



**CITY COUNCIL AGENDA**  
**September 16, 2024**  
**CERTIFICATIONS**

Juandiego R. Wade, Mayor  
Brian R. Pinkston, Vice Mayor  
Natalie Oschrin  
Michael K. Payne  
J. Lloyd Snook, III  
Kyna Thomas, Clerk

**4:00 PM OPENING SESSION**

**Call to Order/Roll Call**

**Agenda Approval APPROVED 5-0 (PINKSTON/SNOOK)**

**Reports**

1. Report: FY26 Budget Kickoff

**5:30 PM CLOSED MEETING (if called)**

**6:30 PM BUSINESS SESSION**

**Moment of Silence**

**Announcements**

**Recognitions/Proclamations**

- Proclamation: National Co-Responder and Crisis Responder Week September 15-21, 2024

**Community Matters**

**Consent Agenda\* APPROVED 4-0 (SNOOK/OSCHRIN)**

2. Minutes: September 3 regular meeting
3. Resolution: Resolution appropriating funds from the 2024 Energy Efficiency and Conservation Block Grant (EECBG) - \$76,840 (2nd reading)
4. Resolution: Resolution for State Pass-Thru Funding for Tonsler League - \$250,000 (2nd reading)
5. Resolution: Resolution to appropriate Fiscal Year 2025 Fire Programs Aid to Locality Funding (Firefund) - \$238,581.00 (2nd reading)
6. Resolution: Resolution to appropriate funds from the Department of Housing and Community Development- Virginia Homeless Solutions Program Grant \$470,805 (2nd reading).
7. Resolution: Resolution to approve the Seventh Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (2nd reading)
8. Ordinance: Ordinance for Stonehenge Avenue Encroachment Agreement (2nd reading)
9. Ordinance: Ordinance amending the City Code to extend the Public Safety Supplement Retirement Benefit to EMS-only Employees Enrolled in the Defined Benefit plan (2nd reading)
10. Resolution: Resolution to appropriate insurance claim reimbursement for The Avon Fuel Station Replacement Project - \$65,000 (1 of 2 readings)
11. Resolution: Resolution to appropriate Victim Witness Assistance Program Grant funds - \$257,024 (1 of 2 readings)
12. Resolution: Resolution to appropriate State Historic Resources Grant Funds to Jefferson

School African American Heritage Center - \$500,000 (1 of 2 readings)

## City Manager Report

- Report: City Manager Report

## Action Items

13. Public Hearing/Res.: #R-24-127  
Public Hearing and Resolution to approve the *2024 Parks & Recreation Accessibility Enhancements Project at Jordan Park* and to reprogram associated Community Development Block Grant funds, a major amendment, \$25,000 (1 of 2 readings) **Second reading was waived.**  
**APPROVED 4-0 (PAYNE/SNOOK)**
14. Ordinance: Ordinance to adopt Fire Safety Code Fee Schedule (1 of 2 readings)
15. Ordinance: #O-24-128  
Ordinance to approve a Funding Agreement for Carlton Mobile Home Park (1 reading with 4/5 vote)  
**APPROVED 5-0 (PAYNE/OSCHRIN)**
16. By Motion: Confidential Settlement Agreement  
**APPROVED 5-0 (PINKSTON/SNOOK)**

## General Business

### Community Matters (2)

### Adjournment

**RESOLUTION**

**Appropriating Funding in the Amount of \$76,840 To Be Received from the Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) Program**

**WHEREAS**, The City of Charlottesville, through the Office of Sustainability, has been notified that it will be awarded a \$76,840 grant from the US Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) Program to support the residential energy audits; and

**WHEREAS**, the funds will be used by the Local Energy Alliance Program (LEAP) to conduct home energy audits; and

**WHEREAS**, the City Manager is authorized to execute the DOE agreement and a subsequent sub-recipient agreement with LEAP at a later time as it pertains to completing the activities of this grant.

**NOW, THEREFORE BE IT BE RESOLVED** by the Council of the City of Charlottesville, Virginia, that upon receipt of the awarded DOE grant, said funding, anticipated in the sum of \$76,840 is hereby appropriated, in the following manner:

Revenues

\$76,840      Fund: 211      Funded Program: 1900565      G/L Account: 431110

Expenditures

\$76,840      Fund: 211      Funded Program: 1900565      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$76,840 from the DOE EECBG Program.

