



## CITY COUNCIL AGENDA April 5, 2021

### Members

Nikuyah Walker, Mayor  
Sena Magill, Vice Mayor  
Heather D. Hill  
Michael K. Payne  
J. Lloyd Snook, III

### 5:00 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code (Legal consultation)

Virtual/electronic meeting

### 6:30 p.m. Regular Meeting

Register at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom). Virtual/electronic meeting in accordance with the local ordinance amended and re-enacted February 16, 2021, to ensure continuity of government and prevent the spread of disease. NOTE: Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

### CALL TO ORDER

### MOMENT OF SILENCE

### ROLL CALL

### AGENDA APPROVAL

### ANNOUNCEMENTS

### RECOGNITIONS/PROCLAMATIONS

### CONSENT AGENDA\*

1. Minutes: February 16 work session, closed meeting and regular meetings; February 19 special meeting
2. Appropriation: COVID Homelessness Emergency Response Program (CHERP) – Homelessness Management Information System Grant Award - \$29,786 (2nd reading)
3. Appropriation: COVID Homelessness Emergency Response Program (CHERP) Grant Award - \$806,594 (2nd reading)

### CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

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

### ACTION ITEMS

4. Public Hearing/Ord.: Designation of trees for protection under the Tree Conservation Ordinance (1st of 2 readings)
5. Public Hearing/App.: Public Hearing on Budget/First Reading of FY 2022 Budget Appropriation (1st of 2 readings)
6. Ordinance: Tax Rate/Tax Levy Ordinance for Calendar Year 2021 (1st of 2 readings)
7. Ordinance: City of Charlottesville COVID Ordinance request to repeal

8. Resolution\*: Comprehensive Plan Amendment – Starr Hill Neighborhood Community Vision Plan (1 reading)
9. Resolution\*: Harris Street Apartments, request to amend a Special Use Permit to increase residential density at 1221, 1223 and 1225 Harris Street (1 reading)
10. Resolution\*: City Council Rules and Procedures amendments (1 reading)

**GENERAL BUSINESS**

11. Report: Orange Dot Report 4.0 - Family Self-Sufficiency in the Charlottesville Region

**OTHER BUSINESS**

**MATTERS BY THE PUBLIC**

\*Action Needed

**CITY COUNCIL MEETING**  
**February 16, 2021**  
**Virtual/electronic meeting via Zoom**

**4:00 PM WORK SESSION**

Pursuant to Virginia Code Section 2.2-3712, the Charlottesville City Council met in work session on Tuesday, February 16, 2021, to hear reports. The meeting was held electronically pursuant to local ordinance #O-20-154a adopted December 10, 2020, to ensure the continuity of government and prevent the spread of disease during the coronavirus pandemic.

Mayor Walker called to order at 4:04 p.m. and Clerk of Council Kyna Thomas called the roll, noting the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook.

**REPORTS**

**1. Report: Monthly Financial Report**

Ryan Davidson, Senior Budget and Management Analyst, made the presentation and advised that not much changed from the prior month forecast. Council questions about taxes were answered by Ryan Davidson and Commissioner of the Revenue Todd Divers.

**2. Report: Thomas Jefferson Area Community Criminal Justice Board report**

Vice Mayor Magill introduced Neal Goodloe, Criminal Justice Planner, who presented the report. He noted an increase in the City of Charlottesville population over the last decade and shared trends in crimes and bookings. He concluded the following:

- Reported crime in all three major categories has fallen significantly in Charlottesville over the past decade.
- Charlottesville's share of bookings and bed days expended at ACRJ has also dropped significantly, compared to the other two member jurisdictions (Albemarle and Nelson).
- Increases in felony bookings and bed days expended are associated almost exclusively with inmates age 50 or older. Incarceration rates among 18-24 year-olds have dropped sharply.
- The average length of a Charlottesville inmate's stay has dropped significantly, resulting in fewer bed days expended at ACRJ over the decade.
- Felony probation violations remain the most expensive charge type, in terms of bed days expended. However, the number of bed day expenditures associated with a felony probation violation have fallen in recent years.

- Charlottesville is the only CCJB member jurisdiction that had a per capita decrease in jail bed day costs from 2010 to 2019.

Mr. Goodloe answered questions from Council.

### **3. Housing Plan Report**

Cville Plans Together consultants Jennifer Koch, Sarah Kirk and Phillip Kash with HR&A, made the presentation, noting that since December, several revisions were made to the Affordable Housing Plan based on community, Steering Committee, Council, Planning Commission, and staff feedback, the most significant of which were:

- The addition of an overview of the recommended timeframe of implementation for tool recommendations (starting on page 18).
- Clarifications and messaging adjustments on the \$10M annual budget for affordable housing, to recognize current financial commitments in the coming years as well as the need for potential additional revenue sources (starting on page 49).
  - Page 51 demonstrates the scale of Charlottesville's current commitment relative to other cities.
- Additional recommendations and details related to affordable homeownership strategies (in summary on page 17 and in more detail starting on page 134).
- More detail about opportunities for regional collaboration & strategies to directly address racial equity in the introduction (starting page 24).
- Additional context related to the housing challenges section (starting page 36).
- Inclusion of energy efficiency, aging in place, and support for those with disabilities as part of subsidies for owner-occupied rehabilitation (page 147).
- Additional support for energy efficiency for multifamily projects through the acquisition fund (page 120).
- Additional focus on the potential for a regional housing body (page 164), as well as a joint regional funding agreement (page 67).
- Clarifications around the potential for increased tenants' rights for cases in which the City is contributing funds (page 100).

Consultants answered questions for Council and advised that they could provide more data via email at Council request. Mayor Walker asked for an individual meeting with consultants to review her questions.

The meeting adjourned at 5:43 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

## **5:30 PM CLOSED MEETING**

The Charlottesville City Council met in an electronic meeting on Tuesday, February 16, 2021, in accordance with local ordinance #O-20-154a, adopted December 10, 2020, to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 5:43 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

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

- Section 2.2-3711(A)(1) for discussion and consideration of candidates for appointment to the Police Civilian Review Board,
- Section 2.2-3711(A)(7) for consultation with legal counsel regarding specific contractual claims and probable litigation, as well as the pending litigation with Albemarle County regarding recreational use of Ragged Mountain Reservoir, and
- Section 2.2-3711(A)(8) for consultation with legal counsel regarding the February 3, 2021 Memo to City Council from the Acting City Attorney.

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

The meeting adjourned at 6:57 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

## **6:30 PM REGULAR MEETING**

The Charlottesville City Council met in an electronic meeting on Tuesday, February 16, 2021, in accordance with local ordinance #O-20-154a, adopted December 10, 2020, to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 6:58 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

City Council observed a moment of silence.

On motion by Councilor Hill, seconded by Councilor Snook, Council unanimously approved the meeting agenda.

## **ANNOUNCEMENTS**

Mayor Walker welcomed new City Manager Chip Boyles.

## **RECOGNITIONS/PROCLAMATIONS**

Vice Mayor Magill read a Resolution of Appreciation for Benefit Program Specialists Month.

## **BOARD/COMMISSION APPOINTMENTS**

Councilor Payne remarked that interviews for the Police Civilian Review Board would be scheduled for the upcoming week in a special meeting.

## **CONSENT AGENDA\***

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

1. MINUTES: January 19 special meeting, January 28 Schools budget work session, February 3 budget work session
2. APPROPRIATION: Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) Grant Award - \$20,000 (2nd reading)

### **APPROPRIATION**

**Housing Opportunities for People with AIDS/H.I.V. Grant  
\$20,000**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$20,000

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$20,000 is hereby appropriated in the following manner:

**Revenues**

\$20,000 Fund: 209 IO: 1900390 (H.O.P.W.A.) G/L: 430120 Federal Pass-Thru State

**Expenditures**

\$20,000 Fund: 209 IO: 1900390 (H.O.P.W.A.) G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$20,00 in funds from the Virginia Department of Housing and Community Development.

- 3. **APPROPRIATION: 2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S) - \$99,608 (2nd reading)**

**APPROPRIATION**

**2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S)  
\$99,608.00**

**WHEREAS**, the Virginia Department of Emergency Management (VDEM) and the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) has awarded a 2020 Local Emergency Management Performance Grant (LEMPG) CFDA 97.042 to the Fire Department, through the City of Charlottesville, specifically for a mobile vaccination and testing van;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$99,608.00 be appropriated in the following manner:

**Expenditure Transfer from:**

\$49,804.00 Fund: 106 Cost Center: 3201001001 G/L Account: 561209

**Revenues - \$99,608.00**

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 430120

Transfer to:

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 498010

**Expenditures - \$99,608.00**

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 599999

Transfer to:

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the reimbursement of funds from the Virginia Department of Emergency Management.

4. RESOLUTION: Community Development Block Grant 2020-2021 Albemarle Home Improvement Program Contingency Plan: 2020-2021 Minor Annual Action Plan Amendment

#### **RESOLUTION**

#### **Approval of FY 2020-2021 Minor Annual Action Plan Amendment**

**BE IT RESOLVED**, that the Charlottesville City Council hereby approves the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. The contingency plan for Albemarle Home Improvement Program (AHIP) will assist the City and the subrecipient meet CDBG timeliness goals. The remaining 2020-2021 CDBG AHIP balance is to be spent on one home rehabilitation project.

5. RESOLUTION: City Market Sublease 2021

#### **RESOLUTION**

#### **APPROVING CITY MARKET SUBLEASE 2021**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the proposed sublease between the City of Charlottesville and Skyview Parking, LLC, for a term beginning April 1, 2021, and concluding on December 18, 2021, is hereby approved.

Mayor Walker opened the floor for comment from the public on the Consent Agenda. No one came forward to speak.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) APPROVED the Consent Agenda, pulling Item #4 for a separate vote at the request of Mayor Walker.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker) APPROVED the resolution for Community Development Block Grant 2020-2021 Albemarle Home Improvement Program Contingency Plan: 2020-2021 Minor Annual Action Plan Amendment.



## **CITY MANAGER RESPONSE TO COMMUNITY MATTERS**

City Manager Chip Boyles had no remarks. This was his first City Council meeting as Charlottesville City Manager.

## **COMMUNITY MATTERS**

The following members of the community spoke:

Jessica Manly city resident, spoke about the need for an overpass or lighted crosswalk and better sidewalks at High St./ Hazel St.

Betsy L. Roettger spoke about Council credit card policy. She asked that the credit card policy include a way to offer gifts to community members to encourage participation.

Josh Carp, city resident, spoke in opposition to a new downtown parking structure. about Capital Improvement Plan Budget

Myra Anderson, city resident, spoke about the need to solicit feedback from the African-American community and descendant families of enslaved people before designing a new Slave Auction Block Marker or an Enslavement Museum.

Don Gathers, city resident, requested that Council consider taking care of people before taking care of infrastructure projects, noting that two homeless people died in the city during a recent winter weather event. He also spoke about recent issues involving Council credit card spending and spoke in support of compensating citizens for their time.

Dr. Wes Bellamy, city resident, spoke about "Stop the Violence" training and thinking outside the box to solve community issues.

Tanesha Hudson spoke about credit card usage by City Council and treatment of Mayor Walker.

Emily Dreyfus, speaking on behalf of the Legal Aid Justice Center, asked Council to keep affordable housing a budget priority.

Mayor Walker made comments about the February 3, 2021, memo from Acting City Attorney Lisa Robertson and her desire to have a public discussion. Councilor Hill spoke in support of a system of checks and balances. Councilor Snook spoke in support of a Council spending policy and about his recent comments on a slush fund.

The meeting recessed at 7:51 p.m. and reconvened at 8:08 p.m.

Mayor Walker advised that she was interested in following up on the comments from Don Gathers to prevent similar deaths from occurring in the future.

## **ACTION ITEMS**

### **PUBLIC HEARING: FY2020-2021 CDBG Substantial Action Plan Amendment and Reprogramming 2019 CDBG funds for COVID-19 Public Services (carried)**

- a. Appropriation of Funds for 2020-2021 Community Development Block Grant COVID Rental Relief - \$244,950.82
- b. Approval of FY 2020-2021 Substantial Action Plan Amendment of the 2018-2022 Consolidated Plan

Erin Atak, Grants Coordinator, provided a summary of the request and answered a clarifying question for Vice Mayor Magill.

Mayor Walker opened the public hearing and the following community members spoke:

- Brandon Collins, resident and board member for Public Housing Association of Residents (PHAR), spoke in support of the Housing Authority application through the rent relief program.
- Peter Krebs, city resident, spoke in support of the Franklin Sidewalk Project.

Mayor Walker closed the public hearing.

Councilor Hill asked about delays in the project. Tim Motsch, Franklin Street Sidewalks Program Coordinator, was able to provide input about stormwater management issues that were affecting the project.

Council agreed to carry the item forward to the March 1, 2021 consent agenda.

### **ORDINANCE: Local COVID Ordinance Status Review**

Councilor Snook introduced the item, noting recent requests made by Little League. He reviewed two options: amending the City ordinance in place or rescinding the local ordinance in order to align with State regulations.

Mayor Walker made remarks in favor of being mindful of ensuring safety for employees who would be affected by less restrictive Covid-19 measures and being placed in higher-risk areas, as well as providing them with health benefits.

Acting City Attorney Lisa Robertson provided additional information about options for ordinance wording.

Todd Brown, Director of Parks and Recreation, spoke about other programs that would be considered once a decision about Little League was made. He shared thoughts about employee status of those who would normally hold jobs involved with department programming.

Councilor Hill shared mental health benefits of outdoor play and concerns about staying in alignment with the County of Albemarle.

Councilor Payne spoke in support of amending the ordinance to align with the Governor's orders on outdoor activities.

Mayor Walker shared information about local sports teams that had to end their seasons because of exposure to Covid-19.

Vice Mayor Magill spoke in favor of aligning with Albemarle County.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker) APPROVED the Ordinance.

**ORDINANCE TO AMEND AND RE-ENACT THE ORDINANCE ADOPTED ON DECEMBER 10, 2020 TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19.**

Mayor Walker advised of a need to have a broader conversation about employees.

**RESOLUTION: Regional Equity Joint Memorandum of Understanding**

Kaki Dimock, Director of Human Services, shared an updated Memorandum of Understanding, previously introduced in October 2020. She advised of an additional meeting on February 19 among City, County and University staff.

On motion by Councilor Snook, seconded by Vice Mayor Magill, Council by the

following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

## **RESOLUTION**

**WHEREAS**, the City of Charlottesville, the County of Albemarle, and the University of Virginia are committed to the provision of quality services to our entire community regardless of ethnicity, race, color, sex, sexual orientation, religion, language competence, socioeconomic status, physical health, mental health, disability, gender identification or expression, age, cognitive ability, physical ability, cultural affiliation, national or ethnic origin, immigration status, family structure, veteran status, political affiliation, or employment status; and

**WHEREAS**, the City, the County, and the University are uniquely poised to promote an equitable and welcoming community by increasing accessibility, promoting unity, and honoring diversity; and

**WHEREAS**, the City, the County, and the University recognize and affirm their shared responsibility in advancing equity and inclusion in our regional community and seek to work in partnership to achieve their mutual goals; and

**WHEREAS**, the City, the County, and the University recognize the importance of collaboration in creating a more equitable, inclusive, and welcoming community; and

**WHEREAS**, while the City, the County, and the University recognize that each locality's first and main priority is to serve the residents of their own jurisdictions, we pledge to:

- Evaluate current programs and policies and modify appropriately to address deficiencies
- Collectively invest, with allocated resources, in supporting programs and initiatives
- Set measurable goals and monitor progress of diversity, equity, and inclusion efforts
- Use available tools (such as the Equity Atlas and impact assessment tools) to support data-informed decision making
- Deepen our commitment to improved inclusivity and equity in the communities we serve
- Evaluate services and relationships through an equity lens that affect our communities
- Identify underserved communities through outreach and community partnership
- Implement programs and develop partnerships that close opportunity gaps
- Work to achieve alignment in both priorities and strategies employed to improve regional outcomes
- Designate resources including staff member(s) assigned to promote success

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Charlottesville hereby agrees to this Memorandum of Understanding committing to developing and enacting plans to identify mutually beneficial ways to cooperate and communicate where possible.

*This Memorandum of Understanding shall begin on the date of signatures by the Mayor of the City of Charlottesville, the Chair of the Board of Supervisors of Albemarle County, University of Virginia President James Ryan as authorized by their respective bodies.*

**RESOLUTION: Interrupt the Violence donation**

Mayor Walker introduced the request and advised that a training took place earlier in the day. She shared background on the initiative and impacts of violence on families. Se advised of a need to adjust the original request to accommodate for the purchase of a meal during training.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

**RESOLUTION**

**ALLOCATING CITY COUNCIL STRATEGIC INITIATIVES FUNDING TO SUPPORT AN “INTERRUPT THE VIOLENCE” TRAINING PROGRAM PROVIDED TO CITY RESIDENTS**

**BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, pursuant to authority set forth within Virginia Code §15.2-953, THAT a charitable donation is hereby approved to be made to Guns Down, Inc., a 501(c)(3) corporation organized under the laws of the state of New York, in the amount of \$20,480.00, said donation of funds to be used exclusively for and in support of the “Interrupt The Violence” training services to be provided to residents of the City of Charlottesville by various stakeholders on February 16-20, 2021.

**BE IT FURTHER RESOLVED** that the aforesaid amount shall be paid to Guns Down, Inc. from currently-appropriated funds in the City Council Strategic Initiatives account in the General Fund, in support of the local Interrupt The Violence Training Program, as follows:

\$ 20,480.00            Fund: 105            Cost Center: 10110010000

**GENERAL BUSINESS**

**REPORT: Street Designation Policy and Marker update**

Jeff Werner, Historic Preservation & Design Planner, introduced the report and presented the

recommendations from the Historic Resources Commission (HRC). Councilors thanked HRC members for their work.

Councilor Payne asked about comments that were made specifically about the Henry Martin Way application. Rachel Lloyd, Chair of the HRC, was able to add context to recommendations made by the committee.

Councilor Hill suggested a meeting between Council and the HRC to provide direction on the scope of the committee.

On motion by Vice Mayor Magill, seconded by Councilor Snook, Council agreed unanimously to vote on honorary street designations for Black History Pathway and Byers Snookie Way.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED honorary street designations for Black History Pathway and Byers Snookie Way: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

**DISCUSSION: Capital Improvement Plan projects (continued from 2/3/21 budget work session and 2/9/21 Planning Commission hearing)**

Mayor Walker began the discussion and Councilor Hill provided a summary of recent activity. City Manager Boyles shared information from recent meetings with Albemarle County Administrator Jeff Richardson and Chris Engel, Director of Economic Development regarding downtown parking. He advised that the agreement with the County would be honored; however, the way it would be honored would be further reviewed; and further evaluation of parking needs during and post-Covid would be needed. Councilors shared the desire to have a comprehensive review of parking needs. Mr. Boyles advised that time would be needed to reassess and look at transit solutions.

Mayor Walker asked whether the existing businesses would be able to remain past the originally expected October 2021 lease end dates. Chris Engel advised that delays could have adverse impacts.

Councilor Snook spoke in support of moving funds from the Market Street Garage project to the West Main Streetscape project.

Mayor Walker asked about funding for other priorities like signalization. She emphasized the need to link priorities to projects.

Councilors discussed the amount of time, funds and public engagement involved in the West

Main Streetscape Project, and discussed unknowns surrounding the capital budget for Schools and the East Main Street Garage project.

Staff provided answers to Council questions about timing, Virginia Department of Transportation (VDOT) funding, and the agreement with UVA for funding related to Stage 4 of the West Main Streetscape Project. Regarding the Parking Garage, the timeline would be based on the Memorandum of Agreement with the County. Mr. Boyles advised that the City would have to discuss timelines with VDOT. Director of Public Works David Brown advised that staff is continuing to move forward and would need to evaluate scope changes if funding is reduced. Director of Economic Development Chris Engel shared information about the parking structure project timeline and advised that a minor delay could be accommodated, but a substantial delay would impact the project plans. City Engineer Jack Dawson advised of right-of-way requirements and advised that delays would impact negotiations with VDOT.

Mr. Boyles advised that staff would continue working and bring back a recommendation or options for Council to consider at a meeting in early April.

Krisy Hammill advised that budget decisions would need to be made according to budget deadlines, as the budget proposal was being firmed for presentation on March 1, and final budget to be adopted in April.

#### **DISCUSSION: Credit Card Policy**

Council discussed holding a work session to develop the credit card policy for Council. The date of March 23, 2021, at 3:00 p.m. was selected for the work session.

#### **OTHER BUSINESS**

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote authorized Acting City Attorney Lisa Robertson to authorize the law firm of Zunka, Milnor & Carter to represent the City in connection with the Court's hearing of all of the pending motions, scheduled for March 1, 2021, in the litigation with Albemarle County over recreational uses of Ragged Mountain Reservoir: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

#### **MATTERS BY THE PUBLIC**

Ang Conn spoke of her disappointment with Council focusing discussion on the building of a new parking garage and advised Council to focus on helping people.

Pastor Marvin Morgan spoke about a proposed Court Square Enslavement Museum. Councilor Hill provided a response about engagement with the descendant community.

Yasmine Washington asked whether reconfiguration for Buford and Walker had been considered separately. Mayor Walker replied that feedback from the consultants would determine the discussion of priorities.

Don Gathers spoke about black leaders being targeted. He also asked about the status of Black Lives Matter Boulevard honorary designation.

Rory Stolzenberg commented on Council's earlier discussion about delay of the parking structure at 7th and Main and encouraged evaluation of all options.

Tanesha Hudson spoke about race issues with treatment of black people in leadership positions.

Mayor Walker advised of the need to improve communication and to address concerns when they are brought to light. Councilors agreed that there is a need to create a healthier environment.

The meeting adjourned at 10:56 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



**CITY COUNCIL SPECIAL MEETING**  
**February 19, 2021**  
**Virtual/electronic meeting via Zoom**

**12:00 PM SPECIAL MEETING**

The Charlottesville City Council met in a special meeting on Friday, February 19, 2021. The meeting was held electronically in accordance with local ordinance #O-20-154a adopted December 10, 2020, to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic.

Mayor Walker called the meeting to order at 12:17 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Councilors Heather Hill, Michael Payne and Lloyd Snook.

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

- Section 2.2-3711(A)(1), for discussion and consideration of prospective candidates for appointment to the Charlottesville Police Civilian Review Board.

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

The closed meeting adjourned at 1:54 p.m.

The open special meeting resumed at 1:54 p.m.

On motion by Councilor Hill, seconded by Councilor Snook, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) to appoint Jeffrey Fracher to the Charlottesville Police Civilian Review Board.

Mayor Walker adjourned the meeting at 1:56 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	March 15, 2021
Action Required:	Approval and Appropriation
Presenter:	Kaki Dimock, Director, Human Services
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	<b>COVID Homelessness Emergency Response Program (C.H.E.R.P.) – H.M.I.S. Grant Award (\$29,786)</b>

**Background:**

A C.O.V.I.D. Homelessness Emergency Response Program grant of \$29,786 has been awarded for the expenses associated with the maintenance and use of the datakeeping system called the Homelessness Management Information System (H.M.I.S.) required by both the U.S. Department of Housing and Urban Development and the Virginia Department of Housing and Community Development. The Thomas Jefferson Area Coalition for the Homeless plans, designs and coordinates the local homelessness continuum of care and is the provider of record for data collection.

**Discussion:**

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

**Community Engagement:**

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

**Alignment with City Council’s Vision and Strategic Plan:**

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

**Budgetary Impact:**

This grant will be entirely Federal pass-through funds. No local match is required. There is no

budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

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

**Attachments:**

Appropriation

**APPROPRIATION**  
**COVID Homelessness Emergency Response Program (C.H.E.R.P.) H.M.I.S.**  
**Grant Amendment**  
**\$29,786**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the C.H.E.R.P. Grant from the Virginia Department of Housing and Community Development in the amount of \$29,786.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$29,786 is hereby appropriated in the following manner:

Revenues			
\$29,786	Fund: 209	IO: 1900402	G/L: 430120 Federal Pass Thru

Expenditures			
\$29,786	Fund: 209	IO: 1900402	G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$29,786 in funds from the Virginia Department of Housing and Community Development.

**GRANT AGREEMENT**  
**COVID Homelessness Emergency Response Program Funding**  
**CHERP – HMIS**  
**Program Year 2020 - 2022**

**20-CHERP-HMIS-008**

This Grant Agreement is made by and between the **Virginia Department of Housing and Community Development (“DHCD”)**, and **City of Charlottesville (“Grantee”)** for the period of **April 2, 2020 to September 20, 2022** in the amount of **\$29,786**. The full amount of this funding is sourced from federal Emergency Solutions Grant stimulus funding (ESG-CV), authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

The Grantee was identified for CHERP-HMIS funding due to its responsibility to meet ESG-CV data collection and reporting requirements (including data collection and reporting from a comparable data system). Activities funded through this grant will be provided at the Grantee location(s) identified in DHCD’s Centralized Application Management System (CAMS).

