



CITY COUNCIL AGENDA
Monday, April 16, 2018

5:00 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room

6:30 p.m. **Regular Meeting - CALL TO ORDER**
Council Chambers

PLEDGE OF ALLEGIANCE
ROLL CALL

CITY MANAGER RESPONSE TO COMMUNITY MATTERS

COMMUNITY MATTERS Public comment is provided for up to 16 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 8 spaces, and pre-registered speakers are announced by noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

- 1. CONSENT AGENDA*:** (Items removed from consent agenda will be considered at the end of the regular agenda.)
- a. Minutes for April 2, 2018
 - b. APPROPRIATION: Reimbursed funds to the Charlottesville Albemarle Convention & Visitors Bureau – \$35,517 (2nd of 2 readings)
 - c. APPROPRIATION: Domestic Violence Services Coordinator Grant – \$49,336 (1st of 2 readings)
 - d. RESOLUTION: Zoning Map Amendment Initiation – Restaurants: Drive-through windows in Highway Corridor (1st of 1 reading)
 - e. RESOLUTION: Extend ZTA Deadline for City Council Initiation of a Zoning Map Amendment (1st of 1 reading)
 - f. RESOLUTION: Donation of surplus City Police Bicycles and Found Property Bicycles to the Charlottesville Police Foundation for “Pedal Power” (1st of 1 reading)
 - g. ORDINANCE: Storm Drain Easement at 1170 Emmet Street (2nd of 2 readings)
 - h. ORDINANCE: Monticello Road Rezoning Request (2nd of 2 readings)
- 2. PUBLIC HEARING / REPORT*:** Downtown Parks Renaming – **30 mins**
- 3. PUBLIC HEARING / RESOLUTION*:** \$11.7 Million Bond Issue (maximum amount) – New Debt (1st of 1 reading) – **15 mins**
- 4. REPORT:** Office of Human Rights Annual Review – **30 mins**
- 5. REPORT:** Re-Entry Council Update – **30 mins**
- 6. RESOLUTION*:** Therapeutic Docket Funding Request – \$55,000 (1st of 1 reading) – **30 mins**
- 7. REPORT:** Annual Housing Report – **30 mins**
- 8. ORDINANCE*:** Land Bank Corporation Ordinance (1st of 2 readings) – **30 mins**
- 9. REPORT:** ~~CSPCA Annual Report~~ – *deferred by presenters*
- 10. REPORT ONLY:** RWSA Quarterly Update (*no verbal presentation*)

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	April 2, 2018
Action Required:	Appropriation
Presenter:	Kurt Burkhart, Charlottesville Albemarle Convention & Visitors Bureau
Staff Contacts:	Kurt Burkhart, Charlottesville Albemarle Convention & Visitors Bureau
Title:	Approval and appropriation of reimbursed funds to the Charlottesville Albemarle Convention & Visitors Bureau in the amount of \$35,517 to be used in Fiscal Year 2018

Background:

A Journey Through Hallowed Ground Partnership (“Journey”) Wayfinding Grant was approved by the Charlottesville Albemarle Convention and Visitors Bureau (“CACVB”) Board on March 20th, 2012 and payment to the Journey was made on August 6, 2012.

We learned last year that this project would not come to fruition. Journey Through Hallowed Ground presented a refund of \$35,517 which was received by the CACVB.

Discussion:

The CACVB Board has requested \$30,000 of the reimbursed funds to pay for a contracted conference/convention center feasibility study. CH Johnson Consulting, Inc. has been retained through a ratified contract through the City of Charlottesville to undertake a study to determine the feasibility of a conference/convention center for the greater Charlottesville area. The remainder of \$5,157 will be used for television advertising to promote the downtown mall and for print advertising to promote the Virginia Festival of the Book.

Alignment with City Council’s Vision and Strategic Plan:

This item supports City Council’s “Economic Sustainability” vision. It contributes to Goal 4: A Strong, Creative and Diversified Economy, Objective 4.4 Promote tourism through effective marketing. It also contributes to Goal 5: A Well-Managed and Responsive Organization.

Community Engagement:

CH Johnson Consulting is scheduled to be in the Charlottesville area the last week of March, 2018, to meet with key stakeholders, influencers, and partners for the feasibility study.

Budgetary Impact:

This has no impact on the General Fund. The funds will be reimbursed and expensed by the CACVB Fund.

Recommendation:

Approval and appropriation

Alternatives:

If the funds are not appropriated, research and marketing line items will be reduced.

APPROPRIATION
\$35,517

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$35,517 is hereby appropriated in the following manner:

Revenue – \$35,517

\$35,517	Fund: 986	Cost Center: 8101001000	G/L Account: 451050
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Expenditures - \$35,517

\$30,000	Fund: 986	Cost Center: 8101001000	G/L Account: 530520
\$ 5,517	Fund: 986	Cost Center: 8101001000	G/L Account: 530120

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



Agenda Date:	April 16, 2018
Action Required:	Approval and Appropriation
Presenter:	Areshini Pather, Commonwealth Attorney's Office
Staff Contacts:	Areshini Pather, Commonwealth Attorney's Office
Title:	Domestic Violence Services Coordinator Grant - \$49,336

Background:

The Charlottesville/Albemarle Domestic Violence Community Services Coordinator assists in the efficient delivery of services and access to the court process for the victims of domestic violence in both Charlottesville and Albemarle County. Examples include helping in the preparation of domestic violence cases for prosecution and assisting victims in obtaining protective orders. The Coordinator serves as a case manager on behalf of victims in relation to their interactions with community agencies that deliver needed services such as shelter, civil legal assistance, and counseling. No other person in local government fills this specific function on behalf of victims of domestic violence.

Discussion:

The City of Charlottesville has been awarded \$38,336 from the Department of Criminal Justice Services for the Charlottesville/Albemarle Domestic Violence Community Services Coordinator in the City's Commonwealth's Attorney's Office. This grant requires that 25% of project funds must be provided by cash or an in-kind match. The City's Commonwealth Attorney's Office will provide a \$5,000 cash match, and an in-kind match of \$4,213. Albemarle County will provide a \$6,000 cash match, and an in-kind match of \$3,000. Graduate student and intern hours will provide an additional \$1,062 in-kind match. The total anticipated cash and in-kind match of \$19,275 is more than sufficient to meet the minimum requirement.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and contributes to their priority to: Provide a comprehensive support system for children.

The program also aligns with Strategic Plan Goal 2: A Healthy and Safe City, Objective 2.2 Meet

the safety needs of victims and reduce the risk of re-occurrence/re-victimization and Objective 2.3 Improve community health and safety outcomes by connecting residents with effective resources. The Domestic Violence Coordinator contributes to the health and safety of the community by connecting victims of domestic violence and their children to service providers for emergency shelter, medical and mental health services, housing resources, legal assistance and other services.

Community Engagement:

The Charlottesville/Albemarle Domestic Violence Services Coordinator is a direct service provider and is engaged daily with victims of domestic violence and stalking who access services through referrals from police, court services, social services and other allied agencies. The Coordinator works with over 300 individuals yearly and serves on several coordinating councils: the Albemarle/Charlottesville Domestic Violence Council, the Monticello Area Domestic Violence Fatality Review Team, and the Charlottesville/Albemarle Blue Print for Safety group. The Coordinator has actively been involved in the implementation of the Lethality Assessment Protocol (LAP) used by Charlottesville, Albemarle and University of Virginia Police Departments.

Budgetary Impact:

The funds will be expensed and reimbursed to a Grants Fund. The terms of the award require a local match of \$5,000 which will be provided by the current City appropriation from the Commonwealth Attorney's General Fund Operating Budget.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

In the event that the grant is not funded or that the funds are not appropriated, this position will cease to exist, as there are no other funds to support it.

APPROPRIATION

Domestic Violence Services Coordinator Grant

\$49,336

WHEREAS, The City of Charlottesville, through the Commonwealth Attorney’s Office, has received the Domestic Violence Services Coordinator Grant from the Virginia Department of Criminal Justice Services in the amount of \$38,336 in Federal pass-thru funds, Albemarle County is to contribute an additional \$6,000 in local cash match, and the City Commonwealth Attorney’s Office will contribute up to \$5,000 cash match, as needed to meet salary and benefit expenses.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$49,336 is hereby appropriated in the following manner:

Revenues

\$38,336	Fund: 209	Cost Center: 1414002000	G/L Account: 430120
\$ 6,000	Fund: 209	Cost Center: 1414002000	G/L Account: 432030
\$ 5,000	Fund: 209	Cost Center: 1414002000	G/L Account: 498010

Expenditures

\$49,336	Fund: 209	Cost Center: 1414002000	G/L Account: 519999
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Transfer

\$ 5,000	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$38,336 from the Virginia Department of Criminal Justice Services, and \$6,000 from the County of Albemarle, Virginia.

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



Agenda Date:	April 16, 2018
Action Requested:	Approval of Resolution
Presenter:	Alex Ikefuna, NDS Director
Staff Contacts:	Neighborhood Development Services: Alex Ikefuna, Missy Creasy
Title:	City Council initiation of a Zoning Map Amendment – Restaurants: Drive-through windows in Highway Corridor

Background:

Ashley Davies, Williams Mullen, provided a request for consideration of initiation of study of a code amendment to Council in February 2018. Councilor Hill asked staff for assistance in March 2018 in preparing this for a Council agenda.

Discussion:

City Councilors expressed interest in initiating a Zoning Map Amendment to revise the zoning matrix to provide allowances for Restaurants: Drive through windows in the Highway Corridor.

Alignment with City Council's Vision and Strategic Plan:

This project could support City Council's visions of Economic Sustainability. It contributes to the following Strategic Plan Goal 4: A Strong Creative and Diversified economy.

Community Engagement:

After a proposed amendment is initiated, public comment would be sought through a joint public hearing process.

Budgetary Impact:

No additional funds are required.

Recommendation:

City Council may recommend approval of this Resolution.

Alternatives:

The City Council may decide not to approve this item.

Attachments:

Request from Williams Mullen

WILLIAMS MULLEN

Direct Dial: 434.951.5725
adavies@williamsmullen.com

February 14, 2018

Via Email: council@charlottesville.org
PlanningCommission@charlottesville.org

City Councilors and Planning Commissioners,

On behalf of our client, Alan Taylor of Riverbend Development and Meadowbrook Creek LLC, the developers of property located at the intersection of Seminole Trail and Hydraulic Road, we request the initiation of a Zoning Text Amendment to allow Drive-Through windows in the Highway Corridor Mixed Use Zoning District (“Highway Corridor District”). The property, commonly referred to as the old Kmart site, is further identified as Tax Map 41B Parcel 2 (the “Property”) and is part of the Highway Corridor District.

During our due diligence research period for this Property, we identified an issue with the Zoning Ordinance as it pertains to uses in the Highway Corridor District. While the Highway Corridor District is the one zoning district in the City of Charlottesville that is dedicated to more auto-centric uses and development, the Use Matrix for Mixed Use Zoning Districts in Section 34-796 of the Zoning Ordinance currently has no provision for drive-through restaurants. Since the use matrix is blank for this category, no drive through restaurants can be provided in this auto-centric zone, even with a Special Use Permit. See the attached Use Matrix included as Exhibit A. The proposed changes to the Use Matrix are attached as Exhibit B.

The purpose of the Highway Corridor District is stated as:

The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs.

Drive-through restaurants are currently allowed, by Special Use Permit, in certain areas of the City including the Cherry Avenue District, the High Street Mixed District, the Urban Corridor District and the Central City District. We believe this omission in the Highway Corridor District to be an unintentional oversight in the matrix, as drive-through restaurants are a use that is commonly found in highway oriented zoning districts. Drive-through windows for non-restaurant uses such as pharmacies and banks are already allowed by-right in the Highway Corridor District.

Interestingly, fast food restaurants are listed as a separate use category and classified as by-right in the Highway Corridor District. The definition of fast food restaurant includes the ability to order at a window and fast food restaurants almost always include a drive-through window component.

Restaurant is defined in the Zoning Ordinance as:

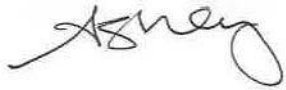
any place of business wherein foods or beverages are provided for human consumption. The term restaurant includes, without limitation: lunchrooms, cafeterias, coffee shops, cafes, taverns, delicatessens, hotel dining rooms, dinner theaters, soda fountains, and dining accommodations of public or private clubs. A fast food restaurant is one at which patrons order and receive food orders at a counter or window for consumption either on or off-premises...

We respectfully request that City Council or the Planning Commission initiate a Zoning Text Amendment, applicable to the Highway Corridor District, to allow for restaurants with drive-through windows to be included as a by-right use in the zoning matrix. Restaurants should be treated consistently with other drive-thru uses in this auto centric commercial district. For the Kmart property, drive-through restaurants, which includes uses such as coffee shops, are an essential element in Phase 2 of the redevelopment of this key parcel in the City. We have been approached by a popular retailer that is interested in locating a coffee shop with a drive-through window at the Property if the ordinance is amended to permit it by-right. This highly sought after use-type is harmonious with the purpose of the Highway Corridor District and allows the Property to be competitive with other similarly situated properties in the City and Albemarle County.

We have also provided recently adopted regulations that are specific to Albemarle County regarding drive-through windows to give perspective on how a neighboring locality regulates this use type. Section 5.1.60 of the Albemarle Zoning Ordinance is attached as Exhibit D, as it contains supplemental standards for drive-through windows. Albemarle now allows for drive-through windows as a by-right use in many zoning districts instead of requiring a Special Use Permit, as was standard practice previously. The County, recognizing that all drive-through windows have a similar set of potential impacts, adopted a standard set of performance standards that guide the development of new drive through windows. The City might also want to consider adopting similar standards to guide the review of such uses.

Thank you for your consideration of our request to address this deficiency in the Zoning Ordinance and allow for restaurants with a drive-through window as a by-right use in the Highway Corridor District. We look forward to working with you to adopt this much-needed zoning text amendment.

February 14, 2018
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List of Enclosed Exhibits:

- Existing Use Matrix
- Proposed Use Matrix
- Property Map
- Albemarle County Supplemental Standards for Drive Through Windows

CC: Alan Taylor, Riverbend Development
Alex Ikefuna, Neighborhood Development
Maurice Jones, City Manager

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Exhibit C: Property Map



February 14, 2018
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Exhibit D: Albemarle County Supplemental Standards for Drive Through Windows

ALBEMARLE COUNTY CODE

side and rear yards shall be one hundred twenty-five (125) feet from any abutting lot not under the same ownership as the farm distillery.

4. *Special exception.* Any minimum yard may be reduced by special exception upon consideration of the following: (i) there is no detriment to any abutting lot; (ii) there is no harm to the public health, safety, or welfare; and (iii) written consent to the proposed reduction has been provided by the owner of any lot abutting the proposed reduced setback.

g. *Uses prohibited.* The following uses are prohibited:

1. Restaurants.
2. Helicopter rides.

(Ord. 15-18(10), 12-9-15; Ord. 17-18(1), 1-18-17)

5.1.60 DRIVE-THROUGH WINDOWS

Each drive-through window shall be subject to the following:

- a. If the building is adjacent to a public street, any drive-through windows shall be located on the side or rear of the building, away from the public street.
- b. No drive-through lane shall be located between a building and a public street unless separated from the right of way by a landscaped area that complies with section 32.7.9.5(b), (c), (d), and (e) and is at least ten (10) feet in depth extending the length of the drive-through lane.
- c. No portion of a drive-through lane shall be located within fifty (50) feet of a residential district, the rural areas district, the Monticello Historic district, or any part of a planned development district allowing residential uses.
- d. If any portion of a drive-through lane that is located between fifty (50) and one hundred (100) feet of a residential district, the rural areas district, the Monticello Historic district, or any part of a planned development allowing residential uses, the drive-through window shall be open for business no earlier than 7:00 a.m. and shall be closed no later than 10:00 p.m., daily.
- e. Each drive-through lane shall be separated from any pedestrian travelway, except where a pedestrian travelway crosses the drive-through lane as provided in subsection (f), and any vehicular travel areas, by a planting strip at least five (5) feet in width.
- f. If a pedestrian travelway crosses a drive-through lane, the owner shall provide either a five (5) foot wide raised pedestrian travelway or a five (5) foot wide pedestrian travelway containing a change in texture and visual markings.
- g. Each drive-through lane shall be at least eleven (11) feet wide.
- h. No drive-through lane shall enter directly from or exit directly to any public street.
- i. Each entrance to a drive-through lane shall be more than fifty (50) feet from any intersection with a public or private street or travelway without parking.
- j. Each drive-through lane shall be a minimum of one hundred (100) feet in length measured from the center of the first window or service point. This length may be reduced if a study is submitted and approved by the director of community development or his designee demonstrating that a shorter length will be sufficient for a particular use.

ALBEMARLE COUNTY CODE

- k. Each drive-through lane shall extend at least twenty (20) feet beyond the drive-through window.
- l. If a drive-through lane is located adjacent to an internal travelway, the direction of travel in the drive-through lane and the travelway shall be the same unless they are separated from one another by a landscaped area that complies with section 32.7.9.5(b), (c), (d), and (e) and is at least ten (10) feet in depth extending the length of the drive-through lane.

(Ord. 16-18(2), 3-2-16)

5.1.61 HISTORIC RESTAURANTS, TAVERNS, AND INNS

In addition to the factors to be considered for a special use permit under section 33.8, each application for one or more uses authorized under section 10.2.2(27)(a) shall conform to the following:

- 1. The use shall be consistent with the Rural Area goals listed in the Comprehensive Plan.
- 2. The location and scale of proposed structures and additions shall be complementary and proportionate to the existing structures and/or site, and additions and new structures shall be clearly subordinate to the historic structures on the site. In no event shall the proposed additions, new structures, or exterior modifications to the historic structure adversely impact the historic character or significance of the structure and/or site as determined by the director of planning or his/her designee.
- 3. In no event shall the proposed additions, new structures, or exterior modifications to the historic structure result in de-listing of the structure and/or site from the National Register of Historic Places and/or Virginia Landmarks Register, as indicated in a determination by the Virginia Department of Historic Resources.
- 4. The proposed additions, new structures, and exterior modifications to the historic structure shall protect archaeological resources and preserve them in place. If such resources must be disturbed, mitigation measures as determined by the director of planning or his/her designee shall be undertaken.

(Ord. 16-18(7), 12-14-16)

5.1.62 TEMPORARY FAMILY HEALTH CARE STRUCTURES

Each temporary family health care structure shall be subject to the following:

- a. Temporary family health care structures shall be a permitted accessory use in any single family residential district on lots zoned for single family detached dwellings if the structure (i) is used by a caregiver in providing care for a mentally or physically impaired person; and (ii) is on property owned or occupied by the caregiver as his residence. For purposes of this section, “caregiver” and “mentally or physically impaired person” shall have the same meaning as defined in Virginia Code § 15.2-2292.1.
- b. Any person proposing to install the structure shall first obtain a zoning clearance.
- c. The structure must meet the following requirements:
 - 1. Only one (1) such structure shall be allowed on a lot. The structure shall comply with all setback requirements that apply to the primary structure.
 - 2. The applicant must provide evidence of compliance with this section to the county one year after the date of installation, and every year thereafter, as long as the structure remains on the property. Evidence of compliance shall include inspections by the county of the structure at reasonable times.

RESOLUTION
Initiating Zoning Text Amendments
for the Highway Corridor (HW) Mixed Use District

WHEREAS, the intent of the Highway Corridor District is to facilitate development of a commercial nature that is more auto oriented than other mixed use corridor zoning designations; and

WHEREAS, restaurants with drive-through windows are allowed by special use permit in the Cherry Avenue (CH), High Street (HS), Urban Corridor (URB), and the Central City (CC) mixed use districts; and

WHEREAS, a joint City Council/Planning Commission work session on the Hydraulic Small Area Plan has considered the need for such use (drive-through restaurant) to be allowed by special use permit in the Highway Corridor mixed use district; and

WHEREAS, Council finds that the public necessity, convenience, general welfare or good zoning practice requires consideration of a zoning text amendment to the Highway Corridor (HW) Mixed Use District designation to allow restaurants with drive-through windows to be allowed by special use permit;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville that the zoning text amendment referenced above within this Resolution is hereby initiated by City Council, and the Planning Commission is directed to review the proposed text amendment, conduct a joint public hearing with City Council to allow affected persons to be heard on these matters, and then report its findings and recommendations back to City Council within 100 days of the date of this Resolution.

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



Agenda Date:	April 16, 2018
Action Requested:	Yes
Presenter:	Brenda Kelley, Redevelopment Manager, City Manager's Office
Staff Contacts:	Brenda Kelley, Redevelopment Manager, City Manager's Office City Attorney's Office: Lisa Robertson Neighborhood Development Services: Alex Ikefuna, Missy Creasy
Title:	Request for time extension - City Council initiation of a Zoning Map Amendment

Background:

At the March 5, 2018 meeting, City Council approved a City Council initiation of a Zoning Map Amendment to the City's Parking Modified Zone.

Discussion:

Staff is requesting an extension of the 100-day deadline to allow further study of the agenda items for Planning Commission and City Council consideration. One of the landowners within the areas proposed to be included within the Map Amendment has informed staff that the timing of neighborhood meetings and a parking study relating to their development plans do not line up well with the 100-day timing of this public hearing process. If this request is approved by the City Council, it is intended that this item may be brought forward to a Planning Commission agenda in June or July 2018, which would mean that Council would have the Commission's recommendation by Council's July or August agenda.

Alignment with City Council's Vision and Strategic Plan:

This project continues to support City Council's visions of Quality Housing Opportunities for All, and Smart, Citizen-Focused Government. It contributes to the following Strategic Plan Goal 1: An Inclusive Community of Self-sufficient Residents; and Goal 5: A Well-managed and Responsive Organization.

Community Engagement:

Public comment will be sought during the planning process and through a joint public hearing process.

Budgetary Impact:

No additional funds are required.

Recommendation:

Staff recommends approval of this Resolution.

Alternatives:

If City Council does not approve this request for extension, then this item will need to come back in front of the City Council again for approval of a City Council initiation of a Zoning Map Amendment, as the required timeframes will have already been missed.

Attachments:

Resolution

RESOLUTION
EXTENDING THE PLANNING COMMISSION'S TIME FOR REVIEWING THE CITY
COUNCIL INITIATED MAP AMENDMENT PROPOSING CONSIDERATION OF
ADDITIONAL AREAS WITHIN THE PARKING MODIFIED ZONE REFERENCED WITHIN
CITY CODE §34-971(E)(3)

WHEREAS, by resolution approved on March 5, 2018, this City Council initiated a zoning map amendment for consideration through a public hearing process, proposing to add additional areas to the Parking Modified Zone referenced in City Code §34-971(e)(3) ("Map Amendment"), and referred the Map Amendment to the City Planning Commission for its recommendations; and

WHEREAS, Virginia Code §15.2-2285 specifies that, once the City Council has referred a proposed zoning map amendment to the Planning Commission, the Planning Commission has 100 days (after the first meeting of the commission after the proposed amendment has been referred to it) to report its recommendations to City Council (100-day Deadline); and

WHEREAS, one of the landowners within the areas proposed to be included within the Map Amendment has informed staff that the timing of neighborhood meetings and a parking study relating to their development plans do not line up well with the timing of this public hearing process; and

WHEREAS, City Council desires for this public hearing process to be informed by as much public input and landowner input as possible;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville that the Planning Commission is granted an extension of the 100-day Deadline, and the Planning Commission shall act on this matter so that an Ordinance to enact the proposed Map Amendment, accompanied by the Planning Commission's recommendations, will be ready for a first reading on City Council's Agenda by October 15, 2018.

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



Agenda Date:	April 16, 2018
Action Required:	Approve Resolution
Presenter:	Major Gary M. Pleasants, Police Department
Staff Contacts:	Major Gary M. Pleasants, Police Department
Title:	Donation of surplus City Police Bicycles and Found Property Bicycles to the Charlottesville Police Foundation for “Pedal Power”

Background: "Pedal Power" is a cycling program created for Police Officers to have positive interaction with children in the communities they serve. The program was established in August 2017 with a box of donated helmets. That quickly grew into an opportunity to provide donated bikes for any child that needed one. In addition to providing the bikes and helmets, a weekly "Bike Club" was started to provide regular interaction and a chance for the officers and children to enjoy an activity together. All donated bicycles and helmets are given to Charlottesville resident children for them to keep and use. They do not return anything given to them.

The pilot program is well established on Riverside Ave. As long as there are available resources of time (from Police Officers), donated bikes and helmets, this program can and should be established in other neighborhoods in the city.

As donations are sporadic, the Police Department requests to utilize a resource we already have in the way of bicycles that we take in as found property. Many of these bikes are in good working order and can quickly be integrated into the program. The Police Department also has police bicycles that are still street worthy, although outdated for department use. The Police Department created and supports this kind of initiative and with the approval of City Council would like to donate: Police Surplus Bicycles: Two (2) Gary Fisher; One (1) Raleigh and Found Property Bicycles: Two (2) Cannondale; Two (2) Huffy; One (1) Trek; One (1) Rhino; One (1) Marin; One (1) Mongoose; One (1) Roadmaster; One (1) Next; One (1) Name Unknown bicycles. The donation of these bicycles will be to the Charlottesville Police Foundation and with their assistance; the Charlottesville Police Department will distribute the bicycles to city resident children.

Discussion: These bicycles, while no longer of real value to the City, will be considered an asset and utilized by a community program, started and run by the Charlottesville Police Department, to make a positive difference in our community.

Alignment with Council Vision Areas and Strategic Plan: This donation aligns with **Goal 5, to foster strong connections;** is supported by this resolution.

Community Engagement: N/A

Budgetary Impact: If the bicycles were to be sold at public auction, the estimated sale value/revenue would be in the range of \$500 to \$1000, total, not individual value.

Recommendation: Staff recommends approval of authorizing the donation

Alternatives: None

Attachments: None

RESOLUTION
Donation of Surplus Bicycles to “Pedal Power”

WHEREAS, the City of Charlottesville Police Department operates a community bike program called “Pedal Power” which provides bikes, helmets and opportunities to interact with the children of the community; and

WHEREAS, the City currently has fourteen unclaimed bikes in surplus property;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that the bikes be donated to the Charlottesville Police Foundation for use in the Pedal Power program.

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



Agenda Date:	April 2, 2018
Action Required:	Approval of Ordinance (1 st reading) after Public Hearing
Presenter:	Lisa A. Robertson, Acting City Attorney
Staff Contacts:	Heather Newmyer, NDS Planner
Title:	Conditional Release of Storm Drain Easement to Accommodate Retail Development at 1170 Emmet Street

Background:

1170 Emmet Street, LLC is the current owner of a parcel of land at the corner of the intersection of Barracks Road and Emmet Street (the “Property”), designated as Parcels 4 and 4.1 on City Tax Map 1. The Owner plans to construct a new retail project on the site (the “CVS Project”), and has received approval of the final site plan (the “Site Plan”).

In 1960, the City acquired a storm drain easement (“Storm Drain Easement”) for a stormwater pipe located on the Property. As part of the project, a new privately maintained storm drain pipe will be installed and protected by a 20’ wide private drainage easement. The remainder of the Storm Drain Easement is not affected and will remain the responsibility of the City. A plat showing the old and new storm drain easements, as well as the easement and land acquisitions described below, are shown on a plat dated March 12, 2018 submitted by the Owner (the “Plat”).

Discussion:

The Site Plan also shows the following dedications of land and easements to the City:

1. A parcel of land 979 square feet in area, currently a part of Owner’s property (TMP 1-4), that shall be dedicated as part of the Barracks Road public right-of-way;
2. A public utility easement, 5’ in width, across the Property (TMP 1-4.1) near Emmet Street;
3. A public utility easement, 10’ in width, across the Property (TMP 1-4) near Barracks Road; and
4. A variable width public access easement across the Property (TMP 1-4.1) to provide additional sidewalk on Emmet Street.

All of these dedications are shown on Sheet 3 of the Plat.

Community Engagement:

A public hearing is required by Virginia Code §15.2-1800(B), in order to give the public an opportunity to comment on the proposed release of a property interest. Notice of such public hearing was advertised in the local newspaper at least 7 days in advance of the public hearing.

Budgetary Impact:

There is no cost to the City to release a portion of the Storm Drain Easement.

Recommendation:

Staff recommends approval of the ordinance to release the storm drain easement. The City benefits from this project with the acquisition of additional right of way on Barracks Road and the public access easement on Emmet Street, as well as public utility easements.

Attachments:

Proposed Ordinance
Deed of Dedication, Vacation and Release of Easement
Plat dated March 12, 2018

**AN ORDINANCE
AUTHORIZING THE PARTIAL RELEASE OF A STORM DRAINAGE EASEMENT,
AND ACCEPTANCE OF LAND FOR PUBLIC RIGHT OF WAY, EASEMENTS FOR
PUBLIC UTILITIES AND SIDEWALK ON EMMET STREET, ALL AS PART
OF THE REDEVELOPMENT OF 1170 EMMET STREET**

WHEREAS, Meadowbrook Corner, LLC is the Owner of land situated at the corner of the intersection of Barracks Road and Emmet Street, addressed as 1170 Emmet Street and designated on City Tax Map 1 as Parcels 4 and 4.1 (the “Property”); and

WHEREAS, to accommodate construction of a retail project on the Property, said Owner has requested the partial release of a storm drainage easement, conveyed to the City of Charlottesville by deed dated November 23, 1960, of record in the Clerk’s Office for the Circuit Court of the City of Charlottesville in Deed Book 223, Pages 467-470 (hereinafter referred to as the “Subject Easement”); and

WHEREAS, the Owner has represented that, in consideration of the partial release of the Subject Easement, it will: (1) Install a new storm drain pipe in a different location and maintain such storm drain pipe; (2) Dedicate 979 square feet of its land (part of Tax Map Parcel 1-4) to be added to the Barracks Road public right-of-way; (3) Grant two public utility easements; and (4) Grant a public access easement on Emmet Street to be used for extension of the sidewalk right-of-way, all in accordance with details set forth within the approved final site plan for the retail development; and

WHEREAS, the Directors of Neighborhood Development Services (NDS) and Utilities support the partial release of the Subject Easement, as depicted on the above-referenced site plan, and the acceptance of the above-named easements and right-of-way; and

WHEREAS, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing has been conducted by City Council, giving the public an opportunity to comment on the proposed partial release of the Subject Easement; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that: (i) the proposed partial release of the Subject Easement is hereby approved, subject to and expressly conditioned upon compliance with the conditions set forth below; and (ii) the Mayor is hereby authorized to execute a deed, in such form as may be approved by the City Attorney, for the partial release of the Subject Easement as contemplated within this ordinance:

1. A parcel of land 979 square feet in area, currently a part of Owner’s property (TMP 1-4) shall be dedicated as part of the Barracks Road public right-of-way;
2. A public utility easement, 5’ in width, across the Property (TMP 1-4.1) near Emmet Street shall be granted to the City;
3. A public utility easement, 10’ in width, across the Property (TMP 1-4) near Barracks Road shall be granted to the City; and
4. A variable width public access easement across the Property (TMP 1-4.1) to provide additional sidewalk on Emmet Street shall be granted to the City.