**RESOLUTION**  
**Appropriating funds from the Virginia Department of Social Services**  
**(VDSS) for the Tonsler League**  
**\$250,000**

**WHEREAS**, the City of Charlottesville through the Virginia Department of Social Services will receive a funding award of \$250,000 to support the Tonsler League;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$250,000 received from the Virginia Department of Social Services is hereby appropriated in the following manner:

**Revenues - \$250,000**

\$250,000      Fund: 209                      Order: 1900564                      G/L Code: 430110

**Expenditures - \$250,000**

\$250,000      Fund: 209                      Order: 1900564                      G/L Code: 540100

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$250,000 from the Virginia Department of Social Services.

**RESOLUTION to APPROPRIATE**  
**Fiscal Year 2025 Fire Programs Aid to Locality Funding (Firefund)**  
**\$238,581.00**

**WHEREAS**, the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$238,581.00 be appropriated in the following manner:

**Revenues - \$238,581**

\$238,581      Fund: 209                      I/O: 1900010                      G/L Account: 430110

**Expenditures - \$238,581**

\$238,581      Fund: 209                      I/O: 1900010                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$238,581.00 from the Virginia Department of Fire Programs.

**RESOLUTION**  
**Appropriating Funding in the Amount of \$470,805 To Be Received from Virginia Homeless Solutions Program**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has been notified that it will be awarded an additional grant from the Virginia Housing Solutions Program (V.H.S.P.) Fund of the Virginia Department of Housing and Community Development, in the amount of \$470,805.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, upon receipt of the additional VHSP funding from the Commonwealth, said funding, anticipated in the sum of \$470,805, is hereby appropriated in the following manner:

Revenues			
\$470,805	Fund 209	Order 1900566	GL 430110 State Grant
Expenditures			
\$470,805	Fund 209	Order 1900566	GL 53550 Contracted Services

**RESOLUTION TO APPROVE THE SEVENTH AMENDMENT TO GRANT AGREEMENT FOR THE CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE PROGRAM, AND TO APPROPRIATE THE NOT-TO-EXCEED AMOUNT OF NINE-HUNDRED-THOUSAND DOLLARS (\$900,000.00) FROM THE FY2024-2025 BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024**

**WHEREAS** on June 19, 2017, the City of Charlottesville approved the creation of the city-funded Charlottesville Supplemental Rental Assistance Program (“CSRAP”), and on April 9, 2024, the City Council approved an allocation of \$900,000 from the Capital Improvement Program funds to be used for the CSRAP program, which will be administered by CRHA; and

**WHEREAS** the terms and conditions under which the Charlottesville Redevelopment and Housing Authority (“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2024, which has been reviewed by City Council this same date.

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

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2024, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

**ORDINANCE**  
**AUTHORIZING ENCROACHMENT OF A RETAINING WALL**  
**CONSTRUCTED PARTIALLY ON PROPERTY IDENTIFIED ON CITY TAX MAP 60**  
**AS PARCEL 120 AND HAVING THE ADDRESS OF 0 STONEHENGE AVENUE EXT.**

**WHEREAS** Stonehenge Park, LLC, the owner of certain property with an address of 0 Stonehenge Avenue Ext., identified on City Tax Map 60 as Parcel 120 (City Real Estate Parcel Identification No. 600120000) (the “Property”), has requested City Council to authorize the encroachment of a retaining wall constructed on and adjacent to the Property into the public right-of-way of Stonehenge Avenue Ext. (the “Retaining Wall”); and

**WHEREAS** the City Engineer has reviewed a physical survey plat prepared by Roger W. Ray & Assoc., Inc. entitled “PLAT SHOWING RETAINING WALL AND MAINTENANCE AREA LOCATED WITHIN THE PUBLIC R/W OF STONEHENGE AVENUE EXTENDED, BELMONT POINT, CITY OF CHARLOTTESVILLE, VIRGINIA,” dated May 26, 2023 and revised July 1, 2024 (the “Plat”), which shows the encroachment of the Retaining Wall identified as “APPROXIMATE LOCATION OF RETAINING WALL (LINEWORK PROVIDED BY SHIMP ENGINEERING, P.C.)” (the “Encroachment”). Seeing no apparent detrimental effect of City Council agreeing to the Encroachment, the City Engineer has confirmed that he has no objection to the request; and

