

CITY COUNCIL AGENDA
Monday, December 3, 2018



5:30 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code
Second Floor Conference Room (Legal Consultations; Acquisitions of Real Property; and Personnel)

6:30 p.m.

Regular Meeting - CALL TO ORDER
Council Chambers

PLEDGE OF ALLEGIANCE
ROLL CALL
ANNOUNCEMENTS
PROCLAMATIONS

(Items removed from consent agenda will be considered at the end of the regular agenda)

1. CONSENT AGENDA*

- a. Minutes – November 19, 2018 Council Meeting and November 26, 2018 Work Session
- b. APPROPRIATION: Urban Construction Initiative Annual Meeting – \$2,064.02 (2nd of 2 readings)
- c. APPROPRIATION: Special Nutrition Program Food Grant - \$32,000 (2nd of 2 readings)
- d. APPROPRIATION: Community Forest Grant for Land Acquisition at Ragged Mountain - \$600,000 (2nd of 2 readings)
- e. APPROPRIATION: City Schools Check and Connect Student Engagement Grant - \$62,691 (2nd of 2 readings)
- f. APPROPRIATION: Drug Treatment Court Administration Grant - \$293,745 (2nd of 2 readings)
- g. APPROPRIATION: Runaway Emergency Shelter Program Grant - \$209,444 (2nd of 2 readings)
- h. APPROPRIATION: Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$28,282 (2nd of 2 readings)
- i. APPROPRIATION: Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$23,478.94 (2nd of 2 readings)
- j. APPROPRIATION: Water Street Parking Garage Supplemental Appropriation - \$977,155 (2nd of 2 readings)
- k. APPROPRIATION: VDOT Recreational Access Grant – McIntire Park Bicycle and Pedestrian Bridge - \$125,000 (1st of 2 readings)
- l. APPROPRIATION: 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) - \$26,044 (1st of 2 readings)
- m. APPROPRIATION: 2019 Aid to Localities Funding for Fire Programs - \$150,480 (1st of 2 readings)
- n. RESOLUTION: East High Streetscape Concept (1st of 1 reading)
- o. ORDINANCE: Quitclaim Gas Easement in North Berkshire Road to VDOT (2nd of 2 readings)
- p. ORDINANCE: Quitclaim Gas Easement in Dunlora Subdivision to VDOT (2nd of 2 readings)
- q. ORDINANCE: Quitclaim Gas Easement in Hollymead Towncenter Subdivision to VDOT (2nd of 2 readings)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

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.

2. PUBLIC HEARING / RESOLUTION*:

Proposed City Charter Amendment on City Council Compensation (1st of 1 reading)

3. REPORT:

Presentation of FY2018 Financial Audit by City Auditors

4. PUBLIC HEARING/ APPROPRIATION*:

Year End Appropriation (1st of 2 readings)

5. ORDINANCE*:

Rezone Properties on Carlton Avenue and Franklin Street (Carlton Views) to Planned Unit Development (1st of 2 readings)

6. ORDINANCE*:

Amendment to Charlottesville-Albemarle Convention & Visitors Bureau Operating Agreement (1st of 2 readings)

7. REPORT:

Welcoming Greater Charlottesville

OTHER BUSINESS MATTERS BY THE PUBLIC

*ACTION NEEDED

GUIDELINES FOR PUBLIC COMMENT

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

**Time is reserved near the beginning and at the end of each
regular City Council meeting for public comment.**

Please follow these guidelines for public comment:

- Each speaker has **3 minutes** to speak. Please give your name and place of residence before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them. **Speaking from the audience is not permitted** without first being recognized by the Chair.
- Please **refrain from using obscenities**.
- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- If you cannot follow these guidelines, you will be asked to leave City Council Chambers and will not be permitted to re-enter.

Persons with disabilities may request reasonable accommodations by contacting ada@charlottesville.org or (434) 970-3182.

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 19, 2018, AT 5:30 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code
(Boards & Commissions; Legal Consultations; Contract Negotiations; Personnel)

BY ORDER OF THE CITY COUNCIL

BY Brian Wheeler

SECOND FLOOR CONFERENCE ROOM – November 19, 2018

Council met in special session on this date with the following members present: Ms. Walker; Ms. Hill; Dr. Bellamy; and Ms. Galvin. Mr. Signer arrived at 5:48 p.m.

Ms. Walker called the meeting to order at 5:46 p.m.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted, (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; and Ms. Galvin. Noes: None. Absent: Mr. Signer) to meet in closed session as authorized by Va. Code Sec. 2.2-3712, specifically:

As authorized by Virginia Code Sec. 2.2-3711(A)(1) for the consideration of specific candidates to be employed as Chief of Staff / Clerk of the Charlottesville City Council; and

As authorized by Virginia Code Sec. 2.2-3711(A)(1) for the consideration of specific candidates to serve on the Board of Architectural Review, the Citizen’s Transportation Advisory Commission, Housing Advisory Committee, Parks and Recreation Advisory Committee, Region Ten Community Services Board, City of Charlottesville Retirement Commission, Social Services Advisory Board, Towing Advisory Board, Water Resources Protection Program Advisory Committee, and the JAUNT Board of Directors; and

As authorized by Virginia Code Sec. 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members pertaining to the litigation between the City of Charlottesville and the County of Albemarle filed April 20, 2017 concerning the Ragged Mountain Natural Area, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City; and

As authorized by Virginia Code Sec. 2.2-3711(A)(8) for consultation with legal counsel employed by the public body regarding specific legal matters having to do with legal questions concerning city boards and commissions and also legal consultation regarding specific legal matters having to do with conflicts of interests.

On motion by Ms. Hill, seconded by Ms. Galvin, Council certified by the following vote (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None) that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

Ms. Walker adjourned the meeting at 6:23 p.m.

COUNCIL CHAMBER - November 19, 2018

Ms. Walker called the meeting to order at 6:32 p.m.

ROLL CALL

Council met in regular session on this date with the following members present: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin

ANNOUNCEMENTS/PROCLAMATIONS

Dr. Bellamy announced the City's participation in the National Citizen Survey:

The City of Charlottesville is one of many jurisdictions in the US to participate in The National Citizen Survey™ in 2018. Starting Friday, October 19th, pre-notification postcards were mailed to a random sample of 1,800 Charlottesville households informing them that a questionnaire will follow asking for feedback on the quality and usefulness of city services. For those who did receive a postcard, you will have received two surveys by now. This is a crucial component of a healthy response rate, since about a third of the returns come from this second wave. You only need to return one so please ignore the second survey if you had already responded. The results will be included in a final report that city officials and residents will use to guide future strategic plan setting processes and budgeting decisions.

The National Citizen Survey™ is sponsored by the International City/County Management Association in cooperation with National Research Center, Inc. The questionnaire and survey procedure were designed based on the experience of hundreds of local governments, ranging in size from small to large. Scientific sampling and weighting of the responses in each jurisdiction ensure accurate and reliable results. Because each city's survey is developed using a standard template, and many cities can be surveyed at one time, The National Citizen Survey™ is a very efficient way to measure citizen opinion. Previous survey results and reports can be found at www.charlottesville.org/budget.

We hope, should you receive a survey in the mail, that you return it and share your opinion.

Dr. Bellamy thanked community members who donated to a recent turkey and sneaker drive. He also said there would be a toy drive event on December 22, 2018.

Ms. Hill announced that the Downtown Business Association of Charlottesville is spearheading a coat drive. Collection locations include the Market Street Parking Garage, the Water Street Parking Garage, Violet Crown Theater, and Joan Fenton's pop-up store across from the Paramount Theater.

Ms. Galvin announced the City of Charlottesville has been recognized at the platinum-level in the Virginia Municipal League held its 10th anniversary Go Green Challenge:

The Virginia Municipal League held its 10th anniversary Go Green Challenge this year and the City of Charlottesville has been certified at the platinum-level. The challenge is a friendly competition tailored to address issues and opportunities relevant to Virginia's local governments by recognizing policies and actions that reduce energy usage and promote sustainability. After winning 1st place in its size category the first year of the competition, the City has achieved the platinum designation each subsequent year.

The challenge awards points in categories ranging from community involvement and employee engagement, energy efficiency and renewable energy, procurement, land use and transportation, environmental stewardship, waste management, and resiliency. Each year, the City identifies actions which have been done before and during the challenge and compiles a list of new and innovative actions that earn extra credit, such as:

- Expanding the online CityGreen Map with the addition of a green tourism theme
- Supporting and participating in Round 3 of the Better Business Challenge
- Partnering with the Local Energy Alliance Program on commercial and residential energy initiatives
- Collaborating through a Virginia network of energy and sustainability peers on solar strategies
- ...and our award winning water conservation program!

Tonight Mayor Walker will present the Platinum Certification to Kristel Riddervold, the City's Environmental Sustainability and Facilities Development Manager.

Ms. Galvin announced that the Friendship Court redevelopment project was recently honored with the Inclusive Communities Virginia Housing Award at the 2018 Governor's Housing Conference. She said the award recognizes the partnership between the Piedmont Housing Alliance and the resident-led Friendship Court Advisory Committee as they plan what will be a transformational redevelopment for the neighborhood.

Ms. Walker reminded the community that the City budget process is well underway for FY 2020 and input as to how tax dollars are invested are essential to creating a budget that best serves all citizens. Ms. Walker said Council and staff invite the community to give input on service and spending priorities for the upcoming fiscal year. She encouraged residents to visit the Balancing Act web page to provide feedback on the budget at www.charlottesville.org/budget.

APPOINTMENTS TO BOARDS AND COMMISSIONS

On motion by Ms. Hill, seconded by Ms. Galvin, made appointments to the following Boards and Commissions: to the Board of Architectural Review: Jody Lahendro; to the Citizen's Transportation Advisory Committee: T. Donna Chen; to JAUNT: Audrey Dannenberg; to the Parks and Recreation Advisory Committee: Aimee Carter, Jeffrey Fracher; to the Region Ten Community Services Board: Jaree Bell; to the Retirement Commission: David Hughes; to the Rivanna River Basin Commission: Robert Woodside; to the Social Services Advisory Board: LD Perry, Mike Signer; to the Thomas Jefferson Planning District Commission: Nikuyah Walker; to the Towing Advisory Board: Robert Woodside; to the Water Resources Protection Program Advisory Committee: Jacqueline Goodrum, Michael Ramsey, Trey Steigman. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

Mr. Signer commented on conflicts which have led to him missing meetings of the Thomas Jefferson Planning District Commission's Board of Directors. He said he missed three meetings in a row this year which required the TJPDC to notify Council of his absences. Mr. Signer said personal and family obligations on the night of these specific meetings had led to his absences.

CONSENT AGENDA

- a. **Minutes – November 5, 2018 Council Meeting and November 14, 2018 Work Session**

[Minutes](#)

- b. **APPROPRIATION: VDOT Funding for Multi-Modal Improvements - \$413,217 (2nd reading)**

[VDOT Funding for Multi-Modal Improvements](#)

WHEREAS, a total of \$413,217 in state funds for the Revenue Sharing Program requires appropriation;

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

Revenues

\$ 413,217	Fund: 426	WBS: P-01004	G/L Account: 430080
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Expenditures

\$ 413,217	Fund: 426	WBS: P-01004	G/L Account: 599999
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- c. **APPROPRIATION: West Main Streetscape Improvements Revenue Sharing - \$3,112,413 (2nd reading)**

[West Main Streetscape Improvements Revenue Sharing](#)

WHEREAS, a total of \$3,112,413 in state funds for the Revenue Sharing Program requires appropriation;

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

Revenues

\$ 3,112,413 Fund: 426 WBS: P-00336 G/L Account: 430080

Expenditures

\$ 3,112,413 Fund: 426 WBS: P-00336 G/L Account: 599999

- d. **APPROPRIATION: Urban Construction Initiative Annual Meeting - \$2,064.02 (Carried)**

[Urban Construction Initiative Annual Meeting](#)

- e. **APPROPRIATION: Special Nutrition Program Food Grant - \$32,000 (Carried)**

[Special Nutrition Program Food Grant](#)

- f. **APPROPRIATION: Community Forest Grant for Land Acquisition at Ragged Mountain - \$600,000 (Carried)**

[Community Forest Grant for Land Acquisition at Ragged Mountain](#)

- g. **APPROPRIATION: City Schools Check and Connect Student Engagement Grant - \$62,691 (Carried)**

[City Schools Check and Connect Student Engagement Grant](#)

- h. **APPROPRIATION: Drug Treatment Court Administration Grant - \$293,745 (Carried)**

[Drug Treatment Court Administration Grant](#)

- i. **APPROPRIATION: Runaway Emergency Shelter Program Grant - \$209,444 (Carried)**

[Runaway Emergency Shelter Program Grant](#)

- j. **APPROPRIATION: Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$28,282 (Carried)**

[Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan](#)

- k. **APPROPRIATION: Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$23,478.94 (Carried)**

[Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan](#)

- l. **ORDINANCE: Quitclaim Gas Easement in North Berkshire Road to VDOT (Carried)**

[Quitclaim Gas Easement in North Berkshire Road to VDOT](#)

- m. **ORDINANCE: Quitclaim Gas Easement in Dunlora Subdivision to VDOT (Carried)**

[Quitclaim Gas Easement in Dunlora Subdivision to VDOT](#)

- n. **ORDINANCE: Quitclaim Gas Easement in Hollymead Towncenter Subdivision to VDOT (Carried)**

[Quitclaim Gas Easement in Hollymead Towncenter Subdivision to VDOT](#)

On motion by Ms. Galvin, seconded by Mr. Signer, the CONSENT AGENDA was approved. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

Mr. Murphy provided responses to matters raised at the previous meeting. He reported on the trash removal schedule for the Downtown Mall which varies from 2-3 times daily and the availability of dog waste bags which exist at two locations on the Downtown Mall.

Mr. Murphy said there had been a request from Ms. Katrina Parker related to a meeting between the Police Chief and Ms. Lolita Smith. He said that meeting had been scheduled but a conflict prevented it from taking place.

Mr. Murphy followed up on input from Ms. Nancy Carpenter related to emergency assistance to residents. Dr. Bellamy had asked for an update on the resources available for that purpose. Mr. Murphy said the City allocates \$84,516 per year to a fund for emergency needs. Another \$100,000 comes to the City from the Department of Housing and Urban Development for prevention efforts. Mr. Murphy said that based upon discussions with City staff, the provider community, and the quickness with which resources get exhausted, it was estimated that about three times that amount is needed from the City.

Mr. Murphy said staff would be making significant updates to the City's West Main Streetscape project website. He said he discussed with Colette Sheehy, Senior Vice President for Operations at the University of Virginia, the preparation of a Memorandum of Understanding on the release of \$5 million commitment in funding for the University's support of West Main Streetscape projects.

Mr. Murphy responded to other issues related to the West Main Streetscape including undergrounding utilities, bus turn radius, and Meriwether Lewis, William Clark and Sacagawea statue location. The current plan is to move statue 24 feet from its current location. He advised Council that removing the statue altogether should be accompanied by further public engagement.

Ms. Walker asked if UVA had been asked to increase their contribution. Mr. Murphy responded that such a request had not been communicated to UVA officials and that Council may wish to discuss that as a body if they are interested in such a request.

Mr. Murphy introduced Dr. Rosa Atkins, Superintendent of Charlottesville City Schools to give a presentation on the school division's anti-bullying efforts and support mechanisms. Dr. Jim Henderson, Associate Superintendent, introduced Patrick Farrell who gave Council the presentation which covered the Charlottesville Tiered Systems of Support, including behavior and mental wellness, and Positive Behavioral Interventions and Supports (PBIS).

Mr. Signer asked Dr. Henderson about research at UVa's Curry School on mindfulness. Dr. Henderson said the division is working with the faculty involved in that research and preparing a pilot in one elementary school.

Ms. Galvin asked about the process for responding to a bullying complaint. Dr. Atkins responded with details about the process.

Ms. Hill asked about other complimentary efforts that the City could pursue? Dr. Atkins noted that social media can inflame bullying situations. She said both the benefits and dangers of social media need to be explained to the public.

Dr. Bellamy asked about the number of bullying incidents reported? Dr. Henderson responded that bullying events have been on the decline over the past several years and the division has recorded nine this year.

Dr. Bellamy asked if culturally responsive approaches are part of PBIS? Dr. Henderson said they were.

Mr. Murphy invited Charlottesville Police Chief RaShall Brackney to provide an update to Council on data related to encounters leading to detentions and unwarranted search and seizures.

Chief Brackney presented data for October 2018. She described the department's efforts to standardize definitions and data entry. There were 51 incidents involving detentions which involved 68 individuals and Chief Brackney shared breakouts of the types of encounters, whether they were initiated by officers, and the demographics for the individuals involved (sex/race).

Chief Brackney said the format for this monthly report is something she would like to standardize and publish on the City's website with Council's input about what would be most beneficial to include.

Chief Brackney said in her previous presentation she asked for input from the community as to what additional information could be provided and that she did not receive any feedback.

Mr. Signer asked about alignment with the City's Open Data Policy and how this can be shared in an open format.

Ms. Hill asked if the data could be presented on a map by neighborhood area (not by specific data point locations, but by summary totals)? Mr. Murphy responded that such a presentation could be investigated by staff.

Ms. Galvin noted that having data by census tract, such as that analyzed in the Orange Dot Report regarding poverty, would be helpful for comparative analysis.

Ms. Walker commented on the alcohol-related incidents in October. She said the community previously had access to the Mohr Center as an alternative to jail. Chief Brackney responded that she would be willing to revisit such and approached and she shared her experience from Pittsburgh.

Ms. Walker asked if Chief Brackney was tracking officer-initiated interactions over time as a trend as opposed to just a monthly snapshot? Chief Brackney responded that such data would be analyzed for trends. She said she wants to develop a culture that CPD is part of the community.

COMMUNITY MATTERS

Ms. Kendyl Crawford spoke on behalf of Virginia Interfaith Power and Light. She said low-income communities are disproportionately impacted by climate change. She said our dependence on fossil fuels negatively impacts these communities. She encouraged the City to continue its environmental stewardship and initiatives to address climate change by reducing greenhouse gases.

Ms. Laura Allen spoke on behalf of Generation 180 and Cville 100. She thanked the City for its work to engage the community on greenhouse gas emission reduction initiatives. She said the City should prioritize clean energy and renewable energy approaches.

Mr. Grey McLean said he is the founder of the Charlottesville Climate Collaborative (C3) and a member of Cville 100. He encouraged the City to be a leader when setting its climate goals. He said this approach was also critical to the community's long-term economic development. He added that broad stakeholder engagement is critical to success because most positive changes will come from residents and businesses. Finally a greenhouse gas inventory should be conducted every two years.

Ms. Marcia Geyer said she was secretary of 350 Central Virginia and a member of the Cville 100 Climate Coalition. She urged City Council to address the climate change emergency. She noted health issues, pollution, and mold as factors related to increased occurrence of asthma.

Ms. Anna Bella Korbatov ceded her time to Mr. Richard Levy who spoke representing the Cville Renewable Energy Alliance. He encouraged a carbon reduction target of 45 percent by 2035 and full carbon offset by 2050.