Prepared by Lisa A. Robertson (VSB #32486)
Charlottesville City Attorney Office, P.O. Box 911, Charlottesville, VA 22902
Tax Map Parcels 010004000 and 010004100 (1170 Emmet Street North)

This deed is exempt from state recordation taxes imposed by Virginia Code §58.1-802 pursuant to Virginia Code §58.1-811(C)(4).

THIS DEED OF DEDICATION, VACATION AND RELEASE OF EASEMENT made this ____ day of _____, 2018, by and among the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (hereinafter, the “CITY”), to be indexed as Grantor and Grantee, **MEADOWBROOK CORNER, LLC**, a Virginia limited liability company (“Corner”), to be indexed as Grantor and Grantee, whose address is 1754 Stony Point Road, Charlottesville, Virginia 22911, and **MEADOWBROOK SHOPPING CENTRE, LLC**, a Virginia limited liability company (“Meadowbrook”), to be indexed as Grantor and Grantee, whose address is 1754 Stony Point Road, Charlottesville, Virginia 22911.

WITNESSETH:

WHEREAS, Corner is the owner in fee simple of certain real property located in the City of Charlottesville, Virginia, designated on City Real Estate Tax Map 1 as Parcel 4.1 (the “Corner Property”), being the same property acquired by Corner by Deed of Boundary Line Adjustment from Meadowbrook and 1170 Emmet Street, LLC, dated October 11, 2017, of record in the Clerk’s Office for the Circuit Court of the City of Charlottesville (the “Clerk’s Office”) as Instrument No. 2018-00000073; and

WHEREAS, Meadowbrook is the owner in fee simple of certain real property located in the City of Charlottesville, Virginia, designated on City Real Estate Tax Map 1 as Parcel 4 (the “Meadowbrook Property”), being the same property acquired by Meadowbrook by Deed from Mary R. Wheeler, dated December 9, 1996, of record in the Clerk’s Office in Deed Book 685, page 683; and

WHEREAS, by plats of record in the Clerk’s Office in Deed Book 223, Page 470, and Deed Book 366, page 158, the CITY was conveyed a certain twenty-four foot (24’) storm water easement which crosses the Corner Property and a portion of the Meadowbrook Property (the “Existing Drainage Easement”); and

WHEREAS, Meadowbrook and Corner have requested the CITY to Vacate and Release a portion of the Existing Drainage Easement, as it crosses the Corner Property and the Meadowbrook Property and relocate the drainage easement as shown on the plat attached hereto as Exhibit A (the “Plat”); and

WHEREAS, in consideration for the release and vacation of a portion of the Existing Drainage Easement, Meadowbrook has agreed to dedicate certain right-of-way to the CITY, as more particularly shown on the Plat (the “R-O-W Dedication”); and

WHEREAS, the CITY has agreed to release that portion of the Existing Drainage Easement in the location shown on the Plat, as requested by Meadowbrook and Corner, after holding a public hearing, advertised in accordance with Virginia Code Sec. 15.2-1800(B), and adoption of an

Ordinance by the Charlottesville City Council on April 16, 2018.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual premises, Meadowbrook hereby grants, conveys, gives and dedicates for public use to the CITY, its successors and assigns, with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE, the following real property, containing a total of 979 square feet, to wit:

ALL that piece or parcel of land, comprised of 979 square feet, more or less, and labeled as “R-O-W DEDICATION PARCEL 979 S.F.” on that certain plat entitled “PLAT SHOWING PUBLIC UTILITY, PUBLIC ACCESS EASEMENT DEDICATION & PARTIAL EASEMENT VACATION FOR MEADOWBROOK SHOPPING CENTER, LLC CITY OF CHARLOTTESVILLE, VIRGINIA” prepared by Roudabush, Gale & Associates, Inc., dated March 12, 2018, attached hereto as Exhibit A and recorded herewith.

This conveyance is made expressly subject to all restrictions, conditions, rights-of-way and easements, if any, contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property conveyed hereby, insofar as the same affect the property conveyed hereby, which have not expired by a time limitation contained therein or have not otherwise become ineffective.

AND FURTHER, in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, and the R-O-W Dedication, the CITY does hereby VACATE and RELEASE and forever QUITCLAIM all its right, title and interest in and to that portion of the Existing Drainage Easement, as described above and shown on the Plat dated March 12, 2018, by Roudabush, Gale & Associates, which Plat is attached hereto and recorded herewith.

[This space intentionally left blank]

GRANTOR:

MEADOWBROOK SHOPPING CENTRE, LLC, a
Virginia limited liability company

By: _____
Clara Belle Wheeler, Manager

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this _____ day of
_____, 2018 by Clara Belle Wheeler, as Manager, of Meadowbrook Shopping
Centre, LLC, a Virginia limited liability company, on behalf of the company.

NOTARY PUBLIC
Registration #: _____
My commission expires: _____

IN WITNESS WHEREOF, the City of Charlottesville has caused this deed to be executed by its Mayor, pursuant to an Ordinance adopted by City Council on April 16, 2018.

WITNESS the following signatures and seals.

GRANTOR: CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____ (SEAL)
Nikuyah Walker, Mayor

APPROVED AS TO FORM:

Lisa A. Robertson, City Attorney (Acting)
City of Charlottesville, Virginia

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 by Nikuyah Walker, Mayor, on behalf of the City of Charlottesville, Virginia.

NOTARY PUBLIC
Registration #: _____
My commission expires: _____

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LEGAL INFORMATION:

TAX MAP PARCEL: 01-4
ADDRESS: 1138 & 1140 EMMET STREET N,
2035-2046 BARRACKS ROAD
PRESENT OWNER: MEADOWBROOK SHOPPING CENTER, LLC.
SOURCE OF TITLE: DB 685, Pg. 683
PLAT PREPARED BY THIS OFFICE DATED
JUNE 22, 2017 TITLED "PLAT SHOWING
BOUNDARY LINE ADJUSTMENT &
RIGHT OF WAY DEDICATION FOR
MEADOWBROOK SHOPPING CENTER, LLC
CITY OF CHARLOTTESVILLE, VIRGINIA",
RECORDED AT _____

TAX MAP PARCEL: 01-4.1
ADDRESS: 1170 EMMET STREET N,
PRESENT OWNER: 1170 EMMET STREET, LLC.
SOURCE OF TITLE: INST. #2010:3587
INST. #2017:1431
PLAT PREPARED BY THIS OFFICE DATED
JUNE 22, 2017 TITLED "PLAT SHOWING
BOUNDARY LINE ADJUSTMENT &
RIGHT OF WAY DEDICATION FOR
MEADOWBROOK SHOPPING CENTER, LLC
CITY OF CHARLOTTESVILLE, VIRGINIA",
RECORDED AT _____

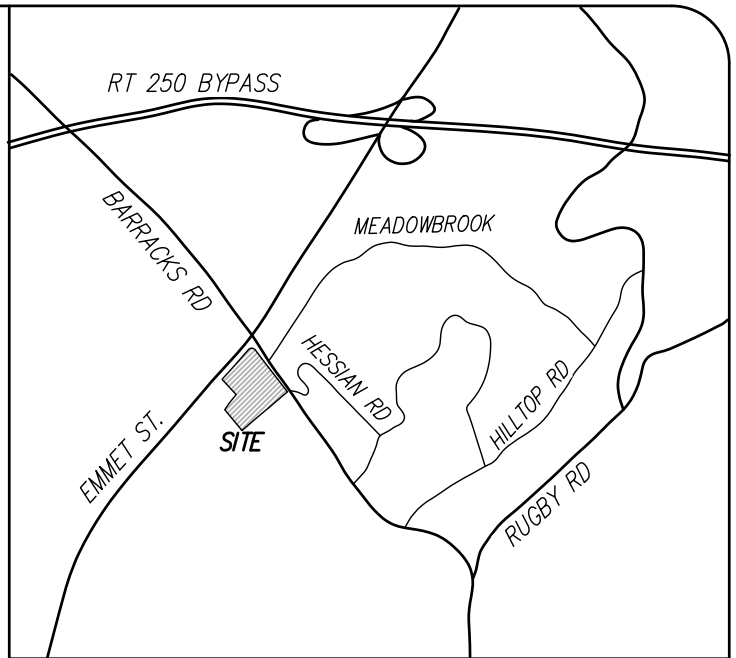
ZONED: URB (URBAN CORRIDOR) &
ENTRANCE CORRIDOR OVERLAY

SETBACKS:
PRIMARY STREET FRONTAGE: 5' MINIMUM, 30' MAXIMUM
LINKING STREET FRONTAGE: 5' MINIMUM, 20' MAXIMUM
SIDE & REAR: 10' MINIMUM ADJACENT TO ANY RESIDENTIAL,
ALL OTHER ZONES NONE REQUIRED.

THE PURPOSE OF THIS PLAT IS FOR THE DEDICATION OF
PUBLIC UTILITY EASEMENTS, PUBLIC ACCESS EASEMENTS AND
RIGHT-OF-WAY.

THE BOUNDARY SHOWN IS BASED ON AN UNRECORDED
SURVEY BY KIMLEY-HORN & ASSOCIATES, INC. DATED
12-28-2015; AND PROVIDED BY THE CLIENT. THIS OFFICE
PERFORMED A FIELD RUN SURVEY OF THE PROPERTY.

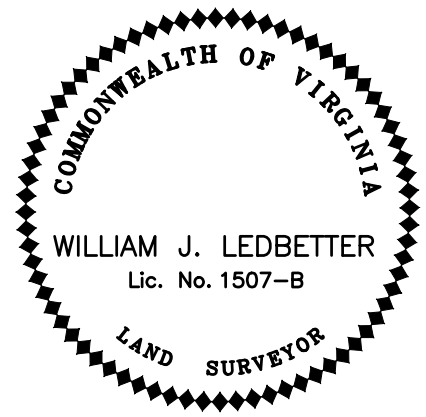
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A
TITLE REPORT, AS SUCH EASEMENTS OR OTHER
ENCUMBRANCES MAY OR MAY NOT EXIST, AND ARE NOT
SHOWN HEREON.



VICINITY MAP SCALE: 1"=1500'

ABBREVIATIONS

BL BASE LINE - CENTERLINE OF EASEMENT



PLAT SHOWING
**PUBLIC UTILITY, PUBLIC ACCESS
EASEMENT DEDICATION &
PARTIAL EASEMENT VACATION
FOR MEADOWBROOK SHOPPING CENTER, LLC
CITY OF CHARLOTTESVILLE, VIRGINIA**

SHEET 1 - TITLE SHEET
SHEET 2 - EASEMENT PLAT
SHEET 3 - EASEMENT PLAT
SHEET 4 - AREA TABULATION, CURVE
& SHORT LINE TABLES

PLAT PREPARED BY:
AMMY GEORGE

SHEET 1 OF 4

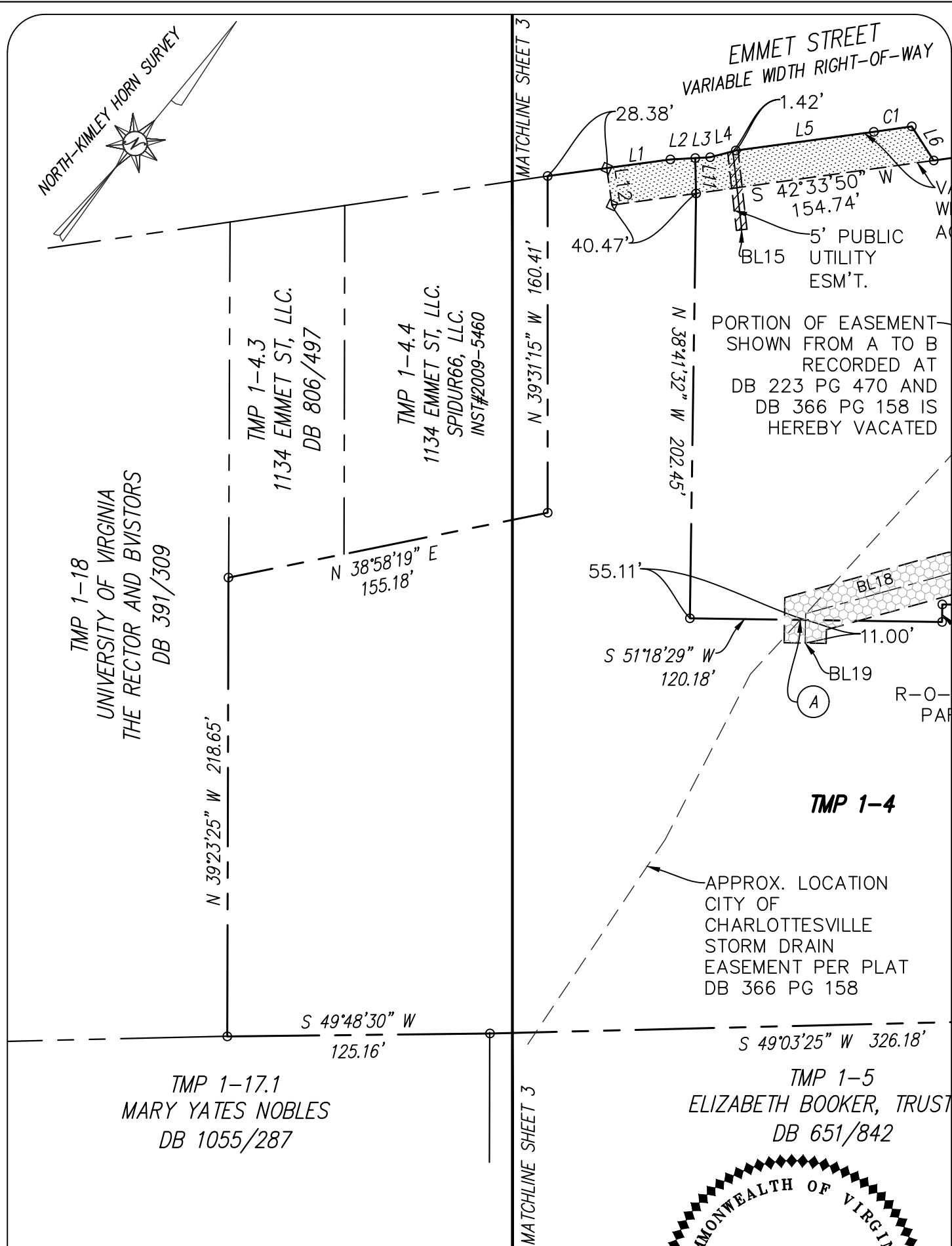
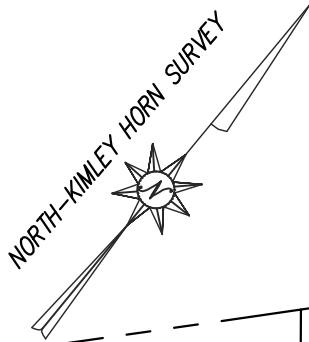
ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS

MARCH 12, 2018

A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1956
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

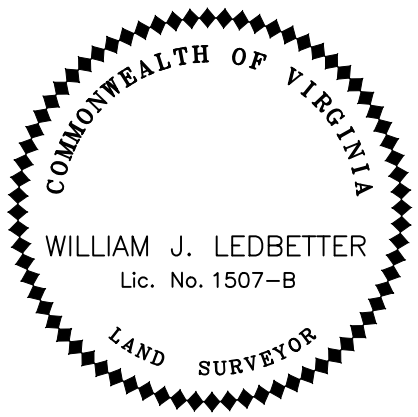
SCALE: 1" = 60'

FILE: 7217



PORTION OF EASEMENT SHOWN FROM A TO B RECORDED AT DB 223 PG 470 AND DB 366 PG 158 IS HEREBY VACATED

APPROX. LOCATION CITY OF CHARLOTTESVILLE STORM DRAIN EASEMENT PER PLAT DB 366 PG 158



**PUBLIC UTILITY, PUBLIC ACCESS
EASEMENT DEDICATION &
PARTIAL EASEMENT VACATION
FOR MEADOWBROOK SHOPPING CENTER, LLC
CITY OF CHARLOTTESVILLE, VIRGINIA**

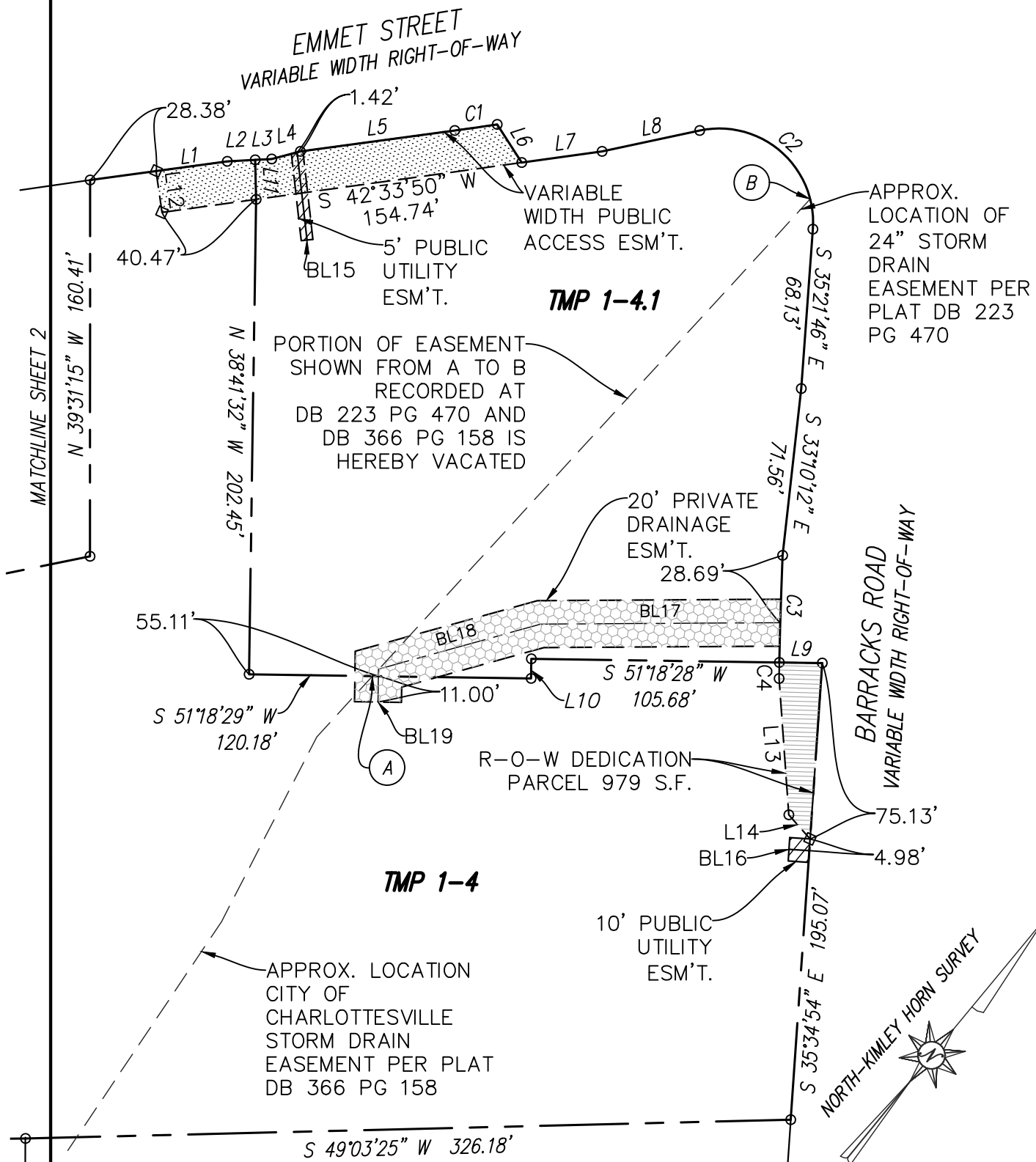
SHEET 2 OF 4

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1956
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

MARCH 12, 2018

SCALE: 1" = 60'

FILE: 7217



MATCHLINE SHEET 2
N 39°31'15" W 160.41'
N 38°41'32" W 202.45'
S 51°18'29" W 120.18'
S 49°03'25" W 326.18'

TMP 1-5
ELIZABETH BOOKER, TRUSTEE
DB 651/842

PLAT SHOWING
**PUBLIC UTILITY, PUBLIC ACCESS
EASEMENT DEDICATION &
PARTIAL EASEMENT VACATION
FOR MEADOWBROOK SHOPPING CENTER, LLC
CITY OF CHARLOTTEVILLE, VIRGINIA**



SHEET 3 OF 4

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1956
914 MONTICELLO ROAD - CHARLOTTEVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

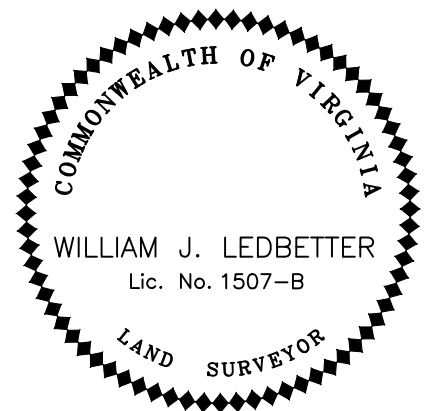
MARCH 12, 2018
SCALE: 1" = 60'
FILE: 7217

LINE	BEARING	DISTANCE
L1	N 42°44'12" E	58.98'
L2	N 47°24'30" E	11.91'
L3	N 47°24'30" E	7.09'
L4	N 35°42'30" E	12.61'
L5	N 42°44'12" E	66.37'
L6	S 72°15'56" E	19.28'
L7	N 42°33'50" E	34.56'
L8	N 38°24'08" E	42.54'
L9	N 51°18'28" E	18.30'
L10	S 38°41'31" E	8.37'
L11	N 40°53'31" W	16.84'
L12	N 47°40'38" W	17.83'
L13	S 43°36'39" E	58.25'
L14	S 81°01'47" E	13.74'
BL15	S 45°57'56" E	37.62'
BL16	S 54°11'26" W	8.68'
BL17	S 50°07'35" W	102.08'
BL18	S 34°55'58" W	71.75'
BL19	N 38°41'32" W	14.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1494.89'	18.30'	18.30'	S 42°23'09" W	0°42'05"
C2	40.00'	74.17'	63.99'	N 88°28'49" W	106°14'06"
C3	1960.35'	45.65'	45.65'	N 37°46'41" W	1°20'03"
C4	1960.35'	6.83'	6.83'	N 38°32'42" W	0°11'58.87"

AREA TABULATION

ORIGINAL TMP 1-4 110,085 SQ.FT. = 2.527 ACRES
 - ROW DEDICATION -979 SQ.FT.
 REVISED TMP 1-4 109,106 SQ.FT. = 2.505 ACRES



PLAT SHOWING
**PUBLIC UTILITY, PUBLIC ACCESS
 EASEMENT DEDICATION &
 PARTIAL EASEMENT VACATION
 FOR MEADOWBROOK SHOPPING CENTER, LLC
 CITY OF CHARLOTTESVILLE, VIRGINIA**

SHEET 4 OF 4

ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS

MARCH 12, 2018



A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1956



914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

SCALE: 1" = 60'

FILE: 7217

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	April 2, 2018
Action Required:	Ordinance Adoption
Presenter:	Carrie Rainey, City Planner, Neighborhood Development Services
Staff Contacts:	Carrie Rainey, City Planner, Neighborhood Development Services
Title:	ZM17-00003 Rezoning of Property at 0 Monticello Road

Background:

Caitlin Byrd Schafer of Henningsen Kestner Architects acting on behalf of the owner, Richard Spurzem, has submitted a rezoning application to rezone 0 Monticello Road (Subject Property) from the existing commercial district (M-I) to low-family residential (R-1S) with no proffers. The Subject Property is further identified as Tax Map 61, Parcel 265.A. This rezoning is requested to accommodate a proposed single family detached dwelling on the subject property. The full application package can be viewed at:

<http://www.charlottesville.org/home/showdocument?id=60818>

Discussion:

The Planning Commission discussed the high-density residential designation for the subject property on the 2013 Future Land Use Map, the harmonious nature of the proposed rezoning with the surrounding neighborhood, and the critical slopes on the subject property. The Planning Commission also discussed the applicant-held community meeting and expressed a desire for applicants to attend neighborhood association meetings where possible in lieu of separate community meetings.

Alignment with Council Vision Areas and Strategic Plan:

The project supports City Council's "Quality Housing Opportunities for All" vision by providing additional housing in the neighborhood. The project supports City Council's "Smart, Citizen-Focused Government" vision by ensuring development of the vacant lot does not adversely affect the existing residents of the surrounding neighborhood. It contributes to Goal 3 of the Strategic Plan, A Beautiful and Sustainable Natural and Built Environment through objective 3.1, Engage in robust and context sensitive urban planning and implementation.

Community Engagement:

City Council held a joint public hearing with the Planning Commission on March 14, 2018. One speaker representing the Belmont-Carlton Neighborhood Association stated the Association had no objections to the rezoning but would prefer more interaction and community engagement with all developments going on in the neighborhood.

Budgetary Impact:

No direct budgetary impact is anticipated as a direct result of rezoning the applicant's parcel.

Planning Commission Recommendation:

The Planning Commission took the following action:

Mr. Lahendro moved to recommend approval of this application to rezone the subject property from the M-I district to the R-1S district on the basis that the proposal would serve the interests of the general public welfare and good zoning practice. This recommendation of approval is based on *Sec. 34-42(2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community.*

Ms. Dowell seconded the motion. The Commission voted 6-0 to recommend approval of the application to rezone the Subject Property.

Alternatives:

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance for rezoning (as recommended by the Planning Commission);
- (2) by motion, take action to deny the attached ordinance for rezoning; or
- (3) by motion, defer action on the attached ordinance for rezoning.

Attachments:

- A. Proposed Ordinance
- B. Staff Report presented at Public Hearing, dated March 1, 2018

**AN ORDINANCE
APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT
0 MONTICELLO ROAD
FROM M-1 (LIGHT INDUSTRIAL) TO R-1S (RESIDENTIAL, SMALL LOT)**

WHEREAS, Henningsen Kestner Architects as the Agent/Architect for Landowner Richard Spurzem (together, “Applicant”) has filed an application seeking a change in zoning with respect to certain property located on Monticello Road, currently designated on City Tax Map 61 as Parcel 265.A, having an address of 0 Monticello Road, and the Applicant seeks a rezoning of such property from M-1 (Light Industrial) to R-1S (Residential-Small Lot) (hereinafter referred to as the “Proposed Rezoning”); and

WHEREAS, a joint public hearing on the Proposed Rezoning was held before the City Council and Planning Commission on March 13, 2018, following notice to the public and to adjacent property owners as required by law; and

WHEREAS, legal notice of the public hearing held on March 13, 2018 was advertised in accordance with Va. Code Sec. 15.2-2204; and

WHEREAS, on March 13, 2018, following the public hearing, the Planning Commission voted to recommend approval of the Proposed Rezoning to the City Council, based on their finding that the rezoning is required by the public necessity, convenience, general welfare or good zoning practice; and

WHEREAS, City Council has considered the matters addressed within the Proposed Rezoning and Staff Report, comments received from the public, including those received at the public hearing in this matter, as well as the Planning Commission’s recommendation; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare or good zoning practice requires the Proposed Rezoning; that the existing zoning classification, as well as the proposed zoning classification, are both reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Section 34-1. Zoning District Map. Rezoning from M-1 Light Industrial to R-1S Residential-Small Lot, the property located on Monticello Road, designated on City Tax Map 61 as Parcel 265.A (0 Monticello Road), consisting of approximately 0.0895 acres, or 3,899 square feet

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR A REZONING OF PROPERTY

JOINT CITY COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING

DATE OF HEARING: March 13, 2018
APPLICATION NUMBER: ZM17-00003

Project Planner: Carrie Rainey
Date of Staff Report: March 1, 2018

Applicant: Henningsen Kestner Architects
Applicants Representative: Caitlin Byrd Schafer
Current Property Owner: Richard Spurzem

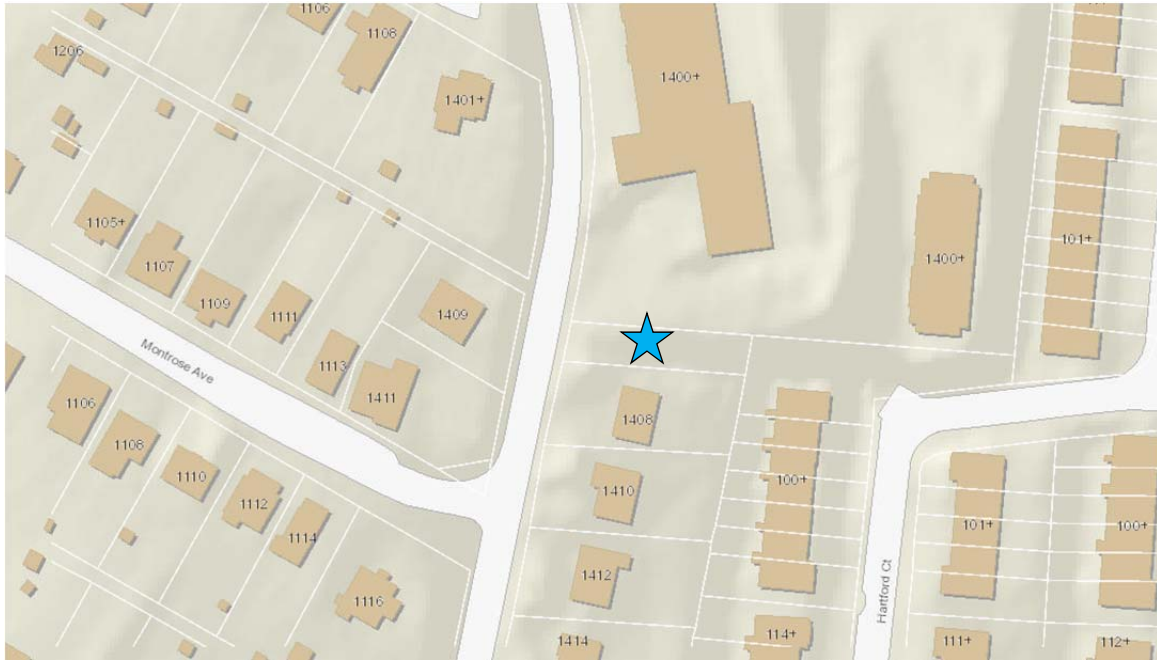
Application Information

Property Street Address: 0 Monticello Road
Tax Map/Parcel #: Tax Map 61, Parcel 265.A
Total Square Footage/ Acreage Site: Approx. 0.0895 acres (3,899 square feet)
Comprehensive Plan (General Land Use Plan): High Density Residential
Current Zoning Classification: M-I
Tax Status: The parcel is up to date on payment of taxes.
Completeness: The application generally contains all of the information required by Zoning Ordinance (Z.O.) Sec. 34-41.

Applicant's Request (Summary)

Caitlin Byrd Schafer of Henningsen Kestner Architects (on behalf of the owner, Richard Spurzem) has submitted a rezoning application to rezone 0 Monticello Road (Subject Property) from the existing commercial district (M-I) to low-family residential (R-1S) with no proffers. This rezoning is requested to accommodate a proposed single family detached dwelling on the subject property and better fit with its adjacent residential neighborhood.