**WHEREAS** Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950), in effect as of the date this Ordinance is approved, permit the City Council to authorize encroachments upon public rights-of-way, subject to the requirement that the Property owner shall not be relieved of negligence on account of the Encroachment, and further subject to other terms and conditions as City Council may prescribe.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute a deed or other instrument, in a form approved by the City Attorney and suitable for recording among the land records of the City of Charlottesville, to authorize and license the Encroachment within the Stonehenge Avenue Extended right-of-way as shown on the Plat, subject to the provisions of Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950) in effect as of the date this Ordinance is approved.

**BE IT FURTHER ORDAINED** by the Council of the City of Charlottesville, Virginia, that a term and condition of such approval be that any maintenance on the Retaining Wall shall be conducted within the area on the Plat identified as “RETAINING WALL MAINTENANCE AREA.”



**AN ORDINANCE TO AMEND CITY CODE  
CHAPTER 19, PERSONNEL  
SECTIONS 19-96 and 19-150**

**WHEREAS**, current members of the Charlottesville Fire Department (“CFD”) classified as firefighters/emergency medical services (EMS) providers and enrolled in the Defined Benefit (pension) plan receive a public safety supplement if they retire with at least twenty (20) years of service; and

**WHEREAS** the CFD intends to hire EMS-only employees and would like to extend the same public safety pension supplement under the same provisions to those employees; and

**WHEREAS**, several localities across the Commonwealth have begun hiring “single-role” or “EMS-only” personnel to meet service and staffing demands; and

**WHEREAS**, the CFD made a presentation to the Retirement Commission on May 22, 2024, and the Commission determined that providing the public safety pension supplement to EMS-only employees is consistent with the intent of the retirement benefit and necessary to maintain competitive recruitment and retention practices; and

**WHEREAS**, the CFD has faced challenges with recruiting due to a shortage of firefighters and EMS providers, and current standards that require all CFD employees to be trained as firefighters and EMS providers may deter potential applicants, and providing an EMS-only position may attract a broader pool of candidates focused on EMS roles;

**THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Chapter 19 Personnel, Sections 19-96 and 19-150 of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

**Sec. 19-96. - Same—Allowance.**

(a) Upon service retirement on or after July 1, 2000, a member with creditable service which commenced prior to July 1, 2000, shall receive an annual retirement allowance payable monthly to them for life commencing on the first day of the month coinciding with or next following their date of retirement, in an amount computed as the larger of (1) and (2) following:

(1) The excess, if any, of two (2) percent of such member's average final compensation multiplied by the number of years of their creditable service, over two and one-half (2.5) percent of such member's annual primary social security benefit, multiplied by the number of years of their creditable service up to a maximum of twenty (20) years.

(2) One and six-tenths (1.60) percent of such member's average final compensation multiplied by the total number of years of their creditable service.

(b) Upon service retirement after July 1, 2000, a member whose employment commenced after June 30, 2000, shall receive an annual retirement allowance payable monthly to them for life commencing on the first day of the month coinciding with or next following their date of retirement, in an amount computed as follows:

(1) One and six-tenths (1.60) percent of such member's average final compensation multiplied by the total number of years of their creditable service.

(c) In addition to the retirement allowance to which a member is entitled under the provisions of subsections (a) and (b) of this section, a retired member who at the date of their retirement was in service as a police officer, firefighter, EMS employee sheriff or sheriff's deputy and who has completed twenty (20) years or more of creditable service shall receive an additional annual allowance, payable monthly, during the period after the member's date of retirement and until their attainment of full retirement age, as in effect on July 1, 2005, for purposes of qualifying for unreduced social security benefits, equal to one (1) percent of average final compensation multiplied by the number of years of their creditable service. In no event shall a police officer, firefighter, EMS employee, sheriff or sheriff's deputy receive both the supplement under this section and social security benefits. Effective for service retirements after June 30, 2017, the additional annual allowance shall be limited to a period of time that does not exceed seventeen (17) years prior to social security eligibility and effective for service retirements after June 30, 2020, this additional annual allowance shall be limited to the estimated unreduced primary social security benefit determined under section 19-97.