Ms. Carol Carter ceded her time to Mr. Caetano de Campos Lopes representing the Citizens Climate Lobby which just formed a chapter in Charlottesville. He said the Intergovernmental Panel on Climate Change Report says that by 2030 we must reduce greenhouse gas emissions by 45 percent by 2035 and full carbon offset by 2050.

Mr. Brad Slocum said the climate change risk or vulnerability assessment was also important to consider. He said the problem was well-documented with climate-related disasters. He said the City's plan should address race, income inequality and refugees as part of its planning.

Ms. Joanie Freeman spoke representing the "Green Grannies" and said now is the time for action related to climate change. The "Green Grannies" sung a song for Council and encouraged immediate action to build a better future.

Ms. Susan Thesenga spoke about a bullying incident involving her granddaughter at Buford Middle School. She was joined by Ms. Zeneida Howard who also responded with input on how to respond to bullying situations in City schools.

Mr. Michael Payne commented on climate change and said the Mayors Climate Compact and the Paris Agreement are both inadequate in that they will allow too much of a temperature increase. He called upon Charlottesville to go way beyond that and do something unprecedented. He said we should achieve 100 percent renewable energy by 2030 and a complete divestment from fossil fuel investments. He called for capital budget investments in climate change and support for other legislative initiatives.

Ms. Emily Little said as a mother it was important for her children to know unconditional love and health and safety. She said the International Panel on Climate Change report raised significant concerns for her and she called on the City to set bigger climate change goals.

Ms. Galvin commented on the fusing of sustainability and equity as combined goals in the comments being made to Council and she said this was a revolutionary moment. She described how the City needs to integrate discussions of sustainability, transportation, and affordable housing issues.

Mr. Quinton Harrell spoke on behalf of the New Hill Development Corporation. He thanked Council for the seed capital investment and its support of the initiative approved at the last Council meeting.

Mr. Dave Redding spoke about Community Bikes and its community efforts to support alternative modes of transportation.

Mr. Rob Woodside thanked Council for its work in the community.

Ms. Susan Thesenga said a lot more should be done related to bullying in City schools. She said a 2013 report on bullying in Virginia outlined a number of recommendations that have not been implemented by City schools. She said her granddaughter would be leaving Buford Middle School because of bullying.

Mr. Melvin Burrus said he was a member of the board of the New Hill Development Corporation. He said it would be a device to uplift and empower people of color. He said it will enable creation of new businesses and affordable housing. It will uplift the economically disadvantaged and support growing a new middle class.

Ms. Walker spoke about the New Hill Development Corporation and her vote in opposition to the initiative at the previous meeting. She said she had been clear about her call for fiscal responsibility for everyone coming before Council. She said she was also a proponent of transparency and public engagement and neither was done sufficiently in this case. Ms. Walker said there were numerous issues that needed further attention including the way the City has conducted past Small Area Plans. She reiterated that her critique was about the process and not the idea or goals for the project. She said she hoped what New Hill Development Corporation plans to do will happen and be successful.

Ms. Galvin commented on feedback received by Council via email from Ms. Mary Carey regarding Ms. Galvin's comments on November 5, 2018 in support of the New Hill Development Corporation initiative. Ms. Galvin described how the land encompassing the historic Vinegar Hill neighborhood was split after urban renewal between today's Starr Hill and the North Downtown neighborhoods. At the meeting Ms. Galvin only referenced Starr Hill as the location of the historic Vinegar Hill neighborhood. She described why she is a passionate supporter of the New Hill Development Corporation initiative.

RESOLUTION: 2019 LEGISLATIVE PROGRAMS - CITY AND THOMAS JEFFERSON PLANNING DISTRICT COMMISSION

[2019 Legislative Programs - City and Thomas Jefferson Planning District Commission](#)

Mr. John Blair, the City Attorney, invited David Blount, legislative liaison for the Thomas Jefferson Planning District Commission, to present the regional legislative package that has been prepared for the 2019 session of the Virginia General Assembly. He said all other localities had already approved the legislative agenda.

Mr. Blair reviewed specific additions and position statements requested by Council and the Human Rights Commission. He said four specific bills had been requested by Council members on a variety of topics related to inclusionary zoning, statues, weapons in public spaces, and automated speed cameras.

Mr. Blair invited Council to discuss and vote on the two legislative programs separate from the proposed charter amendments.

On motion by Ms. Galvin, seconded by Ms. Hill, to Approve the 2019 Legislative Program of the Thomas Jefferson Planning District Commission. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

On motion by Ms. Galvin, seconded by Ms. Hill, to Approve the 2019 Legislative Program of the City of Charlottesville. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

Mr. Signer said he was opposed to speed cameras but he would still vote in favor of the package. Ms. Walker said she supported items 1, 2 and 4.

Mr. Blair then introduced the two charter amendment proposals requested by members of Council. He said if they receive support, there would need to be a public hearing at the Council meeting on December 3, 2018.

Mr. Blair said the first charter amendment, requested by Dr. Bellamy, would allow the direct election of the Mayor as happens in Roanoke, VA.

Ms. Hill asked if the Mayor would be elected to a four-year term? Mr. Blair said that Roanoke's Mayor has a four-year term. Dr. Bellamy said he would be open to a two-year term for an elected Mayor.

Mr. Blair added that Dr. Bellamy's proposal envisions the Vice Mayor being the person who receives the most votes in the general at-large elections held every two years.

Mr. Blair added that part of a cleanup needed in the City Charter in general, to ensure conformity with state law, updates are needed to the section referring to special elections and the

filling of a vacancy on Council. These changes would be requested at the same time from the General Assembly.

Ms. Hill asked for more feedback from staff and the public about other alternatives and potential changes, for example a move to a ward system.

Dr. Bellamy said changes would be criticized by some regardless of the specifics. He said the Roanoke model is the most comprehensive "weak-Mayor" model he has seen in Virginia.

Ms. Hill pointed out that some great talent could be lost if multiple qualified people vie for the Mayor's position in an election as the loser would be unable to serve on Council.

Ms. Galvin asked Dr. Bellamy to make the case for this change. Dr. Bellamy said he had received a lot of public feedback that citizens would like to have more involvement selecting the Council's leadership. Ms. Galvin responded that the Mayor will have no additional powers and as a result that might be misleading and create an illusion of power.

Mr. Signer said that when this was first raised earlier in the year there was agreement by Council to have a lot of community engagement. He said that community engagement has not yet happened and other ideas might be worth discussing. Mr. Signer said, for example, he had proposed other alternatives such as electing the City Manager, something he said was done in Maryland. Another proposal, he had suggested he said, was to retitle the Mayor's position as Chair to better reflect its role. Mr. Signer said he wanted to hear more input from the public.

Ms. Walker said she would like to hear from the public in a public hearing and that if the Charter changes do not have a hearing next month then such a change could not be considered again by the General Assembly until 2021.

Ms. Hill and Ms. Galvin expressed concern about a specific Charter amendment proposal moving forward without additional community engagement. Ms. Galvin called for a work session in spring 2019.

Mr. Blount said that charter change bills are required to be submitted on the first day of the General Assembly session, or by January 9, 2019. Charter bills a two-thirds majority vote in favor by each chamber to be approved and the changes would take effect July 1, 2019. To have an emergency clause put on a bill, such that the charter changes would take effect immediately upon the Governor's signature, would require a four-fifths majority vote to approve.

Ms. Walker reiterated she was interested in hearing from the public on this topic at a future public hearing.

Mr. Blair said Council would not be obligated to send the Charter amendment on to the General Assembly just because they scheduled a public hearing for December 3, 2018. Other topics could also be included in the public hearing related to the form of government, he said.

A motion by Dr. Bellamy, seconded by Ms. Walker, to hold a public hearing on a Charter amendment for directly electing the mayor FAILED. (Ayes: Dr. Bellamy, Ms. Walker. Noes: Mr. Signer, Ms. Hill, Ms. Galvin.)

Mr. Blair introduced the second Charter amendment requested by Ms. Walker related to the setting of Council salaries.

Ms. Hill said the workload and low salaries were a barrier to many people serving on City Council. She said it is a fulltime job today and the role needs to be recalibrated and made more manageable in the future. She said she heard concerns from the community about Council salaries being tied to the City manager's compensation in some way. She said she supports finding ways to get more people involved in local government service.

Ms. Walker said she expected this level of intensity in the work by Council to continue.

Mr. Blair said Charlottesville is already at the maximum salaries allowed by the state for Council and the Mayor unless the Charter is changed to override state law.

Ms. Galvin said the proposal to have the Office of Council and a Chief of Staff, policy analyst, community outreach coordinator, and assistant clerk were all intended to reduce the workload on members of Council.

Ms. Walker said we live in a community that expects a high level of engagement by Council. She said if we want diversity on Council, then we have to adjust the compensation for its members.

Mr. Signer recommended we think carefully about changes to the City's form of government. He said the model in Virginia is designed to be, in effect, a board of directors working part-time with a full-time chief executive in the City Manager. He noted this proposal comes at a time when Council is hiring a new City Manager who will be focused on execution and implementation of Council and community priorities.

Ms. Walker responded further about the salary level being proposed for Council, which will not be close to the area median income.

Ms. Galvin also shared a concern about the salaries being tied to the City Manager's salary (on a percentage basis).

Dr. Bellamy said there would have to be a different level of compensation if we want to attract people with different backgrounds to serve on Council.

Dr. Bellamy asked if the connection to the City Manager's salary could be removed from the proposal? Mr. Blair said a charter change could be done that was short and declarative on the matter of Council having authority to set its salaries in general.

A motion by Ms. Galvin, seconded by Ms. Hill, to authorize a public hearing on December 3, 2018 to change the City charter to enable Charlottesville City Council to set its own salaries without being constrained by state law was APPROVED. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Ms. Galvin; Noes: Mr. Signer.)

CHARLOTTESVILLE CITY COUNCIL LEGISLATIVE POSITION STATEMENTS FOR THE 2019 GENERAL ASSEMBLY SESSION

APPROPRIATION: WATER STREET PARKING GARAGE SUPPLEMENTAL APPROPRIATION - \$977,155 (Carried)

[Water Street Parking Garage Supplemental Appropriation](#)

Chris Engel, the City's director of economic development, gave a staff report on the appropriation related to the Water Street Parking Garage.

Council reached consensus to carry this forward to December 3, 2018 consent agenda.

REPORT: DOWNTOWN BUSINESS ASSOCIATION OF CHARLOTTESVILLE (DBAC) MARKETING UPDATE

[Downtown Business Association of Charlottesville \(DBAC\) Marketing Update](#)

Mr. Jason Ness with the City's office of economic development, provided an update on Council's \$75,000 grant to the Downtown Business Association of Charlottesville. He said DBAC focused its work on a marketing campaign and website. Mr. Ness said over 60 percent of funds had been drawn down at this time and DBAC had raised a match exceeding Council's requirements.

Mr. Signer asked about how to measure success of the initiative. Mr. Ness pointed out the website launched in September. He said his office will monitor tax revenues and parking garage usage.

Ms. Bruce Williamson of DBAC shared the new website, www.downtowncharlottesville.com with Council.

Mr. Roy Van Doorn said the website was a significant advancement. He noted the website metrics would be just one indicator of the campaign's success.

REPORT: PROGRESS UPDATE ON THE CITY'S COMMITMENT TO THE GLOBAL COMPACT OF MAYORS

[Progress Update on the City's Commitment to the Global Compact of Mayors](#)

Ms. Susan Elliott, the City's Climate Protection Program Manager, provided a staff report and presentation on progress related to the Global Compact of Mayors endorsed in June 2017.

Ms. Elliott said the City had submitted the inventory of city-wide greenhouse gas emissions for Phase I of the Compact's objectives.

Ms. Elliott's staff report described the impact that fuel sources, such as choices to switch from coal to natural gas by Dominion Energy's power plants, and new technology play in reducing greenhouse gas emissions. She said the next phase of the Mayor's Compact will involve determining specific greenhouse gas reduction targets for the City overall. In June 2019, staff will present a greenhouse gas reduction target to Council for approval.

Ms. Galvin said the report was excellent. She recommended staff inform other decisions being made about such initiatives as affordable housing, regional transit and the comprehensive plan's zoning changes. Ms. Elliott said there would be interest in speaking with the groups working in those areas, as well as the nonprofit groups in the community.

Mr. Signer suggested there may be a mandate needed from Council to coordinate this work within the City and with Albemarle County given the level of urgency identified in the Intergovernmental Panel on Climate Change report.

REPORT: LIGHTING STUDY FOLLOW UP

[Lighting Study Follow Up](#)

Mr. Tony Edwards, Neighborhood Development Services Manager provided an update to Council on the September 2016 Pedestrian Lighting Study Improvement Plan. He said two priority areas for lighting improvements are around the Downtown Mall (Area A) and around The Corner near the University of Virginia (Area B).

Mr. Edwards said the study team is focusing on improvements like LED street lighting for the top-10 streets in the study areas.

Ms. Galvin asked if the University of Virginia was participating in the funding since they were involved in the study. Mr. Edwards said the University is contributing to other projects such as the Emmett Street corridor. He said staff could initiate this conversation with the University.

Ms. Walker asked about the locations identified as having a greater number of crimes and the suitability of lighting in those areas? Mr. Murphy pointed out the crime data was for all 24 hours of a day and not just during darkness.

REPORT: WEST MAIN INFRASTRUCTURE UPDATE (BIKE/PEDESTRIAN AND ADA)

[West Main Infrastructure Update \(Bike/Pedestrian and ADA\)](#)

Brennen Duncan, the City's Traffic Engineer, provided a six-month update to Council on West Main infrastructure issues with respect to traffic enforcement, and bike/pedestrian accommodations related to permits for street and sidewalk closures.

Captain Tito Durette, Charlottesville Police Department, described his unit's traffic enforcement activities from the Downtown Mall through the West Main Street corridor.

Mr. Duncan said enforcement of street and sidewalk closures by the Department of Neighborhood Development Services were now more stringent. He described actions taken in response to citizen feedback at the Standard development to facilitate safe pedestrian crossings.

Ms. Galvin asked why there were many fewer complaints with the Quirk and Blue Moon development projects on West Main as compared to The Standard? Mr. Duncan said staff had worked closely with the developers and the City required alternate pedestrian routes be in place up front.

OTHER BUSINESS

Ms. Hill mentioned the citizen concerns around a right-of-way issue on Second Street NE and Council reached consensus to bring recommendations back to a future meeting. Ms. Hill will share assessment from the City Attorney's office with concerned citizens.

Dr. Bellamy read a statement related to an initiative to create 4,000 units of affordable housing in the community. He said a preliminary model indicates there will be a significant cost for redevelopment. He asked Council to discuss this further at next week's housing work session. He wants the analysis forwarded to the Housing Advisory Committee for their feedback.

MATTERS BY THE PUBLIC

Ms. Nancy Carpenter asked how so many speakers in the earlier public comment period were focused on climate change? She said she thinks it is unusual that the random lottery ended up with this outcome.

Mr. Tony Wash wished Council a Happy Thanksgiving.

Ms. Walker adjourned the meeting at 12:05 a.m.

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD
ON Monday, November 26, 2018, AT 6 p.m. IN City Space, 100 Fifth Street, NE,
Charlottesville, Virginia 22902.

THE PROPOSED AGENDA IS AS FOLLOWS:

Work session related to Housing

Council meeting with representatives of
the Charlottesville Redevelopment & Housing Authority (CRHA) - 6 p.m. to 7:30 p.m.

Council meeting with representatives of
the Piedmont Housing Alliance (PHA) - 7:30 p.m. to 9 p.m.

BY ORDER OF THE CITY COUNCIL

BY Brian Wheeler

**CITY SPACE
November 26, 2018**

Council met in special session on this date with the following members present: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer.

Ms. Walker called the meeting to order at 6:06 p.m.

Work session related to Housing

Mr. Mike Murphy, Interim City Manager, opened the work session and introduced Mr. Grant Duffield, Executive Director of the Charlottesville Redevelopment & Housing Authority (CRHA). Mr. Duffield made a presentation on the current opportunities being pursued to redevelop existing public housing sites and he responded to questions from Council.

Council received public comment.

Council recessed for a break at 7:46 p.m. and reconvened at 7:58 p.m.

The second half of the work session began with remarks by Mr. Sunshine Mathon, Executive Director of the Piedmont Housing Alliance (PHA), and Ms. Claudette Grant, PHA's Community Organizer. The history of Friendship Court was reviewed and the phasing and financing plans were shared for the redevelopment project.

Ms. Walker adjourned the meeting at 9:26 p.m.

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



Agenda Date:	November 19, 2018
Action Required:	Appropriation
Presenter:	Jeanette Janiczek, Urban Construction Initiative Program Manager
Staff Contacts:	Alex Ikefuna, Neighborhood Development Services Director Tony Edwards, Development Services Manager Jeanette Janiczek, Urban Construction Initiative Program Manager
Title:	2018 Urban Construction Initiative Annual Meeting Reimbursement Appropriation – \$2,064.02

Background:

On May 16, 2005, the City entered into an agreement with the Virginia Department of Transportation (V.D.O.T.) to participate in the Urban Construction Initiative (“First Cities”) Program. Through this program, the City is responsible for administering its urban system construction program of large transportation projects – design, right-of-way acquisition, utility relocation, and construction.

An Annual Meeting is held between the Member Municipalities of the Urban Construction Initiative and the V.D.O.T. over two days to provide updates on business, legislative and technical items on Day 1 and training sessions on Day 2. Each year a different locality is selected to host the Annual Meeting.

Discussion:

For 2018, the City of Charlottesville was selected to host the Annual Meeting. Hosting involves reserving a meeting place for approximately 75 people, catering breakfast and lunch over 2 days, securing audiovisual equipment and leading a bus tour of local transportation projects. Hotel room blocks are secured at area hotels and a social hour with dinner is organized as well with these expenses being incurred by the attendees.

With the assistance the Parks and Recreation Department, a meeting room and audiovisual equipment was secured in the Carver Recreation Center at the Jefferson School. Charlottesville Area Transit was able to provide two City busses with drivers for the bus tour. This left \$2,064.02 in food and supply costs that was procured from local vendors and will be reimbursed by the V.D.O.T.

Alignment with City Council’s Vision and Strategic Plan:

The meeting supports City Council’s “A Connected City” and “Smart, Citizen-Focused Government” vision statements. It contributes to Goal 3.2 of the Strategic Plan, to “provide reliable and high quality infrastructure.”

Community Engagement:

No community engagement has occurred on the agenda item. However, public involvement is integral to the successful delivery of the individual projects that make up the Urban Construction Initiative Program and the Annual Meetings help deliver a successful overall program.

Budgetary Impact:

The funds will be returned to the Neighborhood Development Services department's General Fund operating budget to replenish expenses already incurred.

Recommendation:

Staff recommends approval and appropriation to return funds to the Neighborhood Development Services department's operating budget.

Alternatives:

If funds are not appropriated, the funding will return to the General Fund and the Neighborhood Development Services department's operating budget will incur the \$2,064.02 in expenses without reimbursement.