Vicinity Map

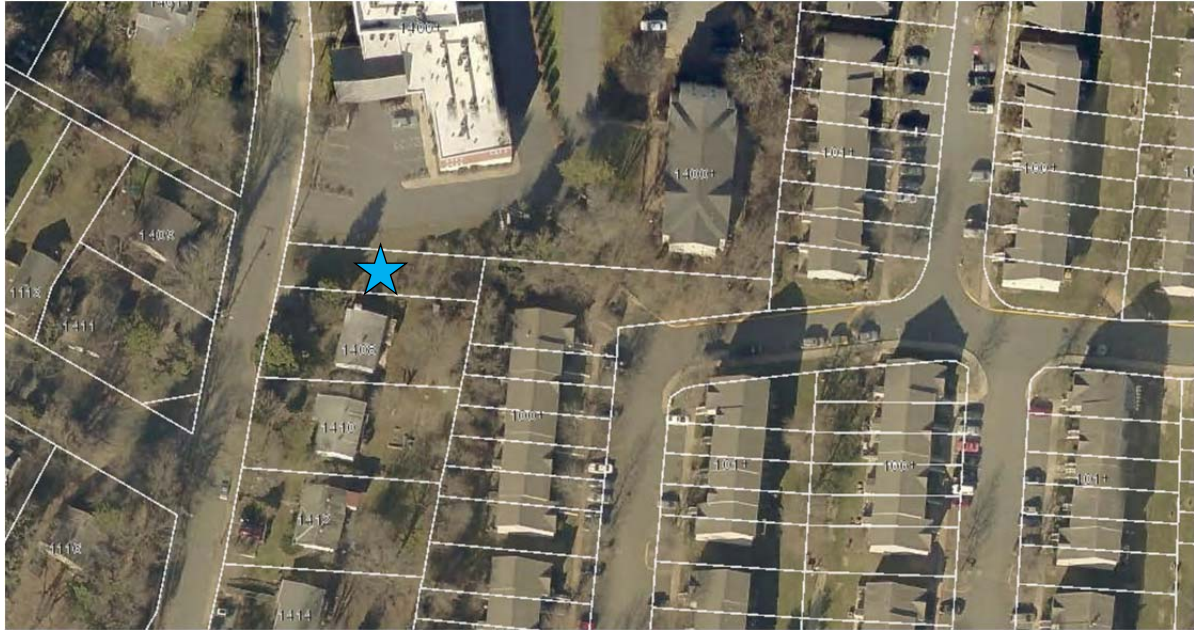


Zoning Map

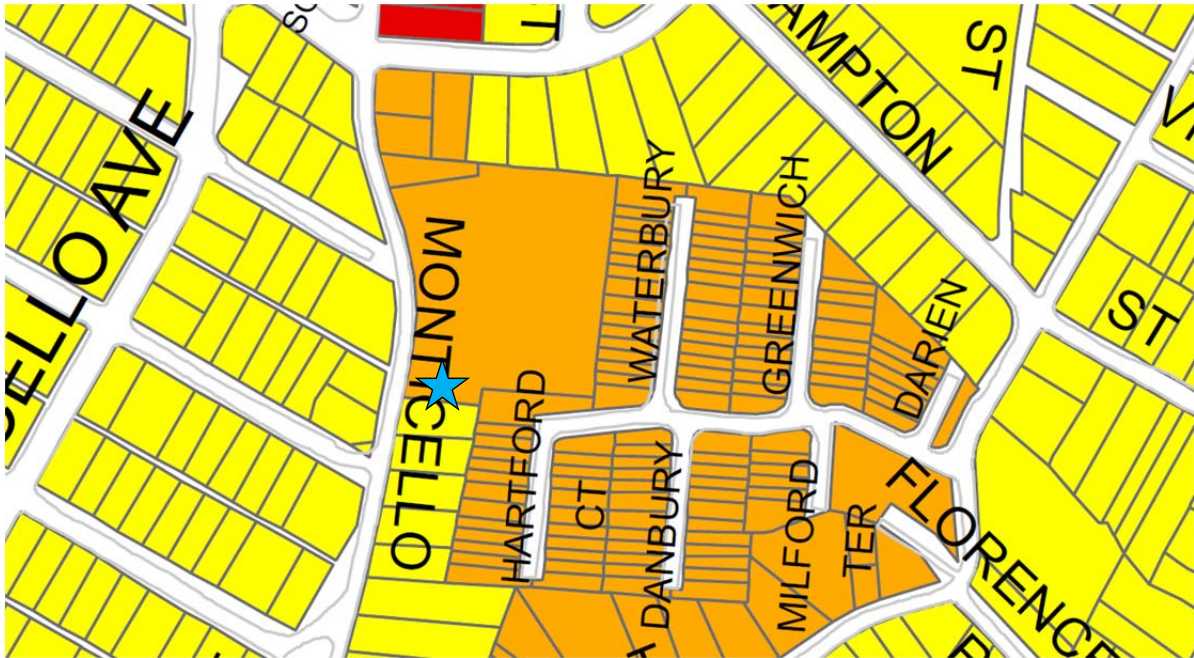


Gray: Industrial (M-I), **Yellow:** Residential (R-1S) Single-Family, **Dark Orange:** Residential (R-3) Multi-family

2016 Aerial



2013 Comprehensive Plan Land Use Map



Yellow: Low Density Residential, **Orange:** High Density Residential, **Red:** Neighborhood Commercial

Standard of Review

City Council may grant an applicant a rezoning request, giving consideration to a number of factors set forth within Z.O. Sec. 34-41. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to whether or not Council should approve a proposed rezoning based on the factors listed in Z.O. Sec. 34-41(a):

All proposed amendments shall be reviewed by the planning commission. The planning commission shall review and study each proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and
- (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

Zoning History of the Subject Property

Year	Zoning District
1949	B-2 Business
1958	M-1 Restricted Industrial
1976	M-1 Restricted Industrial
1991	M-1 Restricted Industrial
2003	M-I Industrial

Z.O. Sec. 34-42

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;

a. Land Use

The applicant’s own analysis of the development’s consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

The Subject Property is currently zoned M-I commercial district, which is a district established to allow for light industrial uses with a minimum of environmental pollution in the form of traffic, noise, odors, smoke and fumes, fire and explosion hazard, glare and heat and vibration (Z.O. 34-440(d)). The district allows for a variety of commercial and industrial uses by-right, but requires a special use permit for residential dwellings include single family detached and attached, two-family, townhouse, and multi-family (Z.O. Sec. 34-480). The 2013 Comprehensive Plan Land Use Map indicates the Subject Property should be a high-density residential use. The land use section of the comprehensive plan indicates high-density residential use as having a dwelling unit per acre (DUA) count over fifteen (15) or locations with multi-family housing types (townhouses, apartment, condominiums). The applicant is requesting a rezoning of the Subject Property to the R-1S single-family “small lot” district to better fit within the surrounding predominantly residential neighborhood and to accommodate the construction of a single family detached dwelling. The applicant is proposing to retain all uses permitted in the R-1S residential district as allowed under Z.O. Sec. 34-420 and is offering no proffers with this application.

Adjacent Properties

<i>North</i>	<i>M-I</i>	<i>Multi-family Residential</i>
<i>South</i>	<i>R-1S</i>	<i>Residential</i>
<i>East</i>	<i>R-3</i>	<i>Multi-family Residential</i>
<i>West</i>	<i>R-1S</i>	<i>Residential</i>

Lot Size and Frontage

The Subject Property does not meet the current minimum lot area of 6,000 square feet for a single-family detached dwelling per Z.O. Sec. 34-1123, and the current minimum lot frontage of 50 feet per S.O. Sec. 29-161(f). However, Z.O. Sec. 34-1145(a) states any unimproved lot of record that is nonconforming as to required lot area, lot frontage, or any combination thereof, may be used for any use permitted by right or with a special use or provisional use permit in such zoning district. A single-family detached dwelling is allowed by special use permit under the current M-I commercial district zoning and could also be built under the current zoning district.

Staff Analysis: Staff finds the proposed rezoning is not consistent with the Comprehensive Plan Land Use Map, but may contribute to other goals within the Land Use chapter of the Comprehensive Plan, including Goal 2.1: *When considering changes to land use regulations, respect nearby residential areas.* The Subject Property is surrounded by residential uses, including low density residential uses to the south and west. The proposed R-1S single-family “small lot” zoning district was established to provide and protect quiet, low-density residential areas wherein the predominant pattern of residential development is single-family, per Z.O. Sec. 34-350(a). Staff finds rezoning the Subject Property to R-1S is respectful of nearby residential areas.

b. Community Facilities

The applicant’s own analysis of the development’s consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

Staff Analysis: Staff finds that the location of the Subject Property would be well serviced by existing community facilities such as public parks and educational institutions. The construction of a single-family dwelling or the other low-intensity uses allowed in the R-1S residential should have no major impacts to existing community facilities such as emergency services or public utilities.

c. Economic Sustainability

The applicant’s own analysis of the development’s consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

Staff Analysis: Staff finds that while the proposed rezoning may be considered a reduction in potential economic opportunity due to the existing commercial zoning district, there is no major conflict with the goals stated in Chapter 3 (Economic Sustainability) of the Comprehensive Plan. The proposed rezoning does not displace any existing business and the Subject Property is identified as residential use in the 2013 Future Land Use Map.

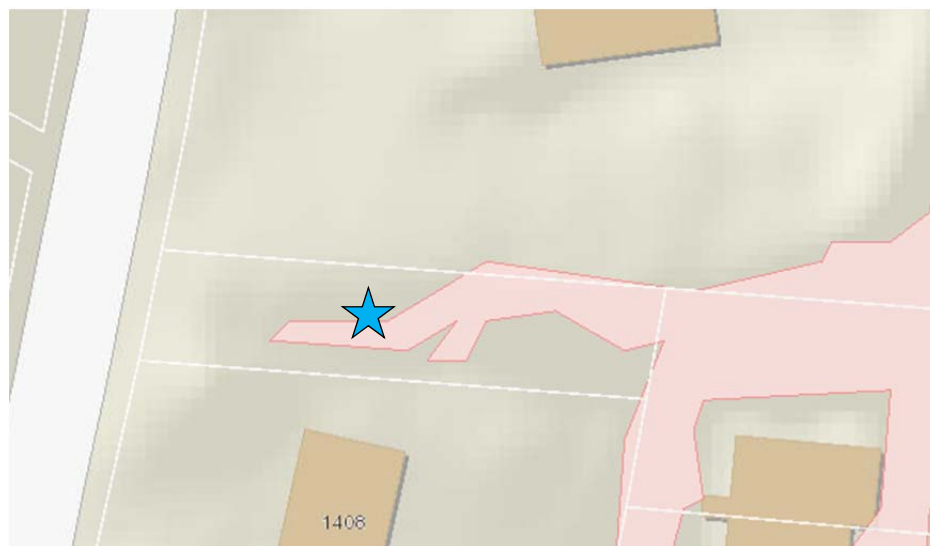
d. Environment

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

Staff Analysis: Per W.P.O. Sec. 10-22(a)(1) and 10-51(b)(4), disturbed land areas less than 6,000 square feet are exempt from erosion and sediment control plan and stormwater management plan requirements. The Subject Property is less than 6,000 square feet, and any proposed activity will be exempt regardless of zoning district.

Critical Slopes

The Subject Property contains critical slopes per Z.O. Sec. 34-1120(b)(2) as shown on the map below in pink. However, Z.O. Sec. 34-1120(b)(7)(b) states any lot of record on the effective date of this chapter shall be exempt from the requirements of these critical slopes provisions for the establishment of the first single-family dwelling unit on such lot.



Staff finds the proposed rezoning will not result in an increased impact to the environment and is not in conflict with the goals of the Environment Chapter of the Comprehensive Plan

e. Housing

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

Staff Analysis: Staff finds the uses allowable in the R-1S zoning district, such as a single family dwelling, on the Subject Property could contribute to the following goals in the Housing chapter of the Comprehensive Plan:

Goal 1.1: Consider the effect of housing decisions when considering the proximity of existing units and the effects of unit location on associated infrastructure.

Goal 1.2: Evaluate the effect of reduced transportation costs and improved energy efficiency on housing affordability.

Goal 3.6: Promote housing options to accommodate both renters and owners at all price points, including workforce housing.

Goal 8.5: Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

Per Z.O. Sec. 34-12(a), the applicant is not required to provide on or off site affordable housing or payment into the City's Affordable Housing Fund.

f. Transportation

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

Staff Analysis: The Subject Property is located within one mile of the downtown area and located on Monticello Road, recommended as a Shared Roadway in the Bikeway Facilities Recommendations Map in the 2015 Bicycle and Pedestrian Master Plan. The Subject Property is also located on Charlottesville Area Transit Route 1 and is in close proximity to Route 3. The allowable uses in the proposed R-1S zoning district are low in intensity and will result in minimal impact to traffic

congestion. Staff finds the uses allowable in the R-1S zoning district, such as a single family dwelling, on the Subject Property could contribute to the following goals in the Transportation chapter of the Comprehensive Plan:

Goal 2: Improve transportation options and quality of life through land use and community design techniques.

g. Historic Preservation & Urban Design

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the narrative section of the proposed rezoning application.

Staff Analysis: The Subject Property is not located in a Historic Preservation and Architectural Design Control Overlay District per Z.O. Sec. 34-272, Entrance Corridor Overlay District per Z.O. Sec. 34-207, or Historic Conservation Overlay District per Z.O. Sec. 34-337. The areas surrounding the Subject Property are predominantly residential, with a high percentage of single-family dwellings. Staff finds the uses allowable in the R-1S zoning district, such as a single family dwelling, on the Subject Property could contribute to the following goals in the Historic Preservation and Design chapter of the Comprehensive Plan:

Goal 5: Protect and enhance the existing character, stability, and scale of the City's older neighborhoods.

Goal 9.1: Develop an inventory of underutilized properties within City limits and develop strategies (such as rezoning, rehabilitation, and development incentives) that will move these properties back into productive uses that will support increased commercial or residential uses.

2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;

The applicant's own analysis of the development's furtherance of the general welfare of the entire community is provided in the applicant's narrative statement.

Staff Analysis: Staff finds that a rezoning from M-I commercial district to R-1S residential district could benefit the general welfare of the community by providing development harmonious in scale and intensity with the surrounding properties. Staff finds the proposed rezoning furthers the following purposes of Chapter 34:

Z.O. Sec. 34-3(4): To facilitate the creation of a convenient, attractive and harmonious

Z.O. Sec. 34-3(7): To protect and enhance the character and stability of neighborhoods.

3. Whether there is a need and justification for the change;

The applicant has provided information on the factors that lead to a request to rezone the Subject Property from M-I commercial district to R-1S residential district in the narrative section of the application.

Staff Analysis: According to the City's 2013 Land Use Map, this portion of the City should be High Density Residential with a DUA over fifteen (15). In reality, this portion of the City is mostly low density residential, with some high density residential and commercial uses in the greater vicinity. The small lot size and frontage makes the development of high density residential multi-family use difficult. Rezoning the subject property from M-I commercial district to R-1S residential district would be consistent with the current land use fabric of the neighborhood. Staff finds there is justification for the rezoning request.

4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

The location of the subject properties is currently served by existing public utilities and facilities. The applicant has provided information in the narrative section of the application.

Staff Analysis: Per Z.O. Sec. 34-350(a), the R-1S single-family "small lot" zoning district is one of t

The proposed rezoning would be consistent with the predominant pattern of residential development of the neighborhood.

Due to the location and low intensity uses allowed in

the R-1S zoning district, staff believes all public services and facilities would be adequate to support development.

Public Comments Received

Community Meeting Required by Z.O. Sec. 34-41(c)(2)

On November 13, 2017 the applicant held a community meeting at CitySpace. The applicant gave an overview of the project as it related to the need for a rezoning. The community voiced the following comments regarding the proposed rezoning:

- One attendee felt the proposed single-family dwelling use was more appropriate than potential commercial uses allowed within the existing zoning district.
- One attendee expressed concern about the potential height of the proposed single-family dwelling, and potential shadowing of other properties.
- One attendee expressed concern about the potential impact of a new residence to adjacent property values.
- One attendee expressed concern regarding the potential for homestay use.

Other Public Comments Received

Staff has received the following comments via phone or email subsequent to the community meeting and submission of the application:

- A single family dwelling could be absorbed with little impact, but oversaturation of the area is a concern.
- Monticello Road has become an alternative route for Monticello Avenue, and increased traffic is a concern.
- A single family dwelling is an appropriate use for the area.

Staff Recommendation

Staff finds the proposed rezoning could contribute to many goals of the City's Comprehensive Plan, and would serve the interests of the general public. Staff finds that the purpose of R-1S zoning district per Z.O. Sec. 34-350 and the by-right uses for the R-1S zoning district per Z.O. Sec. 34-420 are appropriate for the Subject Property, and the rezoning would serve good zoning practice. Staff is concerned that a rezoning of the Subject Property would not conform to the City's 2013 Land Use Plan.

Suggested Motions

1. I move to recommend approval of this application to rezone the subject property (Tax Map 61, Parcel 265.A) from M-I zoning district to R-1S zoning district, on the basis that the proposal would serve the interests of the general public and good zoning practice.

OR,

2. I move to recommend denial of this application to rezone the subject property (Tax Map 61, Parcel 265.A) from M-I zoning district to R-1S zoning district, on the basis that the proposal would not service the interests of the general public and good zoning practice.

Attachments

- A. Rezoning Application received November 28, 2017
- B. Applicant's Narrative Statement dated November 13, 2017
- C. Community Meeting Documentation received December 4, 2017

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



Agenda Date:	April 16, 2018
Action Requested:	Provide direction to staff
Presenter:	Maurice Jones, City Manager
Staff Contacts:	Maurice Jones, City Manager Brian Wheeler, Director of Communications
Title:	Emancipation Park and Justice Park Renaming

Background:

On June 5, 2017, City Council voted to re-name Lee Park to Emancipation Park, and Jackson Park to Justice Park.

In December 2017, City resident Mary Carey brought a petition to the City Council requesting the City reconsider its decision to change the name of Lee Park to Emancipation Park. The petition encouraged Council to “immediately” rename the park. Numerous suggestions were included in the petition. Council directed staff to place the item on a future agenda. Council also asked to open the process to both Emancipation Park and Justice Park, as well as hold a public hearing.

On February 20, 2018, City Council held a public hearing and directed staff to conduct a new round of community engagement to collect feedback on the names for both parks. It specified that the names Lee Park, Jackson Park and Emancipation Park were not to be considered. It directed staff to collect public input on all previously considered name suggestions.

Discussion:

During the period from March 6, 2018 to March 28, 2018, staff collected public input through a parks renaming survey that was available online, on paper ballots in the City Manager’s office, and via a telephone voicemail line. Additionally, some people submitted their preferences via email and in letters. All submissions were entered into the online survey tool.

The survey included seventeen name suggestions for Emancipation Park:

- | | | |
|-------------------|--------------------|--------------------|
| Barack Obama Park | Barbara Johns Park | Center City |
| Central Park | Community Commons | Community Park |
| Festival Park | Freedom Park | Julian Bond Park |
| Liberation Park | Library Park | Market Street Park |
| Monacan Park | Progress Park | Sally Hemings Park |
| Unity Park | Vinegar Hill Park | +Other (write-in) |

The survey included twenty-three name suggestions for Justice Park (including the current name):

13th Amendment Park	Abolition Park	Barack Obama Park
Central Park	Court Square Park	Courthouse Park
Frederick Douglass Park	Freedom Park	Harriet Tubman Park
Independence Park	Justice Park (current name)	Liberty Park
Little Sorrel or Sorrel Park	McKee Park	Memorial Park
Memory Park	Monasukapanough Park	Progress Park
Sally Hemings Park	Sandra Lewis Park	The Commons
Transformation Park	Unity Park	+Other (write-in)

SURVEY SOURCE SUMMARY (all complete responses)

Online survey’s completed	7,470
Voicemail messages received	36
Other ballots (email (19) and letter/paper (10))	29
TOTAL	7,535

The online survey was hosted by Survey Monkey. It asked participants to select up to three name choices for each park and it included one write-in option for each park. In a secondary set of questions, participants were allowed to rank their choices in order of preference. While the survey restricted participation to one submission per computer device, there was no geographic restriction nor any limitation as to how many different devices one person might use to complete the survey.

The survey instructed participants that the names Lee Park and Jackson Park were not under consideration, however many votes were cast for those names as write-in choices and sometimes in combination with other appropriate park names since up to three choices were accepted for each park.

SURVEY WRITE-IN VOTES (responses including “Lee” or “Jackson”)

Emancipation Park write-in’s referencing “Lee”	1,825
Justice Park write-in’s referencing “Jackson”	1,607

While not a scientifically valid sample of the public opinion of our local community, staff believes the survey did surface valuable information about the community’s park naming preferences.

UNWEIGHTED VOTING SUMMARY

Emancipation Park		Justice Park	
Market Street Park	1,647 votes	Court Square Park	2,252 votes
Vinegar Hill Park	1,266 votes	Courthouse Park	1,370 votes
Central Park	867 votes	Justice Park	956 votes
Library Park	739 votes	Memorial Park	629 votes
Community Park	652 votes	The Commons	538 votes

Because the survey allowed for preference rankings, we can also share weighted results. As a small number of votes for any given name can skew the results in this methodology (e.g. a single vote for one park name with a first choice ranking would have the highest weighted score of 1), the rankings below are only for the three names above that received the most votes for each park:

WEIGHTED VOTING SUMMARY

(Where a weighted average of 1 has the highest favorability and 3 has the lowest)

Emancipation Park	1st choice	2nd choice	3rd choice	Weighted Average
Vinegar Hill Park*	612 votes	383 votes	252 votes	1.71 (most favorable)
Market Street Park	661 votes	583 votes	377 votes	1.82
Central Park	304 votes	278 votes	264 votes	1.95

Justice Park	1st choice	2nd choice	3rd choice	Weighted Average
Court Square Park	1,480 votes	507 votes	232 votes	1.44 (most favorable)
Justice Park	422 votes	292 votes	229 votes	1.80
Courthouse Park	297 votes	705 votes	353 votes	2.04

* City Council previously designated the western end of Charlottesville’s Downtown Mall as Vinegar Hill Park given its close proximity to what was the heart of the Vinegar Hill business district. In December 2016, Council received a preliminary park plan and approved a request from the Historic Resources Committee for \$15,000 for wayfinding signage to include interpretive markers displaying a narrative of Vinegar Hill’s history. A Request for Proposals has been drafted for the signage but not yet advertised.

Other notes about the survey

The write-in data was evaluated to group similar names as a vote for the same name (e.g. Swanson and Swanson Legacy Park were counted as the same). The top three appropriate write-in options for each park were as follows:

Emancipation Park

Swanson Legacy Park (or similar)	146 votes
Donald J. Trump Park (or similar)	140 votes
Heather Heyer Park (or similar)	82 votes

Justice Park

Donald J. Trump Park (or similar)	86 votes
Swanson Legacy Park (or similar)	24 votes
Heather Heyer Park (or similar)	23 votes

The survey software also tracked the IP address (a unique computer identifier) of the participant. Fifteen IP addresses were used repeatedly (10 or more entries for a total of 455 votes). These could be public computers or a single user completing more than one survey. About 60 percent of the 455 votes coming from repeatedly used addresses were write-in votes. For example, the single most-used IP address submitted 98 entries to rename Emancipation Park (59 percent of those entries were for write-in names and 25 percent were for the name Market Street Park).

Participants were also asked whether they would like to have the opportunity to vote again once the naming choices were narrowed down and write-in options evaluated.

YES, I'd like to vote again	52.98%	3,690 votes
NO, I think this one survey is sufficient	47.02%	3,275 votes

Additionally, 2,563 participants provided their email address and asked to be notified of the results of the survey. An additional 1,066 participants left comments in an opened-ended question at the conclusion of the survey.

The Council has several options:

1. Consider renaming the parks after an additional public hearing on these survey results.
2. Consider a new survey and community engagement effort to collect public preferences on this smaller set of choices (i.e. a new ranking of the top-three or more names for each park).
3. Consider other names not addressed in this survey.

Staff is seeking direction from Council this evening.

Alignment with City Council's Vision and Strategic Plan:

Community of Mutual Respect: In all endeavors, the City of Charlottesville is committed to racial and cultural diversity, inclusion, racial reconciliation, economic justice, and equity. As a result, every citizen is respected. Interactions among city leaders, city employees and the public are respectful, unbiased, and without prejudice.

Budgetary Impact:

We do not have an estimate on the cost of the renaming. When the Council voted to change the name of Lee and Justice Parks, staff made the changes online and in publications. As a result of litigation against the name change and the Council's desire to completely redesign both parks, the City has yet to purchase new signage.

The City Council allocated \$500,000 last December to assist with funding recommendations from the Blue Ribbon Commission on Race, Memorials and Public Spaces. Staff recommends using this funding when needed.

Attachments:

The survey questions as they appeared between March 6, 2018 and March 28, 2018.
Analysis of survey results from Survey Monkey (a standard summary report)



Help Charlottesville name its downtown parks

Welcome to our survey

Last month, Charlottesville City Council decided to consider new names for the downtown parks initially renamed in June 2017. Council would like the community's input on a NEW name for Emancipation Park (formerly Lee Park) and whether to keep the name Justice Park (formerly Jackson Park) or select a new name. The names included in this survey were all ones previously submitted to the city. *The names Lee Park, Jackson Park, and Emancipation Park will not be considered.*

This survey will be open from March 6 to March 28, 2018.



Help Charlottesville name its downtown parks

What should Emancipation Park be renamed to?

We would like to rename Emancipation Park (formerly Lee Park.) Select your top 3 favorites below, or add one of your own!

* 1. Select up to three names for Emancipation Park (formerly Lee Park)

- Barack Obama Park
- Barbara Johns Park
- Center City
- Central Park
- Community Commons
- Community Park
- Festival Park
- Freedom Park
- Julian Bond Park
- Liberation Park
- Library Park
- Market Street Park
- Monacan Park
- Progress Park
- Sally Hemmings Park
- Unity Park
- Vinegar Hill Park
- Other (please specify and use the word 'Park' if part of name)



Help Charlottesville name its downtown parks

Let's rank your choices for Emancipation Park (formerly Lee Park)

ONLY RANK YOUR TOP 1-3 CHOICES BELOW

2. Now that you have a few favorites, please rank them in order of preference

	First choice * My Favorite	Second choice	Third choice
Barack Obama Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Barbara Johns Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Center City	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Central Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Commons	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Festival Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Freedom Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Julian Bond Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Liberation Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Library Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Market Street Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monacan Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Progress Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sally Hemmings Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unity Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vinegar Hill Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify and use the word 'Park' if part of name)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Help Charlottesville name its downtown parks

We also want your recommendations for Justice Park (formerly Jackson Park)

Do you want to keep the name Justice Park (an option below) or select a new name entirely?

Select your top 3 favorites below, or add one of your own!

3. Select up to three names for Justice Park (formerly Jackson Park)

- 13th Amendment Park
- Abolition Park
- Barack Obama Park
- Central Park
- Court Square Park
- Courthouse Park
- Frederick Douglass Park
- Freedom Park
- Harriet Tubman Park
- Independence Park
- Justice Park **(current name)**
- Liberty Park
- Little Sorrel or Sorrel Park
- McKee Park (The McKee property was the site upon which Jackson Park was built)
- Memorial Park
- Memory Park
- Monasukapanough Park (Monasukapanough was a Monacan Village near the Rivanna)
- Progress Park
- Sally Hemmings Park
- Sandra Lewis Park (Ms. Lewis was the first African-American woman to graduate from the University of Virginia)
- The Commons
- Transformation Park
- Unity Park
- Other (please specify and use the word 'Park' if part of name)



Help Charlottesville name its downtown parks

Let's rank your choices for Justice Park (formerly Jackson Park)

ONLY RANK YOUR TOP 1-3 CHOICES BELOW

4. Now that you have a few favorites, please rank them in order of preference

	First choice * Most Favorite	Second Choice	Third Choice
13th Amendment Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Abolition Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Barack Obama Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court Square Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Central Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Courthouse Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Frederick Douglass Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Freedom Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Harriet Tubman Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Independence Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justice Park (current name)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Liberty Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Little Sorrel or Sorrel Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
McKee Park (The McKee property was the site upon which Jackson Park was built)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Memorial Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Memory Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	First choice * Most Favorite	Second Choice	Third Choice
Monasukapanough Park (Monasukapanough was a Monacan Village near the Rivanna)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Progress Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sally Hemmings Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sandra Lewis Park (Ms. Lewis was the first African-American woman to graduate from the University of Virginia)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Commons	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transformation Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unity Park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify and use the word 'Park' if part of name)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Help Charlottesville name its downtown parks

Just two more quick questions...

* 5. After we tabulate the results, would you like to see the write-in suggestions and vote again?

- YES, I'd like to vote again
- NO, I think this one survey is sufficient

6. Would you like us to email you the final results of this and any future survey? If, YES please share your email address. We will also alert you to any new voting rounds.

