



CITY COUNCIL AGENDA
July 18, 2016

6:00 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Boards and Commissions; Consultation with legal counsel regarding pending litigation.)

7:00 p.m. **Regular Meeting**
Council Chambers

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

AWARDS/RECOGNITIONS FUS Foundation
ANNOUNCEMENTS Councilor Szakos: conference presentation

APPOINTMENTS TO BOARDS & COMMISSIONS
CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

MATTERS BY THE PUBLIC Public comment provided for up to 12 speakers publicized at noon the day of the meeting (limit 3 minutes per speaker) and for an unlimited number of speakers at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

- 1. CONSENT AGENDA*** (Items removed from consent agenda will be considered at the end of the regular agenda.)
- a. Minutes for July 5
 - b. APPROPRIATION: Virginia Department of Health Special Nutrition Program – \$90,000 (2nd of 2 readings)
 - c. APPROPRIATION: VDOT Primary Extension Paving Project Funds – \$282,421 (1st of 2 readings)
 - d. APPROPRIATION: Greenstone on 5th Corporation Sponsorship Agreement for Enhanced Police Coverage – \$82,184 (1st of 2 readings)
 - e. APPROPRIATION: Piedmont Workforce Network Incumbent Worker Training Grant – \$3,610 (1st of 2 readings)
 - f. RESOLUTION: CDBG/HOME Code Revision (1st of 1 reading)
 - g. RESOLUTION: CDBG/HOME Citizen Participation Plan Update (1st of 1 reading)
 - h. RESOLUTION: 3-D Modeling Proposal for Strategic Investment Area (1st of 1 reading)
 - i. RESOLUTION: Virginia Land and Water Conservation Fund Grant Application for Acquisition of Park Land on Moore's Creek – \$100,000 (1st of 1 reading)
 - j. APPROPRIATION: Piedmont Workforce Network Incumbent Worker Training Grant – \$4,730 (1st of 2 readings)
- 2. PUBLIC HEARING / ORDINANCE*** Polling Place Change – Buford Election Precinct (1st of 2 readings) – **20 mins**
- 3. PUBLIC HEARING / ORDINANCE*** West Main Street Density (1st of 2 readings) – **20 mins**
- 4. PUBLIC HEARING / ORDINANCE*** Water Street District Corridor Rezoning (1st of 2 readings) – **20 mins**
- 5. REPORT** Urban Deer Management – **30 mins**
- 6. REPORT** Charlottesville Affordable Housing Fund Update – **20 mins**

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

GUIDELINES FOR PUBLIC COMMENT

**We welcome public comment;
it is an important part of our meeting.**

Time is reserved near the beginning and at the end of each regular City Council meeting for Matters by the Public.

Please follow these guidelines for public comment:

- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- Each speaker has **3 minutes** to speak. Please give your name and address before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them.
- Please **refrain from using obscenities**.
- If you cannot follow these guidelines, you will be escorted from City Council Chambers and not permitted to reenter.

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



Agenda Date:	July 5, 2016
Action Required:	Appropriation
Presenter:	Riaan Anthony, Facilities Manager, Parks and Recreation
Staff Contacts:	Riaan Anthony, Facilities Manager, Parks and Recreation Maya Kumazawa, Budget and Management Analyst
Title:	Virginia Department of Health Special Nutrition Program Summer Food Service Program - \$90,000

Background:

The City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$90,000 from the Virginia Department of Health Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs.

Discussion:

Charlottesville Parks and Recreation will run six Summer Camp programs throughout the City of Charlottesville. These sites serve children in Pre K-10th grades, for nine weeks during the summer, June 13-August 12. Various activities are planned from 9:00am-4:00pm, Monday through Friday. The Virginia Department of Health Special Nutrition Program provides free, nutritious breakfast and lunch for these children. Most of the children served receive free or reduced meals during the school year. Over 800 children were enrolled in Summer Camps last year.

The \$90,000 appropriation covers the cost of the food and administration of the summer food service program. The lunches are purchased through the City of Charlottesville School Food Service. The Parks and Recreation Department pays the bills to the City of Charlottesville Food Service and is then reimbursed by the Virginia Department of Health Special Nutrition Programs.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and it contributes to Goal 2 of the Strategic Plan, Be a safe, equitable, thriving, and beautiful community and Objective 2.2., Consider health in all policies and programs. Children will receive nutritious breakfast and lunch, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

Community Engagement:

N/A

Budgetary Impact:

This has no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of funds

Alternatives:

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

Attachments:

Appropriation

APPROPRIATION

Virginia Department of Health Special Nutrition Program Summer Food Service Program \$90,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$90,000 from the Virginia Department of Health 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 1, 2016 through December 31, 2016.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$90,000, received from the Virginia Department of Health Special Nutrition Program, is hereby appropriated in the following manner:

Revenue – \$90,000

Fund: 209 Internal Order: 1900264 G/L Account: 430120

Expenditures - \$90,000

Fund: 209 Internal Order: 1900264 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$90,000 from the Virginia Department of Health Special Nutrition Program.

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



Agenda Date:	July 18, 2016
Action Required:	Appropriation of State Funds Adoption of Resolution Authorizing Execution of Agreement
Presenters:	Lance Stewart, Public Works
Staff Contacts:	Lance Stewart, Public Works
Title:	VDOT Primary Extension Paving Project Funds - \$282,421

Background:

Based on a legislative change that was effective July 1, 2014, Virginia Code section 33.1-23.1 (B) authorizes the set-aside of up to \$125,000,000 for the reconstruction of interstate, primary, and primary extension routes. Funding for the reconstruction of primary extensions – routes which are both locally maintained and have a primary route number (e.g. Route 250) – is made available using a competitive application process. Awards are made based on a combination of road condition and traffic volume. Assessment of road condition is performed by the Virginia Department of Transportation (VDOT).

The City of Charlottesville has qualified to receive funds to perform two paving projects, requiring a local financial contribution and adoption of a Resolution authorizing the execution of a formal agreement and Appropriation of funds estimated for reimbursement.

Discussion:

The scope of the awarded projects includes all work necessary to bring the roadway and curb ramps into compliance with the Americans with Disabilities Act.

Northbound Emmet Street from the US250 Ramp to Hydraulic Road; estimated cost = \$98,260 – estimated reimbursement 100% less VDOT Oversight fees = \$96,333; total estimated local cost share = \$1,927; scope includes the upgrade of 2 curb ramps

West Market Street from Preston Avenue to 9th Street NE; estimated cost = \$269,965; estimated reimbursement 71% less VDOT Oversight fees = \$186,088; total estimated local cost share = \$83,877; scope includes the upgrade or installation of 15 curb ramps

This program is a promising relief for CIP funding sources dedicated to street paving projects which are stretched very thin. Per the recently completed Street Survey, 24% of City streets are eligible for paving, at an estimated cost of more than \$8.5 million dollars. The high traffic volume of Charlottesville's streets compared to others in the VDOT Culpepper District will continue to make paving projects in Charlottesville very competitive for the duration of this program.

Alignment with Council Vision Areas and Strategic Plan:

This project supports City Council's "Smart, Citizen-Focus Government" vision.

It contributes to Goal 4 of the Strategic Plan, to "be a well-managed and successful organization", and objective 4.1, to "align resources with City's strategic plan".

Community Engagement:

N/A

Budgetary Impact:

No new local funding will be required. Local contribution will be funded through previously appropriated street paving CIP funds. Appropriation of state funds for these projects will result in an estimated net avoided cost of \$282,421.

Recommendation:

Staff recommends approval of the Resolution and Appropriation.

Alternatives:

Pay the full cost of these projects.

Attachments:

VDOT Standard Project Administration Agreement

RESOLUTION
AUTHORIZING EXECUTION OF A STANDARD PROJECT ADMINISTRATION
AGREEMENT FOR STATE-AID HIGHWAY MAINTENANCE PROJECTS

WHEREAS, the Virginia Department of Transportation and the City of Charlottesville desire to execute a standard Project Administration Agreement for two state-aided projects, referenced as Virginia Department of Transportation Project Number U000-104-331 (UPC 109647) and Project Number U000-104-332 (UPC 109646);

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that said Council hereby commits to fund its local share of construction, as applicable, for the Projects administered under agreement with the Virginia Department of Transportation, in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED, by said Council that the City Manager is hereby authorized to execute the Project Administration Agreement for the above-referenced projects on behalf of and as the agent of the Charlottesville City Council.

This resolution shall be effective upon passage and shall not be published.

READ AND ADOPTED: _____

TESTE: _____
Paige Rice, City Clerk

Approved as to Form:

Chief Deputy City Attorney

APPROPRIATION
Primary Extension Paving Funds - \$282,421.00

WHEREAS, the Virginia Department of Transportation and the City of Charlottesville desire to execute a standard Project Administration Agreement for two state-aided projects, referenced as Virginia Department of Transportation Project Number U000-104-331 (UPC 109647) and Project Number U000-104-332 (UPC 109646);

WHEREAS, said agreement requires that the City of Charlottesville complete the aforementioned projects before requesting reimbursement for the non-local share of projects costs;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$282,421.00 is appropriated in the following manner:

Revenue - \$282,421.00

Fund: 426 Internal Order: SS-009 G/L Account: 430110

Expenditures - \$282,421.00

Fund: 426 Internal Order: SS-009 G/L Account: 599999

STANDARD PROJECT ADMINISTRATION AGREEMENT
State-aid Projects

Project Number	UPC	Local Government
U000-104-331,	109647	City of Charlottesville
U000-104-332,	109646	City of Charlottesville

THIS AGREEMENT, made and executed in triplicate this ____ day of _____, 20__, by and between the City of Charlottesville, Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown is hereinafter referred to as the Project; and

WHEREAS, the funds shown in Appendix A have been allocated to finance the Project(s) and the funding currently allocated or proposed for the project(s) does not include Federal-aid Highway funds; and

WHEREAS, both parties have concurred in the LOCALITY's administration of the phase(s) of work for the respective Project(s) listed in Appendix A in accordance with applicable federal, state and local laws and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the parties hereto agree as follows:

1. The LOCALITY shall:
 - a. Be responsible for all activities necessary to complete the noted phase(s) of each Project shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties.
 - b. Receive prior written authorization from the DEPARTMENT to proceed with the project.
 - c. Administer the project(s) in accordance with guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.
 - d. Provide certification by a LOCALITY official of compliance with applicable laws and regulations on the **State Certification Form for State Funded Projects** or in another manner as prescribed by the DEPARTMENT.
 - e. Maintain accurate and complete records of each Project's development of all expenditures and make such information available for inspection or auditing by the

DEPARTMENT. Records and documentation for items for which reimbursement will be requested shall be maintained for not less than three (3) years following acceptance of the final voucher on each Project.

- f. No more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of related vendor invoices paid by the LOCALITY and also include an up-to-date project summary and schedule tracking payment requests and adjustments.
- g. Reimburse the DEPARTMENT all Project expenses incurred by the DEPARTMENT if due to action or inaction solely by the LOCALITY the project becomes ineligible for state reimbursement, or in the event the reimbursement provisions of Section 33.2-348 or Section 33.2-331 of the Code of Virginia, 1950, as amended, or other applicable provisions of state law or regulations require such reimbursement.
- h. On Projects that the LOCALITY is providing the required match to state funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.
- i. Administer the Project in accordance with all applicable federal, state, and local laws and regulations. Failure to fulfill legal obligations associated with the project may result in forfeiture of state-aid reimbursements
- j. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the project.
- k. For Projects on facilities not maintained by the DEPARTMENT, provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT.

2. The DEPARTMENT shall:

- a. Perform any actions and provide any decisions and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties.
- b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 1.f, reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.
- c. If appropriate, submit invoices to the LOCALITY for the LOCALITY's share of eligible project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a.

- d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with applicable laws and regulations.
 - e. Make available to the LOCALITY guidelines to assist the parties in carrying out responsibilities under this Agreement.
3. Appendix A identifies the funding sources for the project, phases of work to be administered by the LOCALITY, and additional project-specific requirements agreed to by the parties. There may be additional elements that, once identified, shall be addressed by the parties hereto in writing, which may require an amendment to this Agreement.
 4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to Section 33.2-1011 of the Code of Virginia, 1950, as amended.
 5. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project is anticipated to exceed the allocation shown for such respective Project on Appendix A, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its cost exceeds the allocated amount, however the DEPARTMENT and the LOCALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.
 6. Nothing in this agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
 7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
 8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between the either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing,

receive a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

9. This agreement may be terminated by either party upon 30 days advance written notice. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs 1.f, 1.g, and 2.b, subject to the limitations established in this Agreement and Appendix A. Upon termination and unless otherwise agreed to, the DEPARTMENT shall retain ownership of plans, specifications, and right of way for which state funds have been provided, unless all state funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have ownership of the plans, specifications, and right of way.

THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THE LOCALITY and the DEPARTMENT further agree that should Federal-aid Highway funds be added to the project, this agreement is no longer applicable and shall be terminated. The LOCALITY and the DEPARTMENT mutually agree that they shall then enter into a Standard Project Administration Agreement for Federal-aid Projects.

THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors, and assigns.

THIS AGREEMENT may be modified in writing by mutual agreement of both parties.

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IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

CITY OF CHARLOTTESVILLE, VIRGINIA:

Typed or printed name of signatory

Title Date

Signature of Witness Date

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Chief of Policy Date
Commonwealth of Virginia
Department of Transportation

Signature of Witness Date

Attachment
Appendix A UPC 109647
Appendix A UPC 109646

Appendix A

Project Number: U000-104-332, UPC: 109646 CFDA # N/A Locality: City of Charlottesville

Project Location ZIP+4: 22902-5252	Locality DUNS# 074745829	Locality Address (incl ZIP+4): 610 East Market Street P. O. Box 911 Charlottesville, Va. 22902-5303
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Project Narrative

Scope:	250 BUS. W. MARKET STREET MILLING, PAVING, AND CROSSWALKS (S.G.R.)
From:	PRESTON AVENUE
To:	9TH. STREET NE
Locality Project Manager Contact Info:	Lance Stewart (434)970-3665 STEWARTL@charlottesville.org
Department Project Coordinator Contact Info:	Robert Strevell (540)829-7546 Robert.Strevell@VDOT.Virginia.gov

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$0	\$0	\$264,672	\$264,672
Estimated VDOT Project Expenses	\$0	\$0	\$5,293	\$5,293
Estimated Total Project Costs	\$0	\$0	\$269,965	\$269,965

Project Cost and Reimbursement

Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$0	State Funds	0%	\$0	\$0	\$0
				\$0	\$0	
				\$0	\$0	
				\$0	\$0	
Total PE	\$0			\$0	\$0	
Right of Way & Utilities						\$0
Total RW						
Construction	\$191,381	State Funds	0%	\$0	\$191,381	\$186,088
	\$78,584	Local Funds	100%	\$78,584	\$0	
				\$0	\$0	
				\$0	\$0	
Total CN	\$269,965			\$78,584	\$191,381	
Total Estimated Cost	\$269,965			\$78,584	\$191,381	\$186,088

Total Maximum Reimbursement by VDOT to Locality (Less Local Share)	\$191,381
Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)	\$186,088

Project Financing

State of Good Repair State Funds	Local Funds				Aggregate Allocations
\$191,381	\$78,584				\$269,965

Program and project Specific Funding Requirements

- This project shall be administered in accordance with VDOT's Urban Manual
- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- This project shall meet all applicable ADA requirements
- The Locality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Locality subsequent to project completion without approval of the Department, the locality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.
- Funds for this project are not available until July 1, 2016
- This project must be advertised within six months of award funding or be subject to deallocation
- This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$191,381 (if applicable)
- Total project allocations: \$269,965

Authorized Locality Official and date

Authorized VDOT Official
Recommendation and Date

Typed or printed name of person signing

Typed or printed name **Version 8/10/11**

Appendix A

Project Number: U000-104-331, UPC: 109647 CFDA # N/A Locality: City of Charlottesville

Project Location ZIP+4: 22901-2811	Locality DUNS# 074745829	Locality Address (incl ZIP+4): 610 East Market Street P. O. Box 911 Charlottesville, Va. 22902-5303
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Project Narrative

Scope:	RTE. 29 NB EMMET ST. MILLING, PAVNG, AND CROSSWALKS (S.G.R.)
From:	ROUTE 250 BYPASS
To:	HYDRAULIC ROAD
Locality Project Manager Contact info:	Lance Stewart (434)970-3665 STEWARTL@charlottesville.org
Department Project Coordinator Contact Info:	Robert Strevell (540)829-7546 Robert.Strevell@VDOT.Virginia.gov

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$0	\$0	\$96,333	\$96,333
Estimated VDOT Project Expenses	\$0	\$0	\$1,927	\$1,927
Estimated Total Project Costs	\$0	\$0	\$98,260	\$98,260

Project Cost and Reimbursement

Phase	Estimated Project Costs	Funds type <i>(Choose from drop down box)</i>	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$0	State Funds	0%	\$0	\$0	\$0
				\$0	\$0	
				\$0	\$0	
Total PE	\$0			\$0	\$0	
Right of Way & Utilities						\$0
Total RW						
Construction	\$98,260	State Funds	0%	\$0	\$98,260	\$96,333
				\$0	\$0	
				\$0	\$0	
Total CN	\$98,260			\$0	\$98,260	
Total Estimated Cost	\$98,260			\$0	\$98,260	\$96,333

Total Maximum Reimbursement by VDOT to Locality (Less Local Share)	\$98,260
Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)	\$96,333

Project Financing

State of Good Repair State Funds					Aggregate Allocations
\$98,260					\$98,260

Program and project Specific Funding Requirements

- This project shall be administered in accordance with VDOT's Urban Manual
- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- This project shall meet all applicable ADA requirements
- The Locality will continue to operate and maintain the facility as constructed. Should the design features of the project be altered by the Locality subsequent to project completion without approval of the Department, the locality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.
- Funds for this project are not available until July 1, 2016
- This project must be advertised within six months of award funding or be subject to deallocation
- This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$98,260 (if applicable)
- Total project allocations:** \$98,260

Authorized Locality Official and date

Authorized VDOT Official
Recommendation and Date

Typed or printed name of person signing

Typed or printed name of person signing

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2016
Action Required:	Approve appropriation for sponsorship agreement
Presenter:	Lieutenant D.W. Shifflett, Jr, Police Department
Staff Contacts:	Lieutenant D.W. Shifflett, Jr, Police Department
Title:	Greenstone on 5th Corporation Sponsorship Agreement for Enhanced Police Coverage - \$82,184

Background:

Greenstone on 5th Corporation would like to enter into a Sponsorship Agreement whereby a donation will be made to the Charlottesville Police Department for \$82,184 to support enhanced police coverage within and adjacent to Greenstone on 5th Apartments. This donation will be received in four equal quarterly installments to be received during FY17. The installments will be received at the beginning of the months: July, October, January, and April.

Discussion:

Enhanced coverage involves police officers being assigned to public patrol duties in the sponsored coverage area in addition to those officers who could be assigned within normal budgetary constraints. Acceptance of the donation under this arrangement will not require officers to be pulled away from other areas of coverage within the City. Even in these circumstances the Chief will have full authority to deploy the officers elsewhere to meet operational necessities.

Alignment with Council Vision Areas and Strategic Plan:

This agreement supports **Goal 2** of the Strategic Plan: **Be a safe, equitable, thriving and beautiful community**. It provides for extra Police presence in the agreed upon area, increasing visibility and response times. It also supports **Goal 5: Foster Strong Connections**, by allowing additional time in this neighborhood for Officers and the Community to interact.

Community Engagement:

N/A

Budgetary Impact:

This Sponsorship agreement is a donation that will cover all costs associated with the added security, with no cost to the City. The funds will be appropriated to the General Fund.

Recommendation:

Staff recommends approval and appropriation funds.

Alternatives:

The alternative is not to approve this appropriation, which would result in the inability to provide enhanced coverage to the sponsored coverage area.

Attachments:

Appropriation

APPROPRIATION
Greenstone on 5th Sponsorship Agreement for Enhanced Police Coverage
\$82,184

WHEREAS, the City of Charlottesville has entered into an agreement with Greenstone on 5th Corporation to fund enhanced police coverage for the area of Greenstone on 5th Apartments, including salary, equipment, technology and related administrative expenses associated with provisions of such enhanced coverage.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$82,184, to be received as a donation from Greenstone on 5th Corporation.

Revenues - \$82,184

\$82,184	Fund: 105	Internal Order: 2000113	G/L Account: 451999
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Expenditures - \$82,184

\$75,197	Fund: 105	Internal Order: 2000113	G/L Account: 510060
\$ 6,987	Fund: 105	Internal Order: 2000113	G/L Account: 599999

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



Agenda Date:	July 18, 2016
Action Required:	Appropriation of Grant Funds
Presenter:	Hollie Lee, Chief of Workforce Development Strategies
Staff Contacts:	Hollie Lee, Chief of Workforce Development Strategies Sherri Eubanks, Assistant Operations Manager – Pupil Transportation
Title:	Piedmont Workforce Network Incumbent Worker Training Grant - \$3,610

Background:

The City of Charlottesville, through the Office of Economic Development (OED) and in partnership with Pupil Transportation Services has received a grant for \$3,610 from Piedmont Workforce Network (PWN) in order to provide CPR/First Aid Certification and Recertification to 38 incumbent Bus Drivers and School Bus Aides. The grant requires a 50% match of local/employer dollars, which can be satisfied with an in-kind wage contribution. The in-kind wage contribution match will be made from Pupil Transportation Service’s operating budget. The estimated cost of this contribution is \$3,461.04 (estimated wages for training 38 people for six hours each at an average wage of \$15.18 per hour). Pupil Transportation is required to pay the training provider, Piedmont Virginia Community College (PVCC), for the entire cost of training (\$3,610) upon completion of training and then request reimbursement from PWN.

Discussion:

In July 2013, the City’s Strategic Action Team on Workforce Development (SAT) issued a report to City Council entitled, *Growing Opportunity: A Path to Self-Sufficiency*. Since this time, numerous initiatives have been undertaken to help low-income residents achieve self-sufficiency by increasing assets (training and education) and reducing barriers (childcare, transportation, housing, etc.) related to employment. In recent months, the City’s workforce development efforts have expanded to include a focus on local employers and ensuring that their incumbent/existing employees have the knowledge, skills, and abilities that they need to be successful on the job and strengthen business operations.

As part of the employment requirements to be a Bus Driver or School Bus Aide for Pupil Transportation Services, every employee must have CPR/First Aid certification. This certification expires and needs to be renewed every two years by completing a six-hour training session complete with skills tests. As a result, the OED worked with Pupil Transportation Services staff to submit an application to PWN for an incumbent worker training matching grant to help subsidize the cost of training. This application has been approved by PWN and an award letter has been given to the City.

The training, provided through Piedmont Virginia Community College, consisted of five, six-hour sessions comprised of six to nine incumbent workers (38 employees in total). These sessions took place from April 4, 2016 to April 8, 2016, and an American Heart Association (AHA) instructor conducted the classroom and skills tests. All participants received an AHA certified CPR card, which is good for two years.

Alignment with Council Vision Areas and Strategic Plan:

This effort supports City Council's "Economic Sustainability" vision and aligns directly with the SAT's *Growing Opportunity* report that was approved by City Council in 2013.

It also contributes to the following goals and objectives in the City's Strategic Plan:

Goal 4: Be a well-managed and successful organization

- Objective 4.2: Maintain strong fiscal policies
- Objective 4.3: Recruit and cultivate quality employees

Goal 3: Have a strong diversified economy

- Objective 3.1: Develop a quality workforce

Goal 1: Enhance the self-sufficiency of our residents

- Objective 1.1: Promote education and training

It aligns with Chapter 3 on Economic Sustainability in the Comprehensive Plan, and more specifically Goal 6, which focuses on workforce development and being an effective partner in creating a well-prepared and successful workforce.

Community Engagement:

Like practically all of the City's workforce development initiatives, this effort requires partnerships with numerous community partners, specifically Piedmont Workforce Network, which is providing the matching grant and Piedmont Virginia Community College, which is providing the CPR/First Aid certification training. Additionally, the end result of this incumbent worker training will be of great benefit to the community, as drivers will be able to offer emergency services to students.

Budgetary Impact:

The contribution towards wages of \$3,461.04 will come from already appropriated funds in the Pupil Transportation Services budget.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If grant funds are not appropriated, more City dollars will have to be used to pay for the CPR/First Aid certification training.

Attachments:

- Incumbent Worker Training Funds Application
- Incumbent Worker Training Funds Award Letter from PWN

APPROPRIATION

**Piedmont Workforce Network Incumbent Worker Training Matching Grant
\$3,610**

WHEREAS, the City of Charlottesville has received federal pass-through funds from the Workforce Development Act administered by Piedmont Workforce in the amount of \$3,610 requiring an in-kind local 50% match provided by Pupil Transportation Services through operating funds; and

WHEREAS, the funds will be used to support workforce development training programs; and

WHEREAS, the grant award covers the period from April 4, 2016 through April 8, 2016;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$3,610 is hereby appropriated in the following manner:

Revenue – \$

\$3,610 Fund: 105 G/L: 432080 Revenue/Other Local Government

Expenditures - \$

\$3,610 Fund: 105 G/L: 530010 Professional Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$3,610 from Piedmont Workforce Network and the matching in-kind funds from Pupil Transportation Services operating budget.