DHCD administers the Commonwealth of Virginia’s COVID-19 homeless services resources through the CHERP and CHERP-HMIS subprogram. The CHERP-HMIS subprogram (“Grant”), which is the subject of this Agreement, is comprised of federal funds from the United States Department of Housing and Urban Development (HUD) authorized under the Emergency Solutions Grant – COVID program for federal fiscal year 2020; the federal grant number is E-20-DW-51-0001 and the Catalog of Federal Domestic Assistance (CFDA) number is 14.231. The Grant is subject to the terms, guidelines and regulations set forth in the COVID Homelessness Emergency Response Program Guidelines document, any subsequent amendments, the CoC/LPG proposal as amended through negotiations with DHCD, the DHCD approved Grantee budget, HUD regulations 24 CFR Part 576, as amended, which are incorporated by reference as part of this Agreement, the laws of the Commonwealth of Virginia, and federal law.

**I. Scope of Services**

HMIS Administrators and Victim Services Providers using a comparable data system will be eligible to receive ESG-CV funding to meet ESG-CV data collection and reporting requirements. The funding made available for HMIS Administrators and Victim Services Providers will be based on the total number of projects to be included in their required reporting. ESG-CV funding may be used to pay for staff expenses, necessary training, additional user licenses, and updates to HMIS that are necessary to fulfill the reporting requirement.

**II. Conditions**

**A. Service Provision**

The Grantee is responsible for coordination of CHERP activities with other CoC/LPG CHERP Grantees and mainstream resources. The Grantee must assure non-duplication of services with other CHERP Grantees.

**B. Reimbursement**

Funds are disbursed on a reimbursement based on payment dates. Grantees must submit remittances in DHCD’s Centralized Application and Management System (CAMS) and be able to provide documentation that the work and services occurred

within the grant period and the expenses were paid appropriately by the Grantee. Grantees may elect to submit CHERP remittances on a bi-weekly, monthly or bi-monthly basis. The chart below reflects monthly submission dates. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested. Should the grantee select to remit on a bi-weekly basis, the payment period must be from the 1<sup>st</sup> of the month to the 15<sup>th</sup> and the 16<sup>th</sup> of the month to the end of the month. For example, July 1 – July 15 and July 16 – July 31.

Monthly Remittance Submission Dates	
Payment Period	Remittance Submission Timeframe
April 1-30, 2020	May 1-31, 2020
May 1-31, 2020	June 1-30, 2020
June 1-30, 2020	July 1-31, 2020
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August 1-31, 2022	By September 20, 2022
September 1-15, 2022	By September 20, 2022

**C. Reporting**

Grantees must submit reports as required by DHCD. Such reports may include, but are not limited to, outcomes and performance reports. Any required reports and their due dates will be announced by DHCD along with any relevant instruction. Submission of reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the reports.

**D. Continuum of Care Participation**

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional continuum of care or balance of state local planning groups. In addition, Grantees must assure full participation in annual point-in-time and housing inventory counts.

**E. Accounting**

The Grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Grantee shall record in its accounting system all grant payments received pursuant to the grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

**F. DHCD Notification**

Grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, Grantee must notify DHCD should any other local, federal or state agency uncover evidence of any potentially illegal act.

Grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the Grantee, the de-obligation of current funding and the preclusion of future funding.

**G. Audit**

All grantees, sub-grantees, CHDOs, and sub-recipients, localities, developers, or any other organizations that receive funding during a specific program year are required to submit one of the following financial documents: Financial Statement\*\*, Reviewed Financial Statement prepared by an independent Certified Public Accountant (CPA), Audited Financial Statement prepared by an independent CPA or an 2 CFR 200 Subpart F Audit (Single Audit) prepared by an independent CPA. Please see the table below to determine which document your organization is required to submit.

The threshold requirements outlined below are the minimal standards required by DHCD. We strongly encourage all organizations receiving funds from DHCD to undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

Threshold Requirement	Document
Total annual expenditures ≤\$100,000 – regardless of source	Financial Statement prepared by organizations**

Total annual expenditure between \$100,001 and \$300,000 – regardless of source	Reviewed Financial Statement prepared by an Independent Certified Public Accountant (CPA)
Total annual expenditures > \$300,000 – regardless of source	Audited Financial Statement prepared by an Independent CPA
Federal expenditures $\geq$ \$750,000	2 CFR 200 Subpart F Audit - prepared by an Independent CPA

\*\*Does not require preparation by a CPA

Entities shall file the required financial document in the Centralized Application and Management System (CAMS) within nine (9) months after the end of their fiscal year or 30 (thirty) days after it has been accepted (Reviewed Financial Statement, Audited Financial Statement, and 2 CFR 200 Subpart F Audit only) - whichever comes first.

The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at:  
[http://www.dhcd.virginia.gov/images/DHCD/DHCD\\_Audit\\_Policy.pdf](http://www.dhcd.virginia.gov/images/DHCD/DHCD_Audit_Policy.pdf).

**H. Compliance**

Grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will work with all interested parties toward the resolution of unresolved matters, where appropriate.

**I. Maintenance of Records**

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

**J. Costs Incurred Prior To Grant Agreement Execution**

No costs incurred prior to the start of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD.

**K. State Not Liable**

The Grantee shall hold harmless the Commonwealth of Virginia, DHCD, its agents and employees from any and all claims and demands based upon or arising out of any action by the Grantee, its employees, agents or contractors.

**L. Expenditure Review**

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.



Based on HUD expectations, all Federal ESG-CV funding should be at least 20% expended by September 30, 2021 and 80% expended by March 31, 2022. DHCD will regularly review expenditure rates to ensure HUD expectations are met and funds are being used appropriately to prepare, prevent, and respond to the COVID-19 pandemic throughout the Commonwealth of Virginia and within each Continua of Care and Local Planning Groups' housing crisis response systems.

**M. Termination, Suspension, Conditions**

If through any cause, the Grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

**N. Subsequent Contracts**

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for which this assistance is being provided under this Agreement are carried out in accordance with the Grantee's Assurances and Certifications.

**O. Default**

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

- (1) direct the Grantee to submit progress schedules for completing approved activities;
- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including , but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

**P. Conflict of Interest**

Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

**Q. Religious Influence**

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under VHSP. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under VHSP and participation must be voluntary for program participants.

**III. Additional Assurances**

- A. Grantee will give the DHCD, the Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B. In accordance with federal law, grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

**IV. Additional Certifications:**

The Grantee certifies that it will comply with the following:

- (a) Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;
- (b) Virginia Fair Employment Contracting Act;
- (c) Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
  - 24 CFR 100 (discriminatory conduct under Fair Housing Act);
  - Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);
  - 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
  - Title VIII of Civil Rights Act of 1968 as amended (prohibiting discrimination based on race, color, national origin, religion, sex, familial status [including children under the

age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18], and disability)

(e) Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:

- 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);

(f) 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);

(g) 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);

(h) Adhere to Executive Orders 11625, 12432, and 12138, that Grantee must make efforts to encourage participation of minority and women-owned business enterprises in connection with funded activities;

(i) Encourage participation of locally-owned enterprises in connection with funded activities;

(j) McKinney-Vento Homeless Assistance Program Regulations;

(k) Anti-lobbying Certification;

(l) Drug Free Workplace.

If requested by DHCD:

1. A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.
2. All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

**Virginia Department of Housing and Community Development**

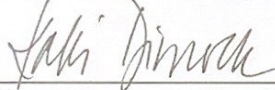


\_\_\_\_\_  
Pamela G. Kestner, Acting Deputy Director

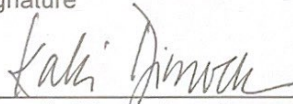
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Date

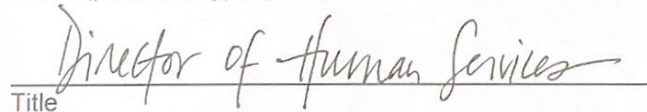
**City of Charlottesville**



\_\_\_\_\_  
Signature



\_\_\_\_\_  
Name (printed or typed)



\_\_\_\_\_  
Title

2/18/2021

\_\_\_\_\_  
Date

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



Agenda Date:	March 15, 2021
Action Required:	Approval and Appropriation
Presenter:	Kaki Dimock, Director, Human Services
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	<b>COVID Homelessness Emergency Response Program (C.H.E.R.P.) Grant Award (\$806,594)</b>

**Background:**

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.), applied for and received a grant from the Virginia Department of Housing and Community Development. The original COVID Supplement for the Virginia Housing Solutions Program award of \$283,742 was granted and then amended to a total of \$806,594 and the contract period extended to September 20, 2022.

**Discussion:**

The City of Charlottesville has staff from the departments of Human Services and Social Services taking leadership roles in the governance of T.J.A.C.H. The grant provides services in several points along the local continuum of services:

- \$628,783 for emergency shelter services
- \$133,000 for rapid re-housing services
- \$44,811 for administrative expenses

**Community Engagement:**

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

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

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

**Budgetary Impact:**

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

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

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

**Attachments:**

Appropriation & Contract Documents

**APPROPRIATION**  
**C.H.E.R.P. Grant Amendment \$806,594**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the C.H.E.R.P. Grant from the Virginia Department of Housing and Community Development in the amount of \$806,594.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$806,594 is hereby appropriated in the following manner:

Revenues			
\$806,594	Fund: 209	IO: 1900401	G/L: 430120 Federal Pass Thru

Expenditures			
\$806,594	Fund: 209	IO: 1900401	G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$806,594 in funds from the Virginia Department of Housing and Community Development.

**GRANT AGREEMENT**  
**COVID Homelessness Emergency Response Program Funding**  
**Program Year 2020 - 2022**

**20-CHERP-008**

This Grant Agreement is made by and between the **Virginia Department of Housing and Community Development (“DHCD”)**, and **City of Charlottesville (“Grantee”)** for the period **April 2, 2020 to September 20, 2022** in the amount of **\$283,742** Included in the amount is **\$0** in state general funds to support emergency shelter operations and **\$283,742** in federal funds to support rapid re-housing activities.

The Grantee was identified as part of the community’s emergency response system to homelessness in the 2020 Homeless and Special Needs Housing COVID-19 – Homelessness Emergency Response Program (CHERP) request for funding submitted by the lead agency (or designee) of the continuum of care (CoC) or balance of state local planning group (LPG). Activities funded through this grant will be provided at the Grantee location(s) identified in DHCD’s Centralized Application Management System (CAMS).

DHCD administers the Commonwealth of Virginia’s COVID-19 homeless services resources through the CHERP. The Grant, which is the subject of this Agreement, is comprised of state funds through the COVID Relief Fund and an allocation from the United States Department of Housing and Urban Development (HUD) authorized under the Emergency Solutions Grant – COVID program for federal fiscal year 2020; the federal grant number is E-20-DW-51-0001 and the Catalog of Federal Domestic Assistance (CFDA) number is 14.231. The Grant is subject to the terms, guidelines and regulations set forth in the COVID Homelessness Emergency Response Program Guidelines document, any subsequent amendments, the CoC/LPG proposal as amended through negotiations with DHCD, the DHCD approved Grantee budget, HUD regulations 24 CFR Part 576, as amended, which are incorporated by reference as part of this Agreement, the laws of the Commonwealth of Virginia, and federal law.

**I. Scope of Services**

The goals of CHERP are to first, ensure all individuals and households experiencing homelessness have access to safe, 24-7, emergency shelter during this health pandemic. The second goal of the COVID Homelessness Emergency Response Program is to help households maintain or obtain permanent housing and receive the housing-focused supportive services necessary to retain permanent housing. This funding will support coordinated community-based activities that are designed to reduce the overall length of homelessness in the community, the number of households becoming homeless, and the overall rate of formerly homeless households returning to homelessness.

CHERP funds may be used for one or more of the following activities as detailed in the program guidelines and must coincide with the program funding request submitted by the CoC/LPG lead agency and approved by DHCD:

- Emergency Shelter Operations
- FEMA – Emergency Shelter Operations
- Targeted Prevention
- Rapid Re-housing



- Administration

## II. Conditions

### A. Service Provision

The Grantee is responsible for coordination of CHERP activities with other CoC/LPG CHERP Grantees and mainstream resources. The Grantee must assure non-duplication of services with other CHERP Grantees.

### B. Reimbursement

Funds are disbursed on a reimbursement based on payment dates. Grantees must submit remittances in DHCD's Centralized Application and Management System (CAMS) and be able to provide documentation that the work and services occurred within the grant period and the expenses were paid appropriately by the Grantee. Grantees may elect to submit remittances on a monthly or bi-monthly basis, the chart below reflects monthly submission dates. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

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### C. Reporting

Grantees must submit reports as required by DHCD. Such reports may include, but are not limited to, outcomes and performance reports. Any required reports and their due dates will be announced by DHCD along with any relevant instruction. Submission of reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the reports.

**D. Continuum of Care Participation**

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional continuum of care or balance of state local planning groups. In addition, Grantees must assure full participation in annual point-in-time and housing inventory counts.

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All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

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**G. Audit**

All grantees, sub-grantees, CHDOs, and sub-recipients, localities, developers, or any other organizations that receive funding during a specific program year are required to submit one of the following financial documents: Financial Statement\*\*, Reviewed Financial Statement prepared by an independent Certified Public Accountant (CPA), Audited Financial Statement prepared by an independent CPA or an 2 CFR 200 Subpart F Audit (Single Audit) prepared by an independent CPA. Please see the table below to determine which document your organization is required to submit.

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undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

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**K. State Not Liable**

The Grantee shall hold harmless the Commonwealth of Virginia, DHCD, its agents and employees from any and all claims and demands based upon or arising out of any action by the Grantee, its employees, agents or contractors.

**L. Expenditure Review**

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result

in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.

**M. Termination, Suspension, Conditions**

If through any cause, the Grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

**N. Subsequent Contracts**

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for which this assistance is being provided under this Agreement are carried out in accordance with the Grantee's Assurances and Certifications.

**O. Default**

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

- (1) direct the Grantee to submit progress schedules for completing approved activities;
- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including , but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

**P. Conflict of Interest**

Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

**Q. Religious Influence**

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under VHSP. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under VHSP and participation must be voluntary for program participants.

**III. Additional Assurances**

- A.** Grantee will give the DHCD, the Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B.** In accordance with federal law, grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

**IV. Additional Certifications:**

The Grantee certifies that it will comply with the following:

- (a) Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;
- (b) Virginia Fair Employment Contracting Act;
- (c) Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
  - 24 CFR 100 (discriminatory conduct under Fair Housing Act);
  - Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);
  - 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
  - Title VIII of Civil Rights Act of 1968 as amended (prohibiting discrimination based on race, color, national origin, religion, sex, familial status [including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18], and disability)
- (e) Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:


- 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
  - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- (f) 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);
- (g) 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);
- (h) Adhere to Executive Orders 11625, 12432, and 12138, that Grantee must make efforts to encourage participation of minority and women-owned business enterprises in connection with funded activities;
- (i) Encourage participation of locally-owned enterprises in connection with funded activities;
- (j) McKinney-Vento Homeless Assistance Program Regulations;
- (k) Anti-lobbying Certification;
- (l) Drug Free Workplace.

If requested by DHCD:

1. A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.
2. All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

**Virginia Department of Housing and Community Development**

  
\_\_\_\_\_  
Pamela G. Kestner, Acting Deputy Director

3/4/2021  
\_\_\_\_\_  
Date

**City of Charlottesville**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Name (printed or typed)

  
\_\_\_\_\_  
Title

8 March 2021  
\_\_\_\_\_  
Date

**GRANT AGREEMENT**  
**COVID Homelessness Emergency Response Program Funding**  
**Program Year 2020 - 2022**

**20-CHERP-008**

This Amendment documents that the following language in the Program Year 2020-2022 grant agreement changed.

**Original Language**

This Grant Agreement is made by and between the **Virginia Department of Housing and Community Development (“DHCD”)**, and **City of Charlottesville (“Grantee”)** for the period April 2, 2020 to September 20, 2022 in the amount of **\$283,742** Included in the amount is **\$0** in state general funds to support emergency shelter operations and **\$283,742** in federal funds to support rapid re-housing activities.

**Amended Language**

This Grant Agreement is made by and between the **Virginia Department of Housing and Community Development (“DHCD”)**, and **City of Charlottesville (“Grantee”)** for the period of **April 2, 2020 to September 20, 2022** in the amount of **\$806,594**. Included in this amount are the following:

- **\$0** in state funds to support emergency shelter operations and administrative expenses from April 2, 2020 to December 30, 2020.
- **\$806,594** in federal funds to support emergency shelter operations, targeted prevention, rapid re-housing, and administrative activities from April 2, 2020 to September 20, 2022.
- **\$0** in federal funds to support HMIS activities from April 2, 2020 to September 20, 2022.

**Original Language**

Grantees may elect to submit remittances on a monthly or bi-monthly basis, the chart below reflects monthly submission dates. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

**Amended Language**

Grantees may elect to submit CHERP remittances on a bi-weekly, monthly or bi-monthly basis. The chart below reflects monthly submission dates. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested. Should the grantee select to remit on a bi-weekly basis, the payment period must be from the 1<sup>st</sup> of the month to the 15<sup>th</sup> and the 16<sup>th</sup> of the month to the end of the month. For example, July 1 – July 15 and July 16 – July 31.

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

**Virginia Department of Housing and Community Development**



*Pamela G. Kestner*

\_\_\_\_\_  
Pamela G. Kestner, Acting Deputy Director

10/16/20

\_\_\_\_\_  
Date

**City of Charlottesville**

*Kaki Dimock*

\_\_\_\_\_  
Signature

*Kaki Dimock*

\_\_\_\_\_  
Name (printed or typed)

*Director, Human Services*

\_\_\_\_\_  
Title

*11/25/2020*

\_\_\_\_\_  
Date

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



<b>Agenda Date:</b>	April 5, 2021
<b>Action Required:</b>	Public Hearing/Ordinance
<b>Presenter:</b>	Mike Ronayne, Urban Forester Parks and Recreation
<b>Staff Contacts:</b>	Mike Ronayne, Urban Forester Parks and Recreation
<b>Title:</b>	<b>Designation of Trees per the Tree Conservation Ordinance</b>

**Background:**

On November 4, 2013 the City Council passed a tree conservation ordinance that permitted the designation of public or private trees as protected under one of four categories:

1. Heritage tree means any tree that has been individually designated by city council to have notable historic or cultural interest.
2. Memorial tree means any tree that has been individually designated by city council to be a special commemorating memorial.
3. Specimen tree means any tree that has been individually designated by city council to be notable by virtue of its outstanding size and quality for its particular species.
4. Street tree means any tree that has been individually designated by city council and which grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Attached are six trees forwarded for designation under this program. The first tree is a large white ash located at the rear courtyard of the Albemarle/Charlottesville Historical Society. This tree is proposed for designation as a specimen tree. Another proposed tree is the large American elm at Clark Elementary School proposed for designation as a Specimen Tree. This large tree resides to the Monticello Av. side of the school. The next tree is a post oak for Specimen Tree consideration in the Maplewood Cemetery. This large post oak is in the central part of the cemetery. The next tree is a large sycamore in Riverview Park for Specimen Tree consideration. This sycamore is along the paved trail and on the banks of the Rivanna River. The next tree for consideration is the large shumard oak planted in memory of Leroy Snow for designation as a Memorial Tree. The shumard oak resides alongside of the 250 Bypass near the exit for Rugby

Rd. The last tree for consideration is the southern red oak in Oakwood Cemetery. This tree is proposed for ordinance protection as a Specimen Tree. This southern red oak is located near the north end of the cemetery close to Oak St. and is the largest oak in the in the cemetery.

Pursuant to section 18-9(b)(2) Council is required to conduct a public hearing on these requests and pass an ordinance if the designation is to be given. The Tree Commission and City Arborist findings along with the original applications are attached.

**Discussion:**

In 2012 the Tree Commission began to work, in earnest, on a tree conservation ordinance that would afford protection to trees that had a unique or unusual set of attributes or conditions. After working extensively with the City Attorney, individuals and organizations such as the Charlottesville Area Tree Stewards and a careful and thoughtful review of the Commonwealth enabling legislation a proposed ordinance was forwarded to City Council and approved November 4, 2013.

The program is voluntary in nature and requires that all public tree nominations originate with the Tree Commission while private trees may only be nominated only by the owner of the property on which the tree resides. The nomination then undergoes a review by the City Arborist as to condition and verification of species. The Tree Commission then considers all these findings and makes a determination whether or not to forward the nomination to the City Council on a quarterly basis. The nomination requested for consideration has been through this exhaustive process.

The provisions of this ordinance, pursuant to the enabling legislation, shall not apply to:

- (1) Work conducted on federal or state property;
- (2) Emergency work to protect life, limb or property;
- (3) Routine installation, maintenance and repair of cable and wires used to provide cable television, electric, gas or telephone service;
- (4) Activities with minor effects on trees, including but not limited to, home gardening and landscaping of individual homes; and
- (5) Commercial, silvicultural or horticultural activities, including but not limited to planting, managing, or harvesting forest or tree crops.

Upon designation the ordinance notes that:

A property owner shall undertake reasonable efforts to preserve and protect any trees designated pursuant to this article. No heritage, memorial, specimen or street tree may be removed or intentionally damaged in a way that could destroy the tree unless authorized by city council. City council may authorize the removal or other action upon making a determination that: (i) there is an overriding need for public improvements which necessitate removal of the tree; or (ii) not removing the tree will cause severe hardship to

the property owner.

Any person or entity that knowingly violates any provision of this article shall be subject to a civil penalty not to exceed two thousand five hundred dollars (\$2,500.00) for each violation. Civil penalties shall be imposed by the issuance of a civil summons returnable in the general district court

**Alignment with Council Vision Areas and Strategic Plan:**

The initiative supports City Council’s “Green City” vision. It contributes to Goal 2 of the Strategic Plan: Be a safe, equitable, thriving, and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.

**Community Engagement:**

There has been no extensive community engagement on these proposed designations; however, during the submittal process there has not been public opposition.

**Budgetary Impact:**

There is no anticipated budgetary impact.

**Recommendation:**

The Tree Commission recommends and requests that these three trees be designated as requested and staff can find no reason that should not occur.

**Alternatives:**

Council could take no action on the designation of these trees.

**Attachments:**

**Ordinance**

- |               |  |
|---------------|--|
| Attachment 1  | Tree Commission Cover letter                                 |
| Attachment 2  | Photograph of White Ash Tree at Historical Society           |
| Attachment 3  | Tree Conservation Nomination Form and Tree Commission Report |
| Attachment 4  | Tree Report prepared by City Arborist                        |
| Attachment 5  | Map of Tree Location   |
| Attachment 6  | Photograph of American Elm at Clark Elementary School        |
| Attachment 7  | Tree Conservation Nomination Form and Tree Commission Report |
| Attachment 8  | Tree Report prepared by City Arborist                        |
| Attachment 9  | Map of Tree Location   |
| Attachment 10 | Photograph of Post Oak at Maplewood Cemetery                 |

Attachment 11	Tree Conservation Nomination Form and Tree Commission Report
Attachment 12	Tree Report prepared by City Arborist
Attachment 13	Map of Tree Location
Attachment 14	Photograph of Sycamore at Riverview Trail
Attachment 15	Tree Conservation Nomination Form and Tree Commission Report
Attachment 16	Tree Report prepared by City Arborist
Attachment 17	Map of Tree Location
Attachment 18	Photograph of Shumard Oak at 250 Bypass
Attachment 19	Tree Conservation Nomination Form and Tree Commission Report
Attachment 20	Tree Report prepared by City Arborist
Attachment 21	Map of Tree Location
Attachment 22	Photograph of Southern Red Oak at Oakwood Cemetery
Attachment 23	Tree Conservation Nomination Form and Tree Commission Report
Attachment 24	Tree Report prepared by City Arborist
Attachment 25	Map of Tree Location

**ORDINANCE**  
**DESIGNATING CERTAIN TREES AS PROTECTED TREES UNDER THE CITY'S**  
**TREE CONSERVATION ORDINANCE**

**WHEREAS**, the City of Charlottesville (the City) adopted a Tree Conservation Ordinance on November 4, 2013 to preserve certain significant trees within the City of Charlottesville; and

**WHEREAS**, per Section 18-5 *et seq.* of the City Code (Tree Conservation Ordinance), the City Arborist and Tree Commission may make recommendations to Council on a quarterly basis to consider designation of certain trees as Heritage, Memorial, Specimen, or Street trees; and

**WHEREAS**, the Tree Commission has nominated and recommends that the following trees be afforded protection through the Tree Conservation Ordinance:

- (1) White Ash (*Fraxinus americana*) at McIntire Building, as a Specimen Tree;
- (2) American Elm (*Ulmus americana*) at Clark School, as a Specimen Tree;
- (3) Bur-Post Oak (*Quercus stellata*) at Maplewood Cemetery, as a Specimen Tree;
- (4) Sycamore (*Platanus occidentalis*) at Riverview Park, Chesapeake Street at Riverside Avenue, as a Specimen Tree;
- (5) Shumard Oak (*Quercus shumardii*) At Rugby Road at 250 Bypass, as a Memorial Tree and Street Tree; and
- (6) Southern Red Oak (*Quercus falcata*) at Oakwood Cemetery, as a Specimen Tree.

**WHEREAS**, the City Arborist concurs with the recommendations of the Tree Commission; and

**WHEREAS**, City Council has considered the report and recommendation of the City Arborist and the Tree Commission, and conducted a public hearing on April 5, 2021;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville that:

1. The nominated White Ash at McIntire Building, the Elm at Clark School, the Sycamore at Riverview Park, the Bur-Post Oak at Maplewood Cemetery, and the Southern Red Oak at Oakwood Cemetery are hereby designated as Specimen Trees; and
2. The nominated Shumard Oak at Rugby Road/250 bypass is hereby designated as a Memorial Tree and Street Tree.

