**

State law establishes certain parameters to be satisfied by a locality when appointing individuals to serve as Planning Commission (“PC”) members. Within Virginia Code §15.2-2212 the General Assembly specifies that (i) all PC members must be residents of the City, (ii) all must be qualified by knowledge and experience to make decisions on questions of community growth and development; (iii) at least one-half of the membership (i.e., 4 members) must be owners of real property.

When the membership of a PC is first appointed, the individuals appointed serve respectively for terms of one year, two years, three years and four years, divided equally or as nearly equally as possible between the membership. Subsequent individuals appointed to those “seats” then serve four-year terms. If done correctly, the terms will remain staggered so that a commission will never have more than one or two terms expire in any given year.

**Discussion**

On August 31, 2022 five of seven seats on the Planning Commission will expire. This situation is out of sync with the requirements of Virginia Code §15.2-2212. Staff proposes that City Council take formal action, by resolution, to reconfigure and reconstitute the membership, as if Council were filling each of the seats on the Commission for the first time. This will require three of the five seats to be filled for a short “Interim Term”. Upon the expiration of the Interim Term, each subsequent appointment to that seat (whether an incumbent, or a different individual) will be for a term of four years, which will always expire on August 31, regardless of the date on which an appointee’s term commences.

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

N/A

**Community Engagement**

None required

**Budgetary Impact**

None

**Recommendation**

Approval.

*Suggested motion: "I MOVE the RESOLUTION Reconstituting the Charlottesville Planning Commission and appointing or reappointing its members for staggered terms"*

**Alternatives**

Approval of the resolution is required in order to comply with state law and the City's zoning ordinance.

**Attachments**

1. RESOLUTION for PC Staggered Terms

**RESOLUTION**

**Reconstituting the Charlottesville Planning Commission and appointing or reappointing its members for staggered terms**

WHEREAS Section 15.2-2212 of the Code of Virginia (1950), as amended, (“Va. Code”) requires local planning commissions to be constituted in accordance with certain specifications, including certain categories of membership (including a requirement that at least half of the membership must be owners of real property); and

WHEREAS pursuant to City Code §2-237 of the City Code, the Charlottesville Planning Commission consists of seven members; however, the intervals for staggering of the terms of the seven commissioners no longer comply with statutory requirements, which specify terms staggered at one-year intervals, divided equally or as nearly equal as possible between the membership;

WHEREAS pursuant to the Three-Party Agreement executed among the City, the University of Virginia (UVA), and Albemarle County in 1986, the City agreed to include a representative of UVA as a non-voting member of the planning commission; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville that the Charlottesville Planning Commission is hereby reconstituted and its membership re-appointed, and three individuals are hereby appointed to “Interim Terms” to allow for the terms of the planning commission members to be staggered in the manner required by Virginia Code §15.2-2212, as follows:

- |         |   |                               |
|---------|---|-------------------------------|
| Seat 1. | Interim Term (ending August 31, 2023)   | Appointee:                    |
| Seat 2. | Regular Term (ending August 31, 2024)   | Liz Russell – reappointed     |
| Seat 3. | Regular Term (ending August 31, 2024)   | Lyle Solla-Yates –reappointed |
| Seat 4. | Interim Term (ending August 31, 2025)   | Appointee:                    |
| Seat 5. | Interim Term (ending August 31, 2025)   | Appointee:                    |
| Seat 6. | Regular Term (ending August 31, 2026)   | Appointee:                    |
| Seat 7. | Regular Term (ending August 31, 2026)   | Appointee:___                 |
| Seat 8. | UVA <i>ex officio</i> , per 1986 3-Party Agreement (not appointed by Council) |                               |



# City Manager's Report

July 2022

## UPDATES FROM CITY MANAGER MICHAEL ROGERS

- Since the last Council Meeting, the City Manager has attended the Airport Authority Board Meeting which approved the Authority's FY 23 Budget and conducted the Performance evaluation of the Executive Director. The airport is rebounding from huge dip in total monthly passengers from 25% reduction in 2020 and 52% reduction in 2021 up to an 87% increase in 2022 over 2021. Total revenues are up but the Net income is still negative and will be covered by Cares Act funding.
- I attended the Board meeting of the Rivanna Water and Sewer Authority, where after much discussion the Board approved the Central Waterline Project.
- I also visited the Charlottesville Albemarle Botanical Gardens with members of its of Directors. I am impressed with the progress the Board is making with fund raising and will schedule the Board to make a presentation to the Council in the fall.
- I toured all of Charlottesville's parks with Parks and Recreation Director Dana Kasler. The Parks and Rec master Plan study that is under way will go a long way toward determining the actions needed for better utilization and maintenance of our parks.
- The Kickoff meeting with our selected collective bargaining consultant was held on July 8. Our target is to submit a Collective Bargaining Ordinance to Council for the August 15 meeting for First reading.
- We are in the final stages of selecting an executive recruitment firm for our police Search. The search is projected 90-120 days from the date of contract execution. We will require extensive public engagement as we determine what issues the community would like to see addressed by the next Police Chief. There will be a community survey as well as stakeholder focus groups as part of the process as we construct a process that will maintain the confidentiality of candidates until we have screen down to the finalist. There will be more to report on the process as we conclude talks with the final two firms, and one is selected.
- We participated in a meeting of neighborhood associations and staff answered a number of questions submitted in advance. Great dialogue. The Questions and answers are attached.
- I also met with Friends of Downtown Mall to discuss a variety of issues affecting merchants and residents of the Downtown Mall. A number of issues of safety, cleanliness and maintenance will be addressed by a Committee of internal staff working together as a Committee for the preservation, safety and maintenance of the Downtown Mall. Once the committee comes forward with its report council will be asked to establish a citizen Committee to plan for the 50<sup>th</sup> Anniversary of the mall in two years.



## UPDATES FROM DEPUTY CITY MANAGER ASHLEY MARSHALL

- **Staffing Update**
  - Information Technology: The City is proud to announce the hiring of Mr. Steve Hawkes as Director of Information Technology after the completion of a competitive process. Mr. Hawkes has served as the interim Director for the office but was awarded a promotion after a two-round interview process. The department also is celebrating moving Tyler Henderson, Senior Technical Support Specialist, to regular status and congratulating Mark Simpson, GIS Coordinator, on his 14-year anniversary.
  - Communications and Public Engagement: The Office is proud to announce the hire of Caroline Rice as its new Public Engagement Coordinator and Mr. Kyle Ervin as its Public Safety Information Officer. Ms. Rice starting on June 21st will work on all public engagement and social media needs outside of public safety, including providing leadership for city events such as Grand Illumination. Mr. Ervin starting on July 12<sup>th</sup> will provide communications and social media support for the Charlottesville Fire Department, Charlottesville Police Department, as well as Charlottesville's Sherriff's office as needed.
- **2022 Employee Engagement Survey**
  - The City of Charlottesville has reengaged the University of Virginia Center for Survey Research within the Weldon Cooper Center for Public Service. The survey was opened to staff on May 11, 2022 and closed on June 6, 2022. The Center for Survey Research is currently working on analyzing and compiling the results of the study but has reported that our employee participation slightly exceeded that of the 2017 administration of the survey.
- **Racial Equity and Social Justice**
  - The Office of Equity and Inclusion will be hosting a Virtual Groundwater session in August of 2022 led by the Racial Equity Institute. The Groundwater Approach is designed to help people at all levels internalize the reality that we live in a racially structured society, and that is what causes racial inequity. In June 2022, nearly 90 attendees from the City of Charlottesville, City Council, CRHA, JMRL, the Charlottesville-Albemarle PMT, and United Way of Greater Charlottesville participated in the session. Currently, there are 84 staff members signed up to attend the August 2022 session.

## UPDATES FROM DEPUTY CITY MANAGER SAMUEL SANDERS

- **Staffing Update**
  - Welcome Aboard Deputy Chief Michael Thomas joined the Charlottesville Fire Department in June to lead Community Risk Reduction.
  - Jonathan Dean has been named Public Service Manager having previously served as Management Analyst in the department.
  - Tim Morris has been promoted to Deputy Director of the Utilities Department. This move is designed to establish a key succession planning role currently being considered for all departments.
- **Charlottesville City Schools**
  - City staff have been working with CCS leadership to advance Safe Routes to Schools measures as alternatives for the ongoing impact of the bus driver shortage and recent moves to expand walking routes; staff are looking at prioritizing key sidewalk projects, adding crossing signage, and supporting safe navigation of busy intersections.
- **Crescent Halls Bus Stop**
  - Charlottesville Area Transit will not relocate the bus stop at Crescent Halls. The Resident Council

was recently advised that the restoration of the bus stop will be a feature of the renovations near completion and residents will be able to access the bus at the front entry to the building. City staff will continue to seek service improvements through JAUNT.

## CITY MANAGER'S OFFICE UPDATES

- **Office of the City Manager** – Executive Assistant Terry Bentley (she/her)
  - The City Manager would like to remind the community to please take advantage of the MyCville app for the reporting of any issues identified across the city. This administration of this tool has been assigned to the Office of Community Solutions. OCS staff will ensure the timely assignment and resolution of items by designated staff in the departments. Where there are items unassigned, the OCS team will work to resolve them directly. This is intended to maximize the efficiency and effectiveness of this community resource.
- **Budget and Management** – Director Krisy Hammill (she/her)
  - The Office is working with OpenGov, our budget software vendor, to integrate with SAP, the City's Financial ERP system. Further, they are updating the features of OpenGov to help improve the budget development process and increase opportunities for more transparency and availability of budget information on the City's website. This project will be ongoing through Summer 2022. The Office will also present a quarterly financial update at City Council's June 21, 2022 meeting.
- **Communications & Public Engagement** – Deputy Director David Dillehunt (he/him)
  - Ms. Olivia Shimp, the Office's Summer Intern, is working on creating a City photo and video library for media releases. Internally, the office continues to work on providing employee updates and newsletters with the next edition of the Cville360 to be released in July 2022. The Office also assisted with live streaming for the Charlottesville High School's June 2022 Graduation at Ting Pavilion on June 9<sup>th</sup>, and the Charlottesville High School String Ensembles' performance in Los Angeles, California on June 15<sup>th</sup>.
- **Community Solutions** – Interim Director Alex Ikefuna (he/him)
  - Staff continue working to organize and consolidate storage of key items such as city leases and city-owned property. The current project is focused on the assembly of all Intergovernmental Agreements for a presentation to Council in August. All of these items will form a new centralized repository of this important information.
  - Staff recently completed the revision of the new Housing Program Manager role which will be posted as available this month. This is an expanded role to manage the city's affordable housing programming.
- **Economic Development** – Director Chris Engel (he/him)
  - The Office of Economic Development recently joined Bread & Roses for a ribbon cutting ceremony to celebrate the addition of a new walk-in cooler. Bread & Roses is an outreach ministry of Trinity Episcopal Church that provides access to a commercial commissary kitchen for early-stage food and beverage start-ups. OED's Building Resilience Among Charlottesville Entrepreneurs or BRACE grant provided funding support for the addition of the cooler. Since its inception in 2015 – Bread & Roses has assisted 20 start-ups with access to a certified commercial kitchen with many of those same start-ups also receiving support from OED.