PIEDMONT
Workforce Network



Piedmont Workforce Network
Incumbent Worker Training Funds Application

Section 1: Company Information

Please check the target industry that your organization falls under:	<input type="checkbox"/> Health Services <input type="checkbox"/> Information Technology <input type="checkbox"/> Business & Financial Services <input type="checkbox"/> Agribusiness <input type="checkbox"/> Bioscience & Medical Devices <input type="checkbox"/> Defense & Security <input type="checkbox"/> Manufacturing/Distribution <input checked="" type="checkbox"/> Other: Government
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Parent or Corporate Name of Applying Company (As Listed on IRS W9 Form):		City of Charlottesville			
Physical Address:	610 E. Market Street				
City:	Charlottesville	State:	VA	Zip:	22902
P.O. Box Address:	P.O. Box 911				
City:	Charlottesville	State:	VA	Zip:	22902
Company Name, if Different:	Pupil Transportation Services				
Physical Address:	1505 Avon Street Ext.				
City:	Charlottesville	State:	VA	Zip:	22902
P.O. Box Address:					
City:		State:		Zip:	

Company Contact:	Sherri Eubanks	Title:	Assistant Operations Manager
Phone:	434-970-3532	Email:	eubanks@charlottesville.org

Federal I.D. No.:	54-6001202	Date Business Began in Area:	1975
Number of Full-Time Workers:	43	Number of Part-Time Workers:	5
Tax Status of Business:	<input type="checkbox"/> For-Profit <input type="checkbox"/> Not-For-Profit (Designation) <input checked="" type="checkbox"/> Other: Government		
Legal Structure of Business:	<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Government		
Is your company current on all Federal, State of Virginia, County, City and Local Tax Obligations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is your company receiving and/or applying for other public training funds?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, explain:			
Does your company have an equal opportunity/non-discrimination policy in place?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is your company subject to a collective bargaining agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<i>If yes, and if union represented employees will be participating in the training activities of this program, it is required that consent be obtained from the representing union to collect the eligibility data from the employees PRIOR to funding approval.</i>			
Is your company willing to provide project outcome information to the Piedmont Workforce Network?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
This company is: (check all applicable)	<input type="checkbox"/> Native-American Owned <input type="checkbox"/> Asian-American Owned <input type="checkbox"/> African-American Owned <input type="checkbox"/> Woman Owned <input type="checkbox"/> Hispanic-American Owned <input type="checkbox"/> Other Minority Owned _____		
Please provide a brief description of your business, product(s), and/or service(s):			
<p>Pupil Transportation Services with Charlottesville City Schools provides bus transportation for all students who live in the City. Pupil Transportation offers separate runs for three-year-olds, elementary students, students in grades 5 through 8, and high schoolers. Pupil Transportation also provides separate services for identified students with special needs. Finally, to encourage City students to participate in extra-curricular activities at all our schools, Pupil Transportation provides an after-school "activities" bus that returns students home after clubs or sports practices.</p>			

Section 2: Training Provider Information
(attach additional sheets, if necessary)

Training Provider(s) will be:	<input checked="" type="checkbox"/> Public Training Institution <input type="checkbox"/> Private Training Institution <input type="checkbox"/> Company Instructor
Training will be Delivered:	<input type="checkbox"/> On-site at the Business <input checked="" type="checkbox"/> At the Training Institution <input type="checkbox"/> At a Remote Location
Training Provider:	Piedmont Virginia Community College Workforce Services

Contact Name:	Kathy Reid	Phone:	434-961-5330		
Physical Address:	501 College Drive				
City:	Charlottesville	State:	VA	Zip:	22902

Section 4: Needs Identification

Indicate which challenge(s) would be addressed by the proposed training.
(Check all that apply; at least one must be identified for funding consideration)

	Declining Sales
	Supply Chain Issues
	Adverse industry market trends
	Changes in management behavior or ownership
	Phasing out certain function, introducing new functions/lines that require worker retraining
X	Required skill changes that would otherwise require downsizing, layoffs, etc. if not addressed
	New technology and/or equipment implementation
X	Creation of new employment opportunities that require advance skills and knowledge
	Other:

Section 5: Training Project Information

Please describe your organization's challenges that would be addressed by the proposed training. Pupil Transportation Services staff (drivers and aides) are required to have their CPR/First Aid certifications in order to handle cases of emergency on City school buses. The proposed training will allow participants to receive either certification or recertification of CPR/First Aid, thus allowing Pupil Transportation to stay in compliance with Department of Education certification requirements.

What credential, if applicable, will the individuals receive from the proposed training?

All individuals will receive an American Health Association certified CPR card (good for two years).

What are the job titles and average salaries for the individuals that would receive the proposed training?

Transit Operators, Transit Operators (Relief), and School Bus Aides, with an average salary of \$15.18 per hour.

How will this training make the participant and your organization more competitive in this economy?

The training will allow participants to continue qualified employment with the City of Charlottesville Pupil Transportation Department. CPR and First Aid skills are important in the case of an emergency and are required by the Department of Education of all Pupil Transportation staff. Training will take place from Monday, April 4, 2016 to Friday, April 8, 2016. Each session of training will be 6 hours long (9am-3pm) with up to 9 participants. Participants will earn CPR/First Aid certification or recertification upon completion of the class. Certification and recertification require the same course and same number of hours.

What is the potential for wage increases at the completion of the training and/or within one year of training end date?

This is uncertain at this time. Increases in wages at Pupil Transportation are typically based on the City Schools' budget, full-time versus relief employment status, and length of service. If staff does not receive the certification however, they will no longer be eligible for employment with Pupil Transportation.

How will this training allow the participating individuals to retain their employment?

Employees must have CPR/First Aid certification and recertification every two years to continue their employment with Pupil Transportation Services.

Section 6: Training Program Budget

This section must be completed to show use of proposed training funds and employer match contributions. Please provide specified training information and itemize completely.

A. Budget Category	B. Requested Funds	C. Employer Contribution	Sub-Total (B+C)
Non-Company Instructor Fees or Tuition Costs			
PVCC CPR/First Aid Certification Training (\$95/6 hrs - 38 employees)	\$3,610	\$475 (cost of training for 5 relief drivers who do not qualify as incumbent workers)	\$3,610.00
Training Related Rentals (facilities, equipment, tools, etc.)			
			\$0.00
Materials/Supplies/Textbooks			
			\$0.00
Other Costs (Describe)			
			\$0.00
Travel/Food/Lodging For Instructor(s) Only			
			\$0.00
Trainee Wages (Including Benefits)			
38 Transit Operators & Supervisors @ Average Wage of \$15.18/hour for 6 hours of training	Incumbent Worker Training Funds Cannot be Used (Can be counted as in-kind match for employer contribution)	\$3,461.04	\$3,461.04

Section 7: Incumbent Worker Training Funds Requested

Training Funds Requested:	\$3,610
Number of Employees to be Trained:	38
Proposed Training Start Date:	Monday, April 4 th
Anticipated Training End Date: <i>(Maximum of 12 months from proposed start date)</i>	Friday, April 8 th

Signature and Certification

By my signature, I verify the information in this application is accurate to the best of my knowledge and I have the authority to submit this application on behalf of the named employer. I also certify that I have read the Piedmont Workforce Network's Incumbent Worker Training Policy and agree to all of the terms and conditions outlined in that policy.

Signature: _____

Date: 4-01-16

Name: Sherri Eubanks

Phone/email: eubanks@charlottesville.org

Piedmont Workforce Network is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 711. Funded by the U.S. Department of Labor.



PIEDMONT
Workforce Network

2211 Hydraulic Road, Suite #104
Charlottesville, VA 22901
Phone: (434) 979-5610 Fax: (434) 979-4123 VA Relay Users: 711

April 4, 2016

Ms. Sherry Eubanks
Assistant Operations Manager
Pupil Transportation Services
City of Charlottesville
1505 Avon Street Ext.
Charlottesville, VA 22902

Dear Sherry,

We are pleased to inform you that your application for Incumbent Worker Training Funds has been approved to train individuals in customer service. The Piedmont Workforce Network understands that City of Charlottesville's Pupil Transportation Services will be able to address required skill changes for their employees that would otherwise require downsizing, layoffs, etc. and will be able to create new employment opportunities that require advanced skills and knowledge.

The following details outline the amount approved, the number of workers to be trained, and the outcomes to be achieved. By signing below, the company agrees to these approvals and measures.

Customer Service Training	
Training Funds Approved:	\$3,610
Employees to be Trained:	38
Training Start Date:	4/4/2016
Training End Date:	4/8/2016
Training Provider:	PVCC

Performance Measures:

- At least 80% of the participants funded under the Incumbent Worker Training program will successfully complete the training programs.
- 100% of the participants funded under the Incumbent Worker Training program will be retained by the employer at the completion of training.

Documents Required:

- Certificates of completion for each participant, or letter on letterhead stating participants completed training
- Curriculum or description of program from training provider
- A copy of the I-9 document collected by the employer for each individual completing training
- A signed copy of the receipt of the Grievance and Complaint Procedures and EEO Notice

If you have any questions, please contact Morgan Romeo at mromeo@centralvirginia.org or by phone at 434-979-5610.

Signature: Helen Cauthers
Title: Executive Director
Organization: Piedmont Workforce Network
Date: 4/4/16

Signature: Maurice Jones
Title: City Manager
Organization: City of Charlottesville
Date: 4/4/16



CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA

Agenda Date:	July 18, 2016
Action Required:	Approval
Presenter:	Tierra Howard, Grants Coordinator, NDS
Staff Contacts:	Tierra Howard, Grants Coordinator, NDS
Title:	Approval of CDBG/HOME Code Revision (Chapter 2, Article XIII)

Background:

The City of Charlottesville's Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) code sets forth the policy for the City's CDBG and HOME programs. The CDBG/HOME code was last revised in 2003. Since 2003, there have been changes within the CDBG/HOME programs at the federal level that have prompted the need to revise the code. Overall, the current code is outdated and in need of revision to provide consistency with US Department of Housing and Urban Development (HUD) statutes/regulations and to incorporate the HOME program, as appropriate.

Discussion:

Major changes proposed to the code include:

- Reference all CDBG national objectives (principally benefit low to moderate income persons, aid in the elimination of slum and blight, and address urgent community needs), as defined by HUD.
- Separate program policy from administrative procedure to ensure that the code reflects policy level matters, with administrative oversight and process related matters being provided for in various administrative plans, such as the Citizen Participation Plan (CPP).
- Ensure consistency with HUD language/terminology.
- Include the use of specific language to target "income eligible areas" as staff found that the "five priority neighborhoods" language does not perfectly align with income eligible areas based on the latest HUD adjusted Census data. Census block group data (as adjusted by HUD) is used to determine areas that are "income-eligible" or areas that qualify for HUD assistance.
- Revise the section on Neighborhood Committees to include both the Priority Neighborhood and Economic Development Subcommittees. Currently, the Strategic Action Team (SAT) reviews the economic development proposals when economic development set-asides are requested by Council, to ensure consistency with the Growing Opportunities Report (City's Workforce Development Report).

- Update the Annual Process section to ensure consistency with current program procedures.

Community Engagement:

On May 18, 2016 the proposed code revision came before the Housing Advisory Committee (HAC) and the CDBG Task Force at a joint meeting for input/feedback. Comments received from the HAC and the CDBG Task Force has been incorporated into the code revisions.

The City Attorney's Office has also reviewed and provided input to the code revisions.

Budgetary Impact:

The code revision will have no direct budgetary impacts; however, the revisions will bring City code into compliance with what HUD requires. If current code was monitored or reviewed by HUD, the City could potentially encounter some type of finding with associated economic/budgetary consequences. Accordingly, the proposed changes should indirectly benefit the budget by putting the City into compliance with HUD expectations for both the CDBG and HOME programs.

Recommendation:

Staff recommends approval of the CDBG/HOME code revision.

Alternatives:

No alternatives are proposed.

Attachments:

CDBG/HOME Code Revision Recommendations
Housing Advisory Committee Meeting Minutes (5-18-2016)

**AN ORDINANCE
AMENDING AND REORDAINING ARTICLE XIII OF CHAPTER 2
OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,
RELATING TO COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING.**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Sections 2-416 through 2-420 of Article XIII (Community Development Block Grant Planning) of Chapter 2 (Administration) of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained, as follows:

**CHAPTER 2. ADMINISTRATION
ARTICLE XIII. COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING**

Sec. 2-416. Purpose and applicability of article.

(a) This article sets forth planning and decision making procedures for the ~~e~~Community ~~d~~Development ~~b~~Block ~~g~~Grant (CDBG) and HOME Investment Partnerships (HOME) programs, funded under the federal Housing and Community Development Act of 1974, and the federal HOME Investment Partnerships Act of 1991, as amended.

(b) CDBG funds should be used primarily to benefit low and moderate income persons and to meet the national objectives, as defined by the United States Department of Housing and Urban Development (HUD). The funds may be spent for any activities permitted by the Housing and Community Development Act of 1974, as amended, and applicable federal regulations. HOME funds should be used to strengthen public-private partnerships to provide more affordable housing, as defined by ~~HUD~~~~the United States Department of Housing and Urban Development~~. The funds may be spent for any activities permitted by the HOME Investment Partnerships Act of 1991, as amended, and applicable federal regulations.

(c) The process established by this article shall apply only to funds specifically allocated for ~~CDBG community development block grant~~ programs under the Housing and Community Development Act of 1974, ~~as amended~~, and the HOME Investment Partnerships Act of 1991, as amended, or other funds specifically ~~s~~ allocated for such purposes by ~~the~~ City Council.

(d) This process shall not apply to the allocation of any funds remaining from urban renewal activities in the Garrett Street or Vinegar Hill urban renewal projects.

Sec. 2-417. Community development block grant and HOME task force.

(a) The Community Development Block Grant/HOME Task Force is hereby established to make recommendations to the Planning Commission and City Council for funding housing, community development, economic development, and public service needs based on the Consolidated Plan and the CDBG priorities as established by City Council annually. The CDBG/HOME Task Force will work with city administration to evaluate CDBG and HOME programs to ensure consistency with the Consolidated Plan goals. advise the city council on the city's physical community development needs, proposed projects to meet such needs and

~~suggested allocations of CDBG and HOME funds for such projects, and to conduct periodic evaluations of the physical aspects of CDBG and HOME programs. Such recommendations advice and evaluations shall be forwarded in accordance with the procedures set forth in this article. The CDBG task force shall also review and comment on recommendations for human services programs as provided in section 2-419.~~

(b) The CDBG/HOME Task Force shall be composed of nine (9) members appointed by the City Council. The members shall include:

- (1) Five members from HUD's identified income eligible areas of the City who are residents of City Council designated priority neighborhoods; Five (5) persons, preferably of low or moderate income, one (1) from each of the five (5) city council designated target neighborhoods. One (1) of the five (5) neighborhood members shall be a representative of the current priority neighborhood, if city council has designated a priority neighborhood;
- (2) One (1) member of the ~~city~~ Planning Commission;
- (3) One (1) member representing ~~social issues~~ public service programs as defined at 24 CFR 570.201;
- (4) One (1) member of the City School Board;
- (5) One (1) additional citizen.

~~The five (5) persons from the CDBG target neighborhoods shall be appointed for three-year terms. The one (1) social service member and the one (1) additional citizen shall be appointed for two-year terms. The ex officio members shall be appointed for terms concurrent with their terms on the bodies they represent. Appointments to fill vacancies shall be for the unexpired terms. No member may serve more than two (2) complete terms, which may be preceded by completion of another's unexpired term.~~

The term for the one (1) member of the CDBG Task Force from the Planning Commission and the one (1) member of the school board shall be coextensive with the term of office to which such member has been elected or appointed, unless the city council, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members of the Task Force first appointed shall serve respectively for terms of one (1) year, two (2) years, and three (3) years, divided equally or as nearly equal as possible between the membership. Subsequent appointments shall be for terms of three (3) years each. Vacancies shall be filled by appointment for the unexpired term only. Members may serve up to two (2) consecutive full terms.

Sec. 2-418. Community development block grant (CDBG)/HOME task force subcommittees. Neighborhood committees.

(a) Priority Neighborhood Subcommittee - ~~When the City Council has determined that a portion of available grant funds will be used for concentrating physical development in a~~

particular "target" neighborhood determines that a portion of available CDBG funds will be used to assist an income eligible area, the Council may appoint a priority neighborhood subcommittee, ~~consisting of including but not limited to~~ representatives of the CDBG Task Force, the city Planning Commission and residents, business people and property owners from the ~~target~~ priority neighborhood. The term of each priority neighborhood subcommittee shall be three (3) years, unless otherwise specified by the Council, and each priority neighborhood subcommittee shall operate under such guidelines and perform such advisory functions as the Council may direct at the time of appointment. ~~Target-Priority~~ neighborhood subcommittees shall make recommendations to the CDBG/HOME Task Force for funding housing and community development needs based on the Consolidated Plan and work with the City to evaluate feasibility and to ensure consistency with programmatic regulations. assist in preparing detailed plans and programs for CDBG expenditures within their respective neighborhoods. The City Council will designate an income eligible area priority neighborhoods for three (3) years with the authority to postpone or extend funding in the event of a compelling project or need.

(b) Economic Development Subcommittee – When the City Council provides for a CDBG economic development set aside, the City staff who participate on the Strategic Action Team (SAT) will serve as the economic development subcommittee. The SAT is an interdisciplinary team of City staff who examine the City's workforce development efforts and assist with policy development focused on self-sufficiency for City residents. When the City Council determines that a separate economic development subcommittee is needed, the City Council shall appoint members with economic development expertise, including but not limited to local business owners, Chamber of Commerce, Office of Economic Development and other major stakeholders. The subcommittee shall make recommendations to the CDBG/HOME Task Force for funding economic development projects based on the Consolidated Plan and work with City staff to evaluate feasibility and ensure consistency with programmatic regulations.

Sec. 2-419. Annual process.

The following steps shall comprise the annual process for planning and programming the expenditure of ~~community development block grant~~ CDBG and HOME funds.

- (1) ~~An initial work session will be held with planning commission, city council and the CDBG task force to discuss priorities.~~ City staff assigned to CDBG Task Force will review CDBG/HOME Consolidated Plan goals and applicable regulations to formulate recommendations for annual funding priorities.
- (2) The City Council shall conduct an ~~initial~~ public hearing to solicit the views of citizens, ~~the CDBG task force, and the planning commission~~ on city wide community development and housing needs, ~~and on the general goals and policies for the ensuing grant year.~~ The purpose of this public hearing shall be for Council to receive citizens' comments on recommended priorities and as well as program performance. The notice of the ~~initial~~ public hearing shall include an estimate of the amount of funds available for CDBG and HOME activities and the range of activities that may be undertaken, as well as how the public can access a copy of the most recent Consolidated Annual Performance

Evaluation Report (CAPER). The Public comments ~~of the task force and commissions~~ may be presented in writing or in person ~~and may include recommendations on the proportion of available funds which should be allocated to human services programs, housing needs, capital improvements, economic development activities and other possible categories.~~

- (3) After receiving all comments, ~~the Council~~ shall establish ~~the goals and policies~~ priorities for the grant year, including such percentage allocations of funds to categories and to particular income eligible areas ~~target neighborhoods~~ as it deems appropriate.
- (4) ~~After Council establishes priorities for the grant year, City staff with the CDBG/HOME Task Force will develop a request for proposals, within the funding priorities established by Council, to be advertised and distributed to interested parties and prior recipients of funds. After receiving the council's decision about goals and policies, the CDBG task force shall hold such meetings as it deems appropriate, including a meeting with the planning commission, and shall develop recommendations for housing, human services and physical development programs and expenditures, within the funding guidelines established by the council.~~
- (5) Responses to the City's request for proposals will be evaluated by the CDBG/HOME Task Force.

~~If council has selected a target neighborhood for a particular grant year, and appointed a neighborhood committee, the committee shall hold such meetings as it deems appropriate and shall develop recommendations for programs and benchmarks to measure the success of the proposed initiatives. Projects and expenditures within the neighborhood shall be developed within the funding guidelines established by the council. Recommendations from the neighborhood committee shall be forwarded to the CDBG task force for review and comment.~~

- (6) ~~All recommendations for housing, physical development and human services programs and expenditures from the CDBG task force and neighborhood committee shall be reviewed with the city planning commission. The CDBG/HOME Task Force shall provide funding recommendations to the Planning Commission and City Council to ensure that proposed projects are consistent with the CDBG program requirements and national objectives and/or HOME program requirements, as applicable. Review will also include a determination of consistency with the City's Comprehensive Plan and affordable housing goal(s).~~ city's comprehensive plan, community development objectives and overall physical development and social needs of the city.
- (7) ~~After receiving the recommendations of the CDBG task force and the neighborhood committee, T~~the City Council and Planning Commission shall conduct a final joint public hearing; to receive public comments on the proposed annual action plan of the Consolidated Plan and CDBG/HOME performance, as appropriate. Notwithstanding the foregoing, the CDBG/Home performance plan may be presented at a separate public hearing as required by the Code of Federal Regulations. by citizens affected by all proposed CDBG and HOME activities and other interested parties. The published notice for such public hearing shall

~~include a statement of the city's community development objectives to afford citizens an opportunity to examine its contents and to submit comments to the city on the proposed statement and on the community development performance of the city. This hearing shall coincide with the initial public hearing on the city's annual budget.~~

- (8) Following the public hearing and any additional meetings or hearings deemed by the City Council to be necessary, the Council shall make a final decision on the programs, projects and expenditures to be funded from the year's CDBG/HOME programs. ~~community development block grant and shall adopt an appropriation consistent therewith.~~
- (9) ~~All the bodies participating in this process shall continue to monitor and evaluate the CDBG and HOME programs throughout the year. The City shall provide the Task Force and Planning Commission with the Consolidated Annual Performance Evaluation Report (CAPER) in conjunction with the City's submission to HUD. The CAPER and evaluation of program specific successes and challenges will be used in future CDBG/HOME recommendations to City Council for projects and programs.~~ shall make a year-end evaluation of the projects and programs respectively recommended by them and shall advise the city council of the results of the evaluation and suggest appropriate changes for future years.
- (10) Once ~~the~~ Council has approved and funded a program, any reprogramming and budgetary changes will be done consistent with the citizen participation plan adopted by Council. ~~of funds or any change in funding involving more than ten (10) percent of the year's total grant shall be reviewed by the body or bodies which originally advised council regarding the programs being changed.~~

Sec. 2-420. Procedures for public hearings, meetings and records.

(a) ~~All public hearings~~ Plans or amendments, as required under this article shall be advertised in the manner provided by Code of Virginia, Section 15.2-2204, and in accordance with the adopted citizen participation plan.

(b) All meetings conducted pursuant to this article and all records of the CDBG and HOME programs shall be subject to the provisions of the Virginia Freedom of Information Act.

Sec. 2-421. Reserved.

HOUSING ADVISORY COMMITTEE
Meeting Minutes
Neighborhood Development Services Conference Room, City Hall
May 18, 2016
12:00 pm

Attendance Record	Present	Absent
MEMBERS		
Betsy Lawson	X	
Bob Hughes		X
Carmelita Wood	X	
Dan Rosensweig		X
Frank Stoner	X	
Jennifer McKeever	X	
Jody Lahendro	X	
Joy Johnson		X
Joyce Dudek	X	
Kristin Szakos		X
Lesley Fore	X	
Nancy Kidd	X	
Paul Kent		X
Phil d'Oronzio		X
Ridge Schuyler	X	
Steve Stokes		X
TJACH - Ed Bain	X	
NON VOTING MEMBERS		
IMPACT		X
Ron White (Albemarle County)		X
Trish Romer (UVa)	X	
STAFF		
Kathy McHugh	X	
Tierra Howard	X	
Alex Ikefuna	X	
CDBG/HOME Task Force Members		
Taneaia Dowell	X	
Matthew Slatts	X	
Sherry Kraft	X	
Marnie Allen	X	
Kelly Logan	X	
OTHERS		
Edith Good	X	
Howard Evergreen	X	
Cliff Fox	X	
Sean Tubbs	X	
Christopher Suarez	X	
Lena Seville	X	

The meeting began around 12:05. HAC members as well as CDBG/HOME Task Force members and guests were told to help themselves to food, and to be sure to sign in and pick up copies of the handouts. Bob Hughes, Paul Kent, Kristin Szakos, Dan Rosensweig, Steve Stokes, Kathy Johnson Harris and Sarah Malpass notified staff in advance that they would not be in attendance and former HAC member – Kaki Dimock – notified staff that Ed Bain would represent the TJACH board at the meeting.

Since Joy Johnson (Chair) was not in attendance, Kathy McHugh (NDS staff support) had to direct the meeting. She then asked for review and consideration of the minutes from February 18, 2016, apologizing for sending these out late as she had intended to provide them with the other materials that were sent last Friday. Jennifer McKeever made a motion to approve and Frank Stoner seconded this. With no questions or discussion, the minutes were then approved by unanimous vote of HAC members in attendance.