## Charlottesville Tree Commission

March 18, 2021

Kyna Thomas  
Clerk of Council  
605 E. Main St.  
2nd Floor  
Charlottesville, VA 22902

Dear Ms. Thomas:

Pursuant to Chapter 18, Article II, of the Code of Ordinances, the Tree Commission nominates for conservation the six trees set forth in the attached documentation. All of the trees are on City property and are nominated with the designation indicated:

- White Ash, McIntire Building—*Specimen Tree*
- Elm, Clark School—*Specimen Tree*
- Sycamore, Riverview Park, Chesapeake St at Riverside Ave—*Specimen Tree*
- Bur-Post Oak, Maplewood Cemetery—*Specimen Tree*
- Southern Red Oak, Oakwood Cemetery—*Specimen Tree*
- Shumard Oak, Rugby Rd at 250 Bypass—*Memorial Tree, Street Tree*

The Commission intends to work with the City Arborist in the year ahead to identify and nominate additional trees, especially specimens. These nominations underscore the importance of an extra degree of preservation effort for the most significant trees in our urban forest.

Please let me know should you or members of Council have questions or require additional information.

Sincerely,

*Brian Menard*

Brian Menard  
Chair

# Nomination Trees

## March 2020

### 1. White Ash, Heritage and or Specimen

<b>Address:</b>	Albemarle County Historical Society, 200 Jefferson St
<b>Common Name:</b>	Ash, White
<b>Latin Name:</b>	Fraxinus americana
<b>Circumference:</b>	16', diameter 5.1'
<b>Height:</b>	95'





## Tree Conservation - Nomination Form

In November 2013, Charlottesville City Council adopted the Tree Conservation Ordinance regulating the preservation and removal of Heritage, Specimen, Memorial and Street Trees, (Chapter 18 (Parks and Recreation), Article II, Tree Conservation) in order to secure protection for a portion of the City's urban forest and the ecosystem services that this forest provides.

The ordinance can be used to protect individual trees on public land, or privately owned individual trees that property owners voluntarily agree to safeguard. Individual property owners and the Tree Commission may nominate trees. Four categories of trees can be considered: **specimen, heritage, memorial, and street trees**. As defined by Virginia State law, specimen trees are those that are notable in their size and quality for their species. Heritage trees have historical or cultural interest. Memorial trees can be designated to commemorate a person, group or life event. Street trees are those that have been planted by the City within a public right-of-way on public or private land. The Tree Commission reviews and City Council decides if nominated trees are worthy of this special status.

Instructions: Please complete and fill in (spaces expand) all applicable and highlighted sections and mail or drop off to: Parks Division, Attn: Exceptional Tree Nomination, 1300 Pen Park Road, Charlottesville, VA, 22911, or email to [ehmand@charlottesville.org](mailto:ehmand@charlottesville.org).

Application Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

**Nominator:** Name (Print) Peggy Van Yahres for Tree Commission  
E-Mail: vanyahresp@gmail.com  
Phone: 4349536636  
Signature: Peggy Van Yahres

### Tree to be nominated:

Address:

Albemarle County Historical Society, 200 Jefferson St

Location description (if address unknown: Please include sketch below if needed). \_\_\_\_\_

Common name or Latin name of tree (if known):

Fraxinus americana

Category of Tree (check one): Public:  Private (If selected see added requirements below)

Designation Requested (check one):

**Heritage tree** means a tree that has notable historic or cultural interest.

**Memorial tree** means a tree that is intended to be a special commemorating memorial.

**Specimen tree** means a tree that is notable by virtue of its outstanding size and quality for its particular species.

**Street tree** means a tree that grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Statement that supports requested designation (You may attach additional information)

This tree is 63" DBH and 16' 9" in circumference.

There are photos from 1906 in the library, showing this Ash towering over the buildings back then.

Courtyard renovation occurred in 1993, cutting into tree roots. Former City Arborist Tim Hughes said this old Ash has made peace with what has been built around it. In 2002 City of Charlottesville started treating for Emerald Ash Borer. Tucked away in its secret garden, now a World Peace Garden.

If **Private Tree** the following information must also be received or the nomination cannot be processed:

Owner:      Name (Print)   
                  E-Mail:   
                  Phone:

<b>If Private Tree:</b>	<b>Requested</b>	<b>Received</b>
Owner Affidavit :	_____	_____
NDS Review:	_____	_____
Public Works Review:	_____	_____

<b>All Nominations:</b>	<b>Assigned</b>	<b>Returned</b>
Arborist Report Received:	_____	_____
Commission Report Received:	_____	_____
Recommendation Formulated:	_____	_____
Action to Forward:	_____	_____
Council Action Date:	_____	

Nominator Notified: \_\_\_\_\_  
Owner Notified: \_\_\_\_\_

Loaded in GIS: \_\_\_\_\_

City Arborist's Report prepared by Mike Ronayne

ISA Certified Arborist # MA-5342-A

November 12<sup>th</sup> 2019

Tree Nomination for Ordinance Protection: White Ash (*Fraxinus americana*) at Albemarle Charlottesville Historical Society, 200 2nd St. NE, Charlottesville, VA

Nominated by: Peggy Van Yahres

**Considerations**

**Size**- The white ash at the Albemarle Charlottesville Historical Society was measured at diameter at breast height (4.5' above ground) and found to be 62" in diameter. The tree is estimated to be 85' in height with a 65' crown spread. The tree has a live crown ratio of approximately 50% which is good.

**Species** — Ash is listed in the *Mid- Atlantic Species Rating Guide* which is used as the industry standard for Tree Appraisal as having a species rating of 25-80. Ash have previously been widely used in the landscape. Ash trees are susceptible to a variety of insect and disease issues such as ash yellow and rust. Ash trees also now must be treated for emerald ash borer biannually which is an additional maintenance consideration. This was one of the first trees on the emerald ash borer management plan and was last treated in 2018 and is to be treated again in 2020. It is unknown how old the ash is. Due to these factors I believe a species rating of 45 out of 100 is appropriate.

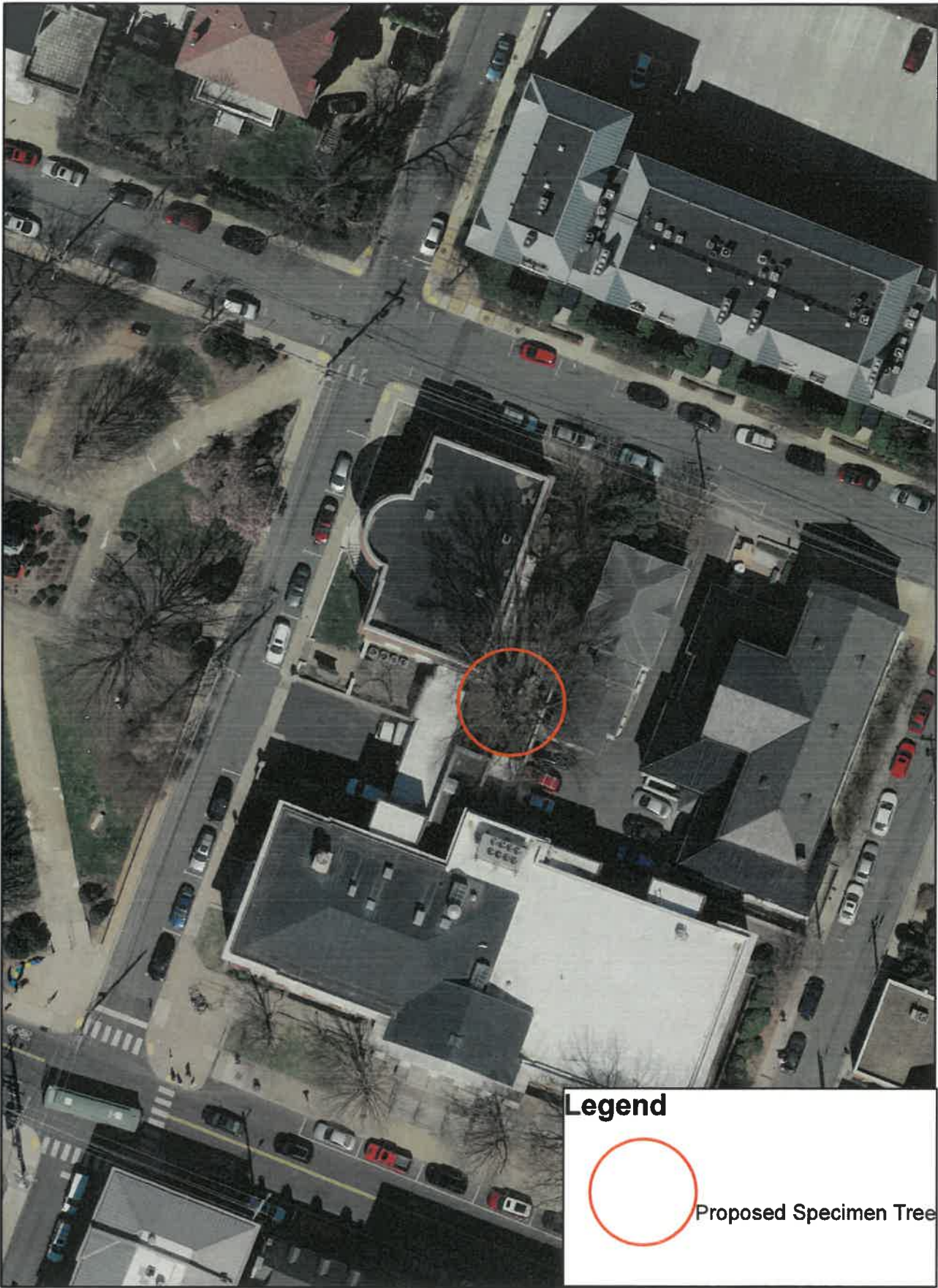
**Condition** —It is observed that one lead has missing bark and a visible cavity. Throughout the interior of canopy there are a few broken stubs from previous branch failures. There are three cables observed that were installed to further reduce the risk of breakage among major leads. Overall the tree appears to be in good general health. Due to these factors the tree receives a condition rating of .80 out of 1 which is good.

**Location** — This tree is located at the rear of the Historical Society in at the end of a courtyard in a flowerbed. The tree is in an ideal location downtown and compliments the historic buildings. This tree has grown very large despite its limited rooting area surrounded by brick walls. Due to these factors the tree receives a location rating of .8 out of 1 which is good.

## **Conclusion**

This ash tree adds outstanding aesthetic value to the landscape and adds to the perception of the historic downtown area. It is paramount that the tree continue to be preventatively treated for emerald ash borer. It should be noted that further ordinance protection would limit disturbances or renovations to adjacent hard structures. Due to these considerations I feel that this tree would benefit from further ordinance protection.

# Ash behind Historical Society



## Legend



Proposed Specimen Tree

## 2. Elm, Specimen

**Address:** Clarke school, 1000 Belmont Ave

**Common Name:** Elm, American

**Latin Name:** *Ulmus americana*



## Tree Conservation - Nomination Form

In November 2013, Charlottesville City Council adopted the Tree Conservation Ordinance regulating the preservation and removal of Heritage, Specimen, Memorial and Street Trees, (Chapter 18 (Parks and Recreation), Article II, Tree Conservation) in order to secure protection for a portion of the City's urban forest and the ecosystem services that this forest provides.

The ordinance can be used to protect individual trees on public land, or privately owned individual trees that property owners voluntarily agree to safeguard. Individual property owners and the Tree Commission may nominate trees. Four categories of trees can be considered: **specimen, heritage, memorial, and street trees**. As defined by Virginia State law, specimen trees are those that are notable in their size and quality for their species. Heritage trees have historical or cultural interest. Memorial trees can be designated to commemorate a person, group or life event. Street trees are those that have been planted by the City within a public right-of-way on public or private land. The Tree Commission reviews and City Council decides if nominated trees are worthy of this special status.

Instructions: Please complete and fill in (spaces expand) all applicable and highlighted sections and mail or drop off to: Parks Division, Attn: Exceptional Tree Nomination, 1300 Pen Park Road, Charlottesville, VA, 22911, or email to [ehmand@charlottesville.org](mailto:ehmand@charlottesville.org).

Application Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

**Nominator:** Name (Print) Peggy Van Yahres for Tree Commission  
E-Mail: vanyahresp@gmail.com  
Phone: 4349536636  
Signature: Peggy Van Yahres

### Tree to be nominated:

Address:

1000 Belmont Ave Clark School

Location description (if address unknown: Please include sketch below if needed). \_\_\_\_\_

Common name or Latin name of tree (if known): \_\_\_\_\_

Category of Tree (check one): Public:  Private (if selected see added requirements below)

Designation Requested (check one):

**Heritage tree** means a tree that has notable historic or cultural interest.

**Memorial tree** means a tree that is intended to be a special commemorating memorial.

**Specimen tree** means a tree that is notable by virtue of its outstanding size and quality for its particular species.

**Street tree** means a tree that grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Statement that supports requested designation (You may attach additional information)

It's DBH is 56' and circumference is 15' 2". This wonderful Elm is surviving Dutch Elm disease. City of Charlottesville treats it every 3-5 years. It shades George Rogers Clark School, built in 1931. So it could be around 84 years old.

If **Private Tree** the following information must also be received or the nomination cannot be processed:

Owner:      Name (Print)   
                  E-Mail:   
                  Phone:

If Private Tree:	Requested	Received
Owner Affidavit :	_____	_____
NDS Review:	_____	_____
Public Works Review:	_____	_____

All Nominations:	Assigned	Returned
Arborist Report Received:	_____	_____
Commission Report Received:	_____	_____
Recommendation Formulated:	_____	_____
Action to Forward:	_____	_____
Council Action Date:	_____	

Nominator Notified: \_\_\_\_\_  
Owner Notified: \_\_\_\_\_

Loaded in GIS: \_\_\_\_\_



City Arborist's Report prepared by Mike Ronayne

ISA Certified Arborist # MA-5342-A

November 13<sup>th</sup> 2019

Tree Nomination for Ordinance Protection: American Elm (*Ulmus americana*) at  
Clark Elementary School, 1000 Belmont Av., Charlottesville, VA

Nominated by: Peggy Van Yahres

**Considerations**

**Size-** The American elm at Clark Elementary School was measured at diameter at breast height (4.5' above ground) and found to be 56" in diameter. The tree is estimated to be 55' in height with a 70' crown spread. The tree has a live crown ratio of approximately 45% which is fair.

**Species** — American elm is listed in the *Mid- Atlantic Species Rating Guide* which is used as the industry standard for Tree Appraisal as having a species rating of 35-70. American elms make a hardy urban tree and were extremely popular prior to the arrival of Dutch elm disease which devastated elms across the country. As a result of the nonnative, introduction of Dutch elm disease, various cultivars of American elm continue to play a role in our urban forests. This American elm has been treated preventively for Dutch elm disease for many years and will continue to be treated. It is unknown how old the elm is. Due to these factors I believe a species rating of 60 out of 100 is appropriate.

**Condition** – The elm has generally good main branching structure despite having multiple leads. Some tip die-back suggests declining vigor but would not be uncommon for an elm of this age and size. The tree appears to be in good general health. The tree's root plate is covered in English ivy and vinca ground cover but appears to be cut back from the tree trunk previously. The tree was last treated for Dutch elm disease in 2017 and will be treated again in 2020. Due to these factors the tree receives a condition rating of .85 out of 1 which is good.

**Location** – This tree is located at the southwest side of Clark Elementary School in a flowerbed and is an integral part of the planting area. The tree overhangs the faculty parking lot, sidewalks and flowerbed. This tree has a barrier to keep people out of the flowerbed area and limit disturbances. The tree accents the streetscape as well as the building. The tree sits high on the bank from Monticello Av. which makes it seem larger. Due to these factors the tree receives a location rating of .9 out of 1 which is excellent.

## **Conclusion**

This American elm tree frames the Clark Elementary School and Monticello Av. It is paramount that the tree continue to be preventatively treated for Dutch elm disease. It should be noted that further ordinance protection would limit disturbances or renovations to adjacent hard structures and flowerbed. Due to these considerations I feel that this tree would benefit from further ordinance protection.

# Elm at Clark Elementary



### 3. Post Oak, Specimen



An unusual hybrid, a huge Bur-Post Oak in the middle of the cemetery

<b>Address:</b>	Lexington Ave at Maple St (Maplewood Cemetery)
<b>Common Name:</b>	Oak, Bur-Post
<b>Latin Name:</b>	<i>Quercus stellata</i>
<b>Circumference:</b>	15.7' diameter: 5'

# Tree Conservation - Nomination Form

In November 2013, Charlottesville City Council adopted the Tree Conservation Ordinance regulating the preservation and removal of Heritage, Specimen, Memorial and Street Trees, (Chapter 18 (Parks and Recreation), Article II, Tree Conservation) in order to secure protection for a portion of the City's urban forest and the ecosystem services that this forest provides.

The ordinance can be used to protect individual trees on public land, or privately owned individual trees that property owners voluntarily agree to safeguard. Individual property owners and the Tree Commission may nominate trees. Four categories of trees can be considered: specimen, heritage, memorial, and street trees. As defined by Virginia State law, specimen trees are those that are notable in their size and quality for their species. Heritage trees have historical or cultural interest. Memorial trees can be designated to commemorate a person, group or life event. Street trees are those that have been planted by the City within a public right-of-way on public or private land. The Tree Commission reviews and City Council decides if nominated trees are worthy of this special status.

Instructions: Please complete and fill in (spaces expand) all applicable and highlighted \_\_\_\_\_ sections and mail or drop off to: Parks Division, Attn: Exceptional Tree Nomination, 1300 Pen Park Road, Charlottesville, VA, 22911, or email to Ronaynem@charlottesville.org

Application Number: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Nominator: Name (Print) Brian Menard For Tree Commission  
E-Mail: bpmenard@mindspring.com  
Phone: 434 963 9961  
Signature: [Handwritten Signature]

Tree to be nominated:  
Address: Lexington Ave at Maple St  
Location description (if address unknown: Please include sketch below if needed).  
Maplewood Cemetery  
Common name or Latin name of tree (if known): Quercus macrocarpa

Category of Tree (check one): Public:  Private (If selected see added requirements below) \_\_\_\_\_

Designation Requested (check one):

Heritage tree means a tree that has notable historic or cultural interest.

Memorial tree means a tree that is intended to be a special commemorating memorial.

Specimen tree means a tree that is notable by virtue of its outstanding size and quality for its particular species.

Street tree means a tree that grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Statement that supports requested designation (You may attach additional information)

This specimen oak tree is 15.7' in <sup>circumference</sup> ~~diameter~~ and 5' DBH and sits in the most prominent and highest elevation in Mapkwood Cemetery. Its canopy extends over many burial plots and the Mason-Minor vault, the sole crypt in the cemetery.

This is an unusual interbred oak that has characteristics of both the Bur and the Post Oak.

GPS coordinates 38.032773, -78.473898

If Private Tree the following information must also be received or the nomination cannot be processed:

Owner: Name (Print) \_\_\_\_\_

E-Mail: \_\_\_\_\_

Phone: \_\_\_\_\_

City Arborist's Report prepared by Mike Ronayne

ISA Certified Arborist # MA-5342-A

October 24<sup>th</sup> 2019

Tree Nomination for Ordinance Protection: Post Oak (*Quercus stellata*) at  
Maplewood Cemetery, 425 Maple St. Charlottesville VA

Nominated by: Brian Menard

**Considerations**

**Size**- The post oak at Maplewood was measured at diameter at breast height (4.5' above ground) and found to be 60" in diameter. The tree is estimated to be 70' in height with a 65' crown spread. The tree has a live crown ratio of approximately 65% which is excellent.

**Species** — Post oak is listed in the *Mid- Atlantic Species Rating Guide* which is used as the industry standard for Tree Appraisal as having a species rating of 60-90. Oaks in general are valuable to the landscape due to their longevity, strong wood and tolerance of urban environments. It is unknown how old the post oak is. Post oaks are native to Charlottesville and are generally tolerant of native insects but can be susceptible to internal heart rot. Due to these factors I believe a species rating of 75 out of 100 is appropriate.

**Condition** – This tree has response growth from where the tree has healed over previous pruning cuts. The tree has generally good form with a large, expansive crown. The crown has small, proportionate deadwood and appears to be healthy. No visible cavities are observed from the ground. The tree has two large leads that have been cabled with three steel cables and three Cobra systems to reduce the risk of breakage. It is also evident that the tree has had lightning protection installed. There is also substantial English ivy vines growing up the tree which appear to have been cut repeatedly in the past. Due to these factors the tree receives a condition rating of .70 out of 1 which is fair.

**Location** – This tree is located alone in the center of the historic Maplewood Cemetery at the highest point in the cemetery. The tree is in an ideal location in the cemetery. This tree has adequate soil volume in this location. It is difficult to determine when the grave sites under the post oak were last disturbed and difficult to determine the extent to the root zone of the tree. Due to these factors the tree receives a location rating of .9 out of 1 which is excellent.

## **Conclusion**

This stately post oak at Maplewood has exceptional spread and diameter and is in the most ideal location in the cemetery. The English ivy and deadwood can be removed but the two major leads will still keep condition rating fair.

The majority of the root zone of this tree is on privately owned plots. "Reference in Code Sec. 18-11(2) to "emergency work to protect life, limb or property" is interpreted to allow access to burial plots within the critical root zone of the tree for the purpose of interment as well as repair or replacement of grave markers."

This tree would further benefit by being recognized by ordinance protection.



# Maplewood Cemetery



## Legend



Proposed Specimen Tree

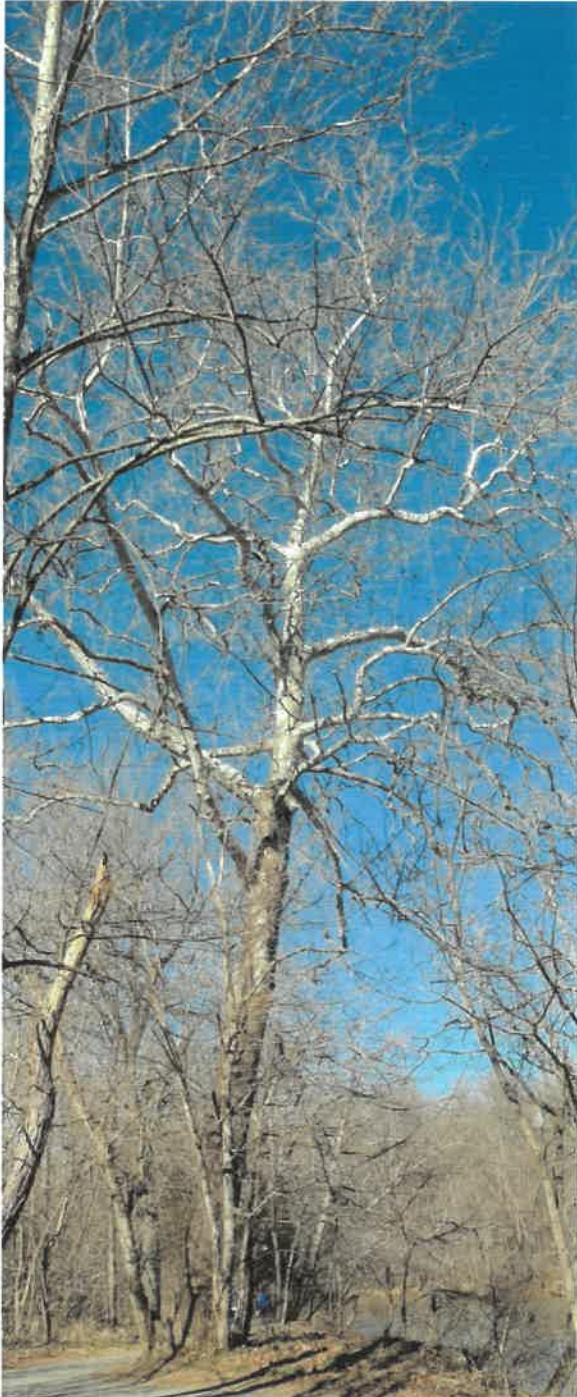
#### 4. Sycamore, Specimen

**Address:** Riverview Park, Chesapeake St at Riverside Ave

**Common Name:** Sycamore

**Latin Name:** *Platanus occidentalis*

**Circumference:** 8.6', diameter 2.7'



## Tree Conservation - Nomination Form

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The ordinance can be used to protect individual trees on public land, or privately owned individual trees that property owners voluntarily agree to safeguard. Individual property owners and the Tree Commission may nominate trees. Four categories of trees can be considered: **specimen, heritage, memorial, and street trees**. As defined by Virginia State law, specimen trees are those that are notable in their size and quality for their species. Heritage trees have historical or cultural interest. Memorial trees can be designated to commemorate a person, group or life event. Street trees are those that have been planted by the City within a public right-of-way on public or private land. The Tree Commission reviews and City Council decides if nominated trees are worthy of this special status.

Instructions: Please complete and fill in (spaces expand) all applicable and highlighted        sections and mail or drop off to: Parks Division, Attn: Exceptional Tree Nomination, 1300 Pen Park Road, Charlottesville, VA, 22911, or email to [Ronaynem@charlottesville.org](mailto:Ronaynem@charlottesville.org).