- **FOIA** – Acting FOIA Officer Teresa Pollack (she/her)
  - The city is currently working to hire a permanent FOIA Officer with interviews expected later this month and a hiring in August.
- **Human Rights** – Director Todd Niemeier (he/him)
  - The Office of Human Rights is currently averaging 14 incoming contacts per day and provided 424 incoming and outgoing contacts related to individual service provision during May 2022. Contacts include in-person walk-ins, in-person appointments, phone calls, community visits, and emails. Further, the Office currently has eight (8) open formal complaints that are in various states of an investigation by the Director or mediation by Resolute Mediation and Arbitration. Most often, daily contacts with the office are requests for advocacy focused on needed homeless support services, landlord relations, accessing mental health supports, and navigating the complex network of non-profit and governmental supports in the community. The Office is also working on new/updated marketing material that will be in both print and multimedia forms, including the information being ADA and language accessible.
- **Downtown Job Center & Home to Hope Program**– Lead Roy Fitch Jr. (he/him)
  - The Downtown Job Center and the Home to Hope program are participating in the community “One Stop Shop” events to support our neighbors and friends who will be returning home from incarceration thanks to the Virginia Earned Sentence Credit Law. The One Stop Shop works to meet needs involving medical and mental health care, substance use counseling, financial literacy and support, career counseling, access to housing, and education and apprenticeship opportunities. The One Stop Shop will be held weekly through July on Wednesdays from 10-1pm at 750 Harris Street (District 9 Probation). Food will be provided as well.
- **Charlottesville Area Transit** – Director Garland Williams (he/him)
  - Currently working with a consultant to develop a tabletop exercise in support of CAT’s emergency preparedness as required by state and federal authorities.
  - Ongoing priority is focused on addressing the critical bus driver shortage – reviewing possible changes to compensation structure to ensure competitiveness in the local market.
- **Charlottesville Fire Department** – Chief Hezedeane Smith (he/him)
  - Congratulations Chief Smith on being appointed to a three-year term as Commissioner on the Commission on Professional Credentialing (CPC) from July 1, 2022 – June 30, 2025.
- **Charlottesville Police Department** – Assistant Chief Major LaTroy Durette (he/him)
  - Members of the Charlottesville Police Department participated in the Law Enforcement Torch Run for the Special Olympics Virginia on June 9th. The team, lead by Captain Steve Knick, raised nearly \$3,700 for a great cause.
- **Human Resources** – Director Mary Ann Hardie (she/her)
  - The City is continuing to move through the Classification and Compensation study data collection process. Position data will be collected through PDQ documents, and process will be done in three phases. The data provided will assist in Gallagher moving forward in the process. The anticipated completion of this study will be around December 2022/January 2023. Finally, the City is working on completing many hires in multiple departments. Please go to our website to see all openings and encourage eligible applicants to apply: <https://www.charlottesville.gov/695/Employment-with-the-City-of-Charlottesvi>

- **Human Services** – Director Misty Graves (she/her)
  - The Department of Human Services Community-Based Services CAYIP program has begun for Summer 2022 for City youth aged 14-21 who applied in the spring and were accepted into the program. The Community Attention Youth Internship Program (CAYIP) works to ensure that its interns engage in career exploration, identify their strengths and build resiliency, and connect to positive adults and to resources in the community. The interns have completed the CAYIP Academy, which was held June 21-24, 2022, where they learned workplace readiness skills, communication and conflict management skills, and banking and budget skills, among others. The teens now will work up to twenty hours a week through the end of July with graduation in July 29, 2022, and they are able to earn a performance-based stipend as well.
- **Information Technology** – Director Steve Hawkes (he/him)
  - Internally, the department continues to work on the H: Drive migration for city staff and departments. Further, with regards to cybersecurity, the IT team replaced their old authentication server for the City’s wireless network, VPN users, and network devices with a new, more robust one. This is part of IT’s critical infostructure and a necessary update to maintain our cybersecurity defenses. The department also recently completed an engagement with one of its Cybersecurity partners regarding Data Loss Prevention and the meeting culminated in the City’s ability to fix a number of security permissions issues on folders and files. Further, they were also able to identify a number of potential data security issues that will be addressed over the coming months. The team is also working with several departments to enhance current systems, make more data publicly accessible, create a uniform cloud-based email signature, and develop a Social Equity GIS tool
  - Externally, the department has met with the Emergency Communications Center (ECC) to discuss a project to develop a text, email, and phone alerting system for weather, traffic, and emergencies. This work is ongoing, and the community will continue to be updated as it develops. In addition, the Data Analysis Group met on June 15<sup>th</sup> and was joined by a UVA Civil Engineering professor who provided a presentation that focused on a few UVA-sponsored data-centric projects regarding Smart Cities.
- **Neighborhood Development Services** – Director James Freas (he/him)
  - NDS established a cooperative agreement with the UVA Office of the Building Official to provide critical capacity for development plan review and inspections.
  - NDS currently pursuing critical vacancies: City Building Official and two Building Inspectors
  - NDS is developing a new position description for the role of Transportation Planner, a role to help organize the city’s broader transportation priorities, to include ADA program management
  - NDS hosted a Community Open House on June 27<sup>th</sup> at the Ting Pavilion
    - The event was well-attended and kicks off the comment period for the Zoning Rewrite
    - NDS is moving around the community for a series of meetings being coordinated with neighborhood association and other community groups
    - A joint work session with Council and Planning Commission will be held in late September
- **Parks & Recreation** – Director Dana Kasler (he/him)
  - Parks & Recreation partnered with Wes Bellamy in keeping the community basketball league active. The city, through its sponsorship, provided equipment and supplies to ensure the success of the league since the department does not have capacity to oversee an event of this magnitude.
  - The city is continuing its investment into Tonsler Park based on recent public input sessions.

- Newly proposed improvements will go beyond the already \$2 million invested since 2015:
  - Reconfigure Parking within existing asphalt area
  - Install bleachers for basketball
  - Add one or two picnic shelters
  - Improve usability of Rec Center
  - Potential fitness equipment installations along trail
- **Public Works** – Director Stacey Smalls (he/him)
  - Administration: Developing new Financial Analyst role to support financial operations coordination with Finance Department and Office of Management and Budget.
  - Engineering: Interviewing later this month for a new role of Sr. Project Manager to provide direct support to the project managers in their execution of VDOT projects.
  - Engineering: Currently advertising project manager positions and new administrative assistant role to coordinate at a high level for the division.
  - Engineering: Traffic Engineering section currently pursuing Assistant Traffic Engineer and Traffic Inspector
  - Environmental Sustainability: Energy Savings Performance Contract (ESPC): Contractor CMTA is compiling cost estimates for the various energy conservation measures (ECMs) identified and building out a decision support tool to use in evaluating the project components by building portfolio (e.g., school building, city buildings). Internal sessions to review options scheduled for late July.
  - Environmental Sustainability: Coordinating with Parks on some LED upgrade/retrofits of Dominion-owned lights at Tonsler (fixtures around the facility as well as in the parking lot) which will be a good pilot for LED streetlight conversion.
  - Facilities Development: interviewing for Facilities Development Manager later this month; this will return a full-time manager to oversight of the construction projects for the city.
  - Facilities Maintenance: currently working to define maintenance agreements to support leases of city-owned property in collaboration with Office of Community Solutions staff who maintain agreements for the city.
  - Fleet: currently evaluating software to support the efficient and effective management of the city fleet.
  - Public Service: currently working with CRHA to designate multi year lease space in the Avon Yard in support of the ongoing redevelopment of public housing across the city.
- **Utilities** – Director Lauren Hildebrand (she/her)
  - Utilities staff is currently working to develop a Scope of Work for Decarbonization of the Gas Utility study.
  - Fiscal Year 2023 Utility Rates have been approved, and new rates went into effect on July 1, 2022.
    - The Summary of Rates is currently being sent as a Utility Billing insert in the July billing cycle to customers who receive a paper bill.
    - An electronic version of the Summary of Rates was sent via the Utilities’ E-Newsletter to customers who receive paperless billing.
    - The Summary of Rates and the Utility Rate Report can be found on the city website at [www.charlottesville.gov/utilityrates](http://www.charlottesville.gov/utilityrates).
- **Social Services** – Director Sue Moffett (she/her)
  - The Department of Social Services is accepting applications for Cooling Assistance. Persons who were preapproved do not need to reapply. Further, Ukrainian Humanitarian Parolees may not be eligible for

public assistance in Virginia – including cash assistance, SNAP benefits, and Medicaid. On both matters, please contact the Department of Social Services at 434-970-3400 for additional information/ Comuníquese con el Departamento de Servicios Sociales al 434-970-3400 para obtener información adicional. Finally, the Department of Social Services is also participating in the community One Stop Shops to support formerly incarcerated community members who are returning back to the community thanks to the Virginia New Earned Sentence Credit law. The Downtown Job Center and Home to Hope are also participating as city representatives. The One Stop Shops will be held each Wednesday through July from 10-1pm at 750 Harris Street.

## **APPOINTEES AND ELECTED OFFICIAL UPDATES**

- **Finance Office** – Director Chris Cullinan (he/him)
  - The Finance department’s Risk Manager is currently perusing software to support improved efficiency in managing risk operations. The Risk Manager also will continue to monitor the ongoing pandemic, and as of the date of publication the Charlottesville community has been downgraded to a “medium” COVID risk locality. The Procurement Manager is currently working to fill several vacancies within her department – interested applicants should apply via the City’s online job portal. Finally, the department would like to provide an update on utility disconnections for nonpayment (as of June 21) -- Since April 11, the Utility Billing Office has notified 335 accounts of pending disconnection. Of that number, UBO initiated disconnection for 335 accounts. Of the 335 disconnections initiated, 33 remain off. Eighty-Nine percent (89%) of accounts in arrears have made payments/payment arrangements.
- **Sheriff’s Office** – Sheriff James Brown, III (he/him)
  - Currently maintaining operations without three deputies who are currently in the Academy which is scheduled to be completed in December.
- **Treasurer’s Office** - Treasurer Jason Vandever (he/him)
  - The Treasurer’s Office successfully completed the first half tax deadline for personal property and real estate taxes due on June 6, 2022. Taxpayers continue to reach out to the office regarding unpaid bills and request payment plans. The Office is still targeting July 2022 for the resumption of passport application services, but a solid date is forthcoming. Additionally, over 4000 annual trash decal renewals have been mailed for the new Annual Trash Decal year commencing July 1, 2022. Residential trash customers can reach out to our office to purchase a new trash decal at 434-970-3146 or may schedule an in-person appointment virtually at <https://www.charlottesville.gov/551/City-Treasurer>

# NEIGHBORHOOD LEADERS MEETING

Thursday, June 23, 2022, 5:30 PM

## Questions & Answers

### Greenleaf Terrace in Barracks Rugby Neighborhood

- We've heard the intersection at Rugby and Rose Hill has found the money to move forward with making that intersection a little more pedestrian friendly - is this true? Anticipated timeline? **(STACY SMALLS, PUBLIC WORKS)**

*Response: We have selected contractors and are working through the final pieces of the procurement process. This should be completed in early July. While construction has not been scheduled, it may begin as soon as late July.*

- Construction at the Rugby Ave/250 Bypass by McIntire Park update? Any idea when it will be complete? **(STACY SMALLS, PUBLIC WORKS)**

*Response: City do have a VDOT project there. It is managed by Parks as it was going to be a trail or something but morphed into some streetscape work.*

- Greenleaf Lane water main replacement - anticipated completion date? **(LAUREN HILDEBRAND)**

*Response: The new water line work has been installed, and the contractor is concentrating on the water service line work now. Remaining work includes two water line tie-ins at Gentry Lane and Oakleaf Lane and restoration. There will be approximately a week and half of inactivity in July when the crew will be moved to assist with another water line project. Restoration paving will start in late July and we anticipate the completion date is anticipated to be mid to late August. An update of the contractor's progress will be sent to the neighborhood leader in July.*

### Fifeville Neighborhood

- Biggest concern is the speeding on the old 5th St SW. The police department put up a machine that showed each car's speed which were for the most time, cars were speeding. It's dangerous for us to even get out of the car when a car is coming down the street. No one has ever gotten back to me about what their plans are. Our entire street are really worried about this. **(CHIEF TITO DURRETTE)**

*Response: To the best of my knowledge and after consulting with my Traffic Unit Officers, we are not aware of speed trailers being deployed to that area since pre-pandemic. At that time data collected showed that traffic coming through did show signs of some speeding. The unit*

*did note that the amount of cars parked on the street can inhibit their abilities to record and enforce speeding. If in fact has been a couple of years since we looked at this area, the Police Department will have the supervisor of our Traffic Unit look back into this area and the concerns residents have for speeding.*

- I would like to know about what the city is going to do about these unmaintained islands located on 5th Street. They look horrible and I am tired of calling to tell them to cut them..(DANA KASLER, PARKS & REC)