As this was a joint meeting and there were multiple visitors in attendance, Kathy then asked for everyone to introduce themselves. The attendance record included herein records each person's name and distinguishes HAC members, Task Force members and visitors.

Kathy then introduced the need for this joint meeting by explaining that staff wanted HAC and Task Force input / feedback on the revised code and Citizen Participation Plan, as well as to introduce the plans for development of a Limited English Proficiency Four Factor Analysis and Anti-Displacement/Tenant Assistance, Relocation and Real Property Acquisition Policy.

Tierra Howard then proceeded to explain the proposed CDBG/HOME code and policy changes. She explained that the City code needed to be changed because it is outdated; does not reflect current HUD approved practices; conflicts with our Citizen Participation Plan (CPP); and does not reference the HOME program. She proceeded by explaining that the code needed to be updated and that she would provide the group with a brief overview of proposed changes to each section.

Tierra explained that Section 2-416 provided for the purpose of the CDBG/HOME programs as provided through HUD.

Jennifer McKeever then stated that inclusion of the phrase "aid in the prevention or elimination of slum and blight" (as found in Sect 2-416(b) of the proposed code) is language that she finds difficult and that she would like to have a discussion over this as it is *loaded language*. Further, she went on to say, that even if this wording is reflected in the regulations that we don't have to include it in our code. Specifically she reiterated that "elimination of slum and blight" was particularly troublesome.

Tierra defended inclusion of the language because it is one of three national objectives and all CDBG funds must meet one of these three objectives.

Jennifer responded that while she was agreeable to include prevention of slum and blight and address urgent community needs, that the elimination of slum and blight is a loaded topic for this community and that the City should look to reword this or leave it out. She felt that a revision is needed, given the history in this community and how subjective this language is.

Kathy responded that this language is statutory not regulatory and that it has been included because we want City code to match up with federal code. Jennifer interjected that if everyone else thought it is okay that she would be willing to let this go. Kathy then attempted to provide an example of the use of elimination of blight to tear down a property to assist with CRHA redevelopment; however, Jennifer noted that this type of example is not provided in the text. Carmelita Wood then asked to speak and went on to explain that this language takes her back to Vinegar Hill as those homes were demolished because they were considered slums and as a result people (such as her family) were relocated to Westhaven.

Alex Ikefuna then told the group that he wanted to caution them because the City does not have authority for redevelopment except through CRHA and as they redevelop they will look to use City funds. Further that all HUD programs (e.g., CDBG, HOME, NSP, ESG, HOPWA, Section 108, etc...) use similar language for addressing issues related to slum and blight and that exclusion of this statutory language would be a cardinal mistake. He went on to explain that the City is currently working with a private developer trying to access VHDA funding and that we will be required to certify as to slum and blight conditions in order for funding to be approved.

Kathy echoed the comments by Alex, saying that similarly – the LIHTC program requires a local notification/certification process and that the City’s support must be evidenced by a certification as to existence of slum and blight conditions and that such wording is standard with these types of projects, which often provide opportunities for developers to access and leverage other funds.

Jennifer countered that tax credits are not related to CDBG and that applications for such funding could spell out the need to address slum/blight, but again that she does not feel that such language should be included in our code.

Kathy reiterated that her example was simply to demonstrate the common use of this type of language and that a connection could be made with such programs as these could serve as match/leverage for CDBG projects.

Jennifer went on to say that benefit to low and moderate income is one thing but that she opposes inclusion of such loaded language because of its history in our community.

Sherry Kraft then asked if we could put a notation or footnote regarding the language to which Kathy responded no that we are trying to reflect what is allowed by code and the wording needs to be specific. Jennifer added that this language is the same that was used to tear down a neighborhood and build a parking lot and a hotel. Kathy responded that those projects were likely done under the urban renewal and/or UDAG programs and that such wide scale projects are basically a thing of the past.

Another member asked if there could be some type of notation regarding this wording to which Kathy responded that it could certainly be addressed within the staff memo when the matter is presented to City Council, but that the code should be clear and concise.

Betsy Lawson added that the good thing about the term slum and blight is that it is subjective and that the slum and blight of the 50’s and 60’s is much different today and that an old strip mall could be classified as slum and blight. Kathy added that the City helped fund the demolition of such a strip mall when the Crossings at Fourth and Preston were built. Betsy said that we can define the word to mean that we want something better for everyone.

Someone then asked if exclusion of the language would impact our funding or ability to use funding. Tierra responded that the City could accommodate this by reference to the actual statute / Code of Federal Regulations. Ridge Schuyler liked this and stated that it could dovetail with language that could be added to reference the citizen participation plan- as Vinegar Hill did not include such an explicit citizen input process.

Kathy responded to this suggestion by explaining that staff went to great efforts to separate policy and administrative processes. She provided the example of the CDBG task force being described in both the code and the CPP. Both went into details about the task force and its membership, but the two conflicted with one another. As a result, great care was taken to delineate and separate policy and process - making sure that the code reflects and establishes policy level matters, with administrative oversight and process related matters being provided through various administrative plans such as the CPP, LEP, etc....

Edith Good asked if there would be any impact from the proposed code relative to public housing units (e.g., those that have to remove their window A/C unit during a REAC inspection). Kathy explained that the two are certainly related as slum/blight designation would be related to non-compliance with property maintenance codes, building codes and HUD housing habitability standards. This in essence goes back to the need to make sure that we can viably have our code support use of all three national objectives including the ability to aid in the prevention or elimination of slum and blight.

Frank Stoner than asked to clarify that the specific language regarding use of national objectives (including aid in the prevention or elimination of slum and blight) would come out in favor of referring directly to the Housing and Community Development Act of 1974 (as amended) and its implementing regulations. Tierra confirmed that this was correct.

Tierra then moved to a discussion of proposed changes to Section 2-417. She explained that this section provides a description of the CDBG/HOME Task Force, its purpose, membership composition, and terms.

Major changes proposed for this section include the use of specific language to target “income eligible areas” as staff found that the “five priority neighborhoods” language does not perfectly align with income eligible areas based on the latest HUD adjusted Census data. Census block group data (as adjusted by HUD) is used to determine areas that are “income-eligible” or low-income area for HUD assistance. Tierra then referenced a map showing these areas. In addition, staff proposed to replace the term social services with public services to be consistent with HUD language. Tierra then asked if there were any comments on this section.

Kathy spoke to explain that Dan Rosensweig had called her in advance of the meeting to say that he could not be here today, but that he wanted to note a concern over the CDBG Task Force membership as he felt that it would benefit from a person with City housing policy expertise. Kathy went on to say that she told Dan that while she agreed that this perspective is important to inform funding decisions, that it would be difficult to have a HAC member participate because of the inherent conflicts of interest (relative to seeking CDBG/HOME funding) represented by its membership.

Jennifer McKeever agreed that it would be quite challenging to make this work due to the membership on the HAC, and that maybe a better option would be to have a Task Force member sit in on HAC meetings to stay informed. She further explained that attempting to retain a position that is as neutral as possible would be in the best interest of the Task Force.

Kathy then reiterated that Dan’s concern, as she understood it, was over the need to have City housing policies taken into consideration and that there might be other ways to achieve this inclusive of Jennifer’s suggestion to have a CDBG / HOME Task Force member to sit in on HAC meetings. Kathy noted that up until recently, she had not been involved with the Task Force, but that she had inserted herself in the recent CRHA recapture money and the most recent RFP process to provide policy expertise / information. She then stated that this practice would be one that her replacement would need to carry on, but that this would help with informing housing related funding decisions.

Tierra then moved to a discussion of proposed changes to Section 2-418. She explained that this section outlines the CDBG/HOME Task Force Subcommittees when priority neighborhoods or economic development set-asides are requested by Council. Revisions to this section include both the Priority Neighborhood Subcommittee and the Economic Development Subcommittee. Based on current procedure, the Strategic Action Team (SAT) reviews the economic development proposals to ensure consistency with the Growing Opportunities Report (City’s Workforce Development Report).

Jennifer then proceeded to explain that she was unsure of the use of a 3 year term for the Priority Neighborhood Subcommittee (perhaps an ad-hoc committee for as long as needed) and that it would be good to have a percentage of such a subcommittee represented by actual neighborhood residents. Marnie Allen then asked for clarification of this point and received clarification from Jennifer that the intent of her comment was to make sure the once Council designates a priority neighborhood that residents from that area are included on the Task Force.

Howard Evergreen suggested setting a percentage at 50% for residents and that this would be a minimum not a maximum.

Tierra explained that a priority neighborhood designation is typically for a three year term, which is why this time period is proposed and that while she does not want to limit the size of priority neighborhood

subcommittee (all who are interested should participate), that she is concerned over setting a percentage for resident participation due to issues with getting people to actively participate.

Jennifer also noted that she recalls (from serving on the Task Force) issues with getting the money spent in the 3 year period and that she wondered how this impacts the subcommittee and program implementation.

Kathy responded more generally to the point of resident specific participation - that requiring residents to participate would likely cause logistical problems due to lack of a quorum and the need to make decisions in a timely fashion to move recommendations forward to City Council to stay in compliance with our HUD timeliness requirements. Further, that while we might be able to get people to sign up, that staff cannot guarantee that they will attend the meetings and participate.

Jennifer responded that people who are likely to benefit from a project and make money are likely to come and participate, to which Sherry Kraft asked if she was speaking about the economic development or the Priority Neighborhood Task Force. Jennifer confirmed that she was speaking to concerns over the Priority Neighborhood Task Force.

Lesley Fore asked Jennifer to explain her concern specifically. Jennifer stated that her concern is over the fact that the current structure does not include requirements for resident participation (creating a vacuum) and that as a result, those who might economically benefit from a project would attend and (because no residents are showing up) that decisions might be made that are not in the best interest of those that the money is supposed to help.

Tanea Dowell then asked what happens if nobody shows up? Do we just move on to another neighborhood? She noted that based on her experience, that it is really hard to get people to participate and that it is unlikely that efforts to mandate a percent/number of neighborhood participants would be a viable option. She went on to say that regardless of what is involved and which task force/committee is impacted – that it is difficult to get reliable participation. By setting a percentage, if it is not achievable what happens next – does the neighborhood not get served?

The discussion over this matter continued with Jennifer restating her position that she would like to see a specific number/percentage requirement set for participation by actual residents of the priority neighborhood and Tanea responding that while she has no problem with including a percentage that she is not sure what happens when/if the participation does not materialize. She specifically voiced concern over the fact that someone has to get involved to help make these decisions because otherwise, it might not get done. She did not want the ordinance to place program decision making in a gridlock situation. Instead, Tanea emphasized the need to find a workable solution that would allow for resident participation while not mandating it to a point that makes the system unworkable.

Alex interjected that CDBG is a HUD program that has specific timeliness requirements and that if subcommittee meetings can't proceed because of lack of a quorum of members – that HUD will make a finding against the City, which can result in the loss of funding. He then asked Jennifer what she would suggest relative to making sure that her suggestion does not place the City in a situation where we might lose funds.

Jennifer said that she is not advocating for a specific quorum for meetings, but that she is advocating for at least 50% of the subcommittee to be comprised of residents. She then stated that we need to be knocking on doors, if necessary, to make sure that we can identify people to participate in the process. Alex responded by asking who is supposed to do this?

Taneaia then voiced a concern that there does not seem to be a consensus over this matter and so she asked the group for an informal show of hands as to who has *heartburn* regarding this matter either specific to adding a mandatory limit and/or not adding one. There was no official count or record of who responded; however, Tierra stated that she believed that we needed to move on and that she would certainly take the comments made into consideration in her future recommendations.

Matthew Slatts then stated that he thinks that involvement of residents in decision making is important, but that the issue seems to be more related to how residents are engaged to participate in the process and that at present it does not sound like it is working. He went on to say that involvement is important, as this money can impact low income neighborhoods and day to day lives and that perhaps we are talking about two separate matters – setting requirements for their participation and creating an environment in which they feel comfortable in participating and activating them.

Taneaia said that this makes more sense to her and that we should be focused on how to get people to participate versus mandating a specific level of participation. Tierra stated that she is looking at this issue and that the proposed CPP procedures encourage participation by all and allow for innovative outreach to low income groups in particular.

Jennifer stated that this is like making sausage and that there are significant changes that need discussion. Tierra responded that nobody is attempting to limit input but that we have a good bit more information to cover and that comments can be submitted after the meeting and that we encourage folks to do this if there are particular issues that they want to address.

Kathy added that we are at roughly the hour mark and still need to finish the code, and three other topics. She stated that we are currently not in compliance with our own code related to the CDBG program and that updating it to reflect both current practice and HUD requirements is important in terms of prioritizing policy efforts – which is why staff is bringing this now because we only recently realized that there is a problem.

Tierra then moved to a discussion of Section 2-419 which outlines the annual process. She stated that the current code is not consistent with how the City is currently operating the CDBG/HOME programs and that the changes reflect current practices as required by HUD. She also noted that if anyone has specific questions about the process that she is available to provide technical assistance upon request.

As for timing of comments, Tierra asked Kathy to respond, to which Kathy stated that she would like to have comments back by Friday or Monday of next week at the latest.

Matthew then asked (referring to the income eligible area map) if the pool of applicants has shrunk for the Task Force because over half the City is not in an income eligible area. After some discussion as to the concern and what was being asked, it was pointed out by Taneaia that this actually gets to some of Jennifer's concern because the people involved will be from the lower income areas and not the upper echelon areas.

Tierra then moved on to the proposed revisions to the Citizen Participation Plan (CPP), explaining the purpose for revising. She stated that the first revision to the CPP was in 1980 and it has been amended five other times over the years (blended with old and new stuff). Based on this and the fact that staff thought it needed an overall rewrite/reorganization, we did not revise the current CPP, rather we created a new CPP. Some of the specific inconsistencies with the Code of Federal Regulation requirements include: incorrect public hearing requirements, lack of inclusion of AFH requirements, and a lack of a definition for substantial/minor amendments when it comes to projects/activities and plans. In addition, the current CPP has reference to A-95 review (which has not been required for many years) and has multiple contradictions with City Code. Due to limited time, Tierra did not review sections of the plan in detail but rather provided a general explanation of the plan in general

Frank Stoner followed with a question about expertise in review of proposals and the process in general. Tierra explained the development of Council priorities and the Action Plan as well as the Consolidated planning process and Kathy explained that each of these documents are metrics by which proposals are evaluated by the citizen task force, using the evaluation tool to assign points to different categories of consideration.

The meeting then transitioned to Kathy to explain planned CDBG/HOME policy development. The following information (as presented) was taken from the handout provided

Four Factor Analysis & Language Access Plan for Persons of Limited English Proficiency (LEP)

Why are we required to do this?

Title VI of the Civil Rights Act of 1964 protects individuals from discrimination on the basis of their race, color or national origin in programs that receive federal assistance.

EO 13166 signed on August 11, 2000 directs all federal agencies, including the US Department of Housing & Urban Development (HUD) to work to ensure that programs receiving federal financial assistance provide meaningful access to LEP persons. This EO also required the issuance of guidance to assist recipients in providing meaningful access to programs, consistent with US Department of Justice guidelines. HUD issued this guidance on 12/19/03 and provided FAQ's on 1/22/07.

The City's CDBG and HOME program both trigger compliance under HUD requirements.

What is involved?

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons. To do this the following steps are required:

1. Conduct a four factor analysis;
2. Develop a language access plan (LAP); and
3. Provide appropriate language assistance.

A four factor analysis is the first step and it must address the following:

1. Determine the number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).
 - This can be done using ACS data or by means of a locally targeted survey effort
2. Determine the frequency with which the LEP persons come into contact with the program.
3. Determine the nature and importance of the program, activity or service provided by the program.
4. The resources available and the costs to the recipient.

Enforcement & Safe Harbor

The Office of Fair Housing & Equal Opportunity (FHEO) is tasked with the lead in coordinating and implementing EO 13166 for HUD.

In determining compliance and evaluating complaints under EO 13166, HUD will consider the extent to which a grant recipient has followed their LEP guidance, inclusive of the Four Factor Analysis.

HUD's evaluation will include a review of efforts taken to comply with respect to the translation of vital written materials. To this end, HUD has adopted a safe harbor specifically for translation of written materials. There is no safe harbor for oral interpretation.

The table below sets forth safe harbors for written translations.

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

Based on a preliminary review of American Community Survey data, it appears that the City of Charlottesville will not trigger the size standards for development of written translation; however, the City still needs to complete the formal Four Factor Analysis and look to make reasonable attempts to accommodate the language access needs of residents. Accordingly, the City will look to pass along assessment requirements to CDBG/HOME sub recipients to help the City further evaluate the needs of beneficiary populations.

Anti-Displacement & Relocation Assistance Planning

Both the CDBG & HOME programs are federally funded and as such any acquisition and relocation funded with these programs must comply with the Uniform Relocation & Real Property Acquisition Act of 1970 (as amended).

Section 104(d) of the Housing & Community Development Act of 1974 (as amended) establishes requirements governing conversion, demolition and one for one replacement of lower income housing under the CDBG program Section 105(b)(16) of the Cranston Gonzalez National Affordable Housing Act (as amended) extends these additional requirements to the HOME program.

The major differences between URA and 104(d)/105(b)(16) deals with eligibility, which is triggered by low income residential tenants only. These extra provisions require longer tenant assistance (60 vs 42 months) and one-for-one replacement of units that are demolished or converted for 1) a non-housing purpose, 2) no longer meet the definition of a lower income dwelling unit or 3) used as emergency shelter.

HUD has issued Handbook 1378 as their guidance for compliance with URA and staff believes that adoption of this handbook would be sufficient to cover HUD requirements for use of Charlottesville CDBG and HOME funds.

In the event that our funds are proposed to be used for a large scale demolition or acquisition project, staff would work with the sub recipient on a case by case basis to ensure compliance and to develop a more

targeted plan, as might be appropriate; however, the existing requirements are such that at a minimum (to comply with HUD regulations) we must adhere to Handbook 1378.

Howard Evergreen then asked about including the CRHA Resident Bill of Rights in the Anti-Displacement & Relocation Assistance Planning to which Kathy responded that this plan was specific to the City and the CDBG/HOME programs, not CRHA. Howard went on to state that he felt that there was a lot of mistrust with CRHA residents toward the City and that this could help, but Kathy explained that this was not contemplated and that there might be elements of the bill of rights (based on her memory of what was included) that might be problematic because they go past what is required by HUD and the URA and get into issues such as right of return regardless of lease compliance.

Kathy promised to send out the map and revised CPP, as the one used in the meeting had the AFH provisions added and the printout did not include the back sides of pages.

Kathy then asked if any of the visitors wanted to speak and provide public comments. Lena Seville responded that she felt like this was a lot of material for a single meeting and that it would be helpful to have a smaller group get into the details of the plans before meeting with the larger group.

With no further discussion, Kathy thanked everyone for coming and the meeting was adjourned.

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



Agenda Date:	July 18, 2016
Action Required:	Approval
Staff Contacts:	Tierra Howard, Grants Coordinator
Presenter:	Tierra Howard, Grants Coordinator
Title:	CDBG/HOME Citizen Participation Plan Update

Background:

As a recipient of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds, the City is required to have a Citizen Participation Plan (CPP) that details how citizens will be involved in the HUD Consolidated and Annual Action Plan Process. The City's CPP was first revised in 1980 and the last amendment of the plan was in 2014.

Discussion:

Staff has reviewed the CPP and determined that it needed an overall rewrite/reorganization due to inconsistencies. Some of the inconsistencies with the Code of Federal Regulation (CFR) requirements include: incorrect public hearing requirements, lack of inclusion of Impediments to Fair Housing requirements, and a lack of a definition for substantial/minor amendments as they apply to CDBG/HOME projects/activities and plans. In addition to contradictions with the CFR, there are also contradictions with the City code. Due to the inconsistencies found, staff developed a new CPP.

Community Engagement:

A fifteen day public comment period was advertised and held. No comments were received to date. On May 18, 2016 the proposed CPP came before the Housing Advisory Committee (HAC) and the CDBG Task Force at a joint meeting for input/feedback. Comments received from the joint meeting have been incorporated into the CPP.

Alignment with City Council's Vision and Strategic Plan

This agenda item aligns directly with Council's vision for Charlottesville to have **Economic Sustainability** and **Quality Housing Opportunities for All**. Projects also have the potential to meet many of the objectives listed in the first three goals of the City's Strategic Plan.

Budgetary Impact:

None.

Recommendations:

Staff recommends approving the updated Citizen Participation Plan.

Alternatives:

Council can make alternate updates to the Plan.

Attachments:

Citizen Participation Plan for Consolidated Planning and CDBG and HOME funds – Recommended

Housing Advisory Committee Meeting Minutes (5-18-2016)

**A RESOLUTION
CITIZEN PARTICIPATION PLAN UPDATE**

WHEREAS, the Department of Housing and Urban Renewal (HUD) requires the City of Charlottesville to have a Citizen Participation Plan that directs public participation for HUD's Consolidated and Annual Action Plan process for Community Development Block Grant and HOME Investment Partnership funding; and

WHEREAS, a review of the Citizen Participation Plan has shown the need to update and revise certain sections to reflect current federal requirements and programmatic procedures;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the attached Citizen Participation Plan is hereby adopted and immediately effective.



City of Charlottesville Citizen Participation Plan

Adopted: _____

CITY OF CHARLOTTESVILLE
CITIZEN PARTICIPATION PLAN (CPP)
COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAMS

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SECTION 1. INTRODUCTION

As required by the U.S. Department of Housing and Urban Development (HUD), the City of Charlottesville (City) must formalize a process for citizen involvement and participation by designating a Citizen Participation Plan (CPP) to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs. This plan is an essential element of the City's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG/HOME programs as regulated by the HUD.

The primary goal of this CPP is to provide citizens¹ of the community with adequate opportunity to participate in an advisory role in the planning (to include the Consolidated Plan, Annual Action Plan, and Assessment of Impediments to Fair Housing - AFH²), implementation, and assessment of the City's CDBG/HOME programs (to include the Consolidated Annual Performance and Evaluation Report – CAPER and AFH). The CPP sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis will be placed on encouraging participation of persons that are often marginalized. This includes persons of low and moderate incomes, minorities, non-English speaking persons, and persons with disabilities.

Citizens are encouraged to participate in all phases of the CDBG/HOME programs and will be provided access to program information to the extent feasible and as allowed by law. The City will encourage the participation of local and regional institutions, the Continuum of Care and other organizations³ in the process of developing and implementing the Consolidated Plan. The City will also encourage, in consultation with the Charlottesville Redevelopment and

¹ Citizens include **all interested parties**, as well as residents, CDBG/HOME Task Force, and designated subcommittees (i.e., Priority Neighborhood and/or Economic Development subcommittees), in accordance with Section 2-417 and 2-418 of Article XIII of Chapter 2 of the Charlottesville City Code, 1990, as amended. Interested parties also refer to organizations that represent City neighborhoods as well as persons that would qualify for CDBG/HOME assistance.

² Affirmatively Furthering Fair Housing into 24 CFR 91.10 Consolidated Program Year, 24 CFR 91.105 Citizen Participation for Local Governments and 24 CFR 91.115 Citizen Participation for States.”

³ Other organizations are included, but not limited to: businesses, developers, non-profit organizations, philanthropic organizations and community and faith-based organizations including resident advisory boards, resident councils, resident management corporations, and other low-income residents in targeted revitalization areas.

Housing Authority (CRHA), participation by residents of public and assisted housing developments.

SECTION 2. SCOPE OF PARTICIPATION AND PARTICIPANT RESPONSIBILITIES

The City will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG/HOME programs undertaken by the City. The City will look to consider and include:

- a. Views of citizens regarding city-wide community development and housing needs, staff recommended priorities, proposed program/project⁴ changes or amendments and program performance as detailed within the CAPER and other relevant information;
- b. Participation of citizens in the development, review and evaluation of request for proposal(s) and associated responses by means of a CDBG/HOME Task Force and designated subcommittees (in accordance with Section 2-417 and 2-418 of Article XIII of Chapter 2 of the Charlottesville City Code, 1990, as amended);
- c. Discussion and input from citizens regarding funding recommendations as discussed with and evaluated by the Planning Commission/City Council;
- d. Views of citizens on the proposed Annual Action Plan of the Consolidated Plan and the Consolidated Plan; and
- e. Views of citizens on the CPP and AFH including views on the analysis of Fair Housing data, assessment of Fair Housing issues and contributing factors, and identification of Fair Housing priorities and goals.⁵

All phases of the community development process will be conducted by local officials in an open manner. Citizens are encouraged to participate throughout the process and will be given access to program information during each phase of any CDBG/HOME program, as outlined herein.

The CDBG/HOME Task Force and designated subcommittees will hold various meetings in execution of their responsibilities, which will be noticed in advance as required by City policy. Such meetings will be held at City Hall, unless otherwise stated.