Application Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

**Nominator:** Name (Print)        Peggy Van Yahres  
E-Mail: vanyahresp@gmail.com  
Phone: 434 953 6636  
Signature: Peggy Van Yahres

**Tree to be nominated:**

Address: Riverview Park

Location description (if address unknown: Please include sketch below if needed).       

Common name or Latin name of tree (if known): Sycamore

Category of Tree (check one): Public:  Private (If selected see added requirements below)

Designation Requested (check one):

**Heritage tree** means a tree that has notable historic or cultural interest.

**Memorial tree** means a tree that is intended to be a special commemorating memorial.

**Specimen tree** means a tree that is notable by virtue of its outstanding size and quality for its particular species.  X

**Street tree** means a tree that grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Statement that supports requested designation (You may attach additional information)

This is one of the biggest Sycamores in the Park, right next to a trail, just before ¼ mile post. It's DBH is about 43" and circumference, about 11' 6".

Having trees along trails and sidewalks is a priority for the Tree Commission.

If **Private Tree** the following information must also be received or the nomination cannot be processed:

Owner:            Name (Print)   
                      E-Mail:   
                      Phone:

<b>If Private Tree:</b>	<b>Requested</b>	<b>Received</b>
Owner Affidavit:	_____	_____
NDS Review:	_____	_____
Public Works Review:	_____	_____

<b>All Nominations:</b>	<b>Assigned</b>	<b>Returned</b>
Arborist Report Received:	_____	_____
Commission Report Received:	_____	_____
Recommendation Formulated:	_____	_____
Action to Forward:	_____	_____
Council Action Date:	_____	

Nominator Notified: \_\_\_\_\_  
Owner Notified: \_\_\_\_\_

Loaded in GIS: \_\_\_\_\_

City Arborist's Report prepared by Mike Ronayne

ISA Certified Arborist # MA-5342-A

November 26<sup>th</sup> 2019

Tree Nomination for Ordinance Protection: Sycamore (*Platanus occidentalis*) at  
Riverview Trail, 298 Riverside Av., Charlottesville VA

Nominated by: Peggy Van Yahres

### **Considerations**

**Size**- The sycamore along the Rivanna Trail was measured at diameter at breast height (4.5' above ground) and found to be 45" in diameter. The tree is estimated to be 65' in height with a 55' crown spread. The tree has a live crown ratio of approximately 45% which is fair.

**Species** — Sycamore is listed in the *Mid- Atlantic Species Rating Guide* which is used as the industry standard for Tree Appraisal as having a species rating of 45-70. Sycamore is prone to anthracnose but is otherwise a fairly hardy, fast growing tree. Sycamores are native to Charlottesville and are a common floodplain species. Due to these factors I believe a species rating of 65 out of 100 is appropriate.

**Condition** – This tree has good branching structure and no visible cavities from the ground. The crown has some deadwood larger than 2" diameter. No visible defects are observed in the main trunk or root flare. Crown is overall well balanced. It is unknown what impacts the paved trail may have had on existing conditions at time of installation. Due to these factors the tree receives a condition rating of .9 out of 1 which is good.

**Location** – This tree is located on the banks of the Rivanna River along the paved trail and north of the quarter mile marker in Riverview Park. Tree is also adjacent to paved trail. For these reasons the tree receives a location rating of .45 out of 1 which is poor.

### **Conclusion**

The tree is also in an unplanned location naturally occurring on the river bank. This tree also has reduced accessibility to the public and the tree is not a functional part of the landscape or design. Despite the poor location rating, the tree is a good specimen and ordinance protection would benefit this tree.

# Riverview Park - Sycamore



**5. Shumard Oak, Memorial (Leroy Snow) Street Tree**

**Address:** Rugby Rd Entrance onto 250 Bypass  
**Common Name:** Oak, Shumard  
**Latin Name:** *Quercus shumardii*  
**Circumference:** 11', diameter 3.3'



## Tree Conservation - Nomination Form

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Instructions: Please complete and fill in (spaces expand) all applicable and highlighted sections and mail or drop off to: Parks Division, Attn: Exceptional Tree Nomination, 1300 Pen Park Road, Charlottesville, VA, 22911, or email to [ehmand@charlottesville.org](mailto:ehmand@charlottesville.org).

Application Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Nominator: Name (Print) Rosanne Simon  
E-Mail: rsimon\_96@msn.com  
Phone: 977-3562  
Signature: Rosanne Simon

### Tree to be nominated:

Address: Rugby Avenue entry onto 250 by-pass

Location description (if address unknown: Please include sketch below if needed). \_\_\_\_\_

Common name or Latin name of tree (if known): Shumard Oak: Quercus shumardii

A tree that should get more attention than it does, but it's located on a smallish triangular shaped piece of land between on and off ramps to the 250 by-pass.

A lovely specimen, graceful and stately, providing much-needed shade and restful to the eye.

Category of Tree (check one): Public:  Private (If selected see added requirements below)

Designation Requested (check one):

**Heritage tree** means a tree that has notable historic or cultural interest.

**Memorial tree** means a tree that is intended to be a special commemorating memorial.



**Specimen tree** means a tree that is notable by virtue of its outstanding size and quality for its particular species.

**Street tree** means a tree that grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Statement that supports requested designation (You may attach additional information)

— This tree was planted in honor of Leroy Show by Snow's Nursery and has stood proudly over the 250 by-pass since it was built. The tree would have been happier situated in the park, but improvement to the traffic pattern meant that it would become sentinel over the ever-busy traffic flow across Charlottesville.

John Mann, landscape manager for Parks and Rec of Charlottesville, has observed that this Shumard Oak holds its leaves longer than any other tree in Charlottesville, even beating out the beech known for their leaf retention in the fall. For that fact alone, this tree deserves recognition.

If Private Tree the following information must also be received or the nomination cannot be processed:

Owner: Name (Print)   
E-Mail:   
Phone:

If Private Tree:	Requested	Received
Owner Affidavit:	<input type="text"/>	<input type="text"/>
NDS Review:	<input type="text"/>	<input type="text"/>
Public Works Review:	<input type="text"/>	<input type="text"/>

All Nominations:	Assigned	Returned
Arborist Report Received:	<input type="text"/>	<input type="text"/>
Commission Report Received:	<input type="text"/>	<input type="text"/>
Recommendation Formulated:	<input type="text"/>	<input type="text"/>
Action to Forward:	<input type="text"/>	<input type="text"/>
Council Action Date:	<input type="text"/>	<input type="text"/>

Nominator Notified:   
Owner Notified:

Loaded in GIS:

City Arborist's Report prepared by Mike Ronayne

ISA Certified Arborist # MA-5342-A

October 25<sup>th</sup> 2019

Tree Nomination for Ordinance Protection: shumard oak (*Quercus shumardii*) at  
Westbound 250 Bypass exit ramp for Rugby Rd.

Nominated by: Rosanne Simon

### **Considerations**

**Size**- The shumard oak along the 250 bypass at the westbound exit ramp was measured at diameter at breast height (4.5' above ground) and found to be 46" in diameter. The tree is estimated to be 60' in height with a 55' crown spread. The tree has a live crown ratio of approximately 80% which is excellent.

**Species** — Shumard oak is not listed in the *Mid- Atlantic Species Rating Guide* which is used as the industry standard for Tree Appraisal but other oaks have a species rating of 60-90 which would be appropriate for shumard oak also. Oaks in general are valuable to the landscape due to their longevity, strong wood and tolerance of urban environments. The shumard oak is between 30-40 years old. Shumard oaks are native to Virginia. Shumard oaks tend to be long lived and durable species in Charlottesville. Due to these factors I believe a species rating of 80 out of 100 is appropriate.

**Condition** – This tree has some small deadwood which is normal. This tree has a large live crown ratio and many scaffold limbs with limited included bark. The tree has a very healthy root flare, root plate and the trunk does not have any signs of decay. Due to these factors the tree receives a condition rating of .95 out of 1 which is excellent.

**Location** – This tree is located along the exit ramp from the 250 Bypass to Rugby Rd. This street tree is located in a lawn area that was previously a flowerbed. The tree frames the street and exit ramp and helps calm traffic. For these reason the tree receives a .7 out of 1 which is fair.

### **Conclusion**

This stately was dedicated to Leroy Snow upon its installation. The tree appears to have benefited from being installed on a previous flowerbed and has put on considerable growth. This tree would benefit from further ordinance protection along the 250 Bypass.

# Shumard Oak - 250 Bypass



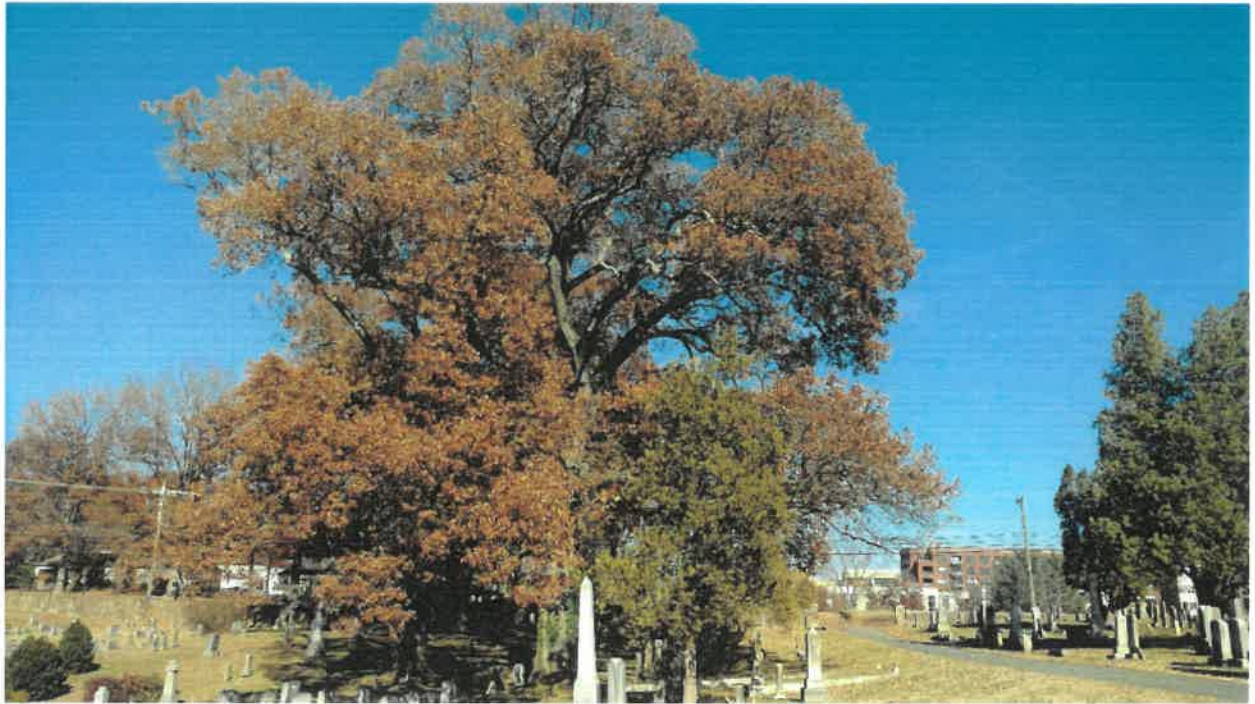
## 6. Southern Red Oak, Specimen

**Address:** Oakwood Cemetery, Forest Ridge Rd

**Common Name:** Oak, Southern Red

**Latin Name:** *Quercus falcata*

**Circumference:** 17.5' diameter: 5.6'



# Tree Conservation - Nomination Form

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Instructions: Please complete and fill in (spaces expand) all applicable and highlighted \_\_\_\_\_ sections and mail or drop off to: Parks Division, Attn: Exceptional Tree Nomination, 1300 Pen Park Road, Charlottesville, VA, 22911, or email to Ronaynem@charlottesville.org

Application Number: \_\_\_\_\_ Date Received: \_\_\_\_\_  
Nominator: Name (Print) Brian Menard For Tree Commission  
E-Mail: bmenard@windspring.com  
Phone: 434 963 9961  
Signature: [Signature]

Tree to be nominated:

Address: Forest Ridge Rd

Location description (if address unknown: Please include sketch below if needed). Oakwood Cemetery

Common name or Latin name of tree (if known): Quercus fulcata

Category of Tree (check one): Public:  Private (If selected see added requirements below) \_\_\_\_\_

Designation Requested (check one):

Heritage tree means a tree that has notable historic or cultural interest.

Memorial tree means a tree that is intended to be a special commemorating memorial.

Specimen tree means a tree that is notable by virtue of its outstanding size and quality for its particular species.

Street tree means a tree that grows in the street right-of-way or on private property as authorized by the owner and placed or planted there by the local government.

Statement that supports requested designation (You may attach additional information)

This specimen oak tree is 17.5' in <sup>circumference</sup> diameter and 5.6' DBH and is among the largest in a grove of very fine oak trees. This Southern Red Oak's canopy shades numerous burial plots in one of the city's several historic cemeteries

GPS coordinates: 38.025155, -78.497423

If Private Tree the following information must also be received or the nomination cannot be processed:

Owner: Name (Print) \_\_\_\_\_

E-Mail: \_\_\_\_\_

Phone: \_\_\_\_\_

City Arborist's Report prepared by Mike Ronayne

ISA Certified Arborist # MA-5342-A

November 15<sup>th</sup> 2019

Tree Nomination for Ordinance Protection: Southern Red Oak (*Quercus falcata*) at  
Oakwood Cemetery, 1<sup>st</sup> Street S., Charlottesville, VA

Nominated by: Brian Menard

**Considerations**

**Size**- The southern red oak at Oakwood Cemetery was measured at diameter at breast height (4.5' above ground) and found to be 65" in diameter. The tree is estimated to be 70' in height with an 80' crown spread. The tree has a live crown ratio of approximately 65% which is good.

**Species** — Southern red oak is listed in the *Mid- Atlantic Species Rating Guide* which is used as the industry standard for Tree Appraisal as having a species rating of 50-90. Oaks in general are ideal urban trees for their longevity, strong wood and tolerance of urban environments. In our region southern red oak is subject to bacterial leaf scorch and is not available commercially in the landscape. It is unknown how old the oak is. Due to these factors I believe a species rating of 60 out of 100 is appropriate.

**Condition** – The southern red oak has good main branching structure despite having some overextended leads. There is some deadwood larger than 2" diameter that is not uncommon for a southern red oak of this maturity. There is also a cavity that has closed considerably along the main lead. The tree appears to be in good overall health. The root plate appears healthy but does exist in burial plots and access areas in the cemetery. The tree also has lightning protection installed which shows this tree has been recognized as valuable and has been cared for in the past. Due to these factors the tree receives a condition rating of .85 out of 1 which is good.

**Location** – This tree is located at the north side of Oakwood Cemetery and shades numerous plots. The tree is part of a grove of several large southern red oaks that remain and is the largest in that part of the cemetery. Due to these factors the tree receives a location rating of .8 out of 1 which is good.

## **Conclusion**

The majority of the root zone of this tree is on privately owned plots. "Reference in Code Sec. 18-11(2) to "emergency work to protect life, limb or property" is interpreted to allow access to burial plots within the critical root zone of the tree for the purpose of interment as well as repair or replacement of grave markers."

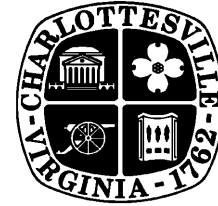
This tree would further benefit by being recognized by ordinance protection.



# Oakwood Cemetery



CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



<b>Agenda Date:</b>	April 5, 2021
<b>Action Required:</b>	Public Hearing and Approval of Appropriation (1 <sup>st</sup> Reading)
<b>Staff Contacts:</b>	Chip Boyles, City Manager
<b>Presented By:</b>	Chip Boyles, City Manager Ryan Davidson, Sr. Budget and Management Analyst Khristina Hammill, Sr. Budget and Management Analyst
<b>Title:</b>	Public Hearing on Budget/First Reading of FY 2022 Budget Appropriation

**Background:** The FY 2022 Budget Appropriation reflects the City Manager’s Proposed Budget and amendments made by Council since the original presentation by the City Manager on March 1, 2021. This will be the formal public hearing and first reading of the FY 2022 Budget Appropriation.

**Discussion:** The appropriation sets forth the budget for the FY 2021-22 Fiscal Year. The amounts included reflect the City Manager’s Proposed Budget and amendments that have been discussed and requested by Council as part of the budget development process. The final Budget for FY 2022 will be approved and adopted on April 13, 2021.

**Community Engagement:** Tonight’s meeting includes a public hearing on the budget and continues a series of public engagement opportunities around the budget.

**Alignment with City Council’s Vision and Strategic Plan:**

This budget aligns with Council’s Vision and Strategic Plan and is detailed in the budget document.

**Budgetary Impact:** This is the first of two readings to adopt the final budget for Fiscal Year 2022.

**Recommendation:** Approval and Appropriation (1<sup>st</sup> reading)

**Alternatives:** N/A

**Attachments:**

1. Amendments to the FY 2022 City Manager’s Proposed Budget
2. FY 2022 Budget Appropriation

**Amendments to the  
FY 2022 Proposed General Fund Budget**

**Manager's Recommended FY 22 Revenue Estimates** **\$ 190,689,839**

**Amendments to FY 22 Revenue Estimates**

***Decrease Revenues***

**Designated Revenues**

City/County Revenue Sharing - Transfer to Capital Improvement Program (255,000)

***Increase Revenues***

**Licenses and Permits**

Business and Professional Licenses 950,000

Reimbursement for Constitutional Officers 73,004

**City/County Revenue Sharing**

City/County Revenue Sharing - Operations 255,000

**Transfers from Other Funds**

Landfill Reserve Fund 500,000

**Total Revenue Amendments** **\$ 1,523,004**

**Total Amended FY 22 General Fund Revenue Estimates** **\$ 192,212,843**

**Manager's Recommended FY 22 Expenditures** **\$ 190,689,839**

**Amendments to FY 22 Expenditures**

***Increase Expenditures***

**Employee Compensation and Training**

Employee Cost of Living Adjustment - 2% 1,060,000

**Non Departmental**

Citywide Reserve - Performance Management/Strategic Planning 190,041

Contribution to Ivy Landfill 500,000

**Outside and Nonprofits Agencies**

Contractual Agencies

Jefferson Madison Regional Library 35,000

Public Defender's Office 1,191

Virginia Cooperative Extension 1,852

Blue Ridge Juvenile Detention Center 4,844

Vibrant Community Fund Agencies

Computers 4 Kids (C4K) 13,025

Legal Aid Justice Center 57,500

Offender Aid and Restoration (OAR) 55,518

Public Housing Association of Residents (PHAR) 21,000

**City Departments**

City Manager's Office - Deputy City Manager Salary and Benefits Restoration 59,271

Director of Human Rights - Salary and Benefits Adjustments 32,550

Public Works - Personnel to help with the Climate Action Plan 125,000

***Decrease Expenditures***

**City Departments**

Police Budget Reduction for School Crossing Guards transitioned to CCS (55,307)

**Outside and Nonprofits Agencies**

Albemarle/Charlottesville Regional Jail (323,481)

**Designated Expenditures**

Transfer to the Capital Improvement Program (255,000)

**Total Expenditure Amendments** **\$ 1,523,004**

**Total Amended FY 22 General Fund Expenditures** **\$ 192,212,843**

**City Council Amendments to the  
FY 2022 Proposed Capital Improvement Program Budget**

<b>Manager's Recommended FY 22 Revenue Estimates</b>	<b>\$ 27,866,913</b>
<b>Amendments to FY 22 Revenue Estimates</b>	
<i>Decrease Revenues</i>	
Transfer from the General Fund	(255,000)
<b>Total Revenue Amendments</b>	<b>\$ (255,000)</b>
<b>Total Amended FY 22 Capital Improvement Fund Revenue Estimates</b>	<b>\$ 27,611,913</b>
<b>Manager's Recommended FY 22 Expenditures</b>	<b>\$ 27,866,913</b>
<b>Amendments to FY 22 Expenditures</b>	
<i>Decrease Expenditures</i>	
Police Mobile Data Terminals	(255,000)
<b>Total Expenditure Amendments</b>	<b>\$ (255,000)</b>
<b>Total Amended FY 22 Capital Improvement Fund Expenditures</b>	<b>\$ 27,611,913</b>

RESOLUTION ADOPTING THE BUDGET FOR THE  
CITY OF CHARLOTTESVILLE FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022  
AND PROVIDING FOR THE ANNUAL APPROPRIATION OF FUNDS  
FOR SUCH FISCAL YEAR.

I. ADOPTION OF BUDGET

WHEREAS, pursuant to Section 19 of the City Charter and Section 15.2-2503 of the Code of Virginia, the City Manager has caused to be prepared and presented to City Council a proposed budget for the fiscal year beginning July 1, 2021, and ending June 30, 2022; and

WHEREAS, a synopsis of such proposed budget has been published in the Daily Progress, a newspaper of general circulation in the City, and notice duly given in such newspaper and public hearings held thereon on March 16, 2020 and April 5, 2021, and the estimates of revenues and expenditures therein debated and adjusted by City Council in open public meetings, all as required by the City Charter and Section 15.2-2506 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that such document, the statements of fiscal policy set forth therein, and the estimates of revenues and expenditures therein proposed by the City Manager and debated and adjusted by the City Council, are hereby adopted as the annual budget of the City of Charlottesville, for informative and fiscal planning purposes only, for the fiscal year beginning July 1, 2021, and ending June 30, 2022; and that a true and correct copy of the same, as adopted, shall be kept on file in the records of the Clerk of the Council.

II. GENERAL FUND APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Charlottesville that:

- A. The sums hereinafter set forth are estimated as General Fund revenues for the fiscal year beginning July 1, 2021.

**Local Taxes**

Real Estate Taxes	\$80,277,442
Personal Property Tax	9,741,000
Public Service Corporation Tax	1,542,930
Penalty/Interest on Delinquent Taxes	415,000
Utility Services Consumer Tax (Gas, Water, Electric)	4,500,000
Virginia Communications Sales and Use Tax	2,400,000
Tax on Bank Stock	1,200,000
Tax on Wills and Deeds	725,000
Sales and Use Tax	12,000,000
Rolling Stock Tax	18,040

Transient Occupancy (Lodging) Tax	5,000,000
Meals Tax	10,700,000
Short-Term Rental Tax	60,000
Cigarette Tax	550,000
Vehicle Daily Rental Tax	82,500
<b>Total Local Taxes</b>	<b>\$129,211,912</b>
<b>Licenses and Permits</b>	
Business and Professional Licenses	\$7,000,000
Vehicle Licenses	890,000
Dog Licenses	6,000
Electrical and Mechanical Permits	330,000
Building and Plumbing Permits	550,000
Temporary Parking Permits	375,000
Site Plans	75,000
Other Permits	150,000
<b>Total Licenses and Permits</b>	<b>\$9,376,000</b>
<b>Intergovernmental Revenue</b>	
<b>Revenue from State Agencies</b>	
PPTRA Revenue (State Personal Property Tax)	\$3,498,256
State Highway Assistance	4,263,654
Reimbursement/Constitutional Offices	1,833,737
State Aid for Police Protection	2,238,352
Trailer Title	1,200
DMV Select Office Commissions	35,000
Other State Assistance: Misc. Rev	50,000
<b>Revenue from Other Intergovernmental Sources</b>	
Regional Library Administrative Fee	117,144
Crisis intervention Team Revenue	105,910
Fire Department Ops (Albemarle County)	200,000
Fire Department Ops (UVA)	353,000
Juvenile & Domestic Relations Court (Albemarle County)	60,944
Juvenile & Domestic Relations Court Building Maint. (Albemarle County)	66,825
Magistrate's Office (Albemarle County)	4,575
Payments In Lieu of Taxes (Housing Authority)	25,000
Service Charge (UVA)	74,476
Property Maintenance (UVA)	63,801
<b>Total Intergovernmental Revenue</b>	<b>\$12,991,874</b>
<b>Charges for Services</b>	
Property Transfer Fees	\$1,000
Zoning Appeals Fees	1,100
Court Revenue (Circuit/General District Courts)	400,000
Circuit Court - Online Land Records Subscription Revenue	30,000
Internal City Services	1,855,079

Utility Cut Permits	185,000
Recreation Income	1,665,859
Reimbursable Overtime/Public Safety	331,579
Payment in Lieu of Taxes: Utilities	6,137,858
Indirect Cost Recovery	125,000
Waste Disposal Fees	1,115,000
Emergency Medical Services (Ambulance) Revenue Recovery	1,000,000
Other Charges for Services	149,000
<b>Total Charges for Services</b>	<b>\$12,996,475</b>
<b>Miscellaneous Revenue</b>	
Interest Earned	\$580,000
Rent	175,000
Refund of Prior Years' Expenditures	50,000
Other Miscellaneous Revenue	463,000
<b>Total Misc. Revenue</b>	<b>\$1,268,000</b>
<b>Transfers from Other Funds</b>	
Landfill Reserve	500,000
Risk Management Fund	250,000
Healthcare Fund	\$250,000
Parking Enterprise Fund	750,000
<b>Total Transfers from Other Funds</b>	<b>\$1,750,000</b>
<b>City/County Revenue Sharing: Operating Budget</b>	<b>\$8,330,993</b>
<b>Total Operating Revenue</b>	<b>\$175,925,254</b>
<b>Designated Revenue</b>	
City/School Contracts: Pupil Transportation	\$2,945,564
City/School Contracts: School Building Maintenance	4,043,184
City/County Revenue Sharing: Transfer to Capital Improvement Fund	6,880,841
Transfer to the Capital Improvement Fund - Mall Vendor Fees	78,000
City/County Revenue Sharing: Transfer to Facilities Repair Fund	200,000
Transfer to Debt Service Fund: Meals Tax Revenue	2,140,000
<b>Total Designated Revenue</b>	<b>\$16,287,589</b>
<b>Total General Fund Revenue</b>	<b>\$192,212,843</b>

B. The sums hereinafter set forth are hereby appropriated from the General Fund of the City for the annual operation of the City departments, other agencies and non-departmental accounts so set forth, beginning July 1, 2021.