*Response: Parks and Rec staff took care of the maintenance last week*

## **Little High Neighborhood**

### **Sidewalks**

- What can we do to get more and better sidewalks? (STACY SMALLS, PUBLIC WORKS)

*Response: The City is planning a reorganization of the Human Rights, NDS and Public Works (Engineering) staff to better facilitate the planning and prioritization of sidewalk projects. This way sidewalk projects of different scales meeting different goals can be better executed.*

- What methodology is used to prioritize which streets are paved, and where do Meriwether Street, 12<sup>th</sup> Street NE and 13<sup>th</sup> Street NE lie on the planned paving list? (STACY SMALLS, PUBLIC WORKS)

*Response: The results of a Pavement Management System analysis provide a quantitative performance score called the Pavement Condition Index (PCI). Pavement Condition Index (PCI) is an engineering term representing the surface condition of the pavement on a scale of 0 to 100.*

*Additionally, as part of our Street Resurfacing Program, streets prioritized on our paving list have to be incorporated into a proper ADA upgrade program and scheduled around other City work (such as water/sewer or streetscape projects). Adjacent sidewalks are required to be repaired/upgraded to ensure compliance with Federal ADA requirements; this includes upgrading or installing curb ramps and hazard mitigation. This maintenance action is required as resurfacing is a qualifying alteration and protects the integrity of the new pavement by doing site work ahead of time to minimize new cuts for concrete work tie-ins. \*\*Current site/concrete work is delayed due to labor resource issues with the City's on-call contractor causing paving plan delays as well.*

#### **Street Status:**

- *Meriwether St. - PCI Score of 48, on our planned paving list (FY23). Currently deferred for required waterline work to be completed first*
- *12th St. NE - PCI Score of 48, on our planned paving list (FY23).*
- *13th St. NE - PCI Score of 42, on our planned paving list (FY22). Currently delayed due to required concrete work*



- Why are sidewalks apparently a very low priority for the City given that sidewalks are a key part of several of the City's other goals such as reducing our carbon footprint, adding greater housing density, reducing automobile traffic, and improving the overall quality of life for all residents? None of these other goals can be achieved if the City doesn't have adequate sidewalks. Our neighborhood, like every other neighborhood in Charlottesville, needs more and better sidewalks; have been on a waiting list for new and improved sidewalks for many years. Where does our neighborhood fall on this list at present and what can we do to make some progress on making our neighborhood more walkable? **(STACY SMALLS, PUBLIC WORKS)**

***Response: Currently, the Bicycle and Pedestrian master plan shows the number one priority sidewalk project for the Martha Jefferson neighborhood is 12<sup>th</sup> Street NE from Meriwether to East Jefferson. The reorganization of city staff in Human Rights, NDS and Engineering (Public Works) is a testament to the city's commitment to properly prioritizing, funding and executing sidewalk projects for equity and climate resiliency reasons. Also, there are some improved sidewalks coming to this area through the East High Streetscape project which will likely commence construction in late 2023.***

- There are many senior citizens, small children, and people with disabilities in our neighborhood for whom the lack of sidewalks is a serious safety, health, and quality of life problem. If the city is serious about achieving its climate goals, our neighborhood residents need adequate sidewalks so they can walk safely and won't be tempted to drive the very short distance to the downtown mall or to the greenbelt, etc. **(STACY SMALLS, PUBLIC WORKS)**

***Response: The reorganization of city staff in Human Rights, NDS and Engineering (Public Works) is a testament to the city's commitment to properly addressing the prioritizing, funding and execution of sidewalk projects for equity and climate resiliency reasons.***

## **Traffic Calming (STACY SMALLS, PUBLIC WORKS, all 5-7)**

- How can we work with the city to have serious discussions about traffic calming for our neighborhood?

***Response: The City Traffic team is very short staffed (1-man shop). We have received the petition and as soon as manpower (advertising one position and planning for another) improves, staff will definitely analyze this and other areas of concern in the city. This will also involve more outreach and communication with the community.***

- We have had problems with people driving through our neighborhood streets way too fast. We submitted a petition in June 2021 requesting the implementation of traffic calming measures. We followed up with voicemails and a letter last September and phone calls this past spring. The member of our neighborhood association who was in charge of this effort recently wrote to me and said. I have lost patience with the city listening to us. Sorry, I feel done with it.

***Response: We deeply apologize for your frustration and take your petition seriously. However, the City Traffic team is very short staffed (1-man shop). We have received the petition and as soon as manpower (advertising one position and planning for another) improves, staff will definitely analyze this and other areas of concern in the city.***

- Do we have to wait until a pedestrian or bicyclist is seriously injured or killed by a speeding car to get the city to work with us on traffic calming?

***Response: We deeply apologize for your frustration and take the safety of pedestrians and bicyclists seriously. However, the City Traffic team is very short staffed (1-man shop). We have received the petition and as soon as manpower (advertising one position and planning for another) improves, staff will definitely analyze this and other areas of concern in the city.***

## **Affordable Housing (ALEX IKEFUNA, OCS)**

- Could the city come up with an impartial metric to assess the affordable housing claims made for new construction proposals? This would be a sort of "truth in labelling" requirement that would impartially quantify the affordable housing component of all new housing construction. Real estate developers are adept at exploiting public sentiment in favor of affordable housing and will shamelessly claim that their projects include affordable housing when they actually do not. A luxury housing project in our neighborhood won approval from City Council because of the developer's cynical and dishonest promise it would include affordable housing. To prevent this kind of thing from happening again, why can't the City rate every housing project using variables like (1) number of people who would be displaced by the new construction; (2) number of new affordable units and percentage of the total; (3) the AMI level for which the housing would be priced; (4) the period of time for which the housing would be affordable; etc.?

***Response: Yes, the City can come up with a standard system for assessing affordable housing preferred by a developer as part of the Special Use Permit and rezoning application that meets City Code Section 34-12. The new Affordable Housing Plan recommended developing a tracking system to track proffered affordable housing, including those directly funded with city funds. Development applications are currently reviewed by appropriate city departments to ensure that services and infrastructure are adequate to support the development. Housing implications are also part of the development review process.***

- What plans are there to re-house the low-income residents who live in the houses that will be torn down for the new townhouse project?

***Response: The City has no ready units for re-housing those that are displaced; however, if City money is involved, the project is required to comply with the City Displacement and Relocation Policy. In addition, the City provides assistance designed to mitigate evictions, including rental assistance.***

- At present, there are roughly a dozen low-income residents living in rental houses in the area on or near East Market and 10th and 11th streets. The Little High Neighborhood Association is well aware of the affordable housing crisis in Charlottesville/Albemarle, we would like to see significant increases in well-planned affordable housing in the Charlottesville area, and this definitely includes within our neighborhood. So we are especially concerned about the *loss* of any affordable housing units within our neighborhood.

***Response: The City is equally concerned about the accessibility and affordability of housing in Charlottesville; a challenge that prompted the city to develop a robust Affordable Housing Plan as part of its Comprehensive Plan update. The plan's focus includes recommendations designed to address funding, tenants' rights, racial equity, land use, regional collaboration. The ongoing zoning re-write coupled with the provisions in the adopted Comprehensive Plan will help to spur development of more affordable housing in the city.***

## **Environmental Sustainability**

- Given the City's commitment to reducing greenhouse gas emissions, are there plans to convert city public buildings (schools, etc.) to solar power as soon as possible? If not, why not? **(STACY SMALLS, PUBLIC WORKS)**

***Response: Yes. We have been and continue to work on this, including evaluating options now as part of the Technical Energy Audits of school and government buildings. More information about the Technical Audits***

- Can the City provide some sort of rating for the environmental sustainability of every new construction project? **(STACY SMALLS, PUBLIC WORKS)**

***Response: For City projects, we have a Green Building Policy (requiring LEED certification) and have integrated several sustainability measures for projects...but not a rating system.***

***The City would have to explore what a rating system for private construction would consist of and how it would differ between by-right and other projects. There are already regulations that apply to land disturbing projects. LEED or other green building certification is certainly encouraged, but this system does not apply to all construction projects.***

- Can the City work with UVA as well as Albemarle and other nearby counties to create rideshare programs for the very large number of people who work in Charlottesville but who live in Albemarle or even further away? **(GARLAND WILLIAMS, TRANSIT)**

***Response: Yes. CAT is working with UVA and Albemarle County to explore and evaluate transportation options aimed at Albemarle residents that commute into the City of Charlottesville. CAT can only provide service to a jurisdiction that requests and funds the additional service. If CAT is asked to provide additional service and has the required resources (e.g., operators, buses and mechanics), CAT is willing to expand the regional service model.***

- Given the City's commitment to reducing greenhouse gases, can the City devise programs to encourage households to adopt more sustainable behaviors -- e.g. subsidized compost service for people who can't afford the \$20 or so fee that private compost pickup services charge? **(STACY SMALLS, PUBLIC WORKS)**

***Response: This could be further explored, however, budget implications would have to be investigated. Also, the City currently offers free composting drop-off services to City residents through two City-run locations and through the RSWA at McIntire Recycling Center (details at: [charlottesville.gov/composting](https://www.charlottesville.gov/composting)). The City also offers a host of green incentives and rebates that encourage and promote the adoption of sustainable practices. A full list of these incentives and rebates can be found here: <https://www.charlottesville.gov/724/Green-Incentives-Rebates>.***

- Can the City ban noise and air-polluting lawn equipment like gas-powered leaf blowers? **(STACY SMALL, PUBLIC WORKS)**

***Response: The City does not currently have the authority to do this (Dillon Rule State). There was a bill introduced in the recent General Assembly ([HB 1337](#)) to permit local regulation of use of gas-powered leaf blowers, but it did not move forward. This could be included in the City's next legislative agenda packet.***

## **Central Water Line Project**

- Does the City Manager's office have input on the route the Central Waterline Project takes? We have many concerns and questions regarding the Central Water Line Project proposed by the RWSA. First of all, we want to make clear we are NOT opposed to public infrastructure improvements per se. If there are clear and compelling reasons why the water line project has to go through our neighborhood, we won't object. But the so-called "southern route" that takes the project through our neighborhood raises all sorts of flags. For starters, this route is the least direct and the most expensive and there are clear alternatives so its choice is curious. **(DEPUTY CITY MANAGER, OPERATIONS/LAUREN HILDEBRAND, PUBLIC UTILITIES)**

***Response: The City Manager is a member of the RWSA Board along with Councilor Brian Pinkston. RWSA's Executive Director presented the Central Water line project to the RWSA Board and Council in January 2022. In addition, City staff including the Director of Utilities and the Traffic Engineer have been an integral part of the team evaluating and giving input regarding the routes. The Executive Director also presented the Central Water Line project to City Council at the June 21<sup>st</sup> work session and plan on presenting to the RWSA Board on June 28<sup>th</sup>. RWSA will be glad to attend another Little High neighborhood meeting to answer any additional questions. As the construction phase of the project is approaching, approximately 2024, RWSA will reach out to the neighborhood associations to present information, answer questions and receive comments at their meetings.***

- Does the City consider its infrastructure plans with regard to goals like racial equity? We've been offered the explanation that the southern route is less disruptive and involves fewer obstacles in terms of underground work. Regarding the notion that the southern route is **less disruptive**, we want to know if the project leaders have really done their homework on the impact it would have on our neighborhood. One option of the proposed route is for it to follow 11th Street NE from East Market to East High (or possibly switch from 11th to 10th street at some point along the way). We would like to point out that tearing up the small stretch between 11th Street between East Market and East Jefferson would have a sharply negative impact on one of our neighborhood's businesses, a child daycare center called **First Steps Infant Development Center**. This thriving business is highly dependent on quick and easy automobile access -- i.e., parents need to be able to drop off and pick up their children quickly on their way to and from work. If parents aren't able to have quick automobile access to this day care center many might opt to take their business elsewhere which might threaten the viability of this business. First Steps is, incidentally, a woman and minority owned business and we think this is precisely the type of business that the City should try to foster if its commitment to racial equity is sincere. The southern route is notable because this option goes through traditionally African American neighborhoods much more so than the alternative options even when this appears more disruptive -- e.g. where is the traffic on Cherry Avenue going to go during construction? Cherry Avenue is a narrow road with a huge volume of traffic. It hardly seems "less disruptive" to take out a lane of Cherry Avenue. **(DEPUTY CITY MANAGER, RDI/STACY SMALLS, PUBLIC WORKS/LAUREN HILDEBRAND, PUBLIC UTILITIES)**