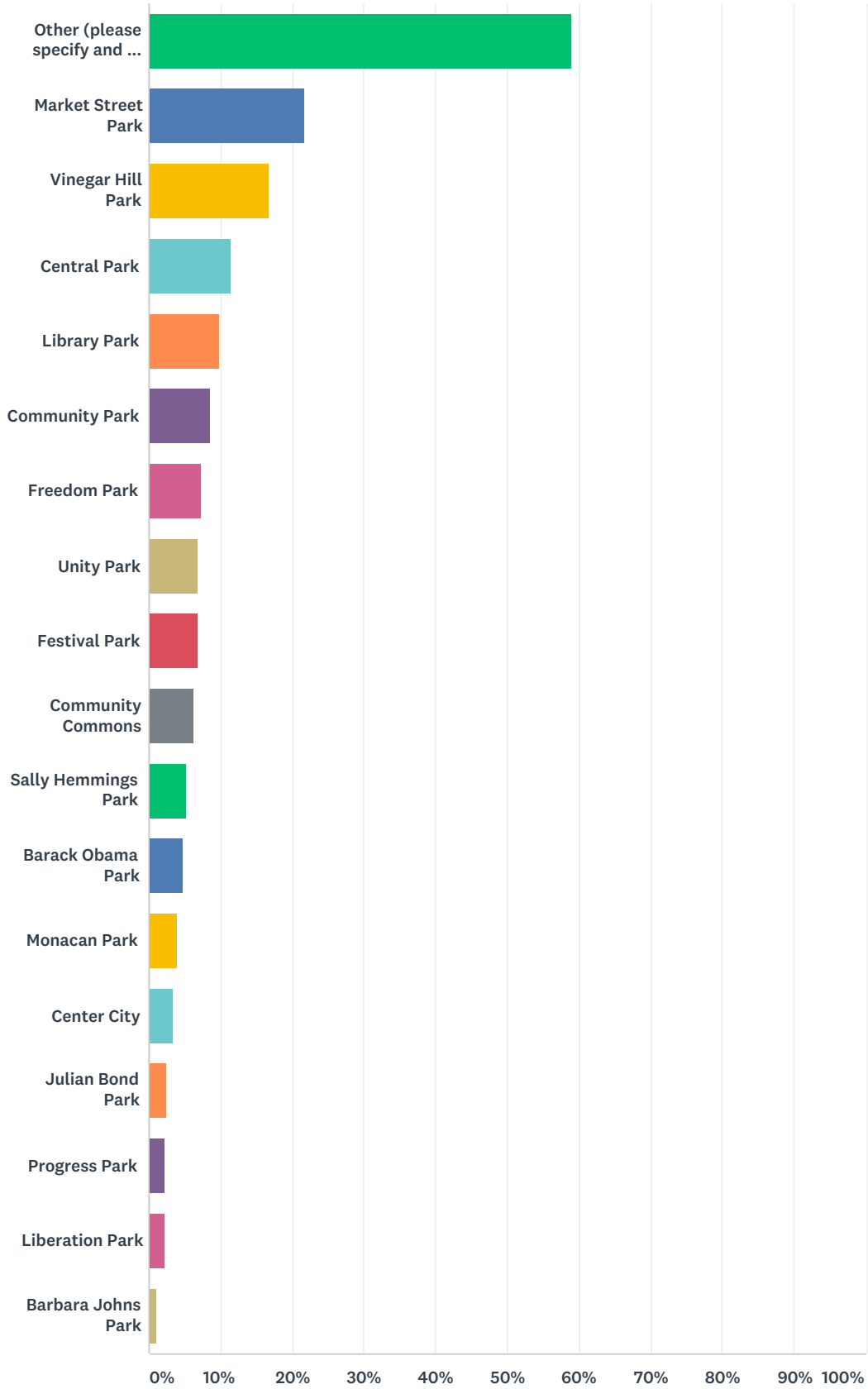
Email Address

7. **If you have feedback or questions about this survey**, please leave a comment here or contact Brian Wheeler, Director of Communications, City of Charlottesville, (434) 970-3129 or wheelerb@charlottesville.org

Q1 Select up to three names for Emancipation Park (formerly Lee Park)

Answered: 7,539 Skipped: -4

Help Charlottesville name its downtown parks



ANSWER CHOICES	RESPONSES
Other (please specify and use the word 'Park' if part of name)	59.05% 4,452

Help Charlottesville name its downtown parks

Market Street Park	21.85%	1,647
Vinegar Hill Park	16.79%	1,266
Central Park	11.50%	867
Library Park	9.80%	739
Community Park	8.65%	652
Freedom Park	7.28%	549
Unity Park	7.00%	528
Festival Park	6.96%	525
Community Commons	6.19%	467
Sally Hemmings Park	5.13%	387
Barack Obama Park	4.72%	356
Monacan Park	3.93%	296
Center City	3.30%	249
Julian Bond Park	2.48%	187
Progress Park	2.24%	169
Liberation Park	2.20%	166
Barbara Johns Park	0.96%	72
Total Respondents: 7,539		

Q2 Now that you have a few favorites, please rank them in order of preference

Answered: 7,352 Skipped: 183

Help Charlottesville name its downtown parks



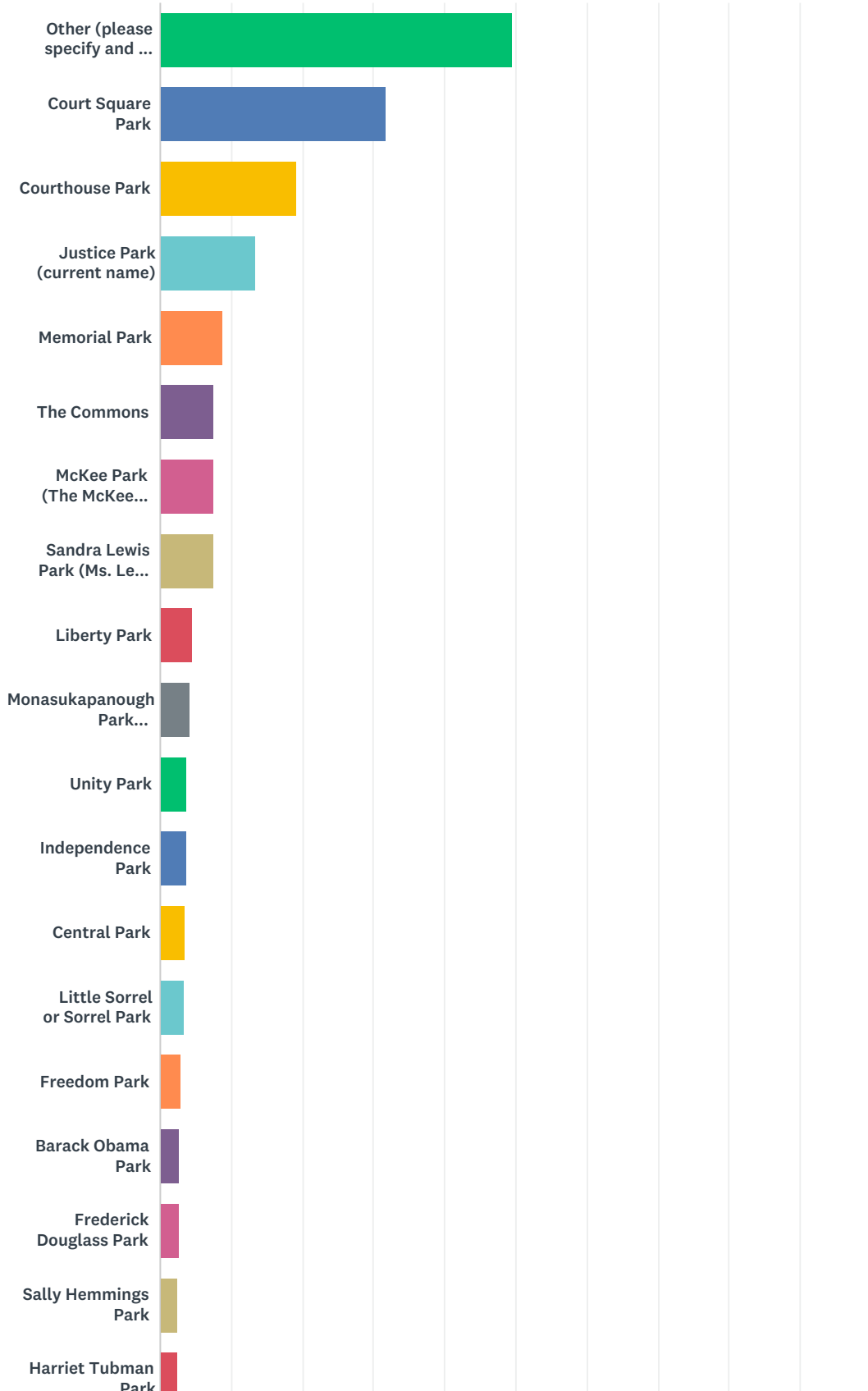
	FIRST CHOICE * MY FAVORITE	SECOND CHOICE	THIRD CHOICE	TOTAL	WEIGHTED AVERAGE
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Help Charlottesville name its downtown parks

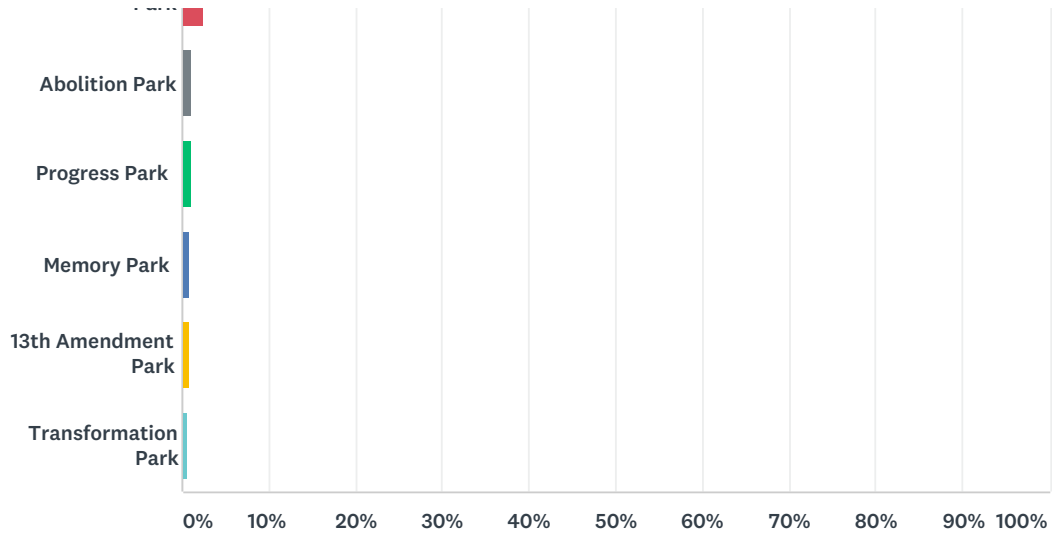
Other (please specify and use the word 'Park' if part of name)	94.28% 4,089	3.67% 159	2.05% 89	4,337	1.08
Barack Obama Park	57.43% 201	22.00% 77	20.57% 72	350	1.63
Vinegar Hill Park	49.08% 612	30.71% 383	20.21% 252	1,247	1.71
Market Street Park	40.78% 661	35.97% 583	23.26% 377	1,621	1.82
Freedom Park	35.21% 188	37.27% 199	27.53% 147	534	1.92
Sally Hemmings Park	34.20% 131	38.64% 148	27.15% 104	383	1.93
Central Park	35.93% 304	32.86% 278	31.21% 264	846	1.95
Barbara Johns Park	30.88% 21	41.18% 28	27.94% 19	68	1.97
Monacan Park	29.41% 85	40.83% 118	29.76% 86	289	2.00
Library Park	30.83% 222	37.50% 270	31.67% 228	720	2.01
Unity Park	33.53% 174	31.98% 166	34.49% 179	519	2.01
Festival Park	31.71% 163	31.13% 160	37.16% 191	514	2.05
Julian Bond Park	26.09% 48	42.93% 79	30.98% 57	184	2.05
Community Commons	27.45% 126	35.51% 163	37.04% 170	459	2.10
Center City	24.79% 60	38.02% 92	37.19% 90	242	2.12
Liberation Park	21.88% 35	43.13% 69	35.00% 56	160	2.13
Community Park	24.06% 154	34.38% 220	41.56% 266	640	2.17
Progress Park	23.35% 39	33.53% 56	43.11% 72	167	2.20

Q3 Select up to three names for Justice Park (formerly Jackson Park)

Answered: 7,103 Skipped: 432



Help Charlottesville name its downtown parks



ANSWER CHOICES	RESPONSES	
Other (please specify and use the word 'Park' if part of name)	49.66%	3,527
Court Square Park	31.70%	2,252
Courthouse Park	19.29%	1,370
Justice Park (current name)	13.46%	956
Memorial Park	8.86%	629
The Commons	7.57%	538
McKee Park (The McKee property was the site upon which Jackson Park was built)	7.49%	532
Sandra Lewis Park (Ms. Lewis was the first African-American woman to graduate from the University of Virginia)	7.46%	530
Liberty Park	4.63%	329
Monasukapanough Park (Monasukapanough was a Monacan Village near the Rivanna)	4.15%	295
Unity Park	3.72%	264
Independence Park	3.70%	263
Central Park	3.62%	257
Little Sorrel or Sorrel Park	3.36%	239
Freedom Park	3.03%	215
Barack Obama Park	2.66%	189
Frederick Douglass Park	2.66%	189
Sally Hemmings Park	2.53%	180
Harriet Tubman Park	2.48%	176
Abolition Park	1.13%	80
Progress Park	1.13%	80
Memory Park	0.90%	64
13th Amendment Park	0.77%	55

Help Charlottesville name its downtown parks

Transformation Park

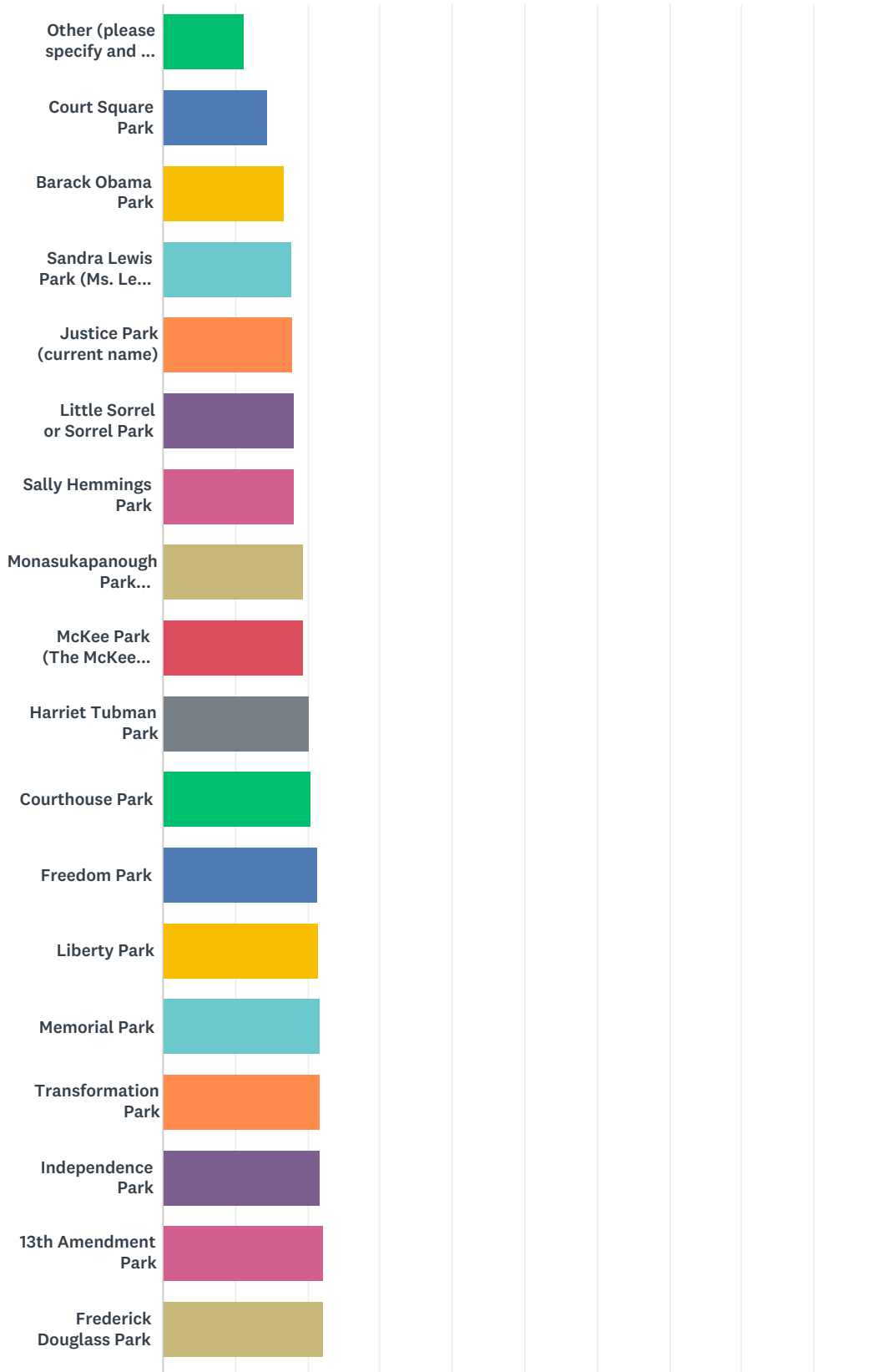
0.72%

51

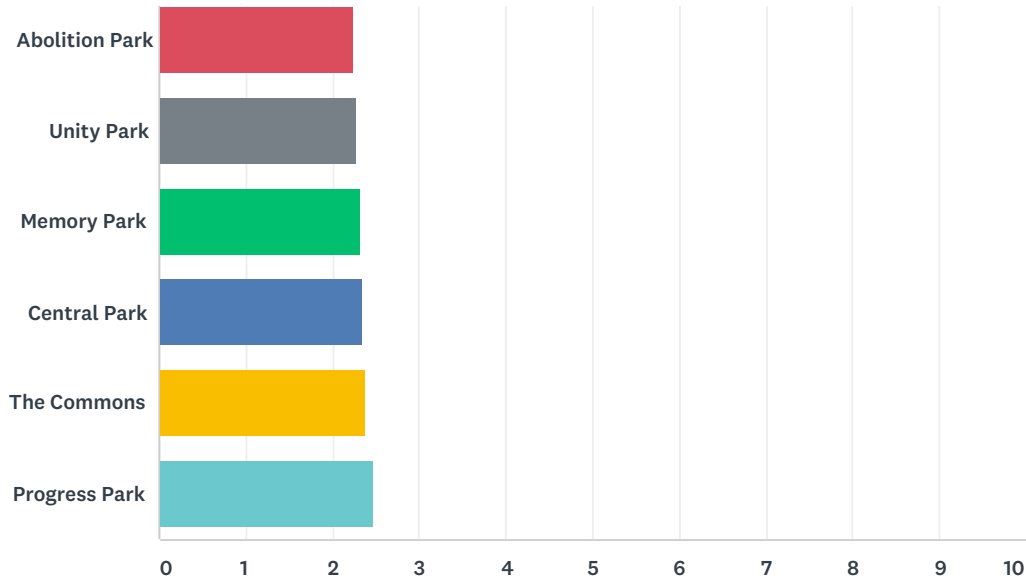
Total Respondents: 7,103

Q4 Now that you have a few favorites, please rank them in order of preference

Answered: 6,975 Skipped: 560



Help Charlottesville name its downtown parks



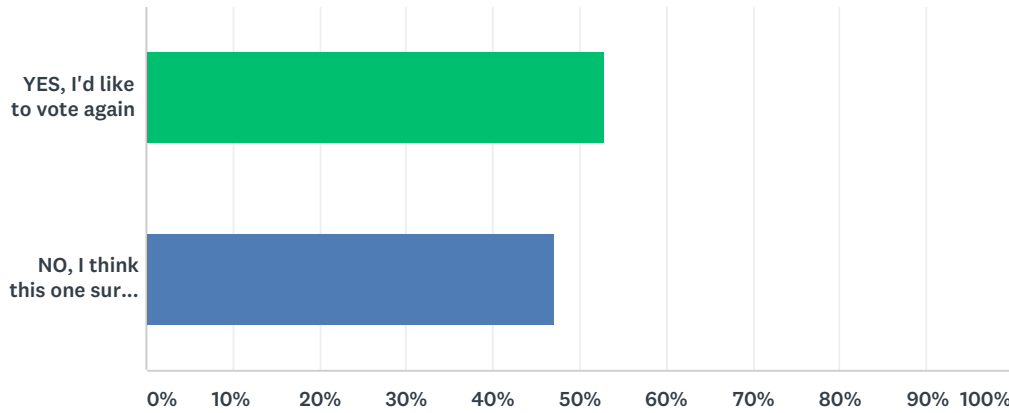
	FIRST CHOICE * MOST FAVORITE	SECOND CHOICE	THIRD CHOICE	TOTAL	WEIGHTED AVERAGE
Other (please specify and use the word 'Park' if part of name)	87.91% 3,024	10.06% 346	2.03% 70	3,440	1.14
Court Square Park	66.70% 1,480	22.85% 507	10.46% 232	2,219	1.44
Barack Obama Park	53.76% 100	24.19% 45	22.04% 41	186	1.68
Sandra Lewis Park (Ms. Lewis was the first African-American woman to graduate from the University of Virginia)	44.23% 230	34.23% 178	21.54% 112	520	1.77
Justice Park (current name)	44.75% 422	30.97% 292	24.28% 229	943	1.80
Little Sorrel or Sorrel Park	38.14% 90	42.80% 101	19.07% 45	236	1.81
Sally Hemmings Park	43.35% 75	32.37% 56	24.28% 42	173	1.81
Monasukapanough Park (Monasukapanough was a Monacan Village near the Rivanna)	34.26% 99	37.37% 108	28.37% 82	289	1.94
McKee Park (The McKee property was the site upon which Jackson Park was built)	33.97% 177	36.66% 191	29.37% 153	521	1.95
Harriet Tubman Park	27.75% 48	42.77% 74	29.48% 51	173	2.02
Courthouse Park	21.92% 297	52.03% 705	26.05% 353	1,355	2.04
Freedom Park	27.14% 57	31.90% 67	40.95% 86	210	2.14
Liberty Park	21.50% 69	41.43% 133	37.07% 119	321	2.16
Memorial Park	24.59% 151	34.20% 210	41.21% 253	614	2.17
Transformation Park	27.08% 13	29.17% 14	43.75% 21	48	2.17

Help Charlottesville name its downtown parks

Independence Park	22.83% 58	36.61% 93	40.55% 103	254	2.18
13th Amendment Park	21.15% 11	36.54% 19	42.31% 22	52	2.21
Frederick Douglass Park	18.33% 33	41.11% 74	40.56% 73	180	2.22
Abolition Park	20.00% 16	36.25% 29	43.75% 35	80	2.24
Unity Park	19.05% 48	34.52% 87	46.43% 117	252	2.27
Memory Park	12.70% 8	41.27% 26	46.03% 29	63	2.33
Central Park	15.51% 38	35.10% 86	49.39% 121	245	2.34
The Commons	15.12% 80	31.57% 167	53.31% 282	529	2.38
Progress Park	11.39% 9	31.65% 25	56.96% 45	79	2.46

Q5 After we tabulate the results, would you like to see the write-in suggestions and vote again?

Answered: 6,965 Skipped: 570



ANSWER CHOICES	RESPONSES	
YES, I'd like to vote again	52.98%	3,690
NO, I think this one survey is sufficient	47.02%	3,275
Total Respondents: 6,965		

Q6 Would you like us to email you the final results of this and any future survey? If, YES please share your email address. We will also alert you to any new voting rounds.

Answered: 2,563 Skipped: 4,972

ANSWER CHOICES	RESPONSES	
Name	0.00%	0
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	2,563
Phone Number	0.00%	0

Q7 If you have feedback or questions about this survey, please leave a comment here or contact Brian Wheeler, Director of Communications, City of Charlottesville, (434) 970-3129 or wheelerb@charlottesville.org

Answered: 1,145 Skipped: 6,390

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



Agenda Date:	April 16, 2018
Action Required:	Approve Resolution
Presenter:	Christopher V. Cullinan, Finance Director
Staff Contacts:	Christopher V. Cullinan, Finance Director Khristina S. Hammill, Financial and Debt Manager
Title:	\$11.7 Million Bond Issue (maximum amount) – New Debt

Background/Discussion:

The City regularly issues bonds as part of its on-going Capital Improvements Program. Capital spending and the related financing is projected for a 5 year period and updated annually.

This bond issue represents part of the funding plan approved by Council for the City’s on-going Capital Improvements Plan. All of the projects to be funded by this bond issue have been previously approved and appropriated by City Council. The proceeds are proposed, but not limited, to be used to fund portions of the following projects:

<u>Projects</u>	<u>Amount</u>
Public Schools	\$ 1,434,000
Transportation and Access	1,706,000
Public Buildings	600,000
Parks and Recreation	1,260,000
Water System Improvements	3,900,000
Wastewater Improvements	1,000,000
Stormwater System Improvements	<u>1,750,000</u>
Total	\$ 11,650,000

These bonds will be repaid over the next 20 years with level annual principal payments. A more detailed discussion of the specific projects to be funded is attached.

Public Financial Management, Inc. (PFM), the City’s financial advisor, along with City staff, continue to monitor the bond market and interest rate environment and we are anticipating a sale by mid-May. The bonds will be sold by a public offering through a competitive bid. The resolution authorizes the City Manager to accept the lowest interest rate bid on the bonds.

City management has met with Moody's and Standard & Poor's to discuss the City's financial condition and to obtain ratings on these bonds. City staff anticipates that the City will retain its AAA bond rating, the highest rating given by both ratings agencies.

Community Engagement: The Director of Finance, as per the law has advertised this public hearing in the newspaper and will advertise the sale information in other media outlets prior to the bond sale date.

Alignment with City Council's Vision and Priority Areas: Approval of this agenda item aligns directly with Council's vision for a **Smart Citizen Focused Government and Economic Sustainability.**

Budgetary Impact:

The City continues to manage its debt and to plan its bond issuance in a manner to:

- (1) Provide a stream of funding as it is needed,
- (2) Keep annual debt service costs on a fairly level amount, (i.e., to avoid large spikes in debt service) and
- (3) To maintain and finance its physical facilities and infrastructure in such a manner that future users/beneficiaries will help to pay for them.

This bond issue is part of the City's on-going capital financing plan. The debt service on this issue will be paid from previously appropriated funds in the City's Debt Service Fund. No new appropriation will be required.

Recommendation:

Staff recommends that Council approve the resolution authorizing the City Manager to accept the low bid on the bond sale on behalf of the City for a competitive transaction.

Alternatives:

The alternatives to not issuing new debt would be to either use funds on hand (cash) to fund projects or not construct projects.

Attachments:

Descriptions of projects
Resolution

PLANNED BOND FUNDED PROJECTS

The following projects are all part of the City's on-going Capital Improvements Program. This program has been in place for a number of years, and all of the projects included here have been previously appropriated.

1. Public Schools - \$1,434,000 – Funds will be used to fund improvements to the track at Charlottesville High School and to fund upgrades in various schools. Normally, City Council approves a lump sum appropriation for the Schools each year, and the Schools in turn decide upon the priority order and specific capital needs to be undertaken. The upgrades in various school buildings will be funded by the lump sum account.
2. Transportation and Access - \$1,706,000 – These funds will be used for street reconstruction and sidewalk improvements.
3. Public Buildings - \$600,000 – These funds will be used to help fund renovations for the Circuit Court building.
4. Parks and Recreation - \$1,260,000 – A spray park at Tonsler Park and renovations to the tennis courts at Penn Park will be funded.
5. Water System Improvements - \$3,900,000 – Water system improvements will be funded by this bond issue. The debt will be repaid using the fee revenue generated by the Water Utility.
6. Wastewater System Improvements - \$1,000,000 – Water system improvements will be funded by this bond issue. The debt will be repaid using the fee revenue generated by the Water Utility.
7. Stormwater System Improvements - \$1,750,000 – Stormwater system improvements will be funded by this bond issue. The debt will be repaid using the fee revenue generated by the Stormwater Utility.

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$11,710,000, TO FINANCE THE COSTS OF CERTAIN PUBLIC IMPROVEMENT PROJECTS AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the City Council of the City of Charlottesville, Virginia (the “City”), desires to issue general obligation public improvement bonds (the “Bonds”) to finance costs of certain capital improvement projects for the City, including, without limitation, (a) transportation and access improvements, including but not limited to constructing, equipping and repairing sidewalks and roads and street reconstruction, (b) renovations and improvements to public buildings, (c) public school improvements, (d) improvements to public parks, and (e) improvements to the City’s water, wastewater and stormwater systems (collectively, the “Project”); and

WHEREAS, the City’s administration and a representative of PFM Financial Advisors LLC, the City’s financial advisor (the “Financial Advisor”), have recommended to the City Council that the City issue and sell one or more series of general obligation public improvement bonds through a competitive public offering;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:

1. Authorization and Issuance of Bonds. The City Council finds and determines that it is in the best interest of the City to authorize the issuance and sale of one or more series of Bonds in an aggregate principal amount not to exceed \$11,710,000 and to use the proceeds thereof, together with other funds as may be available, to finance costs of the Project and to pay costs incurred in connection with issuing such bonds (if not otherwise paid from other City funds).

2. Election to Proceed under the Public Finance Act. In accordance with the authority contained in Section 15.2-2601 of the Code of Virginia of 1950, as amended (the “Virginia Code”), the City Council elects to issue the Bonds pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code (the “Public Finance Act”).

3. Bond Details. The Bonds shall be designated “General Obligation Public Improvement Bonds, Series 2018,” or such other designation as may be determined by the City Manager (which term shall include the Director of Finance). The Bonds shall be in registered form, shall be dated such date as may be determined by the City Manager, shall be in denominations of \$5,000 and integral multiples thereof and shall be numbered R-1 upward, or such other designation as appropriate. Subject to Section 9, the issuance and sale of any series of Bonds are authorized on terms as shall be satisfactory to the City Manager; provided, however, that the Bonds of such series (a) shall have a “true” or “Canadian” interest cost not to exceed 4.5% (taking into account any original issue discount or premium), (b) shall be sold to the purchaser thereof at a price not less than 99.5% of the principal amount thereof (excluding any

original issue discount) and (c) shall mature in years, or be subject to mandatory sinking fund redemption in annual installments, ending no later than December 31, 2038.

Principal of the Bonds shall be payable annually on dates determined by the City Manager. Each Bond shall bear interest from its date at such rate as shall be determined at the time of sale, calculated on the basis of a 360-day year of twelve 30-day months, and payable semiannually on dates determined by the City Manager. Principal and premium, if any, shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on a date prior to each interest payment date that shall be determined by the City Manager (the "Record Date"); provided, however, that at the request of the registered owner of the Bonds, payment may be made by wire transfer pursuant to the most recent wire instructions received by the Registrar from such registered owner. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC"), or its nominee. The City has heretofore entered into a Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. "Securities Depository" shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

In the event that (a) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar, and the City discharges the Securities Depository of its responsibilities with respect to the Bonds, or (b) the City in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then the Director of Finance of the City shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the new Securities Depository or its nominee or to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 6; provided, however, that such form shall provide for interest on the Bonds to be payable (1) from the date of the Bonds if they are authenticated prior to the first interest payment date or (2) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the Director of Finance of the City shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 8.

So long as there is a Securities Depository for the Bonds, (1) it or its nominee shall be the registered owner of the Bonds; (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository; (3) the Registrar and the City shall not be responsible or liable for

maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants; (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds; and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Letter of Representations such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

4. Redemption Provisions. The Bonds may be subject to redemption prior to maturity at the option of the City on or after dates (if any) determined by the City Manager, in whole or in part at any time, at a redemption price equal to the principal amount of the Bonds, together with any interest accrued to the date fixed for redemption, plus a redemption premium not to exceed 1.0% of the principal amount of the Bonds, such redemption premium to be determined by the City Manager.

Any Bonds sold as term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Manager.

If less than all of the Bonds are called for redemption, the maturities of the Bonds to be redeemed shall be selected by the Director of Finance of the City in such manner as such officer may determine to be in the best interest of the City. If less than all the Bonds of any maturity are called for redemption, the Bonds within such maturity to be redeemed shall be selected by the Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof, and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. The City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of the Bonds. The City shall not be responsible for giving notice of redemption to anyone other than DTC or another qualified securities depository then serving or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

In the case of an optional redemption, the notice may state that (1) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, no later than the redemption date or (2) the City retains the right to rescind such notice on or prior to the scheduled redemption date (in either case, a "Conditional Redemption"), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described herein. Any Conditional Redemption may be rescinded at any time. The City shall give prompt notice of such rescission to the affected Bondholders. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and

the rescission shall not constitute an event of default. Further, in the case of a Conditional Redemption, the failure of the City to make funds available on or before the redemption date shall not constitute an event of default, and the City shall give immediate notice to all organizations registered with the Securities and Exchange Commission (“SEC”) as securities depositories or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

5. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signature of the Mayor, the City’s seal shall be affixed thereto or a facsimile thereof printed thereon and shall be attested by the manual or facsimile signature of the Clerk of the City Council; provided, however, that no Bond signed by facsimile signatures shall be valid until it has been authenticated by the manual signature of an authorized officer or employee of the Registrar and the date of authentication noted thereon.