**Operating Expenditures**

**Management**

Mayor and City Council	\$537,529
Office of the City Manager/Administration	1,739,873
Office of the City Manager/Communications	617,696
Office of the City Manager/Economic Development	1,145,969
Office of the City Attorney	1,060,210
Office of General Registrar	650,688

**Contributions to Organizational Memberships and Workforce Development Programs**

Virginia Municipal League	16,820
Chamber of Commerce	2,000
Thomas Jefferson Planning District Commission	86,372
Virginia Career Works - Piedmont Region	7,971
Virginia Institute of Government	2,500
Alliance for Innovation	2,550
Virginia First Cities Coalition	18,000
Central Virginia Partnership for Economic Development	24,590
Thomas Jefferson Soil and Water Conservation District	13,049
Central Virginia Small Business Development Center	19,200
Rivanna Conservation Alliance	11,000
National League of Cities	5,000
Community Investment Collaborative	10,610
Center for Nonprofit Excellence	600

**Non Departmental Activities**

City Strategic Plan/P3: Plan, Perform, Perfect	105,000
Participatory Budgeting	15,000
Virginia Juvenile Community Crime Control Act (Local Match)	108,415
Citizen Engagement Opportunities	15,000
Food Equity	155,000
Citizen Review Board (CRB)	350,000
Innovation Fund	20,000
Performance Agreement Payments	250,000
Citywide Reserve - Performance Management/Strategic Planning	190,041
Ivy Landfill	500,000
Transfer to Debt Service Fund	8,560,788
Transfer to Fund Balance Target Adjustment Fund	481,905
Employee Compensation and Training	844,950

**Internal and Financial Services**



Finance Department - Administration/Purchasing/Assessor	2,532,872
Human Resources	1,330,892
Commissioner of Revenue	1,382,632
Treasurer	1,424,669
Information Technology	3,196,544

### **Healthy Families and Community**

Transfer to Children's Services Act Fund	2,004,722
Transfer to Social Services Fund	3,602,777
Transfer to Human Services/Community Attention Fund	641,280
Neighborhood Development Services	2,604,764
Office of Human Rights/Human Rights Commission	274,092
Parks and Recreation	11,914,086
Transfer to Convention and Visitors' Bureau	946,848

### **Community Events and Festivals**

Virginia Film Festival	11,400
Virginia Festival of the Book	12,413
Charlottesville Festival of Cultures	3,000
City Supported Events (Other)	16,728
Creciendo Juntos	4,000

### **Contributions to Children, Youth, and Family Oriented Programs**

Virginia Cooperative Extension Program	54,149
Blue Ridge Health Department	627,312
Computers 4 Kids	13,025
MACAA	28,500
Sexual Assault Resources Agency (SARA)	26,250
Shelter for Help in Emergency (SHE)	213,750
Region Ten Community Services Board	1,180,092
Jefferson Area Board for Aging (JABA)	319,192
United Way - Thomas Jefferson Area	192,504
ReadyKids	140,846
Free Clinic	101,120
Home Visiting Collaborative	304,163
Abundant Life Ministries	12,000
Boys and Girls Club	97,500
Foothills Child Advocacy Center	35,775
The BridgeLine	42,900
Thomas Jefferson Area Coalition for the Homeless	200,300
Women's Initiative	47,500
On Our Own	8,000
PHAR Internship Program	20,000
Emergency Assistance Program Support	84,516
Local Food Hub	21,350
Piedmont Family YMCA	64,600

Sin Barreras	16,570
Partner for Mental Health	18,300

### **Contributions to Education and the Arts**

Jefferson Madison Regional Library	2,050,037
City Center for Contemporary Arts	48,148
Piedmont Virginia Community College	12,564
McGuffey Art Center	29,685
Virginia Discovery Museum	4,000
Literacy Volunteers	17,990
Historic Preservation Task Force	5,000
The Paramount Theater/Arts Education Program	10,000
Jefferson School Heritage Center	33,750
Lighthouse Studio	12,000
New City Arts	22,500

### **Contributions to Housing Programs**

Rent Relief for Elderly, a sum sufficient estimated at	33,000
Rent Relief for Disabled, a sum sufficient estimated at	188,000
Tax Relief for Elderly, a sum sufficient estimated at	438,000
Tax Relief for Disabled, a sum sufficient estimated at	196,000
Homeowners Tax Relief Program	965,000
Stormwater Fee Assistance Program	20,000
Public Housing Association of Residents (PHAR)	21,000
Albemarle Housing Improvement Program (AHIP)	187,500
Piedmont Housing Alliance (PHA)	96,151
Habitat for Humanity	48,750

### **Infrastructure and Transportation**

Public Works: Administration, Facilities Development, Facilities Maintenance	3,545,453
Public Works: Hedgerow Properties	98,044
Public Works: Public Service	8,986,392
Transfer to Charlottesville Area Transit Fund	2,513,651
JAUNT Paratransit Services	1,715,729

### **Public Safety and Justice**

City Sheriff	1,432,114
Commonwealth's Attorney	1,200,603
Clerk of Circuit Court	762,402
Circuit Court Judge	92,559
General District Court	22,593
Juvenile and Domestic Relations Court/Court Services Unit	383,655
Magistrate	9,150
Fire Department	12,964,074

Police Department 18,854,661

**Contributions to Programs Supporting Public Safety and Justice**

Piedmont Court Appointed Special Advocates	4,000
Legal Aid Justice Center	97,500
Regional Jail	3,841,689
Blue Ridge Juvenile Detention Center	586,716
Emergency Communications Center	1,678,378
Offenders Aid and Restoration	303,415
Society for the Prevention of Cruelty to Animals	280,816
Public Defender's Office	60,703

**Local Contribution to Public Schools**

Operational Support 58,709,623

**Total Operating Expenditures \$175,925,254**

**Designated Expenditures**

City/School Contracts: Pupil Transportation	\$2,945,564
City/School Contracts: School Building Maintenance	4,043,184
Transfer to Capital Projects Fund	6,880,841
Transfer to Capital Projects Fund - Mall Vendor Fees	78,000
Transfer to Facilities Repair Fund	200,000
Transfer to Debt Service Fund - Meals Tax Revenue	2,140,000
<b>Total Designated Expenditures</b>	<b>\$16,287,589</b>

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**Total General Fund Expenditures \$192,212,843**

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C. Of the sum of \$15,411,834 to be received in the General Fund from the County of Albemarle under the revenue sharing agreement of May 24, 1982, \$200,000 shall be transferred to the Facilities Repair Fund.

D. The amounts hereinabove appropriated for salary accruals, education, training and employee benefits, or portions thereof, may on authorization from the City Manager, or his designee, be transferred by the Director of Finance or the Deputy City Manager to any departmental account, and notwithstanding any other provision of this resolution to the contrary, be expended for salaries or employee benefits in such account in the manner as sums originally appropriated thereto.

E. The portions of the foregoing appropriations to individual departments or agencies intended for motor vehicles and related equipment shall be transferred to the Equipment Replacement Fund for expenditure as hereinafter provided.

F. The amount above appropriated for Debt Payment shall be transferred to the Debt Service Fund. In addition, an amount equivalent to 1 percent of the meals tax rate will be deposited into the Debt Service Fund.

G. The amount above appropriated as Council Strategic Initiatives shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

H. The amount above appropriated as Ivy Landfill Remediation shall not be deemed to expire at the end of the fiscal year, and any unspent funds are hereby transferred to the Landfill Reserve account in the ensuing fiscal year unless altered by further action of City Council. Further, any amount in the Landfill Reserve may be immediately appropriated for use to cover costs associated with the landfill remediation budget in the current fiscal year.

I. The amount above appropriated as Hedgerow Properties shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

J. The proceeds of the sale of any real property shall be appropriated to the Strategic Investment Fund.

K. The amount received for \$4-For-Life revenue shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year and will be appropriated into the Fire Department budget, unless altered by further action of City Council.

L. Of the above amount of funding appropriated to the Fire Department budget for Emergency Medical Services (EMS), \$450,000 is the City's contribution to the Charlottesville Albemarle Rescue Squad (CARS). In addition, a 10% contingency for the EMS System shall be set aside per the agreement between the City and CARS. Any contingency funds remaining unexpended at the end of the fiscal year shall be transferred into a separate Emergency Services account to be used for future needs to support emergency services delivery in the City of Charlottesville.

M. The amount above appropriated as Historic Resources Task Force shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

N. The amount received as drug forfeitures and seizures revenue collected by the Police Department and Commonwealth Attorney's Office shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

O. The amount received as Courthouse Security Revenue is hereby appropriated in the ensuing fiscal year and appropriated into the Sheriff Office budget to be used for court security related expenses (personnel and equipment) per the Code of Virginia. Further, any unspent funds in the Court House Security account shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless further altered by Council.

P. Funds from the Citywide Reserve account may be transferred to other funds at the discretion of the City Manager for the purpose of addressing unforeseen expenditures in those funds. Any amount remaining in the Citywide Reserve account shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

Q. The amount above appropriated as Corporate Training Fund, within the Employee Compensation and Training funds, shall not be deemed to expire at the end of the fiscal year, but is hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

R. The amounts received for donations and grants in the General Fund received for specific purposes that are unspent shall not be deemed to expire at the end of the fiscal year and hereby are appropriated in the ensuing fiscal year.

S. The amounts above appropriated as Sister City Commission shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

T. Sums appropriated for the Stormwater Assistance Program shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

U. The amounts above appropriated funds for the City Strategic Plan - P3: Plan, Perform, Perfect shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

V. The amounts above appropriated funds for the Innovation Fund shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

W. The amounts above appropriated funds for the Crisis Intervention Team (CIT) shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

X. Sums appropriated in the General Fund which have not been encumbered or expended as of June 30, 2022, shall be deemed to revert to the unassigned balance of the General Fund, unless Council by resolution provides that any such sum shall be a continuing appropriation.

Y. Sums appropriated in the General Fund which have not been encumbered or expended as of June 30, 2022 and are in excess of 17% of General Fund expenditures for the next fiscal year shall be deemed to revert to the Capital Fund contingency account for future one-time investments in the City's infrastructure as part of the year-end appropriation, unless further altered by Council with year-end adjustments.

### III. SCHOOL OPERATIONS APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

The sums hereinafter set forth are hereby appropriated for the annual operation of the school operations, effective July 1, 2021; the City contribution to the School operations having hereinabove been appropriated from the General Fund.

<b>School Budget (All Funds)</b>	
Local Contribution	\$58,709,623
State Funds	21,047,706
Federal Funds	10,605,261
Fund Balance	720,649
Misc. Funds	3,167,089
<b>Total School Operations Budget</b>	<b>\$94,250,328</b>

A net increase in the School Operations general fund balance at June 30, 2022 shall be deemed to be allocated as follows:

- Surplus operating budget up to \$100,000 will be allocated to the School Facility Repair Fund, however Charlottesville City Schools will be required to commit \$100,000 of their annual budget to the Facility Repair Fund
- Funds in excess of \$100,000 up to \$200,000 will be retained by the City of Charlottesville School Division
- Funds over \$200,000 will be shared equally (50/50) between the City and Charlottesville City Schools

#### IV. HEALTH BENEFITS FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

There is hereby appropriated from the Health Benefits Fund sums received by said Fund from individual departments and agencies for the payment of health and medical benefit program costs, and for insurance covering such costs, and in addition, for the accumulation of a reserve for future expenditures to pay for such health and medical benefit program costs. This appropriation shall be effective during the fiscal year ending June 30, 2022 and shall not be deemed to expire at the end of that year. Instead, it shall continue in effect unless altered by further action of City Council.

#### V. RETIREMENT BENEFITS FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

There is hereby appropriated from the Retirement Benefits Fund sums received by said Fund from individual departments and agencies for the payment of retirement benefit program costs, and for insurance covering such costs, and in addition, for the accumulation of a reserve for future expenditures to pay for such retirement benefit

program costs. This appropriation shall be effective during the fiscal year ending June 30, 2022 and shall not be deemed to expire at the end of that year. Instead, it shall continue in effect unless altered by further action of City Council.

#### VI. TRANSIT FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Transit Fund, for the operation of the transit bus system during the fiscal year beginning July 1, 2021 and ending June 30, 2022, the sum of \$10,116,526 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2021.

Except as is otherwise expressly provided herein, the balance of any General Fund contribution to such funds not expended or encumbered as of June 30, 2022 shall be deemed to revert to the unassigned balance of the General Fund, unless the Council by resolution provides that any such sum shall be deemed a continuing appropriation.

#### VII. RISK MANAGEMENT APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that all sums previously appropriated to the Risk Management Fund, all sums received by such fund as payment from other City funds, are hereby appropriated for the uses prescribed for such fund, pursuant to the terms of, and subject to the limitations imposed by Article V of Chapter 11 of the Code of the City of Charlottesville, 1990, as amended.

#### VIII. EQUIPMENT REPLACEMENT FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

There is hereby appropriated from the Equipment Replacement Fund other sums received by such fund as payment from the General Fund and vehicle sales, and proceeds from vehicle loss insurance settlements for the lease, financing or purchase of motor vehicles and related equipment and for accumulation of a reserve for future equipment purchases during the fiscal year beginning July 1, 2021 and ending June 30, 2022. Such appropriation shall be effective July 1, 2021; provided that such appropriations shall not be deemed to expire at the end of such fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council. Of the sums received by the Equipment Replacement Fund, a sum sufficient to service the debt on any pieces of general governmental equipment obtained under a master lease, credit line, or an installment purchase agreement shall be transferred to the Debt Service Fund.

#### IX. FACILITIES REPAIR FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

The sum of \$200,000 transferred to the Facilities Repair Fund from the General Fund, and such sums as may be transferred to the Facilities Repair Fund from other funds during the fiscal year beginning July 1, 2021 are appropriated for carrying out the purposes of this fund during that fiscal year. However, such appropriation shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

X. JOINT HEALTH DEPARTMENT BUILDING FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

The amounts received as Health Department Building Account revenue during the fiscal year beginning July 1, 2021 are appropriated to the Joint Health Department Building Fund to be used for general improvements, maintenance and small capital projects related to the Thomas Jefferson Health District building. Further, any unspent funds in the Health Department Building account shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless further altered by Council.

XI. DEBT SERVICE FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

A. The Debt Service Fund shall serve as a permanent reserve for the payment of principal and interest of bonds, notes and other evidences of indebtedness and the cost of issuance thereof issued by the City pursuant to its Charter and/or the Virginia Public Finance Act.

B. The sum of \$8,560,788 transferred to such fund by Part II of this resolution, as well as the designated Meals Tax transfer (estimated at \$2,140,000), or as much thereof as may be necessary, is hereby appropriated to pay such debt service expenses during the fiscal year beginning July 1, 2021 and ending June 30, 2022.

C. Appropriations in the Debt Service Fund shall be deemed continuing appropriations, and balances remaining in such fund at the end of each fiscal year shall be carried forward to pay principal and interest due on City obligations and costs associated with the issuance of those obligations in future years.

XII. SPECIAL REVENUE FUND APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Charlottesville, that the following appropriations are hereby approved for agency expenditures accounted for as separate funds of the City, for their respective programs during the fiscal year beginning July 1, 2021 and ending June 30, 2022; the City contribution to each such fund having hereinabove been appropriated from the General Fund:



A. There is hereby appropriated from the Human Services/Community Attention Fund, for the operation of the Community Attention Homes and related programs during such fiscal year, the sum of \$6,502,780, or the amount of revenue actually received by such fund, whichever shall be the lesser amount.

B. There is hereby appropriated from the Social Services Fund, for the operation of the Department of Social Services during such fiscal year, the sum of \$15,339,705, or the amount of revenue actually received by such fund, whichever shall be the lesser amount.

C. There is hereby appropriated from the Children's Services Act Fund, for the operation of the Children's Services Act entitlement program, the sum of \$8,444,864, or the amount of revenue actually received by such fund, whichever shall be the greater amount.

Each such special revenue fund appropriation shall be deemed effective July 1, 2021. Except as is otherwise expressly provided herein, the balance of any General Fund contribution to such funds not expended or encumbered as of June 30, 2022 shall be deemed to revert to the unassigned balance of the General Fund, unless the Council by resolution provides that any such sum shall be deemed a continuing appropriation.

### XIII. INTERNAL SERVICES FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville that the following appropriations are hereby approved for internal services accounted for as separate funds on the books of the City, for their respective programs during the fiscal year beginning July 1, 2021 and ending June 30, 2022; the payments of individual departments and agencies to each such fund having hereinabove been appropriated in the General Fund and other applicable funds:

A. There is hereby appropriated from the Information Technology Fund, for the operation of the various functions within this fund during the fiscal year beginning July 1, 2021, or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount:

1. For the operation and infrastructure of City Link, the sum of \$1,200,000. However, such appropriation shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year into the City Link Infrastructure cost center unless altered by further action of this Council.

2. For Technology Infrastructure Replacement, the sum of \$291,900. However, such appropriation shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

B. There is hereby appropriated from the Warehouse Fund, for the operation of the Warehouse during such fiscal year, the sum of \$161,309, or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount.

C. There is hereby appropriated from the Fleet Maintenance Fund, for the operation of the Central Garage, Vehicle Wash and Fuel System during such fiscal year, the sum of \$1,222,486 or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount.

D. There is hereby appropriated from the Communications System Fund, for the operation of the citywide phone system and mailroom operations during such fiscal year, the sum of \$290,445, or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount.

#### XIV. CAPITAL PROJECTS FUND APPROPRIATIONS

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

A. The following are hereby designated as revenue of the Capital Projects Fund:

1. The sum of \$6,880,841 shall be transferred from the General Fund.
2. The sum of \$78,000 collected as mall vendor fees will be transferred from the General Fund and used to fund infrastructure repairs for the Downtown Mall.
3. The proceeds of the sale of any real property, as prescribed by resolution of this Council adopted November 3, 1986.
4. The proceeds of the sale of any real property to be used for housing shall be appropriated to the “Charlottesville Affordable Housing Fund” account in the Capital Fund.
5. Funds received as donations and/or contributions for sidewalks shall hereby be appropriated into Sidewalks account (P-00335) to be used for the replacement, construction or repair of sidewalks. These funds shall not be deemed to expire at the end of the fiscal year and shall be hereby appropriated in the ensuing fiscal year unless altered by further action of City Council

B. The sums hereinafter set forth are hereby appropriated from the Capital Projects Fund of the City for the respective capital purchases or projects so set forth, effective for the fiscal year beginning July 1, 2021; provided that such appropriations shall not be deemed to expire at the end of such fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

C. The Capital Projects Fund Fiscal Year 2022-2026 will reflect the budget delineations set forth below for Fiscal Year 2021-2022.

The Capital Projects Fund grouped by area:

<b><u>Revenue</u></b>	
Transfer from General Fund	\$6,880,841
Transfer from General Fund - Mall Vendor Fees	\$78,000
Contribution from Albemarle County	90,000
Contribution from City Schools	200,000
VDOT Revenue Sharing	500,000
PEG Fee Revenue	40,000
CY 2021 Bond Issue	19,823,072
<b>TOTAL REVENUE</b>	<b>\$27,611,913</b>

<b><u>Expenditures</u></b>	
Education	\$3,520,000
Public Safety and Justice	6,634,581
Facilities Capital Projects	1,370,491
Transportation and Access	8,462,000
Parks and Recreation	865,000
Affordable Housing	6,469,841
General Government	290,000
<b>TOTAL EXPENDITURES</b>	<b>\$27,611,913</b>

XV. GAS FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Gas Fund, for the operation of the gas utility during the fiscal year beginning July 1, 2021 and ending June 30, 2022, the sum of \$28,467,753 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2020. However, the appropriations for the Vehicle Replacement Program, the Gas Fund Capital program, the Thermostat Program the Strategic Energy Initiatives program and the Gas Assistance Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. The Gas rates for our customers indicated in the Utility Rate Study are reviewed and approved by Council each year. At that time the Gas operations budget, including any new programmatic requests, and the Gas capital improvement program budget are reviewed and may be amended.

XVI. WATER FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Water Fund, for the operation of the water utility during the fiscal year beginning July 1, 2021 and ending June 30, 2022, the sum of \$17,735,261, or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2021. However, the appropriations for the Vehicle Replacement Program, Water Fund Capital program, Water Conservation

Program, Water Assistance Program, Rain Barrel Program and the Toilet Rebate Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. The Water rates for our customers indicated in the Utility Rate Study are reviewed and approved by Council each year. At that time the Water operations budget, including any new programmatic requests, and the Water capital improvement program budget are reviewed and may be amended.

#### XVII. WASTEWATER FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Wastewater Fund, for the operation of the wastewater utility during the fiscal year beginning July 1, 2021 and ending June 30, 2022, the sum of \$17,628,051 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2020. However, the appropriations for the Vehicle Replacement Program, the Wastewater Fund Capital program, and the Wastewater Assistance Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. The Wastewater rates for our customers indicated in the Utility Rate Study are reviewed and approved by Council each year. At that time the Wastewater operations budget, including any new programmatic requests, and the Wastewater capital improvement program budget are reviewed and may be amended.

#### XVIII. STORMWATER FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Stormwater Fund, for the operation of the stormwater utility during the fiscal year beginning July 1, 2021 and ending June 30, 2022, the sum of \$2,850,742 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2021. However, the appropriations for the Stormwater Fund Capital program shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. The Stormwater rates for our customers indicated in the Utility Rate Study are reviewed and approved by Council each year. At that time the Wastewater operations budget, including any new programmatic requests, and the Wastewater capital improvement program budget are reviewed and may be amended.

#### XIX. UTILITIES FUNDS DEBT SERVICE APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Utilities Funds (Gas, Water, Wastewater and Stormwater) for the payment of principal and interest of bonds, notes and other evidences of indebtedness and the cost of issuance thereof issued by the City pursuant to its Charter and/or the Virginia Public Finance Act., during the fiscal year beginning July 1, 2021 and ending June 30, 2022, or as much thereof as may be necessary, is hereby appropriated to

pay such debt service expenses during the fiscal year beginning July 1, 2021 and ending June 30, 2022. However, such appropriation shall not be deemed to expire at the end of the fiscal year but is hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

A. There is hereby appropriated from the Gas Debt Service Fund, the sum of \$133,166 as revenue (transfer from Gas Fund) to be used principal and interest payments or as much thereof as may be necessary, is hereby appropriated to pay such debt service expenses during the fiscal year beginning July 1, 2021 and ending June 30, 2022.

B. There is hereby appropriated from the Wastewater Debt Service Fund the sum of \$2,731,162 in revenue (transfer from the Wastewater Fund) and \$2,997,394 in principal and interest payments or as much thereof as may be necessary, is hereby appropriated to pay such debt service expenses during the fiscal year beginning July 1, 2021 and ending June 30, 2022.

C. There is hereby appropriated from the Water Debt Service Fund the sum of \$1 in revenue (transfer from the Water Fund) and \$2,406,683 in principal and interest payments or as much thereof as may be necessary, is hereby appropriated to pay such debt service expenses during the fiscal year beginning July 1, 2021 and ending June 30, 2022.

D. There is hereby appropriated from the Stormwater Debt Service Fund the sum of \$119,039 in revenue (transfer from the Stormwater Fund) and \$563,488 in principal and interest payments or as much thereof as may be necessary, is hereby appropriated to pay such debt service expenses during the fiscal year beginning July 1, 2021 and ending June 30, 2022.

## XX. PARKING FUND

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Parking Fund, for parking operations the sum of \$3,313,723 or the amount of revenue actually received by such fund, whichever is the greater amount.

1. The Parking Operation budget includes a budgeted transfer to the General Fund in the amount of \$750,000 or the actual net revenues received from public serving parking facilities, permits, meters and fines, whichever is the lesser.
2. Revenue received for parking development contributions shall not be deemed to expire at the end of the fiscal year but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

## XXI. PAY PLAN APPROVAL

BE IT RESOLVED by the Council of the City of Charlottesville that the Employee Classification and Pay Plan for the City of Charlottesville dated July 1, 2021 and

effective on that same date, which assigns salary ranges to each class or position in the City service is hereby approved pursuant to Section 19-3 and 19-4 of the City Code, 1990, as amended and a copy of the same shall be kept on file with the records of the meeting at which this resolution is approved.

XXII. PAY ADJUSTMENT FOR RETIREES

BE IT RESOLVED by the Council of the City of Charlottesville, that the Retirement Plan Commission is authorized and directed to provide for the payment from the Retirement Fund of a post-retirement supplement of 1% of the current retirement pay of each eligible retired employee effective July 1, 2021.

XXIII. GOLF FUND

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Golf Fund, for the operation of the golf courses during the fiscal year beginning July 1, 2021 the sum of \$1,011,143 or the amount of revenue actually received by such fund, whichever is the greater amount.

