



CITY COUNCIL AGENDA October 16, 2023

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

4:00 PM OPENING SESSION

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed on the City's streaming platforms and local government Channel 10. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

Call to Order/Roll Call

Agenda Approval

Reports

1. Presentation: Budget Presentations - Human Needs
2. Report: Decarbonization Study Project Update

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Per Council's Adopted Rules and Procedures, remarks shall at all times be addressed directly to Council, and not to staff, the audience, or the media. Remarks and actions that disrupt the progress of the Council meeting are not permitted. Remarks from persons other than Councilors, the City Manager, the City Attorney, or a Presenter for an Agenda Item are not permitted, other than within the portions of a meeting Agenda set aside for "Community Matters", comment on a Consent Agenda item, or a public hearing. The following are examples of remarks and behavior that are not permitted: i. Interrupting a speaker who is addressing Council at the speaker's microphone, or interrupting a speaker who has otherwise been invited to address Council during Community Matters or a Public Hearing; ii. Interrupting a councilor who is speaking; iii. Shouting, and talking (either individually or in concert with others) in a manner that prevents a speaker or a Councilor from being heard or that otherwise hinders the progress of the meeting; iv. Blocking paths for emergency exit from the meeting room; engaging in any conduct that prevents a member of the audience from seeing or hearing councilors during a meeting; standing on chairs or tables within the Council meeting room; v. Threats of violence toward councilors, City staff or members of the public; vi. Engaging in conduct that is a criminal offense under the City Code or the Virginia Code; vii. Campaigning for elected office; viii. Promotion of private business ventures.

Moment of Silence

Announcements

Recognitions/Proclamations

Consent Agenda*

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

3. Minutes: August 7 regular meeting, August 29 joint Planning Commission-City Council joint work session, September 27 work session
4. Resolution: Resolution to Appropriate funds from the Bureau of Justice Assistance FY 2022 Patrick Leahy Bulletproof Vest Partnership - \$16,942 (2nd reading)
5. Resolution: Resolution to Appropriate Virginia Department of Emergency Management (VDEM) Emergency Management Performance Grant - \$7,500 (2nd reading)
6. Resolution: Resolution to Appropriate VDOT TAP funding for Meadow Creek Trail and Bridges - \$800,000 (2nd reading)

- 7. Resolution: Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (2nd reading)
- 8. Resolution: Resolution to appropriate funds from the Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$240,000 (1 of 2 readings)
- 9. Resolution: Resolution to appropriate funding from the FY22 State Criminal Alien Assistance Program (SCAAP) Grant for Albemarle Charlottesville Regional Jail - \$19,050 (1 of 2 readings)
- 10. Resolution: Resolution to appropriate funding from the FY23 Housing Opportunities for Persons with AIDS/HIV (HOPWA) Grant - \$382,352 (1 of 2 readings)

City Manager Report

- Report: Monthly report

Community Matters

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

Action Items

- 11. Ordinance: Amend Charlottesville City Code Sec. 15-75 to Comply with Recent Amendments to the Virginia Code Sec. 46.2-924(A) Requiring Drivers to Stop for Pedestrians in Crosswalks
- 12. Ordinance: Amendment of City Code Sec. 15-435 to Permit a Towing Operator Fuel Surcharge Fee to Conform to Changes in State Law (1 of 2 readings)

General Business

- 13. Written Report: Rivanna Authorities Quarterly Report

Other Business

Community Matters (2)

Adjournment



DEPARTMENTAL BRIEFINGS

DEPARTMENT OF HUMAN SERVICES -- MISTY GRAVES

The Department of Human Services (DHS) was created in 2010. The Department includes all of the foster family and community-based services of the Community Attention Programs and a variety of human services programs and initiatives. The Director serves as a human services policy advisor to the City Manager and works to implement the social policy initiatives of the City Council. The Department also works to ensure the investments made by the City Council meet their vision, values, and outcomes through the Vibrant Community Fund process. Its mission is to provide services and programs that improve and support the resilience, health, and well-being of youth, families, and community organizations.

DHS is also an anti-racist organization that envisions a world where society and its systems (e.g. education, criminal justice, health care, housing, the economy, and child welfare) are just, fair, and inclusive, enabling all people to participate and reach their full potential. DHS believes in the dignity, resilience, and humanity of all people. They strive for a healthy and prosperous society that promotes equitable access and opportunity. Systemic and institutional inequities, especially in matters of race, remain significant barriers for people and communities working to reach their full potential. They choose to challenge and dismantle systems that perpetuate inequities which includes addressing and redressing the historic and current work of the Department of Human Services.



DEPARTMENTAL BRIEFINGS

DEPARTMENT OF SOCIAL SERVICES -- SUE MOFFETT

The City of Charlottesville's Department of Social Services (DSS) is one of 120 local departments in Virginia's state-supervised, locally-administered public social services system. DSS is an agency of city government which administered federal, state, and local public assistance and family services.

DSS administers benefits programs to help meet the basic needs and promote self-sufficiency for low-income individuals and their families and family services programs to protect children and adults from abuse and neglect to promote and support the development of healthy families. Programs administered include Supplemental Nutrition Assistance Program (SNAP), Medicaid, Temporary Assistance for Needed Families (TANIF), Virginia Initiative for Education and Work (VIEW), and Child Care Assistance.

DSS Family Services Programs provide case management services through federal and state mandated programs. Major programs include Child Protective Services (CPS), Foster Care Prevention, Foster Care, Adoption, Fostering Futures, Adult Protective Services (APS).

In 2020 the department provided over \$72 million dollars in Medicaid and Family Access to Medical Insurance Security (FAMIS) payments to providers; over \$6 million dollars in SNAP; over \$5 million dollars in Children's Services Act (CSA) payments to providers; nearly \$3 million dollars in Adoption Assistance payments to adoptive parents, and over \$770,000 in Child Care payments to providers alone.



DEPARTMENTAL BRIEFINGS

OFFICE OF THE COMMUNITY SOLUTIONS -- ALEX IKEFUNA

Office of Community Solutions (OCS) coordinates, manages, and serves as a liaison to housing and redevelopment projects in the city including affordable housing programs, commercial revitalization, redevelopment, and development activities; as well as neighborhood, and constituent services, Federal Entitlement Administration (CDBG/HOME), MyCville, and other key services. OCS facilitates grants management and administration for city departments and offices by serving as the clearinghouse for all grant applications, serving as the liaison between the federal, state, and local funders and the City of Charlottesville provides technical assistance to city staff and community partners and completes grant applications for projects that are in alignment with city priorities.

The Office focuses on affordable housing initiatives, overseeing grants, federally funded programs, and implementation of the Strategic Investment Area (SIA) Plan, and adopted Small Area Plans. More specifically, redevelopment activities include programs and activities designed to attract and retain businesses in the SIA, workforce development, citizen engagement, neighborhood revitalization, and human services. Affordable housing initiatives include the implementation of the Affordable Housing Plan, administration of the Charlottesville Affordable Housing Fund (CAHF) and other related housing activities, and support to the Housing Advisory Committee (HAC), Charlottesville Affordable Housing Fund Advisory Committee and CDBG Taskforce. Federal Entitlement Administration involves the management of the Federal Entitlement programs (CDBG/HOME) funds, HUD-mandated development of multi-year Consolidated Housing and Community Development Plan, Annual Action Plan and associated structured reporting requirement - the Consolidated Annual Performance and Evaluation Report (CAPER).



Department of Human Services

Council Briefing | October 16, 2023

DHS Vision and Mission

VISION: To be a place where everyone thrives...by serving as the community's premier provider in meeting the therapeutic needs of youth and families, supporting the community's efforts to improve equity, and address poverty and its impacts.

MISSION: We provide services and programs that improve and support the resilience, health and well-being of youth, families and community organizations.





Services by Unit

Direct Services – Youth Centered 29 STAFF

- **Community Attention Foster Families Recruitment, training, retention**
 - Transracial support groups
- **Community Based Services**
 - Mentoring, Skill Groups, Internships, Youth Service Learning, Electronic Monitoring
- **Youth Council: 7 core members focusing on local advocacy issues.**

Administrative – 6 STAFF

Direct Services – Adult/Families 7 STAFF

- **Community Connector – Housing Navigation**
- **Community Resource Hotline (Pathways)**
- **Emergency Hotel Stays**
- **Westhaven CARES Center (formerly Clinic)**
- **13 internal employee resource group dedicated to Trauma Informed Agency and Anti-Racist Action Plans**



Community Engagement & Outreach

- Vibrant Community Fund
- BRACH Board
- CAA Steering Committee
- CANDYD Steering Committee
- Annie E Casey Juvenile Probation Transformation
- Mental Health and Wellness Coalition
- Food Equity Initiative
- CPMT Co-Chair/FAPT/Program
- Re-entry Council & One Stop Shop
- DHS/CDSS/ACDSS Equity Group
- Coordinated Entry System



Outcome Highlights FY 23

- Housing Navigation: 60 served & 94% secured stable housing
- Pathways: Met 1275 requests and distributed approx. \$1.2 million in rental/mortgage and utility relief.
- Emergency Hotel Stays: 19 stays, 14 of those were families with children.
- Community Based Services:
 - CAYIP = 6982.25 hours
 - Teens GIVE = 998.25 hours
- Community Attention Foster Families (CAFF):
 - The national average for relative kinship placement for children and youth in foster care is 34%, but Virginia's kinship placement is at 10%. **CAFF is at 59%.**
 - In FY 23 CAFF approved 11 new resource homes and 14 new kinship homes (25 total).



Budget

- Overall budget approx. \$7.2
 - 75% revenue generated through fees for services & grants
 - 25% general fund contribution to support Council Initiatives & increase in CAYIP stipends
- Major revenue sources:
 - Virginia Juvenile Community Crime Control Act
 - Children Services Act (CSA)
 - Victims of Crime Act Grant (VOCA)



Success Factors

- Core vacancies filled with no wait lists; Deputy Director in progress
- Anti-racist mission and action plan continued effort
- Strategic Doing process to include all voices of staff & new goals for FY 24-25
- Staff trained in Mental Health First Aid and Trauma Informed Care



Challenges

- Prevention vs. Intervention and Fee for Service Model
- Pathways fully funded in FY 24; Anticipate continued needs in FY 25
- Vibrant Community Fund budget requests surpass available budget
- Emergency Hotel Stays funded by ARPA dollars



Questions





Department of Social Services

COUNCIL BRIEFING
OCTOBER 16, 2023

Our Mission

The Department of Social Services joins with the community in providing social services that meet essential needs, promote self sufficiency, and enhance the quality of life for all residents.

Federal and state mandated programs

- ◆ Supplemental Nutrition Assistance Program (SNAP) and education and training program (SNAP-ET)
- ◆ Medicaid (now known as Community Care)
- ◆ Temporary Assistance for Needy Families (TANF)
- ◆ Refugee Assistance Program
- ◆ Virginia Initiative for Education and Work (VIEW)
- ◆ Child Care subsidy program
- ◆ Energy Assistance Program
- ◆ Child Protective Services (CPS)
- ◆ Early Prevention and In Home Services
- ◆ Foster Care
- ◆ Adoption
- ◆ Fostering Futures
- ◆ Adult Protective Services
- ◆ Guardianship program

Workload Trends

Benefit Program	# ongoing cases	% change
Supplemental Nutrition Assistance Program (SNAP)	3165	6%
Medical Assistance Programs (Medicaid)	6729	5%
Temporary Assistance to Needy Families (TANF)	247	-5%

10,696 residents received some type of benefit program

Workload Trends

Service Program	# served	% change
Child Protective Services (CPS)	666 (subject of referrals)	-18%
Foster Care	68	-18%
Adult Protective Services (APS)	322 (subject of referrals)	135%


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graph TD; Director["Director (Sue Moffett)"] --> Administration["Administration (Chief, Laura Morris)"]; Director --> BenefitPrograms["Benefit Programs (Chief, Mary Jane Skidmore)"]; Director --> ServicePrograms["Service Programs (Chief, Jenny Jones)"];
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Director
(Sue Moffett)

Administration (Chief,
Laura Morris)

Benefit Programs (Chief, Mary
Jane Skidmore)

Service Programs (Chief, Jenny
Jones)

The department has 110 regular positions. Currently, 8 positions are vacant and recruitment is in process for all of them.

Our turnover rate for FY23 resignations and retirements was 10.91%.

Budget

The department's approved operating budget for FY24 was \$15,907,753.

Of this amount, \$11,159,964 will be used for staffing and operations.

The remaining \$4,750,789 will be used to pay providers directly for client services. These programs include Adult Services, Child Protective Services, and VIEW.”

On the horizon

Challenges

- ◆ Substance use, mental health, homelessness
- ◆ End of pandemic era enhanced assistance
- ◆ Increased workload in benefit programs
- ◆ Increased intensity of cases in service programs
- ◆ Recruitment of well qualified workforce
- ◆ Technology

Opportunities

- ◆ Community partnerships
- ◆ Early prevention, in-home teams
- ◆ Reorganization to support workload growth and technology needs
- ◆ Remote work



Office of Community Solutions

Council Budget Briefing | October 16, 2023
Alexander Ikefuna, Director

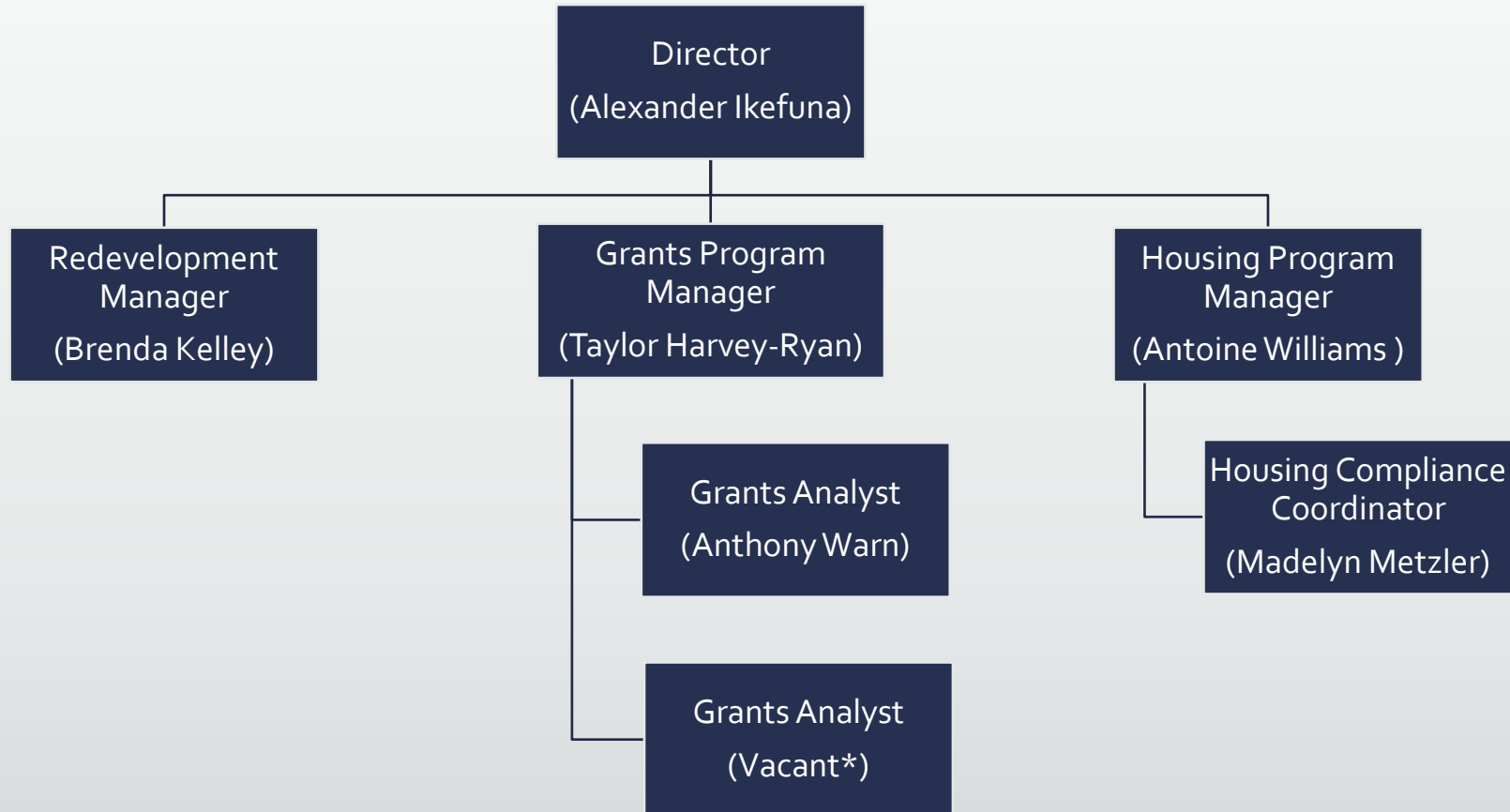
Office of Community Solutions

The City Manager's Office of Community Solutions is tasked with overseeing the implementation of affordable housing programs, commercial revitalization and development, neighborhood and constituent services, Federal Entitlement Administration, and grant program management.