Attachments:

Appropriation

APPROPRIATION

**2018 Urban Construction Initiative Annual Meeting Reimbursement Appropriation
\$2,064.02**

WHEREAS, a total of \$2,064.02 in state funds for the 2018 Urban Construction Initiative Annual Meeting requires appropriation;

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

Revenues

\$ 2,064.02 Fund: 105 WBS: 3901001000 G/L Account: 430080

Expenditures

\$ 2,064.02 Fund: 105 WBS: 3901001000 G/L Account: 520500

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$2,064.02 from the Virginia Department of Transportation.

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



Agenda Date:	November 19, 2018
Action Required:	Appropriation
Presenter:	Riaan Anthony, Park and Recreation Management Specialist
Staff Contacts:	Riaan Anthony, Park and Recreation Management Specialist II Vic Garber, Manager, Recreation Division
Title:	Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$32,000

Background:

The City of Charlottesville, through Parks and Recreation, has received approval for a reimbursement of up to \$32,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children 18 and under attending our drop-in afterschool programs through their Child and Adult Care Food Program.

Discussion:

Charlottesville Parks and Recreation will operate an afterschool meals program for 36 weeks, during the course of the regular school year. There are currently 4 locations, Friendship Court, Greenstone on 5th, South First Street and Westhaven Community Centers that serve children 18 years and under.

The reimbursement will cover the costs of a nutritious dinner at these locations, which also have an educational/enrichment component. Dinner will be served from 4-8 pm at the various community centers. Most of the children served receive free or reduced meals during the school year. Over 300 children will be served each week during the months of September to May.

The dinners are purchased through the City of Charlottesville School Food Service. The Parks and Recreation Department pays the bills to the City of Charlottesville Food Service and is then reimbursed by the Virginia Department of Education Special Nutrition Programs.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and it contributes to Goal 2 of the Strategic Plan - Healthy and Safe City. Children will receive a nutritious dinner, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

Community Engagement:

N/A

Budgetary Impact:

There is no impact to the General Fund. The funds will be appropriated, expensed and reimbursed to a Grants Fund. There is no required local match for this program.

Recommendation:

Staff recommends approval and appropriation of funds,

Alternatives:

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

Attachments:

N/A

APPROPRIATION

**Virginia Department of Education Special Nutrition Program
Child and Adult Care Food Program
\$32,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$32,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2018 through September 30, 2019;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$32,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 32,000

Fund: 209 Internal Order: 1900317 G/L Account: 430120

Expenditures - \$32,000

Fund: 209 Internal Order: 1900317 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$32,000 from the Virginia Department of Education Special Nutrition Program.

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



Agenda Date:	November 19, 2018
Action Required:	Appropriation
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Ryan Davidson, Office of Budget and Performance Management
Title:	USDA Community Forestry Grant – Ragged Mountain Land Acquisition - \$600,000

Background:

The City of Charlottesville, through Parks and Recreation, has received a grant from the US Department of Agriculture (USDA) through the Community Forest Program to assist with the acquisition of 144 acres of forested land adjacent to the Ragged Mountain Reservoir property. The match for this project comes in the form of a donation of the rest of the property value by the landowner.

Discussion:

The City of Charlottesville became aware of property for sale adjacent to the Ragged Mountain Reservoir a few years ago. With assistance from the Piedmont Environmental Council (PEC) the landowner agreed to sell the property if the City is awarded the USDA grant. The owner will receive the \$600,000 as pass-through funds, and will donate the remaining \$1.6 million in property value as a tax benefit. The USDA grant program is intended to preserve forest properties to be used for recreation and education. Once the property is acquired, a forest management plan is required to be developed to detail how the property will be used, which will primarily include trail system layout and plans for how to provide access and interpretation for environmental education.

Community Engagement:

The master plan for Ragged Mountain has a primary element related to preservation of forest and water resources. This acquisition opportunity with further the preservation goal and expand recreation opportunities. This will also provide for environment education opportunities for City and County elementary, secondary, and college student due to the property's proximity to so many schools.

Alignment with City Council's Vision and Strategic Plan:

Preservation of the property will further the council vision statement of being a Green City with an extensive natural trail system, along with healthy rivers and streams, and further Strategic Plan objective 3.4 "Be responsible stewards of natural resources".

Budgetary Impact:

There is no impact to the General Fund. Funds will be received and expensed in the Capital Improvement Fund, and the required local match of will come from a donation of land value. Staff will work with volunteers in developing the forest management plan and constructing the trail system.

Recommendation:

Staff recommends appropriation of grant funds.

Alternatives:

If grants funds are not appropriated, the property will not be acquired.

Attachments:

Grant award letter from USDA, property owner letter, map of property to be acquired.

APPROPRIATION

**USDA Community Forestry Grant – Ragged Mountain Land Acquisition
\$600,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded \$600,000 from the US Department of Agriculture to acquire 144 acres of undeveloped forested land adjacent to the Ragged Mountain Reservoir Property; and

WHEREAS, the match for this grant will come from the property owner donating the remaining value of the land; and

WHEREAS, the City will only incur the costs of closing on the property; and

WHEREAS, the grant funding will be passed through the parkland acquisition account and paid to the property owner;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$600,000 is hereby appropriated in the following manner:

Revenue

\$600,000 Fund: 426 WBS: P-00534 G/L Account: 431110

Expenditures

\$600,000 Fund: 426 WBS: P-00534 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$600,000 from the US Department of Agriculture.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	November 19, 2018
Action Required:	Appropriation
Presenter:	Misty Graves, Human Services Department
Staff Contacts:	Misty Graves, Human Services Department Kaki Dimock, Director of Human Services
Title:	Charlottesville City Schools' Check and Connect Student Engagement Grant - \$62,691

Background:

Check and Connect is an evidence-based truancy prevention program funded by a Byrne/Juvenile Assistance Grant from the Virginia Department of Criminal Justice Services (DCJS) and administered by the Human Services Department. The grant provides a comprehensive student engagement intervention for truant youth or youth at risk of truancy in the 8th – 10th grades in the Charlottesville City School system. The grant period is from October 1, 2018 through September 30, 2019. The total grant is \$37,500 in federal pass through funds, and a required local match of \$12,500 and \$12,691 of additional funds to be provided by the Charlottesville City Schools.

Discussion:

Truancy is a precursor to delinquent behavior that should be addressed in its early stages to avoid further penetration into the juvenile justice system. Locally, the connection between truancy and delinquency has been documented by the *Juvenile Offender Report*, a research report developed by the Charlottesville/Albemarle Commission on Children and Families that deals with the risk and needs of 985 local juvenile offenders who were placed on probation between 1997 – 2000, 2004 – 2006, and 2011-2012. The average rate of truancy for the juvenile offenders in the study group was 48% per year over a nine year period.

Alignment with Council Vision Areas and Strategic Plan:

The Check and Connect grant aligns with the City of Charlottesville's Strategic Plan – Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

The Human Service Department's programs provide residential and community based services that prevent delinquency and promote the healthy development of youth. The Check and Connect Program provides comprehensive support services for 8th - 10th grade Charlottesville City School

students experiencing school attendance problems to prevent early school withdrawal and ultimately delinquent behavior by promoting students' engagement with school and learning. Expected outcomes include increased attendance and decreased delinquent behavior during and after program participation.

Community Engagement:

The community is engaged through the Check and Connect program by serving students and families in the Charlottesville school system and by collaborating with the many different agencies that interface with the program.

Budgetary Impact:

There is no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund. The terms of the award require a local match of \$12,500 which will be provided by the Charlottesville City Schools. The Charlottesville City Schools will also provide an additional \$12,691 to maintain grant personnel costs. Both the Match and the additional supporting funds are documented by a signed Maintenance of Understanding between the Charlottesville Human Service Department and the Charlottesville City Schools.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If the grant funds are not appropriated, the Human Services Department would not be able to provide this service to local youth.

Attachments:

Appropriation

APPROPRIATION
Charlottesville City Schools' Check and Connect Student Engagement Grant
\$62,691

WHEREAS, the City of Charlottesville has been awarded \$37,500 in Federal Funds from the Virginia Department of Criminal Justice Services, \$12,500 in Matching Funds and \$12,691 in additional funds from the Charlottesville City Schools for a total award of \$62,691 for the Charlottesville City School's Check and Connect Student Engagement Program; and

WHEREAS, the grant award covers the period from October 1, 2018 through September 30, 2019.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$62,691 is hereby appropriated in the following manner:

Revenue – \$62,691

\$ 37,500	Fund: 209	Cost Center: 3413013000	G/L Account: 430120
\$ 25,191	Fund: 209	Cost Center: 3413013000	G/L Account: 432030

Expenditures - \$62,691

\$58,443	Fund: 209	Cost Center: 3413013000	G/L Account: 519999
\$ 4,248	Fund: 209	Cost Center: 3413013000	G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$37,500 from the Virginia Department of Criminal Justice Services, and \$25,191 from the Charlottesville City Schools.

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



Agenda Date:	November 19, 2018
Action Required:	Appropriation
Presenter:	Susan Morrow, Offenders Aid and Restoration
Staff Contact:	Ryan Davidson, Senior Budget & Management Analyst Susan Morrow, Offenders Aid and Restoration
Title:	Charlottesville/Albemarle Adult Drug Treatment Court Substance Abuse and Mental Health Services Administration Grant Award - \$293,745

Background:

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court, has received a grant from the Substance Abuse and Mental Health Services Administration (hereinafter S.A.M.H.S.A.), a division of the U. S. Department of Health and Human Services, in the amount of \$293,745 for operations of the drug court program, which is operated by Offender Aid and Restoration (O.A.R.). The City of Charlottesville serves as fiscal agent for the Substance Abuse and Mental Health Services Administration Drug Treatment Court Grant.

Discussion:

In its twenty-first year of operation, the Charlottesville/Albemarle Adult Drug Treatment Court is a supervised 12 month drug treatment program that serves as an alternative to incarceration for offenders. Drug Court is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult felony offenders who are addicted to drugs. The program uses the power of the court to assist offenders with moderate to severe substance use disorders to achieve recovery through a combined system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The S.A.M.H.S.A. grant will fund enhancements that are intended to close current gaps in the drug court treatment continuum, support consumer specific clinical needs and create a

supportive environment that connects participants with a broader, community-based system of services and support, bridging the gap between treatment and recovery communities. All of the new enhancements are evidence based and are expected to improve retention rates and graduation rates while reducing recidivism among drug court participants and graduates.

The total budget for the S.A.M.H.S.A. grant is \$293,745, and it does not require a local match.

Alignment with City Council Vision and Strategic Plan:

This program supports the Council's Goal C2: Be a safe, equitable, thriving and beautiful community and Objective C2.1: Provide an effective and equitable public safety system. The drug court is a valuable, less expensive alternative to incarceration for certain substance dependent criminal offenders which utilizes a blend of court-ordered supervision, drug testing, drug and mental health treatment services, court appearances, and behavioral sanctions and incentives to reduce recidivism and drug use among participants beyond what is observed after incarceration alone.

Community Engagement:

The Drug Treatment Court is a direct service provider and is engaged daily with non-violent criminal offenders with drug driven crimes who are at a high level of risk for reoffending due to active addictions and long standing patterns of criminal behavior. By collaborating with the Court system, Region Ten Community Services Board, and the Sheriff's department, the Drug Treatment Court provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Drug Treatment Court through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the Circuit Court. If they successfully complete the program which takes a minimum of 12 months and requires a minimum of 12 months substance free, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Drug Treatment Court participants return the community's investment in them by maintaining full time, tax paying employment, providing for and taking care of their children and families including paying off back child support, behaving as good role models in the community, and supporting the recovery community in Charlottesville.

Budgetary Impact:

There is no budgetary impact as all funds will be appropriated to the grants fund and no local match is required for the S.A.M.H.S.A. grant.

Recommendation:

Staff recommends approval and appropriation.

Attachments:

N/A

APPROPRIATION
Charlottesville/Albemarle Adult Drug Treatment Court Substance Abuse and
Mental Health Services Administration Grant Award
\$293,745

WHEREAS, the Substance Abuse and Mental Health Services Administration, a division of the U. S. Department of Health and Human Services, in the amount of \$293,745 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

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

WHEREAS, the grant award covers the period October 1, 2018 through September 29, 2019.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$293,745, received as a grant from the Substance Abuse and Mental Health Services Administration, is hereby appropriated in the following manner:

Revenues

\$293,745 Fund: 211 Internal Order: 1900316 G/L Account: 431110

Expenditures

\$293,745 Fund: 211 Internal Order: 1900316 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$293,745 from the Substance Abuse and Mental Health Services Administration.

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



Agenda Date:	November 19, 2018
Action Requested:	Appropriation
Presenter:	Misty Graves, Human Services Department
Staff Contacts:	Misty Graves, Interim Director of the Human Services Department Kaki Dimock, Interim Assistant City Manager
Title:	Runaway Emergency Shelter Program Grant - \$209,444

Background:

In FY2018 the Human Services Department, in partnership with ReadyKids, applied for and received a 3 year grant from the Department of Health and Human Services Administration for Children and Families in the amount of \$200,000 in federal funds and \$22,222 in local matching funds. In FY2019, the second year of the grant, the local match will be met with a transfer of \$9,444 from the Human Services Department for a total appropriation of \$209,444. An in-kind match of \$12,778 from ReadyKids, to provide Runaway Emergency Shelter Program services, will be applied to the grant as well.

Discussion:

The funds support services that provide emergency shelter, counseling and after care services for youth in crisis for the purpose of keeping them safe and off the streets, with a goal of reunification with family. Funded services will include: emergency shelter available 24 hours per day, 7days a week; individual and family counseling to help resolve conflict and develop new communication skills to facilitate reunification with the family; and additional support services that help youth build meaningful connections with their community and encourage positive youth development.

Alignment with City Council's Vision and Strategic Plan:

The Check and Connect grant aligns with the City of Charlottesville's Strategic Plan – Goal 2: A Healthy and Safe City; Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

The Human Service Department's programs, including the Runaway Emergency Shelter Program, provide residential and community based services that prevent delinquency and promote the healthy development of youth.

Community Engagement:

In order to increase prevention services, R.E.S.P. staff conduct extensive outreach efforts, particularly in area schools reaching out to youth through a variety of activities including presentations to health classes and at tables during lunch.

Budgetary Impact:

There is no impact to the General Fund. There is a local match that the Human Service's Department and ReadyKids will provide. A cash match of \$9,444 to be provided from previously appropriated funds in the Human Services Fund and in-kind match of \$12,778 to be provided by the ReadyKids organization. This grant will be appropriated into a grants fund.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

If the funds are not appropriated, the grant would not be received and the Runaway Emergency Shelter Program services would not be provided.

Attachments:

N/A

APPROPRIATION
Runaway Emergency Shelter Program
\$209,444

WHEREAS, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$9,444 provided by the Human Services Fund and in-kind match of \$12,778 provided by ReadyKids;

WHEREAS, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between the Human Services Department and ReadyKids. The grant award covers the period from September 30, 2018 through September 29, 2019;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$209,444 is hereby appropriated in the following manner:

Revenue – \$209,444

\$200,000	Fund: 211	Internal Order: 199318	G/L Account: 431110
\$ 9,444	Fund: 211	Internal Order: 199318	G/L Account: 498010

Expenditures - \$209,444

\$ 69,948	Fund: 211	Internal Order: 199318	G/L Account: 519999
\$125,000	Fund: 211	Internal Order: 199318	G/L Account: 530010
\$ 14,496	Fund: 211	Internal Order: 199318	G/L Account: 599999

Transfer - \$9,444

\$ 9,444	Fund: 213	Cost Center: 3413003000	G/L Account: 561211
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

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



Agenda Date:	November 19, 2018
Action Required:	Approval of Appropriations
Staff Contacts:	Alex Ikefuna, Director Neighborhood Development Services
Presenter:	Alex Ikefuna, Director Neighborhood Development Services
Title:	Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$28,282

Background:

On January 14, 2003 the City issued a Substantial Rehab loan in the amount of \$28,282.00 to Allyson Johns. The funds were provided as zero-interest deferred payment loan with payment due upon sale, or other transference of the property. Ms. Johns recently sold the property and provided a check to the City for full loan amount.

Discussion:

The loan satisfaction payment received from Ms. Johns meets the terms of the loan agreement and the funds received need to be appropriated to the Charlottesville Affordable Housing Fund (CAHF) in order to be used for future projects or programs related to affordable housing.

Community Engagement:

There has been no direct community engagement on this issue, as the payment received from Ms. Johns was made to satisfy the January 14, 2003 substantial rehabilitation loan.

Alignment with City Council Vision and Strategic Plan:

Approval of this item aligns with the City Council Vision of 'Quality Housing for All' and with the Strategic Plan Goal 1.3 to "Increase affordable housing options."

Budgetary Impact:

The loan repayment will increase the amount of available CAHF funds to \$236,047.84 for the remainder of FY 2019.

CAHF Available Balance	\$207,765.84
Johns Loan Payoff	\$ 28,282.00
CAHF Remaining Balance	\$236,047.84

Recommendation

Staff recommends approval of the appropriation.

Alternatives:

There is no alternative for appropriation of the funds, as these funds must be returned to their original source.

Attachments:

N/A

APPROPRIATION
Charlottesville Affordable Housing Fund
Substantial Rehab Loan Payoff – Allyson Johns
\$28,282.00

WHEREAS, the City of Charlottesville has received funding from the payoff of the Allyson Johns Deed of Trust (\$28,282.00);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$28,282.00 be appropriated as follows:

Revenues:

\$28,282.00	Fund: 426	Project: CP-084	G/L Code: 434675
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Expenditures:

\$28,282.00	Fund: 426	Project: CP-084	G/L Code: 599999
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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA**



Agenda Date:	November 19, 2018
Action Required:	Approval of Appropriations
Staff Contacts:	Alex Ikefuna, Director Neighborhood Development Services
Presenter:	Alex Ikefuna, Director Neighborhood Development Services
Title:	Charlottesville Affordable Housing Fund repayment of Substantial Rehab loan - \$23,478.94

Background:

On February 9, 2016 the City issued a Substantial Rehab loan in the amount of \$25,246.17 to Harry L. Nicholas. The funds were provided as a 10-year, zero-interest, forgivable, deferred payment loan with payment of loan balance due upon sale, or other transference of the property prior to February 9, 2026. Mr. Nicholas recently sold the property and provided a check to the City for remaining loan balance of \$23,478.94, which includes a 3% administrative fee.

Discussion:

The loan satisfaction payment received from Mr. Nicolas meets the terms of the loan agreement and the funds received need to be appropriated to the Charlottesville Affordable Housing Fund (CAHF) in order to be used for future projects or programs related to affordable housing.

Community Engagement:

There has been no direct community engagement on this issue, as the payment received from Mr. Nicholas was made to satisfy the remaining balance of his February 9, 2016 substantial rehabilitation loan.

Alignment with City Council Vision and Strategic Plan:

Approval of this item aligns with the City Council Vision of 'Quality Housing for All' and with the Strategic Plan Goal 1.3 to "Increase affordable housing options."