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



<b>Agenda Date:</b>	April 5, 2021
<b>Action Required:</b>	Approval of Tax Rate/Tax Levy Ordinance
<b>Staff Contacts:</b>	Chip Boyles, City Manager
<b>Presented By:</b>	Chip Boyles, City Manager Ryan Davidson, Sr. Budget and Management Analyst Khristina Hammill, Sr. Budget and Management Analyst
<b>Title:</b>	<b>Tax Rate/Tax Levy Ordinance for Calendar Year 2021</b>

**Background:** As part of the budget process for each fiscal year, Council reviews its tax rates and levies for the calendar year (also known as the “Tax Year”). This will be the first reading of the Tax Rate/ Tax Levy Ordinance to establish the City’s local tax rates for the 2021 Tax Year.

**Discussion:** The budget for the 2021-22 fiscal year does not change any tax rates or levies. Adopting the ordinance will provide a formal recognition of Council of the rates as set forth in the Ordinance. These rates will become effective at midnight on January 1, 2021 and continue through December 31, 2021. The second reading and final approval of this Ordinance will be on April 13, 2021.

**Community Engagement:** Tonight’s meeting includes a public hearing on the Proposed Budget for the Fiscal Year July 1, 2021 – June 30, 2022, continuing a series of public engagement opportunities around the proposed budget for the upcoming fiscal year.

**Alignment with City Council’s Vision and Strategic Plan:**

This Ordinance aligns with Council’s Vision and Strategic Plan as set forth in the Proposed Budget.

**Budgetary Impact:** This is the first of two readings of the attached Ordinance, the purpose of which is to set the local tax rates for Tax Year 2021.

**Recommendation:** Approval of Ordinance (1<sup>st</sup> reading)

**Alternatives:** N/A

**Attachment (1):**

1. Tax Levy Ordinance

**AN ORDINANCE  
TO ESTABLISH THE ANNUAL TAX LEVY  
ON VARIOUS CLASSES OF PROPERTY FOR THE  
PAYMENT OF INTEREST AND RETIREMENT OF THE CITY DEBT,  
FOR THE SUPPORT OF THE CITY GOVERNMENT AND  
CITY SCHOOLS, AND FOR OTHER PUBLIC PURPOSES.**

**BE IT ORDAINED** by the Council of the City of Charlottesville that for the tax year beginning on January 1, 2021 and ending December 31, 2021, and for each tax year thereafter during which this ordinance continues in effect, the taxes on property in the City of Charlottesville shall be as follows:

Section 1. Real Property and Mobile Homes

On tracts of land, lots or improvements thereon and on mobile homes the tax shall be \$.95 on every \$100 of the assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 2. Personal Property

On all automobiles, trucks, motorcycles and other motor vehicles; boats and aircraft; and on all tangible personal property used or held in connection with any mining, manufacturing or other business, trade, occupation or profession, excluding furnishings, furniture and appliances in rental units, the tax shall be \$4.20 on every \$100 of the assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 3. Public Service Corporation Property

(a) On that portion of the real estate and tangible personal property of public service corporations which has been equalized as provided in section 58.1-2604 of the Code of Virginia, as amended, the tax shall be \$.95 on every \$100 of the assessed value thereof determined by the State Corporation Commission.

(b) The foregoing subsections to the contrary notwithstanding, on automobiles and trucks belonging to such public service corporations the tax shall be \$4.20 on every \$100 of assessed value thereof.

(c) Such taxes are levied to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 4. Machinery and Tools

On machinery and tools used in a manufacturing or mining business the tax shall be \$4.20 on every \$100 assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.



Section 5. Energy Efficient Buildings

- (a) On energy efficient buildings the tax shall be \$.475 on every \$100 of the assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.
- (b) This tax rate is subject to the limitations in Chapter 30, Article V, Division 4 of the Charlottesville City Code, 1990, as amended, and applies only to buildings and not the real estate or land on which they are located.

**BE IT FURTHER ORDAINED** that the ordinance adopted April 8, 2019 establishing local tax rates for the year beginning January 1, 2019 and ending on December 31, 2019 is hereby repealed, effective at midnight on January 1, 2021.

Approved by Council:

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	April 5, 2021
Action Required:	First Reading: Ordinance to Repeal the City’s COVID Ordinance
Presenter:	Heather Hill, City Councilor
Staff Contacts:	Charles P. Boyles, II, City Manager Lisa Robertson, Chief Deputy/Acting City Attorney
Title:	<b>Repeal of Local COVID Public Health Ordinance</b>

**Background:**

In 2020 the Charlottesville City Council enacted a local ordinance to prevent the spread of the Novel Coronavirus (“Covid 19”) pursuant to authority set forth in state law and Section 14 of the City Charter. Recently, on **December 10, 2020** and again on **February 16, 2021**, City Council amended its local ordinance to bring it into closer conformance with the Executive Orders issued by the Governor of Virginia. However, separately from the Governor’s Executive Orders the City’s local ordinance continues to impose local restrictions on the numbers of persons allowed at food establishments and requires a warning to a property owner or tenant prior to enforcing any state-imposed restrictions on the size of a gathering.

**Discussion:**

Councilor Hill requests that Council revisit the question of whether the City’s local ordinance should be repealed. Councilor Hill is concerned that as things progress relative to reopening in the coming months, there will continue to be confusion and discrepancies between what is being directed at the state and local level, making maintaining our own local ordinance growingly more cumbersome.

(Note: separately, on April 19, 2021 the City’s current Continuity of Government Ordinance will expire unless extended by City Council. We plan to present a proposed, revised Continuity of Government Ordinance for consideration on that date).

**Alignment with Council Vision Areas and Strategic Plan:**

Each of Council’s Alternatives, below, can be said to align with one or more Council Vision Areas.

**Community Engagement:** N/A

**Budgetary Impact:** N/A

**Recommendation:** None at this time.

**Alternatives:**

- (1) No change (no action required): City Council may, after discussing the matter, decide not to repeal or change the existing ordinance in any way.
  
- (2) Repeal the Current Ordinance (adopt an Ordinance to repeal the existing Ordinance, per City Code §2-100): if Council wishes, it could repeal the current local ordinance, and allow activities and gatherings subject only to the Governor's Executive Orders. (**Attachment A** to this Memo is an Ordinance repealing the current Ordinance). This Ordinance would require two readings, per City Code Sec. 2-97.

**Attachment (1):**

**Attachment A:** Ordinance repealing the local COVID Ordinance

## ATTACHMENT A

**ORDINANCE  
REPEALING THE CITY’S ORDINANCE TO PREVENT THE SPREAD OF THE  
NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES,  
COMMONLY REFERRED TO AS COVID-19  
(AS AMENDED THROUGH FEBRUARY 16, 2021)**

**BE IT ORDAINED** by the Council of the City of Charlottesville that this Council hereby repeals, in its entirety, the Ordinance adopted by City Council to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, commonly referred to as Covid-19, as such Ordinance was adopted by Council and amended from time to time (most recently amended and reenacted on February 16, 2021).

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	April 5, 2021
Action Required:	Resolution
Presenter:	Alex Ikefuna, NDS Director/Yolunda Harrell, CEO, New Hill Development Corporation/. Shelli Jost Brady, Project Manager/ Consultant
Staff Contacts:	Alex Ikefuna, NDS Director, Missy Creasy, NDS Assistant Director
Title:	<b>Starr Hill Vision Plan – Comprehensive Plan Amendment</b>

**Background:**

In July of 2017, a group of public servants, educators, artists, and entrepreneurs were convened by Kathy Galvin and then Vice Mayor Wes Bellamy to begin discussing the ever-changing economic landscape of Charlottesville, the on-going development thereof, and where the African American community fits into the picture. A series of solution-oriented meetings ensued and then persevered through one of Charlottesville’s darkest moments in history. Out of great adversity comes triumph for those who endure and it became ever clearer that a new group, a new pathway, and a renewed ideal must emerge. With a reverence toward the history of African American prosperity in Vinegar Hill before its destruction and a recognition of the critical importance of African American wealth building, New Hill Development Corporation was established to build pathways of upward mobility in a city where wealth and prosperity abounds, yet is secluded in plain sight.

On February 1, 2019, the City executed a Donation Agreement with the New Hill Development Corporation, a Virginia not-for-profit corporation to develop a community vision and a small area plan for the Starr Hill Neighborhood which incorporates the former historical community of Vinegar Hill. The boundaries of the Starr Hill Neighborhood as provided in the agreement are Preston Avenue to the north, Ridge/McIntire Street to the east, the CSX railroad to the south and the Norfolk Southern railroad to the west. The total area is approximately 47.7 acres.

On November 4, 2019, Council received a proposed Starr Hill Community Vision Plan from the New Hill Development Corporation (hereinafter “Small Area Plan”). On November 18, 2019, the City Council passed a resolution to transmit the Starr Hill Plan to the Planning Commission for review and consideration as to whether to incorporate it into the Comprehensive Plan. After the Council’s Resolution adoption, the Department of Neighborhood Development Services (NDS), on December 20, 2019, completed the review of the plan and determined that it would not move forward as a Small Area Plan based on the scoping of the work which could lead to future opportunities for additional planning steps. NDS worked with the New Hill Development Corporation to develop the most beneficial outcome for the City and New Hill. This consultation resulted in the parties’ mutual agreement to pursue the adoption of a Starr Hill Vision Plan. The Starr Hill Vision Plan differs from the Small Area Plan because it is not as land use intensive as a

Small Area Plan. It will provide a set of principles to guide City decision making in the geographic area, but it will not provide the detailed maximization of zoning and land use planning contained in Small Area Plans.

As staff were working towards the Planning Commission discussion in March of 2020, the COVID-19 State of Emergency came into effect. On March 16, 2020, the City Council adopted a Resolution providing that the Planning Commission conduct a public hearing on the Starr Hill Vision Plan no later than August 31, 2020. However, document review continued between March and June 2020 and on August 11, 2020, the plan was presented to the Planning Commission for review. The plan was revised to reflect comments from the Planning Commission prior to consideration on March 9, 2021.

### **Discussion:**

The Starr Hill Vision Plan is designed to guide the development of the Starr Hill community and investment of public funds. The Plan was endorsed by the Planning Commission with the direction to staff to prepare a Resolution for Adoption as an amendment to the 2013 Comprehensive Plan. Adoption of this plan does not mark the completion of the Starr Hill Plan process. Implementation, which may include additional studies and outreach, facilitating support for cultural concepts in/outside Jefferson School (including Public Square and amphitheater), consideration of short-term space options to locate potential small business incubation space, City Yard redevelopment, and seeking grants and funding for redevelopment initiatives and infrastructure improvement.

The Planning Commission held a virtual joint Public Hearing with City Council on March 9, 2021 on the approval of this plan. During the discussion, the Planning Commission gave a favorable impression of the Community Vision Plan, but did have concerns with the following:

1. Preservation of historic housing.
2. Parking issues.
3. Consideration of the area for Small Area Plan process in the future.
4. Preservation and protection of the neighborhood.
5. Consideration of the urgency of affordable housing.
6. Utilization of Historic Tax Credits as economic advantage for contributing historic properties on West Main and in the neighborhood.
7. The need for connection between Starr Hill and Downtown through the tunnel at City Yard, and other pedestrian options.
8. City Yard redevelopment

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

Approval of this Starr Hill Vision Plan aligns with the City Council Vision Statements of: A great Place to Live for All of Our Citizens, A Connected Community, A Green City, and Quality Housing Opportunities for All. The Plan also supports several goals and objectives of the City's Strategic Plan: Goal 1: An Inclusive Community of Self-sufficient Residents, Goal 3: A Beautiful and Sustainable Natural and Built Environment; and Goal 4: A Strong, Creative and Diversified Economy.

## **Community Engagement:**

The vision, guiding principles and opportunity areas were developed through community engagement process – particularly from residents of Starr Hill Neighborhood, adjacent neighborhoods and from Charlottesville’s Black business community. The following are some key community engagement activities:

- April and May 2019: Front porch and merchant interviews
- May 9 – 10, 2019: Six focus groups
- May 23, 2019: Neighborhood meeting
- June 5, 2019: Black Entrepreneur meeting
- Mid-June through July 2019: Online weekly questions
- August 13, 2019: Focus groups

### **Planning Commission Work Sessions**

- **August 11, 2020**

### **Joint Planning Commission/City Council Public Hearing**

- **March 9, 2021**

## **Budgetary Impact:**

There is no budgetary Impact.

## **Recommendation:**

The Planning Commission took the following action:

The Planning Commission voted to approve the Starr Hill Vision Plan as an amendment to the City’s Comprehensive Plan. The vote breaks down as follows:

Mr. Lahendro, Yes  
Mr. Solla-Yates, Yes  
Ms. Dowell, Yes  
Mr. Mitchell, Yes  
Mr. Stolzenberg, Yes  
Ms. Russell, Yes  
Mr. Heaton, Yes

The motion passed 7 – 0 to recommend to the City Council to amend the City’s 2013 Comprehensive Plan to include the Staff Hill Vision Plan dated June 26, 2020.

## **Alternatives:**

The City Council has the following alternative actions:

1. by motion, vote to approve the attached resolution;
2. by motion, request changes to the attached resolution, and then approve it in accordance with the amended resolution;
3. by motion, defer action, or
4. by motion, deny the proposed Comprehensive Plan Amendment.

**Attachments:**

1. Proposed City Council Resolution
2. Certified Planning Commission Resolution
3. Link to Planning Commission/Council Public Hearing Documents:  
<https://civicclerk.blob.core.windows.net/stream/CHARLOTTESVILLEVA/f5748f86-70c7-4146-887f-1dbe3528ce09.pdf?sv=2015-12-11&sr=b&sig=MJgUftUygJzFmb8nulzAY4LKvHX07JsWGELWgyOw9bo%3D&st=2021-03-15T22%3A00%3A59Z&se=2022-03-15T22%3A05%3A59Z&sp=r>
4. Direct Link to the Project Website: <https://www.newhilldev.org/starr-hill>



**RESOLUTION**

**TO APPROVE AN AMENDMENT OF THE 2013 CITY COMPREHENSIVE PLAN FOR THE CITY OF CHARLOTTESVILLE TO INCLUDE THE STARR HILL VISION PLAN**

**WHEREAS**, on March 9, 2021, after notice was given as required by law, the Charlottesville Planning Commission and Charlottesville City Council conducted a public hearing on a proposed amendment to the 2013 Comprehensive Plan for the City of Charlottesville, to include the contents of the proposed Starr Hill Vision Plan; and

**WHEREAS**, on March 9, 2021, the Planning Commission adopted a resolution recommending approval by the City Council of the Comprehensive Plan Amendment, and certifying a copy of the Comprehensive Plan Amendment to Council for its consideration; now, therefore,

**BE IT RESOLVED** that, upon consideration of the recommended Comprehensive Plan Amendment, the City Council hereby adopts the June 26, 2020 Starr Hill Vision Plan as an amendment to the City's Comprehensive Plan. The Neighborhood Development Services staff shall post on the City's website notice of Council's adoption of this Update, along with a copy of the approval Update.

**RESOLUTION  
OF THE CHARLOTTESVILLE PLANNING COMMISSION  
RECOMMENDING ADOPTION OF THE STARR HILL VISION PLAN**

WHEREAS, on March 9, 2021 this Planning Commission and City Council jointly held a public hearing on the Starr Hill Vision Plan proposed as an amendment of the City's Comprehensive Plan, after notice given as required by law,

NOW THEREFORE, BE IT RESOLVED that this Planning Commission hereby recommends to the City Council that it should approve the Starr Hill Vision Plan dated June 26, 2020 as an amendment to the City's Comprehensive Plan. A copy of the Starr Hill Vision Plan recommended by the Commission is attached to this Resolution and is hereby certified to the City Council for its consideration in accordance with City Code Section 34-27 (b).

Adopted by the Charlottesville Planning Commission, the 9<sup>th</sup> day of March 2021.

Attest:   
Secretary, Charlottesville Planning Commission

Attachment: Starr Hill Vision Plan (**Link:** <https://www.newhilldev.org/starr-hill>)

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	April 5, 2021
Action Required:	Resolution; Consideration of an application for a Special Use Permit
Presenter:	Brian Haluska, Principal Planner
Staff Contacts:	Brian Haluska, Principal Planner
Title:	<b>SP21-00001 – Harris Street Apartments, request to amend a Special Use Permit to increase residential density</b>

**Background:**

Chris Virgilio of C’ville Business Park, LLC, owners of Tax Map 34, Parcels 90B, 90C, and 90.1 (“Subject Property”) has requested a special use permit on the Subject Property to increase the maximum permitted residential density from 43 dwelling units per acre to 50 dwelling units per acre. The Subject Property is currently zoned IC – Industrial Corridor and is the location of the Habitat Store. The applicant is requesting that this application amend an existing SUP (SP19-00010) granted by City Council on March 16, 2020.

**Discussion:**

The Planning Commission considered this application at their meeting on March 9, 2021. The discussion centered on the applicability of the previously approved affordable housing conditions.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 13 at the following link:

<https://charlottesvilleva.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=918>

**Alignment with City Council’s Vision and Strategic Plan:**

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

The City Council Vision of Quality Housing Opportunities for All states that “Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers.”

**Community Engagement:**

Per Sec. 34-41(c)(2), the applicant held a community meeting on February 17, 2021. Four members of the public were present. Neighborhood concerns gathered from the community meeting are listed below.

- The potential rents within the building.
- The type of businesses that would be targeted for the new commercial space.
- The logistics of constructing a building around operating businesses.

The Planning Commission held a joint public hearing with City Council on this matter on March 9, 2021. Several members of the public spoke on the application. The members of the public raised concerns regarding:

- The impact of the building on the traffic on adjacent streets.
- The removal of mature trees on the site, and the requirements for the replacement of tree canopy.
- The conditions on the affordable units presented by the applicant.

**Budgetary Impact:**

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

**Recommendation:**

Staff recommends the application be approved.

The Planning Commission voted unanimously to recommend the application be approved with modifications to the proposed conditions.

**Alternatives:**

City Council has several alternatives:

- (1) by motion, approve the requested Special Use Permit as recommended by the Planning Commission with the following suggested motion;

“I move the adoption of the Resolution included in our agenda materials, granting this Special Use Permit within SP21-00001, based on a finding that the proposed permit is required by public necessity, convenience, general welfare, or good zoning practice”

- (2) by motion, request changes to the attached resolution, and then approve the Special Use Permit;
- (3) by motion, take action to deny the Special Use Permit;

Or

- (4) by motion, defer action on the Special Use Permit.

**Attachment/s (1):**

A. Proposed Resolution

Link to the March 9, 2021 Planning Commission Materials:

<https://charlottesvilleva.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=918>

**RESOLUTION**  
**AMENDING AND REENACTING APPROVING A SPECIAL USE PERMIT**  
**FOR PROPERTY LOCATED AT**  
**1221, 1223 and 1225 HARRIS STREET**

**WHEREAS**, landowner CVILLE BUSINESS PARK, LLC is the current owner (“Landowner”) of certain land identified on 2019 City Tax Map 34 as Parcels 90B, 90C, and 90.1 (City Real Estate Parcel Identification Nos. 340090B00, 340090C00, and 340090100, and current street addresses of 1221, 1223 and 1225, respectively) and having, collectively, an area of approximately 2.446 acres (106,547 square feet) (the “Subject Property”), and

**WHEREAS**, Landowner proposes to redevelop the Subject Property for a specific project, described as follows: by constructing a mixed use building at a height of up to six (6) stories, containing: retail space on the ground floor facing Allied Street, commercial space on the ground floor facing Harris Street, up to ~~105~~ 120 residential dwelling units above the ground floor, and underground parking (the “Project”), for an overall density within the area of the Subject Property of up to 50 dwelling units per acre (DUA); and

**WHEREAS**, the Subject Property is located within the Industrial Corridor zoning district;

**WHEREAS**, the Project is described in more detail within the Applicant’s application materials dated submitted in connection with SP21-00001, SP19-00010 and a site plan exhibit dated December 16, 2019, as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS**, the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on March 9, 2021 ~~February 11, 2020~~; and

**WHEREAS**, upon consideration of the comments received during the joint public hearing, the information provided by the Landowner within its Application Materials, and the information provided within the Staff Report, the Planning Commission voted to recommend approval of the proposed Special Use Permit for the Project; and

**WHEREAS**, upon consideration of the Planning Commission’s recommendation, the Staff Report, public comments received at the public hearing, as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, pursuant to City Code §§ 34-457(b)(5)(a.), 34-458(b), and 34-480, a special use permit is hereby approved and granted to authorize one mixed use building, with a height of up to six (6) stories and containing up to ~~120~~ 105 residential dwelling units above the ground floor, within the Subject Property, subject to the following conditions:

1. The specific development being approved by this special use permit (“Project”), as described within the December 16, 2019 site plan exhibit submitted as part of the Application Materials, as modified within the narrative application materials submitted with SP21-00001, and as required by City Code §34-158(a)(1), shall have the following minimum attributes/ characteristics:
  - a. Not more than one building shall be constructed on the Subject Property (the “Building”). The Building shall be a six-story Mixed Use Building, containing up to 120 ~~105~~ residential dwelling units, ground floor commercial floor area, and underground parking, with overall residential density of up to 50 DUA within the area of the Subject Property.
  - b. The highest point of the Building, as defined within City Code §34-1100(a), shall not exceed an elevation of 510 feet above sea level. Exclusions from measurement of building height shall be those referenced within §34-1101(a).
  - c. The commercial space on the ground floor of the Building facing Allied Street shall be designed, occupied and used for retail uses; either retail or commercial uses may occupy the ground floor of the Building facing ~~Harris Allied~~ Street. The ground floor area to be used and occupied for retail uses shall be no less than that depicted in the December 16, 2019 site plan exhibit submitted as part of the Application Materials.
  - d. Underground parking shall be provided within a parking garage structure constructed underneath the Building.
  - e. The applicant shall provide a preliminary traffic study of the immediate area surrounding the building, as well as traffic impact on Allied Street, Harris Street and the intersection of Harris Street and McIntire Road. The scope of the traffic study shall be approved by the City Traffic Engineer prior to submission, and must be submitted to the City for review and comment prior to the approval of the final site plan for the project.
2. Within the Building, five (5) affordable dwelling units shall be provided for rental by low- or moderate-income persons, as follows: three (3) one-bedroom units and two (2) two-bedroom units. Each of these units shall be an “affordable dwelling unit” as defined in City Code §34-12 throughout a period of ten (10) years.
3. During the first two months for which dwelling units are leased within the Building, five (5) dwelling units shall be reserved for lease to persons who hold housing choice

*vouchers. Prior to commencement of this initial leasing period, Landowner shall notify the Charlottesville Redevelopment and Housing Authority that the 5 reserved units are, or will be, available to persons with vouchers.*

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	April 5, 2021
Action Required:	<b>Motion to Approve Amendments to Council Rules and Procedures</b>
Presenter:	Chip Boyles, City Manager Lisa Robertson, Chief Deputy/ Acting City Attorney
Staff Contacts:	Chip Boyles; Chris Cullinan, Finance Director; Kyna Thomas, Clerk of Council; Lisa Robertson
Title:	<b>Proposed Amendments to Council Rules and Procedures to Address Expenditure of Funds by City Council and Related Issues</b>

**Background:**

In February 2021 the City Attorney's Office called to City Council's attention expenditures from City Council's budget which had not been approved by Council as a body. This communication to City Council raised questions and issues that require City Council, as a body, to discuss and act upon—specifically, issues relating to how individual City Councilors may utilize credit cards issued in their names. In public comments received to date on those issues, two separate but related issues have surfaced:

**(1)** when and under what circumstances an individual member of the public may be paid compensation for his or her time spent sharing opinions or perspectives relating to City business, and

**(2)** need for clear direction from City Council regarding the extent to which individual councilors may utilize staff time/ resources/ funds for individual requests, activities or pursuits.

**Discussion:**

Attached is a Discussion Draft document, presenting amendments to City Council's Rules and Procedures. The provisions in the Discussion Draft reflect the legal opinions given by the City Attorney's Office in February 2021.

The following additional clarifications may assist Council with its deliberations:

1. Council, as a body, **may** vote to approve compensation to be paid to individuals serving on a group, the purpose of which is to advise City Council on matters of public policy. Va. Code 15.2-1411. 1
  - a. Members of the group may be appointed through the traditional application/ appointment process, or
  - b. Members of the group may be selected through selection criteria specified by City Council.
2. The City Manager **may** establish focus groups, may implement public surveys, may approve contracts that include payments for public engagement services, or may establish programs—any

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<sup>1</sup> A Virginia Attorney General Opinion states that a citizen advisory committee created by a city mayor to advise the mayor is not a public body, because it is not created by the governing body, does not perform delegated functions of the governing body, does not advise the governing body. 1978-79 Op. Att'y Gen. Va. 316A.



of which may provide for individuals to be compensated for their participation in a group, survey, engagement, or program. Selection of participants must be by criteria established in advance.

3. City Councilors **may** make FOIA requests, just like any other City resident (Councilors do not lose their individual rights when elected to public office). **HOWEVER, Councilors are not required to make FOIA requests** to obtain information about matters in which City Council is interested: City Code §2-157 specifically states that the “City Manager shall prepare and present to City Council such reports, summaries, and other information as Council shall request or require”. FOIA is a prescriptive, administrative procedure with deadlines and legal requirements. City Councilors should only submit FOIA requests when they intend for those requests to be made in their individual capacity as a City resident.