***Response: RWSA will coordinate with all businesses along the route as they complete detailed design to ensure their needs are addressed. RWSA has reached out to First Steps Infant Development for input.***

Regarding the claim that the southern route is less disruptive than the other options, we want to know:

- Are City planners aware that there is apparently a large underground spring along 10th street and East High? Has the extra time and expense of going through the area around 10th and East High been factored into the decision-making process? **(LAUREN HILDEBRAND, PUBLIC UTILITIES/STACY SMALLS, PUBLIC WORKS)**

***Response: This information will be conveyed to RWSA, so it can be incorporated in their detailed design as needed***

- The Sentara building project going up at 10th and East High has proceeded very slowly because of the underground spring. When the site was first excavated in 2020, it filled up with a huge amount of water and this was not from rain or runoff from elsewhere. Even in the driest months, I was startled to see several signs warning about **quicksand** marking off a big part of the construction site. We understand all sorts of things have been done to drain the water away. If you drive by it now you will see a steady stream of water flowing down Little High Street from the construction site to the storm drains before 11th Street. **(STACY SMALLS, PUBLIC WORKS/LAUREN HILDEBRAND, PUBLIC UTILITIES)**

***Response: This information will be conveyed to RWSA, so it can be incorporated in their detailed design as needed.***

- What is the plan for detouring / rerouting traffic from East High Street? The southern route puts the length of **East High Street** under construction at various points. Our small neighborhood streets already get a lot of cut-through traffic between Meade Ave and 9th Street. Our two widest streets, Little High and East Jefferson, aren't wide enough for two cars going in opposite directions to pass each other without one of the cars pulling over. East High Street is a high volume traffic corridor so the amount of rerouted traffic on our small neighborhood streets is a concern. Anything that increases automobile traffic through our neighborhood is a safety issue because there are no posted speed limit signs or traffic calming measures and our sidewalks are very narrow and incomplete. **(STACY SMALLS, PUBLIC WORKS/LAUREN HILDEBRAND, PUBLIC UTILITIES)**

***Response: The plan for traffic control for the Central Water Line Project will be evaluated and confirmed with the City's Traffic Engineer during detailed design which will occur in the 2023 timeframe.***

## **Burying power lines**

- What plans does the city have to start burying power lines? Above ground power lines are vulnerable to the extreme weather caused by climate change and we've had several power outages in the city in just the past year and we're likely to have more and more of these events in coming years. We know that power outages have a disproportionate effect on low-income households (the cost of replacing spoiled groceries, the cost of traveling out of the affected area and staying in a motel, etc.). **(STACY SMALLS, PUBLIC WORKS)**

***Response: The city will convey your concern to our partners at Dominion and seek their advice on any plans they may have in the works.***

## **Fry's Springs Neighborhood**

- What is the city doing to solve the crises in building permitting and inspections? Especially after the recent storm damage, neighbors have concerns about delays in inspections holding up returning to homes. If a homeowner needs to contract a 3rd party inspector, will they be refunded permitting fees? **(JAMES FREAS, NDS)**

***Response: The Building Permit Division is currently experiencing under-staffing that recently impacted the Department's ability to conduct inspections and has presented on-going challenges for the timely review of building permit applications. The root of this problem is long-term issues related to compensation and work conditions but in the last year, the tightening market for construction industry professionals has exacerbated the challenge of losing staff and being unable to fill vacant positions.***

***We are addressing these challenges with short and long-term solutions. Short-term, we have been contracting for additional labor. This past March we contracted with a firm to provide inspection and plan review support – however, that firm then experienced its own staffing turnover challenges and was unable to continue to support the City, leading to the inspections hiatus mentioned above. Last week we were able to sign an agreement with the UVA Building Official to provide plan review and inspections support. We anticipate shortening the lead-time on inspections from the current 1 to 2 weeks back to 1 to 2 days and we are expecting to make significant headway on the plan review backlog.***

***Long term we have added an additional building inspector position in the FY23 budget and will be looking to the Class and Compensation study currently underway to reset our building division salaries to be more competitive in the marketplace. Also important will be the new permitting software system, which for the customer will allow for online permit submittal, status tracking, and inspection scheduling but for staff will include workflow management that will improve the work experience. The building permit section of this software has been prioritized for early 2023 roll out.***

***Staff is investigating what it takes to reimburse applicants for 3<sup>rd</sup> party inspections. We should be able to announce that step soon.***

- Is there a status update on planning for Stribling Ave.? (JAMES FREAS, NDS)

***Response: We are working to secure a Design Team.***

- Who is the current Bike/Ped Coordinator? (JAMES FREAS, NDS)

***The position is currently vacant. A Transportation Planner position will be advertised soon and, once that position is filled, we will work with that person on the Bike Ped Coordinator position.***

- Residents are concerned that the CAT advisory board is not actively meeting. The city website simply says meetings are "TBD". If residents have concerns, should they contact the advisory board or the Citizen's Transportation Advisory Committee? How does the city provide their portion of oversight of CAT? (GARLAND WILLIAMS, TRANSIT)

***Response: Correct the CAT Advisory Board isn't active, but that does not prevent residents from having interaction with CAT. If residents have concerns, they should contact CAT directly. Residents can call or email. To that end, City Council has direct oversight of CAT, and residents have an additional avenue to express their concerns during Council meetings. If residents want additional service, they should start that conversation with the jurisdiction that would be responsible for funding the service.***

- Is the city submitting any projects for federal funding flowing from the infrastructure bill? (DEPUTY CM, OPERATIONS/STACY SMALLS)

***Response: The City is always investigating and seeking opportunities that become available from the Infrastructure Bill. As opportunities become available and resources align (i.e., manpower, matching funds, etc.), we will submit for projects.***

## 10<sup>th</sup> and Page Neighborhood

### Community Benefit Agreements:

- Some members of 10<sup>th</sup> and Page are talking about crafting a Community Benefit Agreement (CBA) and negotiating it with Stony Point Development (owners of the Dairy Market). Should there be another special use permit or other approval in the future, for Stony Point or any developer for that matter, how could a CBA be made part of that approval? I think there is an understanding that this couldn't be imposed on a developer, but if the agreement were negotiated with the developer, and they agreed to it, is there a way for the city to make it legally binding? Right now a lot of promises are made, some of them are kept, some are not, and there's nothing to prevent a developer from going back on their word. At the last planning commission hearing for the rezoning of the church at 10<sup>th</sup> and Grady, a CBA was mentioned as a possibility, but staff wasn't sure how that would work. **(James Freas, NDS)**

***Response: Private agreements would not be part of a zoning action. Attaching to an SUP would not be an enforceable way to address the agreement***

- **Required Parking for Developments:** It has come to my attention that the Dairy Market now charges for parking. It is free for the first hour and \$2.50 an hour after that. I personally don't know exactly where I stand on this because there is a good argument to removing parking minimums from the zoning code and encouraging other modes of transportation. However, for the time being, there are minimum parking requirements for new development, and it would seem that requiring payment might defeat the purpose – especially if people are avoiding paying by parking in the surrounding neighborhood. In the case of the Dairy Market, anecdotally, they are. Does the city have any sort of policy or opinion about whether a development can require payment for use of required parking spaces? If not, can they develop a policy and insert it into the code? An original concern of the neighborhood when we met with the developers – long before the Dairy Market was built – was about traffic and parking in the neighborhood. Permit parking is an easy solution, but it's a pain in the rear, and I understand that enforcement is spotty. **(James Freas, NDS)**

***Response: The suggestion concerning parking (and charging for parking required by zoning) will be shared with our consultant team as they work on the Zoning rewrite. There is not a policy in place currently.***

## MHRNA (Meadowbrook Hills/Rugby Road) Neighborhood

- The intersection at 250/Hydraulic/Rugby, which falls under the City's jurisdiction, is an important component to ensuring the success of the entire VDOT effort to improve traffic flow from the intersection at Rt 29 and Hydraulic up to the intersection at Rt. 250/Hydraulic and Rugby. These changes will include a new two-lane "round-about" at Whole Foods and changes at Brandywine and Michie. Those Changes are being done by VDOT. But, due to its importance to the entire effort, is anything going to be done to improve the 250/Hydraulic/Rugby



intersection, which is totally grid-locked during certain times of the day? If so, what changes are proposed? (Stacey Smalls, Public Works Department)

**Response: There are some minor changes being done at the intersection itself, mainly lengthening the turn lane in the eastbound direction. The improvements being done on Hydraulic itself, should help ease some of the congestion issues at the 250/Hydraulic intersection.**

- Who is responsible for clearing out the Kudzu growing on the property used for the Disc Golf course near the 250/Hydraulic/Rugby intersection? (Dana Kasler, Parks & Rec)

**Response: Parks and Recreation Department is responsible for it. They normally do cutbacks in the fall/winter. They have to take care of it in the next 2 weeks.**

- 3... Can anything be done about the noise created by the modified mufflers being used on the souped up cars. The noise is unbearable coming from Rt. 29, especially from Cookout where the cars regularly congregate in the evenings, and the nightly drag racing and revving of motors on the 250 bypass, commonplace by 9 PM on most nights -- and a bother to hundreds of people. (Chief Tito Durette)
- **Response: This issue will be on going and should be handled at the patrol level. The new State Code governing this issue is noted below; the code was changed to a primary offense as of July 1, 2022. The previous version was a major hindrance on police ability to improve the quality of life for residents. This new code will enhance enforcement.**
- **The police officers are aware of this issue and believes that the new law put into place on July1, will make it much easier to assist the neighborhood leaders with their complaint on excessive vehicle noise. The new law makes having an exhaust system that is not in "good working order" a primary offense allowing officers to enforce the issue easier. The officers would like to receive clear instruction from the commonwealth as to how they would like us to proceed with the excessive noise complaint.**

<https://law.lis.virginia.gov/vacode/title46.2/chapter10/section46.2-1049/>

**§ 46.2-1049. Exhaust system in good working order - Virginia**

**§ 46.2-1049. Exhaust system in good working order. A. No person shall drive and no owner of a vehicle shall permit or allow the operation of any such vehicle on a highway unless it is equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual levels of noise, provided, however, that for motor vehicles, such exhaust system shall be of a type ...**

**[law.lis.virginia.gov](http://law.lis.virginia.gov)**

- When can we expect the minutes of the last meeting? (Alex Ikefuna, OCS)

***Response: The minutes of April 28, 2022 was not recorded; however, going forward, the meetings will be recorded and uploaded on the website for public access. The recorded meeting will be accessible within 5 days after the meeting.***

- I've noticed that there are recordings of many of the meetings held by various organizations in town. How do we go about getting our meetings recorded? If the meeting was recorded, it would not be necessary for Teresa (or someone else) to take minutes. **(Alex Ikefuna, OCS)**

***Response: The City has started recording the Neighborhood Leaders meeting and the information will be made available to the public through the website/YouTube.***

#### **Questions from the June 23 meeting**

- Brennen: With the staff challenges, will the implementation of Safe Routes to Schools items that were developed before the pandemic have any chance of being implemented ahead of the new school year? If any items are slated for implementation, please offer some idea of project scope and timeline. **(Stacey Smalls/Brennen Duncan, Public Works)**

***Response: Safe Routes to Schools items that were identified in the SRTS mini-grant program were partially implemented with flex posts last year. The additional items would need more in depth design, funding and construction.***

- Brennen: have we purchased the mobile speeding signs for areas where repeat occurrences are known (was under consideration previously) **(Stacey Smalls/Brennen Duncan, Public Works)**

