



CITY COUNCIL AGENDA
November 4, 2024
City Hall Council Chamber
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 (SNOOK/PINKSTON)

Reports

1. Report: Charlottesville Area Alliance Annual Report
2. Report: VDOT Portfolio Update

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

- Proclamation: Lung Cancer Awareness Month

Community Matters

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

3. Minutes: October 21 regular meeting
4. Resolution: Resolution to Appropriate Community Development Block Grant COVID Relief Funds (CDBG-CV) from HUD, in the Amount of \$90,321.98 (2nd reading)
#R-24-144
5. Resolution: Resolution to appropriate funds from the Virginia Department of Housing and Community Development - Virginia Homeless Solutions Program Grant amendment - \$93,564 (2nd reading)
#R-24-145
6. Resolution: Resolution to appropriate funding from the Supreme Court of Virginia Behavioral Health Docket Grant - \$115,400.58 (2nd reading)
#R-24-146
7. Resolution: Resolution for the 2024 ReadyKids Youth Services Proposal, a Major Amendment to the Program Year 2024-25 Annual Action Plan in the amount of \$50,000 (CDBG-CV) (2nd reading)
#R-24-147
8. Resolution: Resolution for donation of antique fire engine to Old Dominion Historical Fire Society, Inc.
#R-24-148
9. Resolution: Resolution for Compromise of Claim: Water and Wastewater Leak Credit of \$10,887.26 for University of Virginia Foundation
#R-24-149
10. Ordinance: Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.) Grants – \$69,312.67 (1 of 2 readings)
11. Resolution: Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,000 (1 of 2 readings)
12. Resolution: Virginia Department of Education Special Nutrition Program Child and Adult

Care Food Program - \$20,000 (1 of 2 readings)

City Manager Report

- Report: City Manager Report
- Report: Quarterly Financial Report

Action Items

13. **Public Hearing/Res.: #R-24-150** Public Hearing and Resolution for the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project, a Minor Amendment to the Program Year 2024-25 Annual Action Plan, in the amount of \$55,527.91(CDBG) (1 of 2 readings) **second reading was waived. APPROVED 5-0 (PINKSTON/OSCHRIN)**
14. **Ordinance: #O-24-151** Ordinance for Mas Canopy Footer Encroachment Agreement (2nd reading) **APPROVED 3-2 (PAYNE/PINKSTON; Oschirin and Snook opposed)**
15. Resolution: Resolution authorizing Charlottesville Redevelopment and Housing Authority (CRHA) to create a Corporation and/or Limited Liability Corporation (LLC)
Item was carried over to the November 18 meeting.

General Business

16. By Motion: Thomas Jefferson Planning District Commission Proposed Legislative Positions for 2025
APPROVED 5-0 (SNOOK/PAYNE)
17. By Motion: City of Charlottesville Legislative Priorities for 2025
APPROVED 5-0 (SNOOK/PAYNE)

Community Matters (2)

Adjournment

RESOLUTION TO APPROPRIATE FUNDS

Resolution to Appropriate CDBG-CV Covid Relief Funds from HUD, in the amount of \$90,321.98

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, City Council has previously approved certain sums of federal grant receipts to support the city’s Community Development Block Grant (CDBG) Fund; and

WHEREAS the City now has a balance of previously awarded CDBG-CV COVID relief funds from HUD that have not yet been appropriated within the city’s local accounts; and

WHEREAS appropriating these funds will constitute an important step in making these funds available to support meaningful and high impact community development activities through the city’s CDBG program, as approved by HUD;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the proposed appropriation of previously unappropriated CDBG-CV funds from HUD be approved and that the Office of Community Solutions is hereby authorized to work to identify worthy programs to be brought before Council for consideration.