**Alignment with Council Vision Areas and Strategic Plan:** N/A

**Community Engagement:** N/A

**Budgetary Impact:** Yes.

**Recommendation:** The City Manager, Finance Director, Clerk of Council and City Attorney’s Office all recommend that Council should approve the attached amendments to Council’s Rules and Procedures.

Sample Motions:

“I move to approve the Amended City Council Rules and Procedures as presented to us by staff.”

“I move to approve the Amended City Council Rules and Procedures presented to us by staff, with the following changes.....”

**Alternatives:** City Council may choose not to act at all, or may choose to approve a different set of amendments to its Rules and Procedures.

**Attachment (1):** Discussion Draft Amendments to City Council Rules and Procedures

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**Charlottesville City Council Meeting Rules and Procedures**

These *Charlottesville City Council Meeting Rules and Procedures* are designed to help City Council conduct its affairs in a timely and efficient manner, while encouraging a robust and meaningful dialogue with members of the community.

**I. Meetings**

**A. Generally Meetings**

1. Regular meetings of the City Council will begin at 6:30 p.m. on the first and third Mondays of each month (or the following day if that Monday is a legal holiday) in City Council Chambers (Second Floor, City Hall). Council will adopt a schedule for its regular meetings at its first regular meeting in January each year.
2. Council may hold additional meetings at other locations and times, or may change the location and time of a regularly scheduled meeting as it deems appropriate. In the case of inclement weather, the Mayor may cancel a meeting of the City Council. Notice of additional meetings or changes to the location or time of a regularly scheduled meeting will be provided to the public and press as required by the Virginia Freedom of Information Act (FOIA).
  - a. "Town Hall Meetings" may be regularly scheduled meetings, such as the "Our Town" meeting series, or may be scheduled as a special meeting by Council on a particular topic. A town hall meeting is a type of meeting at which Councilors answers questions from the public.
  - b. "Work Sessions" are meetings at which Council may discuss one or more specific topics in depth among themselves, or at which Council desires to receive an in-depth presentation from staff or an outside party on a particular topic. Council may vote on matters discussed at a Work Session (FOIA does not prohibit voting,) but generally the purpose of a Work Session is to inform Councilors on a topic and for Councilors to give staff or others general direction. Work Sessions may take place within a regular meeting or may be scheduled as a special meeting.
3. Special meetings, closed meetings, and emergency meetings may be scheduled and held in addition to the schedule of regular meetings. Notification requirements for special meetings, closed meetings and emergency meetings are governed by the Virginia Code.
  - a. For special meetings, the purpose and nature of the meeting will dictate whether public comment will be allowed. Time for public comment may or may not be allocated depending on the nature of the meeting and at the discretion of Council.
  - b. Closed meetings generally take place at 5:30 p.m. before the regular Council meeting. The only items Council may consider in closed meetings are those permitted by the Virginia Freedom of Information Act and identified in the motion convening the closed meeting.

**Commented [RL1]:** Council: would you like us to clean this up? The closed meeting time previously established within these rules is 5:00 p.m.

**B. Agenda and Materials**

1. The City Manager shall ensure a proposed agenda is prepared for the Mayor's consideration nine business days before the meeting. The agenda of every regular Council meeting is approved by the Mayor. Any Council member desiring to add items to the proposed agenda should submit them to the City Manager and the Mayor ten business days before the meeting. Last minute

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submissions are discouraged but may be added to a regular meeting agenda, subject to a vote of Council at the meeting approving a change [addition] to the published agenda. This may occur from time to time when a matter that requires action expeditiously was not known in time to be presented during the normal agenda development process. Citizens may suggest an item for consideration on a Council meeting agenda by submitting the suggestion in writing to the Clerk of Council at least ten business days prior to the meeting.

2. The Order of Business at each regular meeting of Council shall be as follows:
  - a. 6:30 p.m. Call to Order, Pledge
  - b. Approval of the Agenda
  - c. Special Recognitions by the Mayor or Council (if any), Awards and Proclamations (Council may also project awards, recognitions, and announcements on the television/video screens in lieu of reading/ announcing them.)
  - d. Boards and Commissions Appointments
  - e. Consent Agenda (including, without limitation: approval of minutes; routine ordinances or resolutions; final/second readings of appropriations, ordinances or resolutions; other routine items)
  - f. City Manager's Response to Community Matters
  - g. Community Matters (formerly Matters by the Public) (Limited to 16 speakers, maximum; see Section D of these Procedures)
  - h. Action Items, and any related Public Hearings (items on which action is requested from Council)
  - i. General Business for Discussion, and any related Public Hearings (items on which Council will conduct a public hearing, hold a discussion among themselves, receive a presentation, etc., but on which no action will be taken at that meeting)
  - j. Matters by the Public
3. The City Manager, in consultation with the Mayor, shall provide background materials for the Council and the public. Agenda and background materials for upcoming City Council meetings shall be made available for public review in the Clerk of Council's Office and on the City's website, concurrent with Council's receipt of the same, and no later than Wednesday before the meeting.
4. Any materials in addition to the background materials prepared by the City Manager shall be distributed to the Council by the Clerk of Council no later than Friday before the meeting. Council may defer any item for which all relevant information has not been provided in a timely manner.
5. Agenda Items
  - a. *Consent Agenda*: the consent agenda may be used for eligible items and may include, but is not limited to, routine and noncontroversial appropriations, grant applications, contracts, resolutions, ordinances, second readings, and the minutes. After the consent agenda is read by the Clerk of Council, the Mayor will ask if any member of the public wishes to address Council about an item on the consent agenda. Any item may be removed at the request of one or two Councilors. If a Councilor requests a separate vote on an item, but does not wish to have further discussion on the item, the item will be voted upon after the remainder of the consent agenda is acted upon. If any two Councilors request that an item be removed from the consent agenda for further discussion, the item shall be added to the end of the regular agenda for discussion. Those items not removed from the consent agenda shall be acted upon by a single vote of Council.

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- b. Agenda items shall be heard in the order in which they appear on the agenda. With the consent of two other Councilors, the Mayor may postpone or take out of sequence agenda items from the order listed on the agenda.
- c. Each agenda item shall be given an approximate time limit. Generally, the total time allocated to any agenda item that does not include a scheduled public hearing shall not exceed twenty (20) minutes, unless the Mayor, in consultation with the City Manager, determines otherwise.
- d. Opening presentations for agenda items shall be limited to ten (10) minutes, unless the Mayor, in consultation with the City Manager, determines otherwise.
- e. For each agenda item, staff or an appropriate designee will present the item to Council, after which Councilors may ask clarifying questions of staff if necessary. If a public hearing is scheduled, the public hearing will be conducted before any motion is initiated by a Councilor.

#### **C. Transaction of Business**

##### **1. General.**

- a. Unless otherwise specifically provided by law, Council may conduct business and vote upon any matter properly before it, at any meeting at which a quorum is present.
- b. Informal discussion of a subject is permitted while no motion is pending.
- c. In making motions and transacting its business, Council shall follow the rules set forth within these Meeting Procedures. If a question of procedure arises that cannot be resolved by the provisions within these Procedures, the Parliamentarian will consult Robert's Rules of Order and apply them to a resolution of the question.

##### **2. Motions, generally.**

- a. Any member, including the presiding officer, may make a motion. A member may make only one motion at a time.
- b. Except as otherwise noted, all motions require a second; a motion dies for lack of a second.
- c. Except as otherwise noted, each member is required to obtain the floor, by addressing the presiding officer, before making motions or speaking.

##### **3. Substantive Motions.**

- a. A substantive motion is any motion that deals with the merits of an item of business and that is within the Council's legal powers, duties and responsibilities.
- b. A substantive motion is out of order while another substantive motion is pending.

##### **4. Procedural Motions.**

- a. A procedural motion is a motion that Council may use to "act upon" a substantive motion, by amending it, delaying consideration of it, and so forth. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.
- b. Only the following procedural motions, and no others are in order. Procedural motions are listed below in their order of priority. If a procedural option is not listed below, then it is not available:
  - i. Appeal a Procedural Ruling of the Presiding Officer (an appeal is in order immediately after a decision is announced and at no other time; the maker need not be recognized by the presiding officer, the motion does not require a second, and if made in a timely manner, the motion may not be ruled out of order.)

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- ii. Motion to Adjourn
- iii. Take a brief recess
- iv. Suspend the rules
- v. Defer consideration of a Substantive Matter (“lay on the table”; “postpone”; “defer”)
- vi. Call the question (not in order until each member has had an opportunity to speak once; the motion is not amendable or debatable)
- vii. Motion to amend (a motion may be amended no more than twice; once a motion has received a second, it is up to the entire group to decide whether or not it should be changed by amendment; prior to receiving a second, a motion may be amended with the permission of the person who made the motion)
- viii. Substitute motion (no more than one substitute motion may be made; if a substitute motion is adopted and replaces the original motion, no further substitute motions may be made)
- ix. Withdrawal of motion (a motion may be withdrawn by its maker any time before it is amended, or before the presiding officer puts the motion to a vote, whichever occurs first)
- x. Motion to reconsider (must be made no later than the next succeeding regular meeting, by a member who voted with the prevailing side; this motion may not be used in a land use decision involving a rezoning or a conditional use permit)

#### 5. Debate.

- a. In the event that conflicts arise among members as to the order for speaking, the presiding officer shall apply the following rules: the maker of a motion is entitled to speak first, if he/~~she/they~~ ~~or she~~ wishes to do so; a member who has not spoken on an issue shall be recognized before someone who has already spoken.
- b. The presiding officer may participate in the debate prior to declaring a matter ready for a vote.
- c. Council members shall not engage in electronic communications among themselves during a meeting, regarding any motion that is on the floor for debate.
- d. In making a motion, a member shall endeavor to state the basis of the motion within a period not more than 5 minutes. In debating a motion, or in proposing amendments or substitute motions, each member shall try to state the basis of that procedural motion within a period of less than 3 minutes. In asking a question of a speaker, Council members should take not more than 3 minutes to phrase the question.
- e. In debate, speakers shall be collegial in their language and shall avoid all reference to personalities. No member shall interrupt another without the consent of the member who has the floor, except when making a point of order.

#### 6. Voting

- a. The Mayor shall call the question, either: (i) after a motion to call the question has received a second and has been voted upon, or (ii) at their discretion, any time after each member has had at least one opportunity to speak during debate. After the vote is taken, the Mayor shall announce that the motion is adopted or failed and the vote count.
- b. If any member abstains from voting, the reason for the abstention shall be included in the minutes of the meeting.
- c. In the event that a substantive matter does not require a recorded vote, then the Mayor may call for approval of that matter by voice vote or acclamation. (Generally this process should be used only when a matter is simple, clear to all present and requires no discussion.)

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7. Mayor as Presiding Officer

The Mayor shall preside at all meetings of City Council (“presiding officer”). The Vice Mayor shall be the presiding officer in the Mayor's absence.

Meetings of City Council shall be governed according to these Meeting Procedures, except where provided otherwise by the Virginia Code or the Code of the City of Charlottesville. Matters not addressed within by one of those sources shall be resolved in accordance with Robert’s Rules of Order.

- a. The City Attorney shall serve as the Parliamentarian for the purposes of interpreting these Meeting Procedure, and the Code of Virginia (1950), as amended, and Robert’s Rules of Order, as may be directed by the presiding officer, or as required as a result of a point of order raised by one or more Councilors.
- b. No rule set forth within these Meeting Procedures can be suspended except by the consent of four Council members. Suspension of the rules may be made by a motion. (*City Code section 2\_66*)
- c. At each Council meeting, the presiding officer shall preserve order and decorum, and shall have the authority:
  - i. To rule motions in or out of order, including any motion not germane to the subject under discussion;
  - ii. To determine whether a speaker is unreasonably disturbing the meeting, and to entertain and rule on objections from other members on this ground;
  - iii. To entertain and answer questions of procedure;
  - iv. To call a brief recess at anytime;
  - v. To adjourn in an emergency.
- d. A decision by the presiding officer on any matter listed in c.i. through c.iii. above may be appealed to Council upon motion of any member. Such a motion is in order immediately after the presiding officer announces his/~~her~~/their ~~or her~~ decision, and at no other time.
- e. The presiding officer shall ensure that individuals address their comments to City Council at appropriate times, in accordance with the meeting agenda. Otherwise, no person shall address City Council until leave to do so has been granted by the City Council or until invited to do so by the Mayor. Remarks shall at all times be addressed directly to Council, and not to staff, the audience, or the media. (*City Code sec. 2\_71*)
- f. Remarks and actions that disrupt the Council meeting, and remarks from persons other than Councilors, the City Manager or City Attorney, which are outside the purpose of Matters by the Public or a Public Hearing (see *section D* below), a staff report, or other presentation associated with an agenda item, are not permitted. The presiding officer shall call an individual to order when that individual goes afoul of these rules. The following are examples of remarks and behavior that are not permitted:
  - i. Interrupting a speaker who is addressing Council at the speaker’s microphone or a speaker who has otherwise been invited to address Council during Matters by the Public or a Public Hearing;
  - ii. Interrupting a Councilor who is speaking;

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- iii. Shouting, and talking (either individually or in concert with others) in a manner that prevents a speaker or a Councilor from being heard or that otherwise hinders the progress of the meeting;
- iv. Blocking paths for emergency exit from the meeting room; engaging in any conduct that prevents a member of the audience from seeing or hearing Councilors during a meeting; standing on chairs or tables within the Council meeting room;
- v. Threats of violence toward Councilors, City staff or members of the public;
- vi. Engaging in conduct that is a criminal offense under the City Code or the Virginia Code;
- vii. Campaigning for elected office;
- viii. Promotion of private business ventures.

8. During a City Council meeting the presiding officer shall have control of the Council Chambers and the connecting halls and corridors within City Hall, and any other venue where a Council meeting is being held. In case of any conduct described in section f, above, the presiding officer may take measures deemed appropriate, including but not limited to suspending the meeting until order is restored, ordering areas to be cleared by the Sergeant at Arms, or requiring any individual to exit the meeting room and adjacent premises (connecting halls and corridors.)

9. Any person who has been expelled from a Council meeting shall be barred by the Mayor from reentering the Council meeting from which he/she/they ~~or she~~ was expelled, subject to appeal to Council or motion passed by Council.

**D. Matters by the Public, Public Hearings and Other Comment Opportunities**

1. *Matters by the Public* – Time shall be reserved during each regular City Council meeting for Matters by the Public. The purpose of Matters by the Public is to offer individuals an opportunity to state a position, provide information to City Council, comment on the services, policies and affairs of the City, or present a matter that, in the speaker’s opinion, deserves the attention of City Council.
  - a. At Council’s regularly scheduled meetings, two opportunities will be afforded for members of the public to address Council. One Matters by the Public session will be offered early in the meeting, which shall be called “Community Matters”, prior to taking up matters on a consent agenda, action items agenda, or items for discussion agenda. At this first period, up to sixteen (16) individuals may speak, as follows:
    - i. up to 8 individuals selected randomly from a list of people who have signed up in advance, and
    - ii. up to 8 individuals who have registered on the sign-up sheet available at the front of the room prior to the meeting on a first-come/first-served basis.A second Matters by the Public session will be offered as the final item on a regular meeting agenda.
  - b. Each person who speaks during a Matters by the Public session will be limited to a maximum time of three minutes.
    - i. Speakers may concede their allotted time; the person whose name is written on the speaker sheet must be the person who begins speaking, although they may be accompanied by others to the podium and may share their time with them. Each speaker

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shall begin by clearly stating his/~~her~~/~~their~~ ~~or her~~ name and place of residence (or, if speaking on behalf of a business, by giving the location of the business).

- ii. Written materials presented at Matters by the Public must be given to the Clerk prior to speaking and will be distributed to the Council. For distribution of hard copies to Councilors, eight copies should be provided; however, electronic distribution is preferred and may be sent to council@charlottesville.org. PowerPoint presentations cannot be accommodated during Matters by the Public.
- iii. After an individual completes his/~~her~~/~~their~~ ~~or her~~ remarks to Council, any Councilor or the City Manager may respond as they see fit. To assure the orderly progress of the meeting, the presiding officer shall ensure that, collectively, responses to any individual's remarks will not exceed a period of approximately two minutes.
- iv. Remarks that cannot readily be addressed within the Councilors' response time may be referred to the City Manager by the Mayor, with a request that the City Manager bring back a response at the meeting immediately following the present meeting.

2. *Public hearings* – From time to time, Council will conduct public hearings on specific topics as required by law or as Council otherwise deems appropriate. The purpose of a public hearing is for Council to receive public comments on a specific topic.

- a. Sign-up sheets are provided at the front of the room. Speakers will be called from that list, as time permits.
- b. After all speakers on the sign-up list have been called, other individuals will be invited to speak, until everyone who wishes to speak on the topic has had a chance to do so.
- c. During a public hearing, each speaker must limit his/~~her~~/~~their~~ ~~or her~~ comments to the specific application or matter for which the public hearing has been scheduled.
- d. No person may speak more than once during any public hearing. Each person who speaks during a public hearing will be limited to a maximum time of three minutes.
- e. Prior to opening a Public Hearing, Council may, by motion, limit the number of speakers who will be heard, and/or reduce the time for each speaker to two (2) minutes, upon determining that the session could not be commenced in a timely manner.

3. *Town Hall meetings* – Town Hall meetings are generally conducted in an open format. Council may conduct a Town Hall meeting in a manner that is free-form (no limit on the time for making a comment or stating a question, or for Councilors' responses,) or Council may establish an agenda or list of topics that will apply for a particular Town Hall meeting, and times or guidelines for speakers' questions and Councilors' responses. Any parameters that will apply to a Town Hall will be established by the Mayor prior to the meeting or by vote of Council after calling the Town Hall meeting to order and prior to opening the floor. Prior to commencing the session, attendees shall be notified of any applicable time limits or speaker guidelines, either by posted signs, a written agenda or verbal announcement by Council at the beginning of the meeting.

4. *Written Comments* – To provide an additional mechanism to communicate with Council, a "Submit a Comment to City Council" form is provided on the City website for electronically submitting comments. These comments are distributed to all Council members. Citizens may also contact Councilors via their City email addresses (available on the City's website) or by written correspondence sent in care of the Clerk of Council.

5. *Consent Agenda Comments*-After the Clerk of Council concludes reading the Consent Agenda, the Mayor will ask if anyone in attendance at the City Council meeting wishes to speak on matters listed on the Consent Agenda. Speakers will be limited to a maximum of



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three

minutes and their marks shall be limited to matters listed on the Consent Agenda.

**E. Recess**

1. During regular meetings, Council will take a brief recess every two hours. The presiding officer will announce the recess at an appropriate time, or any member may, by point of order, remind the presiding officer that a brief recess is due.
2. The Council's goal at regular meetings is to adjourn no later than 11:00p.m.

**F. Miscellaneous**

1. Persons with disabilities may request reasonable accommodations by contacting [ada@charlottesville.org](mailto:ada@charlottesville.org) or (434) 9703182. Persons are encouraged to make requests in advance.
2. All regular City Council meetings are broadcast live on Charlottesville's TV10. Streaming video of the meetings is available for viewing online at the time of the meeting and as an archived video on the next business day following a meeting. Archived meetings can be downloaded in audio or video format from the City website. Charlottesville TV 10 runs repeats of the most recent meeting throughout the month on Mondays, Wednesdays, and Fridays at 7:00 p.m. and Tuesdays, Thursdays, and Saturday mornings at 9:00 a.m. until the next meeting is held. A DVD copy of the meeting may be requested the week after the meeting; a nominal fee may apply. Contact the Clerk of Council at [clerk@charlottesville.org](mailto:clerk@charlottesville.org) or (434) 970-3113 to inquire.
3. These City Council Meeting Rules and Procedures will be posted on the City's website.
4. These Council Meeting Rules and Procedures are adopted by the Council pursuant to the Charter of the City of Charlottesville and supersede prior rules. The rules and procedures set forth within this document do not create substantive rights for third parties or participants in proceedings before City Council, and City Council reserves the right to suspend or amend the rules in the manner provided in the City Code. The failure of City Council to strictly comply with the provisions of this document shall not invalidate any action of City Council.

**G. Policy for Electronic Participation by Councilors**

1. *Purpose and Applicability.* It is the policy of the City Council of the City of Charlottesville that individual members of the Council may participate in Council meetings by electronic means as permitted by Virginia Code Section 2.2-3708.2. The purpose of the policy is to comply with the requirements of Section 2.2-3708.2 of the Code of Virginia and to allow for and govern participation by one or more Councilors in Council meetings by electronic communication means. All proceedings pursuant to this policy shall be performed in accordance with Virginia Code Section 2.2-3708.2 as that statute may hereafter be amended. This policy shall apply to the entire City Council membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
2. *Quorum Required.* The City Council may consider a request for participation by electronic communication means only if a quorum of the Council is physically assembled at the primary or central meeting location, and there is an arrangement for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

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3. *Permissible Reasons for Electronic Participation.* Participation by a Councilor in a meeting by electronic communication means shall only be allowed due to an emergency, a personal matter, or disability. Each Councilor shall be limited each calendar year to participation by electronic means in two meetings for personal matters.

4. *Approval.* Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act. If a Councilor's participation from a remote location is challenged, then the City Council shall vote whether to allow such participation. If the City council votes to disapprove the Councilor's participation because such participation would violate this policy, such disapproval shall be recorded in the Council's minutes with specific reasons cited for the disapproval.

5. *Approval Process.* No Councilor may participate in a meeting by electronic communications means unless the Councilor requests and the Council approves the participation in accordance with this policy.

a. A Councilor may request to participate in a meeting by electronic communication means if the Councilor notifies the Mayor and the Clerk of Council on or before the day of the meeting that the Councilor is unable to attend due to the following:

i. Personal: an emergency or personal matter, provided that the Councilor identifies with specificity the nature of the emergency or personal matter, or

ii. Temporary or Permanent Disability: a temporary or permanent disability or other medical condition that prevents the Councilor's physical attendance.

b. The Councilor must also notify the Clerk of Council of the remote location from which the Councilor would participate by electronic communication means.

c. At the meeting, the Clerk of Council shall announce the information received from the absent Councilor. If the Council member's request is in all respects compliant with this policy, then any of the quorum of Councilors physically assembled at the central meeting location shall make a motion to approve or disapprove the absent Councilor's request.

d. Upon adoption of a motion to approve the Councilor's participation by electronic communication means, the Councilor shall be allowed to fully participate in the meeting by electronic communication means.

e. If the Councilor's participation by electronic communication means is approved, the Clerk of council shall record in the meeting minutes:

i. the motion;

ii. the vote thereon;

iii. the specific nature of the emergency or personal matter or temporary or permanent disability or other medical condition; and

iv. the remote location from which the Councilor participates in the meeting.

f. If the Councilor's participation by electronic communication means is disapproved, whether by adoption of a motion to disapprove or rejection of a motion to approve, the Clerk of Council shall record in the meeting minutes:

i. the motion;

ii. the vote thereon;

iii. the specific nature of the emergency or personal matter or temporary or permanent disability or other medical condition;

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- iii. the remote location from which the Councilor would participate in the meeting; and v. the specific aspect of this policy that would be violated by the Councilor's proposed participation by electronic communication means, as summarized by the quorum of Councilors physically present.

I-II. THE COUNCIL – MANAGER RELATIONSHIP

A. Per City Code §2-157 and in the interests of efficient management, if Council members seek answers from City staff, they should generally attempt to do so through the City Manager. A Councilor who has a question or wishes to request information from a department head or staff member (i.e., a question or request that requires only a few minutes for response) may contact those persons directly; however, in any event, when asking questions of staff, Council members should advise City Manager of same.

B. Members of the City Council, including the Mayor, shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Council members shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do. No member of City Council may purport to speak on behalf of the City on matters that have not been voted on by Council or that do not represent official City policy unless authorized by vote of the City Council/Manager.

C. If a Councilor chooses to convene a public meeting-gathering that will involve an employs any City resources (including meeting spaces expenditure of any City funds -and- staff attendance), the group that is gathered must be a public body (i.e., a board, commission, committee, subcommittee, task force, advisory group, or other entity—however designated—created by City Council to perform delegated functions of Council or to advise the City Council). The Councilor will advise the City Manager, the Clerk of Council and other Councilors of the date, time and purpose of any gathering that will involve expenditure of City funds. A Councilor may expend or commit expenditure of City funds in accordance with Section III, below.

If a Councilor wishes to convene a gathering that will involve the use of City meeting space or the assistance of non-Council staff, the gathering must be approved by the City Manager, with notice given to the Clerk of Council and other Councilors of the date, time, place and purpose of the gathering.

D. If any Councilor convenes or plans to attend an event or gathering and to which any other Councilors may also be invited that might be attended by two or more Councilors, he/she/they or she shall advise the Clerk of Council and the City's FOIA Officer other-Councilors at least one day in advance of the time and place of the meeting event or gathering.

E. Council members shall respect and adhere to the Council/Manager structure of Charlottesville City government as outlined in the Charlottesville City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by City staff, Boards and Commissions, and the public. Except as provided by the City Code, Council members shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.