While the Planning Commission will review the recommendations of the CDBG/HOME Task Force and designated subcommittees, suggesting modifications or amendments as deemed necessary, final responsibility and authority for the development, implementation and performance review of the CDBG/HOME programs will reside with City Council.

⁴ Program, as used herein, refers to either the CDBG or HOME programs and is distinguished from projects and/or activities that are funded within a specific program.

⁵ The AFH is due in October 2017, prior to the City's next Consolidated Plan submission in 2018.

SECTION 3. CITIZEN PARTICIPATION CONTACT PERSON

The Grants Coordinator of Neighborhood Development Services (NDS) will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Grants Coordinator shall include, but not necessarily be limited to: disseminating program/project information; facilitating the citizen participation process; serving as a point of contact for program/project related inquiries; monitoring the citizen participation process; and proposing such amendments to the CPP as may be necessary.

The Grants Coordinator may be contacted at Neighborhood Development Services, Charlottesville City Hall - P.O. Box 911, 610 E. Market Street, Charlottesville, Virginia 22902, (434) 970-3182 during regular business hours (8:00am – 5:00pm), except for weekends and holidays. All questions concerning citizen participation in the community development process should be addressed to the Grants Coordinator.

SECTION 4. TECHNICAL ASSISTANCE

City staff shall provide technical assistance to citizens and other interested parties, especially those representative of low or moderate income persons, as may be requested and/or required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG/HOME program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG/HOME program requirements and associated HUD regulations.

Technical assistance shall be provided upon request or during technical assistance workshops (e.g., CDBG/HOME application workshop). Technical assistance is meant to provide potential applicants, interested citizens, elected officials and others with general information regarding the CDBG/HOME programs and its rules, regulations, procedures and/or requirements.

Technical assistance may be obtained at any time by contacting the Grants Coordinator.

SECTION 5. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the comments of all citizens, especially low and moderate income persons and/or groups representing such persons.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to provide comments concerning the development and performance of CDBG/HOME programs/projects. The Grants Coordinator will respond to questions from citizens at each public hearing. Any questions that citizens may have concerning the CDBG/HOME programs/projects will be answered and their comments/suggestions will be received and documented as appropriate.

5.1 Public Hearing Time and Location

All public hearings will be held in conjunction with City Council meetings (1st and 3rd Monday's every month at 7:00pm, unless otherwise noted/advertised) at City Hall which is accessible to all citizens, especially persons of low and moderate incomes⁶. This building is also accessible to persons with disabilities. Hearings may be held at an alternate location to be specified in the public hearing notice(s).

5.2 Priority Setting and Program Performance Public Hearing

At least one public hearing shall be held prior to the development of a request for proposal(s). The primary purpose of this public hearing shall be to solicit the views of citizens on city-wide community development and housing needs, staff recommended priorities, and program performance.

The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities.

Citizens will be provided with information concerning the CDBG/HOME programs at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG/HOME programs; staff recommended priorities, the proposed CDBG/HOME budget for the upcoming fiscal year; and program performance. This public hearing will be publicly advertised at least 15 days in advance to allow time for public comment.

5.3 CDBG/HOME Project/Activity Amendment Public Hearings

To ensure adequate opportunity for citizen participation to facilitate potential CDBG/HOME project/activity changes, the City shall hold a public hearing on all substantial amendments which require Council approval. The primary purpose of this public hearing shall be to solicit the views of citizens on substantial changes to CDBG/HOME projects/activities (as defined in "Section 8 – Amendments"). Proposed amendments will be publicly advertised at least 30 days in advance to allow time for public comment.

⁶City Hall is located on the east end of the downtown pedestrian mall, directly across from the downtown transit center which serves as the hub for the Charlottesville Area Transit (CAT) buses and free trolley service. Convenient bicycle racks and adequate parking are readily available, with the City providing a stamp for free parking at its Market Street Parking Deck during City Council meetings.

For “minor” amendments (as defined in “Section 8 - Amendments”) and changes for which Council approval is not required, no additional citizen participation will be required.

5.4 Consolidated Plan, Annual Action Plan, and AFH Public Hearing

- (a) Development of Consolidated, Annual Action Plan, and AFH: Citizens of the City will be provided with the opportunity to comment on the Consolidated Plan and Annual Action Plan. The City shall hold at least one public hearing during the development of the Consolidated Plan and Annual Action Plan and will publicly advertise the hearing at least 30 days prior.
- (b) Amendment of Consolidated, Annual Action Plan, and AFH: Substantial amendments to the Consolidated and Annual Action Plan will be publicly advertised at least 30 days prior to the consideration of the amendments by the City Council to allow time for public comment. The 30 day public comment period also applies to any revision to the AFH before the revised AFH is submitted to HUD for review. All comments received will be handled pursuant to this CPP.

5.5 Citizen Participation Plan Public Hearing

Proposed changes to the CPP will be publicly advertised at least 15 days prior to the adoption or amendment of the CPP by the City Council to allow time for public comment. The proposed revisions will become effective immediately upon City Council’s approval.

5.6 Non-English Speaking and Limited English Proficiency Residents

The City will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of vital materials and notices in the appropriate language or format for persons with Limited English Proficiency, as required by the City’s Limited English Proficiency Four Factor Analysis.

5.7 Public Hearing Notices

Notice of public hearings will be published in advance in a newspaper of general circulation, subject to the time frame as specified within this Section. Each notice of a hearing shall include the time, date, place, topics and procedures to be discussed. Information and materials related to noticed public hearings will be included with the City Council agendas at posted on-line at <http://www.charlottesville.org/departments-and-services/departments-a-g/city-council/council-agendas>.

5.8 Accessibility to Low and Moderate Income Persons

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens. The City may take additional steps to further promote

participation by such groups, or to target program information to these persons. Activities to promote additional participation may include targeted outreach efforts, holding public hearings at alternative accessible locations, and other reasonable efforts as may be deemed appropriate by City Council.

5.9 Accessibility to Persons with Disabilities

The locations of all public hearings will be held at locations accessible to persons with disabilities. Additionally, the City shall provide reasonable accommodations whenever the Grants Coordinator is notified in advance (at least seven business days) that one or more persons with a disability will be in attendance

5.10 Minimizing Displacement

The City will seek to minimize displacement as a result of CDGB/HOME implementation. In all instances, the City will follow the Uniform Act and HUD Handbook 1378.

SECTION 6. PROGRAM INFORMATION / RECORDS ACCESS

Citizens, public agencies and other interested parties will be provided full access to CDBG/HOME program information during all phases.⁷ The City shall make reasonable effort to assure that CDBG/HOME program information is available to all citizens, especially those of low and moderate incomes or Limited English Proficiency, as required.

To facilitate access to CDBG/HOME program information, the Grants Coordinator will keep all documents related to the CDBG/HOME program on file in Neighborhood Development Services, City Hall - 610 E. Market Street, Charlottesville, VA 22902. This information will be made accessible during regular business hours from 8:30am – 4:00pm, except weekends and holidays. CDBG/HOME program information and materials, concerning specific CDBG/HOME projects/activities will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Materials to be made available shall include all non-proprietary⁸ CDBG/HOME related information. HUD-provided data and other supplemental information that is incorporated into AFH will also be made available at the start of the participation process (or as soon as feasible after).

At a minimum, the draft and final versions of the Consolidated Plan, Annual Action Plan, CAPER, CPP, and AFH will also be available online at www.charlottesville.org. Substantial

⁷ Access to records associated with the Consolidated Plan and AFH as well as use of assistance under the CDBG/HOME programs will be provided for a minimum of the preceding five years as required by 24 CFR 91.105(h).

⁸ In no case shall the City disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the City shall not disclose any information which may be deemed of a confidential nature.

amendments to Consolidated Plan and Annual Action Plan and any revisions to the AFH will also be available online.

SECTION 7. PROCEDURES FOR COMMENTS, OBJECTIONS AND CONCERNS

The public hearings scheduled, as described herein, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of community development and housing at these public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or concerns to the City.

Any citizen or citizen's group desiring to comment or object to any phase of the CDBG/HOME programs/projects should submit such comments or objections in writing to the Grants Coordinator. The City will consider the comments or views of citizens, whether received in writing or orally at the public hearings, in preparation of the final Consolidated Plan or final AFH. A summary of any comments or views and a summary of any comments or views not accepted and the reasons why, will be attached to the final Consolidated Plan or final AFH. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Grants Coordinator then the aggrieved party may appeal his/her case to the Director of Neighborhood Development Services.

The Grants Coordinator shall make every effort to provide written responses to citizen proposals or concerns within fifteen (15) working days of the receipt of such comments or concerns where practicable. Should the City be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to HUD.

Citizens may, at any time, contact the City and/or the HUD directly to register comments, objections or concerns related to the City's CDBG/HOME program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting HUD.

All comments or complaints submitted to the City or HUD shall be addressed in writing to:

City of Charlottesville
Neighborhood Development Services
Attn: Grants Coordinator
610 E. Market Street
P O Box 911
Charlottesville, Virginia 22902
Phone: (434) 970-3182
Fax: (434) 970-3359

Or:

U.S. Department of Housing and Urban Development
Virginia Field Office
600 E. Broad Street, 3rd Floor
Richmond, VA 23219-4920
Phone: (804) 842-2610
Fax: (804) 877-8339

Records of all comments, objections and/or concerns by citizens regarding the City's CDBG/HOME program and subsequent action taken in response to those comments shall be maintained on file at NDS and shall be made available for public review upon request.

SECTION 8. AMENDMENTS

Amendments to the Consolidated Plan and Annual Action Plan

The City shall amend its approved Consolidated Plan whenever it makes one of the following decisions:

- To make a change in its allocation priorities or a change in the method of distribution of funds;
- To carry out a project/activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Annual Action Plan; or
- To change the purpose, scope, location, or beneficiaries of a project/activity.

The City considers the following conditions to be substantial amendment criteria needed to amend the Consolidated Plan and Annual Action Plan and projected use of funds. A minor amendment is a change not listed below:

- A new program or project/activity is proposed for funding that was not previously identified in the Consolidated Plan and/or Action Plans;
- A program/project/activity that was listed in the Consolidated Plan and/or Annual Action Plan is eliminated during the program year; and
- The City increases/decreases funding for a listed project/activity or program category (e.g. economic development, public facilities, public services, administration and planning, etc.) by more than 50 percent.

A change in the federal funding level after the draft Consolidated Plan is published and the resulting effect on the distribution of funds will not be considered a substantial amendment.

Amendments to CDBG/HOME Program and Projects/Activities

The City will assure the opportunity for citizen participation during the implementation of the CDBG/HOME programs when "substantial" amendments/changes to a project/activity are under consideration by the City. A substantial amendment is defined based on the following:

1. A proposed change in the dollar amount spent on projects/activities of more than 25% of the total CDBG/HOME project costs (capped at \$5,000);
2. A proposed change in direct beneficiaries of the program so as to lower the total number of low and moderate income beneficiaries by more than 15 percent;
3. A proposed change in the scope of a project so as to modify/alter the project description in such a way that substantially changes the purpose, scope, or location of the original project/activities/beneficiaries. Substantial changes will be determined on a case by case basis by the NDS Director.

Amendments to Citizen Participation Plan

The City may modify the provisions outlined herein through amendments. All amendments shall be approved by resolution of the City Council and shall be incorporated into the CPP.

Amendments to AFH

Revisions to the AFH will be required when a material change occurs. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect the actual circumstances.⁹

SECTION 9. AUTHORITY

No portion of this CPP shall be construed to restrict the responsibility and authority of the elected officials of the City in the development, implementation, performance review and execution of any CDBG/HOME program.

⁹ Examples of material changes include, but are not limited to Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), in the program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders.

HOUSING ADVISORY COMMITTEE
Meeting Minutes
Neighborhood Development Services Conference Room, City Hall
May 18, 2016
12:00 pm

Attendance Record	Present	Absent
MEMBERS		
Betsy Lawson	X	
Bob Hughes		X
Carmelita Wood	X	
Dan Rosensweig		X
Frank Stoner	X	
Jennifer McKeever	X	
Jody Lahendro	X	
Joy Johnson		X
Joyce Dudek	X	
Kristin Szakos		X
Lesley Fore	X	
Nancy Kidd	X	
Paul Kent		X
Phil d'Oronzio		X
Ridge Schuyler	X	
Steve Stokes		X
TJACH - Ed Bain	X	
NON VOTING MEMBERS		
IMPACT		X
Ron White (Albemarle County)		X
Trish Romer (UVa)	X	
STAFF		
Kathy McHugh	X	
Tierra Howard	X	
Alex Ikefuna	X	
CDBG/HOME Task Force Members		
Taneaia Dowell	X	
Matthew Slatts	X	
Sherry Kraft	X	
Marnie Allen	X	
Kelly Logan	X	
OTHERS		
Edith Good	X	
Howard Evergreen	X	
Cliff Fox	X	
Sean Tubbs	X	
Christopher Suarez	X	
Lena Seville	X	

The meeting began around 12:05. HAC members as well as CDBG/HOME Task Force members and guests were told to help themselves to food, and to be sure to sign in and pick up copies of the handouts. Bob Hughes, Paul Kent, Kristin Szakos, Dan Rosensweig, Steve Stokes, Kathy Johnson Harris and Sarah Malpass notified staff in advance that they would not be in attendance and former HAC member – Kaki Dimock – notified staff that Ed Bain would represent the TJACH board at the meeting.

Since Joy Johnson (Chair) was not in attendance, Kathy McHugh (NDS staff support) had to direct the meeting. She then asked for review and consideration of the minutes from February 18, 2016, apologizing for sending these out late as she had intended to provide them with the other materials that were sent last Friday. Jennifer McKeever made a motion to approve and Frank Stoner seconded this. With no questions or discussion, the minutes were then approved by unanimous vote of HAC members in attendance.

As this was a joint meeting and there were multiple visitors in attendance, Kathy then asked for everyone to introduce themselves. The attendance record included herein records each person's name and distinguishes HAC members, Task Force members and visitors.

Kathy then introduced the need for this joint meeting by explaining that staff wanted HAC and Task Force input / feedback on the revised code and Citizen Participation Plan, as well as to introduce the plans for development of a Limited English Proficiency Four Factor Analysis and Anti-Displacement/Tenant Assistance, Relocation and Real Property Acquisition Policy.

Tierra Howard then proceeded to explain the proposed CDBG/HOME code and policy changes. She explained that the City code needed to be changed because it is outdated; does not reflect current HUD approved practices; conflicts with our Citizen Participation Plan (CPP); and does not reference the HOME program. She proceeded by explaining that the code needed to be updated and that she would provide the group with a brief overview of proposed changes to each section.

Tierra explained that Section 2-416 provided for the purpose of the CDBG/HOME programs as provided through HUD.

Jennifer McKeever then stated that inclusion of the phrase "aid in the prevention or elimination of slum and blight" (as found in Sect 2-416(b) of the proposed code) is language that she finds difficult and that she would like to have a discussion over this as it is *loaded language*. Further, she went on to say, that even if this wording is reflected in the regulations that we don't have to include it in our code. Specifically she reiterated that "elimination of slum and blight" was particularly troublesome.

Tierra defended inclusion of the language because it is one of three national objectives and all CDBG funds must meet one of these three objectives.

Jennifer responded that while she was agreeable to include prevention of slum and blight and address urgent community needs, that the elimination of slum and blight is a loaded topic for this community and that the City should look to reword this or leave it out. She felt that a revision is needed, given the history in this community and how subjective this language is.

Kathy responded that this language is statutory not regulatory and that it has been included because we want City code to match up with federal code. Jennifer interjected that if everyone else thought it is okay that she would be willing to let this go. Kathy then attempted to provide an example of the use of elimination of blight to tear down a property to assist with CRHA redevelopment; however, Jennifer noted that this type of example is not provided in the text. Carmelita Wood then asked to speak and went on to explain that this language takes her back to Vinegar Hill as those homes were demolished because they were considered slums and as a result people (such as her family) were relocated to Westhaven.

Alex Ikefuna then told the group that he wanted to caution them because the City does not have authority for redevelopment except through CRHA and as they redevelop they will look to use City funds. Further that all HUD programs (e.g., CDBG, HOME, NSP, ESG, HOPWA, Section 108, etc...) use similar language for addressing issues related to slum and blight and that exclusion of this statutory language would be a cardinal mistake. He went on to explain that the City is currently working with a private developer trying to access VHDA funding and that we will be required to certify as to slum and blight conditions in order for funding to be approved.

Kathy echoed the comments by Alex, saying that similarly – the LIHTC program requires a local notification/certification process and that the City’s support must be evidenced by a certification as to existence of slum and blight conditions and that such wording is standard with these types of projects, which often provide opportunities for developers to access and leverage other funds.

Jennifer countered that tax credits are not related to CDBG and that applications for such funding could spell out the need to address slum/blight, but again that she does not feel that such language should be included in our code.

Kathy reiterated that her example was simply to demonstrate the common use of this type of language and that a connection could be made with such programs as these could serve as match/leverage for CDBG projects.

Jennifer went on to say that benefit to low and moderate income is one thing but that she opposes inclusion of such loaded language because of its history in our community.

Sherry Kraft then asked if we could put a notation or footnote regarding the language to which Kathy responded no that we are trying to reflect what is allowed by code and the wording needs to be specific. Jennifer added that this language is the same that was used to tear down a neighborhood and build a parking lot and a hotel. Kathy responded that those projects were likely done under the urban renewal and/or UDAG programs and that such wide scale projects are basically a thing of the past.

Another member asked if there could be some type of notation regarding this wording to which Kathy responded that it could certainly be addressed within the staff memo when the matter is presented to City Council, but that the code should be clear and concise.

Betsy Lawson added that the good thing about the term slum and blight is that it is subjective and that the slum and blight of the 50’s and 60’s is much different today and that an old strip mall could be classified as slum and blight. Kathy added that the City helped fund the demolition of such a strip mall when the Crossings at Fourth and Preston were built. Betsy said that we can define the word to mean that we want something better for everyone.

Someone then asked if exclusion of the language would impact our funding or ability to use funding. Tierra responded that the City could accommodate this by reference to the actual statute / Code of Federal Regulations. Ridge Schuyler liked this and stated that it could dovetail with language that could be added to reference the citizen participation plan- as Vinegar Hill did not include such an explicit citizen input process.

Kathy responded to this suggestion by explaining that staff went to great efforts to separate policy and administrative processes. She provided the example of the CDBG task force being described in both the code and the CPP. Both went into details about the task force and its membership, but the two conflicted with one another. As a result, great care was taken to delineate and separate policy and process - making sure that the code reflects and establishes policy level matters, with administrative oversight and process related matters being provided through various administrative plans such as the CPP, LEP, etc....

Edith Good asked if there would be any impact from the proposed code relative to public housing units (e.g., those that have to remove their window A/C unit during a REAC inspection). Kathy explained that the two are certainly related as slum/blight designation would be related to non-compliance with property maintenance codes, building codes and HUD housing habitability standards. This in essence goes back to the need to make sure that we can viably have our code support use of all three national objectives including the ability to aid in the prevention or elimination of slum and blight.

Frank Stoner than asked to clarify that the specific language regarding use of national objectives (including aid in the prevention or elimination of slum and blight) would come out in favor of referring directly to the Housing and Community Development Act of 1974 (as amended) and its implementing regulations. Tierra confirmed that this was correct.

Tierra then moved to a discussion of proposed changes to Section 2-417. She explained that this section provides a description of the CDBG/HOME Task Force, its purpose, membership composition, and terms.

Major changes proposed for this section include the use of specific language to target “income eligible areas” as staff found that the “five priority neighborhoods” language does not perfectly align with income eligible areas based on the latest HUD adjusted Census data. Census block group data (as adjusted by HUD) is used to determine areas that are “income-eligible” or low-income area for HUD assistance. Tierra then referenced a map showing these areas. In addition, staff proposed to replace the term social services with public services to be consistent with HUD language. Tierra then asked if there were any comments on this section.

Kathy spoke to explain that Dan Rosensweig had called her in advance of the meeting to say that he could not be here today, but that he wanted to note a concern over the CDBG Task Force membership as he felt that it would benefit from a person with City housing policy expertise. Kathy went on to say that she told Dan that while she agreed that this perspective is important to inform funding decisions, that it would be difficult to have a HAC member participate because of the inherent conflicts of interest (relative to seeking CDBG/HOME funding) represented by its membership.

Jennifer McKeever agreed that it would be quite challenging to make this work due to the membership on the HAC, and that maybe a better option would be to have a Task Force member sit in on HAC meetings to stay informed. She further explained that attempting to retain a position that is as neutral as possible would be in the best interest of the Task Force.

Kathy then reiterated that Dan’s concern, as she understood it, was over the need to have City housing policies taken into consideration and that there might be other ways to achieve this inclusive of Jennifer’s suggestion to have a CDBG / HOME Task Force member to sit in on HAC meetings. Kathy noted that up until recently, she had not been involved with the Task Force, but that she had inserted herself in the recent CRHA recapture money and the most recent RFP process to provide policy expertise / information. She then stated that this practice would be one that her replacement would need to carry on, but that this would help with informing housing related funding decisions.

Tierra then moved to a discussion of proposed changes to Section 2-418. She explained that this section outlines the CDBG/HOME Task Force Subcommittees when priority neighborhoods or economic development set-asides are requested by Council. Revisions to this section include both the Priority Neighborhood Subcommittee and the Economic Development Subcommittee. Based on current procedure, the Strategic Action Team (SAT) reviews the economic development proposals to ensure consistency with the Growing Opportunities Report (City’s Workforce Development Report).

Jennifer then proceeded to explain that she was unsure of the use of a 3 year term for the Priority Neighborhood Subcommittee (perhaps an ad-hoc committee for as long as needed) and that it would be good to have a percentage of such a subcommittee represented by actual neighborhood residents. Marnie Allen then asked for clarification of this point and received clarification from Jennifer that the intent of her comment was to make sure the once Council designates a priority neighborhood that residents from that area are included on the Task Force.

Howard Evergreen suggested setting a percentage at 50% for residents and that this would be a minimum not a maximum.

Tierra explained that a priority neighborhood designation is typically for a three year term, which is why this time period is proposed and that while she does not want to limit the size of priority neighborhood

subcommittee (all who are interested should participate), that she is concerned over setting a percentage for resident participation due to issues with getting people to actively participate.

Jennifer also noted that she recalls (from serving on the Task Force) issues with getting the money spent in the 3 year period and that she wondered how this impacts the subcommittee and program implementation.

Kathy responded more generally to the point of resident specific participation - that requiring residents to participate would likely cause logistical problems due to lack of a quorum and the need to make decisions in a timely fashion to move recommendations forward to City Council to stay in compliance with our HUD timeliness requirements. Further, that while we might be able to get people to sign up, that staff cannot guarantee that they will attend the meetings and participate.

Jennifer responded that people who are likely to benefit from a project and make money are likely to come and participate, to which Sherry Kraft asked if she was speaking about the economic development or the Priority Neighborhood Task Force. Jennifer confirmed that she was speaking to concerns over the Priority Neighborhood Task Force.

Lesley Fore asked Jennifer to explain her concern specifically. Jennifer stated that her concern is over the fact that the current structure does not include requirements for resident participation (creating a vacuum) and that as a result, those who might economically benefit from a project would attend and (because no residents are showing up) that decisions might be made that are not in the best interest of those that the money is supposed to help.

Tanea Dowell then asked what happens if nobody shows up? Do we just move on to another neighborhood? She noted that based on her experience, that it is really hard to get people to participate and that it is unlikely that efforts to mandate a percent/number of neighborhood participants would be a viable option. She went on to say that regardless of what is involved and which task force/committee is impacted – that it is difficult to get reliable participation. By setting a percentage, if it is not achievable what happens next – does the neighborhood not get served?

The discussion over this matter continued with Jennifer restating her position that she would like to see a specific number/percentage requirement set for participation by actual residents of the priority neighborhood and Tanea responding that while she has no problem with including a percentage that she is not sure what happens when/if the participation does not materialize. She specifically voiced concern over the fact that someone has to get involved to help make these decisions because otherwise, it might not get done. She did not want the ordinance to place program decision making in a gridlock situation. Instead, Tanea emphasized the need to find a workable solution that would allow for resident participation while not mandating it to a point that makes the system unworkable.

Alex interjected that CDBG is a HUD program that has specific timeliness requirements and that if subcommittee meetings can't proceed because of lack of a quorum of members – that HUD will make a finding against the City, which can result in the loss of funding. He then asked Jennifer what she would suggest relative to making sure that her suggestion does not place the City in a situation where we might lose funds.

Jennifer said that she is not advocating for a specific quorum for meetings, but that she is advocating for at least 50% of the subcommittee to be comprised of residents. She then stated that we need to be knocking on doors, if necessary, to make sure that we can identify people to participate in the process. Alex responded by asking who is supposed to do this?

Taneaia then voiced a concern that there does not seem to be a consensus over this matter and so she asked the group for an informal show of hands as to who has *heartburn* regarding this matter either specific to adding a mandatory limit and/or not adding one. There was no official count or record of who responded; however, Tierra stated that she believed that we needed to move on and that she would certainly take the comments made into consideration in her future recommendations.