BE IT FURTHER RESOLVED that, in support of this proposal, a new appropriation be made within the CDBG Fund by the respective amount shown below:

<i>Source</i>	<i>Revenue Account</i>	<i>Fund</i>	<i>GL</i>	<i>Amount</i>
CDBG-CV	3914004000	218	431110 Federal Grants	\$90,321.98

<i>Source</i>	<i>Expenditure Account</i>	<i>Fund</i>	<i>GL</i>	<i>Amount</i>
CDBG-CV	3914004000	218	55999 Lump Sum Appropriation	\$90,321.98

BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of not less than \$90,321.98 in funds from the U.S. Department of Housing & Urban Development.

RESOLUTION
Appropriating Funding in the Amount of \$93,564 To Be Received from the Virginia Homeless Solutions Program

WHEREAS, The City of Charlottesville, through the Office of Community Solutions, has been notified that it will be awarded a grant from the Virginia Department of Housing and Community Development for the Virginia Homeless Solutions Program (V.H.S.P.) in the amount of \$93,564,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the funding from VHSP from the Virginia Department of Housing and Community Development, said funding, anticipated in the sum of \$93,564, is hereby appropriated in the following manner:

Revenues

\$93,564 Fund: 209 I/O: #1900566 G/L: 430120 State (Federal Pass-thru)

Expenditures

\$93,564 Fund: 209 I/O: #1900566 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$93,564 from the Virginia Department of Housing and Community Development.

RESOLUTION
Appropriating Albemarle-Charlottesville Therapeutic Docket Grant Award
\$115,400.58

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$115,400.58 for the Albemarle-Charlottesville Therapeutic Docket in order to fund salaries, benefits, and operating expenses; and

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

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$186,538; and

WHEREAS, the grant award covers the period July 1, 2024 through June 30, 2025.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$115,400.58, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$115,400.58 Fund: Internal Order: #1900569 G/L Account: 430110 (State Grant)

Expenditures

\$115,400.58 Fund: Internal Order: #1900569 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$114,500.58 from the Supreme Court of Virginia.

RESOLUTION

Resolution to Approve the 2024 ReadyKids Youth Services Project and to Appropriate Associated CDBG-CV Covid Relief Funds, a Major Amendment in the Amount of \$50,000

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, City Council has previously approved certain sums of federal grant receipts to support the city’s Community Development Block Grant (CDBG) Fund; and

WHEREAS the City now has the opportunity to support children and families in need of critical youth services growing out of the recent Covid pandemic; and

WHEREAS this project will support Council’s Strategic Plan Framework vision of the City of Charlottesville as a community in which everyone thrives by strengthening partnerships between the City and its youth services providers and as a city committed to education and supportive of broad and well-integrated educational opportunities;

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 within 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 revenue account indicated below, as follows:

<i>Expenditure Account(s)</i>	<i>Fund</i>	<i>Proposed Reductions</i>	<i>Proposed New Balance</i>
1900379	218	(\$1,807.22)	\$0.00
1900397	218	(26,753.89)	\$0.00
3914004000	218	(\$21,438.89)	\$94,925.71

<i>Revenue Account</i>	<i>Fund</i>	<i>CC</i>	<i>Proposed Addition</i>	<i>New Balance</i>
FY25 ReadyKids Youth Services CDBG-CV PY24+	218	1900572	\$50,000.00	\$50,000.00

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.

BE IT FURTHER RESOLVED that any unspent funds available after this HUD-funded activity is completed and closed out with HUD will hereby be returned to the unallocated lump sum account within Fund 218 to be reallocated to suitable new activities by Council at a later date.

BE IT FURTHER RESOLVED that these appropriations are conditioned upon the receipt of not less than \$50,000.00 in CDBG-CV COVID relief funds from HUD for Program Year 2024-25 activities.

FINALLY, BE IT FURTHER RESOLVED that the funding award appropriated within this resolution will be provided as a grant to a private non-profit, charitable organization ('subrecipient') and shall be utilized by the subrecipient solely for the purpose stated within their approved Scope of Work. The City Manager is hereby authorized to enter into an agreement with the subrecipient named herein as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations.

RESOLUTION

Donation of Antique Fire Engine to Old Dominion Historical Fire Society, Inc.