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Ref. City Charter, §5.01, §5.02

Ref. City Code §2-36; 2-39; 2-146 through 2-158

F. At the first meeting of January in each even numbered year, an Organizational Meeting shall be conducted to select the Mayor and Vice Mayor. The City Manager shall preside at the Organizational Meeting. The City Manager shall accept nominations from Councilors for the position of Mayor. The City Manager will then accept a motion to close the nomination process. After a motion to close the nomination process is approved by the Council, each Councilor will be provided five minutes to speak about the Mayoral nominees. After all Councilors have concluded their remarks, the Clerk of Council will then call the roll and each Councilor shall state their choice for the position of Mayor. At the conclusion of the Council's Mayoral election, the City Manager shall accept nominations from Councilors for the position of Vice Mayor. The City Manager will then accept a motion to close the nomination process. After a motion to close the nomination process is approved by the Council, each Councilor will be provided five minutes to speak about the Vice Mayoral nominees. After all Councilors have concluded their remarks, the Clerk of Council will then call the roll and each Councilor shall state their choice for the position of Vice Mayor. The Mayor and Vice Mayor shall be elected for terms of two years.

G. At a work session conducted in January of each even numbered year, the City Manager and Clerk of Council will coordinate a Council orientation for all City Councilors providing training and education on City operations and City Council Policies and Procedures.

**H-III. CITY COUNCIL EXPENDITURES**

A. Each fiscal year, as part of Council's approval of the annual budget for the City, or as amended during the year, Council appropriates a certain amount of public funds for expenditure by "City Council/ Clerk of Council" and for "City Council Strategic Initiatives". Public funds appropriated in these categories may be expended by City Council in accordance with this Council Procedure document, as follows:

1. **Council-authorized purchases and expenditures**—public funds within City Council's budget appropriation may be expended for lawful purposes specifically approved by a vote of City Council, including, without limitation:
  - i. Charitable donations authorized by state statute;
  - ii. Compensation to individuals serving on a City-Council created advisory agency, as defined in Va. Code §2.2-3101 (task force, commission or other group—regardless of name). (Note: If City Council creates an advisory agency, City Council may specifically authorize members of the advisory agency to be compensated for their attendance at regularly scheduled meetings and in training. Compensation may be paid to an individual member, only if the City Council action which established the advisory agency: (i) specifically authorizes the amount of compensation to be paid, (ii) designates the manner in which compensation may be paid (City-issued check, cash-equivalent (e.g., gift card), or other form of payment), and (iii)

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identifies the fund or budget expenditure line item from which the compensation is to be paid.) Ref. Va. Code §15.2-1411.

- iii. Purchases of goods or services for a City Council meeting, function, or retreat, or purchase of office supplies, travel reservations for an individual councilor, etc., where such purchase is arranged by the Clerk of Council in his/her/their role as “decentralized buyer” for the City (for example: a facilitator for a Council workshop; catering and meals for a City Council meeting or retreat; consulting services for a City Council initiative, etc.).
  - a) The Mayor or any other individual councilor may commit funds within City Council’s budget (the accounting fund center for “Mayor/City Council”) to be used to compensate speakers or consultants who address or advise City Council at a public meeting on matters of public concern within the City. Amounts expended in his manner shall not exceed \$1,000 per year for an individual councilor. When selecting speakers or consultants to provide these contract services, councilors will make a good faith effort to provide for competition among similarly-qualified speakers and consultants.
  - b) Prior to committing any City Council funds as authorized by paragraph a), above, the Mayor or other individual councilor shall verify with the Clerk of Council that a sufficient amount of budgeted funding is available to cover the proposed commitment.
- iv. Emergency travel expenses, which may be arranged and authorized by the City Manager, in circumstances where an individual councilor’s credit card fails to function while the councilor is traveling on City business.
- v. Payment for the expenditures listed in (i)-(iii), above, shall be arranged by the Clerk of Council or City Manager, on behalf of City Council, using the credit card issued by the City to the Clerk or by other form of payment used by the City in the normal course of business. Individual councilors’ credit cards shall not be used to pay for those expenditures.

2. Reimbursement of individual councilors’ and Council-staff members’ City-business expenses—pursuant to Va. Code §15.2-1414.6 each individual Councilor is eligible to be reimbursed for any expenses incurred by such individual councilor for official City business (“Reimbursables”). Any such Reimbursables must be itemized and documented by stamped “paid” receipts to the extent feasible.

- i. Following are examples of authorized Reimbursables:
  - registration fees, meals and/or travel and parking expenses for attendance at official functions, general assembly sessions, or ceremonies/special events to which City Council, or an individual councilor, or a Council staff member, is invited or is required to attend;
  - individual dues for membership in organizations related to Council duties, and travel to seminars and meetings of those organizations (e.g., VML, Virginia First Cities, National League of Cities, etc.);

**Commented [RL2]:** As indicated by the materials we reviewed from the City of Richmond, discretionary funding delegated to individual councilors for expenditure must be specifically called out in the approved budget document, as to the categories for which it will be expended.

If you approve this provision, we will need to work with the City Manager and Ms. Hammill to amend the Proposed Budget (for the City Council expenditures) to reflect the discretionary funding amounts and the categories for which it may be expended. Ref. Va. Code 15.2-2503

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- meals or refreshments for an individual Councilor himself/herself/themself, while meeting with one or more constituents, if receipts are supported by documentation meeting IRS standards for allowable business expenses (identification of the purpose of the meeting, the topic(s) discussed, the person(s) participating in the meeting, etc.);
  - home office supplies for individual Councilors, such as copier paper, “cloud” storage for records, office furniture, pens, etc.
- ii. In lieu of incurring a Reimbursable expense and then submitting a reimbursement request to the City, any individual Councilor or Council staff may use a City credit card issued to such Councilor/ staff member to purchase Reimbursables. Requirements for documentation of purchases made with a City-issued credit card, as well as daily per-diems and mileage reimbursement rates, shall be the same as established by the City Manager/ Director of Finance for City employees.
- iii. No credit card issued to an individual City Councilor shall be used to purchase any goods, services or items other than:
- a) Reimbursables.
  - b) Tokens of sympathy or appreciation for the Clerk of Council and his/her/their staff, the City Manager and his/her/their deputies and assistants, and the Finance Director and his/her/their deputies and assistants, to recognize birthdays, work anniversaries, sympathy for the loss of a family member, and similar circumstances). The value of a credit card transaction for any such purchase shall not exceed \$50, and
  - c) Goods, services or items approved by City Council, as a body, to be purchased with an individual councilor’s card (for example, City Council may vote to authorize an individual councilor who is leading an international trip to charge certain group expenses to the City credit card issued to that councilor).
- iv. If any individual Councilor desires to use a City credit card that is issued to him/her/they, but is not sure whether or not a particular purchase constitutes a Reimbursable, as defined above, it shall be the responsibility of the Councilor to seek guidance (from Council, as a body, the Clerk of Council, the Finance Director, or the City Attorney’s Office) prior to using the credit card to make the purchase.

Inquiry shall be made regardless of whether similar purchase(s) have previously been made prior to the adoption of these Council Rules and Procedures.

3. **Prohibited Expenditures, by Credit Card and Otherwise:** the following expenditures of City funds are PROHIBITED and are UNAUTHORIZED as to every individual Councilor and each member of Council’s staff:

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No City funds shall be used to obtain, purchase, or pay for any of the following—whether the purchase or payment is made or obtained by means of a City-issued credit card, expense reimbursement request, City-issued check, cash or cash equivalent (gift card) or otherwise:

- i. Alcoholic beverages,
- ii. Smoking products and paraphernalia,
- iii. Personal items and services (i.e., goods, services or items *other than* Reimbursables) for an individual councilor or any other individual,
- iv. Gifts or donations to any individual(s),
- v. Non-essential services and gratuities: mini-bar fees, service gratuities in excess of 20% for meals or transportation services, movies, personal telephone calls made from a hotel phone, etc.,
- vi. Vehicle fuel,
- vii. Cash (cash advances, wire transfers, money orders, credits for returned merchandise, etc.),
- viii. Any purchase or expenditure that exceeds funding that is available within City Council's fiscal year budget at the time of the purchase or obligation of City funds,
- ~~ix.~~ix. All other unauthorized purchases and expenditures—meaning any purchase or expenditure other than one specifically authorized within these Council Rules and Procedures.

**B. Oversight of Council Expenditures**

1. The Clerk of Council shall send monthly budget-to-actual expenditure reports to City Council, reporting all expenditures from City Council's budget for the preceding month (inclusive of credit card purchases), as well as the total amount of funds remaining to be spent during the fiscal year. It shall be the responsibility of City Council, as a body, to review the budget-to-actual expenditure reports and to address any apparent concerns as a group, with Council staff and each other.
- ~~1-2.~~2.If any Councilor or Council staff member has a question about whether any credit card purchase or other expenditure complies with this Council Procedure, the question should first be presented to Council, as a body, for review and response (assistance from the Finance Director or City Attorney's Office may be requested, as needed). If the question cannot be resolved by Council, as a body, the matter shall be reviewed by the City Attorney in consultation with the City Manager and Director of Finance and/or reported to law enforcement for investigation.

Notwithstanding the foregoing: if Council as a body fails to promptly take action, or if there is cause to believe that a violation of the requirements of this Council Procedure is knowing or intentional and a financial loss in excess of \$300 (ref. City Code §2-45) will occur to the City while awaiting a response by Council, any City official or Council staff shall have a right to seek review of the matter by law enforcement.

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3. Any City Councilor who uses a credit card, or otherwise obligates City funds to be expended, for purposes not authorized by this Council Procedure may be subject to civil fines, payment of reimbursement to the City, and/ or criminal prosecution (ref. City Code §2-45, City Code §22-33, and Va. Code §18.2-112).



# Make Gentle the Life of this World:

Family Self-Sufficiency in the  
Charlottesville Region—  
Albemarle, Buckingham,  
Fluvanna, Greene, Louisa,  
Nelson counties & the city of Charlottesville, Virginia



## Orange Dot Report 4.0

By: Ridge Schuyler  
January 20, 2021

# Project Purpose

In 2018, we set a goal of helping 4,000 families secure quality jobs by 2026. We plan to achieve this goal by identifying struggling families through our Job Seeker Network, connecting them to quality jobs through our Employer Network, and supporting them through our Provider Network.

Our approach is to amplify the effects of the region's extensive support services and economic power by deploying existing social networks to connect those resources more directly to the families struggling in the Charlottesville region.

Special thanks to Nick Morrison of the Thomas Jefferson Planning District Commission, who produced the excellent maps contained in this report.

## Executive Summary

In our community, **10,940 families (17 percent)** do not make enough money to afford the essentials of life—food, shelter, clothing and utilities—and the added costs associated with working—childcare and transportation.

The struggle is not equally shared. Thirty-five percent of black families make less than \$35,000/year, compared to 14% of white families.

Network2Work@PVCC intentionally addresses these struggles. We have enrolled over 1,000 job-seekers, and 85% of those who complete secure employment. Fifty-nine percent of those jobs pay \$25,000 or more. Fifty-six percent of our job-seekers are black.

In addition to expanding the reach of Network2Work@PVCC, there are ten additional steps our community could take to help our neighbors climb the economic ladder:

1. Increase local procurement.
2. Pilot Open Hiring™.
3. Provide universal pre-K.
4. Offer low-interest loans/grants to pay life expenses while attending school.
5. Pair subsidized housing with opportunities for economic mobility wherever possible.
6. Build more \$800/month two-bedroom apartments for working families.
7. Create a community-wide employee assistance program.
8. Expand homeownership and wealth-building through purpose-built condominiums.
9. Make access to capital affordable by providing loan guarantees.
10. Lock shifts.

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## **APPENDIX**

CITY OF CHARLOTTESVILLE

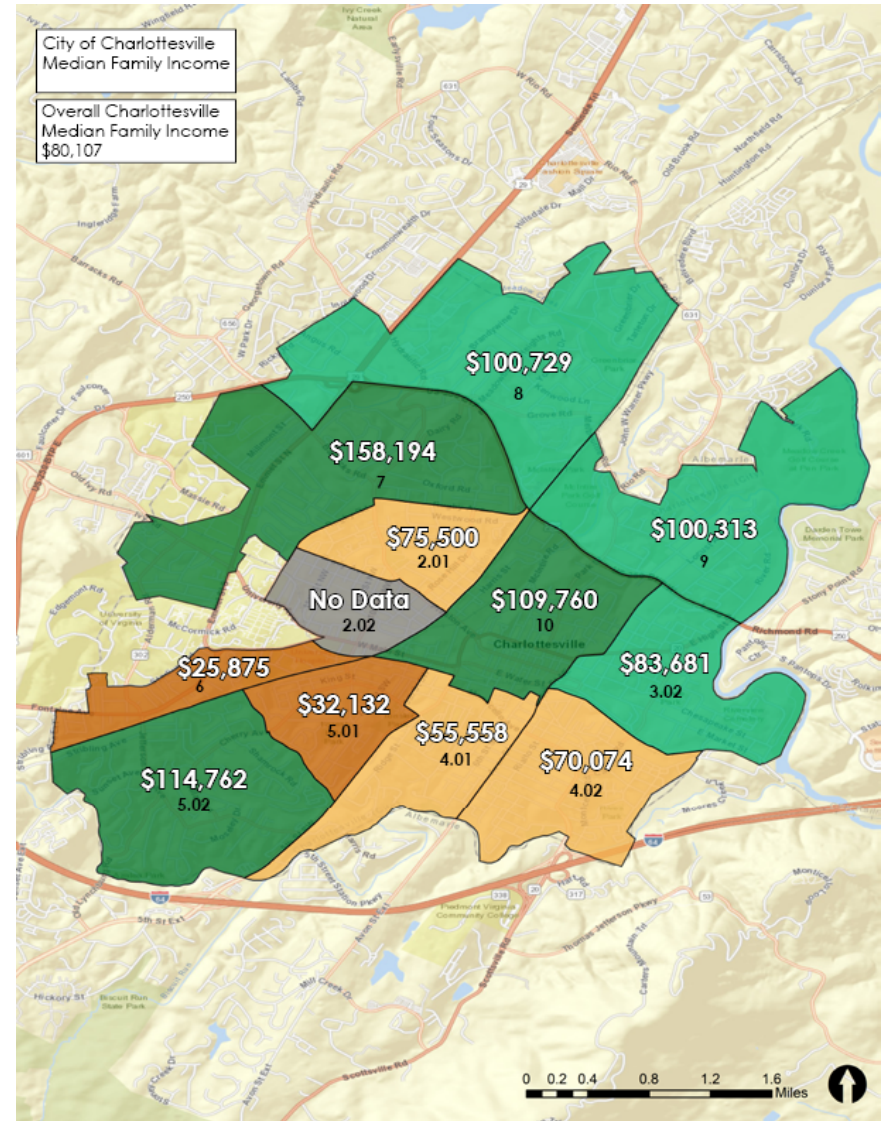
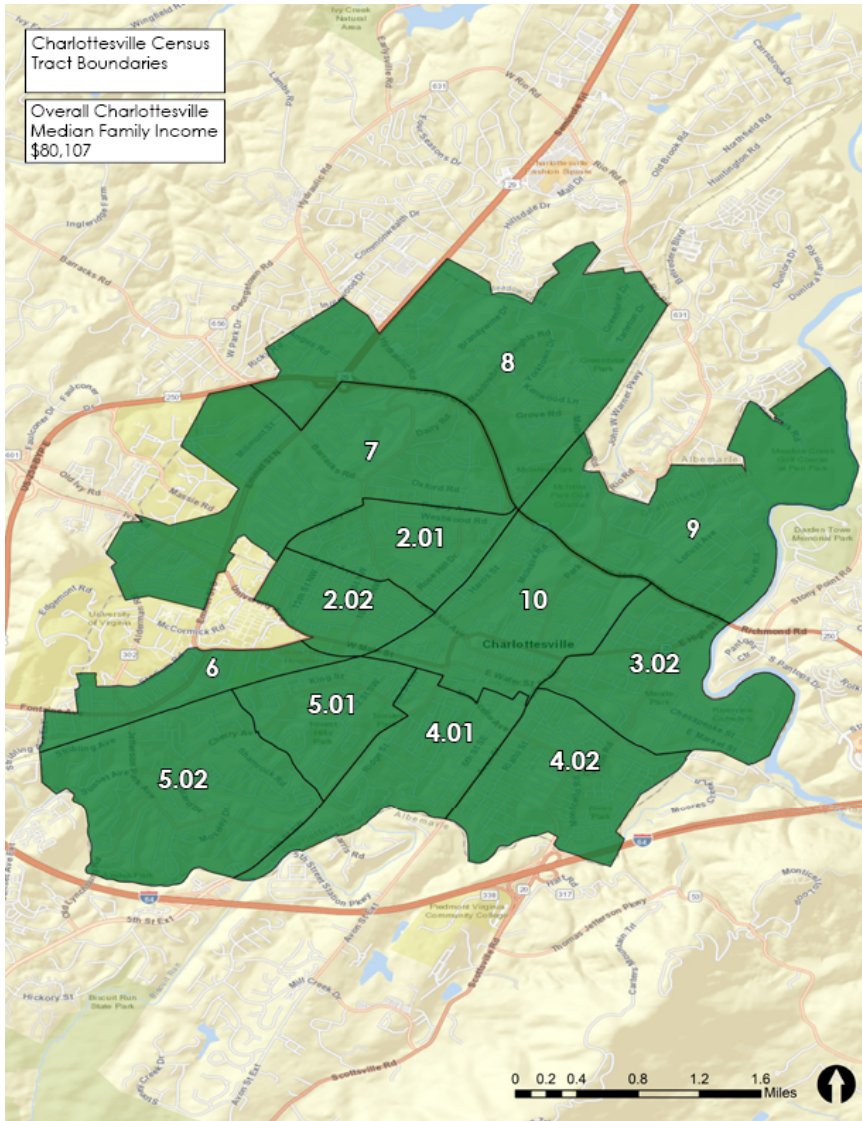
There are 8,644 families living in Charlottesville.

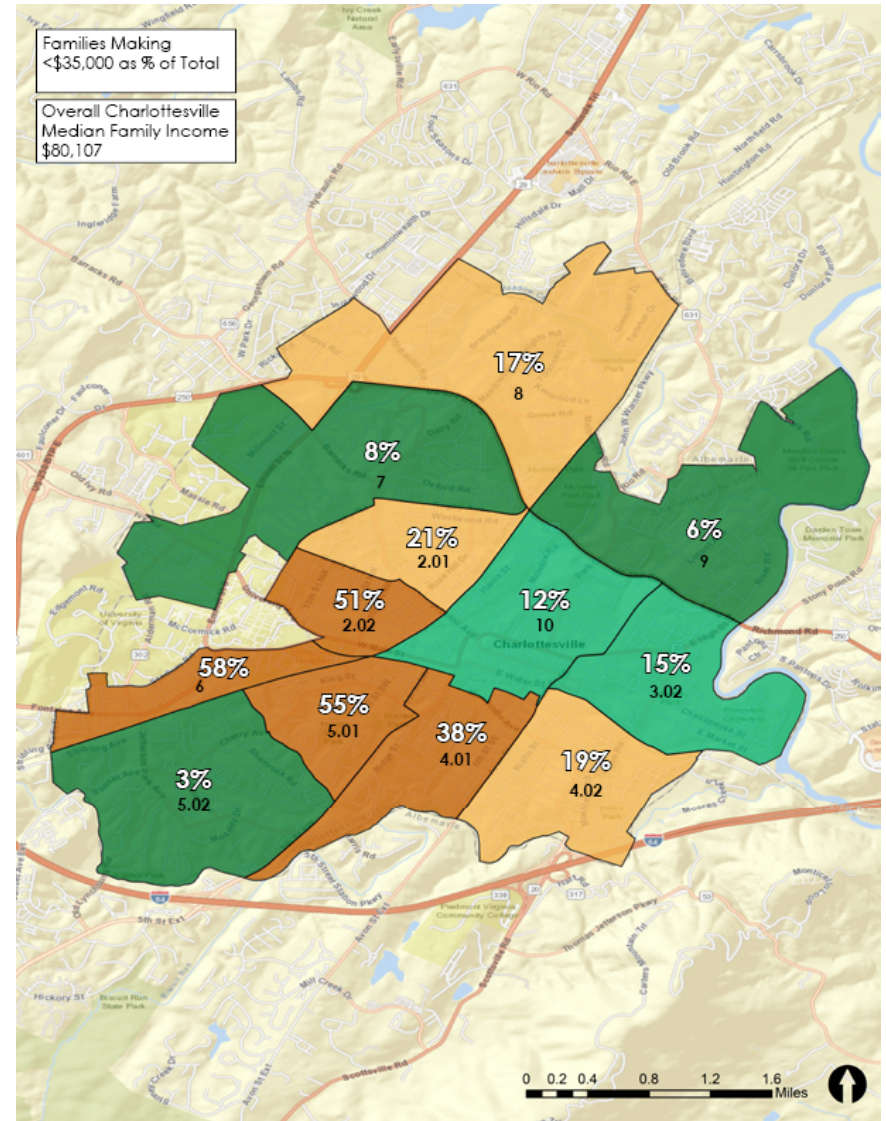
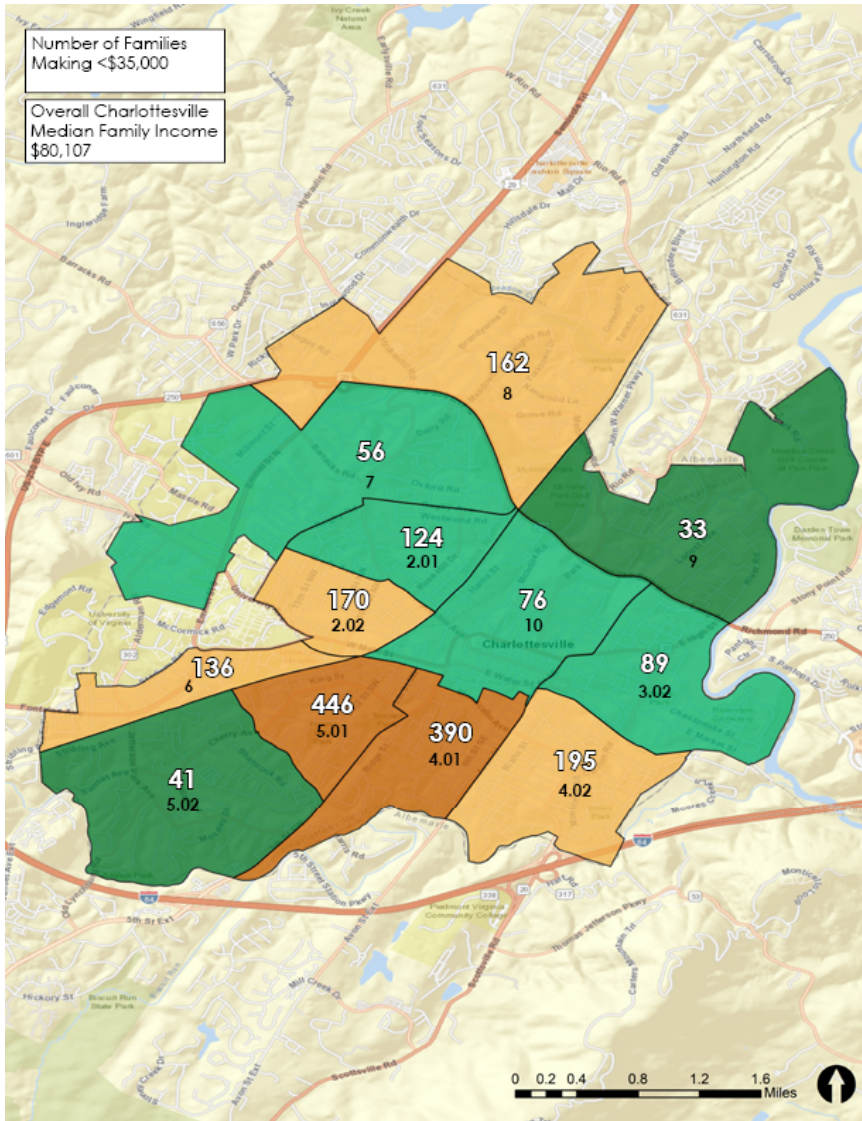
Of these, **1,918 families (22 percent)** do not make enough money to pay for the essentials of life and the costs associated with working.

Charlottesville Expenses: Single Householder + 2 Children (1 Toddler)			
	Annual	Monthly	Weekly
Food	\$6,344.52	\$528.71	\$122.01
Clothing	\$1,090.00		
Shelter	\$15,192.00	\$1,266.00	
Utilities	\$2,658.78	\$221.56	
Necessary Costs	\$5,057.06		
<b>Survival Expenses</b>	<b>\$30,342.36</b>		
Childcare	\$13,520.00	\$1,126.67	\$260.00
Transportation	\$2,588.24	\$215.69	
<b>TOTAL Expenses</b>	<b>\$46,450.59</b>		

As this table shows, 55% (1,068) of the families who cannot meet their basic needs earn between \$15,000-\$35,000 annually. This strongly suggests they are working, but not earning the wages, or getting the hours, they need to support their families.

Annual Family Income and Benefits	Charlottesville's Struggling Families	Percentage	
\$0 - \$9,999	509	(27%)	45%
\$10,000 - \$14,999	341	(18%)	
\$15,000 - \$24,999	426	(22%)	55%
\$25,000 - \$34,999	642	(33%)	
<b>Total</b>	<b>1,918</b>	<b>100%</b>	





Creating Pathways to Financial Security in the Charlottesville Region