***Response: No mobile speeding signs have been purchased as of yet***

- Brennen: Johnson Village neighborhood previously requested a 4-way stop at the intersection of Trail Ridge & Shamrock. It is understood that a prior study is outdated and residents engaged at the time are no longer active. Is this something we can revive, study, or was there a different conclusion reached? **(Stacey Smalls/Brennen Duncan, Public Works)**

***Response: This intersection is on the list of studies to be completed when additional staff can be added to the traffic department.***

- Jonathan: has the city considered implementing a neighborhood level-composting program? (Something that could be handled by the current vendor with a separate pickup arrangement. **(Stacey Smalls/Jonathan, Public Works)**

***Response: Yes – the City has and continues to consider ways to expand the current composting program offerings as we recognize the importance of removing organics from the landfill. Two options that have been initially considered for residents are expanding the number of locations of the current 24/7 Drop-Off program and looking at curbside collection programs such as the one in Falls Church, VA.***

- ***Challenges related to expanding the 24/7 program include available locations to host a drop-off station and roles/responsibilities /resources related to managing/preventing sites from becoming a dumping locations for other waste materials.***

- *Challenges related to a curbside residential compost program are largely related to funding, education/outreach, and appropriate levels of user fees and subsidization of the service*
- *Related considerations that have been operating in parallel include recommendations from the Landfill Diversion Study (ongoing) and the potential for organics landfill diversion services for commercial entities (informed by a community commercial food waste Strengths-Weaknesses-Opportunities-Threats (SWOT) analysis that was completed in June 2022)*

***Increased staff capacity and funding needs are considerations for all of the above considerations.***

- How can residents actively submit CIP recommendations for consideration during the budget process? (Krisy Hammill, Budget Director/Sam Sanders, DCM)

***Response: The City Manager is willing to explore future means of connecting residents directly to the budget development process, but current staffing capacity does not support new gathering efforts. However, there is an effort to administer a new Citizen Survey to gather direct feedback from the community. The survey will feature specific questions aimed at collecting direct feedback on budget and CIP priorities.***

***Here is the link to the meeting of June 23, 2022:***

***<https://www.youtube.com/watch?v=mVDirv7jU0A>***

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2022
Action Required:	Conduct First Reading; Advertise Public Hearing for Second Reading
Presenter:	Samuel Sanders, Jr., Deputy City Manager
Staff Contacts:	Lisa Robertson, City Attorney
<b>Title:</b>	<b>Plastic Bag Tax (1 of 2 readings; public hearing to be advertised for the 2nd reading, prior to vote)</b>

**Background**

During the 2020 General Assembly session, Virginia localities received enabling authority to impose a disposable plastic bag tax within their jurisdictional limits. The City of Charlottesville continues to be keenly concerned about the equity impact of such a tax. The legislation allows localities to impose a five cent (\$.05) per bag tax on disposable plastic bags provided by certain retailers.

Recommendations from organizations advocating for this tax focus on the potential benefit of creating a local source of funding dedicated to environmental cleanup and litter/ pollution mitigation. Specifically, the argument that pollution and litter disproportionately impact low wealth communities. Further, the ability to provide funding for reusable bags and environmental education efforts are intended to mitigate the cost burden from such a tax.

The enabling legislation does include stipulations on the use of the associated revenues. Revenues from this tax must be used for programs supporting the following:

1. environmental cleanup,
2. litter and pollution mitigation,
3. environmental education efforts, and/or
4. to provide reusable bags to SNAP or WIC benefit recipients.

Funding from this tax will not directly or immediately support any administrative responsibilities the City may undertake to promote this program. Revenue collection and distribution occurs at the State level and is remitted to the locality exclusively for the purposes listed above. City Staff would likely be required to engage in outreach to

local businesses, agencies providing social services, and citizens to educate the community about available resources for alternative, re-usable bags. Future City Councils may have the ability to allocate this remitting tax funding towards providing an ongoing program for re-useable bags.

### **Discussion**

Council is required to conduct a public hearing to consider the adoption of an ordinance to impose a disposable plastic bag tax. Virginia Code § 58.1-17.45 through 58.1-1748 grants localities the authority to impose a five cent (\$.05) per bag tax on disposable plastic bags provided by grocery stores, convenience stores, or pharmacies. Pursuant to Virginia Code § 58.1-3007, “before any local tax levy shall be increased in any...city...., such proposed increase shall be published in a newspaper having general circulation in the locality affected **at least seven days before the increased levy is made** and the citizens of the locality shall be given an opportunity to appear before, and be heard by, the local governing body on the subject of such increase.”

The attached proposed Ordinance would amend City Code Chapter 30, Taxation, Article II by adding Division 3 to impose the plastic bag tax. Durable plastic bags designed for repeated use and plastic bags used solely to wrap, contain, or package certain goods to prevent damage or contamination are exempt from this tax. This exclusion would include packaging for ice cream, meat, fish, poultry, produce, unwrapped bulk food items, perishable food items, dry cleaning, prescription drugs, and multiple bags sold in containers for use as garbage, pet waste, or leaf removal bags. As referenced above future revenues from such tax must be used for programs supporting environmental cleanup, litter and pollution mitigation, environmental education efforts or to provide reusable bags to SNAP or WIC benefit recipients.

Collection of the plastic bag tax would be performed by the State Department of Taxation. State Code requires localities to provide a certified copy of the ordinance to the Tax Commissioner of the Commonwealth at least three months prior to the date the ordinance becomes effective. The effective date for the disposable plastic bag tax is proposed to be **January 1, 2023**.

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

This proposed ordinance meets the City Council vision to be a leader in innovation, environmental sustainability, and social and economic justice. The ordinance conforms with the Strategic Plan’s Goal 2 to be a Healthy and Safe City and Goal 3 to maintain a Beautiful Environment.

### **Community Engagement**

Public hearing is required, after publication of notice, per Va. Code Sec. 58.1-3007. The public hearing will need to be advertised for the date of the second reading of the proposed ordinance.

### **Budgetary Impact**

Imposing the disposable plastic bag tax would increase revenues. However, these revenues would be dedicated to qualifying expenditures as listed above.

**Recommendation**

Refer the proposed Ordinance for Second Reading and Public Hearing

**Alternatives**

By motion, Council may decide not to proceed with a plastic bag tax. Council may also elect to defer the matter indefinitely without moving forward to a public hearing.

**Attachments**

1. Ordinance - Plastic Bag Tax

**ORDINANCE  
TO AMEND AND REENACT CHAPTER 30 (TAXATION) OF THE CODE OF THE CITY OF  
CHARLOTTESVILLE, TO ESTABLISH A NEW ARTICLE XIX  
(DISPOSABLE PLASTIC BAG TAX)**

**WHEREAS** the Virginia General Assembly passed Virginia Code § 58.1-17.45 et seq. enabling localities to enact a disposable plastic bag tax; and

**WHEREAS** the funds collected from this tax shall be used to provide funding for local environmental cleanup, litter and pollution mitigation, environmental education efforts, and to provide reusable bags to SNAP or WIC benefit recipients within the City of Charlottesville; and

**WHEREAS** the Charlottesville City Council finds that it is in the best interest of the City to mitigate the use of disposable plastic bags within the City of Charlottesville and collect funds to promote healthy and safe environmental conditions; and

**WHEREAS** the Community has been afforded an opportunity to comment on this tax levy after due notice in accordance with Virginia Code § 58.1-3007 and the City Council has thoroughly considered the interest of its citizens and the need to issue this tax levy for the benefit of the City's overall environment and pollution mitigation efforts; and now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia, **THAT Chapter 30 (Taxation) is hereby amended and reenacted, as follows:**

1. **Enact a new Article XIX (DISPOSABLE PLASTIC BAG TAX), as follows:**

***ARTICLE XIX. DISPOSABLE PLASTIC BAG TAX***

***Sec. 30-480- - Disposable plastic bag tax imposed; Exceptions.***

*(a) There is hereby imposed a tax in the amount of five cents (\$0.05) for each disposable plastic bag provided, whether or not provided free of charge, to all consumers of tangible personal property by retailers in grocery stores, convenience stores, or drug stores.*

*(b) Any tax imposed pursuant to the provisions of this article shall not apply to the following:*

- (1) Durable plastic bags with handles that are specifically designed and manufactured for multiple reuse and that are at least four mils thick;*
- (2) Plastic bags that are solely used to wrap, contain, or package ice cream, meat, fish, poultry, produce, unwrapped bulk food items, or perishable food items to avoid damage or contamination;*
- (3) Plastic bags used to carry dry cleaning or prescription drugs; and*
- (4) Multiple plastic bags sold in packages and intended for use as garbage, pet waste, or leaf removal bags.*

State law reference(s)—Va. Code § 58.1-1745 and § 58.1-1746.

**Sec. 30-481- Definitions.**

*As used in this Division:*

*"Convenience store" means an establishment that (i) has an enclosed room in a permanent structure where stock is displayed and offered for sale and (ii) maintains an inventory of edible items intended for human consumption consisting of a variety of such items of the types normally sold in grocery stores.*

*"Disposable plastic bag" means a plastic bag not intended for reuse that is provided by a retail establishment to a customer at the point of purchase to transport items purchased.*

*"Drugstore" means an establishment that sells medicines prepared by a licensed pharmacist pursuant to a prescription and other medicines and items for home and general use.*

*"Grocery store" means an establishment that has an enclosed room in a permanent structure and that sells food and other items intended for human consumption, including a variety of ingredients commonly used in the preparation of meals. This definition does not include food banks, farmers markets, or mobile food units.*

*"Retail establishment" means any grocery store, convenience store, or drugstore that maintains regular business hours at a fixed place of business within the City of Charlottesville. The term Retail establishment includes any large retailer within the City that contains a grocery store, convenience store or drug store.*

**Sec. 30-482 – Collection, Administration, Appropriation of Revenue and Adoption of State Law.**

*(a) Any tax imposed under this section shall be collected by the retail establishment, along with the purchase price and all other fees and taxes, at the time the consumer pays for such personal property.*

*(b) All revenue accruing to the City from the tax imposed under this ordinance are to be used for one or more of the following purposes:*

- (1) environmental cleanup,*
- (2) providing education programs designed to reduce environmental waste,*
- (3) mitigating pollution and litter, or*
- (4) providing reusable bags to recipients of Supplemental Nutrition Assistance Program (SNAP) or Women, Infants, and Children Program (WIC) benefits or such other programs as authorized by the laws of the Commonwealth of Virginia.*

*(c) Virginia Code Title 58.1, Chapter 17, Article 12 (Virginia Code § 58.1-1745 et seq.) is incorporated into this division by reference and made applicable to the City, mutatis mutandis.*

State law reference(s)—Va. Code § 58.1-1745 et seq.

2. **The Clerk of Council shall provide a certified copy of this ordinance to the Tax Commissioner of the Commonwealth on or before September 30, 2022;** and

3. **This ordinance shall become effective January 1, 2023.**



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



Agenda Date:	July 18, 2022
Action Required:	Adoption of Ordinance (2nd Reading)
Presenter:	Lisa Robertson, City Attorney
Staff Contacts:	Brenda Kelley, Redevelopment Manager
<b>Title:</b>	<b>Request for Vacation of Unaccepted Right-of-Way for Oak Street at 321 6th Street (2nd reading)</b>

**Background**

The City has received a request from Portia Boggs and Vignesh Kuppusamy, the owners of a lot located at **321 6<sup>th</sup> Street, S.W.**, asking the City to convey to them a strip of property adjacent to their lot. The strip of property in question was platted (circa 1888) as a 20-foot right-of-way identified as “Oak Street” (“Subject Property”). The subdivision plat which created the right-of-way was recorded in the land records of Albemarle County at Deed Book 90 Page 52. (This area is part of an area that was annexed by the City in the distant past).

Previous 2010 Council Vacation: previously, in March 2010, City Council closed a seventy-seven (77) foot section of the old platted street, beginning at 6-1/2 Street S.W. and continuing up to the eastern property line of the lots currently identified as 316 and 322 6-1/2 Street S.W. In 2010 City Council did not require the landowners who requested vacation of the plat to pay for the extra square footage of land that was acquired. The 2010 Ordinance states that there were no utility “easements” within the portion of Oak Street that was previously vacated.