WHEREAS, in 2007 the Old Dominion Historical Fire Society (ODHFS) donated Engine 2, a 1929 Seagrave pumper, back to the Charlottesville Fire Department (CFD); and

WHEREAS, the engine's intended display has not been feasible, and the Engine has been stored in a shipping container at the Ridge Street Fire Station for some time; and as the CFD lacks adequate storage space or a display area, and the Engine is no longer operational; and

WHEREAS, the ODHFS intends to donate the Engine to the Virginia Fire Service Museum in Roanoke, Virginia.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that Engine 2, a 1929 Seagrave pumper, is hereby be donated to the Old Dominion Historical Fire Society, Inc.

RESOLUTION

**Approval of a Compromise of Claim in the Form of a Leak Credit of \$10,887.26
for Water and Wastewater Charges to the Utility Account of
University of Virginia Foundation.**

WHEREAS, the Director of Finance, City Attorney, and City Manager concur that circumstances associated with a leak at 1982 Arlington Boulevard warrant a credit in the amount of \$10,887.26 for water and wastewater charges, and in accordance with City Code Sec. 11-132(4), City Council has authority to grant such a compromise of claim; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Director of Finance is hereby authorized to apply a credit of \$10,887.26 to the utility account of “University of Virginia Foundation”.

RESOLUTION

To Approve the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project and to Appropriate Associated CDBG Funds, a Minor Amendment in the Amount of \$55,527.91

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, City Council has previously approved certain sums of federal grant receipts to support the city’s Community Development Block Grant (CDBG) program; and

WHEREAS the City now has the opportunity to remove a significant longstanding barrier to access and enhance connectivity to the city’s recreational spaces and trails for residents and visitors to the city alike; and

WHEREAS this project will support Council’s Strategic Plan Framework vision of supporting access to recreational opportunities and greenspace;

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 within 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 revenue account indicated below, as follows:

<i>Fund</i>	<i>SAP Expenditure Account(s)</i>	<i>Proposed Reduction(s)</i>
218	P-00001-05-19	-\$26,513.05
218	3914001000	-\$29,014.86
Subtotal =		-\$55,527.91

<i>SAP Account Code</i>	<i>SAP Revenue Account</i>	<i>Proposed Addition(s)</i>
1900567	FY25 Pollocks Branch Trail Bridge P&R PY24+	\$55,527.91
Subtotal =		\$55,527.91

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.

BE IT FURTHER RESOLVED that any unspent funds available after this HUD-funded activity is completed and closed out with HUD will hereby be returned to the unallocated lump sum account within Fund 218 to be reallocated to suitable new activities by Council at a later date.

FINALLY, BE IT FURTHER RESOLVED that the funding award appropriated within this resolution will be provided as a grant to a private non-profit, charitable organization ('subrecipient') and shall be utilized by the subrecipient solely for the purpose stated within their approved Scope of Work. The City Manager is hereby authorized to enter into an agreement with the subrecipient named herein as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations.

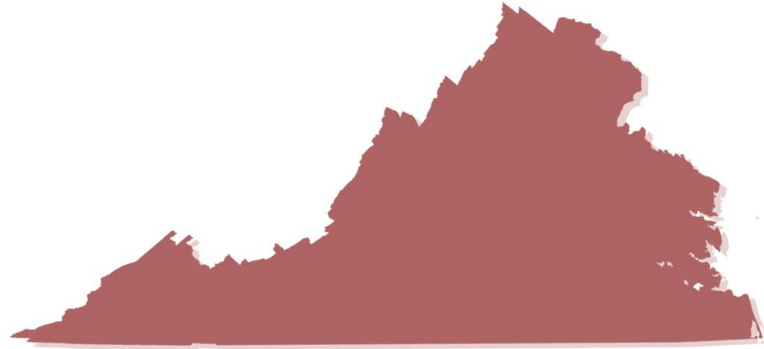
ORDINANCE
AUTHORIZING ENCROACHMENT OF A CANOPY FOOTER
CONSTRUCTED PARTIALLY ON PROPERTY IDENTIFIED ON CITY TAX MAP 57 AS
PARCEL 22 AND HAVING THE ADDRESS OF 904-906 MONTICELLO RD