Matthew Slatts then stated that he thinks that involvement of residents in decision making is important, but that the issue seems to be more related to how residents are engaged to participate in the process and that at present it does not sound like it is working. He went on to say that involvement is important, as this money can impact low income neighborhoods and day to day lives and that perhaps we are talking about two separate matters – setting requirements for their participation and creating an environment in which they feel comfortable in participating and activating them.

Taneaia said that this makes more sense to her and that we should be focused on how to get people to participate versus mandating a specific level of participation. Tierra stated that she is looking at this issue and that the proposed CPP procedures encourage participation by all and allow for innovative outreach to low income groups in particular.

Jennifer stated that this is like making sausage and that there are significant changes that need discussion. Tierra responded that nobody is attempting to limit input but that we have a good bit more information to cover and that comments can be submitted after the meeting and that we encourage folks to do this if there are particular issues that they want to address.

Kathy added that we are at roughly the hour mark and still need to finish the code, and three other topics. She stated that we are currently not in compliance with our own code related to the CDBG program and that updating it to reflect both current practice and HUD requirements is important in terms of prioritizing policy efforts – which is why staff is bringing this now because we only recently realized that there is a problem.

Tierra then moved to a discussion of Section 2-419 which outlines the annual process. She stated that the current code is not consistent with how the City is currently operating the CDBG/HOME programs and that the changes reflect current practices as required by HUD. She also noted that if anyone has specific questions about the process that she is available to provide technical assistance upon request.

As for timing of comments, Tierra asked Kathy to respond, to which Kathy stated that she would like to have comments back by Friday or Monday of next week at the latest.

Matthew then asked (referring to the income eligible area map) if the pool of applicants has shrunk for the Task Force because over half the City is not in an income eligible area. After some discussion as to the concern and what was being asked, it was pointed out by Taneaia that this actually gets to some of Jennifer's concern because the people involved will be from the lower income areas and not the upper echelon areas.

Tierra then moved on to the proposed revisions to the Citizen Participation Plan (CPP), explaining the purpose for revising. She stated that the first revision to the CPP was in 1980 and it has been amended five other times over the years (blended with old and new stuff). Based on this and the fact that staff thought it needed an overall rewrite/reorganization, we did not revise the current CPP, rather we created a new CPP. Some of the specific inconsistencies with the Code of Federal Regulation requirements include: incorrect public hearing requirements, lack of inclusion of AFH requirements, and a lack of a definition for substantial/minor amendments when it comes to projects/activities and plans. In addition, the current CPP has reference to A-95 review (which has not been required for many years) and has multiple contradictions with City Code. Due to limited time, Tierra did not review sections of the plan in detail but rather provided a general explanation of the plan in general

Frank Stoner followed with a question about expertise in review of proposals and the process in general. Tierra explained the development of Council priorities and the Action Plan as well as the Consolidated planning process and Kathy explained that each of these documents are metrics by which proposals are evaluated by the citizen task force, using the evaluation tool to assign points to different categories of consideration.

The meeting then transitioned to Kathy to explain planned CDBG/HOME policy development. The following information (as presented) was taken from the handout provided

Four Factor Analysis & Language Access Plan for Persons of Limited English Proficiency (LEP)

Why are we required to do this?

Title VI of the Civil Rights Act of 1964 protects individuals from discrimination on the basis of their race, color or national origin in programs that receive federal assistance.

EO 13166 signed on August 11, 2000 directs all federal agencies, including the US Department of Housing & Urban Development (HUD) to work to ensure that programs receiving federal financial assistance provide meaningful access to LEP persons. This EO also required the issuance of guidance to assist recipients in providing meaningful access to programs, consistent with US Department of Justice guidelines. HUD issued this guidance on 12/19/03 and provided FAQ's on 1/22/07.

The City's CDBG and HOME program both trigger compliance under HUD requirements.

What is involved?

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons. To do this the following steps are required:

1. Conduct a four factor analysis;
2. Develop a language access plan (LAP); and
3. Provide appropriate language assistance.

A four factor analysis is the first step and it must address the following:

1. Determine the number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).
 - This can be done using ACS data or by means of a locally targeted survey effort
2. Determine the frequency with which the LEP persons come into contact with the program.
3. Determine the nature and importance of the program, activity or service provided by the program.
4. The resources available and the costs to the recipient.

Enforcement & Safe Harbor

The Office of Fair Housing & Equal Opportunity (FHEO) is tasked with the lead in coordinating and implementing EO 13166 for HUD.

In determining compliance and evaluating complaints under EO 13166, HUD will consider the extent to which a grant recipient has followed their LEP guidance, inclusive of the Four Factor Analysis.

HUD's evaluation will include a review of efforts taken to comply with respect to the translation of vital written materials. To this end, HUD has adopted a safe harbor specifically for translation of written materials. There is no safe harbor for oral interpretation.

The table below sets forth safe harbors for written translations.

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

Based on a preliminary review of American Community Survey data, it appears that the City of Charlottesville will not trigger the size standards for development of written translation; however, the City still needs to complete the formal Four Factor Analysis and look to make reasonable attempts to accommodate the language access needs of residents. Accordingly, the City will look to pass along assessment requirements to CDBG/HOME sub recipients to help the City further evaluate the needs of beneficiary populations.

Anti-Displacement & Relocation Assistance Planning

Both the CDBG & HOME programs are federally funded and as such any acquisition and relocation funded with these programs must comply with the Uniform Relocation & Real Property Acquisition Act of 1970 (as amended).

Section 104(d) of the Housing & Community Development Act of 1974 (as amended) establishes requirements governing conversion, demolition and one for one replacement of lower income housing under the CDBG program. Section 105(b)(16) of the Cranston Gonzalez National Affordable Housing Act (as amended) extends these additional requirements to the HOME program.

The major differences between URA and 104(d)/105(b)(16) deals with eligibility, which is triggered by low income residential tenants only. These extra provisions require longer tenant assistance (60 vs 42 months) and one-for-one replacement of units that are demolished or converted for 1) a non-housing purpose, 2) no longer meet the definition of a lower income dwelling unit or 3) used as emergency shelter.

HUD has issued Handbook 1378 as their guidance for compliance with URA and staff believes that adoption of this handbook would be sufficient to cover HUD requirements for use of Charlottesville CDBG and HOME funds.

In the event that our funds are proposed to be used for a large scale demolition or acquisition project, staff would work with the sub recipient on a case by case basis to ensure compliance and to develop a more

targeted plan, as might be appropriate; however, the existing requirements are such that at a minimum (to comply with HUD regulations) we must adhere to Handbook 1378.

Howard Evergreen then asked about including the CRHA Resident Bill of Rights in the Anti-Displacement & Relocation Assistance Planning to which Kathy responded that this plan was specific to the City and the CDBG/HOME programs, not CRHA. Howard went on to state that he felt that there was a lot of mistrust with CRHA residents toward the City and that this could help, but Kathy explained that this was not contemplated and that there might be elements of the bill of rights (based on her memory of what was included) that might be problematic because they go past what is required by HUD and the URA and get into issues such as right of return regardless of lease compliance.

Kathy promised to send out the map and revised CPP, as the one used in the meeting had the AFH provisions added and the printout did not include the back sides of pages.

Kathy then asked if any of the visitors wanted to speak and provide public comments. Lena Seville responded that she felt like this was a lot of material for a single meeting and that it would be helpful to have a smaller group get into the details of the plans before meeting with the larger group.

With no further discussion, Kathy thanked everyone for coming and the meeting was adjourned.

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



Agenda Date:	July 18, 2016
Action Required:	Approval of Resolution
Presenter:	Alex Ikefuna, NDS Director
Staff Contacts:	Alex Ikefuna, NDS Director
Title:	3-D Modeling Proposal for SIA to illustrate existing built conditions, zoning at build out and new Form-Based Code scenarios that implement the SIA Plan

Background:

In 2013, the City Council adopted the Strategic Investment Area Plan that was prepared by Cunningham, Quill Architects, Oculus. The planning process that resulted in this plan was very elaborate and included extensive public outreach and participation of representatives from appropriate city departments, the University of Virginia, private sector, nonprofit organizations, Charlottesville Redevelopment and Housing Authority and community residents. The plan outlined goals, recommendations and implementation strategies designed to revitalize the SIA. Part of the recommended strategies included consideration of Form-Based Code to guide development and redevelopment activities.

Discussion:

On April 4, 2016, the City Council approved Strategic Investment Area Implementation Action Plan Framework. Following this, staff reviewed regulatory recommendations in the SIA Plan and prepared proposed code changes. The proposed changes were presented to the joint Planning Commission/City Council work session on May 26, 2016. At this joint work session, there was a consensus expressed by both the City Council and Planning Commission to develop a 3-D modeling program that can be used to show existing built conditions, current zoning at build out and new form-based code scenarios that implement the SIA Plan.

PLACE Design Taskforce has been discussing ways to incorporate the 3-D modeling system into preparation of staff reports to the City Council, Planning Commission and Board of Architectural Review. In coordination with Paul Josey of the PLACE Design Taskforce, we are partnering with Guoping Huang at the University of Virginia to develop the following 3-D model programs:

1. Create functional 3D models with SketchUp for SIA, phase 1 (see attached map).
2. Develop workflow to import and archive 3D models in the City's geodatabase.
3. Create CityEngine web scene to publish the 3D models with contextual models in the

background.

4. Applications with the CityEngine technology to help the city compare design scenarios and get public feedback.

Alignment with City Council’s Vision and Strategic Plan:

This project aligns with Goal 2, Objective 2.6 – Engage in .robust and context sensitive urban planning. Implementation of the SIA is a specific initiative in the strategic plan.

This proposal is a follow up on the recommendations in the SIA Plan. It will serve as a practical tool to illustrate and demonstrate how a proposed development could occur. It is also consistent with the City Council Vision Statement: Smart, citizen-focused government.

On a related note, all the five core goals of the SIA plan aligns with the City Council Vision Statement: economic sustainability, quality housing opportunities for all, C’Ville Arts and Culture, green City and healthy, connected community of mutual respect.

Community Engagement:

There were several community engagements during the planning process; however, there has not been any community outreach conducted as part of preparing this report.

Budgetary Impact: No new funding is required, as this proposal would utilize \$5,000 of funding that was previously appropriated to the SIA Implementation project in the City’s Capital Improvement Program.

Recommendation: Recommends that the City Council approve the proposal and resolution. As well as direct staff to work with Guoping Huang of the University of Virginia (UVA) and PLACE Design Taskforce to develop this system for use in illustrating build outs to the City Council, Planning Commission, BAR and the public.

Alternatives: Not approve resolution and not do 3-d modeling project. No other alternative are available at this time.

Attachments:

SIA Form-Based Code Map/Phases

RESOLUTION

Allocation of Previously Appropriated SIA Funds for 3-D Modeling Proposal \$5,000

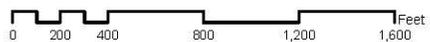
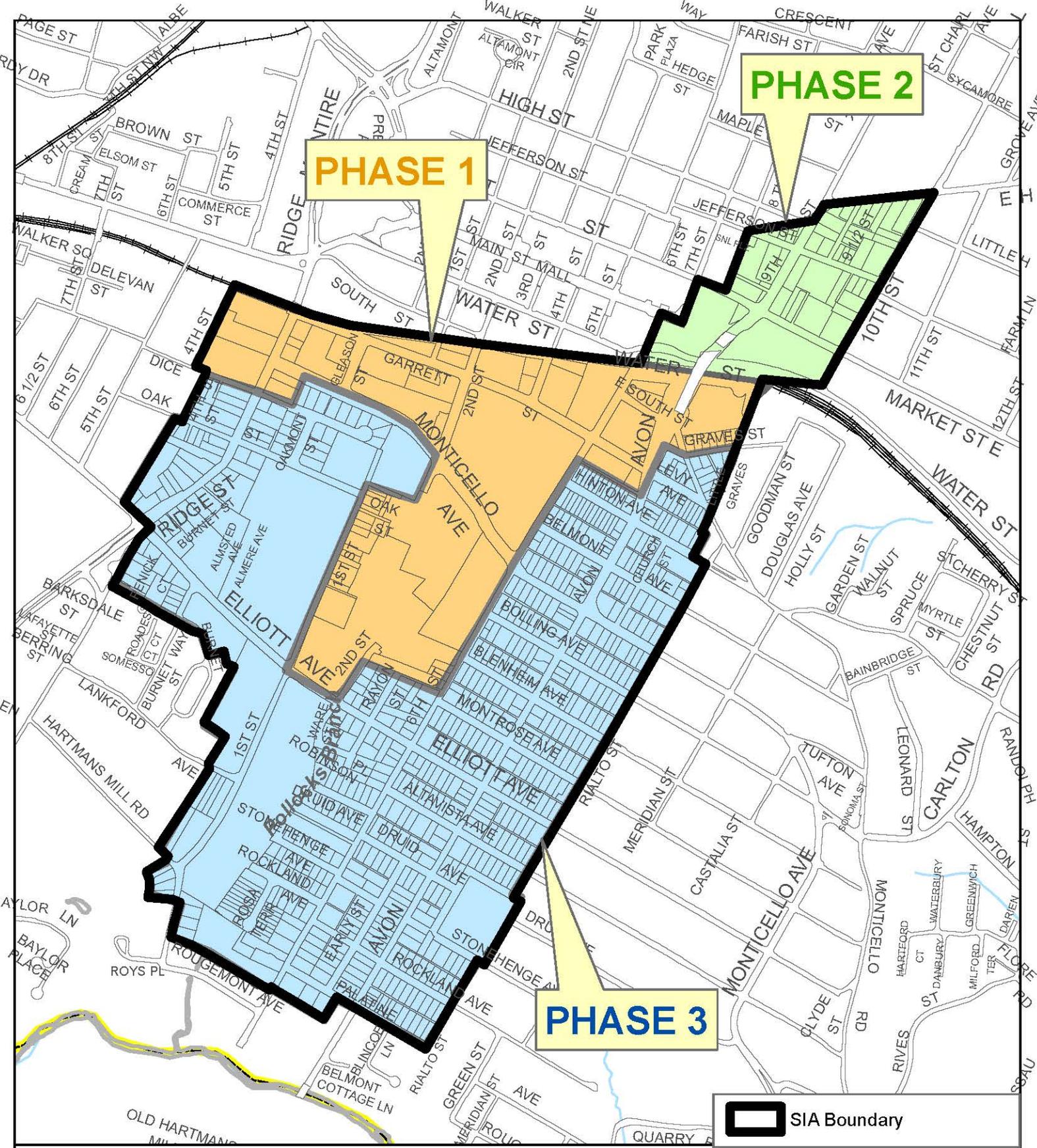
WHEREAS, the City of Charlottesville City Council has set aside funds annually to implement the Strategic Investment Area Plan (SIA). The PLACE Design Taskforce recommended application of 3-D modeling system in illustrating how Form-Based Code application and development scenarios could occur in the SIA, and

WHEREAS, the 3-D modeling program will help to inform evidence-based decision making process as well as serve as a practical tool for demonstrating development and redevelopment scenarios in the SIA, including improving citizen engagement process. This can also be applied to the rest of the city; therefore;

NOW, THEREFORE BE IT RESOLVED that the City Council of Charlottesville Virginia allocates \$5,000 from previously appropriated SIA Implementation capital funding to develop a 3-D modeling program that can be used to show existing built conditions, current zoning at build out and new form-based code scenarios that implement the SIA plan.

Strategic Investment Area

PROPOSED FORM BASED CODE PHASES



NEIGHBORHOOD DEVELOPMENT SERVICES
City of Charlottesville
July 2016



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



Agenda Date:	July 18, 2016
Action Required:	Resolution
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation
Title:	Virginia Land and Water Conservation Fund Grant Application for Acquisition of Park Land on Moore's Creek (\$100,000)

Background:

The City of Charlottesville, via the Parks and Recreation Department, is applying for assistance through the Virginia Land and Conservation Fund to supplement local funding for acquisition of parkland along Moore's Creek on Hartmans Mill Road near Jordan Park. This grant is administrated through the Virginia Department of Conservation and Recreation.

Discussion:

The property owners have met with Parks Department staff to request that the City work to purchase the property to become parkland. The land consists of 2.8 acres, much of it floodplain and including a sewer interceptor corridor that is intended to become a shared use path. The land is along the Moore's Creek corridor, a targeted area to develop linear parkland and acquire forested stream buffers. The property also includes an existing wetland and offers further potential for urban stormwater management.

Alignment with City Council's Vision and Priority Areas:

The project supports both City Council's "Green City" and "Healthy City" visions by creating an outstanding recreational amenity for many users while preserving and enhancing a natural and forested area of the City. It contributes to Goal 2 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community, and objective 2.5, to provide natural and historic resources stewardship, as well as objective 5.3 supporting community engagement.

Community Engagement:

The land is along the corridor proposed in the Bicycle, Pedestrian and Trails plan as a shared use path, and also supports the goals of the Urban Forest Management Plan.

Budgetary Impact:

This application requires a 50% match from the parkland acquisition fund. If acquired the land will have limited maintenance requirements other than construction and maintenance of the shared use path.

Recommendation:

Staff recommends approval of the resolution to apply for grant funds.

Alternatives:

If grants funds are not pursued, acquisition of the property will have to be funded entirely with local funds.

Attachments:

Resolution

Virginia Land Conservation Foundation Project Endorsement Resolution

Land Acquisition along Moore's Creek adjacent to Jordan Park

Whereas, the Virginia Land Conservation Foundation offers matching funds for the purchase of parkland properties; and

Whereas, the City of Charlottesville is seeking to acquire property for parkland, trail, and stormwater mitigation purposes,

Now, Therefore, Be It Resolved, that the City of Charlottesville hereby agrees to provide a minimum 50 percent matching contribution for this project.

Be It Further Resolved, that the City of Charlottesville hereby agrees to enter into a project administration agreement with the Virginia Department of Conservation and Recreation to ensure the property acquired is to be available for public recreational and open space use in perpetuity.

Be It Further Resolved, that the City of Charlottesville will be responsible for maintenance and operating costs of any property purchased using Virginia Land Conservation Foundation funding.

Be It Further Resolved, that if the City of Charlottesville subsequently elects to sell the property, the City of Charlottesville hereby agrees to reimburse the Virginia Land Conservation Foundation for the total amount of costs expended by the Foundation.

Adopted this 18th day of July, 2016

By: _____

Attest

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



Agenda Date:	July 18, 2016
Action Required:	Appropriation of Grant Funds
Presenter:	Hollie Lee, Chief of Workforce Development Strategies
Staff Contacts:	Hollie Lee, Chief of Workforce Development Strategies Juwhan Lee, Assistant Transit Manager - Operations
Title:	Piedmont Workforce Network Incumbent Worker Training Grant - \$4,730

Background:

The City of Charlottesville, through the Office of Economic Development (OED) and in partnership with Charlottesville Area Transit (CAT) has received a grant for \$4,730 from Piedmont Workforce Network (PWN) in order to provide workforce development training, specifically customer service training, to 82 incumbent Transit Operators. The grant requires a 50% match of local/employer dollars, which can be satisfied with an in-kind wage contribution. It is proposed that the in-kind wage contribution match will be made from CAT's operating budget. The estimated cost of this contribution is \$3,312.80 (estimated wages for training 82 Transit Operators and Supervisors for two and half hours each at an average wage of \$16.16 per hour). CAT is required to pay the training provider, Piedmont Virginia Community College (PVCC), for the entire cost of training (\$4,730) upon completion of training and then request reimbursement from PWN.

Discussion:

In July 2013, the City's Strategic Action Team on Workforce Development (SAT) issued a report to City Council entitled, *Growing Opportunity: A Path to Self-Sufficiency*. Since this time, numerous initiatives have been undertaken to help low-income residents achieve self-sufficiency by increasing assets (training and education) and reducing barriers (childcare, transportation, housing, etc.) related to employment. In recent months, the City's workforce development efforts have expanded to include a focus on local employers and ensuring that their incumbent/existing employees have the knowledge, skills, and abilities that they need to be successful on the job and strengthen business operations.

As a local employer and primary partner in the GO Driver pre-employment training program that trains City residents to become bus drivers, CAT recently expressed an interest to the OED in having in-service training for its Transit Operators focusing on customer service. CAT strives to offer excellent customer service to all of its riders, but in recent months, the number of customer complaints has increased, thus prompting a need for driver retraining. As a result, the OED worked with CAT staff to submit an application to PWN for an incumbent worker training matching grant to

help subsidize the cost of training. This application has been approved by PWN and an award letter has been given to the City.

The OED also worked with CAT to engage PVCC and develop a customer service training curriculum based on the same curriculum that is currently being used in GO Driver, as CAT drivers who have gone through this training tend to offer better customer service to riders and receive fewer customer complaints. The first phase of the training took place from late February 2016 to mid-March. The second phase of training (for which these grant funds will be used) consisted of eleven, two and half hour customer service workshops. These workshops were held from March 19, 2016 and June 30, 2016. Each workshop was comprised of approximately 15 to 17 incumbent bus drivers (about 85 drivers in total), with different individuals in each session. Content included topics such as: Focus on Customer Service Success, Benefits of Excellent Service, Professionalism under Pressure, and Dealing with Difficult Customers.

Alignment with Council Vision Areas and Strategic Plan:

This effort supports City Council's "Economic Sustainability" vision and aligns directly with the SAT's *Growing Opportunity* report that was approved by City Council in 2013.

It also contributes to the following goals and objectives in the City's Strategic Plan:

Goal 4: Be a well-managed and successful organization

- Objective 4.2: Maintain strong fiscal policies
- Objective 4.3: Recruit and cultivate quality employees

Goal 3: Have a strong diversified economy

- Objective 3.1: Develop a quality workforce

Goal 1: Enhance the self-sufficiency of our residents

- Objective 1.1: Promote education and training

It aligns with Chapter 3 on Economic Sustainability in the Comprehensive Plan, and more specifically Goal 6, which focuses on workforce development and being an effective partner in creating a well-prepared and successful workforce.

Community Engagement:

Like practically all of the City's workforce development initiatives, this effort requires partnerships with numerous community partners, specifically Piedmont Workforce Network, which is providing the matching grant and Piedmont Virginia Community College, which is providing the customer service training. Additionally, the end result of this incumbent worker training will be of great benefit to the community, which will have an improved rider experience.

Budgetary Impact:

The contribution towards wages of \$3,312.80 will come from already appropriated funds in the CAT's operating budget.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If grant funds are not appropriated, more City dollars will have to be used to pay for the customer service training.

Attachments:

- Incumbent Worker Training Funds Application
- Incumbent Worker Training Funds Award Letter from PWN

APPROPRIATION

**Piedmont Workforce Network Incumbent Worker Training Matching Grant
\$4,730**

WHEREAS, the City of Charlottesville has received federal pass-through funds from the Workforce Development Act administered by Piedmont Workforce in the amount of \$4,730 requiring an in-kind local 50% match provided by Charlottesville Area Transit through operating funds; and

WHEREAS, the funds will be used to support workforce development training programs; and

WHEREAS, the grant award covers the period from March 19, 2016 through June 30, 2016;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$4,730 is hereby appropriated in the following manner:

Revenue – \$

\$4,730 Fund: 245 IO: 2200007 G/L: 430120 State/Fed pass thru

Expenditures - \$

\$4,730 Fund: 245 IO: 2200007 G/L: 530010 Professional Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$4,730 from Piedmont Workforce Network and the matching in-kind funds from CAT operating budget.