6. Bond Form. The Bonds shall be in substantially the form of Exhibit A, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

7. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

8. Registration, Transfer and Owners of Bonds. The Director of Finance of the City is hereby appointed paying agent and registrar for the Bonds (the “Registrar”). The City Manager is authorized, on behalf of the City, to appoint a qualified bank or trust company as successor paying agent and registrar of the Bonds if at any time the City Manager determines such appointment to be in the best interests of the City. The Registrar shall maintain registration books for the registration of the Bonds and transfers thereof. Upon presentation and surrender of any Bonds to the Registrar, or its corporate trust office if the Registrar is a bank or trust company, together with an assignment duly executed by the registered owner or the owner’s duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate, if required by Section 5, and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in the name(s) as requested by the then registered owner or the owner’s duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and

powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the Record Date.

9. Sale of Bonds. (a) The City Council authorizes the Bonds to be sold by competitive bid in one or more series, in a principal amount or principal amounts to be determined by the City Manager, in collaboration with the Financial Advisor, and subject to the limitations set forth in Section 1. The City Manager is also authorized to (i) determine the interest rates of the Bonds, the maturity schedules of the Bonds, and the price to be paid for the Bonds by the purchaser, subject to the limitations set forth in Section 3, (ii) determine the redemption provisions of the Bonds, subject to the limitations set forth in Section 4, and (iii) determine the dated date, the principal and interest payment dates and the Record Date of the Bonds, all as the City Manager determines to be in the best interest of the City.

(b) The City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to take all proper steps to advertise the Bonds for sale, to receive public bids and to award the Bonds to the bidder providing the lowest “true” or “Canadian” interest cost, subject to the limitations set forth in Section 3. Following the sale of the Bonds, the City Manager shall file with the records of the City Council a certificate setting forth the final terms of the Bonds. The actions of the City Manager in selling the Bonds shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

10. Official Statement. The draft Preliminary Official Statement describing the Bonds, copies of which have been made available to the City Council prior to this meeting, is hereby approved as the Preliminary Official Statement by which the Bonds will be offered for sale to the public; provided that the City Manager, in collaboration with the Financial Advisor, may make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. After the Bonds have been sold, the City Manager, in collaboration with the Financial Advisor, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement. In addition, the City shall arrange for the delivery to the purchaser of the Bonds of a reasonable number of printed copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the purchaser initially sells Bonds.

11. Official Statement Deemed Final. The City Manager is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (the “Rule”) of the SEC, except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to the Rule. The distribution of the Preliminary Official Statement and the execution and delivery of the Official Statement in final form shall be conclusive evidence that each has been deemed final as of its date by the City, except for the omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

12. Preparation and Delivery of Bonds. After the Bonds have been awarded, the officers of the City are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the purchaser thereof upon payment therefor.

13. Arbitrage Covenants. (a) The City represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of Treasury Regulations Section 1.150-1(c).

(b) The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”), and regulations issued pursuant thereto, or otherwise cause interest on the Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

14. Non-Arbitrage Certificate and Elections. Such officers of the City as may be requested by the City’s bond counsel are authorized and directed to execute an appropriate certificate setting forth (a) the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and (b) any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate shall be prepared in consultation with the City’s bond counsel, and such elections shall be made after consultation with bond counsel.

15. Limitation on Private Use. The City covenants that it shall not permit the proceeds of the Bonds or the facilities financed or refinanced with the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

16. SNAP Investment Authorization. The City Council has previously received and reviewed the Information Statement (the “Information Statement”), describing the State Non-Arbitrage Program of the Commonwealth of Virginia (“SNAP”) and the Contract Creating the State Non-Arbitrage Program Pool I (the “Contract”), and the City Council hereby authorizes the City Treasurer in his discretion to utilize SNAP in connection with the investment of the proceeds of the Bonds. The City Council acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the City in connection with SNAP, except as otherwise provided in the Contract.

17. Continuing Disclosure Agreement. The Mayor and the City Manager, either of whom may act, are hereby authorized and directed to execute a continuing disclosure agreement (the “Continuing Disclosure Agreement”) setting forth the reports and notices to be filed by the City and containing such covenants as may be necessary to assist the purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. The Continuing Disclosure Agreement shall be substantially in the form of the City’s prior Continuing Disclosure Agreements, which is hereby approved for purposes of the Bonds; provided that the City Manager, in collaboration with the Financial Advisor, may make such changes in the Continuing Disclosure Agreement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. The execution thereof by such officers shall constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

18. Other Actions. All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds are hereby ratified, approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

19. Repeal of Conflicting Resolutions. All resolutions or parts of resolutions in conflict herewith are repealed.

20. Filing With Circuit Court. The Clerk of the City Council, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this resolution in the Circuit Court of the City.

21. Effective Date. This Resolution shall take effect immediately.

[FORM OF BOND]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), **ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL** inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED

REGISTERED

No. R-_____

\$_____

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

CITY OF CHARLOTTESVILLE

General Obligation Public Improvement Bond

Series 2018

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____ %	_____, ____	_____, 2018	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

The City of Charlottesville, Virginia (the “City”), for value received, promises to pay, upon surrender hereof to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon from its date semiannually on each _____ and _____, beginning _____, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Principal, premium, if any, and interest are payable in lawful money of the United States of America by the City Treasurer, who has been appointed paying agent and registrar for the bonds, or at such bank or trust company as may be appointed as successor paying agent and registrar by the City Manager (the “Registrar”).

Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company (“DTC”), and the payment of principal, premium,

if any, and interest, the providing of notices and other matters shall be made as described in the City's Letter of Representations to DTC.

This bond is one of an issue of \$_____ General Obligation Public Improvement Bonds, Series 2018, of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991. The bonds are being issued pursuant to a resolution adopted by the City Council of the City (the "City Council") on _____, 2018, to finance certain public improvement projects.

Bonds maturing on or before _____, 20__, are not subject to redemption prior to maturity. Bonds maturing on or after _____, 20__, are subject to redemption prior to maturity at the option of the City on or after _____, 20__, in whole or in part (in any multiple of \$5,000) at any time, upon payment of the following redemption prices (expressed as a percentage of principal amount of bonds to be redeemed) plus interest accrued and unpaid to the date fixed for redemption:

Period During Which Redeemed (Both Dates Inclusive)	Redemption Price
--	-----------------------------

[Bonds maturing on _____, 20__, are required to be redeemed in part before maturity by the City on _____ in the years and amounts set forth below, at a redemption price equal to the principal amount of the bonds to be redeemed, plus accrued interest to the date fixed for redemption:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
--------------------	----------------------	--------------------	----------------------

If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the Director of Finance of the City in such manner as such officer may determine to be in the best interest of the City. If less than all of the bonds of any maturity are called for redemption, the bonds within such maturity to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The City shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner hereof. If a

portion of this bond is called for redemption, a new bond in principal amount of the unredeemed portion hereof will be issued to the registered owner upon surrender hereof.

The City may give notice of redemption prior to a deposit of redemption moneys if such notice states that the redemption is to be funded with the proceeds of a refunding bond issue and is conditioned on the deposit of such proceeds. Provided that moneys are deposited on or before the redemption date, such notice shall be effective when given. If such proceeds are not available on the redemption date, such bonds will continue to bear interest until paid at the same rate they would have borne had they not been called for redemption. On presentation and surrender of the bonds called for redemption at the place or places of payment, such bonds shall be paid and redeemed.

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond. Unless other funds are lawfully available and appropriated for timely payment of this bond, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all taxable property within the City sufficient to pay when due the principal of and premium, if any, and interest on this bond.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal of and premium, if any, and interest on this bond and the exercise of all others rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the ___ day of the month [preceding] [in which] each interest payment [is due].

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the City of Charlottesville, Virginia, has caused this bond to be to be signed by the Mayor, its seal to be affixed hereto and attested by the Clerk of the City Council, and this bond to be dated the date first above written.

(SEAL)

Mayor, City of Charlottesville, Virginia

(ATTEST)

Clerk of Council,
City of Charlottesville, Virginia

ASSIGNMENT

FOR VALUE RECEIVED the undersigned sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

: :
: :
: :

the within bond and all rights thereunder, hereby irrevocably constituting and appointing

_____,
Attorney, to transfer said bond on the books kept for the registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed
by an Eligible Guarantor Institution such
as a Commercial Bank, Trust Company,
Securities Broker/Dealer, Credit Union
or Savings Association who is a member
of a medallion program approved by The
Securities Transfer Association, Inc.

(Signature of Registered Owner)

NOTICE: The signature above must
correspond with the name of the
registered owner as it appears on the
front of this bond in every particular,
without alteration or enlargement or any
change whatsoever.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	April 16, 2018
Action Required:	Update
Presenters:	Charlene Green, Manager, Office of Human Rights Carlos Marrone, Chair, Human Rights Commission
Staff Contacts:	Charlene Green, Manager Todd Niemeier, Communication & Investigation Specialist
Title:	2017 Annual Report – Office of Human Rights

Background:

On May 20, 2013, City Council approved the Charlottesville Human Rights Ordinance which included responsibilities for an Office of Human Rights (OHR) and a Human Rights Commission (HRC). The overall focus of both the OHR and the HRC included;

1. Systemic and Institutional Change that focused on addressing discrimination barriers in public institutions. The scope of this work could include but would not be limited to, soliciting community feedback by conducting focus groups on various topics, reviewing City policies for equity and possible changes and providing legislative recommendations for City Council.
2. Service Coordination and Awareness that would be responsible for increasing the awareness and ease of accessing existing resources that address illegal discrimination. These resources would include preparing individuals for their appointments with the Equal Employment Opportunity Commission (EEOC), and making referrals to the Piedmont Housing Alliance and the Virginia Fair Housing office.
3. Community Dialogue and Engagement that built on the success of the Dialogue on Race. The OHR and the HRC would engage Charlottesville residents in honest dialogue, community awareness and brainstorming on issues of equity and opportunity and potentially provide the systemic and institutional change group with recommendations for further study.
4. Investigation and Enforcement that addressed individual allegations of discrimination but also recognized the need to establish strong ties with support organizations in housing and employment due to the limitations of the enforcement in those two areas.

The Manager for the OHR was hired in September of 2013. The first eleven HRC members were appointed in November of 2013. The Community Outreach Specialist was hired in January, 2014.

Discussion:

Human Rights Commission

Mission Statement:

“Promoting an inclusive, empowered, and diverse community through education, engagement, and enforcement of Charlottesville’s Human Rights Ordinance”

The Human Rights Commission meets monthly for its regular business meetings and additional meetings are scheduled to address concerns that are handled through their subcommittee work. 2017 work plan included:

2017 HUMAN RIGHTS COMMISSION WORK PLAN		
<i>COMMITTEE</i>	<i>PRIORITY</i>	<i>OUTCOMES</i>
<p><u>Race Discrimination</u> Alignment with City of Charlottesville Goals & Objectives Goals 2 and 5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Hear community concerns regarding race –related issues and respond accordingly • Collaborate with Police Citizen Advisory Panel (PCAP) on police/community issues • Address immigrant/refugee concerns 	<p>-HRC response to community concerns ranged from making recommendation to City Council to posting responses on social media. -Collaboration with PCAP was stalled due to delays regarding their next steps. HRC organized a panel discussion on student interactions with police. -Refugee simulation was created to increase awareness with refugee issues. -Weekly contact with the Hispanic community occurred through Sin Barreras. -Special events in collaboration with the Police and Fire departments extended outreach efforts</p>
<p><u>LGBTQ+ Concerns</u> Alignment with City of Charlottesville Goals & Objectives Goals 1,2, and 5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Examine City policies for inequities based on sexual orientation, transgender status and gender identity • Continue to collaborate and support the Charlottesville Albemarle Safe Space Training Coalition (CASSTC) 	<p>-Policy review revealed inequities in benefits for employees who may identify as transgender. Next step will be to work with Human Resources on what changes can be made. -Worked with CASSTC on providing 3 safe space trainings for interested service providers and local residents -Participated in the Human Rights Campaign Municipal Equality Index assessment. Achieved third place in Virginia in providing resources to LGBTQ+ community.</p>
<p><u>Disability, Age, Religious Discrimination</u> Alignment with City of Charlottesville Goals & Objectives Goals 1, 2, and 5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Hear community concerns regarding age, disability and religious –related issues and respond accordingly • Continue to participate in the Charlottesville ADA Advisory Board 	<p>-HRC response to community concerns ranged from making recommendation to City Council to posting responses on social media. -HRC members attended quarterly ADA meetings -Reviewed City communications policy on access for people with disabilities. Collaborating with local community group to determine recommendations to City Council</p>

2017 HUMAN RIGHTS COMMISSION WORK PLAN		
		-Participated in outreach activities with local faith groups
Housing Concerns Alignment with City of Charlottesville Goals & Objectives Goals 1-5	We will: <ul style="list-style-type: none"> • Examine City policies for inequities in housing and housing related matters • Complete Charlottesville Community Impact Assessment Tool 	-Attended housing related meetings throughout the city -Invited City staff to update HRC members on current housing strategies -Charlottesville Community Impact Assessment Tool still a work in progress

Response to the summer of hate

The heinous events that scared the Charlottesville community beginning in May of 2017 through August involved the Human Rights Commission and the Office of Human Rights several different ways. The HRC/OHR was proactive in planning an event that involved educating local youth about the July 8 Ku Klux Klan demonstration. An informational session about hate groups, first amendments rights, and safe ways to be expressive was organized for youth and their parents. A collaborative event with the Jefferson School African American Heritage Center was also made available as an alternative for individuals who wanted to be engaged in a positive community experience on July 8th. The HRC heard community concerns following the KKK rally. Those concerns were shared with City staff. The Charlottesville City Police department was then asked to inform the commission about safeguards for the August 12th Unite the Right rally in response to community concerns. Many of the HRC members have been involved in the various recovery efforts that have been organized by local groups such as Unity Cville, the Heather Heyer Foundation, the Charlottesville Community Leadership Council and outside groups hoping to help the city heal such as the Listen First Project.

Dialogue on Race

The Dialogue on Race (DOR) began as a city initiative in 2009 and led to the creation of the City of Promise, the Chamber Business Diversity Council, the Human Rights Commission and the Office of Human Rights, as well as other programs. A second round of the DOR study circles began in September and ended in November 2017. Following a similar format from 2010 using small group discussions, the focus again was on race and social justice in Charlottesville. The dialogue concluded with a list of issues that were voted on by the community. These items have become the priorities on which area residents want action. Some examples of those action items:

Government Work Group: Police/community relations; Reentry for ex-offenders

Education Work Group: Teach an inclusive local history; Address racial disproportionality of student discipline

Economic Work Group: Community Cooperative for locals; housing

Social/Cultural Work Group: Support more local history; local media accountability

Recovery/Preparation Work Group: Better communication plan; addressing anniversaries of summer events

Over 150 people participated in the 2017 DOR. There is a need to do more targeted outreach to neighborhoods and community groups who are still not as engaged to ensure we are hearing from as many community members as possible. Another round of dialogues will be scheduled for the fall of 2018.

Office of Human Rights

“Acting as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.”

The primary responsibilities of the Office of Human Rights are to: 1. Assist individuals who believe they have been victims of an unlawful act of discrimination as outlined in the Charlottesville Human Rights Ordinance; 2. Educate and engage community members in meetings, forums, and other activities that involve collaboration with different City departments and community organizations; and 3. Provide staff support for the Human Rights Commission. Some of the 2017 goals for the OHR were:

- Promote the visibility of the Office of Human Rights
- Maintain a customer friendly intake process
- Support the Human Rights Commission with their Work Plan priorities

Inquiries and Complaints

Contacts with the OHR were categorized as an inquiry or a complaint. Inquiries were defined as a question about services, programs or procedures. If a person wanted to file a complaint and his/her discrimination allegation occurred outside of the city limits then their contact was logged as an inquiry. If a person who felt he/she experienced discrimination and it fell within the jurisdiction of the Human Rights Ordinance and that individual wanted to take action, the contact was logged as a complaint. The following is the breakdown of contacts with the Office of Human Rights:

CONTACTS FOR 2017	NUMBER	
Inquiries (includes calls, emails, walk-ins)	1,250 (4-5 per day)	
Complaints (Charlottesville only)	PROTECTED ACTIVITY	PROTECTED CLASS
	Employment: 21 Housing: 12 Public Accommodation: 6 Credit: 0 Education: 0	Race: National Origin: Sex: Disability: Age: Marital Status: Pregnancy/Childbirth: Religion:
	Total for Charlottesville: 39	
Investigations	2	

Alignment with City Council’s Vision and Priority Areas:

Community of Mutual Respect

In all endeavors, the City of Charlottesville is committed to racial and cultural diversity, including racial reconciliation, economic justice, and equity. As a result, every citizen is respected. Interactions among city leaders, city employees and the public are respectful, unbiased, and without prejudice.

Budgetary Impact:

The Office of Human Rights is requesting that the part-time staff position be made a full-time due to the office workload.

Recommendation:

The Office of Human Rights encourages City Council to accept this report reflective of the 2017 activities.

Attachments:

- A. 2018 Human Rights Commission Work Plan
- B. 2017 Inquiries and Complaint Data
- C. Community Engagement

ATTACHMENT A

2018 Human Rights Commission Work Plan	
<i>COMMITTEE</i>	<i>PRIORITY</i>
<p><u>Race Discrimination</u> Alignment with City of Charlottesville Goals & Objectives Goals 2 and 5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Examine and monitor City policies for inequities based on race, skin color or national origin • Support the work of the Dialogue on Race Action Teams • Examine Police Data • Collaborate and promote youth engagement
<p><u>LGBTQ+ Concerns</u> Alignment with City of Charlottesville Goals & Objectives Goals 1,2, and 5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Examine and monitor City policies for inequities based on sexual orientation, transgender status and gender identity • Collaborate and support the Charlottesville Albemarle Safe Space Training Coalition • Address the deficiencies on the Municipal Equity Index Scorecard
<p><u>Disability, Age, Religious Discrimination</u> Alignment with City of Charlottesville Goals & Objectives Goals 1, 2, and 5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Examine and monitor City policies for inequities based on age, disability or religious/non-religious beliefs • Participate in the Charlottesville ADA Advisory Board meetings • Identify and create an action plan regarding accessibility to ALL City sponsored events •
<p><u>Housing Concerns</u> Alignment with City of Charlottesville Goals & Objectives Goals 1-5</p>	<p>We will:</p> <ul style="list-style-type: none"> • Examine and monitor City policies for inequities in housing and housing related matters • Complete and adopt Charlottesville Community Impact Assessment Tool as a way to monitor development and review of new City policies and procedures • Recommend to City Council the adoption and implementation of the Charlottesville Community Impact Assessment Tool

ATTACHMENT B

2017 Office of Human Rights Inquiries and Complaints Data

CONTACTS FOR 2017	NUMBER	
Inquiries (includes calls, emails, walk-ins)	1,250 (4-5 per day)	
	PROTECTED ACTIVITY	PROTECTED CLASS
Complaints (Charlottesville only)	Employment: 21	Race:24
	Housing: 12	National Origin:6
	Public Accommodation: 6	Sex:4
	Credit: 0	Disability:10
	Education: 0	Age:3
		Marital Status:0
		Pregnancy/Childbirth:0
		Religion:0
		Did not indicate:2
	Total for Charlottesville: 39	
Investigations	2 (public accommodation)	

LOCATION	Employment	Housing	Public Accommodation	Credit	Education	Totals
Charlottesville	21	12	6	0	0	39
Outside Jurisdiction	12	3	12	0	0	27
Total	33	15	18			66

ATTACHMENT C

Community Engagement Partners

Neighborhood Development Services
Police Department
Department of Social Services
Community Attention
Mary Williams Center
Timberlake Place
Piedmont Housing Alliance
Various faith-based groups
Equal Employment Opportunity Commission
Albemarle/Charlottesville Reentry Council
Charlottesville Redevelopment and Housing Authority
Leadership Charlottesville
Gang Reduction through Active Community Engagement
Disproportionate Minority Task Force for Juveniles
Disproportionate Minority Committee for Adults
Jefferson Madison Regional Library
Preservers of the Daughters of Zion
Virginia Association for Human Rights
Sin Barreras
Everyday Democracy
Beloved Community Cville
Charlottesville High School
Buford Middle School
Mountaintop Montessori
Charlottesville Day School
City of Charlottesville Youth Council
Piedmont Virginia Community College
UVA Nursing School
Curry School of Education
MLK UVA/Community Celebration
Festival of Cultures
Day Soiree
Jefferson School African American Heritage Center
West Haven Community Day
Cville Pride
Cville Sabrosa
Best of Both Worlds Dance and Step Show Competition
City of Charlottesville Adult Education classes

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	4-16-18
Action Required:	No action required
Presenter:	Susan Moffett, Assistant Director, Department of Social Services Neal Goodloe, Regional Criminal Justice Planner Kaki Dimock, Director, Department of Human Services
Staff Contacts:	Kaki Dimock, Director, Department of Human Services Susan Moffett, Assistant Director, Department of Social Services
Title:	An Update on The Re-Entry Council

Background:

Efforts to address the needs of individuals returning to the community after jail stays have been ongoing since 2009. On December 6, 2010, city council proclaimed Charlottesville to be a City of Second Chances. On April 19, 2011, a regional re-entry summit was held with the support of Albemarle County, the city and the Dialogue on Race Re-entry Workgroup. A statewide Prisoner Reentry Initiative began in 2011, based on then-Governor Kaine's vision for a more coordinated approach to reentry services. Part of that vision and plan was the creation of local Councils in jurisdictions across the state with a charge to increase awareness, disseminate information, facilitate networking, eliminate barriers and share resources.

The Charlottesville/Albemarle initiative was one of the first comprehensive structures established and remains one of the few still operating on the original charge. Changes at the state level over the past seven years have resulted in a reduced role for the state. However, during this same period, the state has encouraged local communities to continue collaborative reentry efforts. This community has continued working together and a renewed effort is underway to form a stronger collaboration of service providers focused on different outcomes. To that end, the leadership of the local initiative requested and received support from United Way to *strategically* improve the individual and collective impact of programming for ex-offenders and their families. The result has been a more focused vision, mission and strategy, a more effective plan of action and a stronger commitment to improved outcomes.

A Planning Team currently serves as a steering committee until a new governance structure is in place. Representatives of the Albemarle Charlottesville Regional Jail, District 9 Probation & Parole, Charlottesville Department of Social Services, Albemarle County Department of Social Services, and Charlottesville Department of Human Services, and Offender Aid & Restoration/Jefferson Area Community Corrections and Criminal Justice Planner serve on this Planning Team and reflect the original members of the 2011 re-entry initiative.

Discussion:

This period of restructuring and examination has resulted in a stronger structure and clearer intent for the Re-entry Council. The Planning Committee affirmed or revised the vision, mission, and work plan as follows:

Vision: All people returning from prison or jail achieve their fullest potential.

Mission: Creating lasting solutions and opportunities for people returning from prisons or jails to thrive in our community.

2017-2018 Work plan & Status

- Analyze existing data to help us understand what creates the difference between success and failure, return to custody and other indicators for offenders.
 - Current status:
 - *Improved collective understanding of the population of concern*
 - *337 people in FY16 were released to the street on Albemarle and Charlottesville offenses from ACRJ after serving at least 30 days.*
 - *Average # of prior arrests among reentry population = 12*
 - *More than 2/3 had previously been on probation*
 - *1/3 were on probation at the time of arrest*
 - *Most acute needs are for substance abuse and cognitive-behavioral treatment, vocational/educational training, financial/budgeting assistance, and housing.*
 - *Identified three overall indicators to track council progress*
 - *Recidivism*
 - *Employment & capacity to meet needs*
 - *Connection to risk-reducing services in the community*
- Create smooth handoff from jail/prison to the community.
 - Current status:
 - *Created transition/resource room at ACRJ to assist people in preparing for the transition back home including access to employment support services, SNAP & Medicaid applications, Region Ten services, and connection to OAR-JACC, DARS & TJACH.*
- Create common case planning and case management across all disciplines that serve ex-offenders (returning residents) based on evidence-based programming.
 - Current status:
 - *Improved assessment of risks and needs of jail population to ensure that jail re-entry staff know how to target support and community-based referrals*
 - *Improved coordination and communication between jail staff and community-based staff*
- Coordinate a unified approach to affordable housing among key partners.
 - Current status:
 - *Subcommittee members are working to ensure that existing housing coalitions, organizations and planners are aware of the housing needs and challenges of people returning to the community*

- Reinvigorate the Council through a review of roles and structure.
 - Current status:
 - *Subcommittee members are identifying specific recommendations for a sustainable structure for the council for consideration at the April 25, 2018 regular council meeting. This structure will reflect feedback received from stakeholders on goals, objectives, members and structure.*

Moving Forward:

The Re-entry Council will use the identified key indicators to track and measure its impact moving forward. This data will be provided annually to the community of stakeholders, including local decision-makers.

The Planning Committee has identified two significant barriers to the work of the re-entry council, which will impact its success, regardless of the extent of improved coordination and communication among system components. The lack of readily available affordable housing and low wage/low skills jobs in our community present profound obstacles to individuals returning home and are beyond the scope of this council.

Alignment with City Council’s Vision and Strategic Plan:

The goals of the Re-Entry Council are aligned with City Council Strategic Plan Goal # 1: An inclusive city of self-sufficient residents and Goal #2: A healthy and safe city.

Community Engagement:

The Re-Entry Council is working to create a diverse and representative coalition of provider stakeholders, individuals who have returned home, and community members.

Budgetary Impact:

This item has no budgetary impact.

Recommendation: N/A

Alternatives: N/A

Attachments:

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



Agenda Date:	April 16, 2018
Action Required:	Approve resolution
Presenter:	Pat Smith, Executive Director, Offender Aid & Restoration (OAR) Neal Goodloe, Regional Criminal Justice Planner
Staff Contacts:	Kaki Dimock, Director, Department of Human Services
Title:	Therapeutic Docket – Request for \$55,000

Background:

In April 2015, the Virginia Department of Behavioral Health and Development Services convened 50 representatives of Charlottesville and Albemarle’s law enforcement, corrections and mental health systems to update a 2009 cross-system action plan addressing the needs of criminally-involved individuals suffering from mental illness. While the discussion acknowledged the positive impact of the Crisis Intervention Teams in Charlottesville, Albemarle and at the University of Virginia, participants concluded that too many individuals experiencing mental health concerns ended up in jail. A need for additional data on this population led to an 18 month study conducted by the University of Virginia’s Department of Systems and Information Engineering which cross-matched data from the Albemarle Charlottesville Regional Jail with that of Region Ten. The study found that 23% of screened jail inmates, representing 496 individuals, met the criteria for serious mental illness over the 18 month study period. Of these, only 44% were linked to appropriate services. Study data confirmed anecdotal evidence and prompted a proposal to the Supreme Court of Virginia to develop a behavioral health/therapeutic docket which was formally approved on March 23, 2018.

Goals of the Albemarle-Charlottesville Therapeutic Docket include:

- 1) Reduce the percentage of jail inmates held on misdemeanor offenses (and certain low-level felony offenses reduced to a misdemeanor) who suffer from a serious mental illness that is linked to their criminal behavior.
- 2) Improve community mental health linkage and clinical outcomes for those accepted for participation in the docket.
- 3) Reduce the recycling of participants through the jail for relatively minor offenses, and reduce their long-term risk of recidivism.
- 4) Reduce repeated contact of participants with the criminal justice system, including police, magistrate, jail and courts.
- 5) Increase the capability of participants to successfully address their personal, family and societal responsibilities.
- 6) Promote effective communication, planning and use of resources among criminal justice and other community agencies.

The Albemarle-Charlottesville Therapeutic Docket will serve 60 individuals per year referred by defense attorneys, Commonwealth Attorneys, magistrates, judges, case managers, law enforcement, or OAR pretrial staff. A Treatment Team will be convened to develop a service plan that addresses the individual's mental health and criminogenic needs.

A Therapeutic Docket Advisory Committee provides oversight for this collaborative approach. The committee includes representatives from Charlottesville and Albemarle District Courts; Police Departments and Commonwealth Attorneys from both jurisdictions; The Public Defender, OAR/JACC, Region Ten, ACRJ, the regional Criminal Justice Planner, Partners for Mental Health, and the broader community.

Discussion:

Because the approval to operate this therapeutic docket came in early 2018, the collaborative was unable to submit a funding request through the Agency Budget Review Team (ABRT) process. Representatives from the docket collaborative spoke before the Albemarle County Board of Supervisors on February 7, 2018. The county agreed to fund \$55,000 for the docket with the provision that the city do the same.

Representatives of the docket collaborative spoke with city staff about the need for funding for the docket and to council at the Budget Forum on March 28, 2018 and at the work session on March 29, 2018. Council requested that an application for out-of-cycle funding be completed and that a presentation on the docket be provided at the April 16, 2018 regular meeting. The application has been submitted and reviewed by staff.

Alignment with City Council's Vision and Strategic Plan:

The goals of the Albemarle-Charlottesville Therapeutic Docket are aligned with City Council Strategic Plan Goal #2: A healthy and safe city.

Community Engagement:

The collaborative effort leading to the creation of this therapeutic docket has been inclusive. The Community Mental Health & Wellness Coalition supports the development of this targeted intervention.

Budgetary Impact:

Funding for this program is recommended to come from already appropriated Council Strategic Initiatives Funds that were set aside for diversion programming and initiatives.

Recommendation:

Staff recommend funding the Albemarle-Charlottesville Therapeutic Docket as requested.

Alternatives:

Without funding, this docket will lose conditional funds from Albemarle County and will be unable to provide the alternative process and specialized services proposed.

RESOLUTION

**Therapeutic Docket
\$55,000**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$55,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund, from funding set aside for diversion programming and initiatives, to OAR/JACC.

\$55,000

Fund: 105

Cost Center: 10110010000

THE ALBEMARLE-CHARLOTTESVILLE THERAPEUTIC DOCKET

What is it?

The Therapeutic Docket is a court-administered behavioral health treatment program. It combines mental health treatment, treatment for co-occurring disorders such as substance abuse, and provision of services for other identified needs to increase the likelihood of a participant's success. Participants are supervised by a specially-trained OAR case manager, and attend regular Therapeutic Docket sessions in the District Court.

Why a Therapeutic Docket?

The Therapeutic Docket offers participants a chance to make meaningful, positive changes in their lives and an opportunity to receive a favorable disposition of their charge, by completing program requirements. For most participants, their charge will be dismissed following successful completion of their case plan and graduation from the Therapeutic Docket program.

Who is eligible?