Per Virginia Code §15.2-2274, if this remaining portion of Oak Street is vacated by City Council, fee simple title to the centerline of the platted street will vest in the *two* adjacent landowners (i.e., Boggs/ Kuppusamy, who are requesting this, and their neighbors at 313 6<sup>th</sup> St., S.W.).

**Discussion**

Virginia Code §15.2-2272 authorizes City Council to vacate property lines shown within a recorded subdivision plat, upon the application of any interested person. The request

has been reviewed by the following department heads, none of whom had any substantive comments or recommendations: Utilities; Public Works; Neighborhood Development Services; Office of Community Solutions; Economic Development; Parks and Recreation.

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

Not indicated by any department head.

**Community Engagement**

A public hearing is required, per Va. Code §15.2-2272(2) and was conducted as part of the first reading of this proposed ordinance.

**Budgetary Impact**

None identified by any department director or the city manager's office.

**Recommendation**

The City Attorney's office recommends that any ordinance vacating the Subject Street should require a private easement in favor of the owner of 313 6th Street, S.W. There exists a utility service line within a portion of the Subject Street, connecting a house on that lot to a public main in 6th Street, S.W. Although the precise location is not known at this time, in relation to the centerline of the Subject Street area, requiring that the vacation be subject to a private easement in favor of 313 6th Street, S.W. will ensure that--to the extent, if any, that the existing utility line might be located in an area that crosses over the centerline of the Subject Street area, the homeowner on 313 6th Street, S.W. will not be placed at odds with the landowner(s) on the opposite side of the Subject Street.

***Suggested Motion: "I MOVE THE ORDINANCE closing, vacating and discontinuing that portion of Oak Street, an unaccepted right of way, between 6th Street, S.W. and 6-1/2 Street, S.W., adjacent to Parcels 98 and 184 on City Real Estate Tax Map 29."***

**Alternatives**

Council may (by verbal motion) deny the request. Council may also defer the request for action at a later date.

**Attachments**

1. ORDINANCE 321 6th Street Vacation

**ORDINANCE**  
**CLOSING, VACATING AND DISCONTINUING THAT PORTION OF OAK STREET, AN UNACCEPTED RIGHT OF WAY, BETWEEN 6<sup>TH</sup> STREET S.W. AND 6-1/2 STREET, S.W., ADJACENT TO PARCELS 98 AND 184 ON CITY REAL ESTATE TAX MAP 29**

WHEREAS Portia Boggs and Vignesh Kuppusamy, the owners of the property at 321 6<sup>th</sup> Street, S.W., have petitioned the City to close a portion of Oak Street, an unaccepted right-of-way running from 6th Street, S.W. in a westerly direction to the property line(s) for 316 and 322 6-1/2 Street, S.E., adjoining Parcels 98 and 184 on City Tax Map 29 (“Subject Street”); and

WHEREAS the portion of Oak Street that is the subject of this petition was created circa 1888, by a subdivision plat recorded in the Albemarle County land records at Deed Book 90 Page 52, and subsequently annexed into the City of Charlottesville; however, there is no known record of the City Council ever having formally accepted the area within the 20-foot Oak Street platted right-of-way; and

WHEREAS, by ordinance adopted March 15, 2010, this City Council previously vacated a different segment of the platted Oak Street right-of-way adjoining Parcels 97 and 185 on City Real Estate Tax Map 29 (316 and 322 6-1/2 Street, S.W., respectively); and

WHEREAS the owners of property adjoining the Subject Street (e.g., 313 and 321 6<sup>th</sup> Street, S.W.) have been notified of this petition, and notice has been given to the public pursuant to Virginia Code Sections 15.2-2204 and 15.2-2272, and a public hearing by the City Council was held on June 21, 2010; and

WHEREAS after due consideration of the petition this Council finds and determines that the petitioners’ request should be granted; now, therefore

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Subject Street is hereby closed, vacated and abandoned, subject to an easement for the benefit of the owner(s) of 313 6<sup>th</sup> Street, S.W., for an existing utility service line located within the area of the Subject Street, and the said area of the Subject Street being more particularly described as follows:

A twenty (20) foot platted street, designated as Oak Street, running from 6<sup>th</sup> Street, S.W. for the entire length of the adjoining lots identified on 2022 City Real Estate Tax Map 29 Parcels 98 and 184 (313 and 321 6<sup>th</sup> Street, S.W., respectively).

BE IT FURTHER ORDAINED that this ordinance shall take effect (i) 60 days after the date of City Council’s vote to approve this Ordinance, if no appeal from City Council’s enactment of this ordinance is filed of record within the Charlottesville Circuit Court, or (ii) if an appeal is filed, upon the entry of a final order by the circuit court disposing of the appeal (“Effective Date”). The City Attorney and City Manager are authorized to take all actions necessary to carry out the actions authorized by this ordinance, and, on or after the Effective Date, to record an attested copy of this ordinance within the Street Closing Book within the land records of the Charlottesville Circuit Court. Upon the recordation of this Ordinance within the said Street Closing Book, the owner(s) of the lots currently addressed as 313 and 321 6<sup>th</sup> Street, S.W., respectfully, shall acquire title to the centerline of the Subject Street adjoining their lot.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2022
Action Required:	Approval of Resolution for a Special Use Permit
Presenter:	Brian Haluska, Principal Planner
Staff Contacts:	Brian Haluska, Principal Planner
<b>Title:</b>	<b>1000 Monticello Road, Special Use Permit for additional residential density (1 reading)</b>

**Background**

Kelsey Schlein of Shimp Engineering, acting as agent for Piedmont Realty Holdings III, LLC, owners of Tax Map 57 Parcel 36 (“Subject Property”) has requested a special use permit on the Subject Property to increase the maximum residential density to 42 dwelling units per acre. The Subject Property is currently zoned Neighborhood Commercial Corridor and is the location of Belmont Apartments.

**Discussion**

The Planning Commission considered this application at their meeting on June 14, 2022. The discussion centered on the details of the building height, massing, and the potential impacts of the request on the surrounding neighborhood.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 24 at the following link;

[Planning Commission Packet from June 14, 2022](#)

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

The City Council Vision of Quality Housing Opportunities for All states that “Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers.”

**Community Engagement**

Per Sec. 34-41(c)(2), the applicant held a community meeting on April 21, 2022. (A City Planner was able to attend as a NDS representative). Neighborhood concerns gathered from the community meeting are listed below.

- The cumulative impact of development throughout the Belmont neighborhood on the adjacent streets.

The Planning Commission held a joint public hearing with City Council on this matter on June 14, 2022. One member of the public spoke on the application. The members of the public raised concerns regarding:

- The past impact of the development on affordability in the neighborhood.

### **Budgetary Impact**

No direct budgetary impact is anticipated as a result of this Special Use Permit.

### **Recommendation**

Staff recommends the application be approved. The Planning Commission voted 5-1 to recommend the application be approved with an additional condition that the building be substantially similar to the exhibit included in the application dated April 12, 2022.

***Suggested Motion: "I move the RESOLUTION Granting a Special Use Permit for Property Located at 1000 Monticello Road (City Tax Map 57, Parcel 36)"***

### **Alternatives**

By motion, Council may deny the requested Special Use Permit. Also (by motion) Council may defer taking action on this application.

### **Attachments**

1. Resolution\_SUP 1000 Monticello Road

**RESOLUTION**  
**Granting a Special Use Permit for Property Located at 1000**  
**Monticello Road (City Tax Map 57, Parcel 36)**

**WHEREAS** Piedmont Realty Holdings III, LLC (“Landowner”) is the owner of certain land identified on Tax Map 57 as Parcel 36, currently addressed as “1000 Monticello Road” (the “Property”), and the Landowner, through its authorized representative, is requesting a Special Use Permit for increased residential density (the “Project”); and

**WHEREAS** the Applicant seeks a Special Use Permit under City Code Sec. 34-700 to increase residential density from the current 21 DUA up to 43 DUA; and

**WHEREAS** the Property is located within the Neighborhood Commercial Corridor, a district in which, according to the Use Matrix set forth within City Code 34-700 increased residential density up to 43 DUA may be authorized by City Council by means of a special use permit; and

**WHEREAS** the Project is described in more detail within the Landowner’s application materials submitted in connection with SP22-00005, as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS**, the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on June 14, 2022; and

**WHEREAS** the Planning Commission considered and recommended approval of this application at their June 14, 2022 meeting; and

**WHEREAS** upon consideration of the Planning Commission’s recommendation, the City Staff Report, comments received at the public hearing, 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 regulations and safeguards would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED by the Council for the City of Charlottesville, Virginia**, that a Special Use Permit is hereby granted to allow the Project to be established on the Property, subject to the following conditions:

- (1) Up to 42 dwelling units per acre (DUA), or a total of 34 residential units, are permitted within the Project.
- (2) The owner of the building(s) located within the Project shall provide affordable housing within the Project, as follows:
  - a. For the purposes of this Condition, the term “For-Rent Workforce Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed 125% of the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the Federal Department of Housing and Urban Development (HUD).



Charlottesville Circuit Court, in a form approved by the Office of the City Attorney.

- ii. On or before January 1 of each calendar year the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City, identifying each Required Affordable Dwelling Unit by address and location, and verifying the Household Income of the occupant(s) of each Required Affordable Dwelling Unit.
  - d. The land use obligations referenced in 2.c.i and 2.c.ii, above, shall be set forth within one or more written declarations of covenants recorded within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that the Owner's successors in right, title and interest to the Property shall have notice of and be bound by the obligations. The Required Affordable Dwelling Units shall be provided as for-rent units throughout the Rental Affordability Period.
  - e. Following issuance of a certificate of occupancy authorizing the building to be occupied, the owner of the building(s) shall thereafter provide an annual report on affordability compliance for the affordable unit(s) on a template provided by the City.
- (3) An acceptable marketing plan on how to market the designated affordable units should be provided to the City (to its Office of Community Solutions or other department which may hereafter be responsible for monitoring affordable housing requirements, in conjunction with the zoning administrator) prior to the issuance of any building permit for the Project. The marketing plan should provide detailed information on how the owner of the building(s) will market the units within the building(s), including non-discrimination of prospective tenants on the basis of race, creed, religion, color, sex, age, national origin, or source of income.
- (4) The main building constructed within this Project shall be substantially similar to the building depicted within the exhibit(s) submitted with the Application Materials referenced above within this Resolution.



CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2022
Action Required:	Council action on a request for a special use permit.
Presenter:	Brian Haluska, Principal Planner
Staff Contacts:	Brian Haluska, Principal Planner
<b>Title:</b>	<b>923 Harris Street, Special Use Permit for increased residential density (1 reading)</b>

**Background**

Kelsey Schlein of Shimp Engineering, acting as agent for 923 Harris Street, LLC, owners of Tax Map 35 Parcel 112 (“Subject Property”) has requested a special use permit on the Subject Property for additional residential density up to 62 dwelling units per acre. The Subject Property is currently zoned Industrial Corridor.

**Discussion**

The Planning Commission considered this application at their meeting on June 14, 2022. The discussion centered on the design of the site, including the potential for tree plantings and the possibility of mitigating the impact of the garage opening on the sidewalk.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 80 at the following link:

[Planning Commission Packet from June 14, 2022](#)

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

The City Council Vision of Economic Sustainability states that “the City has facilitated significant mixed and infill development within the City.”

The City Council Vision of Quality Housing Opportunities for All states that “Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers.”

**Community Engagement**

Per Sec. 34-41(c)(2), the applicant held a community meeting on March 17, 2022. (A City Planner was able to attend as a NDS representative).

The Planning Commission held a joint public hearing with City Council on this matter on June 14, 2022. No members of the public spoke on the application.

**Budgetary Impact**

No direct budgetary impact is anticipated as a direct result of this Special Use Permit.

**Recommendation**

Staff recommends the application be approved. The Planning Commission voted 5-1 to recommend the application be approved with an additional condition that the building be similar to the Exhibits submitted with the SUP application dated March 15, 2022.