Staffing



* Indicates OCS is in the hiring process



Objectives

- **Enable creation of affordable housing productive reuse of available City properties through the following functions:**
 - Planning and Housing Policies (Affordable Housing Plan)
 - SUP/ Rezoning Proffer Administration related to Affordable Housing
 - Managing City Housing Investments (Rental Assistance, Charlottesville Affordable Housing Fund, Housing Operations Program Support)
 - Leveraging of City Dedicated Housing Funds (CAHF)
 - Adaptive reuse and redevelopment of available City properties
 - Federal Entitlement Administration for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME)
 - Oversight of Housing Advisory Committee (HAC), CDBG Taskforce, and Charlottesville Affordable Housing Fund (CAHF) Advisory Committee
 - City Lease and property acquisition/disposition Coordination
 - Regional Partnerships/ Coordination (TJPDC, Regional Housing Directors, UVA Affordable Housing Initiative)
 - Project Tracking and Monitoring of redevelopment activities related to the Strategic Investment Area Plan and the Cherry Avenue Small Area Plan
 - Complaints Management/mycville
 - Neighborhood Constituent Services
- **City Wide Grant Management and Support Services**



2023 Success

- Hired Grants Program Manager, Housing Program Manager, Housing Compliance Coordinator
- Completed the 2023-2027 Consolidated Housing and Community Development Plan and Secured HUD Approval
- Completed all funding processes for 2023/24
 - CAHF
 - HOPS
 - CDBG/HOME
- Developed Grants Administration SOPs
 - Grants Administration SOP (updated)
 - Memorandum of Understanding/ Agreement (created)
 - Letters of Support (created)
- Developed Grants Inventory Report



2023 Success Cont.

- 2022-23 Consolidated Annual Performance & Evaluation Report (CAPER) submitted and approved by HUD
- Served as liaison to PHA and CRHA on redevelopment initiatives
- Hosted 2 Grants Workshops
 - Grants 101& Pre-Award, City Grant Opportunities
 - 19 attendees
 - Post-Award
 - 12 attendees



Grants Workshop, September 12, 2023



2023 Success Cont.

- Substantial completion of housing development projects
 - Kindlewood
 - Phase 1: 106 Units
 - Crescent Halls: 105 Units
 - South 1st Street
 - Phase 1: 62 units



South 1st Street



Crescent Halls



Kindlewood



Challenges

- Project monitoring and reporting including investment projects
- Staffing

Future Outlook

- Of the 10 Projected Housing Investment Project applications received in 2022 totaling \$33,364,535, City Council committed to five projects for approximately \$25.2 million, 76% of the requested assistance.



New Initiatives

- Complete SOP's for the following
 - City Leases
 - Housing Programs
 - Federal Entitlement Administration (CDBG/HOME)
- Acquisition of grants management/ project management software
- Development of a Uniform Citywide Grant Monitoring Tool
- Development of Reporting Tool for grantees
- Implementation of Inclusionary Zoning
- Anti-Displacement Strategy
- Land Banks
- Long-term strategy for preventing and ending homelessness as it relates to affordable housing and grants
- Strategic approach to allocation of funding
- Affordable housing preservation/ exterior improvement



Current Service Levels

- Grants
 - 18 applications (assisted with review, submission, or management)
 - 92 Inventory (support, management, technical assistance)
- Housing Development Plans Reviewed
 - Project review completed: 33 *
 - *Numbers do not include projects that required multiple reviews, or the multiple reviews of the Affordable Housing Ordinance and accompanying information (associated with the Zoning rewrite), nor the Zoning Code rewrite submissions
- Funded Agencies
 - CAHF FY23: 5
 - HOPS FY24: 11
 - CDBG FY23: 10
 - HOME FY23: 3
 - HOME ARP FY23: 3



Questions



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



Agenda Date: October 16, 2023
Action Required: No Council Action Required
Presenter: Lauren Hildebrand, Director of Utilities
Staff Contacts: Lauren Hildebrand, Director of Utilities
Title: Decarbonization Study Project Update

Background

The City of Charlottesville's natural gas utility is one of three municipally owned gas utilities in the Commonwealth of Virginia. The City of Charlottesville has provided reliable natural gas to the residents and businesses of Charlottesville and Albemarle County, including the University of Virginia, for over 150 years. Currently, the City operates and maintains a natural gas distribution system comprised of 340 miles of natural gas main lines and serves over 21,500 customers.

The City of Charlottesville, Albemarle County and other local municipalities have made commitments to community-wide greenhouse gas emissions reduction goals. On July 1, 2019, City Council adopted the goal of a 45% reduction in community-wide greenhouse gas emissions by 2030 and a goal of carbon neutrality by 2050. Both of these reduction measures will be based on the 2011 inventory year. Albemarle County has made the same level of emissions reduction commitments, measured from its 2008 inventory year.

As a result of the City of Charlottesville owning, operating and maintaining a natural gas utility, the utility's role and responsibilities regarding community-wide greenhouse gas reductions must be thoroughly evaluated. The Department of Utilities has solicited the expertise of an outside consulting firm in order to responsibly and accurately determine how the gas utility can be a part of the solution in achieving and aligning itself with the community's greenhouse gas reduction goals.

Discussion

The Study will determine the legality, under federal, state and local laws, of potentially discontinuing the natural gas system, and/or discontinuing future residential, commercial, industrial connections to the gas system. If one or both of these scenarios are determined to be legal, the impact to existing and future customers and the City of Charlottesville will be evaluated. The Study will also model various scenarios in which our gas utility can achieve or exceed the greenhouse gas emissions reduction goals. The modeling will evaluate cost impacts and resiliency implications to customers by looking at technology and energy efficiency improvements in order to reduce greenhouse gas emissions. In addition, the study will evaluate and make recommendations to improve the Charlottesville Gas Energy Efficiency Program and the operations and maintenance of the natural gas system. The City anticipates the project to take approximately one year to complete.

The consultant will present a status update on the Decarbonization Study's progress. The discussion will include the data the City has shared with the consultant, how a framework is being developed to evaluate technical and economic viability and the systems modeling methodology will also be defined.

Alignment with City Council's Vision and Strategic Plan

This Project contributes to Goal 3 of the Strategic Plan: A Beautiful and Sustainable Natural and Built Environment.

Community Engagement

The Department of Utilities and the consultant will gather input from stakeholders in the community and update Council and the community on the progress and results of the study.

Budgetary Impact

The Study will be paid from natural gas enterprise operating funds.

Recommendation

There are no staff recommendations and the presentation is intended to update City Council on the Study.

Alternatives

Attachments

1. Decarbonization Study Update Presentation - October 16 Meeting

City of Charlottesville

Natural Gas Decarbonization Study

Disclaimer: Data within this report is still in the analysis phase of this study and should not be considered final.

Prepared By Black & Veatch

October 16, 2023

Agenda

October 16, 2023

Goal of this session: To provide a progress update on the decarbonization study. Analysis is still underway and on-track for March 2024 finalization

1. Project Scope & Review Project Progress
2. Initial Benchmarking of CoC System
3. CoC Natural Gas & Emissions Trends
4. Evaluating Decarbonization Solutions: Emissions, Reliability & Affordability
5. Discuss Next Steps

Project Objectives & Scope of Work

City of Charlottesville Goal

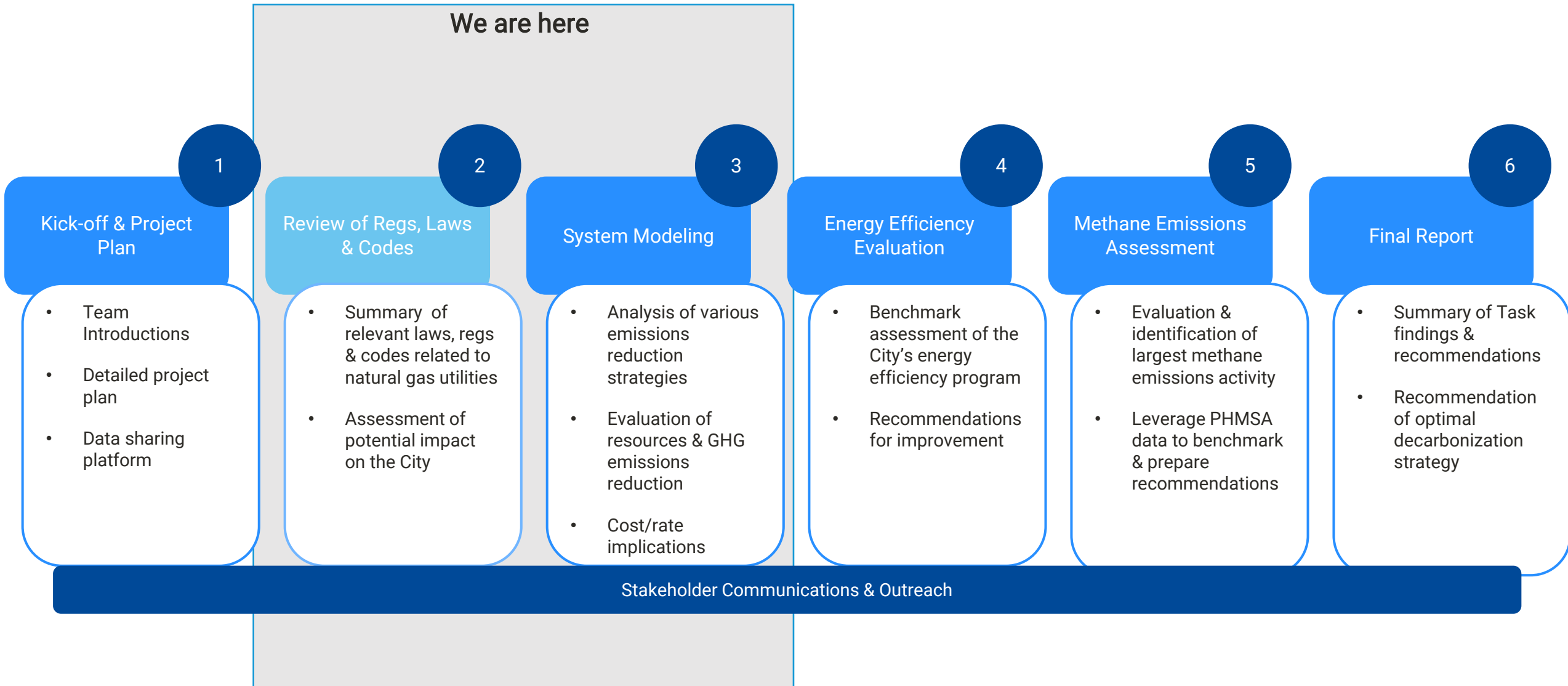
- On July 1, 2019, City Council adopted the goal of a 45% reduction in community-wide greenhouse gas emissions by 2030 and a goal of carbon neutrality by 2050. Both of these reduction measures will be based on the 2011 inventory year

Study Objective

- The City of Charlottesville owns, operates and maintains a natural gas utility. The Department of Utilities has solicited the expertise of Black & Veatch in order to determine how the gas utility can be a part of the solution in achieving and aligning itself with the community's greenhouse gas reduction goals as well as continuing to provide reliable and affordable services to its customers



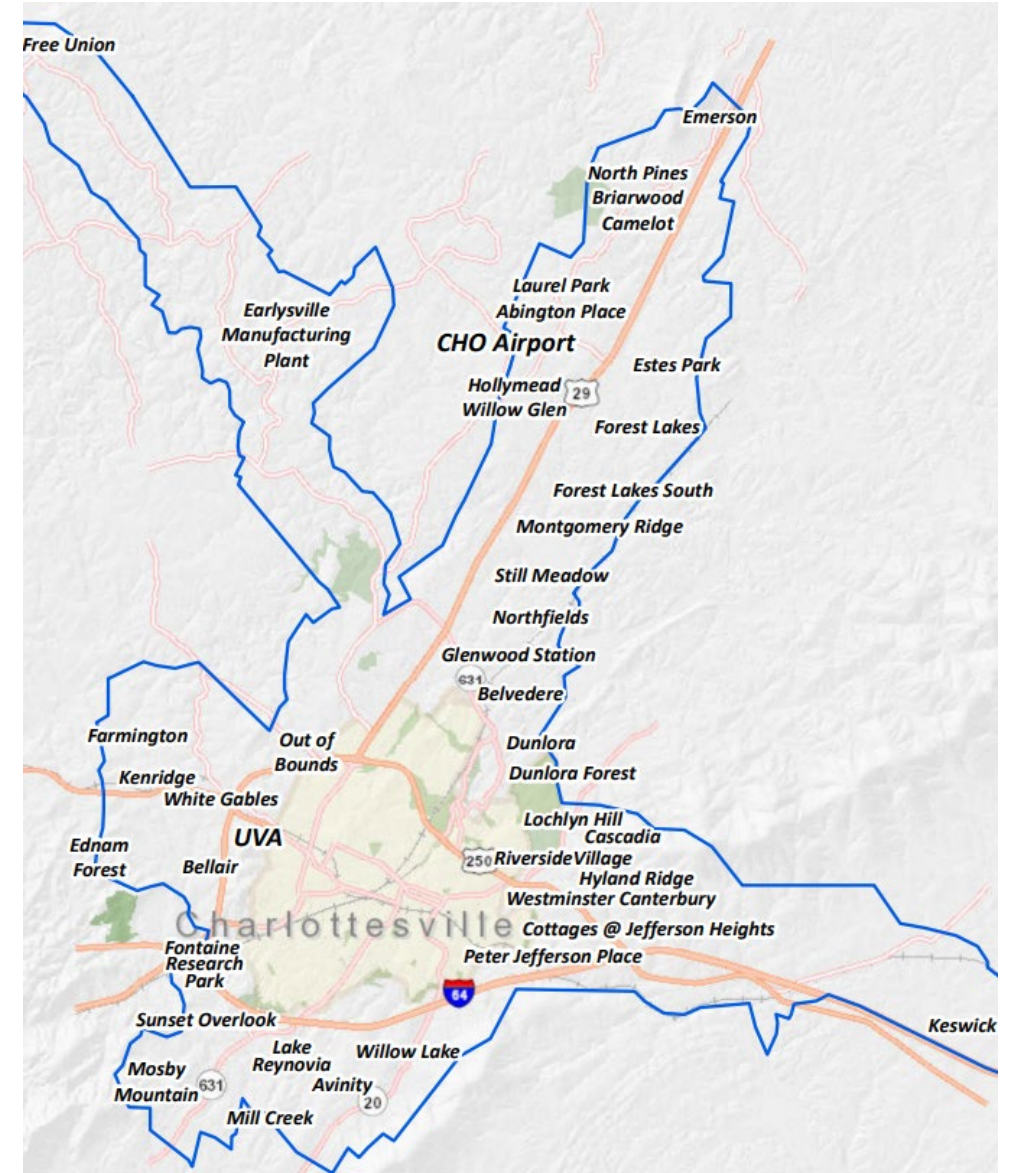
Our Approach: Project Status



The City of Charlottesville Gas System

- Roughly 343 miles of distribution mains & 303 miles of gas service lines
- The City of Charlottesville gas provides natural gas service to approximately 16 industrial customers, 2,411 commercial customers & 18,873 residential customers in both the city & county¹
- System (mains) is comprised of primarily plastic material (79.6%) or cathodically protected coated steel (20.2%). **Only 1 mile of cast iron in the system**
- Relatively new system with the greater majority installed in the 1990s following pipeline replacement. Industry expectation is that plastic pipeline has a useful life well over 100 years
- The average utility in its peer group has distribution services of which approximately 75% are made of plastic and 24% are cathodically protected, coated steel. **CoC's split is more like 99%/1%**

Note: ¹ 12,243 customers are located in the City & 9,057 in the County

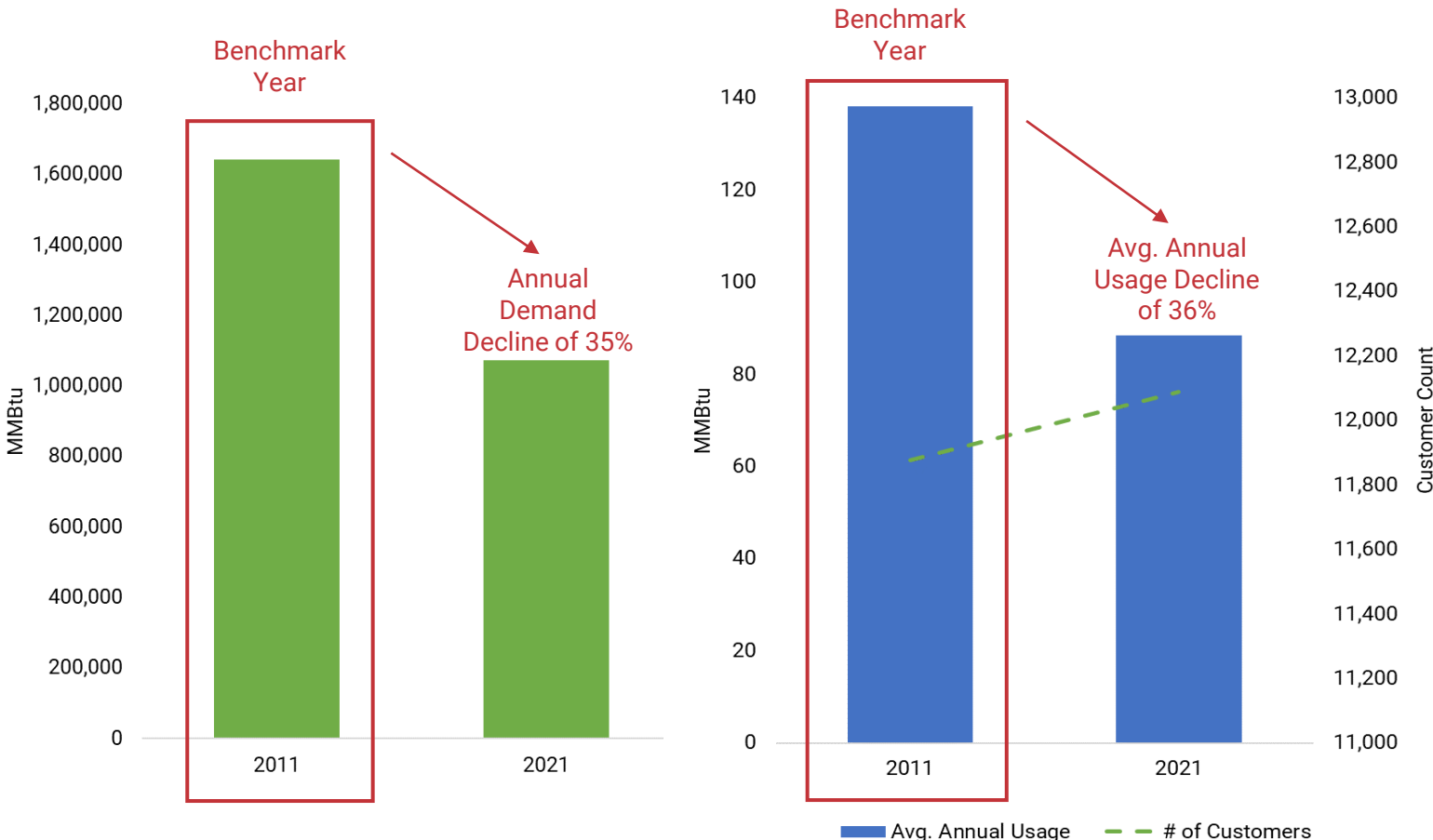


Natural Gas Demand in CoC is Decreasing

And on average customers are using less natural gas

City of Charlottesville Annual Throughput (MMBtu)