WHEREAS Trimont, LLC, the owner of certain property with an address of 904-906 Monticello Rd., identified on City Tax Map 57 as Parcel 22 (City Real Estate Parcel Identification No. 570022000) (the “Property”), has requested City Council to authorize the encroachment of the footers of a canopy support to be constructed on and adjacent to the Property into the public right-of-way of Monticello Rd. (the “Footers”); and

WHEREAS City Staff have reviewed an annotated physical survey plat prepared by Roudabush, Gale, and Associates, Inc and annotated by Kevin O’Brien entitled “Physical Survey Tax Map 57, Parcels 22 & 23, Charlottesville, Virginia” prepared by Roudabush, Gale, & Associates, Inc., dated November 11, 2003, a copy of which is attached hereto and incorporated herein as Exhibit A (the “Plat”) to show the extent of the encroachment of the Footers.

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 Monticello Rd. 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.



Thomas Jefferson Planning District
2025 LEGISLATIVE PROGRAM

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County
DRAFT

October 2024

Tony O'Brien, Chairman
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District’s member localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

The State will spend more than \$18 billion dollars on direct aid to public education in the current biennium. Additional state funding for teacher salaries, at-risk students and childcare subsidies in the current biennium are appreciated. However, we continue to believe that the State should increase its commitment to K-12 education in a manner that reflects the true costs of K-12 education. The 2023 Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding confirmed this, finding that public education in Virginia is underfunded, while noting that local school divisions receive less K–12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” their responsibilities by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately defined SOQ that more equitably shares the costs of public education between the state and local governments, in order to ensure the overall success of students across the Commonwealth.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation; 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State fine-tunes revenue and spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. The State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We support the legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and

delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness. The State should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sales and Use Tax Trust Fund dollars, the local share of recordation taxes, and any state-mandated exemptions to local revenue sources, unless a viable revenue-replacement to local governments is established.

Land Use and Growth Management

PRIORITY: The Planning District's member localities encourage the State to resist preempting or circumventing existing land use authorities, but rather support local authority to plan and regulate land use.

In the past, the General Assembly has enacted both mandated and optional land use provisions, some of which have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local control of decisions to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support local authority to address siting and other impacts associated with utility-scale installation of clean energy resources. We support state funding and technical assistance that address the planning, production, transmission, and deployment of new energy resources.
- We support broader impact fee authority for facilities other than roads, and changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We believe accessory dwelling units should not be mandated, and that local governments should retain the authority to regulate them.
- We request 1) state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and 2) enhanced ability for localities to balance growth and development as it pertains to farm and forestland within their jurisdiction.
- We support greater flexibility for localities in the preservation and management of trees.

LEGISLATIVE POSITIONS

Broadband

The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas. While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we believe state and federal support for broadband expansion that utilizes both fiber and wireless technologies, public/private partnerships and regulated markets should include the following:

- Support for cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.
- The ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities:
 - >We support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
 - >The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
 - >We appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded.
- We support 1) amending the LCI formula to recognize the land use taxation value, rather than the true value, of real property; and 2) preserving current *Code* provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental

resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area.* Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. This includes support for cyanobacteria monitoring, mitigation and remediation efforts at Lake Anna. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund (SLAF) to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation (whether they are traditional, electronic, internet-based, virtual or otherwise), while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.*
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support the use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
- We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag

behind the need. We request adequate funding for costs associated with voting equipment, registrar offices, early voting requirements and election security standards.