Budgetary Impact:

The loan repayment will increase the amount of available CAHF funds to \$207,765.84 for the remainder of FY 2019.

CAHF Available Balance	\$184,286.90
Nicholas Loan Payoff	\$ 23,478.94
CAHF Remaining Balance	\$207,765.84

Recommendation

Staff recommends approval of the appropriation.

Alternatives:

There is no alternative for appropriation of the funds, as these funds must be returned to their original source.

Attachments:

N/A

APPROPRIATION
Charlottesville Affordable Housing Fund
Substantial Rehab Loan Payoff – Harry L. Nicholas
\$23,478.94

WHEREAS, the City of Charlottesville has received funding from the payoff of the Harry L. Nicholas Deed of Trust (\$23,478.94);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$23,478.94 be appropriated as follows:

Revenues:

\$23,478.94	Fund: 426	Project: CP-084	G/L Code: 434675
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Expenditures:

\$23,478.94	Fund: 426	Project: CP-084	G/L Code: 599999
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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	November 19, 2018
Action Required:	Approve Supplemental Appropriation
Presenter:	Chris Engel, Director of Economic Development
Staff Contact:	Chris Engel, Director of Economic Development Rick Siebert, Parking Manager
Title:	FY 2019 Water Street Parking Garage Operating Budget Supplemental Appropriation- \$977,155

Background:

The City owns 702 parking units within the Water Street Parking Garage Condominium Association. In addition, the City has entered into an agreement with Charlottesville Parking Center (CPC) to lease the remaining 317 parking units of the total 1019 parking units that make up all the parking units in the garage. As the owner/lessor of the parking units, the City is responsible for a share of the Common Expenses of the Condominium. The approved budget for all the Common Expenses of the Condominium for the period August 1, 2018 through June 30, 2019 is \$480,415. These expenses include liability insurance for the parking and retail units that comprise the total Condominium, the ground lease and a variety of administrative expenses. The Association assesses each condominium unit owner for their proportional share of the total Common Expenses. The City's share of the Common Expenses for this period is \$427,155. The requested appropriation is necessary to pay the city's assessment. As noted above, the City entered into a lease agreement for 317 parking units in the garage. For FY19, the City owes \$550,000 in lease payments to CPC. This appropriation request includes funding to cover both obligations.

Discussion:

In the past CPC operated the parking units and collected the revenue generated and paid the expenses of the garage from the funds collected. The condominium Common Expenses were included in the operating expenses of the garage. At the end of each year, CPC as the Managing Agent of the Condominium paid the City its share of the net revenue.

Lanier Parking now operates the parking units for the benefit of the City as the sole beneficiary of the operation of the garage. Lanier collects the revenue generated and pays the operating expenses of the parking units. The City receives the net revenue generated on a monthly basis. Lanier is not responsible for the payment of any Common Expenses and these expenses are not deducted from the net revenue received by the City. Common Expenses are now separately assessed and an FY19 appropriation is necessary to pay them. Similarly, an appropriation is necessary to pay the parking space lease obligation resulting from the previously approved lease agreement. There is no estimated impact to the Parking Fund. The Water Street Parking Garage operating expenses will be covered by the revenues generated from the garage.

Community Engagement:

The Water Street Parking Garage Condominium agreement was approved by previous actions of Council. Similarly, the parking unit lease agreement with CPC was previously approved.

Alignment with City Council's Vision and Strategic Plan:

The approval of this agenda item aligns with Council's vision for Economic Sustainability and for a Connected Community.

Budgetary Impact:

There is no impact to the General Fund. Garage operating revenue and expenses are part of the Parking Fund. There is no estimated impact to the Parking Fund. The Water Street Garage operating expenses will be covered by the revenues generated from the garage.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

If City Council chooses not to appropriate the required funds the Condominium Association could sue the city for specific performance under the bylaws of the Condominium. Similarly, the City could be liable for legal action by CPC if it fails to live up to the terms of the lease agreement.

Attachments:

Appropriation

APPROPRIATION

FY 2019 Water Street Parking Garage Operating Budget Supplemental Appropriation
\$977,155

WHEREAS, the City of Charlottesville and Charlottesville Parking Center reached an agreement whereby the City now contracts with Lanier Parking to manage that garage;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of **\$977,155** is hereby appropriated as the FY19 operating Water Street Garage budget in the following manner:

Revenue – \$977,155

Fund: 650	Cost Center: 6511003000	G/L Account: 434372	\$977,155
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Expenditures - \$977,155

Fund: 650	Cost Center: 6511003000	G/L Account: 530670	\$977,155
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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 3, 2018
Action Required:	Appropriation
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Ryan Davidson, Office of Budget and Performance Management
Title:	VDOT Recreational Access Grant – McIntire Park Bicycle and Pedestrian Bridge - \$125,000

Background:

The City of Charlottesville, through Parks and Recreation, has received a grant from the Virginia Department of Transportation (VDOT) through the Recreational Access Program to assist with the construction of a bicycle and pedestrian bridge over a creek in the north end of the park. The match for this project comes from the McIntire Park Implementation Fund.

Discussion:

The City of Charlottesville has created a plan for the conversion of McIntire Park from the old golf course into a community park with a botanical garden, skate park, and picnic shelter. A major part of the effort is to provide a system of trails that allow access into and through the park from many directions. This bridge will allow patrons to access the south side of the park from Melbourne Avenue, and vice versa. There is another bridge proposed in the overall park plan but it is not going to accommodate bicycles or maintenance vehicles, which this bridge will support. This bridge is being built with steel beams salvaged from an old highway bridge in Waynesboro to save money and re-use the steel beams in an environmentally conscious manner. The VDOT Recreational Access funding will supplement the CIP budget for implementation of the park plan, and save the City \$75,000 that can be used to further implement the park plan. Bridge Maintenance will be included in the Parks Operation budget into the future. The bridge construction will cost approximately \$125,000 and the engineering and design fees have already been paid.

Community Engagement:

The master plan for McIntire Park was developed over 2 years with multiple public meetings, public hearings, and opportunities to comment in person, via email and over the telephone. The plan was approved by City Council.

Alignment with City Council’s Vision and Strategic Plan:

The project supports City Council’s “America’s Healthy City” vision by providing outstanding recreational areas and walking trails, as well as the vision of being a “Connected Community”. It contributes to Goal 3 of the Strategic Plan, for a beautiful and sustainable natural and built environment, and specifically objective 3.3, to provide a variety of transportation and mobility options.

Budgetary Impact:

No additional City funding is being requested. The matching funds for this grant, and reminder of the funds necessary for construction will come from the McIntire Park Master Plan Implementation project funding, which was appropriated as part of previous Capital Improvement Program budgets.

Recommendation:

Staff recommends appropriation of grant funds.

Alternatives:

If grant funds are not appropriated, the bridge will have to be built with entirely local CIP funds.

Attachments:

Grant award letter from VDOT, location of proposed bridge.

APPROPRIATION

**VDOT Recreational Access Program – McIntire Park Bicycle and Pedestrian Bridge
\$125,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded \$75,000 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge at McIntire Park; and

WHEREAS, the match for this grant will come from the McIntire Park Implementation Fund; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$75,000 is hereby appropriated in the following manner:

Revenue

\$75,000 Fund: 426 WBS: P-01005 G/L Account: 430110

Expenditures

\$75,000 Fund: 426 WBS: P-01005 G/L Account: 599999

Transfer from

\$50,000 Fund: 426 WBS: P-00207 G/L Account: 599999

Transfer to

\$50,000 Fund: 426 WBS: P-00270 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$75,000 from the Virginia Department of Transportation.



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item # 7

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 30, 2018

MOTION

Made By: Mr. Yates, Seconded By: Ms. Hynes
Action: Motion Carried, Unanimously

Title: Recreational Access to East McIntire Park
Project RECR-104-354, City of Charlottesville

WHEREAS, § 33.2-1510 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is "... in the public interest that access roads and bikeways to public recreational areas and historical sites be provided..." and sets aside highway funds for such purpose, "... [w]hen the Director of the Department of Conservation and Recreation has designated a public recreational area as such ... and recommends to the [Commonwealth Transportation] Board that an access road or bikeway be provided or maintained to that area"; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Charlottesville City Council has, by appropriate resolution, requested Recreational Access funds to provide bikeway access to adequately serve recreational facilities located off of Melbourne Road and said bikeway access is estimated to cost \$225,000; and

WHEREAS, this request is under consideration by the Director of DCR for full compliance with the provisions of § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, it is anticipated that the Director of DCR will recommend the construction of the aforementioned access; and

NOW, THEREFORE, BE IT RESOLVED, that from the Recreational Access Fund \$75,000 (\$60,000 unmatched and \$15,000 matched) for bikeway construction be allocated to provide adequate access to existing and proposed facilities within East McIntire Park off of Melbourne Road in the City of Charlottesville, Project RECR-104-354, contingent upon:

1. The Director of DCR recommending the use of the Recreational Access Fund for the construction of the access roadway to the proposed new facilities within McIntire Park; and
2. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and
3. Execution of an appropriate contractual agreement between the City of Charlottesville (LOCALITY) and the Virginia Department of Transportation (VDOT) to provide for the:
 - a. design, administration, construction and maintenance of this project; and
 - b. payment of all ineligible project costs, and of any eligible project costs in excess of the respective allocation amount for the roadway access project from sources other than those administered by VDOT, and
 - c. provision of the required matching funds, up to \$15,000, by the LOCALITY for appropriately documented eligible project costs.

#####

CTB Decision Brief

Recreational Access – City of Charlottesville East McIntire Park

Issue: Pursuant to § 33.2-1510 of the *Code of Virginia*, the City of Charlottesville’s City Council has requested funds from the Recreational Access Program to provide adequate bikeway access to proposed new facilities within the City of Charlottesville’s East McIntire Park.

Facts: § 33.2-1510 of the *Code of Virginia* provides that the Commonwealth Transportation Board (CTB) shall expend from funds set aside for the construction of access roads and bikeways to public recreational areas and historical sites under this section of the *Code of Virginia*. Further, this section of the *Code of Virginia* grants the CTB the authority to construct access roads and bikeways to public recreational areas and historical sites when the governing body of the county in which the access road is to be provided passes a resolution requesting the road and when the Director of the Department of Conservation and Recreation (DCR) has designated the public recreational area as such and recommends to the CTB that an access road be provided to that area.

The City of Charlottesville owns and operates East McIntire Park and plans to develop new facilities within the 75-acre recreational area off of Melbourne Road. The proposed facilities include a new skate park, network of trails, botanical garden and conversion of a golf course to a passive use recreation area. The locality will administer the design and construction of the proposed bikeway project.

Local Assistance Division has coordinated with DCR staff to confirm support for the project. It is anticipated that the Director of DCR will designate East McIntire Park as a public recreational area and will recommend utilization of Recreational Access funds to provide adequate access to new facilities within the recreational area.

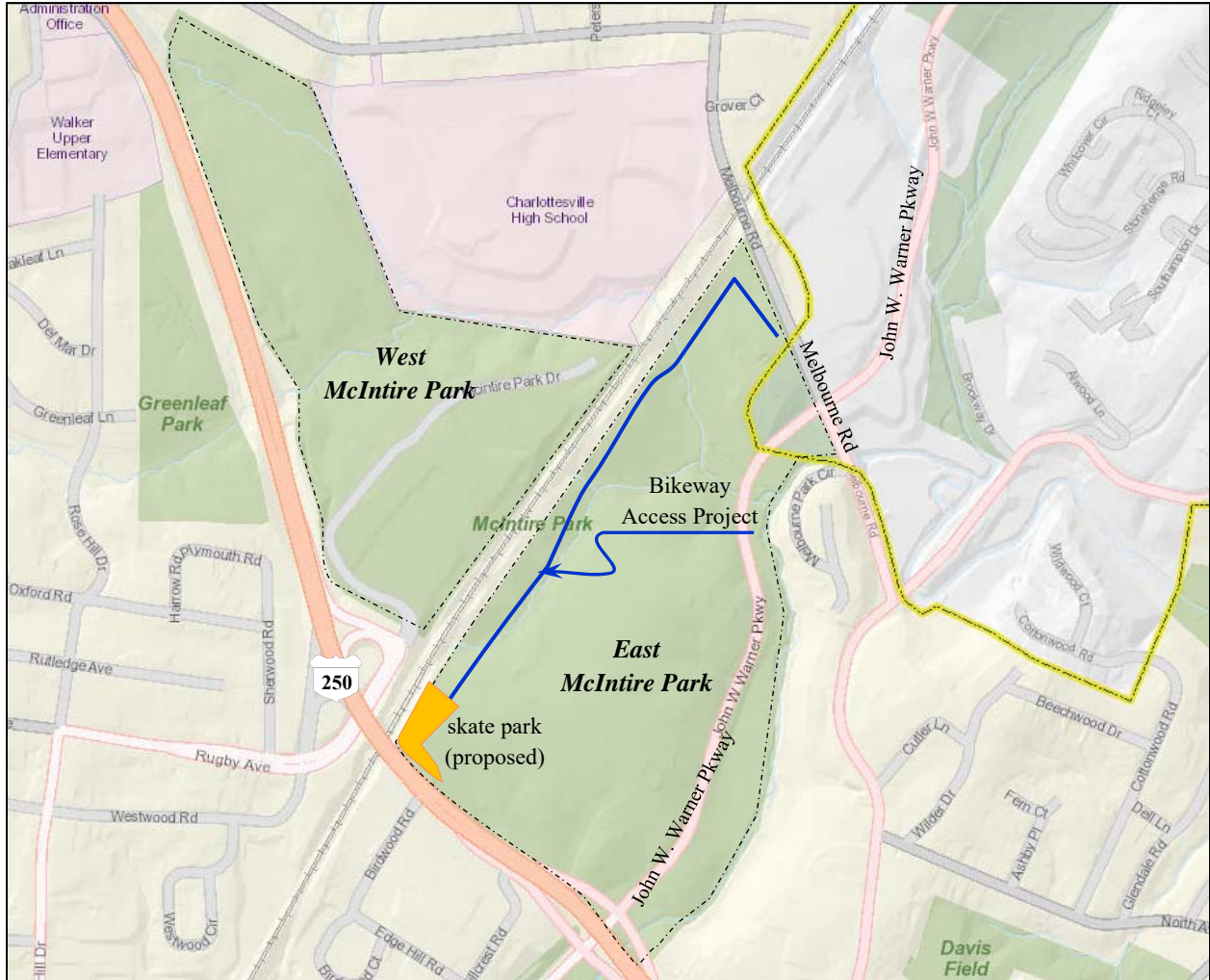
Recommendations: The bikeway access project recommended by staff as adequate to serve existing and proposed facilities within East McIntire Park involves construction of a 10-foot wide asphalt bikeway from Melbourne Road and continuing south, approximately 0.5 mile to the proposed skate park area. Culpeper District staff has estimated the cost of the bikeway access project to be \$225,000. The City of Charlottesville will be responsible for financial arrangements to provide for the required Recreational Access Program matching funds, as appropriate, and all project costs exceeding the state Recreational Access Program allocation to fully fund the project. VDOT recommends that Recreational Access Program funding in the maximum amount of \$75,000 (\$60,000 unmatched and \$15,000 matched) for the construction of bikeway access be approved, subject to certain contingencies.

Action Required by the CTB: Prior to expending funds set aside for access roads to public recreational areas and historical sites, the *Code of Virginia* specifies that the CTB shall declare by resolution that the access road project be provided. A resolution is provided for formal vote.

Result, if Approved: VDOT and the City of Charlottesville will proceed with the recreational access bikeway project.

Options: Approve, Deny, or Defer.

Public Comments/Reaction: None



PROPOSED RECREATIONAL ACCESS PROJECT
East McIntire Park
Project RECR-104-354
City of Charlottesville

Recreational Facility/Site

Proposed facilities within the approximate 75-acre recreational area include a skate park, trail network, botanical garden and conversion of golf course to a passive use recreation area.

Estimated Traffic: 30 (bicycle) trips per day

Access Facility

Bikeway Length: 0.5 mile

Pavement Width: 10 feet

Estimated Cost: \$225,000

Proposed Allocation: \$75,000

(\$60,000 unmatched, \$15,000 matched)

City of Charlottesville
RESOLUTION
VDOT Recreational Access Project Endorsement

At a regularly scheduled meeting of the Charlottesville City Council held on June 4, 2018, on a motion by Ms. Hill seconded by Mr. Bellamy the following resolution was adopted by a vote of 5 to 0.

Whereas, East McIntire Park is owned and is to be developed by the City of Charlottesville as a recreational facility serving the residents of Charlottesville and adjoining localities; and

Whereas, the facility is in need of adequate bicycle access; and

Whereas, the procedure governing the allocation of recreational access funds as set forth in Section 33.2-1510 of the *Code of Virginia* requires joint action by the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board; and

Whereas, a statement of policy agreed upon between the said Director and Board approves the use of such funds for the construction of access facilities to publicly-owned recreational or historical areas; and

Whereas, the Council has duly adopted a zoning ordinance pursuant to Article 7 (Section 15.2-2280 *et seq*), Chapter 22, Title 15.2 of the *Code of Virginia*; and

Whereas, it appears to this Council that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate McIntire Park as a public recreation area and further permit the Commonwealth Transportation Board to provide funds for access to this public recreation area in accordance with Section 33.2-1510 of the *Code of Virginia*; and

Whereas, the right of way of the proposed bicycle access is provided by the City of Charlottesville at no cost to the Virginia Department of Transportation; and

Whereas, the City of Charlottesville hereby guarantees that the necessary environmental analysis, mitigation, and fee simple right of way for this bikeway access project, and utility relocations or adjustments, if necessary, will be provided at no costs to the Virginia Department of Transportation, and

Whereas, this Council acknowledges that, pursuant to the provisions of Section 33.2-1510 of the *Code of Virginia*, this bikeway, once constructed, shall be regulated and maintained by the City of Charlottesville Department of Parks and Recreation; and

Whereas, the City of Charlottesville acknowledges that no land disturbance activities may occur within the limits of the proposed access project without the consent of the Department of Transportation as a condition of the use of the Recreational Access Fund.

Whereas, the City of Charlottesville hereby guarantees that financing of all ineligible project costs, project costs exceeding the Recreational Access Program project allocation, Recreational Access Program required locality matching funds, if applicable, and all costs exceeding the Recreational

Access Program allocation will be provided from sources other than those administered by the Virginia Department of Transportation.

Whereas, the City of Charlottesville hereby acknowledges that the Virginia Department of Transportation's Recreational Access Program may provide up to a maximum of \$60,000 for a bikeway access project and requires matching funding up to \$15,000 provided by the City of Charlottesville for estimated eligible project costs over \$75,000.

Now, Therefore, Be It Resolved, that the City Council of Charlottesville hereby requests the Director of the Department of Conservation and Recreation to designate McIntire Park as a public recreational area and to recommend to the Commonwealth Transportation Board that recreational access funds be allocated for a bikeway to serve said recreational area; and

Be It Further Resolved, that the Commonwealth Transportation Board is hereby requested to allocate the necessary Recreational Access Program funds to provide a suitable bikeway as hereinbefore described.