***Suggested Motion: "I move the RESOLUTION Granting a Special Use Permit for Property Located at 923 Harris Street (City Tax Map 35, Parcel 112)"***

**Alternatives**

1. By Motion, Council may vote to deny the Special Use Permit
2. By Motion, Council may vote to defer action on the Special Use Permit.

**Attachments**

1. Resolution\_SUP 923 Harris St

**RESOLUTION**  
**Granting a Special Use Permit for Property Located at**  
**923 Harris Street (City Tax Map 35, Parcel 112)**

**WHEREAS** 923 Harris Street, LLC (“Landowner”) is the owner of certain land identified on Tax Map 35 as Parcel 112, currently addressed as “923 Harris Street” (the “Property”), and the Landowner, through its authorized representative, is requesting a Special Use Permit for increased residential density (the “Project”); and

**WHEREAS** the Applicant seeks a Special Use Permit under City Code Secs. 34-458 and 34-480 to increase residential density up to 62 DUA; and

**WHEREAS** the Property is located within the Industrial Corridor zoning district, a district in which, according to the Use Matrix set forth within City Code Secs. 34-458 and 34-480 increased density up to 64 DUA may be authorized by City Council by means of a special use permit; and

**WHEREAS** the Project is described in more detail within the Landowner’s application materials submitted in connection with SP22-00004, as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS,** the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on June 14, 2022; and

**WHEREAS** the Planning Commission considered and recommended approval of this application at their June 14, 2022 meeting; and

**WHEREAS** upon consideration of the Planning Commission’s recommendation, the City Staff Report, comments received at the public hearing, 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 regulations and safeguards would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, THAT** a Special Use Permit is hereby granted to allow the Project to be established on the Property, subject to the following conditions:

- (1) Up to 62 dwelling units per acre (DUA) are permitted on the Property,
- (2) The height of the building within the Project shall not exceed fifty (50) feet, consisting of four floors above one floor of structured parking.
- (3) The required parking for the Project shall be reduced by one space, for a total requirement of seven (7) on-site spaces for the Project depicted within the Application Materials, subject to any further reductions as the Project may be eligible for by provisions within the City Code.
- (4) The building constructed within the Project shall be substantially similar to the building depicted within the exhibits submitted with the Application Materials referenced above within this Resolution.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2022
Action Required:	Approve Resolution for Appropriation
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Ashley Marshall, Deputy City Manager
Title:	<b>Appropriation to Transfer Funds from the Council Strategic Initiatives Account to the Office of Equity and Inclusion - \$197,181 (1 of 2 readings)</b>

**Background**

In 2019, City Council appropriated a sum of funding in response to recommendations made by the City Manager focusing on Organizational Equity. While this funding was appropriated, Council to this point has not elected to designate the use of such funds to any department or the City Manager’s Office.

**Discussion**

In December of 2019, City Council designated the sum of \$197,181.00 from its Council Strategic Initiatives account for the purpose of implementing work focused on organizational equity. These funds were properly designated, but they have not been appropriated for the City Manager’s use.

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

Yes

**Community Engagement**

N/A

**Budgetary Impact**

There is no impact to the General Fund as these funds were previously appropriated to the Council Strategic Initiative Fund. The existing funds allocated to the Council Strategic Initiative Fund are being requested as a transfer to the Office of Equity and Inclusion.

### **Recommendation**

Approval.

***Suggested Motion: I move the RESOLUTION Appropriating the Amount of \$197,181 from the Council Strategic Initiatives Fund to the City Office of Equity and Inclusion***

### **Alternatives**

Should the Council not allocate these funds to the Office of Equity and Inclusion, the funds will remain earmarked for equity work within the Council Strategic Initiative Fund.

### **Attachments**

1. Resolution for Appropriation to Office of Equity and Inclusion

**RESOLUTION**

**Appropriating the Amount of \$197,181 Received from the Council Strategic Initiatives Fund to the Office of Equity and Inclusion**

**WHEREAS**, The Charlottesville City Council, designated funding from the Council Strategic Initiative Fund monies to be used to begin organizational equity work amount of \$197,181.00;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$197,181.00 is hereby appropriated in the following manner:

**Transfer from:**

\$197,181.00      Fund: 105      Cost Center: 1011001000      G/L: 599999

**Transfer to:**

\$197,181.00      Fund: 105      Cost Center: 1671001000      G/L: 599999

## MEMORANDUM

**TO:** Charlottesville City Council  
**FROM:** Daniel Fairley, Youth Opportunity Coordinator and Charlottesville Youth Council  
**SUBJECT:** Youth Council 2021-2022 Year Overview  
**DATE:** July 11, 2022

### OVERVIEW

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This is an overview of the community meetings held by the Charlottesville City Youth Council in the 2021-2022 School Year. During this time, Youth Council members registered their fellow students to vote in the fall of 2021. In the spring semester, the students requested to conduct informational interviews with leaders in our community. They wanted to learn more about what resources are available to students in the Charlottesville community. The students met with a variety of leaders from the Charlottesville community. These leaders ranged from Entrepreneurs to Architects and more. The Youth Council engaged in thoughtful discourse with the community leaders to learn about their services and challenge them to think about their services from the student perspective. They will use this knowledge in the upcoming year to enhance their presence in the community and share this knowledge with their peers.

### CURRENT MEMBERS

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Here is the list of the 2021-2022 Youth Council Members:

- Christopher Procino (Charlottesville High School)
- Caroline Jaffe (Charlottesville High School)
- Hans Bai (St. Anne's Belfield)
- Zaneyah (Nya) Bryant (Buford Middle School)
- Harrison Greenhoe (Charlottesville High School)
- Eve Keesecker (Charlottesville High School)
- Nicole King (St. Anne's Belfield)

### INTERVIEWS

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Below is a list of interviews conducted by the Charlottesville City Youth Council. These informational interviews were conducted and recorded in accordance with local rules and regulations.

January 13, 2022

**Hansel Aguilar**

Executive Director

Charlottesville Police Civilian Oversight Board

February 9, 2022

**Jessica Carter**

Founder & Owner

H.E.R. Sports

## INTERVIEWS CONT'D

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February 24, 2022

**Detajha Woodson**

Program & Outreach Associate

Youth-Nex, The UVA Center to Promote Effective Youth Development

March 31, 2022

**Annie Sechrist**

Senior Family Services Specialist

Department of Human Services

April 14, 2022

**Alex Weathersby**

Prevention Services Coordinator

Shelter for Help and Emergency (SHE)

April 28, 2022

**Jada Cox**

Green Dot Coordinator | Gold Dot Coordinator

Sexual Assault Resource Agency (SARA)

## NEXT STEPS

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The Charlottesville City Youth Council will resume their meetings in the fall of 2022 with nine (9) new members. These new members will provide fresh perspectives and new ideas to the already stellar YC team. We look forward to welcoming our new members and utilizing the informational interviews conducted this year to inform our practices going forward.





July 11, 2022

The Honorable Charlottesville City Council  
P.O. Box 911  
Charlottesville, VA 22902

Re: Quarterly Update – July 2022

Councilors:

This quarterly update is to provide general information on the drinking water supply and treatment, wastewater collection and treatment, and solid waste disposal and recycling programs managed by the Rivanna Authorities for the benefit of the Charlottesville/Albemarle community, as follows:

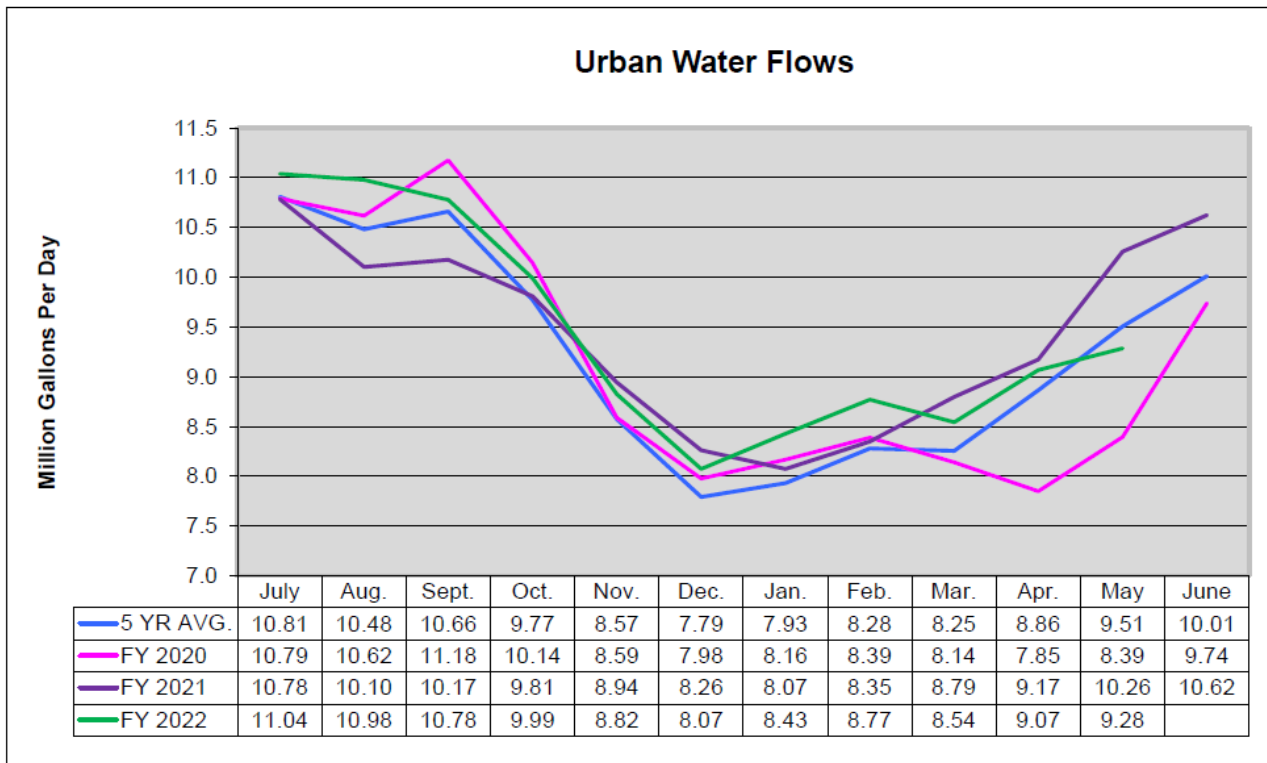
1. Drinking Water Supply and Drought Monitoring, as of July 8, 2022:
  - A. U.S. Drought Monitoring Report:
    - No drought phases have been initiated. Albemarle County is noted to be normal.
  - B. VDEQ Drought Status Report:
    - Our region is at a “Watch” level for groundwater and precipitation.
  - C. Urban Reservoirs Status (Sugar Hollow, South Rivanna, Ragged Mountain):
    - 99 % full.