Average Annual Usage Per Customer (MMBtu)



Natural gas demand in the City of Charlottesville has **decreased nearly 35%** since 2011, despite only a 1.77% growth in the number of customers, respectively



System-wide, customers used an average of 88.5 MMBtu/year in 2021 **a decline of 36% per customer** as compared to 2011



Natural gas demand is trending down in many U.S. utilities, as energy efficiency opportunities are leveraged & new customer connections slow

The City of Charlottesville is reducing its GHG footprint

Via three different programs

1

Purchase of Carbon Offsets of 7,500 MMBtus per day, **offsetting 25%** of GHG emissions from CoC's natural gas supply, per day

2

Energy Efficiency programs for attic insulation, programmable thermostats, CoC's LEAP program

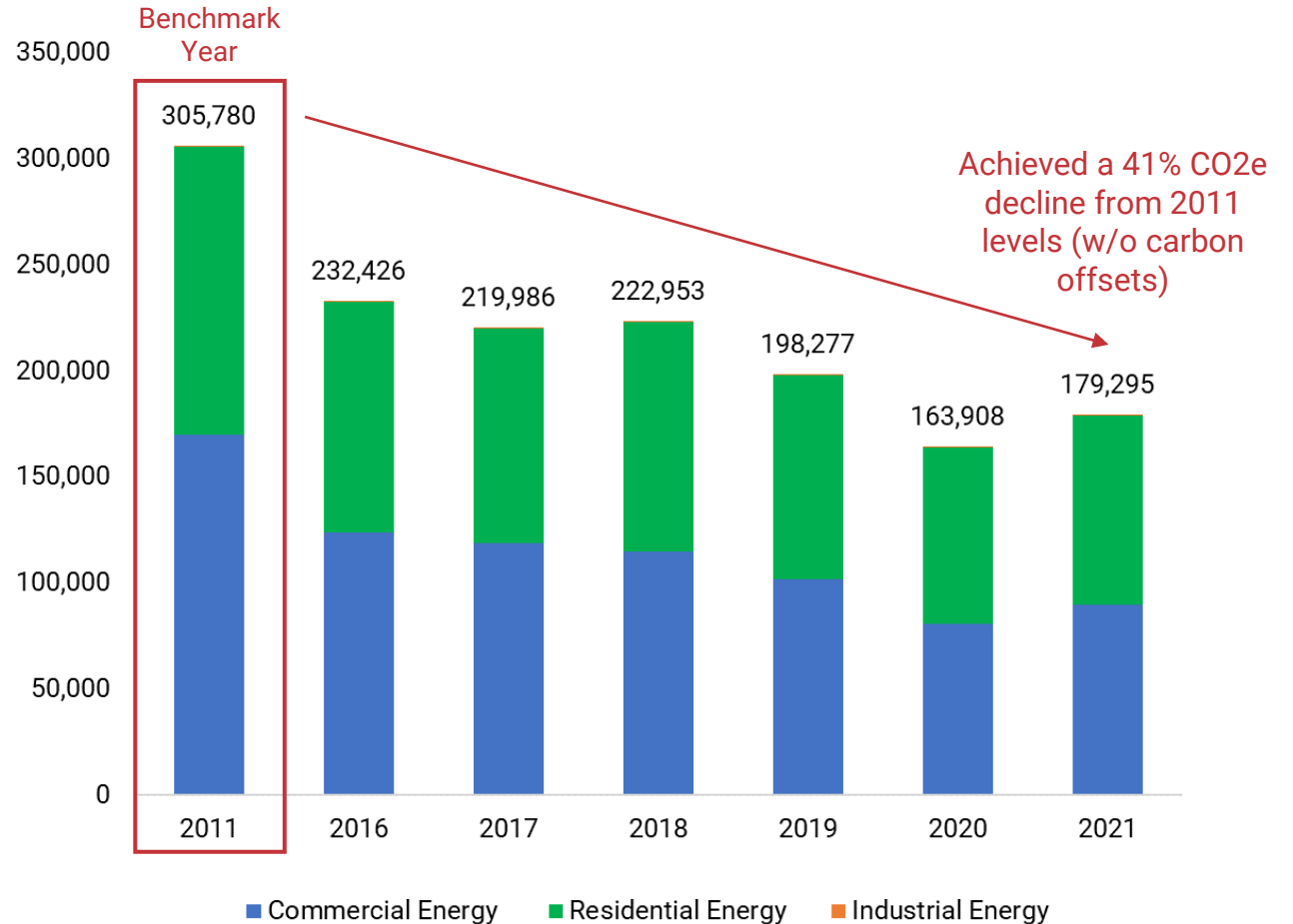
In the Charlottesville Gas Energy Efficiency Program (CGEEP) alone, participants averaged **20% reduction in gas usage** in winter months

3

Replacement of legacy cast iron pipes with HDPE plastic pipe via a \$7.1 M federal grant. EPA estimates the average mile of cast iron distribution main **loses nearly 240 Mscf** of natural gas per year as compared to **9 Mscf** per year for one mile of plastic main¹

Note: ¹ EPA Table W-7 to Subpart W of CFR 98

Energy Emissions Inventory (MT CO₂e) Without Carbon Offsets



The City of Charlottesville System: Preliminary Methane Assessment¹

- CoC’s average leak rate is below national average of roughly 221 leaks per 1,000 miles of distribution system as per the US Dept of Transportation’s PHMSA database
- Since the implementation of the Public Awareness Program in 2007, the number of 3rd Party Excavation incidents dropped by ~76 %
- CoC’s top risk ranked under the DIMP is excavation damages caused by third parties, which accounted for 80 leaks over the past 3 years

Year	Leaks on Mains	Leaks on Services	Total CoC Leaks	Total Leaks Eliminated per 1,000 Miles of Distribution System ²
2020	39	80	119	186
2021	22	68	90	139
2022	8	110	118	182

Note: ¹ A more detailed assessment of Methane Emissions will be provided in the Task 5 – Methane Emissions Deliverable

² Calculated as follows: (total system size in miles x total system leaks)*1000.

Remaining Emissions from Natural Gas

Black & Veatch is leveraging its expert approach to evaluate remaining emissions reduction strategies

Our Solution Evaluation Framework

Category	Topic	Deployment Timeframe		
		Short Term (<3 years)	Medium Term (3-10 years)	Long Term (>10 years)
Commercial Accelerators, Risks	Supply chain development & risks			
	Availability, commercialization horizon			
	Feasibility in service territory (viable locations)			
	Regulatory and policy barriers			
Economics	Economic considerations (unit costs and trends)			
	Regulatory and policy incentives (tax credits, funding)			
	Related investment opportunities			
Business Case Applications	Carbon intensity			
	Use cases (efficiency, backup power, offsets, etc.)			

We are evaluating emissions reduction strategies through the following lens:

- 1 Evaluation of maturity and **reliability** of the solution/technology
 - 2 Evaluation of the solution/technology total **emissions reduction** potential
 - 3 Evaluation of **affordability** of the solution/technology for end-users
-
-  An expert, holistic assessment of reliability, emissions reduction potential & affordability, for the best solution for the City of Charlottesville

Range of Solutions

Black & Veatch has identified a broad range of solutions to ensure a thorough assessment of alternatives (& combination of alternatives) in its final recommendations



Low Carbon Fuels

- Low Carbon Hydrogen
- Renewable Natural Gas
- Certified Natural Gas



Energy Efficiency

- Behavior Changes



Renewables

- Onsite renewables; rooftop solar
- Network Geothermal



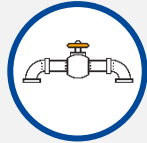
Offsets

- Carbon Offsets
- Direct Air Capture Offsets



Electrification

- Total Building Electrification



Pipeline System Upgrades

- Cast Iron Mains Pipeline Replacement
- Excess Flow Valves

All technologies & solutions will be compared and evaluated based on the framework described, with emphasis on **reliability**, **emissions reduction** potential, and **affordability**

Heating Electrification Example

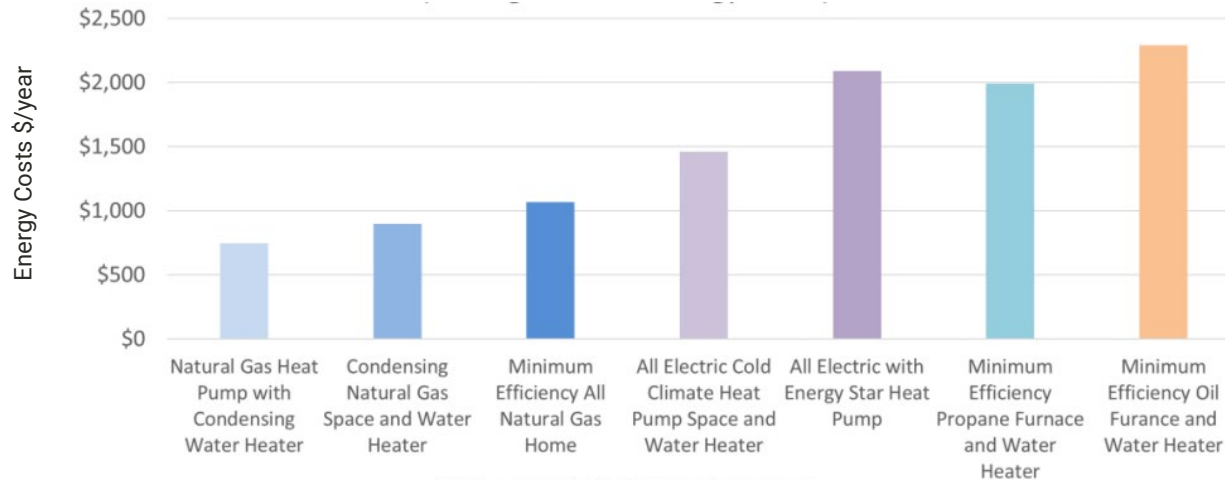
Data is being presented as an example of how evaluations will be completed. This not representative of final results.



Heating Electrification Economic Comparison

Appliance	Avg. Appliance Cost (\$/2023)	Installation Cost (\$/2023)	Existing Rebates	Total Upfront Costs
Electric Water Heater (Heat Pump) – 50 Gal	\$1,781	\$3,750	IRA at 30%: \$1,659	\$3,872 w/ rebate
Natural Gas Heating – 50 Gal	\$1,000	\$1,750	None	\$2,750

Cost Comparison of Home Energy Usage (Average Energy Costs)



2072 sq ft Single Family Home by Fuel Type

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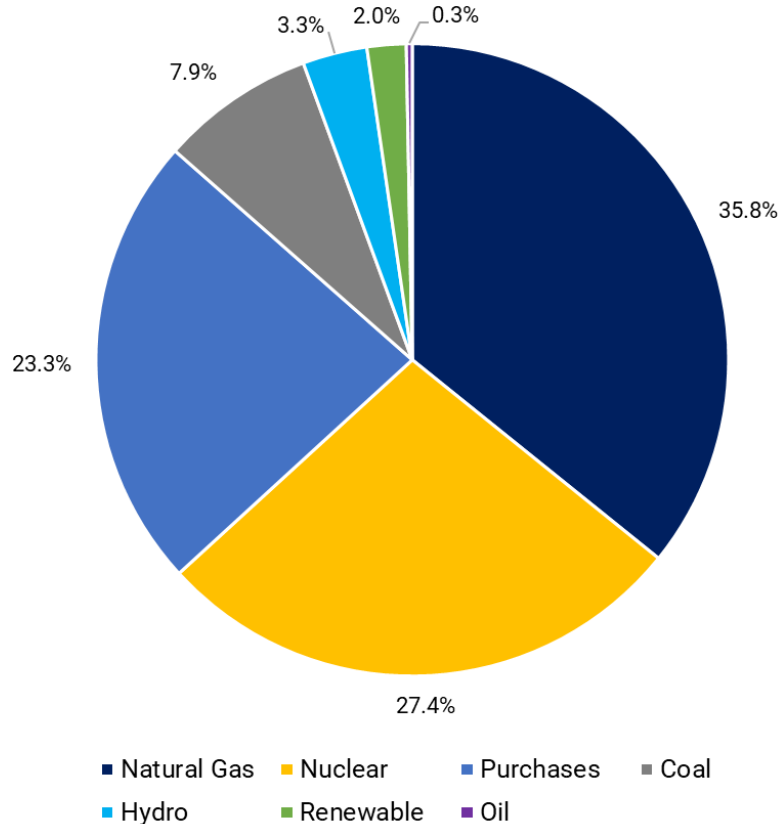
Assumptions and Considerations

- Despite higher upfront costs, fuel efficient electric heat pumps yielded annual energy savings, however cost savings are fully dependent on electricity rates
- Emissions reductions associated with electrification depends on the electricity generation profile of the local utility
- Average annual energy costs are from AGA's March 1, 2023 "Comparison of Home Appliance Energy Use, Operating Costs, and Carbon Dioxide Emissions 2022 Update"

Electrification Driven Emissions Reduction

Total emissions reduction driven by electrification depends on the generation asset creating the electrons

Dominion Energy Virginia's 2022 Fuel Source Mix¹



In 2022, at least 44% of Dominion Energy Virginia's fuel source mix is thermal resources (natural gas, coal, & oil)



Though emissions reductions would be achieved via electrification, unless 100% of electricity is generated from renewables, zero emissions would not be achieved



Dominion Virginia has extensive plans to further decarbonize its generation fleet including its \$9 billion offshore wind project, dramatic increases in solar & wind, energy storage, and advanced nuclear technology, but proposes to maintain some of its natural gas units



Evaluating a balance of electrification & other emissions reduction strategies is important in maintaining reliability & affordability

Important Customer Information from Dominion Energy Virginia

In 2022, the Company served over 2.7 million customers, generated 74,137,444 megawatt-hours (MWh) of electricity and met its 17% Renewable Portfolio Standard requirement. Total direct based on tons per MWh of electricity generated, from Company facilities were 0.00006 tons of sulfur dioxide and 0.00009 tons of nitrogen oxides. The fuel source mix was 35.8% natural gas, 23.3% purchases, 7.9% coal, 3.3% hydro, 2.0% renewable, 0.3% oil.

Source: ¹ Dominion Virginia's Report to the State Corporation Commission of Virginia on Fuel Mix & Emissions Data for 2022

Next Steps & Questions



Evaluate technology/solutions scenarios leveraging the study evaluation framework



Expand stakeholder engagement in study progress & solutions



Complete methane and energy efficiency benchmarking assessment



Draft and issue final report with emission reduction strategy recommendations and estimated impact on costs to rate payers

Thank you!

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CITY COUNCIL MEETING MINUTES

August 7, 2023 at 4:00 PM
CitySpace, 100 Fifth Street NE

The Charlottesville City Council met at 4:00 p.m. on Monday, August 7, 2023, at CitySpace, 100 Fifth Street NE. The meeting was moved from its original Council Chamber location because of water damage to City Hall.

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

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

REPORTS

1. REPORT: Regional Transit Governance Study - Thomas Jefferson Planning District Commission (TJPDC)

Sandy Shackelford, TJPDC Director of Planning and Transportation introduced the report. Lucinda Shannon, TJPDC Senior Regional Planner, and Dr. Stephanie Amoaning-Yankson, AECOM Business Transformation Consultant, presented the Study update.

Over the past several years, the Thomas Jefferson Planning District Commission (TJPDC) has worked with its member jurisdictions to improve transit service in Region Ten, which is made up of the counties of Albemarle, Fluvanna, Greene, Louisa, Nelson, and the City of Charlottesville. In the past year, the region undertook a collaborative effort to develop a Transit Vision Plan to establish a clear, long-term vision for efficient, equitable and effective transit service for the region. Next steps involve additional stakeholder engagement to discuss example governance scenarios and the resulting funding allocations with goals by the end of this study to:

1. Reach consensus with regional stakeholders on feasible options for a transit governance structure in the region (e.g., membership, board representation, authorities, and powers).
2. Identify potential funding mechanisms and associated estimated projections for improving transit within the region.
3. Identify immediate next steps for preliminary planning towards implementation.

Council engaged in discussion and provided feedback including possible funding options and the need to include the University of Virginia in the Plan.