Piedmont Workforce Network
Incumbent Worker Training Funds Application

Section 1: Company Information

Please check the target industry that your organization falls under:	<input type="checkbox"/> Health Services <input type="checkbox"/> Information Technology <input type="checkbox"/> Business & Financial Services <input type="checkbox"/> Agribusiness <input type="checkbox"/> Bioscience & Medical Devices <input type="checkbox"/> Defense & Security <input type="checkbox"/> Manufacturing/Distribution <input checked="" type="checkbox"/> Other: Government
--	--

Parent or Corporate Name of Applying Company (As Listed on IRS W9 Form):	City of Charlottesville				
Physical Address:	610 E. Market Street				
City:	Charlottesville	State:	VA	Zip:	22902
P.O. Box Address:	P.O. Box 911				
City:	Charlottesville	State:	VA	Zip:	22902
Company Name, if Different:	Charlottesville Area Transit				
Physical Address:	1545 Avon Street Ext.				
City:	Charlottesville	State:	VA	Zip:	22902
P.O. Box Address:					
City:		State:		Zip:	

Company Contact:	Juwhan Lee	Title:	Assistant Transit Manager - Operations
Phone:	434-970-3892	Email:	leej@charlottesville.org

Federal I.D. No.:	54-6001202	Date Business Began in Area:	1975
Number of Full-Time Workers:	61	Number of Part-Time Workers:	41
Tax Status of Business:	<input type="checkbox"/> For-Profit <input type="checkbox"/> Not-For-Profit (Designation) <input checked="" type="checkbox"/> Other: Government		
Legal Structure of Business:	<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Government		
Is your company current on all Federal, State of Virginia, County, City and Local Tax Obligations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is your company receiving and/or applying for other public training funds?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, explain:			
Does your company have an equal opportunity/non-discrimination policy in place?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is your company subject to a collective bargaining agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<i>If yes, and if union represented employees will be participating in the training activities of this program, it is required that consent be obtained from the representing union to collect the eligibility data from the employees PRIOR to funding approval.</i>			
Is your company willing to provide project outcome information to the Piedmont Workforce Network?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
This company is: (check all applicable)	<input type="checkbox"/> Native-American Owned <input type="checkbox"/> Asian-American Owned <input type="checkbox"/> African-American Owned <input type="checkbox"/> Woman Owned <input type="checkbox"/> Hispanic-American Owned <input type="checkbox"/> Other Minority Owned		
Please provide a brief description of your business, product(s), and/or service(s):			
<p>Charlottesville Area Transit (CAT) is the primary provider of general public fixed-route transit services in the Charlottesville, VA region. CAT currently provides 12 daytime local fixed bus routes and four evening local fixed bus routes, all of which are open to the public. Service is provided seven days per week, with most services operating on weekdays and Saturdays beginning around 6:30 AM and ending between around 6:00 PM and 11:30 PM. CAT also operates limited Sunday service on its two highest ridership routes, Route 7 and the Free Trolley, which connect some of the area's strongest commercial and employment destinations between downtown, the University of Virginia (UVA), and along Route 29. CAT's fixed-route services are complemented by those of University Transit Services (UTS), which provides primarily fixed-route services in the vicinity of UVA, and JAUNT, Inc., which provides demand-responsive service within the Charlottesville region, including CAT's ADA complementary paratransit services, as well as several fixed routes.</p>			

Section 2: Training Provider Information

(attach additional sheets, if necessary)

Training Provider(s) will be:	<input checked="" type="checkbox"/> Public Training Institution <input type="checkbox"/> Private Training Institution <input type="checkbox"/> Company Instructor
Training will be Delivered:	<input checked="" type="checkbox"/> On-site at the Business <input type="checkbox"/> At the Training Institution <input type="checkbox"/> At a Remote Location
Training Provider:	Piedmont Virginia Community College Workforce Services

Contact Name:	Kathy Reid	Phone:	434-961-5330		
Physical Address:	501 College Drive				
City:	Charlottesville	State:	VA	Zip:	22902

Section 4: Needs Identification

Indicate which challenge(s) would be addressed by the proposed training.
(Check all that apply; at least one must be identified for funding consideration)

	Declining Sales
	Supply Chain Issues
	Adverse industry market trends
	Changes in management behavior or ownership
X	Phasing out certain function, introducing new functions/lines that require worker retraining
X	Required skill changes that would otherwise require downsizing, layoffs, etc. if not addressed
	New technology and/or equipment implementation
	Creation of new employment opportunities that require advance skills and knowledge
	Other:

Section 5: Training Project Information

Please describe your organization's challenges that would be addressed by the proposed training.

CAT strives to offer excellent customer service to all of its riders. In recent months however, the number of customer complaints has increased, thus prompting a need for driver retraining. CAT purchased a customer service training curriculum that it would like to continue rolling out in the coming months. The proposed customer service training through PVCC for permanent and relief transit operators (i.e., bus drivers) will help set the foundation for this curriculum.

What credential, if applicable, will the individuals receive from the proposed training?

All individuals will receive a certificate in customer service from Piedmont Virginia Community College.

What are the job titles and average salaries for the individuals that would receive the proposed training?
Eighty-two (82) Transit Operators and Supervisors with an average wage of \$16.16 per hour.

How will this training make the participant and your organization more competitive in this economy?

Content will include topics such as: Focus on Customer Service Success, Benefits of Excellent Service, Professionalism under Pressure, and Dealing with Difficult Customers. The format for the class will be interactive, with real life scenarios based on actual customer complaints (provided by CAT management) and role playing. These topics will help hone participants' customer service skills and improve Charlottesville's transit service, thus increasing ridership and revenue to the organization. This is based on curriculum that is currently being used in the City's Growing Opportunity (GO) workforce development training programs. On average, CAT drivers who have gone through this training (GO Driver) tend to offer better customer service to riders, receiving fewer customer complaints.

There will be 11 training sessions between March 17, 2016 and June 30, 2016. Scheduled dates include:

- Saturday, March 19th – 10:00am – 12:30pm
- Sunday, March 20th – 10:00am – 12:30pm and 1:00pm to 3:30pm
- Thursday, March 24th – 10:00am – 12:30pm
- Tuesday, March 29th – 11:00am – 1:30pm

Additionally, there will be two sessions held in April, May, and June. The dates for these trainings are yet to be determined.

Outcomes of the training that will be tracked by CAT include:

- # of transit operators completing training and receiving a customer service certification from PVCC
- Decrease in customer complaints by 5%
- Launch of CAT customer service curriculum upon completion of customer service training

What is the potential for wage increases at the completion of the training and/or within one year of training end date?

This is uncertain at this time. Increases in wage at CAT are typically based on full-time versus relief employment, as well as length of service.

How will this training allow the participating individuals to retain their employment?

The proposed training will consist of eleven, two and a half hour customer service workshops to be held between March 19, 2016 and June 30, 2016. Each workshop will be comprised of approximately 15 incumbent bus drivers and supervisors (about 82 employees in total), with different individuals in each session. Content will include topics such as: Focus on Customer Service Success, Benefits of Excellent Service, Professionalism under Pressure, and Dealing with Difficult Customers. As a result of training, staff will be better able to serve CAT's rider and offer a better riding experience. In light of this, there will be fewer complaints and therefore fewer employee terminations that result from such complaints.

Section 6: Training Program Budget

This section must be completed to show use of proposed training funds and employer match contributions. Please provide specified training information and itemize completely.

A. Budget Category	B. Requested Funds	C. Employer Contribution	Sub-Total (B+C)
Non-Company Instructor Fees or Tuition Costs			
PVCC Customer Service Training (\$430/2.5 hr training session – 11 sessions total)	\$4,730	\$0	\$4,730
Training Related Rentals (facilities, equipment, tools, etc.)			
Onsite at CAT			\$0.00
Materials/Supplies/Textbooks			
Included in PVCC Training Costs			\$0.00
Other Costs (Describe)			
None			\$0.00
Travel/Food/Lodging For Instructor(s) Only			
None			\$0.00
Trainee Wages (Including Benefits)			
82 Transit Operators & Supervisors @ Average Wage of \$16.16/hour for 2.5 hours of training	Incumbent Worker Training Funds Cannot be Used (Can be counted as in-kind match for employer contribution)	\$3,312.80	\$3,312.80

Section 7: Incumbent Worker Training Funds Requested

Training Funds Requested:	\$4,730
Number of Employees to be Trained:	82
Proposed Training Start Date:	March 19, 2016
Anticipated Training End Date: <i>(Maximum of 12 months from proposed start date)</i>	June 30, 2016

Signature and Certification

By my signature, I verify the information in this application is accurate to the best of my knowledge and I have the authority to submit this application on behalf of the named employer. I also certify that I have read the Piedmont Workforce Network's Incumbent Worker Training Policy and agree to all of the terms and conditions outlined in that policy.

Signature:  Date: 3/18/2016

Name: Juwhan Lee

Phone/email: leej@charlottesville.org

Piedmont Workforce Network is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 711. Funded by the U.S. Department of Labor.



PIEDMONT
Workforce Network

2211 Hydraulic Road, Suite #104
Charlottesville, VA 22901
Phone: (434) 979-5610 Fax: (434) 979-4123 VA Relay Users: 711

March 18, 2016

Mr. Juwhan Lee
Assistant Transit Manager – Operations
Charlottesville Area Transit
City of Charlottesville
1545 Avon Street Ext.
Charlottesville, VA 22902

Dear Juwhan,

We are pleased to inform you that your application for Incumbent Worker Training Funds has been approved to train individuals in customer service. Without this training, the Piedmont Workforce Network understands that the employees may not have the skills to retain employment at Charlottesville Area Transit and could be at risk of lay-off in the future. It will also increase production levels within the company while sustaining wages for employees.

The following details outline the amount approved, the number of workers to be trained, and the outcomes to be achieved. By signing below, the company agrees to these approvals and measures.

Customer Service Training	
Training Funds Approved:	\$4,730
Employees to be Trained:	82
Training Start Date:	3/19/2016
Training End Date:	6/30/2016
Training Provider:	PVCC

Performance Measures:

- At least 80% of the participants funded under the Incumbent Worker Training program will successfully complete the training programs.
- 100% of the participants funded under the Incumbent Worker Training program will be retained by the employer at the completion of training.

Documents Required:

- Certificates of completion for each participant, or letter on letterhead stating participants completed training
- Curriculum or description of program from training provider
- A copy of the I-9 document collected by the employer for each individual completing training
- A signed copy of the receipt of the Grievance and Complaint Procedures and EEO Notice

If you have any questions, please contact Morgan Romeo at mromeo@centralvirginia.org or by phone at 434-979-5610.

Signature: Helen Cauthen
Title: Executive Director
Organization: Piedmont Workforce Network
Date: 3/18/16

Signature: Morris Jure
Title: City Manager
Organization: City of Charlottesville
Date: 3/18/16

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 18, 2016
Action Required:	Approval of Ordinance Amendment to Move Polling Place from Boys & Girls Club to Buford Middle School
Presenter:	Rosanna Bencoach, General Registrar
Staff Contacts:	Rosanna Bencoach, General Registrar Andrew Gore, Assistant City Attorney
Title:	Polling Place Change – Buford Election Precinct

Background:

In April of 2011 the Buford Election Precinct was created and the Boys & Girls Club (on the Buford Middle School property) was established as the polling place for that precinct. The Board of Elections now believes that Buford Middle School would serve the public better as a polling place because it provides a larger and quieter space for voting, protection from the weather and environment for voters waiting in line, and more parking spaces. Accordingly, the Board has directed me to request this change.

Discussion:

Charlottesville school officials have given their consent to having Buford Middle School as the polling place for the Buford election precinct. When school is not in session, voting will be in the media center in the main school building. Any concerns about parking and access to the auditorium (if school is in session on election day) have been addressed satisfactorily. The parking spaces directly opposite the entrance to the arts building will be reserved for voters on those rare election days when school is in session. Voters will be routed in through one of the double doors, across the stage and out through one of the double doors on the other side, separated by rope and post lines from student traffic.

Alignment with Council Vision Areas and Strategic Plan:

Moving the polling place from the Boys & Girls Club to Buford Middle School aligns to the [City Council Vision](#) of Smart, Citizen-Focused Government and Goal 5.3 to Promote Community Engagement in the [Strategic Plan](#).

Community Engagement:

Notice of consideration of the proposed ordinance at the July 18th Council meeting was published in the local newspaper on July 11th and July 18th. The proposed change in polling place was also

announced and discussed at the Town Hall meeting on May 19, 2016, which was attended primarily by residents of the Fifeville, Starr Hill and 10th & Page neighborhoods. If this ordinance is approved, voters will be sent written notice about the adopted change in the polling place for the Buford precinct, and our office will make announcements through a variety of media (e.g., Charlottesville website, public service announcements, and working through the local neighborhood associations). The two locations are accessed via the same driveways from the streets that border the Buford school campus. Additional signage will clearly mark the entrance to the new polling place, parking areas and walking directions.

Budgetary Impact:

We will have to pay for a voter card mailing to notify active registered voters in the Buford precinct of the change in polling place. We will no longer pay rent for the Boys and Girls Club for election day (currently \$1,020). We make a payment of \$50 to the Charlottesville City Schools for each school used as a polling place, towards the custodian's compensation for time worked on our behalf. The number of schools used as polling places will go from 4 to 5.

Recommendation:

Staff recommends approval of this ordinance.

Alternatives:

Council may choose to keep the Boys & Girls Club as the polling place, or discuss an alternative location.

Attachments: Proposed Ordinance; Map; Approval Letter from the School Board

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 9-29 OF ARTICLE II
OF CHAPTER 9 (ELECTIONS) OF THE CODE OF THE CITY OF
CHARLOTTESVILLE, 1990, AS AMENDED,
TO ESTABLISH BUFORD MIDDLE SCHOOL AS THE POLLING PLACE
FOR THE BUFORD PRECINCT IN THE THIRD WARD.**

BE IT ORDAINED by the Council of the City of Charlottesville that Section 9-29 of Article II (Election Districts and Voting Places) of Chapter 9 (Elections) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

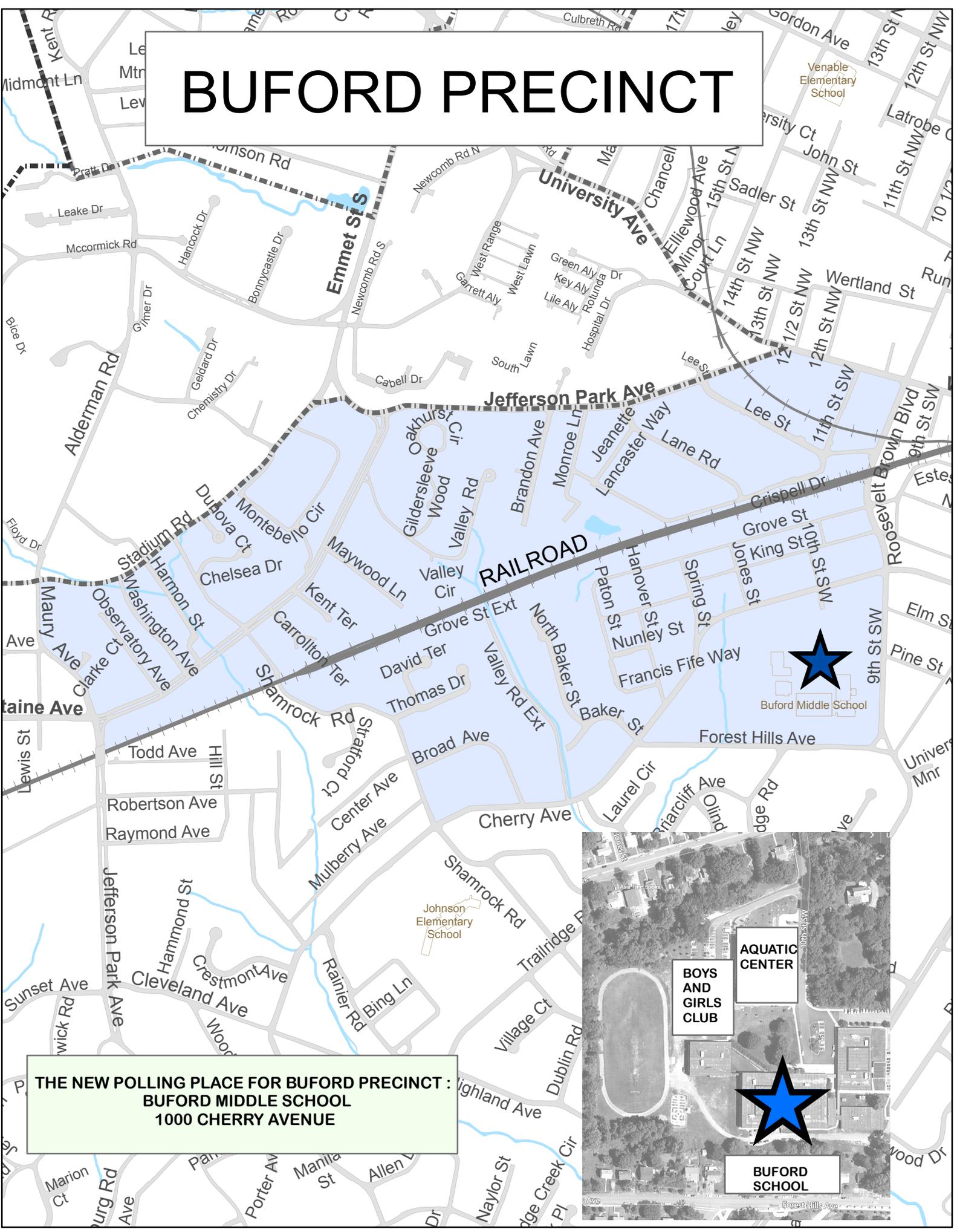
Sec. 9-29. Third ward.

(a) *Benjamin Tonsler precinct. . . .*

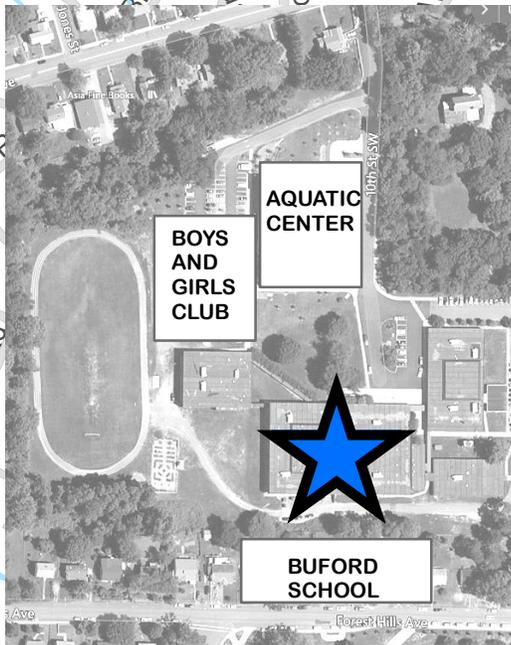
(b) *Johnson precinct. . . .*

(c) *Buford precinct.* The Buford precinct shall embrace all territory in the third ward lying west of the centerline of Roosevelt Brown Boulevard and 9th Street, S.W. to its intersection with Forest Hills Avenue, and north of a line running west from 9th Street, S.W. along the centerline of Forest Hills Avenue to Cherry Avenue, thence west along the centerline of Cherry Avenue to Shamrock Road, thence northwest along the centerline of Shamrock Road to the Southern Railway right-of-way, thence southwest along the railroad right-of-way to Jefferson Park Avenue, thence north along the centerline of Jefferson Park Avenue to the centerline of Maury Avenue, thence north along the centerline of Maury Avenue to the corporate limits. The voting place for this precinct shall be Buford Middle School ~~the Boys and Girls Club~~ at 1000 Cherry Avenue, ~~Building B~~.

BUFORD PRECINCT



**THE NEW POLLING PLACE FOR BUFORD PRECINCT :
BUFORD MIDDLE SCHOOL
1000 CHERRY AVENUE**





CHARLOTTESVILLE CITY SCHOOLS

Office of the Superintendent
1562 Dairy Road
Charlottesville, VA 22903
(434) 245-2400
Fax (434) 245-2603
www.charlottesvilleschools.org

May 18, 2016

Anne Hemenway, Chair
City of Charlottesville Electoral Board
PO Box 911
Charlottesville, VA 22902-0911

Dear Ms. Hemenway:

In the spirit of collaboration and in serving the Charlottesville community, we would like to confirm that Charlottesville City Schools understands that the Electoral Board has been working with Eric Johnson, Principal of Buford Middle School, on arrangements to relocate the Election Day voting precinct for the Buford Precinct from the Boys and Girls Club on the Buford school campus to the school itself. As per our discussion, we further understand that on Election Days when classes are not being held, voting will take place in the school library and on Election Days when classes are being held, voting will take place on the stage of the auditorium. All parties acknowledge that on election days when classes are being held, there will be logistical challenges in areas around the bus loop will be closed to other traffic for approximately 30 minutes for both morning arrivals and afternoon dismissal. The Electoral Board will be responsible for developing and implementing a plan approved by the Buford Principal to separate students and adults when elections take place during normal school hours.

In preparation for submitting the matter to City Council, you asked for a letter from the Administration of Charlottesville Public Schools confirming these arrangements. They are so confirmed.

Sincerely,

A handwritten signature in black ink that reads "Rosa S. Atkins". The signature is fluid and cursive.

Rosa S. Atkins, Ed.D.
Division Superintendent

RSA:lbt

Cc: Edward C. Gillaspie, Assistant Superintendent
Eric D. Johnson, Principal, Buford Middle School

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

Agenda Date:	July 18, 2016
Action Required:	Ordinance Adoption
Presenter:	Brian Haluska, Principal Planner, Neighborhood Development Services
Staff Contacts:	Brian Haluska, Principal Planner, Neighborhood Development Services
Title:	ZT16-00001 – West Main Street Density

Background:

At their meeting on March 21, 2016, the City Council referred the West Main Corridor density regulations back to the Planning Commission as a proposed increase in by-right residential density had not been advertised as part of the previous request.

Discussion:

The Planning Commission held a public hearing at their June 14, 2016 meeting.

The topics of discussion that the Commission focused on at that meeting included:

- What flexibility the City currently has via the special use permit process that would potentially be lost if the by-right residential density was increased.

Alignment with City Council Vision Areas and Strategic Plan:

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

Goal 2 of the City Council’s Strategic Plan is to “Be a safe, equitable, thriving and beautiful community” that contains the following goal: “Engage in robust and context sensitive urban planning”.

Citizen Engagement:

The Planning Commission held a joint public hearing on the Zoning Text Amendment at their June 14, 2016 meeting. Two persons spoke at the hearing, and expressed support for keeping the density regulations along West Main Street at the lower density.

Budgetary Impact:

City staff does not anticipate any negative budgetary impact from the resolution.

Recommendation:

The Commission took the following actions:

Commissioner Keller moved “to recommend to City Council that it should not amend Sections 34-621, 34-641, of the zoning ordinance, to revise the residential density requirements in the West Main East and West Main West Corridors, because I find that the amendment is not required by the public necessity, convenience, general welfare or good zoning practice.”

Commissioner Lahendro seconded the motion. The Commission voted 6-0 to recommend denial.

Alternatives:

City Council has several alternatives:

- (1) adopt the attached ordinances;
- (2) by motion, deny approval of the attached ordinances; or
- (3) by motion, defer action on the attached ordinances.

Attachment:

- Staff Report: <http://www.charlottesville.org/home/showdocument?id=41836>
- Proposed Ordinance

**AN ORDINANCE
APPROVING AMENDMENTS TO CHAPTER 34 OF THE CODE OF THE CITY OF
CHARLOTTESVILLE (1990), AS AMENDED (ZONING), DIVISION 5 (WEST MAIN STREET
WEST CORRIDOR), SEC. 34-621 (DENSITY) AND DIVISION 6 (WEST MAIN STREET EAST
CORRIDOR), SEC. 34-641 (DENSITY) TO INCREASE THE RESIDENTIAL DENSITY
ALLOWED BY RIGHT WITHIN EACH DISTRICT FROM 43 DUA TO 200 DUA**

WHEREAS, by resolution adopted on March 21, 2016, City Council initiated certain amendments to the text of the City's Zoning Ordinance, Sections 34-621 AND 34-641 of the Code of the City of Charlottesville (1990), as amended ("Proposed Zoning Text Amendment"); and

WHEREAS, a public hearing on the Proposed Zoning Text Amendment was held before the Planning Commission on June 14, 2016, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend denial of the Proposed Zoning Text Amendment; and

WHEREAS, a public hearing on the Proposed Zoning Text Amendment was held before this City Council on July 18, 2016, after notice to the public and to adjacent property owners as required by law; and

WHEREAS, after consideration of the Planning Commission's recommendation as well as other factors and considerations, this Council is of the opinion that that the Proposed Zoning Text Amendment has been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, general welfare and good zoning practice require the Proposed Zoning Text Amendment, and (ii) the Proposed Zoning Text Amendment is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Sections 34-621 and 34-641 of the Code of the City of Charlottesville (1990), as amended, are hereby amended and reenacted as follows:

Sec. 34-621. Density

Residential density shall not exceed ~~forty three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.~~

Sec. 34-641. Density

Residential density shall not exceed ~~forty three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.~~

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

Agenda Date:	July 18, 2016
Action Required:	Ordinance Adoption
Presenter:	Brian Haluska, Principal Planner, Neighborhood Development Services
Staff Contacts:	Brian Haluska, Principal Planner, Neighborhood Development Services
Title:	ZT16-00001 –Water Street Corridor

Background:

At their meeting on March 21, 2016, City Council directed the Planning Commission to review proposed changes to the Water Street Corridor zoning district that were raised by the placement of the Midway Manor property within the Water Street Corridor.

Discussion:

The Planning Commission held a public hearing at their June 14, 2016 meeting.

The topics of discussion that the Commission focused on at that meeting included:

- How the setbacks proposed in the changes may impact the smaller scale structures along South Street.
- Concerns that the Water Street Corridor regulations would not protect the front yard of the property at 100 Ridge Street, which serves as an area of green space on the Ridge/Main/Water/South/McIntire intersection, in contrast to the other corners that are built to the street.

Alignment with City Council Vision Areas and Strategic Plan:

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

Goal 2 of the City Council’s Strategic Plan is to “Be a safe, equitable, thriving and beautiful community” that contains the following goal: “Engage in robust and context sensitive urban planning”.

Citizen Engagement:

The Planning Commission held a public hearing on the Zoning Text Amendment at their June 14, 2016 meeting. Three persons spoke at the hearing. One individual expressed support for a 25 foot setback along Ridge Street in the Water Street Corridor, while two representatives of the property impacted by the changes to the Water Street Corridor supported the changes as presented.