Be It Further Resolved, that the City Manager and/or his designee(s) be authorized to act on behalf of the City Council to execute any and all documents necessary to secure the maximum amount of funding eligible under the Recreational Access Program.

Adopted this 4th day of June, 2018
Charlottesville, Virginia

Approved by Council
June 4, 2018



Clerk of Council



VDOT Recreational Access Funding East McIntire Park Bicycle/Pedestrian Bridge



Charlottesville
High School

Melbourne Road

CHS Stadium

Bridge

Botanical Garden Area

JW Parkway

0 0.035 0.07 0.14 0.21 0.28 0.35 Miles

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	December 3, 2018
Action Required:	Appropriate Grant Funds
Presenter:	Lt. T.V. McKean, Charlottesville Police Department
Staff Contacts:	Lt. T.V. McKean, Charlottesville Police Department
Title:	2018 Edward Byrne Memorial Justice Assistance Grant (JAG) - \$26,044

Background:

The U.S. Department of Justice, Office of Justice Program's Bureau of Justice Assistance has awarded the City of Charlottesville a 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$26,044 with no local match required.

Discussion:

The U.S. Department of Justice (D.O.J.) provides funding for the Edward Byrne Memorial Justice Assistance Grant to assist state and local law enforcement with a broad range of activities. The Charlottesville Police Department will utilize this funding to purchase needed electronic interactive smart board equipment.

Alignment with Council Vision Areas and Strategic Plan:

This funding will support Goal 2 of the Strategic Plan, to be a safe, equitable, thriving, and beautiful community. It specifically supports Goal 2.1, to provide an effective and equitable public safety system. The funding will be used to purchase forensic and personal protection equipment for the Charlottesville Police Department.

Community Engagement:

N/A

Budgetary Impact:

There is no impact to the General Fund as no local match is required for this grant. The funds will be expensed and reimbursed to a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

The alternative is to not approve this project and not purchase the equipment

Attachments:

N/A

APPROPRIATION

**2018 Edward Byrne Memorial Justice Assistance Grant (JAG)
\$26,044**

WHEREAS, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance 2018 Edward Byrne Memorial Justice Assistance Grant (J.A.G.) in the amount of \$26,044 to be used for approved law enforcement equipment.

WHEREAS, the grant award covers the period from period October 1, 2018 through September 30, 2022

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$26,044, received from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, is hereby appropriated in the following manner:

Revenue

\$ 26,044 Fund: 211 I/O: 1900320 G/L: 431110 Federal Grants

Expenditure

\$ 26,044 Fund: 211 IO: 1900320 G/L: 520990 Other Supplies

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$26,044 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

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CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	December 3, 2018
Action Required:	Appropriation
Presenter:	Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.
Staff Contacts:	Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.
Title:	Fiscal Year 2019 Fire Programs Aid to Locality Funding (Firefund) Appropriation - \$150,480.00

Background: The Code of Virginia provides for the collection of an annual levy each fiscal period from the insurance industry. Such levy is collected by the State Corporation Commission, and the amounts collected are then transferred into the Fire Program Fund (Firefund). These aid to locality monies are then distributed to the jurisdictions to supplement the localities funding for fire service based training, training supplies, training equipment, prevention activities, and some response equipment. This is an annual allotment of funding. All usage and any carryovers are reported out to the Department of Fire Programs at the end of the fiscal period before the next fiscal period monies are granted. The City of Charlottesville has been awarded \$150,480 in these funds for FY 2019.

Discussion: The Aid to Locality monies are distributed annually to aid departments in their training, prevention, and equipment efforts. While the monies cannot be used to directly/indirectly supplant or replace other locality funds, they help us to provide for additional firefighting training resources, logistics, courses, and equipment as outlined in the Department of Fire Programs Aid to Locality allowable uses chart.

Alignment with Council Vision Areas and Strategic Plan: The Aid to Locality/Firefund allocation supports the City’s mission “We provide services that promote equity and an excellent quality of life in our community” by providing supplemental training and equipment funding for fire prevention, firefighting, hazardous materials, and technical rescue. With this additional funding being put towards these purposes we are better able to prepare our responders to deliver emergency services and/or information to the citizens, students, business community members, and guests of the City.

The assistance from this annual funding allotment also aligns with Goal 2.1, Reduce adverse impact from sudden injury and illness and the effects of chronic disease, as well as the elements within Goal 5 - A Well-managed and Responsive Organization.

Community Engagement: N/A

Budgetary Impact: There is no impact to the General Fund, as these are grant funds. The FY 2019 disbursement is slated to transfer to the City's grant fund in September.

Recommendation: Staff recommends approval and appropriation of grant funds.

Alternatives: If Aid to Locality funding is not appropriated, the Fire Department will not be able to utilize this supplemental funding to help support its training, prevention, and equipment efforts.

Attachments: N/A

APPROPRIATION

**Fiscal Year 2019 Fire Programs Aid to Locality Funding (Firefund) Appropriation
- \$150,480**

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

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$150,480.00 be appropriated in the following manner:

Revenues - \$150,480

\$150,480 Fund: 209 I/O: 1900010 G/L Account: 430110

Expenditures - \$150,480

\$150,480 Fund: 209 I/O: 1900010 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$150,480 from the Virginia Department of Fire Programs.

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



Agenda Date:	December 3, 2018
Action Required:	Vote on Resolution
Presenter:	Tim Motsch, Transportation Project Manager Brian McPeters, Kimley-Horn
Staff Contacts:	Alex Ikefuna, NDS Director Tony Edwards, Development Services Manager Tim Motsch, Transportation Project Manager
Title:	E. High Streetscape Project – Resolution Confirming Conformance with City’s Comprehensive Plan & Authorization to Commence Final Design

Background:

The E. High Street corridor and Market Street are vital urban streets and an important connection between the Martha Jefferson Neighborhood and the Downtown Pedestrian Mall. The City of Charlottesville has been engaged in a process to enhance this corridor and the adjoining neighborhoods with urban amenities and safe, interconnected streets that promote walking, biking, and efficient public transit while maintaining levels of service (LOS) for vehicular traffic. This corridor was highlighted for improvements in the Strategic Investment Area (SIA) Plan that was previously adopted by City Council. The project intent as listed in the RFP includes:

- The East High Street corridor is an entrance corridor into Downtown Charlottesville
- The East High Street corridor should be an enjoyable pedestrian experience
- Elicit meaningful public input
- Create a schematic design of streetscape improvements in the Market Street / 9th St. / East High Street Corridor.
- Create an appropriate and functioning streetscape consistent with City goals, the SIA Plan, and the Streets that Work Plan
- Provide pedestrian and bicycle-safe infrastructure, including appropriate lighting throughout the corridor, especially at intersections.
- It will also be coordinated with and a service as continuation of the improvements included with Belmont Bridge Replacement project south of the E. Market Street intersection.
- Maintain and/or improve existing bus stops
- Integrate green infrastructure to enhance the City’s stormwater management and urban forestry goals.

- Develop the schematic design and provide detailed construction documents that illustrate significant streetscape improvements in keeping with the planning and urban design objectives listed above.

A Request for Proposals was advertised that included these design parameters as well as an extensive public participation process and in December 2017, the City of Charlottesville contracted with Kimley-Horn, an engineering consulting firm, to develop plans for the East High Streetscape Improvements.

In addition to the design parameters established by the RFP, Kimley-Horn also researched a variety of initiatives within the City of Charlottesville that are focused on enhancing the vibrancy and quality of life, including the City of Charlottesville Comprehensive Plan, the Bicycle and Pedestrian Master Plan, Streets That Work, and the Strategic Investment Area. With a firm grasp of background information, the project team began the public involvement process to ensure agreement with the project's purpose and need before beginning development of a conceptual design.

Discussion:

Preferred Conceptual Design Concept: The preferred Conceptual Design Concept aligns closely with the adopted Strategic Investment Area (SIA) Plan which was modified and discussed during community engagement activities based on feedback received. In regard to this direction, the preferred Conceptual Design includes the following main features:

- 5' wide conventional bicycle lanes both directions on E. Market Street from 7th Street to 9th Street
- 6.5' wide buffered bicycle lanes both direction on 9th Street from E. Market Street to E. High Street
- 4.5' landscape/planting space from back of curb along 9th Street from E. Market Street to E. High Street.
- Typical 6' wide concrete sidewalk along E. Market Street, 9th Street and E. High Street with a minimum concrete sidewalk width of 5'.
- Replacement of existing traffic signals at E. Market Street and 7th Street, E. Market Street and 9th Street, 9th Street and E. High Street and E. High Street and 10th Street/Locust Avenue.

Widespread support for the conceptual design concept has been confirmed and/or adjusted based on community engagement below. Further, the Tree Commission, Bicycle and Pedestrian Advisory Committee have been engaged and provided comments. These stakeholder groups have also provided detailed comments that will be explored during the next stage of final design and which is available under the resources tab at www.easthighstreetscape.org.

Comprehensive Plan Alignment: On November 13, 2013 the Planning Commission voted unanimously that the Conceptual Design is consistent with the City of Charlottesville adopted 2013 Comprehensive Plan. The following excerpts from the Comprehensive Plan were used as support and are followed with project details on how these goals are being met:

The following denotes alignment with the City of Charlottesville adopted 2013 Comprehensive Plan. Transportation:

- Goal 1: Increase safe, convenient and pleasant accommodations for pedestrians, bicyclists, and people with disabilities that improve the quality of life within the

community and within individual Neighborhoods.

- This project provides for bicycle facilities on Market St., 9th St., and E. High St. In addition, the sidewalks will be a consistent, accessible width of a minimum of 5'
- Goal 1.2: Provide convenient and safe pedestrian connections within ¼ miles of all commercial and employment centers, transit routes, schools and parks
 - This project provides sidewalks to enable multi-modal connections to transit routes and employment centers
- Goal 1.3 Provide design features on roadways, such as street trees within buffers, street furniture and sidewalk widths that improve the safety and comfort level of all users and contribute to the City's environmental goals.
 - This project includes street tree plantings within buffers where appropriate as well as 5'-6' wide sidewalks.
- Goal 1.4: Explore and implement safe, convenient and visually attractive crossing alternatives to enable pedestrians and bicycles to cross major thoroughfares
 - The project provides for visible, safe pedestrian crossings at intersections.
- Goal 1.5: Continue to include bicycle and pedestrian accommodations in conjunction with the planning and design of all major road projects, all new development and road paving projects
 - The project provides for consistent 5' wide buffered bike lanes between Market and High St., then 5' wide bike lanes from High St. to 10th St. Additionally, the bicycle facilities on Market St. are to remain.
 -
- Goal 1.6 Consistently apply ADA standards to facility design and ensure that accessible curb ramps exist at all pedestrian crossings where conditions allow.
 - Curb ramps will be provided at all crossings.

Urban Design:

- Goal 1: Continue Charlottesville's history of architectural and design excellence by maintaining existing traditional design features while encouraging creative, context-sensitive, contemporary planning and design.
 - Per the public comment received, design focus is on seeking to provide and enhance multimodal connections between the surrounding neighborhoods and the Pedestrian Mall.
- Goal 1.1: Emphasize the importance of public buildings, public spaces, and other public improvements as opportunities to promote a sense of place and a welcoming environment for residents and visitors.
 - The project will encourage pedestrian use through accessible design concepts. Enhanced landscape strips will be incorporated into the final design.
- Goal 1.2: Promote Charlottesville's diverse architectural and cultural heritage by recognizing, respecting, and enhancing the distinct characteristics of each neighborhood.
 - This project will be coordinated with the Virginia Department of Historic Resources as well as receive a Certificate of Appropriateness from the City's Board of Architectural Review.
- Goal 1.3: Facilitate development of nodes of density and vitality in the City's Mixed Use Corridors, and encourage vitality, pedestrian movement, and visual interest throughout the city
 - The project provides for upgraded pedestrian and bicycle facilities will enhance the neighborhood and corridor
- Goal 1.4: Develop pedestrian-friendly environments in Charlottesville that connect neighborhoods to community facilities, to commercial areas and employment centers, and that connect neighborhoods to each other, to promote a healthier community.

- The project provides for an upgraded multi-modal connection from the pedestrian mall in downtown Charlottesville to the surrounding neighborhoods.
- 1.5: Encourage community vitality and interaction through the incorporation of art in public spaces, neighborhoods, signage, and gateways.
 - Opportunities for art will be considered in appropriate areas
- 1.6: Encourage the incorporation of meaningful public spaces, defined as being available to the general public, into urban design efforts.
 - The creation of consistent pedestrian space will encourage public space use
- 1.7: Promote design excellence for public projects and installations at all scales.
 - The request for proposals created a project development process centered around design. The extensive public participation process is ensuring design excellence -is sought in meeting the community's present and future needs.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item upholds the City's commitment to create "a connected community" by improving upon our existing transportation infrastructure. In addition, it would contribute to Goal 3 of the Strategic Plan, to be "A Beautiful and Sustainable Natural and Built Environment" by meeting Objective 3.1 Engage in robust and context sensitive urban planning and implementation; Objective 3.2. Provide reliable and high-quality infrastructure; and Objective 3.3. Provide a variety of transportation and mobility options.

Community Engagement:

To help guide the project, the City appointed a project Steering Committee. The process also involves coordination with the following City Council appointed stakeholder groups:

- ADA Advisory Committee
- Bicycle and Pedestrian Advisory Committee
- Downtown Business Association/Chamber of Commerce
- PLACE Design Task Force
- Planning Commission
- Tree Commission

The City of Charlottesville has provided multiple opportunities for the public to provide input into the plan development process. A project website, an on-line survey, two community events (Streetscape Summit and Open House) as well as steering committee meetings occurred between March 8th and August 15th. The steering committee meetings were open to the public.

Information presented and gathered at the meetings can be found at www.easthighstreetscape.org, however a summary of each event is below:

Project Website:

The Project website (www.easthighstreetscape.org) contains information that has been presented to date as part of the process. Information presented includes:

- Project background
- Project schedule

- A “resource” page that provides access to information presented and gathered from community events, and information presented at the stakeholder meetings
- A contact form
- A “get involved” page
- An “FAQ” page

As of October 15, 2018, the project website has logged over 1,900 unique page views, and approximately 800 unique users.

Community Event 1: Streetscape Summit, April 21, 2018

A Streetscape Summit was held on Saturday, April 21 at CitySpace from 9:00 AM to 12:00 PM. The event was set up as an interactive workshop designed to gather input on the East High Streetscape project. The event was organized in a variety of stations to help inform the understanding of existing conditions as well as potential concepts that would be incorporated into the streetscape design. The stations focused on community values, issues and needs, and design elements. In addition to the activity stations, participants were invited to participate in one of two walkabouts of the study area. The MetroQuest survey was featured at the workshop and remained open until May 31, 2018. Attendees received a passport at sign-in to encourage participation at each station.

A summary document provided on www.easthighstreetscape.org briefly summarizes the community input data collected at the event and offers stakeholders and community members the opportunity to see the thoughts of others in the community. In addition to data collected in person, the event served as the launch for the MetroQuest survey.

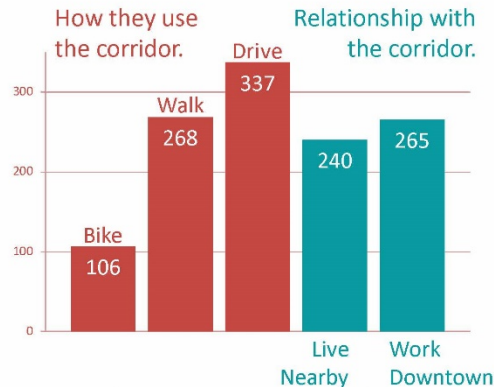
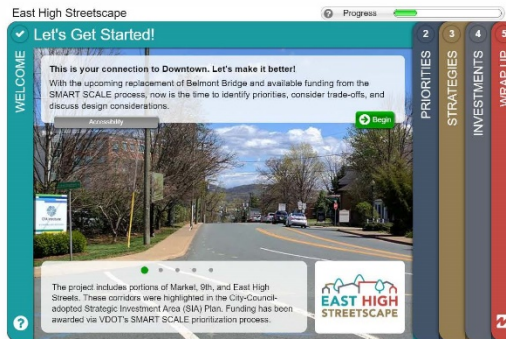
On-Line MetroQuest Survey:

The MetroQuest survey was active from April 18, 2018 to May 31, 2018. A total of 530 participants provided 13,495 data points and 380 written comments. The goal of the survey was to educate the public about the project and collect feedback on project priorities, tradeoffs to help direct design, and design preferences related to function and aesthetics. The survey was design to mirror the activities of the in-person activities at the Streetscape Summit, and included:

- Priority Ranking
- Design strategies, which included categories such as bicycle facilities, bus stops and amenities, landscaping, lighting, pedestrian facilities, public art and branding, signage and wayfinding, and traffic and travel times,
- Streetscape Investments, which allowed for the user to prioritize improvements by utilizing a monetary value.
- Wrap Up, which included another forum for additional comments, and allowed for users to sign up for project updates

The results comments for each category can be found on www.easthighstreetscape.org, on the resources page. Additionally, the 380 written comments can be found on the project website as well. The amount of participation captured in the MetroQuest survey is summarized in the below graphic:

530	participants
13,495	individual data points
380	written comments
4/18 to 5/31	survey period



- Many comments used words such as simple, functional, aesthetic, and accessible to describe the ideal streetscape.
- Most people prioritize design features that directly relate to the movement of people (regardless of mode). Ancillary investments such as branding, public art, and wayfinding typically rated lower.
- Enhanced design requests typically focused on buffering bicyclists and pedestrians from traffic.



Community Event 2: Open House, August 15, 2018

Project team members held an open house on August 15, 2018, at City Space from 5:00 PM to 7:00 PM. The open house allowed the public and stakeholders to view the streetscape concept that was developed based on previous engagement events, including the Streetscape Summit, MetroQuest Survey, and Steering Committee meetings. The event was designed as an informal meeting with large plots of the concept, illustrative cross sections, traffic exhibits, and a summary of engagement results. In addition to collecting general comments, the Open House collected specific feedback on priority considerations (as identified in earlier engagement efforts) and access control at two locations along the corridor.

Attendees were given a worksheet once they signed in to make it easier for them to weigh in on the elements noted above. An overview of the Open House is available on the project website www.easthighstreetscape.org. The overview points out common themes and takeaways from the feedback received during the event, as well as noting the written comments received on the worksheets.

Steering Committee and Stakeholder Meetings

Throughout the process, the design team collaborated with the Steering Committee and various other boards, committees and agencies to receive input and feedback during the design process. Steering committee meetings were open to the public. The following groups were met with on the following dates:

- Steering Committee: March 8, 2018, and June 28, 2018
- Joint meeting with Tree Commission and the Bicycle and Pedestrian Advisory Committee: September 27, 2018
- PLACE Committee Meeting: November 8, 2018
- Planning Commission Work Session: October 2, 2018
- Planning Commission: November 13, 2018

Meeting agendas and summaries can be found under the resources tab on the project website www.easthighstreetscape.org. Additionally, a Technical committee was formed which is comprised of representatives from appropriate City departments. The technical committee held meetings on the project on March 7, 2018 and June 28, 2018. The technical committee meetings confirmed input received from the public and stakeholder groups could be technically attained and then maintained.