Notwithstanding the foregoing, a person who becomes a member after June 30, 2012, shall be entitled to this additional, supplemental annual allowance only if such person has completed at least twenty (20) years of creditable service in a position of a police officer, firefighter, EMS employee, sheriff or sheriff's deputy and such person shall not be entitled to a supplement for a period of time that exceeds seventeen (17) years prior to social security eligibility. This additional annual allowance shall be limited in the case of a person who becomes a member after June 30, 2012, to their estimated unreduced primary social security benefit determined under section 19-97.

(d) The provisions of subsections (a) and (b) of this section to the contrary notwithstanding, if the retirement date of a member with less than thirty (30) years of creditable service precedes their normal retirement date, the retirement allowance amount as computed in accordance with subsections (a) and (b) of this section, as appropriate, shall be reduced by one-half (0.5) percent for each complete month in the period between the member's retirement date and the earlier of their normal retirement date or the date on which the member would have completed thirty (30) years of creditable service had they remained an employee continuously until such date.

(e) The provisions of subsections (a) and (b) of this section to the contrary notwithstanding, if the retirement date of a member who is a police officer, firefighter, EMS employee, or sheriff's deputy with less than twenty-five (25) years of creditable service precedes their normal retirement date, the retirement allowance amount as computed in accordance with subsections (a) and (b) of this section, as appropriate, shall be reduced by one-half (0.5) percent for each complete month in the period between the member's retirement date and the earlier of their normal retirement date or

the date on which the member would have completed twenty-five (25) years of creditable service had they remained an employee continuously until such date.

**Sec. 19-150. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Disability* means a physical or mental illness or injury that incapacitates an employee from performing one (1) or more of the usual and customary duties of the employee's own job on a full-time basis, where such incapacity is likely to be permanent.

*EMS employee* means any employee whose primary function is to provide emergency medical services, including but not limited to: a medic; paramedic; or a basic, intermediate or advanced Emergency Medical Technician.

*Primary Social Security benefit* means the primary insurance amount to which the employee is entitled, for age or disability, pursuant to the provisions of the federal Social Security Act as in effect at the employee's date of retirement.

*Public safety employee* means any police officer, firefighter, EMS employee, sheriff, or deputy sheriff.

*Salary* means an employee's approved base pay at the time the employee becomes disabled, without career development pay, overtime compensation, or any other additional amount above the amount of base pay.

*Work related disability* means any disability, as defined herein, incurred by a public safety employee for which benefits are payable under the Virginia Workers' Compensation Act, where the City is the employer.

**RESOLUTION TO APPROPRIATE FUNDS**

**Resolution to Approve the 2024 Parks & Recreation Accessibility Enhancements Project at Jordan Park and to Reprogram Associated Community Development Block Grant Funds, a Major Amendment, in the Amount of \$25,000**

**WHEREAS** the City of Charlottesville has been recognized as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) and as such Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) Fund; and

**WHEREAS** it is the goal of the City of Charlottesville to remove barriers to access in the city’s parks and green spaces, and

**WHEREAS** the city’s Office of Community Solutions is partnering with the city’s Department of Parks & Recreation to remove a significant barrier to access within a public park through the removal of an inadequate pathway and the creation of a new and accessible paved pathway within Jordan Park that will connect the existing accessible curb ramp at the park’s Sixth Street entrance with several amenities within the park, including a basketball court, playgrounds and a new trail bridge; and

**WHEREAS** this project will support Council’s Strategic Plan Framework vision of enhancing *Partnerships* and supporting access to *Recreation, Arts, Culture*;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the proposed project as presented here today before Council is approved and that the Office of Community Solutions is hereby authorized to begin work to implement said program.