- Defendants charged with a misdemeanor in Albemarle County or the City of Charlottesville, with the exception of Driving under the Influence. Some lower-level felony offenses will also be considered, at the discretion of the Commonwealth's Attorney.
- Defendants for whom a serious behavioral health disorder played a significant part in their offense.
- Defendants without a significant history of prior violent or sexual offenses within the last ten years.

What's it like?

- Each participant meets with the Therapeutic Docket Team to develop and implement a treatment plan that meets their needs.
- The Therapeutic Docket Team includes a behavioral health clinician from Region Ten Community Services, a case manager from OAR, and the Therapeutic Docket Coordinator.
- The General District Court Judge is also an active team member and will meet with participants in court every other week to assess their progress.
- The Team ensures that participants are offered what they need to be successful in the program, which may include behavioral health treatment, medication, cognitive-behavioral counseling, drug/alcohol testing, and referrals for housing, educational and employment assistance.

How do people become participants in the Therapeutic Docket?

- Interested defendants first meet with their attorney to discuss their case. The attorney can make a referral to the Therapeutic Docket, if desired.
- Referrals can also be made by pretrial staff, police officers, jail staff, the Magistrate, the Commonwealth's Attorney, treatment providers, or the defendant, by contacting the Docket Coordinator and defense attorney.
- If eligible, the Commonwealth's Attorney determines whether a potential participant meets the public safety criteria for admission.
- Next, an evaluation is conducted by OAR and Region Ten to determine if the defendant is a good match for the Therapeutic Docket.
- If final approval is made by the Commonwealth Attorney, the case is referred to the next session of the Therapeutic Docket, and a meeting with the Judge. Participants plead guilty to the offense as charged, and stipulate that the Commonwealth's evidence would be sufficient to support a conviction. No finding of guilt will be made while the participant enters and completes the Therapeutic Docket, averaging six to 12 months in duration.

I'm interested...now what?

- Call your attorney to inform him/her that you are interested in the Therapeutic Docket.
- Inform health staff at the jail of your interest, if you are confined.
- Inform OAR Pretrial staff, if you are interviewed for a bond hearing.

For more information, call OAR at (434)296-2441

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



Agenda Date:	March 19, 2018
Action Required:	Report
Staff Contacts:	Stacy Pethia, Housing Program Coordinator
Presenter:	Stacy Pethia, Housing Program Coordinator
Title:	2017 Housing Report

Background:

The charge given to the Housing Advisory Committee (HAC) requires the committee to provide an annual report summarizing affordable housing activities within the City of Charlottesville.

Discussion:

The attached report provides: 1) an overview of the City’s existing affordable housing programs and activities; 2) a summary of affordable housing related investments through the Charlottesville Affordable Housing Fund (CAHF); and 3) an analysis of the 2025 Goals for Affordable Housing.

Community Engagement:

This report has been presented to and discussed by the HAC.

Alignment with City Council Vision and Strategic Plan:

The objective of the attached report supports Council’s vision of providing “quality housing opportunities for all”, as well as objective 1.3 of Strategic Plan to “increase affordable housing options”.

Budgetary Impact:

None.

Recommendation

Not applicable.

Alternatives:

Not applicable.

Attachments:

2017 Housing Report

2017 Housing Report

Introduction

This report provides an overview of City of Charlottesville supported affordable housing projects and programs. The information presented below includes: a summary of ongoing efforts, including Charlottesville Affordable Housing Fund activity; an analysis of the 2025 Goals for Affordable Housing; and a description of new efforts and recently funded projects.

Ongoing Efforts

The City of Charlottesville currently administers a number of programs to address housing affordability issues impacting City residents. The programs address housing affordability by: 1) making existing housing more affordable for low-income senior, disabled and veteran households; and 2) encouraging the development, redevelopment, renovation and preservation of affordable housing throughout the City's neighborhoods. A description of each of these programs follows, beginning with the programs under the purview of the Commissioner of Revenue.

Commissioner of Revenue Programs

The Commissioner of Revenue administers four programs to increase housing affordability for low-income homeowners and renters residing within the City. The **Real Estate Tax Relief for the Elderly or Permanently Disabled Program** forgives a percentage of the real estate tax assessed during a given taxable year. To qualify for the program, homeowners must be 65 years of age or older or permanently disabled, with combined household incomes no greater than \$50,000 and a net worth less than \$125,000. The **Disabled Veterans Real Estate Tax Exemption Program** is available for any Veteran who: has a U.S. Department of Veteran Affairs confirmed 100% service-related disability, owns the property for which they are seeking the tax exemption, and occupies that property as their primary place of residence. The tax exemption may apply to surviving spouses of disabled Veterans, under certain circumstances. In 2017, a total of 380 elderly/disabled and 10 Veteran households received an average of \$1,299.38 of real estate tax relief and an average of \$2,707.17 real estate exemptions per household respectively.

Homeowners who do not qualify for these programs, may qualify for assistance through the **Charlottesville Housing Affordability Tax Grant Program**, or CHAP. CHAP serves non-elderly/disabled households with annual incomes less than \$50,000 and whose homes are valued at less than \$365,000. In addition, homeowners applying for CHAP assistance must not owe any delinquent real estate taxes or own any other real estate. The program is subject to annual renewal by City Council and, each year the program is renewed, the Commissioner of Revenue mails application materials directly to all homeowners who may qualify for the CHAP grant. In 2017, a total of 707 homeowners received an average CHAP grant amount of \$439.71 each.

Finally, the **Rental Relief Program for the Elderly or Permanently Disabled** provides grants to qualifying renter households to help offset the costs of rental housing. To qualify, applicants must be 65 years of age or older, or permanently disabled, with combined household incomes no greater than \$50,000 and a net worth less than \$125,000. Assistance is provided as a grant with the grant amount based on the previous year's total rent payments. The average grant amount awarded this fiscal year equals \$607.24 per household.

Table 1: FY 2018 Commissioner of Revenue Housing Affordability Programs

Program	Households Served	Total Amount
CHAP	707	\$310,875
Real Estate Tax Relief for the Elderly/Disabled	380	\$493,764
Disabled Veterans Real Estate Tax Exemption	10	\$21,071.68
Rental Relief Program for the Elderly/Disabled	382	\$231,965
Total	1,479	\$1,057,675.68

Neighborhood Development Services Programs

In 2009, the City implemented an **Affordable Dwelling Unit (ADU) Ordinance** as a means for encouraging the inclusion of affordable housing in residential and mixed-use development projects undertaken in the City. The ordinance applies to any approved Special Use Permit or Rezoning applications with project densities greater than 1.0 Floor Area Ratio or an equivalent density based on units per acre. For any project meeting these density thresholds, the project developer must: 1) provide ADUs on the development site, 2) provide ADUs at an off-site location within the City, or 3) make a cash contribution to the Charlottesville Affordable Housing Fund (CAHF). To date, the ADU Ordinance has resulted in more than \$1.8 million being contributed to the CAHF and 14 homeownership ADUs being provided, with an additional five rental ADUs in the pipeline (see Table 2).

Table 2: Affordable Dwelling Unit (ADU) Ordinance Activity to Date

Project	# ADUs	Contribution to CAHF
1011 East Jefferson Street	5	\$0.00
Cedars Court Apartments	0	\$42,407.32
Lochlyn Hill	14	\$0.00
The Pavilion at North Grounds	0	\$278,095.00
The Plaza on West Main	0	\$487,490.59
The Standard	0	\$664,776.63
The Uncommon	0	\$331,450.68
Water Street Promenade	0	\$45,833.26
Total	19	\$1,850,053.48

Expedited permitting for affordable housing is provided through the ADU ordinance to encourage provision of affordable units. Under expedited permitting, once a rezoning or special use permit has been approved, site plans submitted for review are acted upon by the director of NDS or the Planning Commission within 21 days of the plan being officially submitted. Expedited permitting also applies to any preliminary site plan application which guarantees that at least 15 percent of all proposed residential units included in the site plan will be affordable to households with incomes no greater than 80 percent of Area Median Income (AMI) for a minimum of 30 years.

To further incentives the development of affordable housing units, NDS offers **reductions in water and sewer connection fees**. The cost reductions apply to the construction of units either for sale or rent to

households earning 80 percent or less of AMI. The amount of reduction is based on the size of the water meter.

Lastly, through its **Free Paint Program**, the City provides paint, primer, caulk and painting supplies to income qualified homeowners (i.e., those with household incomes up to 80 percent AMI) who can least afford to purchase such items to maintain the exterior of their homes. Homeowners may apply for program assistance once every five years.

Support for Charlottesville Redevelopment and Housing Authority Site Redevelopment

Beginning with the FY 2018 approved budget, the City of Charlottesville is committing a total of \$2.5 million dollars to support the Charlottesville Redevelopment and Housing Authority’s public housing redevelopment efforts. The funds will be drawn from the City’s Capital Improvement Fund, with an initial \$250,000 set aside in FY 2018, and an additional \$500,000 set aside each fiscal year between FY 2019 and FY 2022.

Housing and Grants Programs

Located within NDS, the Housing and Grants programs provide funding support for a variety of affordable housing and housing related projects through the Federal HOME Investment Partnership Program (HOME) and the Charlottesville Affordable Housing Fund (CAHF). These funding sources provide direct financial assistance for affordable housing efforts through nonprofit partners, with an emphasis on support for construction of new units, preservation of existing units, and provision of down payment assistance. Housing initiatives funded through both programs must serve individuals and families with incomes equal to or less than 80 percent of AMI as defined by the United States Department of Housing and Urban Development. The most recent figures (effective 4/20/17) can be found in Table 3.

HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. Funds can be used to support a wide range of affordable housing related activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership, as well as providing direct rental assistance to low-income households. In Fiscal Year 2017, the HOME program supported a total of 29 housing projects in the city. Activities included: providing down payment assistance for 22 low- income homebuyers, rehabilitation of 23 owner-occupied homes, and two rental housing projects.

Table 3: Income Limits for City of Charlottesville Housing Programs

% of AMI	1 person	2 person	3 person	4 person	5 person	6 person	7 person	8 person
30%	\$17,700	\$20,200	\$22,750	\$25,250	\$28,410	\$32,570	\$36,730	\$40,890
50%	\$29,450	\$33,650	\$37,850	\$42,050	\$45,450	\$48,800	\$52,150	\$55,550
60%	\$35,340	\$40,380	\$45,420	\$50,460	\$54,540	\$58,560	\$62,580	\$66,660
80%	\$46,100	\$52,650	\$59,250	\$65,800	\$71,100	\$76,350	\$81,600	\$86,900

Established in 2007, the Charlottesville Affordable Housing Fund, or CAHF, is the City’s primary mechanism for promoting and supporting the creation, preservation and rehabilitation of affordable housing within the City. The CAHF is funded through annual allocations from the City’s Capital Improvement Program (CIP), as well as developer payments satisfying ADU Ordinance requirements, monthly rental payments related to the Local Energy Alliance Program lease agreement and repayment of any loan balances (i.e., home rehabilitation/preservation loans). The amount of CIP dollars allocated to

the CAHF has increased 43 percent since FY2008, from \$1.75 million to approximately \$2.5 million. Combined with the other CAHF

Table 4: CAHF Funding by Fiscal Year

Fiscal Year	CIP Allocation	CIP Plus Program Income and Transfers
2007/2008	\$1,750,000.00	\$1,900,000.00
2008/2009	\$1,400,000.00	\$1,479,500.00
2009/2010	\$1,000,000.00	\$1,034,500.00
2010/2011	\$1,200,000.00	\$1,223,560.12
2011/2012	\$1,410,000.00	\$1,982,284.51
2012/2013	\$760,000.00	\$1,521,514.53
2013/2014	\$1,528,154.00	\$1,663,997.26
2014/2015	\$1,569,322.00	\$1,856,037.43
2015/2016	\$1,569,322.00	\$1,917,301.48
2016/2017	\$1,699,602.00	\$2,613,109.71
2017/2018	\$2,499,602.00	\$3,152,258.00
Total	\$16,386,002.00	\$20,344,332.92

funding sources, the total amount of City dollars allocated to the CAHF exceeds \$20 million. Of this amount, more than \$16 million (or 98 percent of total CAHF allocations) have been directly invested in affordable housing projects, creating or preserving an estimated 807 units of affordable housing since FY2008¹. (For a complete listing of CAHF investments, please see the table included in Appendix A.)

Table 5: CAHF Investments in Supported Affordable Units

Project	Amount (in \$)	Housing Units Assisted
2007/08		
Dogwood Housing purchase & preservation of affordable rental units (loan not grant)	850,000.00	57
Piedmont Housing Alliance - Monticello Vista purchase and preservation	200,000.00	50
Habitat for Humanity (construction of 10 new homes)	220,000.00	10
Albemarle Housing Improvement Program (AHIP) Housing Rehabilitation Program	279,000.00	10
Piedmont Housing Alliance - Virnita Court Apartments rental property preservation	169,000.00	16

¹ Only CAHF-funded projects with an affordable period of 3 or more years (i.e., project cost of \$5,000 or more) are included in this count, which excludes units assisted through AHIP's Emergency Repair Program.

Piedmont Housing Alliance Workforce Housing Fund / Down payment Assistance & Closing Costs	150,000.00	8
Habitat for Humanity Proposals 1 -3	200,000.00	11
SUBTOTAL	2,068,000.00	162
2008/09		
Virginia Supportive Housing Single Room Occupancy Development (broken out by pro-rata share of funding. 41 units claimed with funding from 09/10 & 10/11)	347,000.00	19
AHIP Housing Rehabilitation Program	30,363.00	2
Piedmont Housing Alliance Foreclosure Prevention Program	20,000.00	2
Habitat for Humanity LEED Duplex at Paton Street	144,637.00	2
Habitat for Humanity - ecoMOD #4 Utility Connections (104 Elliott Avenue)	10,000.00	1
Habitat for Humanity Paton Street Neighborhood Infrastructure	100,000.00	27
Piedmont Housing Alliance Monticello Vista Apartment (acquisition and rehab)	50,000.00	
Piedmont Housing Alliance Down payment Assistance Program	50,000.00	9
SUBTOTAL	752,000.00	62
2009/10		
AHIP Housing Rehabilitation Program	100,000.00	3
Virginia Supportive Housing Single Room Occupancy Development (broken out by pro-rata share of funding. 20 units claimed with funding from 08/09 & 10/11)	723,000.00	40
SUBTOTAL	823,000.00	43
2010/11		
AHIP Housing Rehabilitation	100,000.00	2
Habitat for Humanity Sunrise Development (land purchase and predevelopment expenses for homes at the Sunrise Development)	400,000.00	32
PHA Down payment Assessment Program	40,000.00	12
Virginia Supportive Housing Single Room Occupancy Development (broken out by pro-rata share of funding. 59 units claimed with funding from 08/09 & 09/10)	23,560.12	1
SUBTOTAL	563,560.12	47
2011/12		
JABA Timberlake Acquisition (initial funding)	500,000.00	26
Region 10 & Thomas Jefferson Community Land Trust Units	685,000.00	3
AHIP Housing Rehabilitation	120,000.00	6

Habitat Down Payment Assistance Program for Sunrise Development (32 affordable units shown with 10/11 land purchase and predevelopment assistance)	15,000.00	
Thomas Jefferson Community Land Trust - Cleveland Ave Site Preparation	5,700.00	2
SUBTOTAL	1,325,700.00	37
2012/13		
AHIP Housing Rehabilitation	200,000.00	23
Habitat for Humanity Belmont Cottages	300,000.00	8
AHIP Block By Block Charlottesville (BXBC) Project	400,000.00	12
SUBTOTAL	900,000.00	43
2013/14		
Virginia Supportive Housing - Crossings at 4th & Preston Housing Vouchers	87,121.00	
AHIP Housing Rehabilitation (includes two separate \$200K allocations)	400,000.00	10
AHIP Block By Block Charlottesville (BXBC) Project	550,000.00	9
CALM/Habitat for Humanity/PHA 991 5 th Street S.W. Development	350,000.00	10
SUBTOTAL	1,387,121.00	29
2014/15		
Piedmont Housing Alliance - Carlton Views LIHTC Project Assistance (only half of 54 units claims as additional funds provided in FY 15/16)	475,000.00	27
Piedmont Housing Alliance - Orangedale & Prospect DPA Program	181,125.00	10
SUBTOTAL	656,125.00	37
2015/16		
Piedmont Housing Alliance - Carlton Views LIHTC Project Assistance (only half of 54 units claims as additional funds provided in FY 14/15)	475,000.00	27
Habitat for Humanity of Greater Charlottesville - DPA for High/Mixed Income Scattered Site Area	225,000.00	10
AHIP Scattered Site Rehabilitation	264,000.00	8
AHIP Block by Block Charlottesville (BXBC) 10th & Page Phase 2	264,000.00	7
AHIP BXBC Orangedale & Prospect Phase 1	462,000.00	19
SUBTOTAL	1,690,000.00	71

2016/17		
Habitat for Humanity of Greater Charlottesville Project 20	480,000.00	16
Virginia Organizing	264,464.00	10
AHIP Scattered Site Rehabilitation	80,023.74	3
AHIP Block by Block Charlottesville (BXBC) 10th & Page Phase 2	128,704.00	3
AHIP BXBC Orangedale & Prospect Phase 1	147,922.18	4
AHIP Neediest Case Scattered Site Rehabilitation	165,000.00	2
AHIP Neediest Case Emergency Repair Program	55,000.00	2
Thomas Jefferson Community Land Trust Nassau Street Project	240,000.00	4
SUBTOTAL	1,561,113.92	44
2017/18 (estimated)		
Carlton Views II	1,440,000.00	48
Community Services Housing	612,500.00	35
AHIP Scattered Site Rehabilitation	803,666.00	22
Habitat for Humanity of Greater Charlottesville Project 20	480,000.00	16
Charlottesville Redevelopment and Housing Authority - Charlottesville Supplemental Rental Assistance Program	900,000.00	79
Charlottesville Landlord Risk Reduction Fund	75,000.00	36
SUBTOTAL	4,311,166.00	236
TOTAL	16,037,786.04	809

2025 Goals for Affordable Housing

Housing units assisted with CAHF² funding are included in the City’s list of Supported Affordable Units (SAUs), the means through which the City tracks progress towards reaching the 2025 Goals for Affordable Housing. Housing units receiving other types of funding support, such as HOME program funds, Low Income Housing Credits and Housing Choice Vouchers, are included in this category, as well. This goal, established in 2010, aims to ensure that SAUs comprise 15 percent of the City’s total housing stock by 2025. Despite the significant investment in affordable housing through the CAHF, SAUs have consistently accounted for approximately 10 percent of the total housing stock since tracking began in 2010 (see Table 5). A number of factors account for the slow pace towards the 2025 goal including:

- Increased development of student and market rate housing, which has outpaced the capacity of local nonprofit providers’ affordable housing efforts;
- Decreasing amounts of developable land, and the increasing costs of available land in the City make affordable housing development financially unfeasible without significant financial support from government entities;
- A lack of data identifying gaps in affordable housing need and provision within the City hindering efforts to set appropriate annual targets for SAU development and preservation efforts;

² Excluding units assisted through AHIP’s Emergency Repair Program.

Table 6: Progress Towards the 2025 Goal for Affordable Housing

Date	# SAUs	Total Housing Units	% SAUs
February 2010	1,933	18,943	10.2%
September 2012	2,050	19,211	10.7%
April 2014	2,021	19,373	10.4%
December 2015	2,006	19,603	10.2%
June 2017	2,059	19,886	10.3%

One final factor to consider is the possibility of including the units assisted through the Commissioner of Revenue programs previously discussed, in the count of SAUs, particularly those households receiving assistance through the Real Estate Tax Relief for the Elderly or Permanently Disabled, the Rent Relief for the Elderly or Permanently Disabled, and the Charlottesville Housing Affordability Tax Grant programs (the Real Estate Tax Exemption for Disabled Veterans does not have a qualifying income limit). Each of these programs set a qualifying income limit of less than \$50,000 per year, an amount slightly higher than the City’s income limit for a two person household (currently \$49,050), and significantly greater than the fixed social security incomes many senior and disabled households rely on. Through discussions with the Commissioner of Revenue, it has been determined that the household size and income for each household receiving assistance is not collected, making inclusion of these households in the SAU count difficult. However, the Commissioner of Revenue has confirmed that households receiving rent relief payments and households receiving the highest amount of tax relief through the CHAP program have household incomes well below \$50,000 per year indicating these households would qualify as SAUs. Including these households (687 in total) in the annual SAU count, would bring the percentage of SAUs to 13.8 percent.

Should City Council elect to count these units as affordable for the purposes of satisfying City goals, the issue should be sent to the HAC for further study. At issue would be such things as ensuring that we don’t double count units, providing quality control for data collection and, most importantly, deciding whether or not counting these units should compel Council to reconsider its overall goal of 15% supported affordable units. The intent of the initial goal, adopted by Council in 2011 was clearly to increase the ratio of units from the existing baseline. Since these units were not counted in the census at the time, it seems to make sense that the goal should be raised to reflect the original intent. Alternatively, City Council may choose the occasion to reevaluate the goal entirely in light of the intensity of community support for increasing the City’s affordable housing stock. Should Council direct it, the HAC would be able to lead a public process by which a new goal could be generated that is tied to other key indicators (e.g. poverty rate, % of people cost burdened by market rate rentals, etc.)

Further, though it can be difficult to parse, there is a very real distinction between developing new affordable housing and preservation of existing affordable housing, whether naturally occurring or by temporary subsidy such as SAUs. One of the difficulties in achieving our goal will be preservation in the face of increasing market pressures.

New Efforts Planned or Underway

Earlier this fiscal year, City Council approved funding for two new housing initiatives that have the potential to significantly increase the number of SAUs in the City. Approved for implementation on October 2, 2017, the **Charlottesville Supplemental Rental Assistance Program (CSRAP)** provides rental assistance vouchers to households earning no more than 60 percent AMI who are 1) homeless, 2) enrolled in a family self-sufficiency program, or 3) a current applicant on the Charlottesville Redevelopment and Housing Authority's (CRHA) Housing Choice Voucher Program waiting list. The **Charlottesville Landlord Risk Reduction Program**, approved by City Council in November 2017, is designed to encourage private market landlords to provide affordable rental units for households receiving rental assistance. The financial assistance offered through the program off-sets the cost of unit repair due to significant tenant-caused property damage in return for the landlord re-renting the repaired unit to another rental assistance household. Together, these two programs will support approximately 115 additional SAUs (79 households and 36 units respectively). At the public hearing, Councilor Bellamy asked staff to examine whether that program could be expanded to include backing for security deposits – typically the greatest challenge for voucher holders – and to look into the mechanism for making claims against renters that wouldn't further impact their credit.

Council also approved FY2018 CAHF funding for four additional affordable housing projects (identified in Table 5). These projects will provide both affordable rental and homeownership opportunities and, when combined with the output of the above described programs, will contribute to an overall additional of approximately 233 SAUs to the City's housing stock.

In addition to the programs and projects described above, City Council approved two measures (put forth as recommendations by the Housing Advisory Committee) that will indirectly support the development of affordable housing units in the City. The first measure is authorization to **reduce or waive a larger amount of development fees for projects triggering the City's Affordable Dwelling Unit Ordinance requirements**. This action provides an incentive for private market developers to satisfy their ADUs requirements by including affordable units in their developments as opposed to paying a cash-in-lieu fee to the City. Staff is working with legal counsel to identify all allowable fee waivers. The second Council approved measure is the **prioritization of City-owned land for affordable housing development as appropriate** (i.e., where residential development is feasible). Staff has mapped all vacant City-owned parcels and is working to develop a means through which developable parcels may be utilized for affordable housing (such as through the proposed land bank).

Appendix A
CAHF Investments FY2008 – FY2018

CHARLOTTESVILLE AFFORDABLE HOUSING FUND	Amount	Housing Units Assisted
2007/08		
Dogwood Housing purchase & preservation of affordable rental units (loan not grant)	850,000.00	57
Piedmont Housing Alliance - Monticello Vista purchase and preservation	200,000.00	50
CCDC Energy Efficiency Housing Audits	35,000.00	
Habitat for Humanity (construction of 10 new homes)	220,000.00	10
Albemarle Housing Improvement Program (AHIP) Housing Rehabilitation Program	279,000.00	10
Piedmont Housing Alliance - Virnita Court Apartments rental property preservation	169,000.00	16
Piedmont Housing Alliance Workforce Housing Fund / Down payment Assistance & Closing Costs	150,000.00	8
Piedmont Housing Alliance - renovation of historic property at 223 4th Street SW with accessory unit addition	50,000.00	
JABA Homeshare Study	15,000.00	
CRHA Strategic Planning for Redevelopment	210,000.00	
Shelter for Help in Emergency (SHE) rehab of Mitchell House Facility and Rental Subsidy	35,113.00	
Region 10 –Step Up Pilot Rent Subsidy Initiative for Mentally Impaired / Substance Abuse Individuals	235,887.00	
Habitat for Humanity Proposals 1 -3	200,000.00	11
SUBTOTAL	2,649,000.00	162
2008/09		
Virginia Supportive Housing Single Room Occupancy Development (broken out by pro-rata share of funding. 41 units claimed with funding from 09/10 & 10/11)	347,000.00	19
AHIP Emergency Housing Rehabilitation	50,000.00	39
AHIP Small Homeowner Rehab / Handicap Access Program (assisted units are included with the 39 shown under the AHIP Emergency Housing Repair program)	85,000.00	
AHIP Housing Rehabilitation Program	30,363.00	2
Piedmont Housing Alliance Foreclosure Prevention Program	20,000.00	2

Habitat for Humanity LEED Duplex at Paton Street	144,637.00	2
Habitat for Humanity - ecoMOD #4 Utility Connections (104 Elliott Avenue)	10,000.00	1
CRHA Master Planning with PHAR	100,000.00	
608 Ridge Street ecoREMOD House	100,000.00	1
TJACH Start-up cost related to First Street Church Homeless Shelter (a.k.a. the Haven)	12,500.00	
Habitat for Humanity Paton Street Neighborhood Infrastructure	100,000.00	27
Piedmont Housing Alliance Monticello Vista Apartment (acquisition and rehab)	50,000.00	
Thomas Jefferson Community Land Trust - startup expenses	15,000.00	
HOME program match	140,000.00	
Habitat for Humanity - ecoMOD #4 Site Improvements	25,000.00	
Housing Advisory Committee Related Expenses (e.g., meals)	1,688.85	
Region 10 - Step Up (Year 2) Rent Subsidy Initiative for Mentally Impaired / Substance Abuse Individuals	100,000.00	
Habitat for Humanity - ecoMOD 4 Site Work at 104 Elliott Avenue	26,000.00	
Region 10 –Step Up Pilot Rent Subsidy Initiative for Mentally Impaired / Substance Abuse Individuals	2,143.00	
Piedmont Housing Alliance Down payment Assistance Program	50,000.00	9
Charlottesville Free Paint Program (note funds not used carry forward and units assisted are shown in correct fiscal year)	25,000.00	16
SUBTOTAL	1,434,331.85	118
2009/10		
AHIP Housing Rehabilitation Program	100,000.00	3
Virginia Supportive Housing Single Room Occupancy Development (broken out by pro-rata share of funding. 20 units claimed with funding from 08/09 & 10/11)	723,000.00	40
PHAR Bama Works Grant Matching Funds	25,000.00	
LPDA Design Concept for Elliott Avenue	5,049.00	
Virginia State Neighborhood Conference	500.00	
HOME extra program match	31,875.40	
Charlottesville Free Paint Program (assisted units shown by year utilizing remaining funds from prior allocation)	0.00	18
SUBTOTAL	885,424.40	61
2010/11		
HOME Match	40,000.00	

Elliott Avenue Subdivision Survey - Southside MMM	3,850.00	
Elliott Avenue Design Charrette	5,000.00	
AHIP Emergency Housing Repair	50,000.00	26
Housing Conditions & Land Use Survey	39,622.93	
ecoREMOD – 608 Ridge Street (includes storm windows & sewer repair)	138,837.75	
AHIP Housing Rehabilitation	100,000.00	2
Elliott Avenue Site Work & Environmental Testing Work	6,140.15	
Habitat for Humanity Sunrise Development (land purchase and predevelopment expenses for homes at the Sunrise Development)	400,000.00	32
ASG Rental Subsidies for Persons with HIV/AIDS	15,000.00	
PHAR Match for Bama Works Grant	25,000.00	
PHA Down payment Assessment Program	40,000.00	12
Virginia Supportive Housing Single Room Occupancy Development (broken out by pro-rata share of funding. 59 units claimed with funding from 08/09 & 09/10)	23,560.12	1
Charlottesville Free Paint Program (note funds not used carry forward and units assisted are shown in correct fiscal year)	15,000.00	35
Administrative & Other Expenses	44,486.73	
SUBTOTAL	946,497.68	108
2011/12		
Housing Planner Salary & Benefits - Transfer to General Fund	89,179.00	
JABA Timberlake Acquisition (initial funding)	500,000.00	26
Habitat Paton Street Acquisition/Build - Region 10 & Thomas Jefferson Community Land Trust Units	685,000.00	3
JABA Timberlake Acquisition (supplemental funding)	117,000.00	
JABA Market Study Sunrise	10,500.00	
Building Goodness - Assistance with Building Goodness in April Event	20,000.00	
AHIP Emergency Housing Repair	50,000.00	29
AHIP Housing Rehabilitation	120,000.00	6
Habitat and AHIP Build a Block Planning Funds	35,000.00	
Habitat Down Payment Assistance Program for Sunrise Development (32 affordable units shown with 10/11 land purchase and predevelopment assistance)	15,000.00	
CALM- Planning Grant for 991 5th Street S.W. (property to be used for Harmony Ridge development)	11,000.00	
Section 3 Coordinator Salary & Benefits	25,000.00	

Acquisition of Properties at 8th Street N.W. adjacent to Westhaven through Habitat for Humanity	140,000.00	
8th Street N.W. adjacent to Westhaven - extra closing costs	3,000.00	
Motivation Inc. Section 3 training	2,499.00	
Thomas Jefferson Community Land Trust - Cleveland Ave Site Preparation	5,700.00	2
8th Street N.W. Demolition of Houses at 204 and 210 8th St N.W.	15,650.00	
Virginia Supportive Housing - Crossings at 4th & Preston Housing Vouchers	45,500.00	
CRHA Administration - Crossings at 4th & Preston Housing Vouchers	4,536.76	
Charlottesville Free Paint Program (assisted units shown by year utilizing remaining funds from prior allocation)	0.00	48
Administrative Expenses	25,824.42	
SUBTOTAL	1,920,389.18	114
2012/13		
Charlottesville Redevelopment and Housing Authority Administrative Support	100,000.00	
PHAR - Match for Bama Works	25,000.00	
Virginia Supportive Housing - Crossings at 4th & Preston Housing Vouchers (21 units included in FY 11/12 funding)	156,492.00	
CRHA Administration - Crossings at 4th & Preston Housing Vouchers	17,617.32	
Promise Neighborhood Architectural Design for 210 8th Street N.W.	20,000.00	
AHIP Emergency Housing Repair (includes both \$50K and \$100K allocations)	150,000.00	55
AHIP Housing Rehabilitation	200,000.00	23
HOME Match	58,000.00	
Section 3 Coordinator Salary & Benefits	55,000.00	
Habitat for Humanity Belmont Cottages	300,000.00	6
AHIP Block By Block Charlottesville (BXBC) Project	400,000.00	12
MACAA Hope House Program Expenses	40,000.00	
Charlottesville Free Paint Program (assisted units shown by year utilizing remaining funds from prior allocation)	0.00	16
Administrative Expenses	30,000.00	
SUBTOTAL	1,552,109.32	112