Ms. Shackelford also provided information about the Long-term Transportation Plan. The meeting recessed from 5:19 p.m. to 6:30 p.m.

BUSINESS SESSION

City Council began the business portion of the meeting by observing a moment of silence.

RECOGNITIONS/PROCLAMATIONS

- **PROCLAMATION: Soul of Cville**

Vice Mayor Wade presented the Soul of Cville proclamation to Khalilah Jones and members of the Soul of Cville committee.

- **RECOGNITION:** Mayor Snook announced the appointment of Daniel Fairley, Youth Opportunity Coordinator focused on Black Male Achievement, to the Obama Foundation Leaders USA 2023 program.

CONSENT AGENDA

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

On motion by Pinkston, seconded by Payne, Council ADOPTED the Consent Agenda by unanimous vote.

2. MINUTES: June 20 regular meeting, July 5 joint Council/Planning Commission meeting, July 11 joint Council/Planning Commission public hearing
3. RESOLUTION: Appropriating City Traffic Assets Insurance Reimbursement – \$56,316.53 (2nd reading)

RESOLUTION

City Traffic Assets Insurance Reimbursement \$56,316.53

WHEREAS, Progressive and National General Insurance Company are reimbursing the City of Charlottesville for a loss associated with City of Charlottesville Traffic assets;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$56,316.53 be appropriated in the following manner:

Revenues - \$

\$56,316.53 Fund: 426 Project Code: P-01036 G/L Account: 451110

Expenditures - \$

\$56,316.53 Fund: 426 Project Code: P-01036 G/L Account: 541040

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of funds from the Progressive and National General insurance companies.

4. RESOLUTION: Appropriating Funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS FOR
Virginia Department of Education Special Nutrition Program Summer Food Service
Program \$100,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$100,000 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 20, 2023 through October 31, 2023.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, which the sum of \$100,000, received from the Virginia Department of Education Special Nutrition Program, is hereby appropriated in the following manner:

Revenue – \$100,000

Fund: 209 Internal Order: 1900528 G/L Account: 430120

Expenditures - \$100,000

Fund: 209 Internal Order: 1900528 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$100,000 from the Virginia Department of Education Special Nutrition Program.

5. RESOLUTION: Reallocating \$33,827.85 of American Rescue Plan (ARP) funds to the Department of Human Services from funds previously appropriated to City of Promise (2nd reading)

**RESOLUTION REALLOCATING AND APPROPRIATING FUNDS FOR
American Rescue Plan for Eligible Local Activities
\$33,827.85**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$33,827.85 from previously appropriated American Rescue Plan funds which have been returned to the City is hereby designated to be available for expenditure by the Department of Human Services for the continuation of eligible community resiliency activities.

Revenue:

Fund: 207 I/O 1900529 GL 451050 \$33,827.55

Expense:

Fund: 207 I/O 1900529 GL 599999 \$33,827.55

- 6. ORDINANCE: Approving a Right-of-Way Encroachment Agreement for 1117 Preston Avenue (2nd reading)

AN ORDINANCE APPROVING AN ENCROACHMENT AGREEMENT FROM THE CITY OF CHARLOTTESVILLE, VIRGINIA TO 1117 PRESTON AVENUE LLC FOR THE PRESTON HOUSE PROJECT AT 1117 PRESTON AVENUE

- 7. RESOLUTION: Appropriating VDOT grant funds for Washington Park to Madison Avenue Trail - \$285,665 (2nd reading)

RESOLUTION Appropriating Funds from VDOT Highway Safety Improvement Program Grant for Washington Park to Madison Avenue Trail - \$285,665

WHEREAS, the City of Charlottesville, through Parks and Recreation, was awarded \$285,665 from the Virginia Department of Transportation (VDOT) for the Cherry Avenue/Ridge Street Streetscape Project, and

WHEREAS, the City of Charlottesville has cancelled that project, and

WHEREAS, the City has an existing VDOT grant to construct a bicycle and pedestrian ramp to connect upper Madison Avenue and lower Washington Park that requires additional funding,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$285,665 is hereby appropriated in the following manner:

Revenues

\$285,665	Fund 426	WBS: P-01052	G/L Account: 430120
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Expenditures

\$285,665	Fund 426	WBS: P-01052	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$285,665 from the Virginia Department of Transportation.

CITY MANAGER REPORT

City Manager Samuel Sanders reported the following items.

- Regarding ongoing HVAC issues with Habitat homes, Habitat is proposing to offer a \$2500 stipend to affected homeowners.

- Regarding the proposed expansion of Dairy Central, he expressed concerns about and to Mr. Henry for the approach taken in presenting the project as well as elements of the project. He stated that a community benefits agreements needs to be considered.
- He stated that Charlottesville Area Transit (CAT) is still in crisis mode with a bus driver shortage, and he shared current data as well as a pipeline for new drivers.
- He thanked Juwan Lee, who is leaving CAT after years of service.
- Steven Hicks was selected to fill the role of Interim City Manager.
- Michael Thomas was selected to fill the role of Fire Chief after serving as Interim Chief since October 2022.
- Mr. Sanders enjoyed Westhaven Days and thanked city departments who supported the event.

Deputy City Manager Ashley Marshall announced:

- Congratulations for Daniel Fairley on his appointment to the Obama Foundation program, and to the Community Attention Youth Internship Program (CAYIP) graduates. The program had a 98% success rate, and CAYIP school year applications will open soon.
- Smith Aquatic Center will be closed for annual maintenance Aug 19 - Sept 4. She announced alternate locations for programs.

COMMUNITY MATTERS

Mayor Snook opened the floor for comments from the public.

1. Gloria Beard, city resident, expressed concerns with the proposed Dairy Market development and the lack of housing affordability.
2. Anna Malo, city resident, spoke in opposition to the special use permit request for the Dairy Market expansion, and against Stony Point Development. She ceded the remainder of her time to Vizina Howard, 10th & Page Association President, who also expressed concerns about the expansion and how the information was communicated to residents.
3. Abby Guskind, city resident, spoke in opposition to the Dairy Market expansion project, and displacement of neighbors, and the loss of neighborhood amenities.
4. Donna Shaunesey, city resident, representing herself and the Piedmont Group of the Sierra Club, spoke about the need for fossil-free transit buses.
5. Robert McAdams, Albemarle County resident, spoke about the need to transition to battery electric CAT buses.
6. Linda Abbey, city resident, spoke about the need for sidewalk repairs and transportation solutions. She spoke in opposition of taller buildings such as the 218 E Market Street proposed 9-story tall building.
7. Marcia Geyer, city resident, spoke about transit bus plans and approvals, and stated that the alternative fuels study needs to be redone.

8. Richard Hunt, city resident, spoke in opposition to the Dairy Market expansion project, and in support of inclusive economic development.
9. Zyahna Bryant, city resident, spoke in opposition to the Dairy Market expansion, and stated that community members will attend public meetings until the matter is voted upon.
10. Robin Hoffman, city resident, thanked Ashley Marshall for answering her questions about an ARPA Grant. She spoke about the need for solar on churches, the need for additional farmers markets and the need for bus shelters.
11. Don Gathers, city resident, spoke in opposition to the Dairy Market expansion project, citing the lack of affordable housing, changing of the fabric of the neighborhood, increased tax burden on existing homes, and marginalization.
12. Bill Emory, city resident, spoke about the community engagement statement for the Zoning Ordinance and stated that there has been no direct engagement with neighborhoods that do not have a neighborhood association and are directly impacted by the changes.
13. Elaine Poon, Legal Aid Justice Center, spoke in opposition to the Dairy Market expansion project, citing displacement of Black residents, elimination of street parking, lack of affordable lunch options, and the obstacle for clients who have to walk through spaces that were not built for them.
14. Syleethia Carr, city resident, spoke in opposition to the Dairy Market expansion project, citing continued displacement of Black and Brown families. She stated that Charlottesville Low Income Housing Coalition (CLIHC) has drafted a petition.
15. Sandra Aviles-Poe, Charlottesville United for Public Education, spoke about school transportation recommendations that have been shared with the School Board, and in support of the Respect Our Neighbors campaign.
16. Chris Meyer, city resident, expressed concerns about the lack of school bus drivers and holding management accountable.

ACTION ITEMS

8. RESOLUTION: Referring the Zoning Ordinance rewrite to the Planning Commission

James Freas, Director of Neighborhood Development Services, stated that the Planning Commission would have 100 days per State Code to bring a recommendation to City Council regarding the Zoning Ordinance once the item is formally referred to the Planning Commission. He stated that the goal is to complete the process by the end of 2023.

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

RESOLUTION

Referring adoption of the Charlottesville Development Code (Zoning and Subdivision Ordinances) to the Planning Commission for review and recommendation

WHEREAS upon adoption of the Affordable Housing Plan (March 2021) and the Comprehensive Plan (November 2021) both containing recommendations to adopt new zoning to address issues of equity in land use practices and regulation and to provide opportunities to build affordable housing and expand the supply of housing options; and

WHEREAS staff has prepared a draft Development Code in a public process that has engendered extensive engagement with residents and property owners in the City; and

WHEREAS this Council finds that consideration of the proposed Development Code is required by the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville that the amendment and reenactment of the entire zoning ordinance is hereby initiated pursuant to City Code 34-41(a)(1); and

BE IT FURTHER RESOLVED THAT the proposed Development Code incorporating the amended zoning and subdivision ordinances is hereby referred to the Charlottesville Planning Commission for its recommendations, and to be scheduled for a public hearing. Based on the Planning Commission's deliberations and based on input received during the public hearing process, the Planning Commission shall report its findings and recommendations to City Council within 100 days after their first regular meeting following the adoption of this resolution.

9. RESOLUTION: Special Use Permit request at 207 and 211 Ridge Street

Matt Alfele, City Planner, summarized the request. Staff recommended a tenth condition, "The applicant will provide a construction access management plan. At minimum the plan will include measures to insure safe vehicular and pedestrian access along 4th St SW and Dice St during construction. The plan will be subject to approval by the Director of NDS and must be detailed within the Final Site Plan."

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) AMENDED the resolution to add Condition #10.

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

RESOLUTION GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 207 AND 211 RIDGE STREET (TAX MAP PARCEL 290029000)

WHEREAS The Salvation Army of Charlottesville ("Applicant") is the owner of certain land identified within the City of Charlottesville real estate records as Parcel

Identification No. 290029000 (the “Subject Property”), which has frontage on Ridge Street and 4th Street Southwest; and

WHEREAS the Subject Property is located within an Architectural Design Control District and within the West Main East Corridor mixed use zoning district, a district in which, according to the Use Matrix set forth within City Code 34-796, use of the property as a Shelter Care Facility 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 SP23-00004, as required by City Code §34-158 (collectively, the “Application Materials”); and

WHEREAS the City Council and the Planning Commission conducted a joint public hearing on July 11, 2023, following public notice given in accordance with applicable law; and

WHEREAS the Planning Commission considered and recommended approval of this application at their July 11, 2023 meeting, subject to conditions recommended within the Staff Report, and modified as discussed in the meeting; 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 as a permissible use of the Subject Property subject to the following conditions:

1. Per Section 34-796: Permitted Shelter Care Facility on the Subject Property with supporting services and no restrictions on number of beds.
2. Per Section 34-162: Alter the Ridge Street Streetwall requirement to state that at least thirty-two (32) percent of the building façade width of a building must be in the build-to zone on the Subject Property.
3. Per Section 34-162: Alter the 4th ST SW Streetwall requirements to state that setbacks shall be ten (10) feet minimum; no maximum and no percentage of the building façade width of a building must be in the build-to zone.
4. Per Section 34-162: No minimum parking is required on the Subject Property during construction, but the applicant will work with the City to develop a parking/safety/transportation plan (as part of a Final Site Plan) to ensure safe access to the site during construction to ensure continuity of services. When construction is complete, as indicated by the issuance of Certificate(s) of Occupancy (CO), no minimum parking will be required on the Subject Property, but should the number drop below 30 spaces, the applicant will work with the City’s Traffic Engineer to develop a Master Parking Plan for the Subject Property. 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/employees

are informed of their parking opportunities, and any possible offsite parking arrangements, etc....

5. Per Section 34-162: Onsite parking shall not be required to have fifty (50) percent covered.
6. Per Section 34-162: An extension of the SUP may be granted for up to two (2) years if requested by the applicant or landowner pursuant to Section 34-164(d).
7. Per Section 34-157(b): Trash receptacle (dumpsters) must be provided and secured in a facility that is adequate and cannot be accessed by the public.
8. Per Section 34-157(b): If the large oak tree [at Ridge Street] dies, then another large canopy tree will be planted [in its place].
9. Per Section 34-157(b): S-3 Screening shall be provided along the 4th ST SW boundary of the property.
10. The applicant will provide a construction access management plan. At minimum the plan will include measures to insure safe vehicular and pedestrian access along 4th ST SW and Dice ST during construction. The plan will be subject to approval by the Director of NDS and must be detailed within the Final Site Plan.

10. RESOLUTION: Approving a Special Use Permit at 218 West Market Street (2nd reading)

James Freas, Director of Neighborhood Development Services, summarized the updates since the first reading of the item on July 17, 2023, and he answered questions for Council.

On motion by Pinkston, seconded by Wade, Council by a vote of 4-1 (Ayes: Pinkston, Puryear, Snook, Wade; Noes: Payne) APPROVED the resolution.

Councilor Payne spoke about the need to challenge the status quo to address housing affordability.

GENERAL BUSINESS

11. WRITTEN REPORT: Land Use and Environmental Planning Committee Semi-Annual Report

Council acknowledged the written report and Councilor Payne stated that the meetings of this committee were once open to the public and several years ago the meetings were closed to the public, so there is no public body that includes a member of City Council or the public to take part in UVA's decisions about future land use and development.

12. WRITTEN REPORT: Rivanna Authorities Quarterly Report

Council acknowledged the written report.

COMMUNITY MATTERS (2)

Mayor Snook opened the floor for comments from the public.

- Peter Rightmeyer stated that he attended the July 26 Thomas Jefferson Planning District Commission (TJPDC) meeting, and he recommended viewing a presentation from Sandy Shackelford to learn about VDOT funding. He referenced specific approved development projects that need traffic and infrastructure studies.
- James Bryant, city resident, spoke in opposition to the Dairy Market proposed expansion project.
- Althea Laughon-Worrell, city resident, spoke in opposition to the Dairy Market proposed expansion project.
- Ginny Keller, city resident, spoke about the Preston Avenue Special Use Permit request, and asked that any new project in that area respect the neighbors. She warned of unintended consequences in the draft Zoning Ordinance that would negatively impact neighborhoods such as the culturally distinct Black neighborhoods in the Preston Avenue area.
- Nya Bryant, city resident, spoke in opposition to the Dairy Market proposed expansion project.
- Robin Hoffman, city resident, spoke about the need for outreach to citizens and churches for solar power. She spoke about the usability of city parks.
- Trinity Hughes, city resident, spoke about the Westhaven neighborhood meetings and the need for sunlight to improve mental health. She spoke about the need to address traumatic mold, rats, and other issues to take care of existing properties versus building new.
- Katrina Turner, city resident, spoke in support of comments made by Zyahna Bryant and the Respect the Neighbors campaign. She spoke in opposition to the Dairy Market expansion project, citing displacement of the Black community due to lack of affordability. She asked about City plans for commemorating the August 12, 2017 anniversary.
- Deanna McDonald, Albemarle County resident with family living in the 10th & Page neighborhood, spoke in opposition to the Dairy Market proposed expansion project based on past injustices. As a clinician, she spoke about key social determinants of health. She asked that City Council not support the project on the basis of size, affordability, cultural incompetence, and lack of health equity.
- Ben Heller, spoke about the need to reduce bulk and height of the Dairy Market development proposal. He stated that either the Draft Zoning Ordinance needs revision and Dairy Market Phase 3 gets pared back, or the two should go forward together.
- Katherine Edwards, city resident, spoke in opposition to the Dairy Market proposed expansion, and cited changes to neighborhood aesthetics, tax rates, and the lack of affordability.
- Andrea Massey, city resident, spoke in opposition to the Dairy Market proposed expansion project, and expressed a need to prevent further gentrification.
- Triana Hughes, city resident and teacher, spoke about the amount of time that black women spend to combat forces that seem to push Black families out of the city. She asked those with

resources and time to help free up time for Black women.

- Joy Johnson, city resident, spoke in opposition to the Dairy Market proposed expansion project. She spoke about past broken promises.
- Anthony Lewis, city resident, spoke in support of the Respect Your Neighbors campaign in opposition to the Dairy Market expansion project.
- Leslie Lowry, city resident, spoke in opposition to the Dairy Market proposed expansion, and in solidarity with the surrounding residents of the 10th & Page neighborhood. She stated that this type of development favors profit over people. She stated that the 10th & Page neighborhood should be a protected historic neighborhood.

Mayor Snook thanked all speakers and adjourned the meeting at 8:49 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT

Charlottesville City Council and Planning Commission
Joint Work Session – City Council Minutes
Tuesday, August 29, 2023, at 4:00 p.m.
CitySpace, 100 Fifth Street NE

The Charlottesville Planning Commission held a joint work session with the Charlottesville City Council to discuss the process for adopting the proposed Zoning Ordinance. Chair Lyle Solla-Yates called the work session to order at 5:00 p.m. with a quorum of Planning Commissioners. The following City Council members were present: Mayor Lloyd Snook and Councilors Michael Payne and Leah Puryear. Vice Mayor Juandiego Wade gave prior notice of his late arrival to the meeting. Councilor Brian Pinkston gave prior notice of his absence.