**Precipitation**

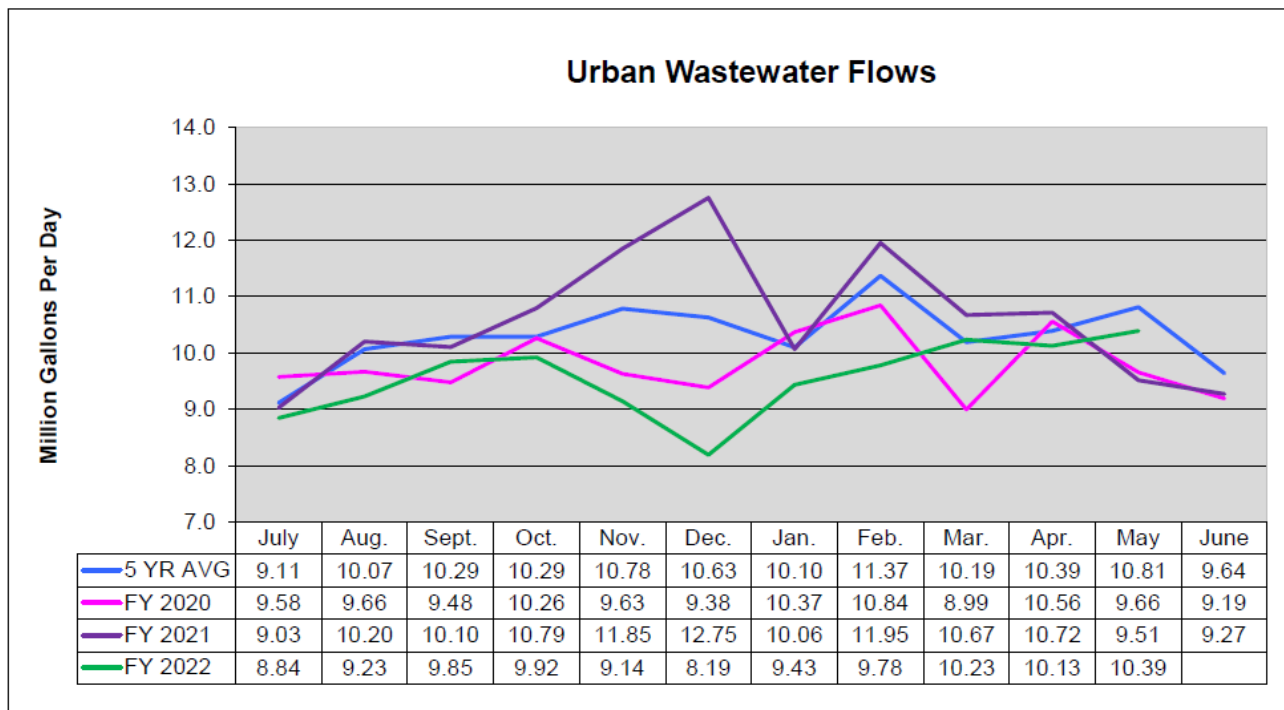
Charlottesville Precipitation				
Year	Month	Observed (in.)	Normal (in.)	Departure (in.)
<b>2021</b>	<b>Total: Jan - Dec</b>	<b>33.82</b>	<b>41.61</b>	<b>-7.79</b>
<b>2022</b>	January	3.79	2.96	0.83
	February	1.48	2.35	-0.87
	March	3.19	3.54	-0.35
	April	3.05	3.17	-0.12
	May	6.17	4.17	2.00
	June	3.66	4.38	-0.72
	<b>Total: Jan - June</b>	<b>21.34</b>	<b>20.57</b>	<b>+0.77</b>

Source: National Weather Service, National Climatic Data Center.

2. The production of drinking water for the Urban area (Charlottesville and adjacent developed areas of Albemarle, not including Crozet) averaged 9.28 million gallons per day (MGD) in May 2022 (FY 2022), which was below the five-year average for May (9.51 MGD), as shown by the following graph:



3. Urban wastewater flow for May 2022 (10.39 MGD), including flows from Crozet, was below the five-year average for May (10.81 MGD), as shown by the following graph:



4. A general overview of significant current and future drinking water, wastewater and solid waste Capital Improvement Projects is provided below. Costs for the water and wastewater projects are typically shared between the Charlottesville Department of Utilities (48%) and the Albemarle County Service Authority (52%).

A. Water Treatment Plant Renovations

Scope: Replace equipment which has reached end-of-service life at the South Rivanna and Observatory Water Treatment Plants. Increase water treatment capacity from 7.7 to 10 million gallons per day at the Observatory Water Treatment Plant.

Completion: May 2020 - May 2023

Cost: \$43 million

B. Airport Road Water Pumping Station and Piping

Scope: Provide a drinking water pumping station and piping to improve reliability in the northern area of the Urban Water System.

Completion: January 2022 – December 2023

Cost: \$10 million: 100% ACSA

C. Electrical System Replacement, Moores Creek Wastewater Treatment Facility

Scope: Replace major electrical cabling and equipment installed around 1980 which have reached the end of their service lives.

Completion: May 2022 – June 2024

Cost: \$5 million

D. Southern Area Convenience Center

Construction is underway for a recycling and bagged residential refuse collection center to be constructed in the Esmont area of southern Albemarle County.

Completion: July - December 2022

Cost: \$1.6 million: 100% Albemarle County

E. Scottsville WTP Lagoon Liners Replacement

Scope: Replace two plastic lagoon liners which store filter backwash water.

Completion: May 2022 – November 2022

Cost: \$350,000: \*ARPA funds from Albemarle County

F. Red Hill Water Treatment Plant Upgrades

Scope: Expand the building to provide additional treatment and laboratory spaces.

Completion: February – December 2023

Cost: \$400,000: \*ARPA funds from Albemarle County

G. South Rivanna River Crossing

Scope: Install a second treated water pipe (24”) under the river using trenchless technology to provide a redundant water supply to serve the northern area of the Urban Water System.

Completion: January 2023 – April 2024

Cost: \$6 million

H. Beaver Creek Dam Spillway, Pump Station and Piping Modifications

Scope: Provide modifications to the dam to control the flow of water across the spillway during major storm events, as required by Virginia Dam Safety Regulations. Replace the existing pumping station and piping which convey untreated water to the Crozet Water

Treatment Plant. Construction of a temporary road to maintain traffic on Browns Gap Turnpike during construction of the spillway is included in the project.

Completion: 2024 – 2026

Cost: \$31 million: 100% ACSA  
Federal funding (65%) will be requested

I. Urban Area “Central Water Line”

Scope: Piping improvements to more efficiently convey drinking water and generally strengthen the Urban Area Drinking Water System for the benefit of the City and the County. This five-mile-long piping project will extend from the Stadium Road area to the Long Street / E. High Street bridge and generally follow a route which includes: Stadium Road, Piedmont Avenue, Price Avenue, Lewis Street, Jefferson Park Avenue, Cleveland Avenue, Cherry Avenue, Elliott Avenue, 6<sup>th</sup> Street SE, Avon Street, 10<sup>th</sup> Street NE, E. Jefferson Street, 11<sup>th</sup> Street NE, E. High Street, and a connection near Roosevelt Brown Boulevard.

Completion: 2024 - 2028

Cost: \$41 M

J. Water Pipe and Pump Stations Replacement, Ragged Mountain Reservoir to Observatory Water Treatment Plant

Scope: Replace water pipes and two pump stations which convey untreated water and have reached the end of their service lives or will require significant upgrades to adequately support the increased treatment capacity of the upgraded Observatory Water Treatment Plant.

Completion: 2025 - 2028

Cost: \$30 million

K. Upper Schenks Branch Wastewater Piping Replacement, Phase II

Scope: Replace sewer piping installed in the mid 1950’s in conjunction with the City’s sewer upgrade program to increase system capacity. The new piping will be located along McIntire Road between the McIntire Recycling Center and Preston Avenue.

Completion: TBD

Cost: \$5 million: 100% City

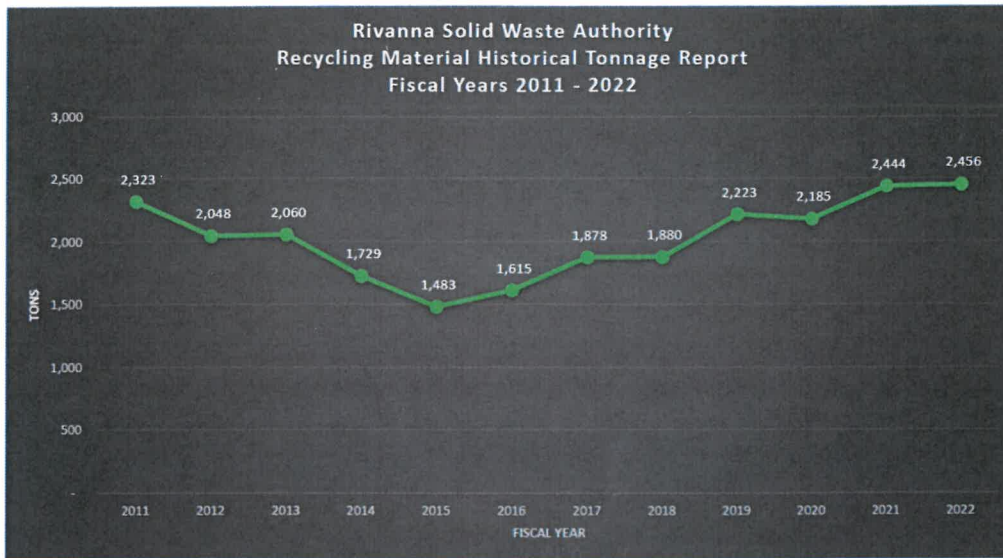
L. South Rivanna Reservoir to Ragged Mountain Reservoir Pipe

Scope: Acquire easements and construct a pipe to transfer untreated water between the South Rivanna and Ragged Mountain reservoirs, as required by the Community Water Supply plan completed in 2012. A short section will be constructed from Birdwood to Old Garth Road in 2022 – 2023.

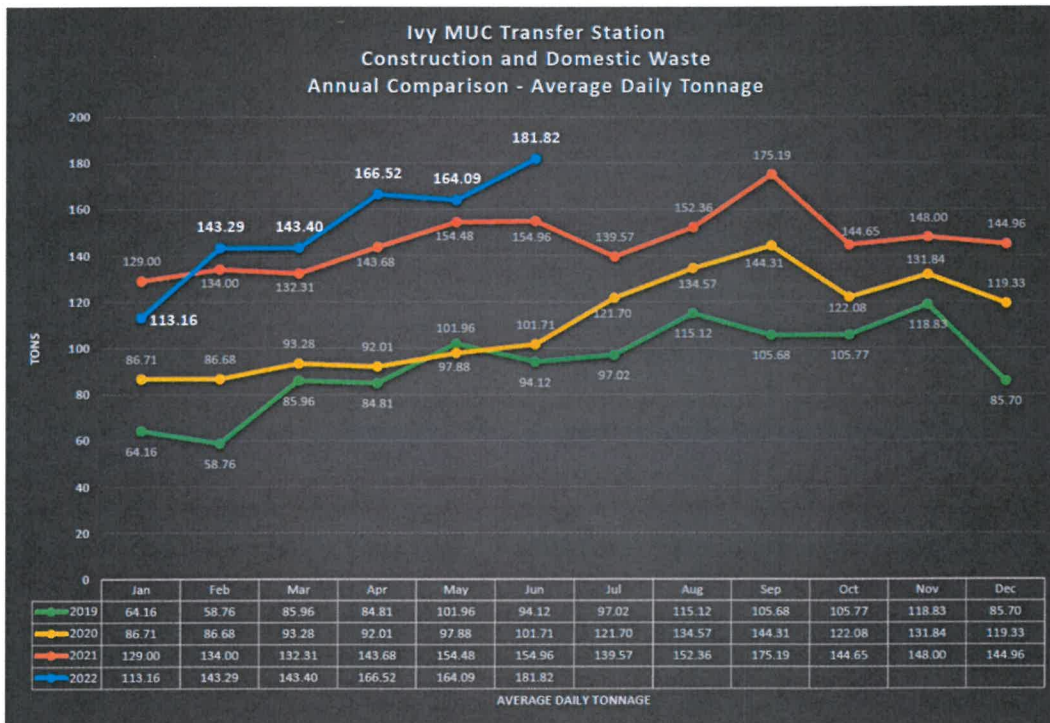
Completion: 2027 - 2033

Cost: \$80 million: 80% ACSA / 20% City

5. The recycling program at the McIntire Recycling Center and the Paper Sort baling facility continues to be a very popular service for our community. Tonnage from mixed paper, cardboard (including pizza boxes), glass, plastics, metals, compostable food waste and cooking oil continues to increase, as shown below:



6. By increasing the number of days/week the Transfer Station is open, and by lowering the disposal fee from \$66/ton to \$52/ton, average daily refuse volume at the Ivy Transfer Station has increased from 94.12 tons per day in June 2019 to 181.82 tons per day in June 2022, as shown below:



Please let me know if you have any questions.

Sincerely,

William I. Mawyer, Jr., P.E.  
Executive Director

cc: RSWA Board of Directors  
RSWA Board of Directors