Budgetary Impact:

City staff does not anticipate any negative budgetary impact from the resolution.

Recommendation:

The Commission took the following action:

Commissioner Keller moved “to recommend to City Council that it should amend Sections 34-743 and 34-746 of the zoning ordinance, to revise the setback and stepback regulations in the Water Street Corridor and to revise the additional regulations in the Water Street Corridor, because I find that the amendment is not required by the public necessity, convenience, general welfare or good zoning practice.”

Commissioner Green seconded the motion. The Commission voted 6-0-1 to recommend approval. Commissioner Lahendro abstained from voting.

Alternatives:

City Council has several alternatives:

- (1) adopt the attached ordinances;
- (2) by motion, deny approval of the attached ordinances; or
- (3) by motion, defer action on the attached ordinances.

Attachment:

- Staff Report: <http://www.charlottesville.org/home/showdocument?id=41836>
- Proposed Ordinance

**AN ORDINANCE
APPROVING AN AMENDMENT TO CHAPTER 34 OF THE CODE OF THE CITY OF
CHARLOTTESVILLE (1990), AS AMENDED (ZONING), DIVISION 11 (REGULATIONS—
WATER STREET DISTRICT), SECTIONS 34-743 (STREETWALL REGULATIONS) AND 34-746
(MIXED USE DEVELOPMENTS—ADDITIONAL REGULATIONS) TO ESTABLISH A
STEPBACK REQUIREMENT FOR PROPERTIES FRONTING ON SOUTH STREET, TO
ESTABLISH A MINIMUM SETBACK AND BUFFER REQUIREMENTS ADJACENT TO
PARCELS WITHIN THE SOUGH STREET MIXED USE CORRIDOR AND TO ESTABLISH
CERTAIN USE RESTRICTIONS**

WHEREAS, by resolution adopted on March 21, 2016, City Council initiated certain amendments to the text of the City’s Zoning Ordinance, Sections 34-743 and 34-746 of the Code of the City of Charlottesville (1990), as amended (“Proposed Zoning Text Amendment”); and

WHEREAS, a public hearing on the Proposed Zoning Text Amendment was held before the Planning Commission on June 14, 2016, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend approval of the Proposed Zoning Text Amendment to the City Council; and

WHEREAS, a public hearing on the Proposed Zoning Text Amendment was held before this City Council on July 18, 2016, after notice to the public and to adjacent property owners as required by law; and

WHEREAS, the Proposed Zoning Text Amendment appears to have been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, this Council hereby finds and determines that (i) the public necessity, convenience, general welfare and good zoning practice requires the Proposed Zoning Text Amendment, and (ii) the Proposed Zoning Text Amendment is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Sections 34-743 and 34-746 of the Code of the City of Charlottesville (1990), as amended, are hereby amended and reenacted as follows:

Sec. 34-743. Streetwall regulations

- (a) *Stepbacks*. For properties with frontage on ~~the north side of~~ South Street between Ridge Street and 2nd Street SW, the maximum height of the streetwall of any building or structure shall be forty-five (45) feet. After forty-five (45) feet, there shall be a minimum setback of twenty-five (25) feet along the length of such street wall along South Street, and a minimum setback of ten (10) feet along the length of Ridge Street.
- (b)
- (3) Setback, South Street: a building located on South Street shall be setback a minimum of ten (10) feet from any parcel within the South Street Mixed Use Corridor District. An S-2 buffer shall be provided within this required setback.

Sec. 34-746. Mixed-use developments—Additional standards

- (a)....
- (b) No ground floor residential uses may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any ground floor residential uses front on Main Street, Market Street, Ridge Street or Water Street
- (c)....
- (d)....

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



Agenda Date:	July 18, 2016
Action Required:	Report Only
Presenter:	David Kocka, VA Dept. of Game & Inland Fisheries
Staff Contacts:	Maurice Jones, City Manager
Title:	Urban Deer Management

Background:

Most ungulate populations throughout the United States, including white-tailed deer, declined through the 1800s and early 1900s. Unregulated shooting and habitat destruction were the primary causes of the demise of deer across much of their range during this time. However, deer populations recovered during the 20th century with the improvement of habitat, reforestation, near extirpation of predators, and creation and enforcement of game laws. In the Northeast and Mid-Atlantic states, except for areas affected by severe winters, deer populations have generally thrived over the past several decades. Expansion of residential development has created areas of refuge where, due to ample forage from ornamental plantings and little or no hunting pressure, deer populations experience high productivity, low mortality, and commonly exceed social tolerance levels while also altering native plant communities and possibly impacting other wildlife populations.

Conflicts between deer and humans in developed areas have been common for several decades. Most often, management intervention is prompted when deer-vehicle collisions, concerns about tick-borne disease transmission, and damage to agricultural crops, gardens, and ornamental plantings exceed cultural tolerance levels. Increasingly, community leaders and residents are also valuing local biodiversity and recognizing the dramatic impact that chronically overabundant deer are having on natural areas. Although there are a number of techniques for managing deer populations in different circumstances, tradition, management efficiency, and cost effectiveness necessitate the use of hunting as the primary deer population management strategy for free-ranging deer across most of Virginia. Additionally, public input received through surveys and other means indicates that the citizens of Virginia are supportive of deer hunting.

Since cultural tolerance of impacts caused by deer is generally the primary consideration for management action, communities must begin with the most basic question, "Is there a problem?" If a community cannot reach a consensus on whether a problem exists, there should be no expectation of agreement on management action.

In developed areas, managing deer to resolve deer-human conflicts is often controversial and solutions are not easily achieved. Deer removals conducted by experienced hunters or sharpshooters are accomplished with animal welfare in mind. Resulting venison that cannot be used beyond the needs of hunters should be donated to local charities in need (i.e. Hunters for the Hungry).

Once community-specific deer-related impacts are determined, objectives to evaluate changes in the problems must be identified. These objectives should be specific to each identified problem. For example, if the current level of deer-vehicle collisions is problematic, the objective would likely be to reduce deer-vehicle collisions; therefore, the number of deer-vehicle collisions must be monitored. Attempting to define management objectives based on the density or number of deer should be avoided.

Urban deer conflicts are one of the most pressing deer management issues in Virginia. Over the past two decades, VDGIF has received requests for information and assistance from numerous city and county governments, landowner associations, and private landowners regarding urban deer issues. Management of deer in urban environments often involves deer populations that traditionally have not been hunted, that occur in residential areas, and that have experienced significant population growth, all of which can create the potential for damage to ornamental plants and property. To address urban deer problems, VDGIF maintains several site-specific programs to reduce deer populations (e.g., kill permits, DPOP, urban archery hunting). As with agricultural deer damage, kill permits related to urban deer damage have declined since 2008, primarily due to liberalization of deer seasons throughout much of Virginia.

The VDGIF's mission states that Virginia's wildlife populations should be managed to maintain optimum populations to serve the needs of the Commonwealth. Cultural carrying capacity (CCC) is defined as the number of deer that can coexist compatibly with humans. At CCC, the deer population is in balance with positive demands for deer (i.e., recreation) with the negative demands (i.e., damage). CCC is a function of the tolerance levels of human populations to deer and the effects of deer. CCC can vary widely within and among communities. Development of CCC deer management objectives are subjective and must take into account the combination of social, economic, political, and biological perspectives of the community. The CCC for deer generally occurs well below the biological carrying capacity (BCC) - the maximum number of deer that a habitat can sustain over time.

A survey of Virginia residents in 15 representative counties in 2013 indicated that 39% of the respondents had experienced deer damage to residential plants during 2012. Damage to home flower gardens, vegetable gardens, and trees or shrubs were the most frequent types of plant damage. Approximately 2/3 of those respondents who experienced residential plant damage in 2012 reported the amount of deer damage at less than \$300; approximately 27% of reported \$300-\$1000 in damage, and approximately 7% reported greater than \$1000 in damage.

Non-lethal alternatives typically are limited in applicability, prohibitively expensive, logistically impractical, or technically infeasible. For example, fertility control remains largely experimental and appears to be most applicable in closed populations, such as islands or fenced areas, where deer are approachable and unable to disperse naturally. Surgical sterilization can be effective in

small, closed deer populations, but deer capture and surgery makes this option cost-prohibitive for general use.

Even at population levels below CCC and BCC, deer can cause significant impacts to natural ecosystems. Deer herbivory is a noted stressor for some species of concern listed in the Virginia Wildlife Action Plan. Deer populations are to be managed not only to meet the desires of constituents, but also to protect ecosystem integrity and biodiversity.

In addition to the regular statewide archery season (October – December) an urban archery season was initiated in 2002 to help reduce deer-human conflicts in urban areas while providing additional hunting recreation. Only antlerless deer may be taken during this season. This special season provides 4 additional weeks of hunting prior to the opening of the statewide archery season in October, and it provides 3 additional months of hunting after general firearms season ends in January. Urban counties with more than 300 persons per square mile and all cities and towns in Virginia are eligible to participate in this urban archery program. In order to participate, a locality must submit its intent to do so to VDGIF by April 1 and advise VDGIF of any applicable weapons ordinances or other restrictions.

Participation has grown from 11 localities during 2002-03 to 46 during 2016-17. The statewide urban archery harvest was 864 during 2015-16. During 2013, VDGIF conducted a survey of local governments participating in the urban archery season and interviewed selected respondents. Most responding officials were satisfied with the season and considered it effective in their localities; however, property access for hunters, landowner reluctance to allow hunting, and local weapons restrictions were considered impediments to the program in some cases.

An Evaluation of Deer Management Options



March 2008

AN EVALUATION of DEER MANAGEMENT OPTIONS

Acknowledgments

This publication was collectively developed by the New England Chapter of The Wildlife Society and the Northeast Deer Technical Committee. The Northeast Wildlife Administrators Association (composed of the Northeastern United States and Canadian Province wildlife agency heads) encouraged, examined and approved this publication.

The first edition (1988) of *An Evaluation of Deer Management Options* was co-authored by Mark R. Ellingwood, a Deer Biologist for the Connecticut Department of Environmental Protection, Wildlife Bureau and member of the New England Chapter of The Wildlife Society and the Northeast Deer Technical Committee; and Suzanne L. Caturano, Public Awareness Biologist for the Connecticut Department of Environmental Protection, Wildlife Bureau and the Chairman of the New England Chapter of the Wildlife Society's Education Committee.

Production of the first printing of An Evaluation of Deer Management Options was coordinated and paid for by the Connecticut Department of Environmental Protection, Wildlife Bureau. The second and third printings were paid for by the U.S. Fish and Wildlife Service Federal Aid Administrative Funds, FY 89 and FY96, respectively.

Although numerous professional biologists have critically reviewed drafts, the following individuals have made notable contributions to the original document: Dr. James Applegate (Wildlife Dept., Rutgers University); Dr. Arnold Boer (New Brunswick Fish and Wildlife Branch); Dr. Robert Brooks (U.S. Forest Service N.E. Exper. Station); James Cardoza (Mass. Div. Fisheries and Wildlife); Dr. Robert Deblinger (The Trustees of Reservations); Georgette Healy (Past Assist. To Jour. Wildl. Manage. Editor); Dr. William Healy (U.S. Forest Serv. N.E. Exper. Station); Paul Herig (Conn. Dept. Envir. Protect. Wildlife Bureau); William Hesselton (Fed. Aid, U.S. Fish and Wildlife Serv.); Jay McAnich (Institute for Ecosystem Studies); Ronald Regan (Vermont Fish and Wildlife Dept.); Dr. Steven Williams (Mass. Div. Fisheries and Wildlife); and Scot Williamson (New Hampshire Fish and Game Dept.).

This second edition was updated in 2007 by the Northeast Deer Technical Committee to accommodate advances in technology and methodology; Susan Predl (NJ Div. of Fish & Wildlife), Carole Kandoth (NJ Div. of Fish & Wildlife), and John Buck (VT Fish and Wildlife Dept.) editors. The committee thanks Bridget Donaldson (Va. Transportation Research Council) for permission to use her data on deer vehicle collisions.

The New England Chapter of the Wildlife Society is an association of professional biologists from Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont devoted to stewardship and enlightened appreciation of wildlife and its environments.

The Northeast Deer Technical Committee is comprised of professional deer biologists employed by their respective northeastern states and eastern Canadian provinces. The Committee is committed to the study and wise management of the white-tailed deer resource.

Introduction

The white-tailed deer (*Odocoileus virginianus*) is the most abundant and best-known large herbivore in the United States and eastern Canada. They are found anywhere from wilderness areas to urban parks and neighborhoods. Although whitetails are valued by many segments of society, considerable controversy exists concerning white-tailed deer management. Addressing the myriad of public values and often arbitrating the public controversies, state and provincial wildlife agencies have statutory responsibility for management of this invaluable resource. The objective of this booklet is to explain the rationale behind deer management decisions and to discuss the utility of various management options.

A Brief History of Deer Management in the Northeast

During colonial times, extensive tracts of mature forest dominated the Northeast. Early records suggest white-tailed deer were present in moderate numbers at the time. Deer populations were small and scattered by the turn of the 20th century, primarily as a result of habitat loss and unregulated market hunting. In the early 1900s, deer were so scarce in much of the Northeast that sightings were often reported in local newspapers. Concern for the loss of the species brought about laws that regulated the taking of deer. However, habitat protection and management and knowledge of deer biology were not a component of these early efforts until a stable funding source was created.



Hal Korber, PA Game Commission

Passage of the Federal Aid in Wildlife Restoration Act (better known as the Pittman-Robertson Program) in 1937 marked the beginning of modern-day wildlife management in the United States. This act earmarked income from an already existing excise tax on sporting arms and ammunition for use in wildlife management, restoration, research and land acquisition.

Early deer management efforts featured protection from unregulated exploitation. Today, efforts are directed toward the maintenance of deer populations at levels intended to: (1) ensure present and future well being of the species and its habitat, as well as with other plant and animal communities; (2) provide a sustained availability of deer for licensed hunters, wildlife photographers and wildlife viewers and (3) allow for compatibility between deer populations and human land-use practices.

Components of Deer Habitat

White-tailed deer, like all wildlife species, require adequate food, water, cover, and living space in a suitable arrangement to ensure their healthy survival. The white-tailed deer's feeding behavior is best described as that of a 'browser'. Although a lactating doe, or a buck growing new antlers, can consume up to 10 pounds of food per day, they won't do so in one location. Rather, they will slowly walk through an area and eat a little of one plant and then a little of another as, the doe with her offspring and the buck, usually by himself, cover that habitat. They often return to the site at a later time, sometimes the next day or maybe not for several days. From early spring until the first killing frosts of autumn, they feed on the variety of plant species that include grasses, herbs, agricultural crops, and ornamental plants. Water requirements are met through drinking from natural sources such as lakes, ponds, and streams. Water is also obtained through their food that has a high water content. Cover provides shelter from extreme temperatures and precipitation, as well as concealment from predators.

Optimum cover is best described as a mosaic of vegetation types that create numerous interwoven 'edges' where their respective boundaries intersect.



VT Fish and Wildlife

Throughout the northeast examples of good cover is found where forested and suburban landscapes are interrupted by powerlines, logging operations, agricultural activities, roadside mowings, green belts, and community parks. In northern New England and eastern Canada, special wintering habitat, consisting of a mixture of mature conifers, southern aspects, and dispersed deciduous openings, allows deer to reduce their energy loss and enhances survival over the long winter period. Wintering areas are also important because of the fidelity with which deer use them from year to year and generation to generation and is underscored by the fact that it rarely makes up more than 15% of the land base.



VT Fish and Wildlife

Population Growth and the Concept of Carrying Capacity

Deer populations have the potential for rapid growth. This is an evolved response to high mortality often related to predation. Under normal circumstances, does two years old or older produce twins annually, while yearling does typically produce single fawns. On excellent range, adult does can produce triplets, yearlings can produce twins and fawns can be bred and give birth during their first year of life. In the absence of predation or hunting, this kind of reproduction can result in a deer herd doubling its size in one year. This fact was illustrated on the 1,146 acre George Reserve in southern Michigan where biologists at the University of Michigan have been studying the deer population since 1928. The deer herd grew from six deer in 1928 to 162 deer by 1933⁽²⁷⁾. More recently, the George Reserve herd grew from 10 deer in 1975 to 212 deer in 1980⁽²⁸⁾.



Hal Korber, PA Game Commission

There are natural limits to the number of deer that a given parcel of habitat can support. These limits are a function of the quality and quantity of deer forage and/or the availability of good winter habitat. The number of deer that a given parcel can support in good physical condition over an extended period of time is referred to as “Biological Carrying Capacity” (BCC). Deer productivity causes populations to exceed BCC, unless productivity is balanced by mortality. When BCC is exceeded, habitat quality decreases with the loss of native plant species and herd physical condition declines. Biologists use herd health indices and population density indices to assess the status of a herd relative to BCC.

The importance of compatibility between land use practices and deer populations in urban, suburban, forested, and agricultural areas justifies consideration of another aspect of carrying capacity. “Cultural Carrying Capacity” (CCC) can be defined as the maximum number of deer that can coexist compatibly with local human populations ⁽¹³⁾. Cultural carrying capacity is a function of the sensitivity of local human populations to the presence of deer. CCC can be considerably lower than BCC.



Hal Korber, PA Game Commission

The sensitivity of the human population to deer is dependent on local land use practices, local deer density and the attitudes and priorities of local human populations. Excessive deer/vehicle collisions, agricultural damage and home/gardener complaints all suggest that CCC has been exceeded. It is important to note that even low deer densities can exceed CCC; a single deer residing in an airport-landing zone is too many deer. As development continues in many areas of North America, the importance of CCC as a management consideration increases.

Consequences of Deer Overpopulation

As previously indicated, deer populations have the ability to grow beyond BCC. When BCC is exceeded, competition for limited food resources results in overbrowsing ^(7,8). Severe overbrowsing alters plant species composition, distribution, and abundance, and reduces understory structural diversity (due to the inability of seedlings to grow beyond the reach of deer). These changes have a negative impact on other wildlife species, which also depend on healthy vegetative systems for food and cover. In time, overbrowsing results in reduced habitat quality and a long-term reduction in BCC. Coincident with overbrowsing is the decline in herd health. This decline is manifest in decreased body weights, lowered reproductive rates, lowered winter survival, increased parasitism, and increased disease prevalence ⁽¹⁴⁾. In the absence of a

marked herd reduction, neither herd health nor habitat quality will improve, as each constrains the other. Such circumstances enhance the likelihood of mortalities due to disease and starvation.

Deer overabundance leads to excessive damage to commercial forests, agricultural crops, nursery stock, and landscape plantings^(24,25) as well as a high frequency of deer/vehicle collisions. In addition, some studies suggest that a correlation exists between high deer densities and the incidence of Lyme disease (<http://www.cdc.gov/ncidod/dybid/lyme/>), a tick-borne disease that, if left untreated, can affect the joints, heart, and nervous system of humans⁽¹⁾.



John Buck VT F&W

A Justification for Deer Population Management

The potential for deer populations to exceed carrying capacity, to impinge on the well-being of other plant and animal species, and to conflict with land-use practices as well as human safety and health necessitates efficient and effective herd management. Financial and logistical constraints require that State and Provincial deer management be practical and fiscally responsible.

DEER MANAGEMENT OPTIONS

Option 1

ALLOW NATURE TO TAKE ITS COURSE

In the absence of active management, deer herds grow until they reach the upper limit at which they can be sustained by local habitat. Herds at the “upper density limit” consist of deer in relatively poor health ⁽⁸⁾. High-density herds such as these are prone to cyclic population fluctuations and catastrophic losses ⁽²⁷⁾. Such herds would be incompatible with local human interests and land-use practices. Disease and starvation problems in the Great Swamp National Wildlife Refuge, New Jersey ⁽⁴⁰⁾; damage to ornamentals on Block Island, Rhode Island; vegetation destruction at Crane Beach, Massachusetts; deer-vehicle collisions in Princeton, New Jersey ⁽²¹⁾, increased abundance of Black-legged, or “Deer” Ticks (*Ixodes scapularis*)⁽⁹⁾ that spread Lyme disease, Ehrlichiosis (a newly recognized bacterial disease that is spread by infected ticks) and Babesiosis (a rare parasitic disease that is transmitted to people by infected ticks) are but a few examples of the negative impacts of a “hands off” deer management policy. Forest regeneration difficulties on Connecticut’s Yale Forest is another counter-productive effect that a “hands-off” policy has on industrial forest and private woodlot management. Allowing nature to take its course will result in a significant negative impact on native plant and animal species that readily leads to the loss of these species. In addition, the local deer herd suffers from impaired condition ⁽⁴¹⁾.

Deer have evolved under intense predation and hunting pressure. In pre-colonial times many Native American tribes hunted deer year-round and depended on deer as their primary food source ⁽²⁶⁾.

Mountain lions, wolves, bobcats, and bears all utilized the pre-colonial deer resource. The high reproductive capability of present day herds likely reflects an adaptation to intense predation and hunting in the past. As a consequence, it would be inaccurate to describe a deer herd in today’s environment, with few or any predators and no hunters, as “natural”.

In almost all cases, allowing nature to take its course through deforestation and starvation will not achieve modern deer management goals to ensure sustainable deer populations, sustainable habitats, and compatibility with human land-use practices and values. There are significant costs associated with the “hands off” approach to deer management including local herd decimation and habitat degradation for deer, people, and other wildlife; and a significant increase in deer-vehicle collisions and agricultural damage.

It is important to note that humans have had a dramatic impact on the ecology of North America. Among other things, they have altered landscapes, changed and manipulated plant communities, displaced large predators, eliminated a variety of native species, and introduced numerous exotics. Natural systems and regulatory processes have changed as a result of these impacts. Adopting a “hands off” policy will not restore North American ecosystems to a pristine state.

Option 2

USE FENCING AND REPELLENTS TO MANAGE CONFLICTS WITH DEER POPULATIONS

Fencing and repellents can address site-specific problems. Economic, personal, and aesthetic considerations typically restrict the use of these techniques. When considering fencing or repellents, it is important to understand that effectiveness will vary and what works for one area, may not work in another.

There are many fencing options including woven wire or polypropylene mesh, high-tensile electric fencing, and polytape electric fences. Woven wire fences of 6 or 7 feet are adequate deterrents for most homeowners, but may not provide complete exclusion. An eight-foot woven wire fence would be expected to cost \$6 to \$8 per foot to install. A polypropylene mesh grid deer netting can be staked around most small gardens at a cost to the homeowner of \$2.00 to \$3.00 per foot, plus labor. High-tensile electric fencing requires regular maintenance and is best suited to areas of good soil depth and moderate terrain. Electric fences suffer from seasonal problems associated with poor grounding due to heavy snows and dry soil conditions. Electric fences are not appropriate for use in areas where frequent human contact is likely. In 2001, multi-strand, high tensile, electric fence had an initial installation cost of \$882 plus \$0.31 per foot ⁽³¹⁾.

Several types of electric fencing provide a less expensive, yet effective alternative to the multi-strand, high tensile electric fence. Polytape livestock electrical fencing coated with peanut butter can be effective for home gardens and small nurseries or truck crops up to 40 acres. This simple, temporary fence works best under light deer pressure during summer and fall. The peanut butter on a poly-tape fence entices deer to sniff the fence. Then, when the deer make nose-to-fence contact they receive a substantial shock and quickly learn to avoid such fenced areas. Polytape fences are portable, and can be installed with an initial installation cost of \$365 plus \$0.10 to \$0.25 per foot ⁽³¹⁾.

Effective repellent programs require frequent applications because rapidly growing shoots quickly outgrow protection and repellents weather rapidly. Spray repellents can only be applied effectively during mild weather, so their value during winter months is restricted. Potential problems with repellent use stem from plant damage concerns, labeling restrictions, equipment problems (heavy binding agents and repellent slurries clog equipment), and difficulties resulting from noxious and/or unaesthetic product residues. Repellents vary in cost from \$25 per gallon to \$45 per gallon, which would treat approximately 200 small trees or shrubs. Repellents are usually not recommended for field crops because of their high cost, limitations on use, and variable effectiveness ⁽⁶⁾.



Maryland DNR

Repellent performance is variable and seems to be negatively correlated with deer density. This seems to result from the fact that repellents are behavior modifiers; they perform well under moderate pressure but may be ignored when alternative deer foods are scarce.

Another option that has been used by some commercial nursery operations is dogs contained by underground fencing. In these situations, a couple of dogs can reduce deer damage across tens of acres. Specific guidelines on how to best implement this type of deterrent are available from a number of commercial vendors.

Fencing and repellents may reduce deer impacts on a particular area, but they do not address deer population abundance. As a consequence, they are best employed within the context of a comprehensive deer management program. Without deer population management, deer damage will increase in severity and the efficacy of abatement techniques will decline.