Planning Commission Chairperson, Lyle Solla-Yates, announced that Public Comment was not on the agenda for the joint work session and that the Planning Commission had scheduled two (2) public hearings at which time public comment would be taken. Missy Creasy, Deputy Director of Neighborhood Development, explained that public comment for the joint work session may be submitted in writing to, creasym@charlottesville.gov, and that notecards and pens would be provided to in-person attendees to submit written comments for the meeting. All comments received through the end of the meeting will be attached to the meeting minutes.

Director of Neighborhood Development, James Freas, summarized the purpose of the joint work session. As part of the process to adopt a new Zoning Ordinance the Planning Commission will conduct a public hearing beginning at 4:00 p.m. on Thursday, September 14, 2023, in Council Chambers in City Hall. The Commission may choose to vote on the proposed Zoning Ordinance at the September 14 Public Hearing. The Planning Commission has tentatively scheduled a meeting on Tuesday, September 19 beginning at 5:00 p.m. and Tuesday, September 26 beginning at 5:00 p.m. both in Council Chambers for the purpose of deliberations of the proposed Zoning Ordinance, if needed. A regularly scheduled Planning Commission meeting will take place on October 10 beginning at 5:30 p.m. at CitySpace, where, if necessary, the Commission may prepare its recommendation of a new Zoning Ordinance. City Council will engage in a series of work sessions to discuss the proposed Ordinance. Council will also conduct a Public Hearing for the recommended Zoning Ordinance. The Zoning Ordinance will have two (2) readings by City Council with an adoption and effective date respectively.

Mr. Freas explained that Site Plans that have not entered the process for review upon the approval of the new Zoning Ordinance will be subject to the regulations of the new Zoning Ordinance. Staff will identify the Site Plans that have reached a uniform marker in the review process at the time the new Zoning Ordinance is approved for exemption from the requirements of the new Zoning Ordinance. Mr. Freas presented the proposal for an annual clean-up of the Zoning Ordinance for minor changes and/or corrections as a matter of standard practice. Mr. Freas submitted his suggestion to carry forward the current zoning code for short-term rentals with the new Zoning Ordinance to be most effective in the current process to adopt a Zoning Ordinance and plan to review the zoning regulations for short-term rentals in the future. City

Attorney, Jacob Stroman, clarified that the update to the current Zoning Ordinance is part of a general re-zoning which cannot be deemed as a “taking” as it pertains to short-term rentals. Mr. Stroman will submit a Memorandum on the legalities of zoning changes to City Council and the Planning Commission for short-term rentals and its impact on AirBnB rentals for discussion at the Planning Commission Closed Session on September 12. Members of the Planning Commission expressed support for postponing the review of zoning regulations for short-term rentals.

Per Mr. Freas, there are no changes in the proposed Zoning Ordinance for Sensitive Community Areas (SCAs); however, some of the recommendations for SCAs is incorporated into the general zoning ordinance. Councilor Payne requested further view of areas of the proposed Zoning Ordinance that will impact Sensitive Community Areas. Mr. Freas acknowledged that research indicates that customized zoning is needed for Sensitive Community Areas. Councilor Payne noted that the 10th and Page Neighborhood Association is concerned about the impact that the proposed Zoning Ordinance will have on the neighborhood. In response to a question from Mayor Snook, Mr. Freas indicated that declaring an area as a historic preservation district is likely to be considered part of a designation under a CSA custom zoning regulation.

City staff and members of the Planning Commission will structure a format for deliberations on post-City Council Public Hearing discussion.

Commissioner Stolzenberg asked for further clarification in the proposed Zoning Ordinance of “height versus number of units” regulation and the costs associated with an affordable unit, such as the cost of parking. Mr. Freas agreed to the update.

In response to a question from Councilor Payne, Mr. Freas asserts that the proposed Zoning Ordinance is substantively the same. The process for the approval of a Critical Slope Waiver is the same and language has been added to the Ordinance to establish a standardized practice for Council to consider the public benefit of the request. Mr. Freas confirmed that the proposed Zoning Ordinance includes some updates to regulations for Special Use Permits (SUPs). The Special Exception Process will be available to non-profit organizations and property owners under the proposed Zoning Ordinance. Councilor Payne expressed support of an SUP for commercial corridors abutting Sensitive Community Areas and developments in floodplain areas. Staff will review the zoning regulations for floodplains for potential updates within the proposed ordinance.

Mr. Freas explained that under the current Zoning Ordinance proposal developers are: (1) required to hold neighborhood meetings for all discretionary permitting processes; (2) encouraged to hold a neighborhood meeting for Site Plan reviews; (3) required to hold neighborhood meetings where the transportation demand management requirement is triggered.

Staff will follow up with Council on the purpose statements that were removed from the proposed Zoning Ordinance. There will be no updates to the proposed Zoning Ordinance that is

posted on the City of Charlottesville website until it is submitted to City Council for a Public Hearing.

The meeting adjourned at 6:10 p.m.

BY Order of City Council

BY Maxicelia Robinson, Deputy Clerk of Council

DRAFT

CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING
WORK SESSION MINUTES
September 27, 2023 at 5:00 p.m.
CitySpace, 100 5th Street NE

The Charlottesville City Council held a special meeting in the format of a work session on Wednesday, September 27, 2023. All members were present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Michael Payne, Brian Pinkston, and Leah Puryear.

Mayor Snook called the meeting to order at 5:05 p.m. and explained the reason for the meeting, stating that this is an opportunity for City Council to spend more time in discussion on items that have been considered for some time by the Planning Commission. He then turned the meeting over to James Freas, Director of Neighborhood Development Services.

Mr. Freas presented the work session topic – Community Design Outcomes from the Zoning Ordinance rewrite. He stated that one of the goals for the Comprehensive Plan was to address issues of racial inequality in land use decisions, and the method for that was to create more opportunities for a wider range of housing choices, a range of affordability across the city, access to amenities, and entrepreneurial opportunities.

He gave the topics for future work sessions:

- October 3 – Displacement and gentrification
- October 11 – Population growth and the housing market, including the rate of change and how the housing market might respond to the proposed Zoning Ordinance

In response to a question from Councilor Pinkston about where the Planning Commission stands, Mr. Freas stated that the Planning Commission met the night before and will meet again in a week to go into more detail to formulate a full recommendation to Council with recommended changes. The intention is to have a full draft in time for the public hearing.

Ms. Puryear suggested a summary and rationale of changes, and Mr. Freas confirmed that that would be possible.

Christy Dodson, Code Studio, presented on the topic of Community Design Outcomes and provided context for components of the proposed Zoning Ordinance and best practices in urban design, including:

- Zoning Buffer
- Goals of the Comprehensive Plan
- Human-scale neighborhoods
- Mapping for neighborhoods
- Rules for neighborhoods
- Uses for neighborhoods
- Building scale
- Human-scale buildings

- Rules for building scale
- Rules for building features

Council discussed the presentation and the proposed Zoning Ordinance, particularly:

- The pace of infrastructure development
- Rate of population change
- Special Use Permits
- Commercial uses in residential neighborhoods
- Goals related to entrepreneurship
- Homestays
- Middle income housing
- Building footprints

City Attorney Jacob Stroman advised Council on measures for Special Use Permit determination.

Following further discussion, Mayor Snook adjourned the meeting at 7:57 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	October 16, 2023
Action Required:	Appropriation of Funding
Presenter:	Holly Bittle, Budget and Management Analyst
Staff Contacts:	Holly Bittle, Budget and Management Analyst Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Bureau of Justice Assistance FY 2022 Patrick Leahy Bulletproof Vest Partnership - \$16,942 (2nd reading)

Background

Bureau of Justice Assistance (BJA) FY 2022 Patrick Leahy Bulletproof Vest Partnership (BVP) award reimburses law enforcement agencies for 50% of National Institute of Justice (NIJ) compliant armored vests which were ordered after April 1, 2022. Provided that reimbursement requests are made before August 31, 2024, or until all available funds have been requested.

Discussion

Each Charlottesville sworn police officer is issued a bulletproof vest that includes ballistic panels that need to be replaced periodically.

This BJA BVP award is a federal reimbursement program allows the Police Department to reduce its equipment costs for ballistic panels by 50% for each bulletproof vest.

Notification of award approval was received on September 21, 2022, for reimbursement up to \$16,942.

Alignment with City Council's Vision and Strategic Plan

This project supports Goal 2 of the Strategic Plan, to be a Healthy and Safe City.

Community Engagement

Budgetary Impact

No local match is required. Fifty percent of the cost of each eligible ballistic panel is reimbursed once it has been received by the department.

Recommendation

Staff recommends approval and appropriation of grant funds.

Alternatives

If these grants funds are not appropriated, the Police Department not receive up to \$16,942 in reimbursements for the ballistic panels used by its sworn staff members.

Attachments

1. Resolution - FY 22 BJA BVP.9.27.23

RESOLUTION
Appropriating funds from the Bureau of Justice Assistance
Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership
\$16,942

WHEREAS, the City of Charlottesville, through the Police Department, has received from the Bureau of Justice Assistance Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership an award of up to \$16,942 to reimburse the Police Department for 50% of National Institute of Justice (NIJ) compliant armored vests which are ordered after April 1, 2022, provided that reimbursement requests are made before August 31, 2024, or until all available funds have been requested.

WHEREAS, the grant award covers the period from April 1, 2022 through August 31, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$16,942, received from the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership, is hereby appropriated in the following manner:

Revenues – \$16,942

\$16,942	Fund: 105	Internal Order: 3101004000	G/L Account: 431110
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Expenditures – \$16,942

\$16,942	Fund: 105	Internal Order: 3101004000	G/L Account: 525263
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$16,942 from the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership.

Approved as to form:

Jacob P. Stroman
Jacob P. Stroman
City Attorney

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



Agenda Date:	October 16, 2023
Action Required:	Approval
Presenter:	Jeremy Evans, Emergency Management Coordinator
Staff Contacts:	Jeremy Evans, Emergency Management Coordinator
Title:	Resolution to Appropriate Virginia Department of Emergency Management (VDEM) Emergency Management Performance Grant - \$7,500 (2nd reading)

Background

The EMPG program provides resources to assist local governments in preparing for all hazards. Through the grant program, the Federal government provides coordination, guidance, and assistance to support a comprehensive emergency preparedness system.

This is a 50/50 grant award. The City has allocated more than \$7,500.00 to the Emergency Manager (EM) salary and EM projects for the current fiscal year. A grant award of \$7,500.00 from FEMA/VDEM will be awarded to offset the City's costs.

Discussion

Grant funding for the program is available to cities, counties and those towns recognized as emergency management jurisdictions under Title 44 of the Code of Virginia. The City of Charlottesville is the grant administrator for this grant, which will be used to enhance our local government's preparedness for future major emergencies and disasters. The grant award period is from July 1, 2023 to June 30, 2024. The objective of the LEMPG is to support local efforts to develop and maintain a comprehensive emergency management program. The 2024 LEMPG funds will be used this year to offset the salary of the Emergency Management Coordinator.

Alignment with City Council's Vision and Strategic Plan

The Emergency Operations Plan supports the City Council's strategic outcome areas of Public Safety and Organizational Excellence.

Community Engagement

By preparing our local government for future events, we align with the Federal Emergency Management Agency's vision for continuity to be "a more resilient Nation through whole community integration of continuity plans and programs to sustain essential functions under all conditions."

Budgetary Impact

Budget expenditure of \$7,500.00 will be used to offset the salary of the Emergency Management Coordinator.

Recommendation

Approval

Alternatives

If grant and matching funds are not appropriated, the funds will not be awarded to cover salary offset.

Attachments

1. LEMPG Grant Resolution

RESOLUTION

Appropriating the amount of \$7,500 to be expended for the City’s share of a State Local Emergency Management Performance Grant (LEMPG)

WHEREAS, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of \$7,500 in federal pass-through funds;

WHEREAS, the grant award covers the period from July 1, 2023 through June 30, 2024;

WHEREAS, the City of Charlottesville will be required to provide matching funds (\$7,500) and that amount is available within the Emergency Management existing budget;

WHEREAS, the total funds, in the amount of \$15,000, will be used to offset the Emergency Management Coordinator’s salary;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500, be received as grant funding be appropriated in the following manner:

Revenues – \$7,500

\$7,500 Fund: 105 Cost Center: 1691001000 G/L: 430120

Expenditures – \$7,500

\$7,500 Fund: 105 Cost Center: 1691001000 G/L: 510010

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$7,500 from the Virginia Department of Emergency Management.

Approved as to form:

Jacob P. Stroman

Jacob P. Stroman
City Attorney

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



Agenda Date:	October 16, 2023
Action Required:	Approval of Resolution (2 readings)
Presenter:	Chris Gensic, Park and Trail Planner
Staff Contacts:	Krisy Hammill, Director of Budget
Title:	Resolution to Appropriate VDOT TAP funding for Meadow Creek Trail and Bridges - \$800,000 (2nd reading)

Background

The City of Charlottesville, through Parks and Recreation, has received an additional award from the Virginia Department of Transportation in the amount of \$800,000 to assist with efforts to construct a bicycle and pedestrian bridge over Meadow Creek and associated shared use paths. |

Discussion

The City of Charlottesville has completed a bicycle, pedestrian, and trail master plan, including a bike/pedestrian commuter trail along Meadow Creek from Route 29 and Hydraulic Road to Greenbrier Park. This project will construct ADA-accessible stone dust paths from Greenbrier Park up Meadow Creek to behind the Pepsi Plant and up to the Virginia Institute of Autism at Greenbrier Drive near Hillsdale Drive. The City has designed the trail and bridges, and the next step is to construct the new bridge and trails, which are an integral piece of the Meadow Creek Valley Master Plan adopted in 2013.

Alignment with City Council's Vision and Strategic Plan

Construction of this trail will further council goals of being a Connected City by establishing a portion of the bicycle and pedestrian trail system that enhances our residential neighborhoods.

Community Engagement

The bicycle, pedestrian and trail master plan was developed with multiple public meetings and was approved by council in 2015 as an addendum to the City Comprehensive Plan. The Meadow Creek Valley Master Plan was also developed and approved with a number of public meetings and inputs according to the approved Parks Master Planning Process.

Budgetary Impact

There is no impact to the General Fund as the funds being appropriated are VDOT grant funds that do not require a local funding match.

Recommendation

Staff recommends appropriation of grant funds.

Alternatives

If grants funds are not appropriated, Parks and Recreation staff will seek another funding source, and the project will be delayed. Without assistance from this grant program, more local dollars will have to be expended in order to construct the trail, leaving less money for other improvements.

Attachments

1. City Council Item October 2 2023 -Meadow Creek Trail Bridge TAP Appropriation Resolution

APPROPRIATION
TAP Grant for Construction of Meadow Creek Trail Bridge
\$800,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded an additional \$800,000 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge over Meadow Creek near Greenbrier Drive;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$800,000 is hereby appropriated in the following manner:

Revenue

\$800,000 Fund: 426 WBS: P-00995 G/L Account: 430120

Expenditures

\$800,000 Fund: 426 WBS: P-00995 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$800,000 from the Virginia Department of Transportation.

Approved as to form:

Jacob P. Stroman

Jacob P. Stroman
City Attorney

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	October 16, 2023
Action Required:	Appropriation
Presenter:	Misty Graves, Director of Human Services
Staff Contacts:	Hunter Smith, Human Services Planner
Title:	Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (2nd reading)

Background

In July 2010, the City of Charlottesville became the fiscal agent for the Virginia Juvenile Community Crime Control Act (V.J.C.C.C.A.) funds for both Charlottesville and Albemarle County. This funding stream was established by the 1995 Virginia General Assembly to create balanced, community-based systems of sanctions, programs and services for juvenile offenders. These funds are used to support the Community Attention programs. In Fiscal Year 2023, \$292,058 in V.J.C.C.C.A. funds will be received from the Virginia Department of Juvenile Justice with a required local maintenance of effort of \$52,231 from Albemarle County, and \$108,415 from the City for a total of \$452,704. The grant period is from July 1, 2023 through June 30, 2024.

Discussion

The VJCCCA grant funds the delinquency prevention and youth development services provided by The Department of Human Services for Charlottesville/Albemarle youth involved in the juvenile justice system. These services include the following programs: the Teens GIVE service learning program that provides community service opportunities during both the school year and the summer; the Community Support Services which provides pro-social skills training like anger management, individual and group support services and services for youth on electronic monitoring; the Community Attention Youth Internship Program (C.A.Y.I.P.) which provides paid internship opportunities; the Check and Connect Program provides evidence-based, school engagement programs.

Alignment with City Council's Vision and Strategic Plan

The VJCCCA grant aligns with the City of Charlottesville's Strategic Plan - Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources. Community Attention's VJCCCA funded programs provide community based services that prevent delinquency and promote the healthy development of youth. Expected outcomes include decreased delinquent behavior during and after program participation.

Community Engagement

The VJCCCA funded programs engage local youth involved in the juvenile justice system and their families by providing delinquency prevention and youth development programs. The programs also engage and coordinate with other local agencies and organizations in the provision of services to the youth.

Budgetary Impact

The funds will be expensed and reimbursed to the VJCCCA Fund. The required General Fund City contribution has already been appropriated as part of the Fiscal Year 2023 Council Adopted Budget so no new funds are required to cover the match.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

If the VJCCCA funds are not appropriated, Community Attention would have to serve fewer youth and eliminate programs and staff.