Budgetary Impact:

The preferred Conceptual Design Concept falls within the established budget comprised of a combination of City, State and Federal funding sources. The current draft of the City of Charlottesville FY 2020-2024 Capital Improvement Program includes an additional appropriation to enable a betterment for undergrounding of franchise utilities along E. Market Street and 9th Street. If the appropriation were to be approved in the upcoming CIP, then overhead franchise utilities would be placed underground as part of the project.

Recommendation:

Staff recommends approval of the preferred Conceptual Design Concept and authorization to proceed with commencement of the final design phase of the project.

Alternatives:

None.

Attachments:

Preferred Conceptual Design
Resolution of the Charlottesville Planning Commission
Resolution for City Council
PowerPoint Presentation for City Council



**RESOLUTION
OF THE CHARLOTTESVILLE PLANNING COMMISSION
RECOMMENDING THE EAST HIGH STREETScape PROJECT IS IN
CONFORMANCE WITH THE CITY'S COMPREHENSIVE PLAN**

Whereas, this Planning Commission and City Council jointly held a public hearing on the proposed E. High Streetscape Project concept, after notice given as required by law, NOW THEREFORE,

BE IT RESOLVED that this Planning Commission confirms that the general character, location and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof.

Adopted by the Charlottesville Planning Commission, the 13th day of November 2018.

Attest: 
Secretary, Charlottesville Planning Commission

RESOLUTION
APPROVING AN AMENDMENT TO THE CITY COMPREHENSIVE PLAN
BY INCORPORATING THE E. HIGH STREETScape PROJECTS PREFERRED
CONCEPTUAL DESIGN

WHEREAS, on November 13, 2018, after notice given as required by law, the Charlottesville Planning Commission and Charlottesville City Council conducted a public hearing on a proposed amendment to the Comprehensive Plan for the City of Charlottesville (2013), to include the contents of the preferred conceptual design of the E. High Streetscape Project (“Comprehensive Plan Amendment”); and

WHEREAS, on November 13, 2018, the Planning Commission adopted a resolution recommending approval by City Council of the Comprehensive Plan Amendment, and certifying a copy of the Comprehensive Plan Amendment to Council for its consideration; now, therefore,

BE IT RESOLVED that, upon consideration of the Comprehensive Plan Amendment, the City Council hereby adopts the preferred conceptual design of the E. High Streetscape Project as an amendment to the City’s Comprehensive Plan and authorizes commencement of final design. Neighborhood Development Services staff shall post on the City’s website notice of Council’s adoption of this update, along with a copy of the approved update.



City of Charlottesville City Council

December 3, 2018



Process/Schedule

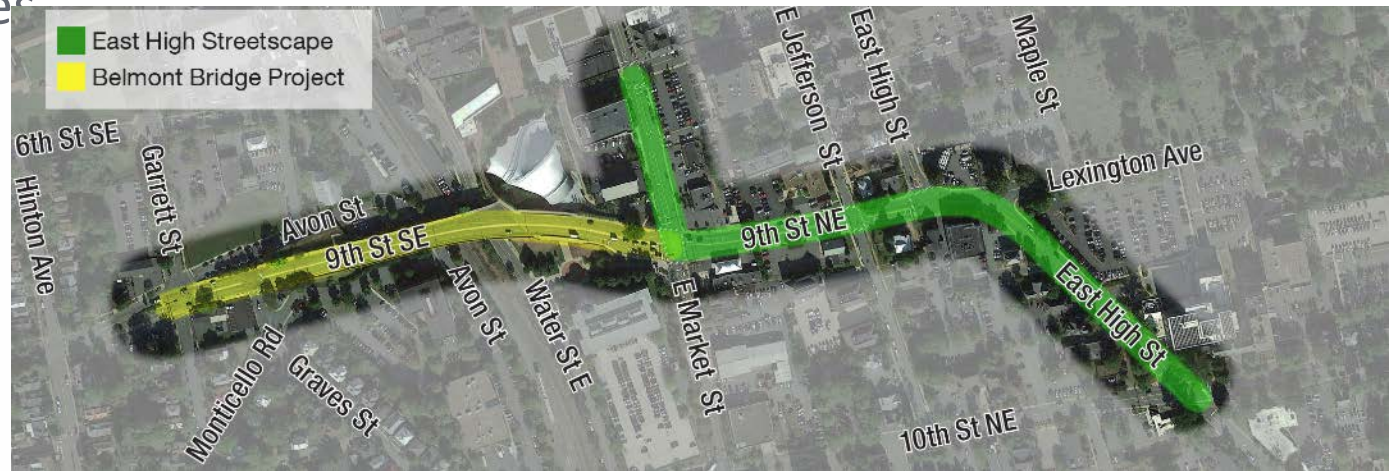


Project Overview

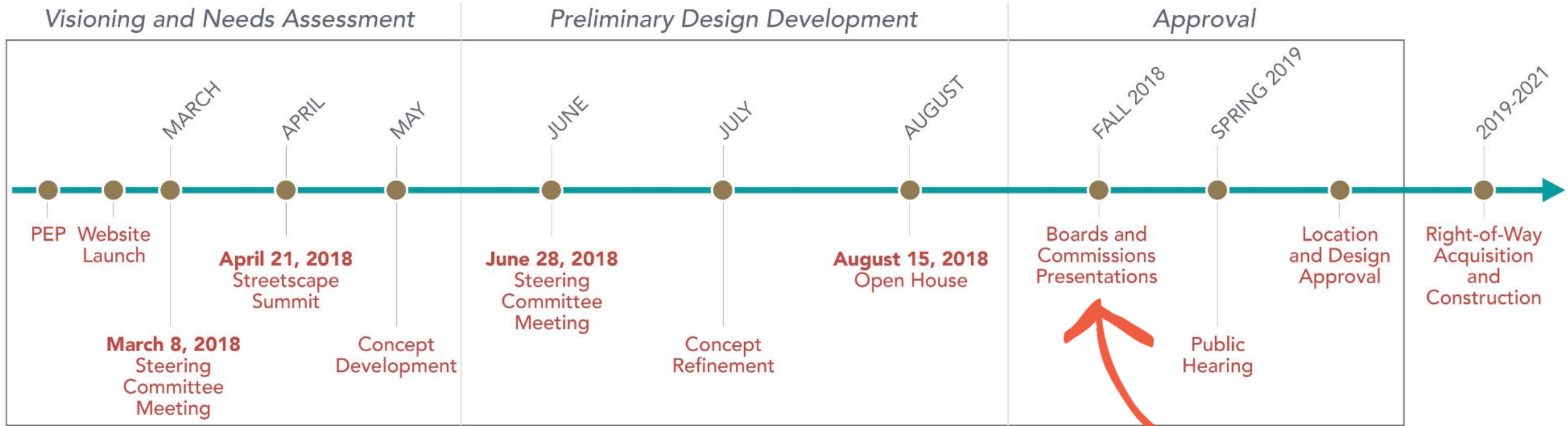


- Funded in 2016 through  SMART SCALE
- Multimodal improvements including:
 - Wider sidewalks, bike lanes, landscaping, ADA and pedestrian improvements, wayfinding and signal upgrades.
 - Evaluate undergrounding overhead utilities
- E. Market Street
 - From 7th Street to 9th Street
- 9th Street
 - From E. Market Street to E. High Street
- E. High Street
 - From 9th Street to 10th Street

Total Budget: \$5.59 Million
(Not including potential underground utility betterment)



Process/Schedule



We are here!



Public Engagement Overview



Streetscape Summit

Common Themes and Key Takeaways



- **Key Words** | safe, pedestrian-friendly, welcoming

- **Priorities**

1. Pedestrian Facilities



Same priorities as the Steering Committee

2. Landscaping



*MQ participants had these in the top 5
with Lighting also included*

3. Bicycle Facilities

4. Traffic and
Travel Speeds

- **Preferred Features** | buffered bike lanes, high-visibility crosswalks, trees

- **Other** | Lexington / High intersection frequently mentioned as an issue



MetroQuest Survey

Common Themes and Key Takeaways

- Many comments used words such as **simple**, **functional**, **aesthetic**, and **accessible** to describe the ideal streetscape.
- Most people prioritize design features that directly relate to the **movement of people** (regardless of mode). Ancillary investments such as branding, public art, and wayfinding typically rated lower.
- Enhanced design requests typically focused on **buffering** bicyclists and pedestrians from traffic.

530

participants

13,495

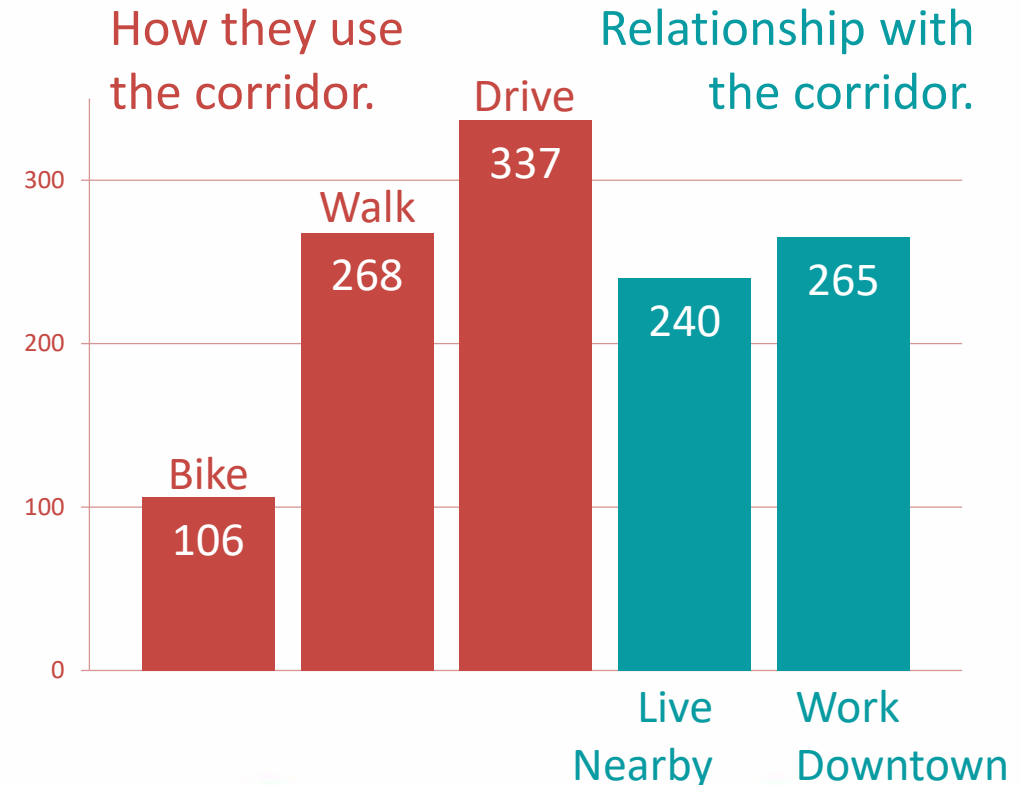
individual data points

380

written comments

4/18 to 5/31

survey period



Open House

Common Themes and Key Takeaways

- Opinions differed on whether to allocate space to bicyclists (bike lane and bike lane buffer) or landscaping (planting strip).
- Pedestrian crossings are important, particularly at East Jefferson Street.
- Support given to limiting access at Lexington Avenue (left-in/right-in/right-out).
- Support given to limiting access at the CFA Institute, however several comments expressed a lack of opinion.



Outreach & Engagement

Since March 2018



1,000+ touch points

17,500+ individual data points

500+ written comments

Steering Committee Meeting #1



Streetscape Summit



MetroQuest Survey



Future Steering Committee Meetings



Open House



Presentations to Boards & Commissions

Public Hearing

EastHighStreetscape.org



Key Takeaways

- Overall, pedestrian facilities and multimodal mobility is a priority
- Desire to provide a safe and walkable street that enhances neighborhood connections
- Utilize design features and proposed amenities to enhance the overall environment for all users



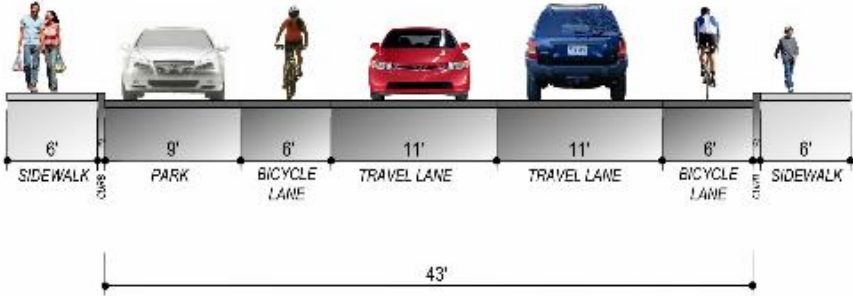
Conceptual Design Review



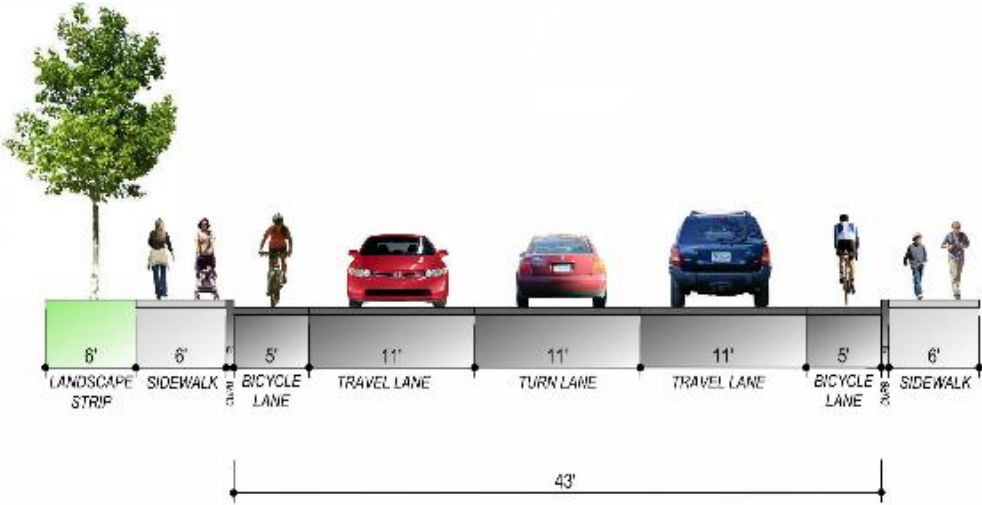
Conceptual Design



Conceptual Design – E. Market Street



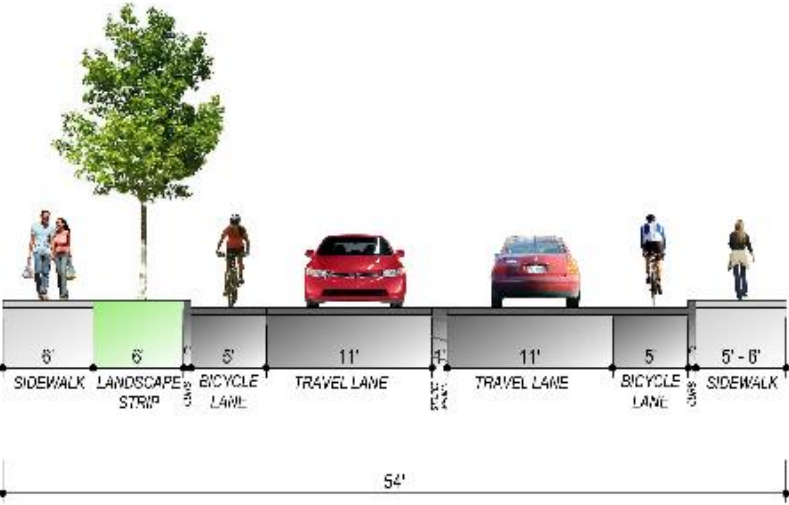
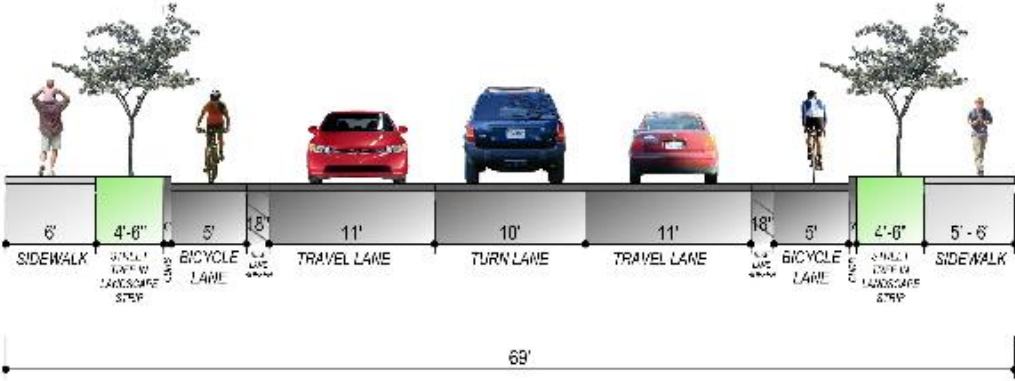
SECTION A - MARKET ST BETWEEN 8TH ST. AND 7TH ST.
Charlottesville, VA
EAST HIGH STREETScape



SECTION B - MARKET ST BETWEEN 8TH ST. AND 9TH ST.
Charlottesville, VA
EAST HIGH STREETScape



Conceptual Design – 9th/E. High Street



SECTION C - 9TH ST. BETWEEN MARKET ST. AND E. JEFFERSON ST.