**BE IT FURTHER RESOLVED** that, in support of this program, appropriations made to the following expenditure account(s) in the CDBG Fund be amended by the respective amounts shown below and that the balance accumulated in the Fund as a result of these adjustments be hereby appropriated to the receiving account(s) indicated below, as follows:

SAP Expenditure Account(s)	Proposed Reduction(s)
1900361	\$2,964.41
3914001000 (NONE)	\$22,035.59
Subtotal Reductions =	\$25,000.00

SAP Revenue Account	SAP Account Cod	Proposed Addition(s)
CDBG PY24+ Parks & Rec ADA at Jordan Park	1900567	\$25,000.00
Subtotal Additions =		\$25,000.00

To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147, are authorized to establish administrative procedures and provide for guidance and assistance in the execution of the funded program.

**ORDINANCE AUTHORIZING A FORGIVABLE LOAN TO PIEDMONT HOUSING ALLIANCE AND GREATER CHARLOTTESVILLE HABITAT FOR HUMANITY, INC. AND HABITAT CARLTON ALLIANCE, LLC, TO SUPPORT REDEVELOPMENT OF CARLTON MOBILE HOME PARK FOR THE PURPOSE OF PRODUCING NEW HOUSING FOR LOW AND MODERATE INCOME PERSONS**

**WHEREAS**, the preservation of existing housing in safe and sanitary condition and the production of new housing for persons of low and moderate income are public purposes and uses for which public money may be spent, and that such preservation and production are governmental functions of concern to the Commonwealth of Virginia (the “Commonwealth”) and the City of Charlottesville (the “City”);

**WHEREAS**, pursuant to Virginia Code §15.2-958 the City may, by ordinance, make grants or loans to the owners of residential rental property occupied, or to be occupied, following rehabilitation or after construction, by persons of low or moderate income, for the purpose of rehabilitating or producing such property;

**WHEREAS**, an owner assisted in this manner must provide a minimum of 20 percent of the units for low and moderate income persons as defined by the City for a minimum of 10 years and participation by an owner is voluntary;

**WHEREAS**, Piedmont Housing Alliance (“PHA”) is a private, nonprofit 501(c)(3) organization organized and operating under the laws of the Commonwealth, having as its mission the creation of affordable housing opportunities by developing new housing and by preserving existing affordable housing;

**WHEREAS**, Greater Charlottesville Habitat for Humanity, Inc. (“GCHH”) is a private, nonprofit 501(c)(3) organization organized and operating under the laws of the Commonwealth, having as its mission the creation of affordable housing opportunities by developing new housing and by preserving existing affordable housing;

**WHEREAS**, Habitat Carlton Alliance, LLC (“HCA”) is a private corporation wholly owned by GCHH and PHA in a 50-50 joint venture structure organized and operating under the laws of the Commonwealth, having as its mission the acquisition, operation, and eventual redevelopment of the Carlton Mobile Home Park (the “Project”);

**WHEREAS**, PHA, GCHH and HCA are planning the redevelopment of the Project into a new development, funded by various methods;

**WHEREAS**, PHA and GCHH and HCA have requested the City to provide a loan for financing a portion of the costs of the Project, in an amount sufficient to subsidize the projected cost of acquisition of property for the Project;

**WHEREAS**, the City desires to loan up to \$8,700,000 at an interest rate of 3.00% per annum for a term of approximately 40 years (the “Loan”) to PHA pursuant to the terms and conditions of a loan agreement (the “Agreement”) and a Declaration of Affordable Housing Covenants, to be approved by the City;

**WHEREAS**, the Loan will be secured by a subordinate interest in the land for the Project granted by HCA to the City as further described in the Agreement; and

**NOW, THEREFORE, BE IT ORDAINED** by the Charlottesville City Council that local public funding is hereby approved for PHA to support the Project, by providing funding through the Loan in a principal amount of up to \$8,700,000 with an interest rate of 3.00% per annum for a term of approximately 40 years, all subject to the lien and security, and other terms and conditions of the Agreement in substantially the form presented to Council at this meeting.

**AND BE IT FURTHER ORDAINED BY THIS CITY COUNCIL THAT** the requirement for a second reading of this Ordinance is hereby waived pursuant to a four-fifths vote of the City Council in accordance with City Code 2-97, and the City Manager is hereby authorized to execute the Agreement containing the terms and conditions consistent with those set forth within this Ordinance, and other documents and instruments necessary to complete this Loan transaction, subject to approval by the City Attorney’s Office as to the form of all such documents and instruments.