Attachments

1. FY25 VJCCCA Resolution (final)

RESOLUTION

**Appropriating the sum of \$452,704 received from the Commonwealth as a Virginia
Juvenile Community Crime Control Act Grant (V.J.C.C.C.A.)**

WHEREAS, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice; and

WHEREAS, this grant requires local maintenance of effort funds in the amount of \$52,231 from Albemarle County and \$108,415 from the City; and

WHEREAS, the grant award covers the period from July 1, 2023 through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the sum of \$452,704 from the Commonwealth of Virginia, that sum is hereby appropriated in the following manner:

Revenue – \$452,704

\$292,058	Fund: 220	Cost Center: 3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center: 3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center: 3523001000	G/L Account: 498010

Expenditures - \$452,704

\$103,704	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$349,000	Fund: 220	Cost Center: 3523001000	G/L Account: 599991

All funds hereby appropriated shall be accounted for and expended only in accordance with requirements of the VJCCCA grant program.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	October 16, 2023
Action Required:	Appropriate funding in the amount of \$240,000 from the Charlottesville/Albemarle Adult Drug Treatment Court Grant
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$240,000 (1 of 2 readings)

Background

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court, has received a Supreme Court of Virginia Drug Treatment Court Grant in the amount of \$240,000 for operations of the drug court program, which is operated by Offender Aid and Restoration (OAR). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Drug Treatment Court Docket Grant.

Discussion

In its twenty-sixth year of operation, the Charlottesville/Albemarle Adult Drug Treatment Court is a supervised 12 month drug treatment program that serves as an alternative to incarceration for offenders. Drug Court is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult felony offenders with moderate to severe substance use disorders. The program uses the power of the court to assist non-violent offenders to achieve recovery through a collaborative system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The total program budget is \$380,717.00 and includes three funding sources:

- Supreme Court of VA - \$240,000
- City of Charlottesville: \$79,744.00, which has already been appropriated
- Albemarle County: \$60,973.00, which has already been appropriated

Alignment with City Council's Vision and Strategic Plan

This relates to providing support for persons interacting with the legal or criminal justice system and the City of Charlottesville's priority Safety/Criminal Justice. Drug Court directly affects the community by reducing recidivism among Drug Court participants and graduates. Additionally, Drug Court mitigates risk by reducing drug and alcohol use among program participants and graduates. Reduction of drug and alcohol use fosters participant rehabilitation, public safety, and participant accountability; all of which are factors in helping the community achieve its stated goals. Reduced

recidivism results in reduced public cost associated with re-arrest and incarceration, a reduction in potential victims of crime, and overall enhanced quality of life for community residents. As the writers of the Adult Drug Court Best Practice Standards state, “Drug Courts improve communities by successfully getting justice-involved individuals clean and sober, stopping drug-related crime, reuniting broken families, ... and preventing impaired driving” Not only is Drug Court an effective agent of change, it is an extremely cost-effective approach. Numerous meta-analyses have concluded that Drug Courts produce an average return on investment of \$2 to \$4 for every \$1 invested. Because of the above, ensuring that the 26 year old Drug Court program remains available to residents of the City of Charlottesville and Albemarle County will help the community achieve its goals. This program aligns with the City of Charlottesville's 2023 City Council Strategic Plan Framework vision and the strategic outcome area, public safety.

Community Engagement

The Drug Treatment Court is a direct service provider and is engaged daily with non-violent criminal offenders with drug-driven crimes who are at a high level of risk for reoffending due to active addictions and long-standing patterns of criminal behavior. By collaborating with the Court system, Region Ten Community Services Board, Addiction Allies, and the Sheriff’s department, the Drug Treatment Court provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Drug Treatment Court through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the Circuit Court. If they successfully complete the program, which takes a minimum of 12 months, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Drug Treatment Court participants return the community’s investment in them by maintaining full-time, tax-paying employment, providing for and taking care of their children and families, including paying off back child support, behaving as good role models in the community, and supporting the recovery community in Charlottesville.

Budgetary Impact

No additional City funding is required as the City’s match for this grant, \$79,744.00, was appropriated as part of the FY 2024 Council Approved Budget as part of the City’s contribution to Offender Aid and Restoration.

Recommendation

Staff recommends approval and appropriation.

Alternatives

N/A

Attachments

1. FY24 Drug Court Appropriation and Resolution

RESOLUTION APPROPRIATING FUNDS
Charlottesville/Albemarle Adult Drug Treatment Court Grant Award
\$240,000

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$240,000 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$140,717; and

WHEREAS, the grant award covers the period July 1, 2023 through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$240,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$240,000 Fund: 209 Internal Order: 1900536 G/L Account: 430120

Expenditures

\$240,000 Fund: 209 Internal Order: 1900536 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$240,000 from the Supreme Court of Virginia.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	October 16, 2023
Action Required:	Appropriation of the \$19,050 for the FY22 State Criminal Alien Assistance Program (SCAAP).
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funding from the FY22 State Criminal Alien Assistance Program (SCAAP) Grant for Albemarle Charlottesville Regional Jail - \$19,050 (1 of 2 readings)

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 19,050. These are federal funds to reimburse the Albemarle-Charlottesville Regional Jail for Fiscal Year 2022 expenses of housing convicted 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 the City of Charlottesville's 2023 City Council Strategic Plan Framework's Strategic Outcome Area, Public Safety, which indicates "Charlottesville provides comprehensive, trusted public safety services and treats everyone with dignity and respect".

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. SCAAP_Regional Jail appropriation 2022 Resolution

RESOLUTION APPROPRIATING FUNDS
State Criminal Alien Assistance Program (SCAAP) Grant for 2022 reimbursement
\$19,050

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 \$19,050.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of \$14,859 be appropriated and passed through to the Albemarle-Charlottesville Regional Jail and \$4,191 be appropriated and passed through to Justice Benefits, Inc.

Revenues

\$19,050	Fund: 211	Internal Order: 1900511	G/L Account: 431110
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Expenses

\$14,859	Fund: 211	Internal Order: 1900511	G/L Account: 530550
\$4,191	Fund: 211	Internal Order: 1900511	G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$19,050 from the U. S. Bureau of Justice Assistance.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	October 16, 2023
Action Required:	Appropriation of \$382,352 from DHCD for HOPWA program
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funding from the FY23 Housing Opportunities for Persons with AIDS/HIV (HOPWA) Grant - \$382,352 (1 of 2 readings)

Background

The Department of Human Services in coordination with the Blue Ridge Area Coalition on Homelessness (BRACH) and the Service Provider Council (S.P.C.), applied for and received a grant from the Virginia Department of Housing and Community Development. The Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) award is \$382,352 and is a renewal contract for the program from Housing and Urban Development (H.U.D.) for July 1, 2022 – June 30, 2024.

Discussion

The City of Charlottesville has staff from Human Services and Social Services taking leadership roles in the governance of B.R.A.C.H. H.O.P.W.A., an important resource in our community's efforts to end homelessness. The grant provides services in four key areas.

1. Tenant-Based Rental Assistance (T.B.R.A.): The Thomas Jefferson Health District (T.J.H.D.) partners with The Haven to provide T.B.R.A. to eligible participants. The T.J.H.D. screens participants for eligibility and inspects the proposed property to ensure that it meets H.U.D. requirements. Upon successful screening, The Haven contacts the landlord to arrange monthly rent payment, similar to rapid re-housing.
2. Short-term Rental, Mortgage and Utility Assistance: T.J.H.D. screens eligible participants for short-term assistance including emergency utility payments to avoid shut off.
3. Supportive Services: T.J.H.D. provides supportive services including crisis intervention, case management and service referrals.
4. Homeless Management Information System(H.M.I.S.): The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with B.R.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care (C.O.C.) has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among T.J.A.C.H. C.o.C. Service Providers expedites communication

and reduces the need to interface disparate documentation systems.

5. Administration: The City of Charlottesville as the award recipient is eligible for an administrative fee up to seven (7) percent of the total award. Staff proposes that we pass these dollars through to T.J.H.D. & The Haven to support the supervision of assigned staff.

Alignment with City Council's Vision and Strategic Plan

This grant advances the City of Charlottesville's 2023 City Council Strategic Plan Framework "to be a place where everyone thrives". More specifically this grant advances the strategic outcome area, housing which indicates "Charlottesville defines access to liveable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through the implementation of the Affordable Housing Plan". The HOPWA funds provided by the Virginia Department of Housing and Community Development provides access to housing supports and services to assist individuals with HIV/AIDS with maintaining housing.

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 B.R.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

Budgetary Impact

This grant will be entirely State, and 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 while managing AIDS/H.I.V.: short-term rental assistance, utility assistance, rapid rehousing, H.M.I.S., and administration.

Attachments

1. HOPWA FY23 Resolution

RESOLUTION APPROPRIATING FUNDS
Housing Opportunities for Persons with AIDS/HIV (HOPWA) Grant
\$382,352

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$382,352;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$382,352 is hereby appropriated in the following manner:

Revenues

\$382,352 Fund: 209 IO: 1900532 (H.O.P.W.A.) G/L: 430120 Federal Pass-Thru State

Expenditures

\$382,352 Fund: 209 IO: 1900532 (H.O.P.W.A.) G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$382,352 in funds from the Virginia Department of Housing and Community Development.



City Manager's Report

October 16, 2023

**Offices of the City Manager
& City Departments**

UPDATES FROM CITY MANAGER SAMUEL SANDERS, JR

- Congratulations to Debra Yarde for her selection as the 2023 Community Producer of the Year. This honor was bestowed during the Open House at the Community Media Center on Saturday, September 23, 2023.
- Congratulations to PHAR on their 25th Anniversary – the organization celebrated its anniversary at an event held Sunday, September 24, 2023
- Attended ICMA Annual Conference (September 29 – October 2, 2023)
 - Attended Sessions:
 - Delivering Great Results from Your Vision and Strategic Plan
 - Governing in a Disruptive Environment
 - Tackling Wicked Problems: Building Capacity for Deliberative Engagement
 - Public Engagement for Solving Stubborn City Problems
- Participated in a UVA Public Administration Fellows Panel with Chief Kochis on Friday, October 6, 2023– students are in programs across multiple discipline areas of the university.
- Attended VML Annual Conference (October 8-10, 2023)
 - Attended Sessions:
 - EV Charging Infrastructure
 - Infrastructure Investment and Jobs Act – Opportunities for State/Local Collaboration
 - Keynote Address by Congresswoman Jennifer McClellan (Virginia’s 4th District, U.S. House of Representatives)
 - Keynote Address by Congresswoman Abigail Spanberger (Virginia’s 7th District, U.S. House of Representatives)

- **HOLIDAY MARKET APPLICATIONS OPEN**
 - Applications are now being accepted for the Holiday Market on Saturdays, from November 25 through December 23. The market is held from 9:00 a.m. to 1:00 p.m. at 100 Water Street downtown. Any interested vendors can apply online at <https://www.charlottesville.gov/623/Market-Vendor-Application> or call (434) 970-3371.
- **ANNUAL DOWNTOWN SAFE HALLOWEEN FESTIVAL ON OCTOBER 28, 2023**
 - The Parks and Recreation department will host its annual Downtown Safe Halloween Festival on Saturday, October 28, 2:00-4:30 p.m. at the Ting Pavilion. The event features games, inflatables, pumpkins, and fun for the entire family. The event is free and does not require registration. So, bring your favorite ghouls, goblins, Barbies, and Kens to join in on safe and free fun!
- **VIRTUAL RESILIENT TOGETHER KICKOFF MEETING ON SEPTEMBER 28, 2024**
 - Resilient Together, a partnership between the City, County, and UVA focused on environmental sustainability and resilience, is working to ensure our community is strong, safe, and healthy in a changing climate. A virtual kick-off meeting will be held on November 16 at 6:00 p.m. Visit the project website (<https://engage.albemarle.org/resilient-together>) to get informed about the topics, share your input, and learn about upcoming opportunities to participate

- **EPA WATERSENSE AWARD**
 - For the 9th year in a row - The U.S. Environmental Protection Agency (EPA) was awarded and recognized for the City's exceptional and ongoing support of WaterSense and water efficiency. The City distributed free WaterSense labeled aerators, leak detection dye tablets, and conservation kits through community groups, sponsored a youth art contest on the value of water, and shared WaterSense at Work resources with businesses. The City also rebated 84 toilets worth over \$8,000, helping save more than 780,000 gallons of water annually!
- **NEW PERMITTING SOFTWARE AVAILABLE NOVEMBER 13, 2023**
 - As part of Neighborhood Development Services (NDS) going live on November 13th to bring all permits and site plans as part of the new permitting software - NDS, Public Works, and Utilities will be meeting with the Development Community at the end of November to enhance the City's Development Review Process.
- **JOIN THE CAT TEAM**
 - Charlottesville Area Transit is hiring! Current positions available:
 - Assistant Director of Maintenance
 - Sr. Project Manager for Facilities
 - Marketing Coordinator
 - And we are always hiring bus drivers!
- **CITY PREPARATIONS FOR INCLEMENT WEATHER**
 - The City's Public Works Department is busy preparing for inclement weather events in the Winter. They are testing/inspecting equipment and restocking salt and sand to prepare for winter weather.

- **Charlottesville Area Transit** – Director Garland Williams (he/him)
Pupil Transportation Staffing Update: Community members have requested staffing updates focused on our pupil transportation offerings. At the start of August 2023, there were 8 potential drivers. As this is being published, one driver has completed all required classroom studies and behind-the-wheel training and will begin transporting students on Monday, October 16, 2023. Three drivers have completed all hiring steps and classroom studies – these three are now completing behind-the-wheel training. Depending on when a DMV road test can be secured, two of the three drivers could be ready to transport students in 3 weeks. The third driver will require at least 4 weeks of training before being released to transport students. Four drivers have been interviewed, and their criminal history checks have been completed. All four drivers need to complete physicals and pre-employee drug/alcohol testing before the 6-week training program can begin. Finally, two new bus aids will start training on Monday, October 16, 2023.
- **City Attorney** – Attorney Jacob Stroman, Esq. (he/him)
 The City Attorney's Office has surveyed the City's contract forms and recommended revisions that will protect the City from unanticipated claims. The team has also prepared Freedom of Information Act (FOIA) training which we have provided to the City's LEAD Team, as well as several City departments who have requested training for their staff.
Court Update: The Charlottesville Circuit Court entered an order dismissing *Trevilian Station Battlefield Foundation, Inc. v. City of Charlottesville, et al.*, the statue case.
- **Charlottesville Fire Department** – Chief Michael Thomas (he/him)
Community Events:

 - Fire Prevention Week began October 8th and runs through the 14th. (A schedule of events included). The Department hosted a series of events for the community at various locations:
 - Tuesday, October 11: Open Houses at the Ridge and Fontaine Stations
 - Wednesday, October 11: Open Houses at the Ridge and Fontaine Stations
 - Sunday, October 8th at 5th St. Station
 - Monday, October 9th at Westhaven Community Center
 - Tuesday, October 10th on Miche Drive (Hearth Wood)
 - Wednesday, October 11th at South 1st Street
 - Thursday, October 12th at Clark Plaza (UVA)
 - Friday, October 13th at Town Mall

Staffing:

 - CFD has three promotional processes scheduled from the Deputy Fire Chief, Battalion Chief, and Captain positions. We are on schedule to have all processes completed by the end of November.
- **Charlottesville Police Department** – Chief Michael Kochis (he/him)

Strategic Planning: The Police Department's strategic plan is in its final review phase and should be completed within the next two months. The Police Department will use this during its budget preparation.

Community Meetings and Events: The Police Department continues to conduct community meetings with different neighborhood organizations and the PCOB to brief them on the Flock program. In addition, the department continues to conduct weekly community walks and engage with the community.

Community Police Academy: CPD would like to welcome members of the community to join in the Community Police Academy. This 10-week program engages community stakeholders to participate with the police department in classes on patrol, investigations, crime scene, community policing, and more. The class size has been capped at 15, we currently have 12 applications.

- **Human Resources** – Director Mary Ann Hardie (she/her)
 - The Department of Human Resources continues to work 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-Charlottesville>

- **Department of Human Services** – Director Misty Graves (she/her)

This month, the Department of Human Services enjoyed supporting community engagement opportunities and sharing the updated **Stepping Stones Report**. The Daily Progress ran an article to raise awareness for the report and its opportunities for use. Members of the community can see the article from the Daily Progress at: https://dailyprogress.com/news/local/stepping-stones-study-finds-racial-disparities-in-community-issues/article_1287c93c-5bfb-11ee-9bfe-03a96facb05e.html. In addition, the Department attended the Gloves Up, Gun's Down event in support of Wartime Fitness. The event raised awareness about resolving conflict without guns while raising money to support youth scholarships to join the gym, and you can learn more from CBS19: <https://www.cbs19news.com/story/49671555/gloves-up-guns-down-event>. Finally, Misty Graves, Director of Human Services, and Daniel Fairley, Youth Opportunities coordinator, will join UVA Equity Center staff on a panel discussion at the Karsh Institute's Democracy360 event in late October.

- **Department of Information Technology** – Director Steve Hawkes (he/him)

The Department would like to share a few notable projects:

Network Core Switch Upgrade - On Sunday, 9/10, the City's Networking and Operations Teams replaced the City's Core Switches. The City's core switches, essentially the brains of the City's network, have been due to be replaced for several years, so the project was a much-needed upgrade of our IT infrastructure.

City Website Refresh - as part of the City's contract with CivicPlus, our website vendor, we will be undergoing a refresh of the City's website design. The project timeline kicked off in September and will take approximately six months.

PC Replacement - As of October 6th, 201 PCs have been replaced in the City since March, and we expect to replace another 50 by the end of the year.