Charlottesville, VA



TYPICAL SECTION
 PROJECT NO. 2021-014
 Kimley Horn

SECTION D - EAST HIGH ST. BETWEEN 9 1/2 ST. AND CFA

Charlottesville, VA



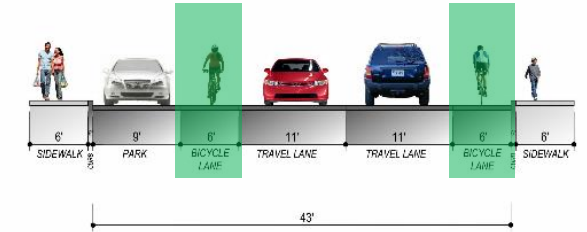
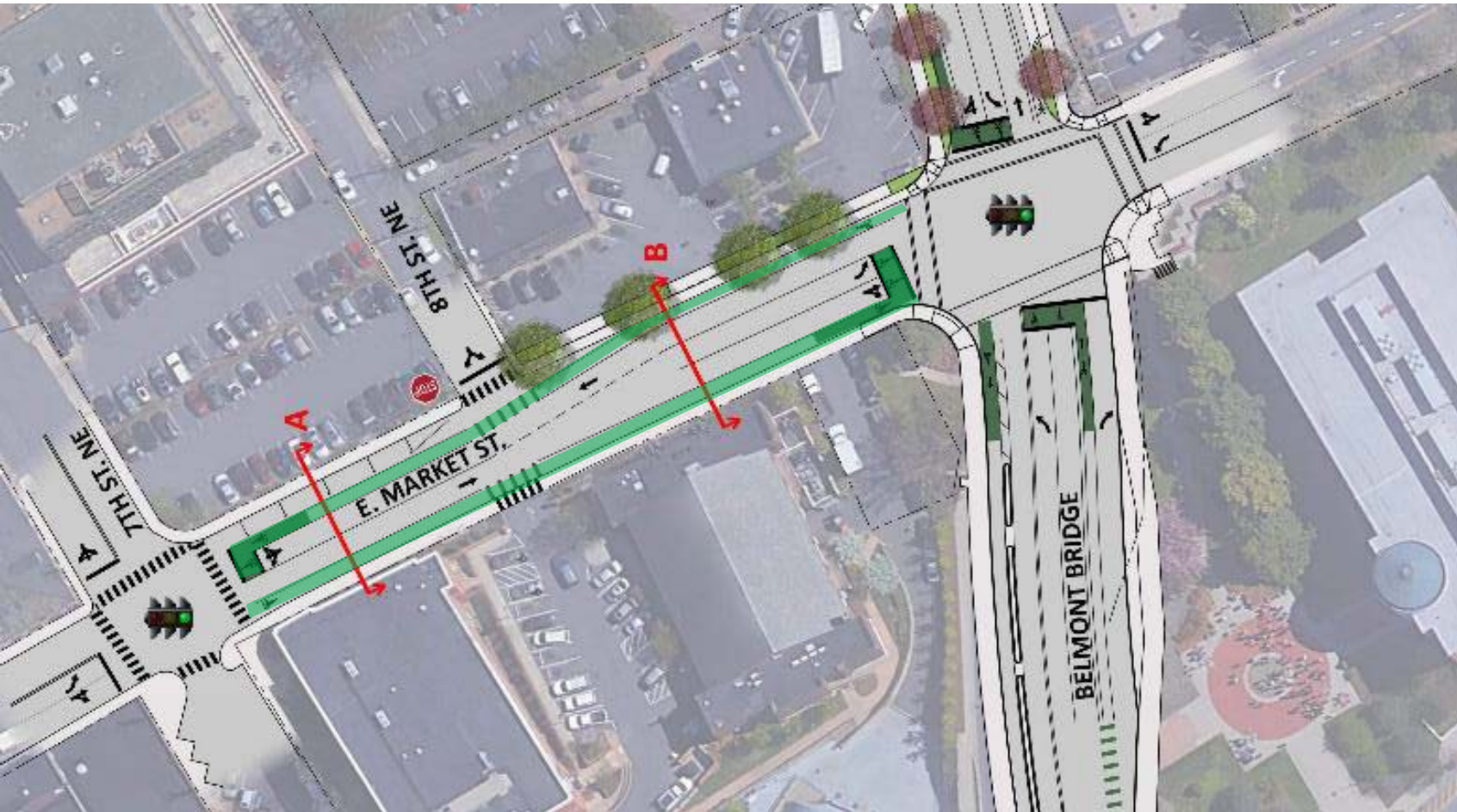
TYPICAL SECTION
 PROJECT NO. 2021-014
 Kimley Horn



Recent Conceptual Design Enhancements



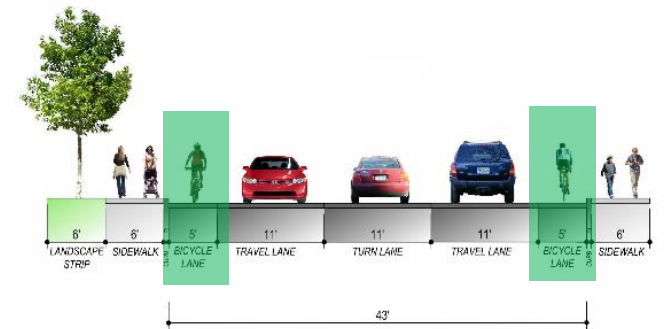
Restriping for Bike Lanes on E. Market St.



SECTION A - MARKET ST BETWEEN 8TH ST. AND 7TH ST.

CHARLES & ASSOCIATES, INC.
EAST HIGH
STREETSCAPE

TYPICAL SECTION
KIMLEY-HORN



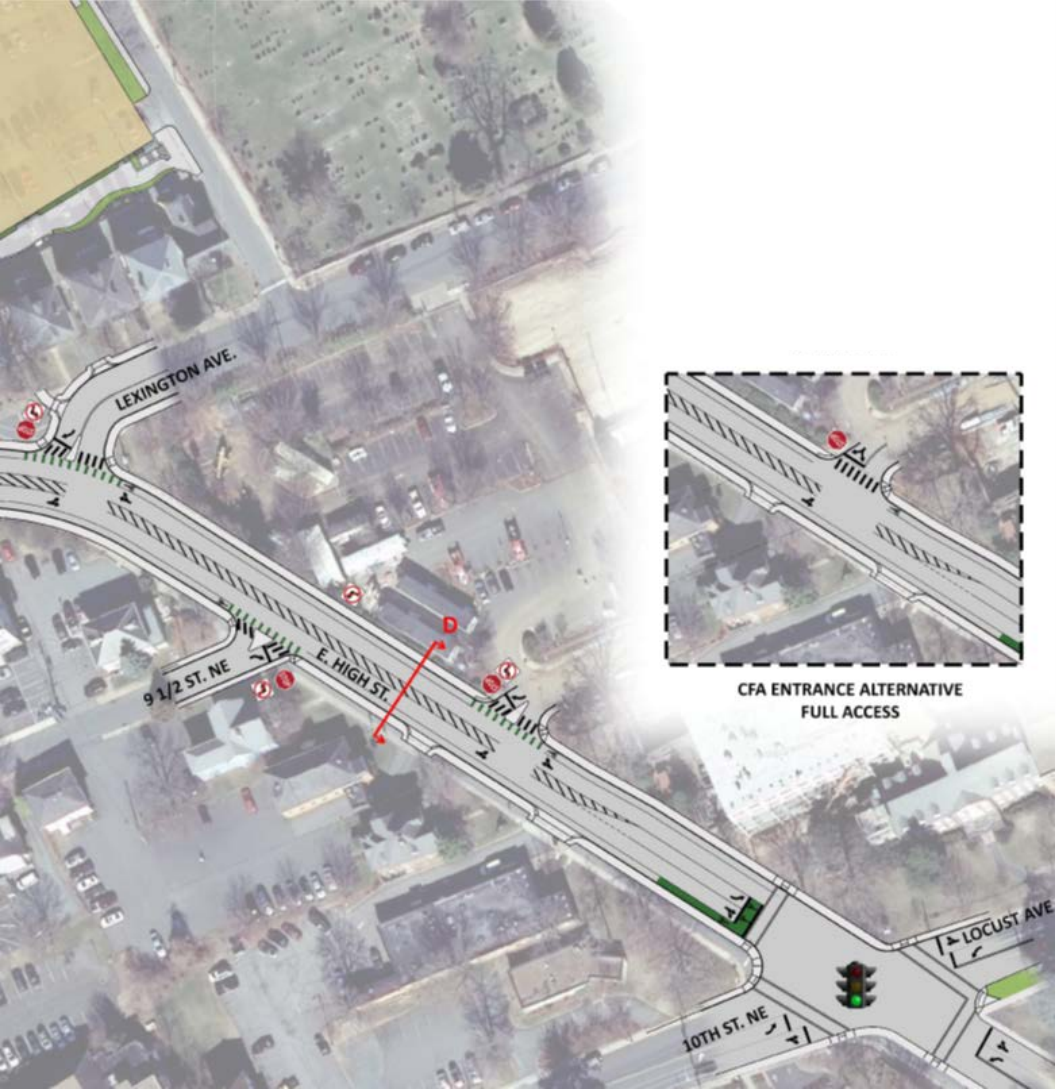
SECTION B - MARKET ST BETWEEN 8TH ST. AND 9TH ST.

CHARLES & ASSOCIATES, INC.
EAST HIGH
STREETSCAPE

TYPICAL SECTION
KIMLEY-HORN



CFA Entrance to 9th Street Access



CFA ENTRANCE ALTERNATIVE FULL ACCESS





Thank You!

Questions?

December 3, 2018



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**CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA**



Agenda Date:	November 19th, 2018
Action Required:	Approve (First Reading of Ordinance)
Presenter:	Lauren Hildebrand, Director of Utilities
Staff Contacts:	Lauren Hildebrand, Director of Utilities Christian Chirico, Gas Utility Engineer
Title:	Quitclaim Gas Easements to VDOT - North Berkshire Rd

Background:

In 2007 the City acquired two (2) natural gas line easements within North Berkshire Road off of Solomon Road (VA Route 1430). The first easement located within the right of way of North Berkshire Road was obtained from Albemarle County. The second was located in North Berkshire Road on Southland Homes property. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. An ordinance and quitclaim deed have been drafted quitclaiming to VDOT the City's natural gas easements within these rights of way.

Discussion:

The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

Alignment with Council Vision Areas and Strategic Plan:

This contributes to Objective 3.2 of the Strategic Plan, to provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Alternatives:

If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system

Budgetary Impact:

None.

Recommendation:

Approval of the attached ordinance and quitclaim deed.

Attachments:

Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENTS
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION
WITHIN A PORTION OF NORTH BERKSHIRE ROAD OFF SOLOMON ROAD
LOCATED IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of a portion of the roadway known as North Berkshire Road located off Solomon Road in Albemarle County; and

WHEREAS, the City owns natural gas lines located within this roadway, and also owns easements for such gas line, and VDOT has asked that the foregoing easements crossing this roadway be released upon VDOT's acceptance of that portion of North Berkshire Road; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing a portion of North Berkshire Road to the Virginia Department of Transportation, conditioned upon receipt by the City of a VDOT permit allowing said line to continue to be located in said roadway.

*Prepared by John C. Blair, II (VSB #65274)
Charlottesville City Attorney's Office
P.O. Box 911, Charlottesville, VA 22902*

Albemarle County Tax Map 61K (North Berkshire Rd)

**This deed is exempt from recordation taxes pursuant to
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

DEED OF QUITCLAIM

THIS DEED OF QUITCLAIM, made and entered into on this ____ day of _____, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated October 22, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in a portion of North Berkshire Road right-of-way off Solomon Road in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across North Berkshire Road, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in North Berkshire Road were conveyed to the City by the following deeds:

- 1) Deed of Easement dated July 20, 2007 from the County of Albemarle, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 3472, Page 195; and

- 2) Deed of Easement dated May 11, 2007 from Southland Homes, Inc., of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 3428, Page 418.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deeds of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadway.

IN WITNESS WHEREOF, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

BY: _____
Nikuyah Walker, Mayor

ATTEST:

Interim Clerk of Council

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

I, _____, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Brian Wheeler, its Interim Clerk of Council, whose names are signed to the foregoing writing, bearing date of _____, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

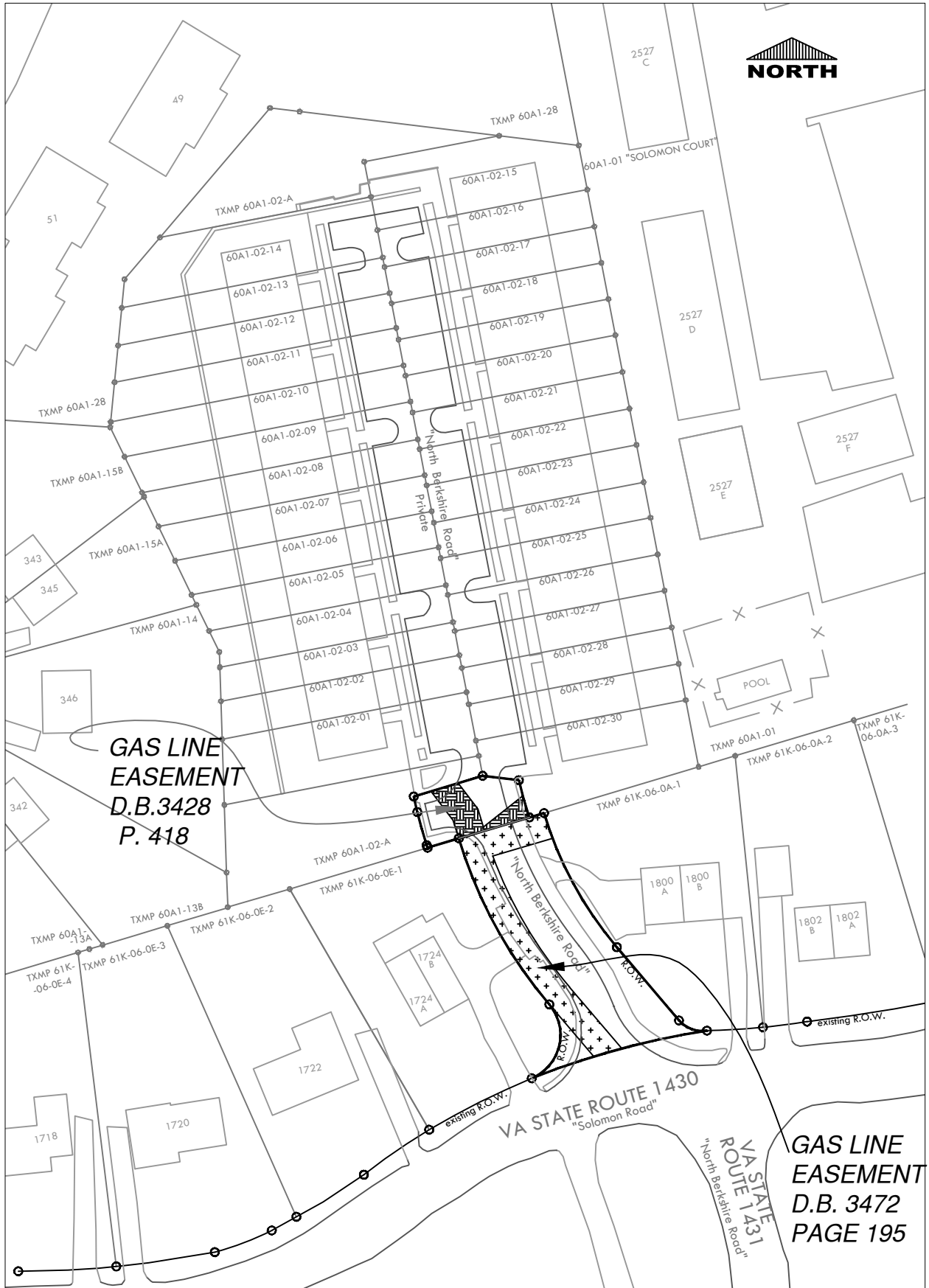
My Commission Expires: _____

Given under my hand this _____ day of _____, 2018.

Notary Public
Registration # _____

Approved as to Form:

John C. Blair, II, City Attorney



**GAS LINE
EASEMENT
D.B.3428
P. 418**

**GAS LINE
EASEMENT
D.B. 3472
PAGE 195**

**CITY OF CHARLOTTESVILLE UTILITIES: GAS
PLAT SHOWING
EXISTING GAS LINE EASEMENT
LOCATED WITHIN THE RIGHTS OF WAY OF
"NORTH BERKSHIRE ROAD"
BERKSHIRE LANDING SUBDIVISION
TO BE QUIT CLAIMED TO THE
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
GAS LINE EASEMENT RECORDED AT:
DEED BOOK 3428 PAGE 418 AND DEED BOOK 3472 PAGE 195
DATE: OCTOBER 22, 2018 SCALE: 1" = 100'**

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.
When installed, minimum pipeline depth was.
42" below paved surfaces and 36" in grassy areas.

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CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA



Agenda Date: November 19th, 2018

Action Required: Approve (First Reading of Ordinance)

Presenter: Lauren Hildebrand, Director of Utilities

Staff Contacts: Lauren Hildebrand, Director of Utilities
Christian Chirico, Gas Utility Engineer

Title: Quitclaim Gas Easements to VDOT – Fowler Ridge Court & Valcrest Lane (formerly Shepherd's Court and Shepherd's Lane)

Background:

In 2016 the City acquired a natural gas line easement from Dunlora V, LLC. The easement is located within the rights of way of Valcrest Lane and Fowler Ridge Court (formerly Shepherd's Lane and Shepherd's Court) in the Dunlora subdivision. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. An ordinance and quitclaim deed have been drafted quitclaiming to VDOT the City's natural gas easements within these rights of way.

Discussion:

The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

Alignment with Council Vision Areas and Strategic Plan:

This contributes to Objective 3.2 of the Strategic Plan, to provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Alternatives:

If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system

Budgetary Impact:

None.

Recommendation:

Approval of the attached ordinance and quitclaim deed.

Attachments:

Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENTS
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION
WITHIN VALCREST LANE AND FOWLER RIDGE COURT
IN THE DUNLORA SUBDIVISION LOCATED IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Valcrest Lane and Fowler Ridge Court (formerly named Shepherd's Lane and Shepherd's Court) in Albemarle County; and

WHEREAS, the City owns natural gas lines located within these roadways, and also owns easements for such gas lines, and VDOT has asked that the foregoing easements crossing these roadways be released upon VDOT's acceptance of Valcrest Lane and Fowler Ridge Court; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing Valcrest Lane and Fowler Ridge Court to the Virginia Department of Transportation, conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by John C. Blair, II (VSB #65274)
Charlottesville City Attorney's Office
P.O. Box 911, Charlottesville, VA 22902*

Albemarle County Tax Map 62F (Dunlora V Subdivision)

**This deed is exempt from recordation taxes pursuant to
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

DEED OF QUITCLAIM

THIS DEED OF QUITCLAIM, made and entered into on this ____ day of _____, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated October 1, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Valcrest Lane and Fowler Ridge Court rights-of-way in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across Valcrest Lane and Fowler Ridge Court, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in Valcrest Lane and Fowler Ridge Court (formerly named Shepherd's Lane and Shepherd's Court) were conveyed to the City by Deed of Easement dated April 20, 2016 from Dunlora V, LLC, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 4786, Page 713.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadways.