Option 3

USE OF NONLETHAL TECHNIQUES TO REDUCE DEER - VEHICLE COLLISIONS

Various nonlethal mitigation measures have been studied and techniques continue to be developed to reduce or prevent deer-vehicle collisions (DVCs) where deer population control is considered unacceptable, impractical, or inadequate. The complexity and variability of the DVC problem often create difficulties in designing studies that will provide conclusive results. The following table summarizes the known utility of 16 potential non-lethal techniques in reducing DVCs based on two recent comprehensive reviews ^(15, 20). Many measures show potential, but require additional research before deriving conclusions regarding their effectiveness. While these devices may reduce deer-vehicle collisions, they do not reduce deer populations.

Wildlife crossings (such as signs, flashing lights, and headlight reflectors) and exclusionary fencing, particularly when used in conjunction with one another, were the only methods with sufficient scientific evidence to be regarded as effective countermeasures. Technology-based deployments, such as animal-detection driver-warning systems, is one area that shows potential in reducing DVC incidents, but that requires further research before becoming applicable for general use. Only two mitigation techniques, deer whistles and deer flagging models, have been studied sufficiently to confidently categorize as ineffective.



Several techniques either appear to be ineffective, or may be somewhat effective in specific situations, but are impractical to implement. Deer repellants and intercept feeding, for example, may be effective over a limited duration in localized areas, but would be difficult to consistently implement and ineffective as a long term strategy.

Effectiveness of DVC reduction techniques ^(15, 20)

DVC Reduction Technique	Determined Effective	Requires Additional Research	Limited Effectiveness or Appears Ineffective	Determined Ineffective	Comments
In-Vehicle Technologies (infrared vision or sensors)		✓			Potential to reduce DVCs appears to exist.
Deer Whistles				✓	
Roadway Lighting			✓		May have limited effectiveness in specialized situations.
Speed Limit Reduction			✓		Appears ineffective
Deicing Salt Alternatives			✓		May have limited effectiveness in specialized situations.
Deer-Flagging Models				✓	
Intercept Feeding (feeding stations outside roadway)			✓		May have limited effectiveness in specialized situations.
Passive Deer Crossing Signs			✓		
Temporary Passive Deer Crossing Signs and Active Signs and Technologies		✓			Appears promising in specific situations.
Roadside Reflectors or Mirrors			✓		Most studies found little long term effects.
Deer Repellants			✓		Unlikely to be useful.
Public Information and Education		✓			Regular education is necessary, though its effects are difficult to assess.
Roadside Clearing		✓			
Exclusionary Fencing	✓				Effective when combined with wildlife crossings.
Wildlife Crossings	✓				Effective, particularly when combined with fencing
Roadway Maintenance, Design, and Planning Policies		✓			Appears that planning decisions may help mitigate DVC problem.

Option 4
PROVIDE SUPPLEMENTAL FOOD TO ALLEVIATE CONFLICTS
WITH BCC AND CCC

Properly managed deer herds in good physical condition do not need supplemental food to survive winter in temperate climates. In jurisdictions without die-offs due to severe winter weather, supplemental feeding of over-abundant and malnourished deer will encourage additional population growth⁽⁷⁾ which is counterproductive if the goals are sustaining healthy deer and habitats.



Michigan DNR

Supplemental feeding on a region wide basis is not a practical method to reduce deer mortality.



Michigan DNR

Feeding deer to prevent catastrophic winter mortalities has been tried in many states. Michigan used surplus corn during four separate winters (1961-62, 1964-65, 1968-69 and 1970-71) to help deer survive on over-browsed deer range ⁽²²⁾. In these situations, supplemental feeding was not effective. The cost of large-scale, emergency, feeding projects did not offset the increase in deer population due to higher survival and reproduction. It cost \$82.69 per deer to supplementally feed deer throughout the year and about \$36.75 per deer through the winter ⁽²²⁾.

A supplemental feeding program for mule deer in Colorado did reduce winter deer mortality, but it failed to eliminate substantial losses. Colorado researchers concluded that supplemental feeding can be justified for use during emergency circumstances (e.g. exceptionally severe winter weather) but not as a routine method for boosting local BCC ⁽³⁾.



Michigan DNR

The ineffectiveness of reaching significant portions of the winter deer population is a major factor in reducing the effectiveness of emergency feeding ⁽³⁵⁾. Researchers in Michigan concluded that “nutritional supplementation” had potential value as a management tool but that it would only work within the context of “strict herd control” ⁽³⁷⁾. In many areas of North America, supplemental feeding would lead to conflicts with CCC because it encourages increased deer population growth, negative impacts on habitat and other wildlife, and greater deer-human conflicts. Winter feeding can also lead to the perception that maintenance and protection of quality deer wintering habitat is not important for deer survival

Disease transmission is very real threat to deer in areas where they are being concentrated by artificial feeding activities. Ready exposure to agents responsible for fatal diseases such as Chronic Wasting Disease (CWD) and tuberculosis (Tb) are greatly facilitated through abnormal accumulations of urine, feces, and saliva at the feeding site. Once established in a wild population, a disease is rarely eradicated even after lengthy and costly treatment.

Option 5

TRAP AND TRANSFER EXCESS DEER TO OTHER LOCATIONS

This option would include the use of trapping, netting and/or immobilization for the purpose of capturing and relocating deer. Trap-and-transfer efforts are complex and expensive operations. Attempts to capture deer require substantial financial and logistic commitments in trained personnel and equipment to ensure safety of people and deer. Capture and relocation programs have recorded costs ranging from \$400 to \$3200 per deer ^(5, 12, 17).

Trap-and-transfer programs require release sites capable of absorbing relocated deer. Such areas are often lacking. The negative impact that translocated deer could have on BCC and/or CCC and questions of liability concerning translocated deer are additional concerns. For example, what happens if a translocated deer is hit by a vehicle and the driver is injured or killed? Or, if translocated deer are seen damaging crops or ornamental plantings?



Joe Kosack, PA Game Commission

Translocation may not be a “non-lethal” alternative. Deer are susceptible to traumatic injury during handling. Trauma losses average approximately four percent during trap-and-transfer efforts. Capture myopathy, a stress-related disease that results in delayed mortality of captured deer, is thought to be an important (and often overlooked) mortality factor. Delayed mortality as high as 26 percent has been reported ⁽³⁹⁾.

Survival rates of relocated deer are frequently low. The poor physical condition of deer from an overpopulated range predisposes them to starvation. Trap-and-transfer efforts in California, New Mexico and Florida resulted in losses of 85, 55 and 58 percent, respectively, from 4 to 15 months

following relocation ⁽³⁶⁾. A six-year study of translocated deer from the Chicago Metropolitan Area showed a higher annual survival rate of resident adults than for those translocated deer. Deer-vehicle accidents were the largest source of mortality among the translocated does and presumably resulted from unfamiliarity with the release site ⁽¹⁸⁾.

An additional concern associated with relocation of deer, especially from an overpopulated range, is the potential for spreading disease. The presence of Chronic Wasting Disease, Lyme Disease, Tuberculosis and other communicable diseases in some areas of North America makes this a timely consideration (<http://www.aphis.usda.gov/vs/nahps/cwd/>) and possibly an illegal activity depending on state or provincial regulations.

In conclusion, trap-and-transfer options are generally impractical and prohibitively expensive and have limited value in management of free-ranging deer. They may have more value in the control of small, insular herds where deer are tame and/or hunting is not applicable.

Option 6 USE FERTILITY CONTROL AGENTS TO REGULATE DEER POPULATIONS

Recent advances in wildlife contraception have facilitated remote delivery of antifertility agents to deer via dart guns. Immunofertility agents have been successfully employed to control deer reproduction in both captive and free-ranging deer herds. Advances in delivery systems, coupled with improvement in the efficacy of antifertility vaccines, improve the prospect for limited applications of wildlife contraception. The cost of manpower and materials (estimated at \$1,000 per deer), and the practicality of treating an adequate number of deer, will likely limit the use of immunocontraceptives to small insular herds habituated to humans.

The most commonly used method of inducing infertility in deer is by immunocontraception, in which the deer is immunized against a protein or hormone needed for reproduction ⁽³⁴⁾. Traditional immunocontraceptive research in mammals has concentrated on the use of a vaccine extracted from the ovaries of pigs, called porcine zona pellucida (PZP) ⁽³²⁾. When this vaccine is injected into a doe, her immune system forms antibodies against the PZP. These PZP antibodies also recognize and attack the doe's own ZP. After the doe ovulates, the PZP antibodies attach to her ovum and block fertilization ⁽⁴⁴⁾, which causes the



Hal Korber, PA Game Commission

female to experience multiple estrous cycles and extends the breeding season. An extended breeding season will increase deer activity at a time of year when conservation of calories is important, and may result in increased winter mortality. Lengthened breeding activity of bucks may also lead to an increase in the number deer –vehicle collisions ⁽³⁴⁾. The original PZP vaccines required an initial dose followed by a booster dose, and annual vaccines thereafter. The need for annual vaccinations is a significant drawback to the PZP vaccine. A new formulation of PZP, called SpayVacTM, developed by ImmunoVaccine Technologies Inc., is a single-dose immunocontraceptive vaccine that has been shown to control fertility in female deer for multiple years

The National Wildlife Research Center developed a new gonadotropin-releasing hormone (GnRH) immunocontraceptive vaccine, named GonaConTM. GnRH vaccines have an advantage over PZP because they prevent eggs from being released from the ovaries, thereby eliminating multiple estrus cycles. Recent studies demonstrated the efficacy of the single-shot GnRH vaccine as a contraceptive agent for up to four years ⁽³³⁾. Ongoing studies are examining the effectiveness

and practicality of administering GonaCon™ to free-ranging white-tailed deer. Preliminary results using free-ranging deer have provided poor results.

An adjuvant is a compound that improves the immune response, causing higher levels of antibodies. Freund's Complete Adjuvant (FCA) was combined with PZP to form the original vaccine. FCA has been popular with immunologists because it is very effective with all types of antigens. The United States Food and Drug Administration (US FDA) has objected to the use of Freund's Adjuvant due to concerns related to target animal safety and human consumption. Because of these concerns, the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) National Wildlife Research Center began testing Johnes' vaccine as a replacement for Freund's adjuvant. Mycopar™ is approved for use in food animals and is therefore not a concern for use in deer⁽³⁴⁾.

A new adjuvant, AdjuVac™, contains a small quantity of Mycobacterium (as does Freund's complete adjuvant), which is a bacterium found in many species of domesticated and wild animals. The combination of AdjuVac™ adjuvant and GnRH conjugate produces a much longer-lasting contraceptive effect than was produced by earlier efforts that combined Freund's adjuvant with the same GnRH conjugate. GnRH and PZP vaccines, have been classified by the US FDA as investigational drugs and may only be used in rigidly controlled research studies.

As of February 2008, no fertility control agents have been federally approved for management of wildlife populations in the United States. Results from pivotal studies have provided mixed results. As part of the FDA registration process for a New Animal Drug have been initiated for GonaCon™ at the time of this writing. Deer used in contraceptive programs should be identified as an experimental animal until a fertility agent is registered, so that the deer are not consumed. This is a concern in the event of the deer leaving a study area to where it could be hunted, or killed in a vehicle accident. Identification is also important for monitoring deer behavior, movements, and populations. Individually marked deer reduces the possibility of retreating the same doe several times.

Furthermore, this drug is being reviewed by the EPA for use as a nuisance animal control means. Much like controlling rat populations, chemicals (i.e GonaCon™) used to control deer populations will be reviewed under different and less stringent human health standards and will be available to a broad range of users in need of deer damage relief.

Since fertility control has no short-term effect on population size, pre or post treatment culling will be an essential part of the timely resolution of deer problems with fertility control agents.

In conclusion, fertility control in deer is a rapidly advancing technology that continues to require additional research. Fertility control may have value for use on small insular deer populations under carefully regulated conditions, but will not provide an alternative to hunting for the control of free-ranging herds⁽¹⁹⁾. Although effective fertility control agents have been identified, their use on large free-ranging herds would be impractical.

Option 7 REINTRODUCE PREDATORS TO CONTROL DEER POPULATIONS

In moderately fluctuating environments, a complement of effective predators can maintain stability in a deer herd ⁽²⁸⁾. However, in general terms, predator-prey interactions are highly variable⁽³⁰⁾, and tend to stabilize populations at relatively high densities ⁽²⁷⁾. Wolves and mountain lions are examples of efficient deer predators, which have been eliminated from much of the United States and eastern Canada. Both species are frequently suggested as candidates for reintroduction to control deer herds.

Restoration of wolves and mountain lions is infeasible in much of the United States because it is too densely populated by humans to provide suitable habitat for these species. In addition, it is unlikely that rural residents would tolerate large predators at levels dense enough to limit deer populations because such predators also readily consume livestock. Predation of non-target species including other native wildlife, livestock and pets, as well as concerns for human safety, are but a few examples of the conflicts that would arise as a result of predator reintroductions.



VT F&W

Predator-prey relationships are complex and the impact of predators on herbivore populations is variable. Although many answers are lacking, several points can be made concerning deer and their predators. Coyotes, bobcats, and bears are potential deer predators that currently reside throughout much of North America. These species appear to be opportunists that capitalize on specific periods of deer vulnerability. None of these predators has demonstrated a consistent ability to control deer populations. Where coyotes, bobcats and bears are common, deer herds often exceed BCC and CCC. Coyote populations have increased and their range has expanded in North America during the past 20 years. In many areas, deer and coyote populations have increased simultaneously. In some northeast jurisdictions, some biologists do suspect coyotes are partly responsible for declining deer numbers. Yet in other areas, changes in deer populations appear unrelated to coyote density. In many circumstances, coyotes and bears represent serious agricultural pests. As a consequence, they are frequently less welcome than white-tailed deer.

Heavy predation coupled with year-round hunting by Native Americans was the norm for pre-colonial deer herds. It has been estimated that approximately 2.3 million Native Americans

occupied the pre-colonial range of the white-tail and that they harvested 4.6 to 6.4 million white-tails annually ⁽²⁶⁾. The human species clearly constitutes an efficient and natural deer predator. Ecological and social constraints preclude the reintroduction of large predators in much of North America.

Option 8 CONTROL DEER HERDS WITH SHARPSHOOTERS

A typical sharpshooting program involves the systematic culling of deer by skilled marksmen who are highly trained wildlife professionals. Although expensive relative to regulated hunting, sharpshooting programs may be useful in urban and suburban areas by reducing the size of the local deer population where there is not sufficient undeveloped land to support traditional regulated deer hunting programs. Urban deer removal programs conducted in New Jersey cost between \$200 and \$350 per deer killed. Local taxpayers bear the cost of sharpshooting programs. Venison harvested by sharpshooting programs is generally donated to local food banks.



Hal Korber, PA Game Commission

An evaluation of techniques employed to control an enclosed deer herd in Ohio revealed that sharpshooting was a less efficient method of deer removal than controlled hunting⁽³⁸⁾. The use of sharpshooters can be controversial in situations where regulated hunting could occur, because it denies citizens access to a renewable public resource. Local economies may also experience a loss of income from hunters.

Option 9

USE REGULATED HUNTING AS A DEER MANAGEMENT TOOL

Regulated hunting has proven to be an effective deer population management tool ^(16, 27). In addition, it has been shown to be the most efficient and least expensive technique for removing deer ⁽³⁸⁾, and maintaining deer at desired levels. Wildlife management agencies recognize deer hunting as the most effective, practical and flexible method available for regional deer population management, and therefore rely on it as their primary management tool. Through the use of regulated hunting, biologists strive to maintain deer populations at desirable levels or to adjust them in accordance with local biological and /or social needs. They do this by manipulating the size and sex composition of the harvest through hunter bag limits and the issuance of antlerless permits, season type, season timing, season length, number of permits issued, and land-access policies.



Forest Hammond, VT F&W

Controlled deer hunts are an alternative management technique in areas where people find traditional sport hunting intrusive, or where specific objectives of the landowner/manager require limited or directed hunter activity. Controlled deer hunts limit hunters to a modified season which is usually more restrictive than traditional hunting in terms of hunter density, methods of take, and size of huntable area than do deer hunting seasons in surrounding areas. One example of a controlled hunt involves the Richard T. Crane Memorial Reservation and the Cornelius and Mine' Crane Wildlife Refuge in Massachusetts, which total approximately 2100 acres. A 9-day shotgun season was increased to 90 days for participating hunters. Hunters received a special permit allowing for a two deer, either sex bag limit. Hunters were required to be residents of one of the bordering towns, have 5 years hunting experience, attend a pre-hunt seminar and pass a shooting proficiency test. Between 1985 and 1991, between 49 and 76 hunters participated in the controlled hunt. During the first seven years of the hunt, a total of 443 deer were harvested, reducing the deer population from approximately 350 to 50 deer ⁽¹⁰⁾.

Another controlled hunt at the Bluff Point Coastal Reserve in Connecticut required hunters to complete a 12-hour Conservation Education Firearms Safety Course and attend a pre-hunt meeting. Hunters harvested 226 and seven additional deer were removed by Wildlife Division personnel in January 1996, thereby reducing the Bluff Point deer population by 80 percent ⁽²⁹⁾. In some cases, simply improving hunter access while restricting participation to bow hunters may satisfy public concerns and deer management objectives within traditional season frameworks.

Values associated with white-tailed deer management are diverse and extensive ⁽²³⁾. Ecological benefits derived from regulated hunting include protection of our environment from overbrowsing ^(2,3), protection of flora and fauna that may be negatively impacted by deer overpopulation ^(4,11,42) and the maintenance of healthy viable deer populations ^(16,27) for our benefit and that of future generations. Social benefits that result from regulated hunting include: increased land-use compatibility stemming from fewer land-use/deer conflicts, human safety benefits resulting from reduced deer/vehicle incidents, diverse educational and recreational opportunities, and emotional benefits associated with a continued presence of healthy deer herds. Regulated hunting provides economic benefits in the form of hunting-related expenditures. Researchers estimated the expenditures of the nation's 10,272,000 deer hunters to be nearly \$10.7 billion in 2001 ⁽⁴³⁾. An economic evaluation of regulated deer hunting should also include costs that would be incurred in the absence of population management. As an example, the cost of agricultural commodities, forest products, and automobile insurance would likely increase if deer populations were left unchecked.

One hundred years of research and management experience throughout the United States and eastern Canada has shown regulated hunting to be an ecologically sound, socially beneficial, and fiscally responsible method of managing deer populations. Options routinely suggested as alternatives to regulated hunting are typically limited in applicability, prohibitively expensive, logistically impractical, or technically infeasible. As a consequence, wildlife professionals have come to recognize regulated hunting as the fundamental basis of successful deer management.

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CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	July 18, 2016
Action Required:	Presentation of Report
Presenter:	Kathy McHugh, Housing Development Specialist
Staff Contacts:	Kathy McHugh, Housing Development Specialist
Title:	Charlottesville Affordable Housing Fund (CAHF) Report/Presentation

Background: Staff has been asked to provide a report/presentation on the Charlottesville Affordable Housing Fund.

Discussion: Staff will provide a presentation that includes the following: 1) overview of the history of the CAHF to include prior funding efforts, attempts to establish a housing trust fund, and prior funding levels, 2) staff review of CAHF proposals in consideration of Housing Policy 1, 3) overview of potential uses of CAHF, 4) consideration of how CAHF impacts the 2025 Housing Goal, and 5) upcoming report on Housing Advisory Committee recommendations from RCLCO report.

Alignment with City Council's Vision and and Strategic Plan: This agenda item aligns with Council's vision for Charlottesville to "provide quality housing opportunities for all". This item also is also aligned with goal number one (objective 1.3) of the strategic plan to "increase affordable housing options".

Community Engagement: There has been no specific community engagement performed in the preparation of this report/presentation.

Budgetary Impact: None, this is a report/presentation only.

Recommendation: Not applicable

Alternatives: Not applicable

Attachment: PowerPoint Presentation



July 18, 2016

CHARLOTTESVILLE AFFORDABLE HOUSING (CAHF) FUND

PRESENTATION HIGHLIGHTS

- ✘ Overview of the history of the CAHF to include prior funding efforts, attempts to establish a housing trust fund, and prior funding levels
 - ✘ Staff review of CAHF proposals in consideration of Housing Policy 1
 - ✘ Overview of potential uses of CAHF
 - ✘ Consideration of how CAHF impacts the 2025 Housing Goal
 - ✘ Upcoming report on Housing Advisory Committee recommendations from RCLCO report
-

PRIOR FUNDING EFFORTS

- ✘ 1990 – 2006 General Fund and Capital Improvement Fund Contributions
- ✘ 2007-08 Three separate initiatives focused on affordable housing: 1) Charlottesville Housing Fund; 2) Charlottesville Housing Initiatives; and 3) Housing Trust
- ✘ 2008-09 Combined three prior funds into Charlottesville Housing Fund, which is now known as the Charlottesville Affordable Housing Fund

HOUSING TRUST FUND

Housing Trust Funds are distinguished from other programs in that these are *established by a city, county or state governments to receive ongoing dedicated public funding to support the preservation and production of affordable housing as well as increase opportunities for individuals and families to access decent affordable homes.* Housing Trust Funds shift affordable housing funding from the annual budget allocation process to a dedicated public revenue stream.

CHARLOTTESVILLE AFFORDABLE HOUSING FUND (CAHF)

CAHF is dependent upon the City's Capital Improvement Program (CIP) Fund and there is no guarantee of future funding. City Council has historically funded this program on an annual basis since 2008/09 and this local resource is used for the same basic purposes as a housing trust fund.

CAHF IS NOT A HOUSING TRUST FUND

HISTORICAL PERSPECTIVE

City Council has previously discussed providing a permanent source of funding for affordable housing using:

- Dedication of a percentage of transient room tax
- Property tax set aside
- In each case, the fund would also be supported by developer contributions (e.g., proffers, ADU payment in lieu, etc...) as well as CDBG / HOME Entitlement Fund investments.

FUNDING LEVELS

<i>Charlottesville Affordable Housing Fund (CAHF)</i>	<i>Total Amount of CIP, Program Income & Contributions</i>
2007/08	\$1,900,000
2008/09	\$1,479,500
2009/10	\$1,034,500
2010/11	\$1,223,560
2011/12	\$1,969,126
2012/13	\$1,512,947
2013/14	\$1,678,193
2014/15	\$1,856,037
2015/16	\$2,241,749
2016/17	\$1,699,602

Review of Funding Requests

Staff thoroughly reviews CAHF requests based on Housing Policy 1 and provides basic underwriting (comparing prior investments) before requesting Council review.

Review Standards

- ✘ **Preserve/Provide New Supported Affordable Units Toward 2025 Housing Goal**
- ✘ **Achieve goals of the Comprehensive Plan**
- ✘ **Leverage Other Funds and City programs**
- ✘ **Support Residential or Mixed Income Projects with Strong Preference for Benefit to Lowest AMI**
- ✘ **Support for Projects Targeted to Housing in Shortest Supply**
- ✘ **Financial Feasibility and Project Readiness**
- ✘ **Conforms to City Policy for Energy Efficiency & Universal Design**
- ✘ **Must be qualified Non-Profit Organization**
- ✘ **Projects must be in the City & Beneficiaries should primarily be City Residents and/or Employed in the City**

APPLICABILITY OF HOUSING POLICY 1 AS ADOPTED BY COUNCIL ON 10/20/14

POTENTIAL USES OF FUNDS

- ✘ Redevelopment of CRHA Properties
- ✘ Rental Housing
- ✘ Homeownership
- ✘ Down Payment & Closing Cost Assistance
- ✘ Foreclosure Assistance
- ✘ Housing Rehabilitation & Other Housing Preservation Efforts
- ✘ Loan/RLF Fund
- ✘ SRO/Boarding Housing
- ✘ Energy Efficiency Upgrades
- ✘ Rental Subsidies (e.g., Spring for Housing)
- ✘ Land Acquisition & Assembly
- ✘ Land Development
- ✘ Pre-development Expenses
- ✘ Support of Projects with Long Term Affordability (e.g., LIHTC, Shared Equity, TJCLT, and Deed Restrictions)
- ✘ Expand housing options for Special Needs Populations
- ✘ Data Collection (Limited to 10%)
- ✘ Administration (1% Annually)
- ✘ Funding exceptions can be made for programmatic purposes if limited to one time expense.

CONSIDERATION OF 2025 HOUSING GOAL

2025 Housing Goal

Increase the ratio of supported affordable units to 15% of total housing units by 2025. (Adopted February 1, 2010)

- ✘ CAHF decisions impact the ability to achieve the 2025 Housing Goal
- ✘ Staff is currently collecting and beginning to analyze end of fiscal year 2016 data to update the status of the goal. See pages 61 – 74 for last update provided to Council on January 19, 2016:
<http://www.charlottesville.org/home/showdocument?id=36588>

UPCOMING REPORT

At the 2/1/16 presentation of the Comprehensive Housing Analysis & Policy Recommendations prepared by RCLCO, staff was asked to work with the Housing Advisory Committee (HAC) to come back to Council with recommendations for moving forward.

The HAC met on 4/20/16 and 6/15/16 to discuss and will meet again on 7/20/16 to finalize recommendations.

Staff will look to bring a report to Council in September or October subject to issues with staff transition.



DISCUSSION / TIME FOR QUESTIONS & ANSWERS

Prepared by: Kathy McHugh, NDS Housing Development Specialist