City Phone Replacement - The Operations team has been working with Michelle Washington,

Telecommunications Specialist, to replace a significant number of older City issued mobile phones. One significant benefit of this project is the new phones are all enrolled in the City's Mobile Device Management System (MDM). The MDM allows IT to potentially find a lost phone, wipe a stolen phone, and several other benefits.

WIIFM Workshops - The well-attended What's In It For Me workshops from earlier this year are being rerun in October - December. The workshops will focus on Microsoft Teams and the City's electronic signature system, Adobe Sign.

SAP - There are a two major SAP projects underway, the implementation of SuccessFactors for Performance Management and Learning Management and the RFP for a long-awaited upgrade to our existing SAP system. The RFP is in the final stages as the core SAP Upgrade Team works to select the implementation partner for the project.

- **Neighborhood Development Services** – Director James Freas (he/him)

No updates at this time

- **Parks & Recreation** – Acting Director Riaan Anthony/ Director Dana Kasler (he/him)

- Farmers Markets (<https://www.charlottesville.gov/619/Charlottesville-Farmers-Markets>):

- Applications are now being accepted for the Holiday Market on Saturdays, November 25 – December 23, 9:00 a.m. – 1:00 p.m. at 100 Water Street downtown. Interested vendors can apply online or call (434) 970-3371.
- Farmers in the Park continues at Meade Park on Wednesdays, 3:00-7:00 p.m. until the end of October.

- Community Events

- The Downtown Safe Halloween Festival will occur on Saturday, October 28, 2:00-4:30 p.m. at the Ting Pavilion. The event features games, inflatables, pumpkins, and fun for the entire family. The event is free and does not require registration.

- **Public Works** – Director Stacey Smalls (he/him)

Environmental Sustainability: Charlottesville and Albemarle and UVA are collaborating on a regional climate adaptation and resilience planning effort. Resilient Together ensures our community is strong, safe, and healthy in a changing climate. A successful community kick-off and open house event was held on September 28. A virtual kick-off meeting will be held on November 16 at 6:00 p.m. Visit our project website (<https://engage.albemarle.org/resilient-together>) to get informed about the topics, share your input, and learn about upcoming opportunities to participate. A significant City environmental restoration project is currently in the works. The project involves the restoration of 820 linear feet of Schenks Branch Tributary, a stream in McIntire Park that runs through the Botanical Garden of the Piedmont (BGP). Project status and construction progress updates can be found here: Schenks Branch Tributary Stream Restoration Project. The Community Climate Collaborative (C3) awarded their 2023 Community Changemaker Award to Charlottesville's Climate Program Staff at their second Party for the Planet on October 6. This award is given to local government staff who have made the greatest strides toward climate action in the past year.

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

As a comprehensive utility provider, the Charlottesville Department of Utilities wants to ensure the safety of our community, help protect our customer’s financial information, and provide guidance on maintaining the performance of home plumbing. With the fall outdoor project season here, Utilities reminds everyone to contact Virginia 811 before digging to avoid damaging buried utility lines and prevent hazardous situations. Defending our customers from utility impostors is a top priority for us, and we want to remind everyone that Utility Billing will never call to ask for banking information or credit card information or make open-ended requests – if you are unsure if it is a Utility Billing representative calling you, hang up and call (434) 970-3211 to verify that the Utility Billing Office is trying to contact you. Finally, Utilities reminds everyone never to flush baby wipes, facial wipes, service cleaning wipes, or “flushable” wipes down the toilet – the proper care and maintenance of your home’s sewer service lateral will help prevent costly and harmful sewer blockages. For more information on these topics and all our resources, please visit www.charlottesville.gov/utilities.

- **Social Services** – Director Sue Moffett (she/her)

Meaghan Gordon, MSW on the In-Home Team at DSS, participated in the September 5, 2023, Community Day at Greenstone on 5th. Meaghan's ongoing outreach work is helping DSS build community collaborations to better meet the needs of our neighbors. Should any member of the Charlottesville community need assistance, 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.

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



Agenda Date:	October 16, 2023
Action Required:	Adopt ordinance amendment
Presenter:	Jacob Stroman, City Attorney
Staff Contacts:	Ryan Franklin, Assistant City Attorney
Title:	Amend Charlottesville City Code Sec. 15-75 to Comply with Recent Amendments to the Virginia Code Sec. 46.2-924(A) Requiring Drivers to Stop for Pedestrians in Crosswalks

Background

Effective July 1, 2023, Code of Virginia, § 46.2-924(A) was amended to require vehicles to no longer yield, but stop for pedestrians at certain street crossings.

Discussion

Charlottesville City Code § 15-75 requires that drivers of vehicles only yield the right of way to pedestrians at certain crossings, but does not require them to stop. Thus, City Code § 15-75 is not in conformance recent amendments to Code of Virginia, § 46.2-924. City Council must amend the City Code by modifying its language to replace the requirement to yield with the new requirement to stop.

Alignment with City Council's Vision and Strategic Plan

To ensure that the City's ordinances are consistent with, and do not violate, State law.

Community Engagement

The community was not engaged because this is a mandatory State law to which the City needs to conform with by amending its City Code.

Budgetary Impact

None

Recommendation

Adopt proposed ordinance

Alternatives

Attachments

1. 46.2-924 Acts of the Assembly
2. Amendment to City Code Sec. 15-75. Pedestrian Stopping Ordinance.10.10.23

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 117

An Act to amend and reenact § 46.2-924 of the Code of Virginia, relating to drivers stopping for pedestrians; certain signs; stops.

[S 1069]

Approved March 21, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-924 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-924. Drivers to stop for pedestrians; installation of certain signs; penalty.

A. The driver of any vehicle on a highway shall ~~yield the right-of-way to stop when~~ any pedestrian crossing such highway ~~by stopping and remaining stopped is within the driver's lane or within an adjacent lane and approaching the driver's lane~~ until such pedestrian has passed the lane in which the vehicle is stopped:

1. At any clearly marked crosswalk, whether at midblock or at the end of any block;
2. At any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or
3. At any intersection when the driver is approaching on a highway where the speed limit is not more than 35 miles per hour.

B. When a vehicle is stopped pursuant to subsection A, the driver of any other vehicle approaching from an adjacent lane or from behind the stopped vehicle shall not overtake and pass such stopped vehicle.

C. Notwithstanding the provisions of subsection A, at intersections or crosswalks where the movement of traffic is being regulated by law-enforcement officers or traffic control devices, the driver shall yield according to the direction of the law-enforcement officer or device.

No pedestrian shall enter or cross an intersection in disregard of approaching traffic.

The drivers of vehicles entering, crossing, or turning at intersections shall change their course, slow down, or stop if necessary to permit pedestrians to cross such intersections safely and expeditiously.

Pedestrians crossing highways at intersections shall at all times have the right-of-way over vehicles making turns into the highways being crossed by the pedestrians.

D. The governing body of Arlington County, Fairfax County, Loudoun County and any town therein, the City of Alexandria, the City of Fairfax, the City of Falls Church, and the Town of Ashland may by ordinance provide for the installation and maintenance of highway signs at marked crosswalks specifically requiring operators of motor vehicles, at the locations where such signs are installed, to yield the right-of-way to *or stop for* pedestrians crossing or attempting to cross the highway. Any operator of a motor vehicle who fails at such locations to yield the right-of-way to pedestrians as required by such *to comply with the signs installed pursuant to this subsection* shall be guilty of a traffic infraction punishable by a fine of no less than \$100 or more than \$500. The Department of Transportation shall develop criteria for the design, location, and installation of such signs. The provisions of this section shall not apply to any limited access highway.

E. Where a shared-use path crosses a highway at a clearly marked crosswalk and there are no traffic control signals at such crossing, the local governing body may by ordinance require pedestrians, cyclists, and any other users of such shared-used path to come to a complete stop prior to entering such crosswalk. Such local ordinance may provide for a fine not to exceed \$100 for violations. Any locality adopting such an ordinance shall install and maintain stop signs, consistent with standards adopted by the Commonwealth Transportation Board and to the extent necessary in coordination with the Department of Transportation. At such crosswalks, no user of such shared-use path shall enter the crosswalk in disregard of approaching traffic.

F. A locality adopting an ordinance under subsection E shall coordinate the enforcement and placement of any stop signs affecting a shared-use path owned and operated by a park authority formed under Chapter 57 (§ 15.2-5700 et seq.) of Title 15.2 with such authority.

AN ORDINANCE AMENDING SECTION 15-75 (DUTY TO YIELD RIGHT-OF-WAY TO PEDESTRIANS), OF ARTICLE III (OPERATION OF VEHICLES GENERALLY), DIVISION 4 (RATES AND CHARGES), OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO CONFORM WITH THE NEW REQUIREMENTS OF CODE OF VIRGINIA, § 46.2-924, AS AMENDED

WHEREAS, in order to conform Chapter 15 of the Code of the City of Charlottesville, 1990, as amended, with the new motor vehicle stopping requirements as mandated by Chapter 117 of the 2023 Virginia Acts of the Assembly; and

WHEREAS, the Council of the City of Charlottesville, Virginia, has considered the implications of the newly modified Subsection (A) of Code of Virginia, § 46.2-924 (as amended); and

WHEREAS, this Council finds that Section 15-75 of the Code of the City of Charlottesville, 1990, as amended, must be amended to require that drivers of vehicles stop when pedestrians are crossing a street on a designated sidewalk and other crossings as mandated by Code of Virginia, § 46.2-924;

NOW, THEREFORE, this Council deems it necessary to amend Section 15-75 of the Code of the City of Charlottesville, 1990, as amended, to require drivers to stop for pedestrians crossing certain streets in accordance with Code of Virginia, § 46.2-924(A), as amended, as of July 1, 2023; and

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Section 15-75 the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reenacted as follows:

CHAPTER 15 MOTOR VEHICLES AND TRAFFIC

ARTICLE III OPERATION OF VEHICLES GENERALLY

Sec. 15-75. Duty to ~~yield the right-of-way~~ stop to for pedestrians

The driver of any vehicle on the streets of this city shall ~~yield the right-of-way to~~ stop for a pedestrian crossing such street within any clearly marked crosswalk whether a mid-block or at the end of the block, or at any unmarked regular pedestrian crossing at the end of the block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic direction devices.

(Code of 1976, § 16-14)

State Law reference— ~~Similar provisions~~, Code of Virginia, § 46.2-924 (2023).

1. This ordinance shall become effective July 1, 2023.

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



Agenda Date:	October 16, 2023
Action Required:	Adoption of the Ordinance
Presenter:	Jacob Stroman, City Attorney
Staff Contacts:	Ryan Franklin, Assistant City Attorney
Title:	Amendment of City Code Sec. 15-435 to Permit a Towing Operator Fuel Surcharge Fee to Conform to Changes in State Law (1 of 2 readings)

Background

In its most recent session, the General Assembly amended Code of Virginia, § 46.2-1233.1(C) to prohibit localities from banning a fuel surcharge fee. Accordingly, Council must amend Charlottesville City Code § 15-435 to expressly permit this fee in order to conform to state law.

Discussion

Charlottesville City Code § 15-435(a) currently prohibits towing and recovery operators from charging a fuel surcharge fee authorized by the recent amendment of Code of Virginia, § 46.2-1233.1(C). City Council must amend its ordinance to expressly permit towing operators, as defined in Charlottesville City Code § 15-400, to charge a fuel surcharge fee of no more than twenty dollars (\$20.00). The proposed Ordinance seeks to conform City Code § 15-435 with new amendments to Code of Virginia, § 46.2-1233.1(C) by adding a new Subsection (j).

Alignment with City Council's Vision and Strategic Plan

To ensure that the City's ordinances are consistent with, and do not violate, State law.

Community Engagement

The community was not engaged because the City is obliged to conform its City Code with the Code of Virginia.

Budgetary Impact

None.

Recommendation

Adopt the attached amendment to Charlottesville City Code Sec. 15-435.

Alternatives

None. Council must allow a fee expressly permitted by state law.

Attachments

1. 46.2-1233.1 Acts of the Assembly
2. 46.2-1233.1 Towing Fees Ordinance Amendment.10.10.23

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 323

An Act to amend and reenact § 46.2-1233.1 of the Code of Virginia, relating to towing trespassing vehicles; limitations on fees.

[H 1649]

Approved March 23, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1233.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1233.1. Limitation on charges for towing and storage of certain vehicles.

A. Unless different limits are established by ordinance of the local governing body pursuant to § 46.2-1233, as to vehicles towed or removed from private property, no charges imposed for the towing, storage, and safekeeping of any passenger car removed, towed, or stored without the consent of its owner shall be in excess of the maximum charges provided for in this section. No hookup and initial towing fee of any passenger car shall exceed \$150. For towing a vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday, an additional fee of no more than \$30 per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of 24 hours or less. Except for fees or charges imposed by this section or a local ordinance adopted pursuant to § 46.2-1233, no other fees or charges shall be imposed during the first 24-hour period.

B. The governing body of any county, city, or town may by ordinance, with the advice of an advisory board established pursuant to § 46.2-1233.2, (i) provide that no towing and recovery business having custody of a vehicle towed without the consent of its owner impose storage charges for that vehicle for any period during which the owner of the vehicle was prevented from recovering the vehicle because the towing and recovery business was closed and (ii) place limits on the amount of fees charged by towing and recovery operators. Any such ordinance limiting fees shall also provide for periodic review of and timely adjustment of such limitations.

C. *In addition to the fees authorized pursuant to this section, towing and recovery operators are authorized to charge a fuel surcharge fee of no more than \$20 for each vehicle towed or removed from private property without the consent of its owner. Notwithstanding any other provision of this chapter, no local governing body shall limit or prohibit the fee authorized pursuant to this subsection.*

2. That the provisions of this act shall expire on July 1, 2024.

**AN ORDINANCE
AMENDING SECTION 15-435 (RATES AND CHARGES), OF ARTICLE IX
(REMOVAL, IMMOBILIZATION, AND DISPOSITION OF VEHICLES
UNLAWFULLY PARKED ON PRIVATE PROPERTY), DIVISION 4 (RATES AND
CHARGES), OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO CONFORM WITH
THE NEW REQUIREMENTS OF CODE OF VIRGINIA, § 46.2-1233.1, AS AMENDED**

WHEREAS, in order to conform Chapter 15 of the Code of the City of Charlottesville, 1990, as amended, with the new towing fee requirements as mandated by Chapter 323 of the 2023 Virginia Acts of the Assembly; and

WHEREAS, a joint public hearing on the proposed action was conducted; and

WHEREAS, the Council of the City of Charlottesville, Virginia, has considered the implications of the newly enacted Subsection (C) of Code of Virginia, § 46.2-1233.1 (as amended); and

WHEREAS, this Council finds that Section 15-453(a) of the Code of the City of Charlottesville, 1990, as amended, currently prohibits recovery and towing operators from recovering a maximum \$20.00 (USD) fuel surcharge fee for every vehicle towed from private property without such owner's consent, which the newly enacted Code of Virginia, § 46.2-1233.1(C) expressly allows;

NOW, THEREFORE, this Council deems it necessary to amend Section 15-435 of the Code of the City of Charlottesville, 1990, as amended, to permit recovery and towing operators to recover a fuel surcharge fee in accordance with Code of Virginia, § 46.2-1233.1(C), as amended, as of July 1, 2023; and

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

- 1. Section 15-435 the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reenacted as follows:**

CHAPTER 15 MOTOR VEHICLES AND TRAFFIC

**ARTICLE IX REMOVAL, IMMOBILIZATION, AND DISPOSITION OF VEHICLES
UNLAWFULLY PARKED ON PRIVATE PROPERTY**

DIVISION 4 RATES AND CHARGES

Sec. 15-435. Rates and charges.

(a) It shall be unlawful for an operator to charge any fees exceeding the fees set forth in this section.

(b) Immobilization. An operator may charge a vehicle owner a maximum fee of one hundred dollars (\$100.00) for the release of a vehicle when it is immobilized. No other fee of any type may be charged.

(c) Show-up fee. If an operator is summoned by the property owner or the property owner's agent to a location to tow a specific vehicle, and the vehicle owner is present and removes the vehicle from the private property or corrects the violation before the vehicle is connected to the tow truck, a fee of twenty-five dollars (\$25.00) may be charged the vehicle owner by the operator, provided that the operator obtains the authorization to initiate the tow of that specific vehicle from the owner of the property from which the vehicle is towed, or agent of the owner, in writing or by electronic means, including, but not limited to, e-mail, text message or facsimile. Such authorization shall be in addition to any written contract between the towing and recovery operator and the owner of the property or agent of the owner. For the purposes of this subsection, "agent" shall not include any person who either (i) is related by blood or marriage to the towing and recovery operator or (ii) has a financial interest in the towing and recovery operator's business.

(d) Drop fee. An operator may charge a vehicle owner a maximum fee of fifty dollars (\$50.00) for the release of a vehicle prior to towing the vehicle from private property, if it has been hooked up to tow truck. No other fee of any type may be charged.

(e) Hookup and initial towing fee shall not exceed:

For vehicles with a gross vehicle weight rating (GVWR) of ten thousand (10,000) pounds or less \$125.00

For vehicles with a GVWR of ten thousand one (10,001) pounds through twenty-six thousand (26,000) pounds \$250.00

For vehicles with a GVWR greater than twenty-six thousand one (26,001) pounds \$500.00

For the initiation of a tow of a vehicle on weekdays between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or national holiday, a maximum additional fee of twenty-five dollars (\$25.00) per tow may be charged; however, in no event shall more than one (1) such fee be charged for towing any such vehicle.

(f) Storage fee for the safekeeping of vehicles:

(1) No charge shall be made for storage and safekeeping of a vehicle for the first twenty-four (24) hours that the vehicle is held at the storage site.