2013/14		
Virginia Supportive Housing - Crossings at 4th & Preston Housing Vouchers	87,121.00	
CRHA Administration - Crossings at 4th & Preston Housing Vouchers	15,416.01	
CRHA Playground Equipment Purchase	100,000.00	
HOME Match	16,712.00	
AHIP Housing Rehabilitation (includes two separate \$200K allocations)	400,000.00	10
AHIP Emergency Housing Repair (includes two separate \$100K allocations)	200,000.00	49
Building Goodness Foundation - Block by Block Charlottesville (BXBC) Project	8,500.00	
AHIP Block By Block Charlottesville (BXBC) Project	550,000.00	9
CALM/Habitat for Humanity/PHA 991 5 th Street S.W. Development	350,000.00	8
HOME Match	20,000.00	
Charlottesville Free Paint Program (note funds not used carry forward and units assisted are shown in correct fiscal year)	5,000.00	6
SUBTOTAL	1,752,749.01	82
2014/15		
Repayment of HOME funds used for 405 Avon St. purchase (CRHA Garage)	37,425.00	
Rhodeside & Harwell, RCLCO Housing Study	62,000.00	
CRHA Reserve Account	264,999.00	
CRHA Modernization Coordinator	35,000.00	
Virginia Supportive Housing - Rental Assistance for the Crossings	150,000.00	
TJACH Spring for Housing - Short Term Rental Subsidy for the SURGE	105,000.00	
AHIP Block by Block Charlottesville (BXBC) Planning Assistance	22,029.00	
AHIP Emergency Repair Program Assistance	75,000.00	44
Piedmont Housing Alliance - Carlton Views LIHTC Project Assistance (only half of 54 units claims as additional funds provided in FY 15/16)	475,000.00	27
Piedmont Housing Alliance - Orangedale & Prospect DPA Program	181,125.00	10

Charlottesville Free Paint Program (assisted units shown by year utilizing remaining funds from prior allocation)	0.00	17
Administration 1% Reserve/Set Aside	18,560.37	
SUBTOTAL	1,426,138.37	98
2015/16		
Piedmont Housing Alliance - Carlton Views LIHTC Project Assistance (only half of 54 units claims as additional funds provided in FY 14/15)	475,000.00	27
Habitat for Humanity of Greater Charlottesville - DPA for High/Mixed Income Scattered Site Area	225,000.00	10
AHIP Scattered Site Rehabilitation	264,000.00	8
AHIP Block by Block Charlottesville (BXBC) 10th & Page Phase 2	264,000.00	7
AHIP BXBC Orangedale & Prospect Phase 1	462,000.00	19
AHIP Emergency Repair Program Assistance	100,000.00	48
Design Develop - ADU Workbook	4,950.00	
Piedmont Housing Alliance - Friendship Court Pre-development Planning	350,000.00	
CDBG Repayment to HUD for Disallowed Cost	4,600.00	
Charlottesville Free Paint Program (assisted units shown by year utilizing remaining funds from prior allocation)	0.00	15
Administration 1% Reserve/Set Aside	19,173.01	
SUBTOTAL	2,168,723.01	134
2016/17		
Habitat for Humanity of Greater Charlottesville Project 20	480,000.00	16
Virginia Organizing	264,464.00	10
AHIP Scattered Site Rehabilitation	80,023.74	3
AHIP Block by Block Charlottesville (BXBC) 10th & Page Phase 2	128,704.00	3
AHIP BXBC Orangedale & Prospect Phase 1	147,922.18	4
AHIP Neediest Case Scattered Site Rehabilitation	165,000.00	2
AHIP Neediest Case Emergency Repair Program	55,000.00	2
Thomas Jefferson Community Land Trust Nassau Street Project	240,000.00	4
SUBTOTAL	1,561,113.92	44
2017/18 (estimated)		
Carlton Views II	1,440,000.00	48
Community Services Housing	612,500.00	35
AHIP Scattered Site Rehabilitation	803,666.00	22

Habitat for Humanity of Greater Charlottesville Project 20	480,000.00	16
Charlottesville Redevelopment and Housing Authority - Charlottesville Supplemental Rental Assistance Program	900,000.00	79
Charlottesville Landlord Risk Reduction Fund	75,000.00	39
SUBTOTAL	4,311,166.00	239
TOTAL	20,607,642.74	1,272

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



Agenda Date:	April 16, 2018
Action Requested:	Approve Ordinance
Presenter:	Brenda Kelley, Redevelopment Manager
Staff Contacts:	NDS: Alex Ikefuna, Stacy Pethia City Manager's Office: Brenda Kelley, Mike Murphy Finance Department: Chris Cullinan City Treasurer: Jason Vandever City Attorney's Office: Lisa Robertson
Title:	Land Bank Corporation

Background:

At its meeting on November 20, 2017, the creation of a Land Bank Corporation (LBC) by the City to be used as one additional tool to assist with encouraging the development of affordable housing, as recently allowed by state law, was discussed. City Council requested that staff engage the Housing Advisory Committee (HAC) to obtain community input.

Also during that discussion on November 20, 2017, the Council requested information regarding the difference between regulations for the City and a land bank corporation regarding property acquisition and disposition abilities. That information and applicable Va. Code (for City regulations) are included as **Exhibit #1**.

In addition, subsequent to that request, Councilor Galvin requested specific information regarding a comparison of "entities" and their powers and abilities. Please find that information as **Exhibit #2**.

The HAC met on December 13, 2017, at which time they decided to appoint a Subcommittee to review and provide input. The HAC Subcommittee met publicly - on January 12th, January 24th and April 3rd.

Following the first 2 HAC Subcommittee discussions, staff met to review the recommendations coming from the Subcommittee. Agreeing with many of the recommendations, staff has incorporated those recommendations in the attached proposed Ordinance.

Staff met with the HAC Subcommittee co-chair and the HAC chair on March 27th to more specifically discuss those items that had still not reached consensus. Staff's recommendation following these meetings is attached in the recommended Ordinance. The full revised final recommendation of the HAC Subcommittee is attached as **Exhibit #3**.

Discussion:

One notable collective outcome from the HAC Policy Subcommittee was the agreement by the community that the creation of a Land Bank Corporation would be a valuable tool to assist with the development of affordable housing.

While staff and the HAC agreed on many of the items discussed during this engagement process, consensus was not reached on the following items:

Item	Staff Recommendation	HAC Recommendation
Legislative Items – these are matters that the enabling legislation approved by City Council should address to define the City’s desires as to the creation of and governing of the Land Bank entity		
Make-up of Governing Board (See Ordinance Section 8(A)) Examples of Other Land Banks – Board of Directors is attached as Exhibit #4.	<ul style="list-style-type: none"> - City Council member - City Manager, or Asst. City Mgr. designee - Member of HAC - 2 at-large members/residents who are participants in an assisted housing program - 1 at-large member with expertise in finance or real estate - 1 at-large member - City Finance Director - City Director of the Office of Economic Development - City Redevelopment Manager (non-voting) 	<ul style="list-style-type: none"> - City Council member - City Manager, or Asst. City Mgr. designee - Member of HAC - 2 at-large members/residents who are participants in an assisted housing program - 2 at-large members, one of whom shall be a subject matter expert, initial terms of 4 years - City Redevelopment Manager (Ex-Officio, Executive Director) - One member of CEDA
Initial Board Members (See Ordinance Section 8(B))	<ul style="list-style-type: none"> - City Council member - City Manager - City Finance Director - City Director of the Office of Economic Development 	No initial board members. Formation of a Virginia nonstock corporation is simple. Council should appoint a full board.
Terms of Officers (See Ordinance Section 8(E)(i))	City Finance Director to serve as Treasurer until 12/31/21. Officers shall serve terms of 1 year (may be re-elected to serve successive one-year terms)	Treasurer to be selected by board. Officers to serve terms of 2 years.
Operating Items – these are matters of operating policies and procedures and should be addressed in the bylaws of the Land Bank Corporation		
Real Property Retained by the LBC	Staff recommends no limitations on the operations of the Land Bank entity. The governing board should determine its role through its bylaws and policies and procedures.	property retained by the LBC be done only as part of a joint venture or partnership with the Charlottesville Redevelopment and Housing Authority, or designee
Dispose of Real Property	Staff recommends no limitations on the operations of the Land Bank entity. The governing board should determine its role through its bylaws and policies and procedures.	when the LBC acts to dispose of real property, it should solicit proposals from local affordable housing nonprofits to acquire the property before exploring other strategies for disposition

Right of First Refusal	Staff recommends no limitations on the operations of the City.	The LBC shall be provided a contractual right of first refusal to acquire that real property, or real property interest under the same (or more advantageous) terms and conditions as the city. When the City of Charlottesville acts to dispose of real property, the LBC be provided a right of first refusal to acquire the property
Affordable Housing Policy		The LBC should follow the priorities of Housing Policy 1 until a more comprehensive Strategy is in place. After the City adopts a Housing Strategy, the LBC board of directors should review those affordable housing priorities and, if necessary, revise them to include both qualitative and quantitative factors, such as the depth of affordability, location, and likely equity gain by families, in accordance with the Housing Strategy
Policy for Relationship Between LBC and the City		Develop a policy for City's relationship with the LBC designed to further affordable housing within a larger strategy. Policy come from Council, or same to direct the HAC to develop it.

Staff would like to remind the City Council that the Land Bank Act establishes an earmarking mechanism. The proposed Ordinance proposes that 50% of the real property taxes collected on real property conveyed from the Land Bank to a transferee shall be remitted by the City to the Land Bank. This allocation of City real estate tax revenue shall commence with the first taxable year following the date of conveyance from the Land Bank and shall continue for a period of ten (10) years thereafter. Therefore, City Council needs to address use of the property in the enabling legislation. Once the Land Bank is created and set-up, it becomes a separate legal entity. Because of this, staff strongly recommends that no limitations be put on the City as to acquisition and disposition of property as this may limit the City's ability to conduct its necessary business. Likewise, the City should not put limitations on the operating policies and procedures of the Land Bank.

Alignment with City Council's Vision and Strategic Plan:

This project supports City Council's visions of Quality Housing Opportunities for All, and Smart, Citizen-Focused Government. It contributes to the following Goals and Objectives of the City's Strategic Plan FY2018-2020:

- Goal 1: An Inclusive Community of Self-sufficient Residents
 - 1.3: Increase affordable housing options

Community Engagement:

The HAC Subcommittee, following input from the HAC and community members, developed recommendations. All meetings were open to the public and included public comment.

Budgetary Impact:

No additional funds will be appropriated at this time. Funding was allocated through the FY 2017 Year End Appropriation process in an amount of \$120,000.

Recommendation:

Create the Charlottesville Land Bank Corporation (CLBC) in accordance with the attached staff recommendations (also via attached Ordinance) which includes many of the HAC Policy Subcommittee recommendations. If approved, the Land Bank Corporation will be a non-profit corporation, separate and apart from the City government, but subject to governance by public officials, community representation and private experts, in the nature of a type of public/private partnership.

Staff recommends approval of the attached Ordinance.

Alternatives:

The City Council may decide not to approve this item; however, this will limit the City's access to this available tool designed to spur and encourage more creation of affordable housing.

Attachments:

Exhibit #1 – Comparison of City of Charlottesville and Land Bank Corporation property acquisition and disposition.

Exhibit #2 - Comparison of “entities” and their powers and abilities

Exhibit #3 – Charlottesville Housing Advisory Committee Recommendations and Advice to City Council in Regards to the Establishment of a Land Bank Corporation.

Exhibit #4 – make-up of other Land Bank Corporation boards

Ordinance

EXHIBIT #1

Comparison of City of Charlottesville and Land Bank Corporation property acquisition and disposition

During the land bank corporation discussion at the November 20, 2017 City Council meeting, the Council requested additional information regarding the difference between regulations for the City and a land bank corporation regarding property acquisition and disposition abilities. Copies of applicable Va. Code (for City regulations) are included, following the information table.

Action	City of Charlottesville	Land Bank Corporation
Acquisition of Property	<p>Pursuant to Va. Code 15.2-1800(A) (see attached), the City is authorized to acquire real property “by <i>purchase, gift, devise, bequest, exchange, lease as lessee, or otherwise...</i>”</p> <p>City’s acquisition of property is authorized only “for any public use”. “Public use” is defined as having the same meaning as provided for in Va. Code 1-219.1(affordable housing is not listed as a public use in 1-219.1)</p>	<p>Va. Code §15.2-7507: land bank may acquire real property, or interests in real property, from any source, by “<i>gift, devise, transfer, exchange, purchase or otherwise....</i>” and by “<i>purchase contracts, lease purchase agreements, installment sales contracts, land contracts, and pursuant to the sale or other conveyance of real property [within a proceeding for the sale of tax delinquent property].</i>”</p> <p><i>Acquisition</i> is not limited to any particular purpose.</p>
Disposition of Property	<p>Va. Code 15.2-1800, a locality may “<i>sell, at public or private sale, exchange, lease as lessor, mortgage, pledge, subordinate interest in or otherwise dispose of its real property...</i>”</p> <p>Per Va. Code 15.2-953(B) a locality may make gifts and donations of real property to certain specifically listed nonprofit associations or organizations.</p>	<p>Va. Code §15.2-7508: a land bank entity is authorized to “<i>convey, exchange, sell, transfer, lease as lessee, grant and release</i>” any interests in real property...”</p> <p>The land bank is required to establish policies and procedures setting forth the consideration to be received when land is conveyed to a third party. “Consideration” might be cash, or it could be deed restrictions limiting things such as the subsequent uses of property, or specifications as to an affordability period, grant conditions, etc.</p>
	<p>Va. Code § 15.2-1800 prohibits the city from disposing of real property, until the governing body has held a public hearing concerning the proposed disposition. State law does not restrict the uses of land that may be sold by the City to a third party. Also: Va. Constitution, Article VII, Sec. 9, prohibits a locality from disposing of its interests in public</p>	<p>Va. Code §15.2-7508: no public hearing is required prior to disposition of property by a land bank; however, within the local ordinance creating a land bank entity, the locality may require that a land bank entity’s disposition of property would be subject to specified voting and approval requirements of the land bank governing board.</p>

	property, except by an ordinance or resolution passed by a recorded affirmative vote of three-fourths of its elected members (for City Council, ¾ of five elected members = 4 members).	
Lease Property	Va. Code 15.2-2100 requires that a lease or other right to use public property, if granted for more than 5 years, is subject to a public “bid” process prior to approval, and in no event can any such lease/ right be granted for a period longer than 40 years. (Leases for 5 or fewer years, are subject to public hearing requirements, but don’t require a bid process)	Va. Code 15.2-7508(D) (disposition of property) authorizes a land bank to “lease as lessee” any real property. Va. Code 15.2-7507 (acquisition of property) authorizes a land bank to enter into a “lease purchase agreement”. Although “lease as lessor” is not referenced within the authority to dispose of real property, a separate provision, Va. Code 15.2-7506(11) (general powers of a land bank) authorizes a land bank to enter into contracts for the management of, collection of rent from, real property of the land bank.

Is the City authorized to acquire property and then convey it to the Land Bank Corporation (pursuant to Va. Code 1-219.1(A)(i))? If so, does this then allow the Land Bank to use the land pursuant to the Land Bank state regulations (use only limited to City Ordinance uses)?

The City may acquire public property for any “public use” as authorized by Virginia Code 15.2-1800(A) and (G). Subsequent to the City’s lawful acquisition of property, if the City determines that the property is no longer needed or desirable for that public use, then the City may dispose of that property by conveyance to the Land Bank, or to anyone else.

Once the City creates a land bank, and identifies the prioritized uses to which land conveyed by the land bank to a third party must be put (e.g., affordable housing) then the land bank is supposed to implement policies and procedures to ensure that the land they convey out to others will in fact be put to those uses. One common means is the use of deed restrictions, which could require a parcel of land to be used as affordable housing for a period of X number of years.

Is the Land Bank Corporation a “public corporation”? Quasi-governmental authority? Or both?

If the ordinance adopted by city council creates the Land Bank as a corporation, then the corporation becomes formed as a nonprofit, non-stock corporation created under Chapter 10 (§ 13.1-801 et seq.) of Title 13.1. In other words: it’s a private, non-profit corporation, just like many others. After adopting the ordinance that creates the entity, the City’s only influence over it would be through appointment of board members or through donation of public funding or transfer/ donation of public property.

Code of Virginia

§ 15.2-1800. Purchase, sale, use, etc., of real property.

- A. A locality may acquire by purchase, gift, devise, bequest, exchange, lease as lessee, or otherwise, title to, or any interests in, any real property, whether improved or unimproved, within its jurisdiction, for any public use. Acquisition of any interest in real property by condemnation is governed by Chapter 19 (§ 15.2-1901 et seq.). The acquisition of a leasehold or other interest in a telecommunications tower, owned by a nongovernmental source, for the operation of a locality's wireless radio communications systems shall be governed by this chapter.
- B. Subject to any applicable requirements of Article VII, Section 9 of the Constitution, any locality may sell, at public or private sale, exchange, lease as lessor, mortgage, pledge, subordinate interest in or otherwise dispose of its real property, which includes the superjacent airspace (except airspace provided for in § 15.2-2030) which may be subdivided and conveyed separate from the subjacent land surface, provided that no such real property, whether improved or unimproved, shall be disposed of until the governing body has held a public hearing concerning such disposal. However, the holding of a public hearing shall not apply to (i) the leasing of real property to another public body, political subdivision or authority of the Commonwealth or (ii) conveyance of site development easements, or utility easements related to transportation projects, across public property, including, but not limited to, easements for ingress, egress, utilities, cable, telecommunications, storm water management, and other similar conveyances, that are consistent with the local capital improvement program, involving improvement of property owned by the locality. The provisions of this section shall not apply to the vacation of public interests in real property under the provisions of Articles 6 (§ 15.2-2240 et seq.) and 7 (§ 15.2-2280 et seq.) of Chapter 22.
- C. A city or town may also acquire real property for a public use outside its boundaries; a county may acquire real property for a public use outside its boundaries when expressly authorized by law.
- D. A locality may construct, insure, and equip buildings, structures and other improvements on real property owned or leased by it.
- E. A locality may operate, maintain, and regulate the use of its real property or may contract with other persons to do so.

Notwithstanding any contrary provision of law, general or special, no locality providing access and opportunity to use its real property, whether improved or unimproved, may deny equal access or a fair opportunity to use such real property to, or otherwise discriminate against, the Boy Scouts of America or the Girl Scouts of the USA. Nothing in this paragraph shall be construed to require any locality to sponsor the Boy Scouts of America or the Girl Scouts of the USA, or to exempt any such groups from local policies governing access to and use of a locality's real property. The provisions of this paragraph applicable to a locality shall also apply equally to any local governmental entity, including a department, agency, or authority.

- F. This section shall not be construed to deprive the resident judge or judges of the right to control the use of the courthouse.
- G. "Public use" as used in this section shall have the same meaning as in § 1-219.1.

§ 15.2-2100. Restrictions on selling certain municipal public property and granting franchises.

- A. No rights of a city or town in and to its waterfront, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges, or other public places, or its gas, water, or electric works shall be sold except by an ordinance passed by a recorded affirmative vote of three-fourths of all the members elected to the council, notwithstanding any contrary provision of law, general or special, and under such other restrictions as may be imposed by law. Notwithstanding any contrary provision of law, general or special, in case of a veto by the mayor of such an ordinance, it shall require a recorded affirmative vote of three-fourths of all the members elected to the council to override the veto.
- B. No franchise, lease or right of any kind to use any such public property or any other public property or easement of any description, in a manner not permitted to the general public, shall be granted for a period longer than forty years, except for air rights together with easements for columns for support, which may be granted for a period not exceeding sixty years.

Before granting any such franchise or privilege for a term in excess of five years, except for a trunk railway, the city or town shall, after due advertisement, publicly receive bids therefor, in such manner as is provided by § 15.2-2102, and shall then act as may be required by law.

Such grant, and any contract in pursuance thereof, may provide that, upon the termination of the grant, the plant as well as the property, if any, of the grantee in the streets, avenues and other public places shall thereupon, without compensation to the grantee, or upon the payment of a fair valuation become the property of the city or town; but the grantee shall be entitled to no payment by reason of the value of the franchise. Any such plant or property acquired by a city or town may be sold or leased or, if authorized by general law, maintained, controlled, and operated by such city or town. Every such grant shall specify the mode of determining any valuation therein provided for and shall make adequate provisions by way of forfeiture of the grant, or otherwise, to secure efficiency of public service at reasonable rates and the maintenance of the property in good order throughout the term of the grant.

- C. Any additional restriction now required in any existing municipal charter relating to the powers of cities and towns in selling or granting franchises or leasing any of their property is hereby superseded; however, nothing herein contained shall be construed as affecting the term of any existing franchise, lease or right. The requirement of an affirmative three-fourths vote of council shall apply only to the sale of the listed properties and not to their franchise, lease or use.
- D. The provisions of this section shall only apply to cities or towns and shall not apply to counties or other political subdivisions.

EXHIBIT #2
Comparison of “entities” and their powers and abilities

	Land Bank Corporation	Land Trust	Community Development Financial Institution (CDFI)	Charlottesville Redevelopment and Housing Authority (CRHA)	Charlottesville Economic Development Authority (CEDA)	City of Charlottesville
What is this entity?	In 2016, the General Assembly approved legislation (Va. Code §§ 15.2-7500 et seq.) authorizing localities to create a land bank entity, to assist in addressing vacant, abandoned and tax delinquent properties. However, the land bank’s authority is not restricted to that purpose. A locality may require a land bank to restrict the use of land transferred to third parties by the land bank to certain prioritized uses, such as: affordable housing; public spaces; for retail, commercial, or industrial activities; for preservation or rehabilitation of historic properties within historic areas; and for such other	In 2010 the General Assembly adopted Va. Code §55-221.1, to identify a “community land trust”. A Land Trust is a nonprofit corporation that acquires land to be held in perpetuity, primarily for conveyance under long-term ground leases. Ownership of structures on the leased land is transferred to the “lessee” of the long-term (typically 90+ years) ground lease, and the land trust retains an option to purchase the structure at a price determined by formula, to ensure	A CDFI is a financial institution or organization created to expand economic opportunity in low-income communities by providing access to financial products and services for local residents and businesses. A CDFI Fund was established by federal law in 1994. The purpose of the fund is to promote economic revitalization and community development in low-income communities through investment in and assistance to CDFIs.	In 1938, the General Assembly enacted Va. Code §36-4, which is the enabling legislation for “redevelopment and housing authorities”. A redevelopment and housing authority is an independent political subdivision of the Commonwealth, but it does not become “activated” unless and until a locality determines (by public referendum) that there is a need to be served by an authority. As suggested by its name, this entity has very broad powers relevant to redevelopment and housing, including	In 1966, the State of Virginia approved legislation authorizing localities to create an industrial development authority. This entity may acquire, own, lease, and dispose of properties and make loans... to promote industry and develop trade by inducing manufacturing, industrial, government, nonprofit and commercial enterprises and institutions of higher education... and further the use of its agricultural products and natural resources...	The City of Charlottesville is a municipal corporation and political subdivision of the Commonwealth of Virginia. The City operates under enabling legislation known as a municipal “Charter”. The current City Charter was enacted in 1946, and has been revised/ amended from time to time. The City, as a municipality, derives its authority from the Charter, as well as general and special laws adopted by the General Assembly.

	uses and in such priority as determined by the participating locality.	that the structure remains affordable to low- and moderate-income families in perpetuity.		express authority to undertake housing projects. See Va. Code Sec. 36-19 et seq.		
Is this entity in Charlottesville?	No – state law passed in 2016; City Council currently exploring approving the creation of a Land Bank Corporation.	Yes – Thomas Jefferson Community Land Trust (TJCLT) is a 501(c)(3) created in 2008 with the mission to create and preserve a permanent supply of affordable homes (80% or less of AMI) in the Charlottesville area.	Yes - Piedmont Housing Alliance (PHA) is a certified CDFI.	Yes – the City Council approved creation of the Charlottesville Redevelopment and Housing Authority in approximately 1960 to provide federally subsidized housing and housing assistance to low-income families.	Yes – the City Council approved creation of the Economic Development Authority of the City of Charlottesville, Virginia in 1976. The name was changed to the Economic Development Authority in 2007.	Yes
Can this entity issue bonds?	Yes, if authorized by the City Council as part of the creating Ordinance	No	No	Yes	Yes	Yes
What has this entity done in Charlottesville?	N/A Not yet created.	Currently have 6 housing units in the City, with another 4 under development.	Piedmont Housing Alliance is the CDFI for the Charlottesville area. Virginia Community Capital is a statewide CDFI. The local CDFI has provided more than \$9 million in down payment assistance	The CRHA currently owns and manages: -12 properties -376 public housing units -533 Housing Choice Vouchers The CRHA has not, to date, undertaken redevelopment activities	These CEDA’s efforts can be summarized in the following five categories: Tax-exempt bond financing - the Authority has financed 63 separate projects, issuing debt totaling \$320,400,000. Examples include: City Center for Contemporary Arts (2001); UVA Foundation (2006) and Martha Jefferson House (2008). Real Estate Acquisition/	The City government has general taxing authority. Public tax dollars have been loaned, granted or donated to non-profit organizations and to CRHA for use in the planning and development of affordable housing. The City also makes

			<p>loans</p> <p>In terms of housing development, the most recent loan was for the site work for the Southern Development/Habitat project on Elliott</p>		<p>Disposition/Management – the Authority has participated in purchasing and selling property as well as managing long term leases on behalf of the City. Examples include: the former CSX property; the SNL Building and the Charlottesville Pavilion.</p> <p>Grants & Loans - the Authority has issued grants and loans at the request of the City. Examples include: Lewis & Clark Exploratory Center loan; the Downtown Business Association of Charlottesville Business Improvement District loan and the Jefferson School Foundation renovation loan.</p> <p>Performance Agreements & Reimbursement Agreements - the Authority has entered into two performance agreements in partnership with the City. These include the MJH/CFA project and the Waterhouse project. Together these agreements led to 900 jobs and an \$80M addition to the real estate tax rolls for the City. Reimbursement agreements, totaling \$4M, have been used to fund the private installation of public infrastructure that made possible the Whole Food Grocery on Hillsdale Drive, City Walk on Water Street Extended and the future 2nd West</p>	<p>grants and loans to low- and moderate-income families.</p>
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					<p>(formerly Market Plaza) on Water Street.</p> <p>Program Support – in recent years the Authority has expanded its role to include support of several key initiatives developed by the Office of Economic Development (OED). These include the Virginia Jobs Investment Program (VJIP) Match program for growing second stage City based companies, the Advancing Charlottesville Entrepreneurs (ACE) program for newly started enterprises and the GO Hire program which provides incumbent worker training and wage subsidy assistance for growing City businesses.</p>	
<p>Why their activities benefit or would benefit our citizens?</p>	<p>Typically, a land bank does not maintain any long-term interest in land it acquires. It may, for example, donate land to nonprofits, or assemble properties for larger development, thereby keeping land costs down for future housing development. It is common practice for a land bank to utilize deed covenants and restrictions to ensure that</p>	<p>Homes sold under the land trust model retain their affordability in perpetuity through a 90-year ground lease.</p> <p>Under this model, affordable homeownership is achieved by removing the cost of land from the home sale price (the land trust retains ownership of the</p>	<p>Lending activities support affordable housing financing – primarily down payment assistance loans for first-time homebuyers and also loans for affordable housing development.</p> <p>Certification as a CDFI by the US Treasury has enabled the leverage of local investment to attract \$3 million in</p>	<p>The CRHA provides federally-subsidized housing for citizens with low or moderate income.</p>	<p>EDAs provide a tool that enables access to tax-exempt financing for qualified non-profits and manufacturing entities and provides greater flexibility for localities to assist in the job creation process through loans, grants and performance agreements.</p>	<p>The purpose of the City government is to undertake governance in accordance with its Charter and general state laws, to promote the common good/ benefit of city residents.</p>

	<p>property conveyed to a third party will be used for affordable housing (or other specific uses).</p>	<p>land, leaving the homebuyer to purchase the structure).</p> <p>In the Charlottesville area, this reduces the purchase price of land trust homes by approximately 1/3.</p> <p>Future resale prices of land trust homes are restricted through the ground lease, offering affordable homeownership options well into the future.</p>	<p>grants for lending capital from the CDFI fund</p> <p>CDFIs are private financial institutions dedicated to expanding economic opportunity in low-income communities and revitalizing neighborhoods</p> <p>Provide access to financial products and services for local residents and businesses</p> <p>CDFI services include community credit unions; microloans for small businesses; first time homebuyer assistance, and financial support for local health centers, schools and community centers; investing in affordable housing projects; among others</p>			
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			The services provided by CDFIs have the potential to: support the creation of minority/women owned businesses in the City; help expand neighborhood service centers; and expand affordable housing options in the City			
How these entities should complement each other?	Under the right circumstances, a Land Bank Corporation could conceivably work with any of these other entities provided the task or project aligns with the enabling legislation.	Land trusts can benefit from the activities of land banks, via the transfer or sale (at a minimum price) of land banked properties, either vacant parcels for new housing construction or existing homes for rehab and resale at an affordable price. Offers an affordable homeownership option for households receiving assistance through CRHA programs that area ready to become	As a financial institution, the local CDFI can provide funding support for an array of programs and services which help low-income families achieve self-sufficiency, and increase neighborhood economic development Loans from a CDFI could support targeted affordable housing development activity	Under the right circumstances, the CRHA could conceivably work with any of these other entities provided the task or project aligns with the enabling legislation.	Under the right circumstances an EDA could conceivably work with any of these other entities provided the task or project aligns with the enabling legislation.	Arlington County’s Affordable Housing Program, and the comprehensive manner in which they have leveraged all of their local government financial and zoning tools, is the “gold-standard” in Virginia for how to undertake a coordinated approach to affordable housing. Arlington’s Affordable Housing Master Plan is adopted as one component of its Comprehensive Plan, and then Arlington purposefully, and mindfully looks for

		<p>homeowners.</p> <p>The City supports the Thomas Jefferson Community Land Trust (TJCLT) through the CAHF.</p> <p>Each home sold through the TJCLT increases the number of affordable housing units in the City, helping the City reach its affordable housing goals.</p>				<p>opportunities to layer resources in a manner that can easily (administratively) be implemented by staff.</p>
<p>What is their role and effectiveness in creating affordable housing and what can be done to make them more effective?</p>	<p>Using a range of special powers, such as ability to acquire and hold property tax free, clear title and back taxes, and dispose of property intentionally, not just to the highest bidder.</p> <p>They may, for example, demolish obsolete structures; remediate soil; give side lots to neighboring owners, donate land to nonprofits, or assemble properties</p>	<p>Provides affordable homeownership opportunities for households earning no more than 80% AMI.</p> <p>TJCLT is a small, volunteer driven nonprofit organization and, as a result, their impact in the City has been minimal to date.</p> <p>Continue to provide</p>	<p>The local CDFI has provided more than \$9 million in down payment assistance loans</p> <p>In terms of housing development, the most recent loan was for the site work for the Southern Development/Habitat project on Elliott</p> <p>More effectiveness could come from scale</p>	<p>The CRHA provides federally-subsidized housing for those citizens with low or moderate income</p> <p>The CRHA currently has authority pursuant to Federal and State law to redevelop and/or modernize its existing stock and to develop additional affordable housing through financially sustainable innovative</p>	<p>No specific role related to affordable housing. The state enabling legislation prohibits EDAs from engaging in housing if the locality has an existing housing authority.</p>	<p>Through its Charter powers, and through authority conferred by the state legislature, the City government can institute policies and can appropriate public funding to incentivize development of affordable housing by both private (for-profit) and non-profit entities, as the local government in Arlington County does</p>

	for larger development.	financial support through the CAHF, and potential technical assistance if appropriate.	and resources to support dedicated staff and attract additional loan capital	redevelopment efforts.		so effectively. Authority for the City to adopt an “Affordable Housing Program” is set forth within Virginia Code 15.2-2305. As part of a bona fide “Affordable Housing Program” a locality is supposed to include certain functionalities, including an “Affordable Dwelling Unit Advisory Board” that has a specific composition (see Va. Code 15.2-2306(E)(7)).
How these entities combine with other programs to increase social-economic mobility?	Typically, a land bank does not maintain any long-term interest in land it acquires. It may, for example, donate land to nonprofits, or assemble properties for larger development, thereby keeping land costs down for future housing development. It is common practice for a	Provides household wealth-building opportunities for low-income families through affordable homeownership opportunities. Provides safe, stable, affordable housing to support child development and	The combination of housing counseling and home purchase financing provides significant asset/wealth-building opportunities The local CDFI has also been the regional administration of state HOME funds for down	CRHA relies heavily on community partners to provide on-site and other opportunities for youth and adults in public housing in hopes that collective efforts will contribute to meaningful quality of life enhancements, and to support resident efforts towards success	EDAs assist and influence the job creation process for a community and thereby provide opportunities for citizens to participate in the economy at various levels.	

	land bank to utilize deed covenants and restrictions to ensure that property conveyed to a third party will be used for affordable housing (or other specific uses).	educational attainment, as well as the ability maintain stable employment.	<p>payment assistance and state IDA funds for home purchase, education, and small businesses</p> <p>Housing counseling is provided in collaboration with the TJCLT</p> <p>Down payment loans are provided to Habitat homebuyers</p> <p>Personal finance education is provided in CIC's curriculum</p>	and independence.		
Who should oversee and coordinate all their activities?	If created, the Land Bank Corporation will be governed by a Board of Directors. This is the most appropriate entity to oversee and coordinate the organization's activities.	The TJCLT is governed by a Board of Directors. This is the most appropriate entity to oversee and coordinate the organization's activities.	<p>The CDFI is governed by a Board of Directors. This is the most appropriate entity to oversee and coordinate the organization's activities.</p> <p>CDFI certification has specific requirements regarding accountability to target market and not being</p>	The CRHA is governed by a Board of Directors. This is the most appropriate entity to oversee and coordinate the organization's activities.	The CEDA is governed by a Board of Directors. This is the most appropriate entity to oversee and coordinate the organization's activities.	The City Charter (Sec. 5) specifies that the City organization operates as a City-Manager form of government. The City Council is the chief executive and administrative officer (see also Va. Code 15.2-1541). Administrative functions include most day-to-day operations

			controlled by a governmental entity.			of the City's departments and employees. Matters that are not administrative in nature (often referred to as governmental, legislative, or discretionary functions) are reserved to City Council.
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Why Charlottesville's government alone, can't directly develop affordable housing?