- We urge state funding necessary for agencies to carry out tasks such as processing applications, reviewing permits and other critical administrative functions.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation and other procedures. Also, any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning the creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
- We support enhanced state funding for local and regional libraries.
- We support expanding local authority to regulate smoking in public places.
- The State should not inhibit the ability of localities to determine how best to use artificial intelligence (AI) or require any related reporting requirements that are unreasonable.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care for people with behavioral health and developmental disability service needs that helps divert people from needing state hospital care, as well as having services such as outpatient and permanent supportive housing available. We also support improvements in state hospital capacity to accept individuals under a TDO.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to promote affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support 1) local authority to promote and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist localities in fostering housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 4) funding for rental assistance to low-income families with school-aged children; and 5) policies and direct state investments to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders and related equipment needs, given the ever-increasing importance they play in local communities. We oppose regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We support changes to the Line of Duty Act (LODA) to afford officers employed by private police departments the benefits available under LODA.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices to address safety concerns, including on locally-designated highway segments.

Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents and tourism; and for keeping pace with growing public needs and expectations. We encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to adjust the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

**Position/statement (see the Environmental/Water Quality and General Government sections) not endorsed by the City of Charlottesville.*



CITY OF CHARLOTTESVILLE

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November 4, 2024

LEGISLATIVE PRIORITIES FOR 2025 GENERAL ASSEMBLY SESSION

As in the last two years, Charlottesville's most important legislative priority is to seek permission for Charlottesville to ask the electorate for permission to levy an extra one cent on the sales tax to fund school construction.

Our other important legislative priorities are focused on two issues – affordable housing and environmental protection.

Affordable Housing Initiatives That We Support:

1. Amend Virginia Code §55.1-1308.2 to make it easier for residents of mobile home parks that have been offered for sale to a developer to make an intelligent counteroffer:
 - a. The owner of a mobile home park that is being offered for sale should be required to furnish to the residents the terms of the offer from the developer.
 - b. The timeline for submitting a counteroffer should be lengthened, and supporting purchase documentation should be required to be shared with tenants as it becomes available.
 - c. The compensation to mobile home residents facing displacement should be increased, and the amount should be indexed to inflation.
 - d. Mobile home park residents should be given a right of first refusal if they can make a qualifying counteroffer of at least the same value.
2. Give localities a right of first refusal to purchase publicly supported housing that is being offered for sale or that is coming out of its mandatory affordability period.
3. Create and fund the 5,000 Families pilot program to provide monthly rental assistance to low-income families.
4. Support recommendations to permit building codes to allow single-stair apartment buildings.
5. Amend §58.1-3221.1 to add Charlottesville to the list of localities permitted to tax improvements to real property at a different rate than the tax imposed upon the land on which the improvement is located, provided that the tax rate is not zero and does not exceed the tax rate imposed on the land.

6. Amend the Virginia Residential Landlord-Tenant Act to increase the rights of tenants. In particular:
 - a. Allow tenants to raise unsafe or unsanitary conditions as an affirmative defense to non-payment of rent.
 - b. Allow indigent tenants to appeal without having to post an appeal bond. This would grant indigent tenants the same rights that exist for indigent people in other types of civil cases.
 - c. Amend §55.1-1415 to turn the 5-day “Pay or quit” notice into a 14-day notice.
 - d. Give tenants more procedural protections against eviction.
 - e. Permit localities to adopt a rent control or rent stabilization program.

Environmental Issues:

7. Preserve the Commonwealth’s participation in the Regional Greenhouse Gas Initiative.
8. Ensure the full implementation of the VCEA and the Clean Cars Standard.
9. Support legislation to require electric utilities to reduce demand for electricity through energy efficiency measures rather than to build new fossil-fuel plants.
10. Support legislation that creates an efficient distributed energy environment to achieve both grid reliability and climate goals.
11. Support legislation that expands opportunities for net metering programs.
12. Support adequate state resources for localities to invest in EVs and EV infrastructure.
13. Fund the statewide Green Bank.
14. Expand powers granted in §15.2-961.3, to allow a locality to require more than a twenty percent tree canopy in flood plains and riparian areas.
15. Fund the Commonwealth Corridor train from Roanoke to Hampton Roads via Charlottesville and Richmond.