(2) After the vehicle is held at the storage site for more than twenty-four (24) hours, a storage fee may be charged for each subsequent twenty-four-hour period, or any portion thereof, at a rate not

to exceed fifty dollars (\$50.00) for any vehicle twenty-two (22) feet long or less and an additional five dollars (\$5.00) per foot for any vehicle over twenty-two (22) feet in length.

(g) If a fee for notification of lien holder, owner, agent or other interested party is charged, it shall not exceed one hundred fifty dollars (\$150.00). This fee may only apply after the vehicle is held at the storage site over three (3) full business days. If any such fee is charged, a copy of the Virginia Department of Motor Vehicles report will be attached to the receipt given to the vehicle owner.

(h) No administrative fees or any other charges may be collected unless expressly set forth herein.

(i) An operator may not require a vehicle owner to sign any waiver of the vehicle owner's right to receive compensation for damages to the vehicle as a condition of the owner retrieving the vehicle.

(j) An operator is authorized to charge a fuel surcharge fee of no more than \$20 for each vehicle towed or removed from private property without the consent of its owner.

2. This ordinance shall become effective July 1, 2023.

Payne
Pinkston
Snook
Wade
Puryear

Aye No

Approved by Council
October 10, 2023

Kyna Thomas, MMC
Clerk of Council

October 6, 2023

The Honorable Charlottesville City Council
P.O. Box 911
Charlottesville, VA 22902

Re: Quarterly Update – October 2023

Councilors:

This quarterly update is to provide general information on the drinking water supply and treatment, wastewater collection and treatment, and refuse disposal and recycling programs managed by the Rivanna Authorities for the benefit of the Charlottesville/Albemarle community, as follows:

1. Drinking Water Supply as of October 6, 2023:
 - A. We have adequate water storage levels, as the Urban reservoirs (Sugar Hollow, South Rivanna, Ragged Mountain) are 92% full.

2. Drought Monitoring as of October 6, 2023:
 - A. U.S. Drought Monitoring Report:
 - Indicates Charlottesville and most of Albemarle County are experiencing “Abnormally Dry” to “Moderate” drought conditions.

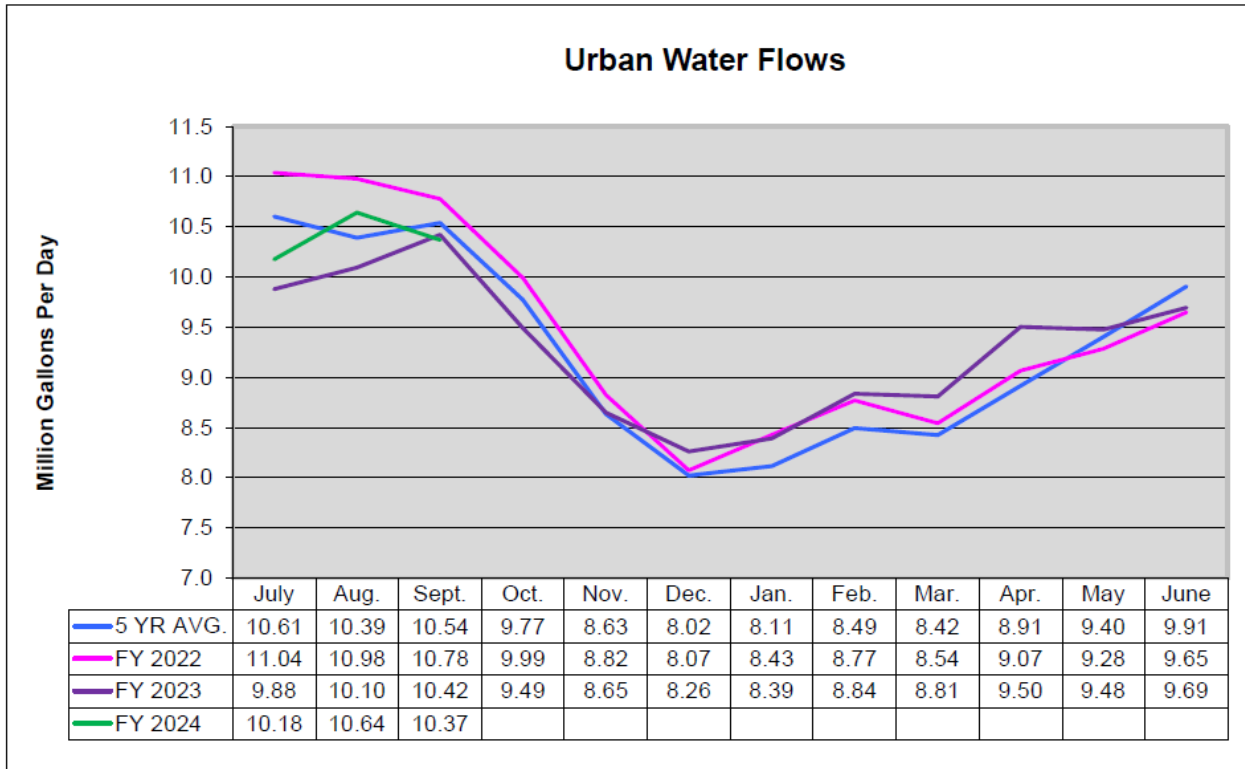
 - B. VDEQ Drought Status Report:
 - Our region is in a “Watch” status for groundwater and reservoir levels. Levels of severity increase from “Watch” to “Warning” to “Emergency”. All other drought indicators are “Normal”.

 - C. As shown below, precipitation is 19.06 inches below normal over the past 33 months. We are expediting a major water supply piping project, and will propose an accelerated increase in the water storage volume at the Ragged Mtn Reservoir (700 million gallons), to best prepare for the next significant drought.

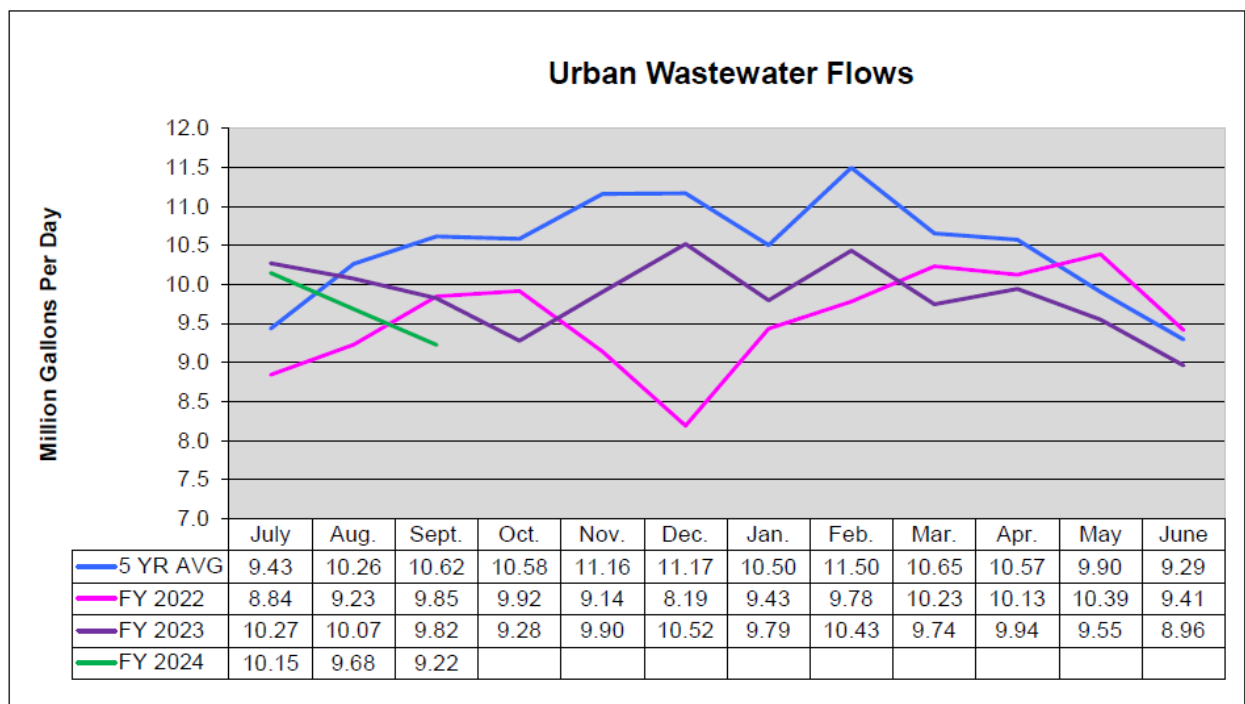
Charlottesville Precipitation				
Year	Month	Observed (in)	Normal (in)	Departure (in)
2021	Total: Jan-Dec	33.82	41.61	-7.79
2022	Total: Jan - Dec	43.53	41.61	+1.92
2023	Total: Jan-Sept	18.83	32.02	-13.19

Source: National Weather Service, National Climatic Data Center.

3. The production of drinking water for the Urban area (Charlottesville and adjacent developed areas of Albemarle, not including Crozet or Scottsville) averaged 10.37 million gallons per day (MGD) in September 2023 (FY 2024), which was below the five-year average for September (10.54 MGD), as shown by the following graph:



4. Urban wastewater flow for September 2023 (9.22 MGD), including flows from Crozet but not from Scottsville, was below the five-year average for September (10.62 MGD), as shown by the graph below. A decrease in wastewater flows is typical during periods of low precipitation as ground and surface water levels decline and less water infiltrates the wastewater piping system.



5. A general overview of significant current and future drinking water, wastewater and solid waste Capital Improvement Projects is provided below. Cost allocations between the Charlottesville Department of Utilities (City; non-general funds) and the Albemarle County Service Authority (ACSA), are identified for each project.

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 – March 2024

Cost: \$43 million: 52% ACSA / 48% City

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: December 2021 – September 2024

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 – December 2024

Cost: \$5 million: 52% ACSA / 48% City

D. South Rivanna River Crossing

Scope: Install a second pipe (24” diameter) to convey treated drinking water under the river using trenchless technology. The second pipe will provide a redundant water supply and increase capacity to serve the northern area of the Urban Water System.

Completion: May 2024 – December 2025

Cost: \$7 million: 100% ACSA

E. Urban Area “Central Water Line”

Scope: Provide large diameter piping (24” and 36”) to more efficiently convey drinking water and 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 follow a route which includes: Stadium Road, Piedmont Avenue, Price Avenue, Lewis Street, Jefferson Park Avenue, Cleveland Avenue, Cherry Avenue, Elliott Avenue, 6th Street SE, South Street, Avon Street, 10th Street NE, Little High Street, 11th Street NE, E. High Street, and a connection near Roosevelt Brown Boulevard.

Completion: December 2024 – December 2028

Cost: \$41 M: 52% ACSA / 48% City

F. Water Pipe and Pump Stations Replacement, Ragged Mountain Reservoir to Observatory Water Treatment Plant

Scope: Replace water pipes and pump stations which convey untreated water from the Ragged Mtn Reservoir to the Observatory WTP. These facilities have reached the end of their service lives and require replacement to adequately support the increased treatment capacity (from 7.7 to 10 million gallons per day) of the upgraded Observatory WTP.

Completion: September 2024 – December 2028

Cost: \$44 million: 52% ACSA / 48% City

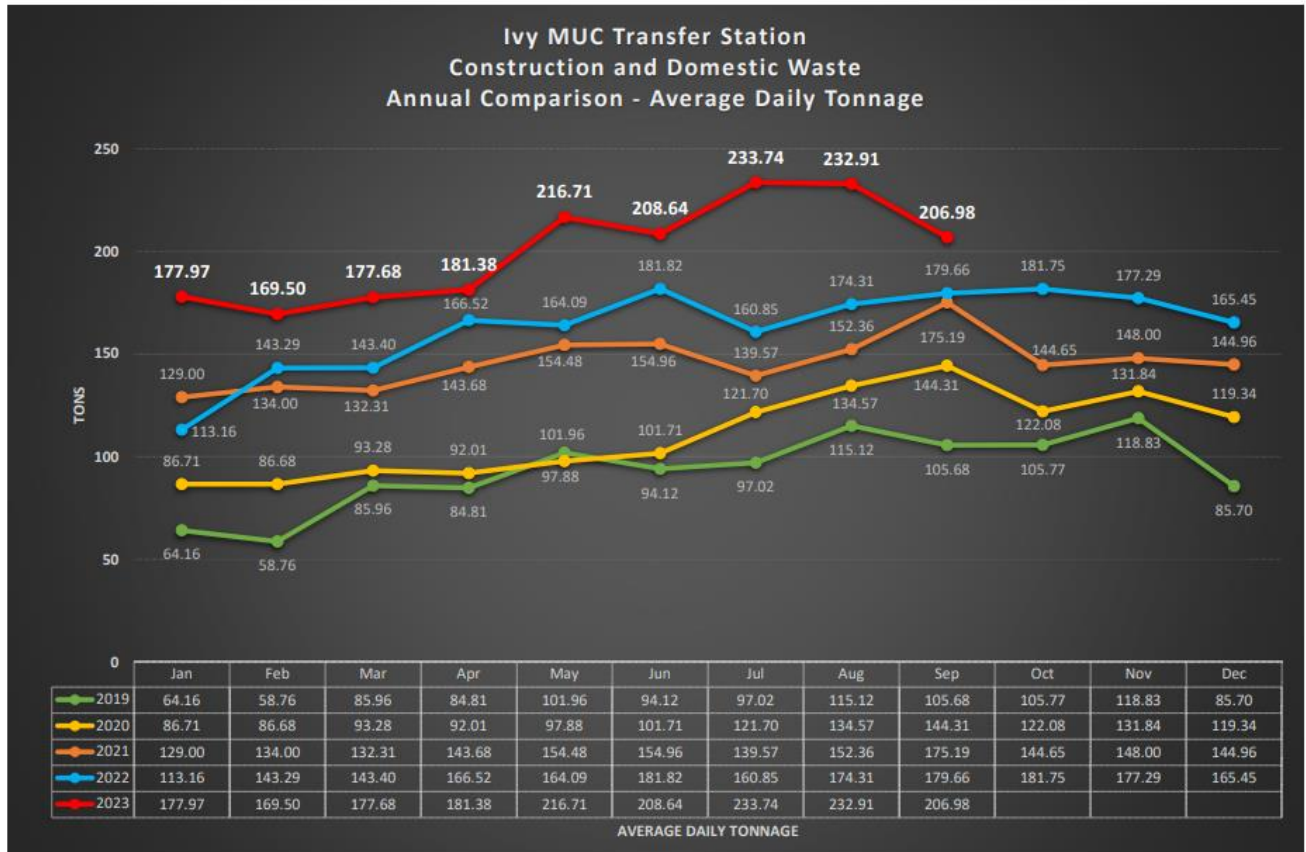
- G. Moore's Creek Administration Building Renovation and Addition
 Scope: Renovate the existing administration building built in the 1980's, including improvements to the Laboratory and Information Technology spaces. The project will also include a building addition to provide space for staff currently housed in temporary trailers, as well as for future staffing.
 Completion: June 2024 – December 2026
 Cost: \$17 million: 52% ACSA / 48% City
- H. Emmet Street Water Line Betterment
 Scope: RWSA is coordinating with the City to construct a 24 - 30" water main in Emmet Street from Ivy Road to Arlington Boulevard as part of the City's Emmet Streetscape Phase I project.
 Completion: July 2024 - July 2026
 Cost: \$3 million: 52% ACSA / 48% City
- I. Moore's Creek Structural and Concrete Rehabilitation
 Scope: Complete repairs to concrete basins and wastewater treatment facilities constructed in the late 1970's.
 Completion: June 2024 - June 2026
 Cost: \$13.5 million: 52% ACSA / 48% City
- J. Crozet Wastewater Pump Stations Rehabilitation
 Scope: Replace pumps, valves and electrical gear in four pump stations constructed in the 1980's which convey wastewater from Crozet to the Moore's Creek Treatment Plant.
 Completion: January 2025 - December 2026
 Cost: \$10.3 million: 52% ACSA / 48% City
- K. Beaver Creek Dam, Pump Station and Piping Improvements
 Scope: Replace the spillway, which protects the reservoir dam, along with the water pump station and piping which convey untreated water to the Crozet Water Treatment Plant.
 Completion: 2026 - 2029
 Cost: \$43 million: 100% ACSA
- L. 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: \$5.5 million: 100% City
- M. South Rivanna Reservoir to Ragged Mountain Reservoir Pipe and Pump Station
 Scope: Construct an 8 mile long, large diameter pipe (36") and pump station to transfer untreated water between the South Rivanna and Ragged Mtn Reservoirs. This infrastructure will increase the volume of water in the Ragged Mtn Reservoir by 700 million gallons, as required by the community's drinking water supply plan. Complete intake tower and perimeter grading modifications at the Ragged Mtn Reservoir.
 Completion: 2025 - 2030
 Cost: \$85 million: 80% ACSA / 20% City
- N. Recycling Baling Facility, Ivy Material Utilization Center
 Scope: Replace the existing recycling materials baling facility which is located on leased property and has exceeded its service life. A new facility is essential to have an effective

recycling program. The new facility will include equipment to compress cardboard, mixed paper, and plastic products into separate bales before shipment to a receiving vendor.

Completion: June 2024 - December 2025

Cost: \$6.4 million: 70% Albemarle County / 30% City

- Average daily refuse volume at the Ivy Transfer Station has increased from 106 tons per day in September 2019 to 207 tons per day in September 2023, as shown below. Our contract hauler is driving about 14 trailer loads of refuse to Henrico County for disposal each day, Monday – Friday. A planning study to review future expansion alternatives for the refuse transfer program is underway.



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