Within the state's "housing" law, the General Assembly has expressly stated that the provisions within Title 36 of the Virginia Code (Housing) have been adopted to serve the public purpose of promoting the availability of public housing, and undertaking the "construction, rehabilitation and operation of residential housing units for persons of low and moderate incomes" for which public money may be spent and private property acquired *as authorized within this chapter* (Chapter 1, Housing Authorities Law), *see* Virginia Code 36-2.

There is no comparable enabling legislation authorizing a city government (locality) to itself undertake the development of affordable housing. The City, as a municipality, must find authorization for its activities, either within its Charter, or within general/ special laws adopted by the General Assembly. Va. Code § 15.2-1800(A) authorizes a locality to acquire real property "for any public use", as the term public use is defined in Va. Code Sec. 1-219.1 (which does not reference affordable housing). No powers comparable to those expressly provided by the General Assembly to redevelopment and housing authorities are referenced within the City's Charter, or within the "uniform charter powers" referenced within Virginia Code §§ 15.2-1100 et seq. The General Assembly expressly contemplates that a locality will *cooperate* with its redevelopment and housing authority, by "aiding and cooperating in the planning, undertaking, construction and operation of housing projects". Va. Code 36-6. (the list of ways that a locality may "aid" and "cooperate" with a redevelopment and housing authority is set forth within Va. Code Sec. 36-6(a) through (i)). Primarily, the City's influence and authority is financial in nature (see, e.g., Va. Code 15.2-958 (by ordinance, a locality may offer grants or loans to private property owners, for production of low and moderate income rental property; *see also* City Charter sec. 50.7 (authorizing city government to make grants of funds to private landowners, for the purpose of subsidizing, in part, the rental payments due to the owner by a low- or moderate-income person) and 15.2-953 (authorizing donations to charitable institutions)).

EXHIBIT #3
Charlottesville Housing Advisory Committee Recommendations and Advice to City Council in Regards to the Establishment of a Land Bank Corporation.

Process

The Policy Sub-Committee of the HAC, acting on behalf of the Committee, met on January 12th and January 24th to review the proposed land bank corporation ordinance. The Sub-Committee produced a series of recommendations and proposed revisions to the ordinance based on that review and the extensive public comment at those meetings. On March 27th NDS, the City Attorney and City Manager's staff met with Sub-Committee Co-Chair Ridge Schuyler and HAC Chair Phil d'Oronzio to discuss the recommendations and a revised ordinance. The Sub-Committee held a special meeting with staff on April 2nd, to review the further revised ordinance.

In the interest of crafting an ordinance that most closely adheres to the language of the enabling legislation, the City Attorney requested the Committee re-categorize its recommendations into those having a direct bearing on the language of the ordinance itself, and recommendations that bore upon policy and strategy. The recommendations incorporate that model.

Recommendations

I. Creation

City Council create a land bank as a nonprofit, nonstock corporation pursuant to §15.2-7500 et seq. of the Code of Virginia (1950), as amended, to expand the tools available in the city of Charlottesville to address our affordable housing crisis and support other agencies and/or organizations in such pursuit

II. The Ordinance

Adopt the proposed revised ordinance as presented, subject to the following modifications:

- Appoint a member of the Charlottesville Economic Development Authority, in lieu of the City's Finance Director and Director of Economic Development to the board (Revise Section 8 (A) (vi) to read: "One member of the Charlottesville Economic Development Authority, such member to be designated by the authority. This member shall serve a term specified by said Authority, which shall not exceed the member's term as a member of the Authority, or four years, whichever is less.")

There has been very strong, consistent input from the public since the original ordinance was proposed that if a land bank were formed, it should be a community non-profit, with a diverse and publically accountable board. As presented, the ordinance calls for a board of 9 voting members, 3 of whom are City employees. As revised, 7 of the 8 voting members will be Council appointees. A board of, from, and directly accountable to the community is crucial to its mission, and securing the public's confidence in it.

- Strike Section 8 (B) in its entirety. There is no need for “Initial Board Members” to organize the corporation. The essential components of a Virginia Non-Stock Corporation are straightforward, as is the process of forming one, which itself isn’t time consuming. The entire board can be appointed in a very short period of time - 4 members nearly instantly (City Manager, CEDA Member, HAC Member, City Councilor) - and organize the Corporation as a body together. The entire board can begin immediately to form by-laws and develop policy.
- Revise present Section 8 (E) (Renumbered 8 (D) with the deletion of 8 (B)) “*Miscellaneous*” to read: “The governing board shall elect officers to serve as Chair, Vice-Chair, Treasurer and Secretary. The Secretary for the board need not be a member of the board. The Treasurer need not be a member of the board. . Officers shall serve two-year terms and may be re-elected to serve successive two-year terms. The duties of officers shall be established by the board within its bylaws.”

Two year terms for officers allow for the continuity of leadership and direction. One year terms make that much more difficult and hamper the organization’s ability to function effectively.

III. Direction and Guidance to the Land Bank Corporation

While the Land Bank will be an independent self-governing non-profit corporation, the HAC recommends Council provide the Corporation with a charge or guiding principles to incorporate when writing by-laws, establishing policies, and conducting its affairs. In accordance with the substantial public engagement, both at its own meetings and the November 20th City Council meeting when the ordinance was proposed, the HAC recommends this charge include the following:

- Use and disposition of real property by the land bank corporation for affordable housing follow the priorities established in Housing Policy 1, adopted by City Council on October 20, 2014, until City Council adopts a more comprehensive Housing Strategy.
- After the City adopts a Housing Strategy, the land bank corporation board of directors should review those affordable housing priorities and, if necessary, revise them to include both qualitative and quantitative factors, such as the depth of affordability, location, and likely equity gain by families, in accordance with the Housing Strategy
- Real property retained by the land bank to construct, develop or manage as affordable housing be done only as part of a joint venture or partnership with the Charlottesville Redevelopment and Housing Authority, or the CHRA’s designee. Under no conditions should the land bank corporation act in any way as a competitor with the CRHA and/or other local housing non- profit organizations.
- When the land bank corporation acts to dispose of real property, it should solicit proposals from local affordable housing nonprofits to acquire the property for affordable housing before exploring other strategies for disposition.

IV. The Land Bank and A Larger Strategy

The land bank can be an effective tool in furthering housing affordability, but it will be most effective as a considered component of a larger strategy. In review of the proposal, members of the Committee and the public raised matters that don't bear so much on the formation of the land bank, but on its potential role in a larger strategy. The HAC recommends Council enact policies to formalize the role of the bank:

- When the City of Charlottesville acts to purchase or otherwise acquire real property, the land bank corporation shall be provided a contractual right of first refusal to acquire that real property, or real property interest under the same (or more advantageous) terms and conditions as the city. When the City of Charlottesville acts to dispose of real property, the land bank be provided a right of first refusal to acquire the property.

While in the vast majority of cases, the land bank will not have either the interest in exercising such a right, or the ability (certainly not without the concurrence and funding from Council, in many cases), this provision would insert the housing affordability into all real estate transactions undertaken by the City. And there may be cases where on consideration, the land bank may be the more appropriate vehicle for the transaction, and the City would find it advantageous to contract to buy or sell with the intention of facilitating the exercise of that right.

- The City should develop a policy for its relationship with the land bank designed to further affordable housing within a larger strategy. This policy should come either directly from Council, or direct the HAC to develop it.

V. Summary

The Committee recommends:

- Council incorporate into the ordinance the changes outlined in II above, and establish the land bank per section I.
- Council make appointments to populate the board with all deliberate speed.
- Council formally charge the board to operate pursuant to the guidance provided in III above.
- Council direct the City Manager and City Attorney to develop a ROFR procedure for future acquisitions and dispositions by the City.
- Council direct the HAC and Staff to incorporate the tools provided by a land bank corporation into the larger affordable housing strategy.

EXHIBIT #4
Examples of Other Land Banks – Board of Directors

	Type / Governing Body	Board / Term	Other
Chatham County/City of Savannah Land Bank Authority, Inc. (Savannah, GA)	Authority Nonprofit corporation 501(c)(3) Board of Directors	4 Board members: 2 appointed by City of Savannah; 2 appointed by Chatham County (shall be either elected officials or represent the elected officials)	Advisory Members – 2 school board; 1 HA; 1 County Tax Commissioner; 1 Habitat for Humanity; 1 Homeless Authority; 1 Neighborhood Housing Services; plus others (advisory and liaison capacity)
Cook County Land Bank Authority (Chicago, IL)	Agency of and funded by Cook County Board of Directors	15 Board members: County Commissioner; representative of City Dept. of Housing & ED; 3 City Mayors; representative of Chicago Community Loan Fund; representative of Openlands; representative of County Bureau of ED; representative of Chicago Coalition for the Homeless; 6 appointments	Cook County holds title to all property controlled by the Land Bank
Cuyahoga County Land Reutilization Corp. (Cleveland, OH)	Non-profit, quasi-governmental corporation	5 Board members: County Treasurer; County Executive; County Council representative; 2 representatives from the municipality in the County with the largest population	
Detroit Land Bank (Detroit, MI)	Public authority	7 Board members: Director of the City Planning and Development Dept.; Director of the City Planning Commission; Executive Director of LISC; 4 appointees (appointed by Mayor and City Council)	
Fulton County/City of Atlanta Land Bank Authority (Atlanta, GA)	501(c)(3)	6 Board members: 3 appointed by City; 3 appointed by County	
Genesee County Land Bank Authority (Flint, MI)	Public body corporate Board of Directors	7 Board members: County Treasurer; 1 appointee to represent interests of Flint; 1 appointee to represent interest of other units of local govt. in County; 4 appointees at large (may be members of County Comm.)	Board may designate an Exec. Comm. – shall exercise authority in management of the corporation, except:

		County Treasurer is Chairperson of Board	sale, transfer all or substantially all assets; elect, appoint, remove or fill Board; adopt, amend, repeal bylaws or Articles
Greater Syracuse Property Development Corporation (Syracuse, NY)	Not-for-profit Corporation Board of Directors	5 Board members: 1 appointed by County Executive; 1 appointed by Chairman of County Legislature and confirmed by County Legislature; 1 appointed by Majority Leader and confirmed by City Council; 1 jointly appointed by County Executive, City Mayor and confirmed by City and County; 1 appointed by City Mayor	9 member Citizen Advisory Board (one appointed by each: 5 district Councilors, 2 Mayors and 2 at-large councilors)
Kalamazoo County Land Bank Authority (Kalamazoo, MI)	Board of Directors	7-9 Board members: County Treasurer (chair); Exec. Dir. ED Corp.(vice-chair); banking representative (sec/treas); 5 appointments; 2 County Commission liaisons	
Lucas County Land Reutilization Corporation (Land Bank) (Toledo, OH)	Board of Directors	9 Board members: City Mayor (chair); 2 County Commissioners; County Treasurer; Township Administrator; City Administrator; Adelante Toledo (Latino Resource Center) Exec. Dir.; 2 community representatives (1 in banking)	
Macon-Bibb County Land Bank		5 Board members: Professional backgrounds in government, law, business and education (not sure how appointed)	
Philadelphia Land Bank (Philadelphia, PA)	PA public body corporate and politic Board of Directors	11 Board members: 5 appointed by City Mayor; 5 appointed by majority vote of City Council; 1 appointed by majority vote of the Board Members shall have expertise in planning, real estate dev., open space, architecture; must live or have office in City; at least 4 in housing or community dev. or civic assoc.	
Pittsburgh Land Bank (Pittsburgh, PA)		9 Board members: 3 City Councilpersons; 4 residents of identified districts; City Director of Finance; State Senator (representation by those city council districts to be the most impacted by distressed and vacant parcels)	

<p>St. Clair County Land Bank Authority, Inc. (Port Huron, MI)</p>	<p>Public body corporate 501(c)(3)</p>	<p>5 Board members: County Treasurer; 1 appointed township or city official; 3 appointed at-large, must live in the County</p>	<p>Board may designate an Exec. Comm. – shall exercise authority in management of the corporation, except: authorize distributions; sale, transfer all or substantially all assets; elect, appoint, remove or fill Board; adopt, amend, repeal bylaws or Articles; Board may appoint Board of Advisors consisting of members of the community to advise the Board and be available for consultation</p>
<p>Suffolk County Landbank Corporation (Hauppauge, NY)</p>	<p>501(c)(3) Board of Directors</p>	<p>7 Board members: (Designee may be appointed by Director with limited attendance); 1 appointed by Majority leader of County Legislature; 1 appointed by Minority leader of County legislature; 1 is President of the County Supervisor’s Assoc.; 1 is Commissioner of the County Dept. of ED & Planning; 1 selected by the County Executive; 1 is County Director of Real Estate; 1 is a representative of a County ED organization</p>	<p>Chair, Vice Chair and Treasurer comprise an Executive Committee – may authorize expenditure (listed as eligible item) up to \$2500</p>

ORDINANCE
**CREATING THE CITY OF CHARLOTTESVILLE LAND BANK CORPORATION AS A
NONPROFIT, NONSTOCK CORPORATION; ESTABLISHING A BOARD OF DIRECTORS;
ESTABLISHING THE POWERS OF THE CORPORATION AND PROVIDING GENERAL
PROVISIONS RELATING TO THE OPERATION OF THE CHARLOTTESVILLE LAND
BANK**

Pursuant to authorizing legislation set forth within Virginia Code §§ 15.2-7500 et seq., and following a public hearing held pursuant to Virginia Code § 15.2-7502, **IT SHALL BE AND IS HEREBY ORDAINED AND ENACTED** the City Council for the City of Charlottesville as follows:

1. Findings

The Charlottesville City Council finds that the social and economic vitality of the City of Charlottesville is adversely affected by a deficit of affordable housing within the jurisdiction of the City, and by the existence of vacant, abandoned, blighted and tax delinquent properties. The purpose of this Ordinance is to serve a public necessity and the interests of the general welfare of City residents, by facilitating the return of vacant, abandoned, blighted and tax delinquent properties to productive use, and by establishing a legal entity whose sole purpose is to partner with the City government to facilitate the productive use of such properties, and the acquisition and transfer of these and other properties to individuals and entities who can create affordable housing and economic growth within the City.

2. Authority

This ordinance is adopted in accordance with the provisions of Virginia's Land Bank Entities Act, §§ 15.2-7500 et seq. of the Code of Virginia (1950), as amended ("Va. Code").

3. Authorization and Establishment

(A) The Charlottesville City Council hereby authorizes the creation of a nonprofit, nonstock corporation, created under Chapter 10 (§§ 13.1-801 et seq.) of Title 13.1 of the Va. Code, to be named the "Charlottesville Land Bank Corporation" and hereby establishes the same as a separate legal entity for the purposes of acting as a Land Bank under the provisions of Virginia's Land Bank Entities Act and implementing and administering the terms of this Ordinance. The Charlottesville Land Bank Corporation shall exist until terminated and dissolved in accordance with the terms of this Ordinance.

(B) Initially, the principal office of the corporation shall be at 605 East Main Street (P.O. Box 911), Charlottesville, Virginia, 22902. Thereafter, the governing board of the corporation may change the location of its principal office.

(C) Pursuant to the provisions of Virginia Code § 15.2-7510 the Charlottesville Land Bank Corporation shall not be required to pay any taxes upon any property acquired or used by the Land Bank under the provisions of this Ordinance.

4. Powers

The Charlottesville Land Bank Corporation shall have all of the powers enumerated and authorized within Va. Code § 15.2-7506, as amended.

5. Acquisition of Property

The Charlottesville Land Bank Corporation may acquire real property or interests in real property by any means and in any manner authorized by Va. Code § 15.2-7507 or other provisions of Virginia’s Land Bank Entities Act. The Charlottesville Land Bank Corporation shall neither possess nor exercise the power of eminent domain.

6. Financing of Operations

(A) The Charlottesville Land Bank Corporation may receive funding, and may receive and retain payments, in accordance with the provisions of Va. Code § 15.2-7509.

(B) Fifty percent (50%) of the real property taxes collected on real property conveyed from the Land Bank to a transferee shall be remitted by the City to the Land Bank. This allocation of City real estate tax revenue shall commence with the first taxable year following the date of conveyance from the Land Bank and shall continue for a period of ten (10) years thereafter.

7. Use and Disposition of Property

(A) The Charlottesville Land Bank Corporation shall hold in its own name all real property acquired by it, regardless of the identity of the transferor of such property, and shall hold, use and dispose of such property in accordance with Va. Code § 15.2-7508 or other provisions of Virginia’s Land Bank Entities Act.

(B) The governing board of the Charlottesville Land Bank Corporation shall adopt policies and procedures governing the use and disposition of real property interests. Real property or interests in real property shall be conveyed in accordance with the Virginia Land Bank Entities Act, this Ordinance, and the Land Bank’s adopted policies and procedures, to be used for affordable housing.

Following a determination by the governing board of the Land Bank that specific real property, or an interest in real property, has no utility to be used for affordable housing, then such property or property interest may be conveyed by the Land Bank to be used for any of the following, as the governing board deems to be in the public interest: use for retail, commercial or industrial activities; preservation or rehabilitation of historic properties within a major design control district; use for public spaces and places; critical slope or stormwater management facilities.

(C) The policies and procedures adopted by the governing body of the Land Bank to govern the use and disposition of property shall specify the general terms and conditions for consideration to be received by the Land Bank for the transfer of real property and interests in real property.

(i) The board shall determine the amount and form of consideration necessary to convey, exchange, sell, transfer, lease, grant or mortgage interests in real property. Consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of property, contractual commitments of the transferee, and other forms of consideration as determined by the board to be in the best interest of the Land Bank.

(ii) Market Value shall be determined by up-to-date data, and by using valuation method(s) that the governing board determines is most appropriate given the particular condition of a property and the surrounding real estate market. Nominal or reduced price disposition shall be an option for any property owned by the corporation; however, in calculating a reduced sales price:

- (a) Any discount shall take into account the substantiality of the benefit provided by the proposed use, and the amount of support needed to make a project both initially financially feasible and continually sustainable as indicated in financial *pro formas* provided to the Land Bank; and
- (b) For housing projects serving households at a mix of income levels, the Land Bank may count the number of low and moderate income households served and provide proportionate discounting.

(iii) The Land Bank shall enforce any provisions agreed upon as conditions of sale between a transferee and the Land Bank, through legally binding mechanisms, including but not limited to deed restrictions, covenants, and mortgages.

(D) The Charlottesville Land Bank Corporation is authorized to discharge liens and other municipal claims, charges or fines, and may seek to enter into agreements with City officials for such discharges against the properties that it acquires. For the duration of time that a property is held by the Charlottesville Land Bank Corporation, the corporation may abate all real estate taxes, water and sewer charges and other municipal charges and, to the extent necessary, may seek abatement or non-taxable status from other government entities.

8. Governance

(A) *Governing board*—the Charlottesville Land Bank Corporation shall be governed by a board of directors comprised of nine (9) voting and one (1) non-voting members, as follows:

- (i). One Charlottesville City Councilor chosen by City Council, for a term specified by City Council, but which shall not exceed such councilor’s elected term of office;
- (ii). Two individuals appointed by City Council, at least one of whom shall be qualified as having an expertise in real estate or the construction or financing of real estate developments;
- (iii). Two individuals appointed by City Council, who shall be qualified as being participants in an assisted housing program, and who shall serve a term specified by City Council, not to exceed four (4) years;
- (iv). One member of the advisory board (housing advisory committee) established by City Council to advise it on matters relating to the City’s affordable housing program, such member to be designated by said advisory board. This member shall serve a term specified by said advisory board, which shall not exceed the member’s term on the advisory board, or four years, whichever is less.
- (v). The Charlottesville City Manager, or an assistant city manager designated by the City Manager to serve on the board as his or her representative (“designee”), in either case: this member’s term shall coincide with the term of employment of the City Manager;
- (vi). The City’s Finance Director and the City’s Director of Economic Development, each for a term that coincides with his or her term of City employment; and

- (vii). One non-voting member, as follows: the City’s Redevelopment Manager, who shall serve a term that coincides with his or her term of City employment.

Each member shall continue to serve until his or her successor has been appointed. Successors shall be selected in the same manner as set forth within 8(A)(i) through (iv), above .

(B) *Authorization of Initial Board actions*—the Initial Board Members shall be those referenced in 8(A)(i), (v) and (vi), above. The Initial Board Members shall have authority to take all actions as are necessary to create and activate the corporation as a nonprofit, nonstock corporation under Chapter 10 (§13.1-801 et seq.) of Title 13.1 of the Va. Code. Once the corporation has been duly organized in accordance with the laws of the Commonwealth of Virginia, the Initial Board Members shall take such actions as are necessary to obtain the additional members referenced in 8(A), above, to duly constitute the full governing body of the Land Bank.

The Charlottesville Land Bank Corporation shall not acquire any right, title, or interest in any real property, until such time as the corporation has been duly organized and the full governing board has been duly constituted and has thereafter approved written bylaws for the regulation of the corporation’s affairs and the conduct of its business and written policies and procedures governing the acquisition and disposition of real property and interests in real property.

(C) *Quorum*—five members shall constitute a quorum, and the vote of a majority of such quorum shall be necessary for any action taken by the land bank entity. No vacancy in the membership of the board shall impair the right of a quorum to exercise all of the rights and to perform all of the duties of the land bank entity.

(D) *Financial interests of board members and employees prohibited*—

- (i). No member of the board, nor any employee of the corporation, shall acquire any interest, direct or indirect, in any real property of the corporation, in any real property to be acquired by the corporation, or in any real property to be acquired from the corporation.
- (ii). No member of the board, nor any employee of the corporation, shall have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished to or used by the corporation.
- (iii). The board may, within its written bylaws, adopt supplemental rules and regulations, not in conflict with this ordinance or the Land Bank Entities Act, addressing potential conflicts of interest and ethical guidelines for members of the board and employees of the corporation.

(E) *Miscellaneous*—

- (i). The governing board shall elect officers to serve as Chair, Vice-Chair, and Secretary. The secretary for the board need not be a member of the board. The City’s Finance Director shall serve as the Treasurer of the corporation, through December 31, 2021 (Initial Treasurer’s Term). Thereafter, the governing board shall elect a Treasurer at the same time it elects its other officers; the elected Treasurer need not be a member of the board. Except for the Initial Treasurer’s Term, officers shall serve one-year terms and may be re-elected to serve successive one-year terms. The duties of officers shall be established by the board within its bylaws.

- (ii). Members shall serve without compensation; however, a member may seek reimbursement for reasonable expenses incurred in performance of duties relating to the business of the Land Bank.
- (iii). The corporation shall obtain insurance to defend and indemnify it, its board members, officers, and its employees with respect to claims or judgments arising out of activities performed on behalf of the Land Bank.

9. Staffing

- (A) The Charlottesville Land Bank Corporation may employ individuals and may retain consultants, including, without limitation: an executive director, legal counsel, land planners, and technical experts.
- (B) The corporation may also enter into agreements with the City of Charlottesville, for the City to provide services or support to the Land Bank, and/or for the Land Bank to provide services or support to the City.
- (C) The City Manager and other city officials, as may be required by the City Manager, are hereby directed to take any and all actions necessary to effectuate the provisions of this Ordinance and the creation of the Charlottesville Land Bank Corporation.

10. Participation by other Jurisdictions

Other localities within the Thomas Jefferson Planning District may be added as participants in the Land Bank, by concurrent ordinances adopted by the Charlottesville City Council and the governing body(ies) of such other locality(ies), in accordance with Va. Code § 15.2-7501.

11. Dissolution

The Charlottesville Land Bank Corporation may be dissolved in accordance with the provisions of Va. Code § 15.2-7511.

12. Miscellaneous

- (A) The Charlottesville Land Bank Corporation shall not expend any public funds on political activities. Subject to the foregoing, the provisions of this paragraph are not intended to prohibit the Land Bank from engaging in activities authorized by applicable law.
- (B) No provision of this Ordinance is intended, nor shall it be construed, as a waiver by the City of any governmental immunity available to the City, its officials, officers or employees, or to the Charlottesville Land Bank Corporation, under any applicable law.
- (C) In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of this City Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

(D) This Ordinance shall become effective on the date enacted, as provided by the laws of the Commonwealth of Virginia.

DULY ORDAINED AN ENACTED the _____ day of _____, 2018, by the Council of the City of Charlottesville, Virginia, in lawful session duly assembled.

ATTEST:

Paige Rice, Clerk of City Council



Rivanna Water & Sewer Authority
Rivanna Solid Waste Authority
695 Moores Creek Lane
Charlottesville, Virginia 22902-9016
434.977.2970 • 434.293.8858 Fax
www.rivanna.org

MEMORANDUM

TO: THE HONORABLE CHARLOTTESVILLE CITY COUNCIL

**FROM: BILL MAWYER, EXECUTIVE DIRECTOR
RIVANNA WATER & SEWER AUTHORITY
RIVANNA SOLID WASTE AUTHORITY**

SUBJECT: QUARTERLY UPDATE

DATE: APRIL 2018

This quarterly update is to provide information on our drinking water, wastewater and solid waste projects currently in the planning, design or construction phases. A general overview of the current and upcoming Capital Improvement Projects (CIP) follows:

1. Odor Reductions at Moores Creek Wastewater Plant

Scope: Provide two clarifier covers, one air scrubber, wastewater containment pipe, and chemical neutralizers.

Status: Construction of permanent facilities is substantially complete. New clarifier covers and air scrubber system have reduced odor levels.

Completion: March 2018

Cost: \$10 million

2. Granular Activated Carbon Facilities

Scope: Add GAC contactors at all five water treatment plants to minimize disinfection byproducts in our drinking water.

Completion: April 2018: Scottsville was completed in February 2018. Crozet and N. Rivanna systems will be completed in March. S. Rivanna and Observatory systems will be completed in late April.

Cost: \$29 million

3. Water Treatment Plant Improvements

Scope: Replace equipment which has reached end-of-service life at the South Rivanna Water Treatment Plant, and increase capacity at the Observatory and Crozet Water Treatment Plants.

Completion: 2017-2022

Cost: \$25 million

4. Crozet Flow Equalization Tank
Scope: Provide a one million gallon wastewater tank to store peak wet weather flows which infiltrate the sewer system.
Completion: 2019-2020
Cost: \$3.3 million

5. South Fork Rivanna to Ragged Mountain Reservoir Pipeline Right-of-Way
Scope: Determine alignment and acquire right-of-way permits or easements for a pipeline and pumping station to transfer raw water between the South Rivanna Reservoir and the Ragged Mountain Reservoir, as set forth by the Community Water Supply Plan.
Completion: 2017-2021
Cost: \$2.3 million

6. Rt. 29 Water Pumping Station
Scope: Provide a water pumping station and two ground-level water storage tanks near the future intersection of Meeting Street and Airport Road. These water facilities will enhance our ability to meet growing water demands in the area generally north of Hollymead Town Center.
Completion: 2021-2022
Cost: \$2.3 million

7. Avon Street to Pantops Water Main
Scope: Provide a drinking water main between Avon Street and the Pantops area to improve water pressure in this section of the urban water system.
Completion: 2020-2022
Cost: \$13 million

8. Replace Ivy Transfer Station
Scope: Provide an 11,600 sq. ft. municipal waste transfer station and demolish the existing transfer station.
Completion: September 2017- September 2018
Cost: \$3 million

cc: RSWA Board of Directors
RWSA Board of Directors