IN WITNESS WHEREOF, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

BY: _____
Nikuyah Walker, Mayor

ATTEST:

Interim Clerk of Council

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

I, _____, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Brian Wheeler, its Interim Clerk of Council, whose names are signed to the foregoing writing, bearing date of _____, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

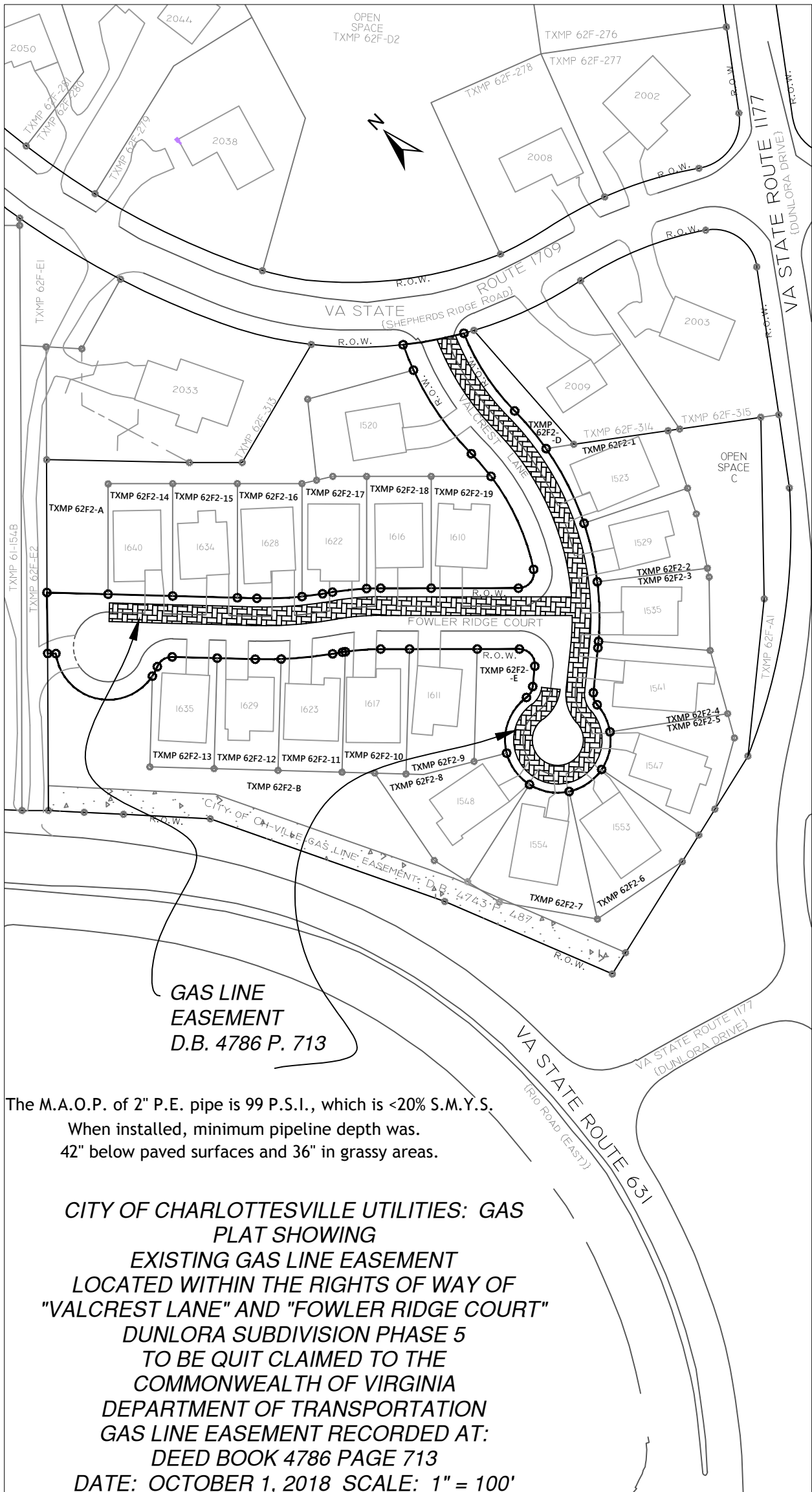
My Commission Expires: _____

Given under my hand this _____ day of _____, 2018.

Notary Public
Registration # _____

Approved as to Form:

John C. Blair, II, City Attorney



**GAS LINE
EASEMENT
D.B. 4786 P. 713**

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.
When installed, minimum pipeline depth was
42" below paved surfaces and 36" in grassy areas.

**CITY OF CHARLOTTESVILLE UTILITIES: GAS
PLAT SHOWING
EXISTING GAS LINE EASEMENT
LOCATED WITHIN THE RIGHTS OF WAY OF
"VALCREST LANE" AND "FOWLER RIDGE COURT"
DUNLORA SUBDIVISION PHASE 5
TO BE QUIT CLAIMED TO THE
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
GAS LINE EASEMENT RECORDED AT:
DEED BOOK 4786 PAGE 713
DATE: OCTOBER 1, 2018 SCALE: 1" = 100'**

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**CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA**



Agenda Date:	November 19th, 2018
Action Required:	Approve (First Reading of Ordinance)
Presenter:	Lauren Hildebrand, Director of Utilities
Staff Contacts:	Lauren Hildebrand, Director of Utilities Christian Chirico, Gas Utility Engineer
Title:	Quitclaim Gas Easements to VDOT – Lockwood & Livingston Drive

Background:

In 2007 the City acquired a natural gas line easement from Tribal Properties, LLC. The easement is located within Lockwood Drive and Livingston Drive (formerly Deerwood Village Drive) in the Hollymead Towncenter Subdivison. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. An ordinance and quitclaim deed have been drafted quitclaiming to VDOT the City’s natural gas easements within these rights of way.

Discussion:

The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

Alignment with Council Vision Areas and Strategic Plan:

This contributes to Objective 3.2 of the Strategic Plan, to provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Alternatives:

If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system

Budgetary Impact:

None.

Recommendation:

Approval of the attached ordinance and quitclaim deed.

Attachments:

Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE
TO QUITCLAIM NATURAL GAS LINE EASEMENTS
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION
WITHIN LOCKWOOD DRIVE AND LIVINGSTON DRIVE
IN THE HOLLYMEAD TOWNCENTER SUBDIVISION
LOCATED IN ALBEMARLE COUNTY**

WHEREAS, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Lockwood Drive and Livingston Drive (formerly named Deerwood Village Drive) in the Hollymead Towncenter subdivision in Albemarle County; and

WHEREAS, the City owns natural gas lines located within these roadways, and also owns easements for such gas lines, and VDOT has asked that the foregoing easements crossing these roadways be released upon VDOT's acceptance of Lockwood Drive and Livingston Drive; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing Lockwood Drive and Livingston Drive to the Virginia Department of Transportation, conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by John C. Blair, II (VSB #65274)
Charlottesville City Attorney's Office
P.O. Box 911, Charlottesville, VA 22902*

Albemarle County Tax Map 32B (Hollymead Towncenter Subdivision)

**This deed is exempt from recordation taxes pursuant to
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

DEED OF QUITCLAIM

THIS DEED OF QUITCLAIM, made and entered into on this ____ day of _____, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated November 2, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Lockwood Drive and Livingston Drive rights-of-way in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across Lockwood Drive and Livingston Drive, insofar as the land embraced within said easements falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements in Lockwood Drive were conveyed to the City by Deed of Easement dated April 10, 2007 from Tribal Properties, LLC and HM Acquisition Group, LLC, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 3401, Page 382, and by Deed of Easement dated April 10, 2007 from Tribal Properties, LLC, of record in the aforesaid Clerk's Office in Deed Book 3401, Page 374. The gas line

easement in Livingston Drive (formerly named Deerwood Village Drive) was conveyed to the City by Deed of Easement dated April 10, 2007 from Tribal Properties, LLC, of record in the aforesaid Clerk's Office in Deed Book 3401, Page 374.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadways.

IN WITNESS WHEREOF, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

CITY OF CHARLOTTESVILLE, VIRGINIA

BY: _____
Nikuyah Walker, Mayor

ATTEST:

Interim Clerk of Council

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

I, _____, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Brian Wheeler, its Interim Clerk of Council, whose names are signed to the foregoing writing, bearing date of _____, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires: _____

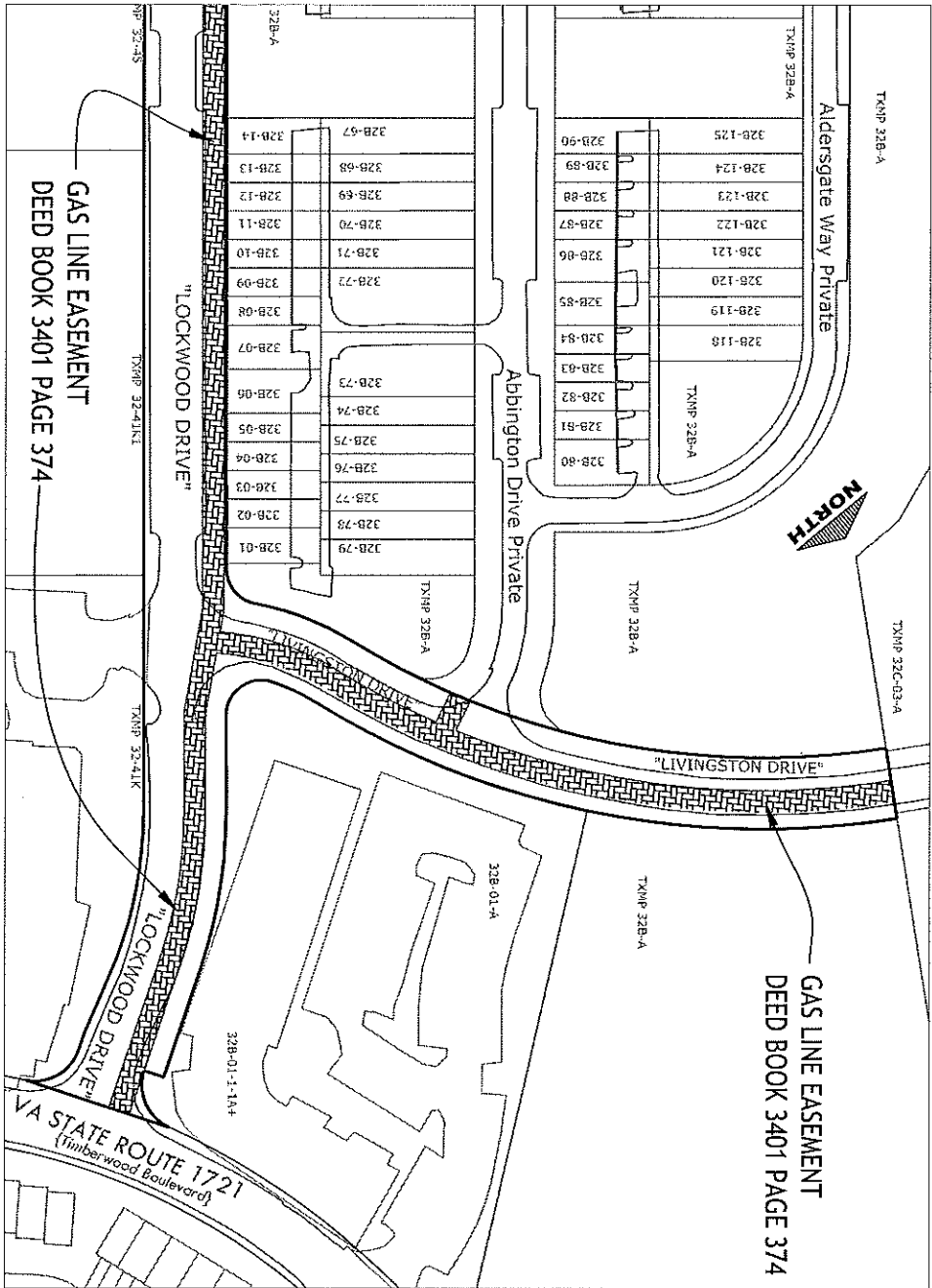
Given under my hand this _____ day of _____, 2018.

Notary Public
Registration # _____

Approved as to Form:

John C. Blair, II, City Attorney

MATCH TO SHEET 1



CITY OF CHARLOTTESVILLE
 DEPARTMENT OF UTILITIES: GAS
 PLAT SHOWING
 EXISTING GAS LINE EASEMENT(S)
 LOCATED WITHIN THE
 RIGHTS OF WAY OF:
 "LOCKWOOD DRIVE"
 AND
 "LIVINGSTON DRIVE"
 HOLLYMEAD TOWNCENTER SUBDIV.
 TO BE QUIT CLAIMED
 TO THE
 COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF TRANSPORTATION
 GAS LINE EASEMENT RECORDED AT:
 DEED BOOK 3401 PAGE 374
 DEED BOOK 3401 PAGE 382
 DATE: NOVEMBER 02, 2018
 SCALE: 1" = 100'

The M.A.O.P. of 2" P.E. pipe is
 90 P.S.I., which is <20% S.M.Y.S.
 When installed, the minimum depth
 in grassy areas was 36" and
 42" below paved surfaces.

PAGE 2 OF 2

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



Agenda Date:	December 3, 2018
Action Required:	Consideration of Charlottesville City Charter Amendment
Presenter:	John C. Blair, II, City Attorney
Staff Contacts:	John C. Blair, II, City Attorney
Title:	Public Hearing on an Amendment to Section 5 of the Charlottesville City Charter

Background: On November 19, 2018, the Charlottesville City Council considered its annual legislative package. One of the items in the legislative package is a proposed amendment to the City of Charlottesville’s Charter introduced by Mayor Walker.

Virginia Code Section 15.2-202 requires that the City Council conduct a public hearing before it approves a request to state legislators to amend the City’s charter. On November 19, 2018, the City Council authorized a public hearing for Mayor Walker’s proposed amendment.

Discussion:

At its November 19, 2018 meeting, the Council considered Mayor Walker’s original proposal which authorized the City Council to set its salary up to one fifth of the City Manager’s compensation. The Mayor would have received twenty percent more compensation than other Councilors under the original proposal.

After discussion, the Council agreed to authorize a public hearing on a modified version of Mayor Walker’s proposal. The current proposal would permit the City Council to set its members’ salaries beyond the current limits prescribed by Virginia Code Section 15.2-1414.6. Those current limits are \$20,000 per year to serve as Mayor and \$18,000 per year to serve as a Councilor.

Additionally, any salary increase approved by the Council would only take effect January 1 following the next general election for City Councilors.

The following examples are provided to explain the timing of any salary increase if the charter amendment is approved by the General Assembly:

If the Council approved a salary increase in August 2019, the increase would not become effective until January 1, 2020 because the next Councilor elections following the salary increase would be conducted in November 2019.

If the Council approved a salary increase in March 2020, the increase would not become effective

until January 1, 2022 because the next Councilor elections following the salary increase would be conducted in November 2021.

Budgetary Impact: None.

Attachments:

Charter Amendment Proposal

Sec. 5. Elective officers; qualifications and terms of certain officers; form of government; corporate powers vested in city council; salaries of councilmen and mayor; city manager; director of finance.

(a) The municipal authorities of the said city shall consist of a council of five members, one of whom shall be mayor, as hereinafter set forth, unless and until this form be changed in manner prescribed by law, a clerk of the ~~corporation~~ [circuit] court, a commonwealth's attorney, a treasurer, a sheriff and a commissioner of revenue, who shall be elected by the qualified voters of the City of Charlottesville at elections held at the intervals and on the day prescribed for such elections by the laws of the state. All persons who are qualified voters of the City of Charlottesville shall be eligible to any of the said offices. The terms of offices of all of said officers shall begin and continue for such length of time as is prescribed by law; provided, that any of said officers shall be eligible to one or more offices to which ~~he~~ they may be elected or appointed by the council. All the corporate powers of said city shall be exercised by said council, or under its authority, except as otherwise provided herein.

(b) The form of government for said city shall be the city manager plan as follows: All corporate powers, legislative and executive authority vested in the City of Charlottesville by law shall be and are hereby vested in a council of five members to be elected at large from the qualified voters of the city, except as hereinafter provided.

(c) The mayor and each of said councilor men shall receive an annual salary to be set by the council, ~~not to exceed thirty-six hundred dollars each (except the president of said council, who shall be mayor, and shall receive a salary not to exceed forty-eight hundred dollars) from the city for their services. No salary increase for the mayor or councilors shall take effect until the first day of January following the next regularly scheduled general election of councilors.~~

(d) In accordance with the general laws of the commonwealth, the election of councilors men shall be held in ~~May of 1972~~ November of 2019, and biennially thereafter. At the election in ~~May of 1972~~ November of 2019, there shall be elected three ~~members of councilors~~, and at the election in ~~May of 1974~~ November of 2021, there shall be elected two ~~members of councilors~~ to fill vacancies occurring on the first of July in the respective years in which they are elected. The term of office of the councilors men shall be four years from the first day of January following the date of their election and until their successors shall have been elected and qualified. ~~The members of the council~~ Councilors on the effective date of this Charter amendment are hereby confirmed in office until the first day of ~~July~~ January following the final year of the term of office for which they were elected.

(e) It shall be the duty of the ~~said council of five members~~ to elect a city manager, at the salary to be fixed by them, who shall serve at the pleasure of the council.

(f) Subject to general control by the council as provided in subsection (b) hereof, the city manager shall have full executive and administrative authority and shall have the right to employ and discharge all employees under their ~~his~~ control. All departments of city government, including the fire department and police department, shall be under the general supervision of the city manager. The city manager shall give a bond for the faithful performance of their ~~his~~ duties in such sum as the council may require. Subject to the general power of the council as provided in subsection (b) hereof and except as the council may by ordinance otherwise provide, the city manager shall have the powers vested in city

managers by Code of Virginia, sections ~~15.1-926 and 15.1-927~~ 15.2-1540 and 15.2-1541 and general laws amendatory thereof.

(g) ~~Said~~ Council shall elect a director of finance who shall serve at the pleasure of the council and who shall superintend the fiscal affairs of the city, and shall manage the same in the manner required by the council.

In all other respects the said council shall have and be vested with the same authority heretofore exercised by the council, and in all other respects their duties and liabilities shall be regulated by the existing laws, not in conflict therewith.

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FY2018 FINANCIAL AUDIT

BY CITY AUDITORS

(VERBAL REPORT)

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



Agenda Date:	December 3, 2018.
Action Required:	Public Hearing and Council Appropriations.
Presenter:	Christopher Cullinan, Director of Finance.
Staff Contacts:	Christopher Cullinan, Director of Finance. Leslie Beauregard, Assistant City Manager.
Title:	Year End Adjustments- F.Y. 2018 and General Fund Balance Transfer.

Background:

After the annual financial records audit, City management makes recommendations for one-time appropriations and transfers to other funds, depending on the funds available after closing the fiscal year.

Discussion:

For the fiscal year ending June 30, 2018 (fiscal year 2018), the City’s General Fund ended with a positive surplus of \$4,701,082 or 2.7% within budget. Revenues performed better than expected while City departments spent less than budgeted. This result is consistent with the City’s recent financial performance:

	Revenue	Expenses	Balance Under Budget
Year ended June 30, 2018	1,993,017	2,708,065	4,701,082
Year ended June 30, 2017	6,502,691	2,438,879	8,941,570
Year ended June 30, 2016	2,924,529	3,071,050	5,995,579
Year ended June 30, 2015	1,962,858	2,353,748	4,316,606
Year ended June 30, 2014	1,566,171	1,419,986	2,986,157

A detailed discussion of revenue and expenditures performance is listed below.

Revenues

The fiscal year 2018 actual revenues were \$1,993,071 over budget or 1.2% over the adopted budget. Significant revenue budget variances were as follows:

- **Real Estate Tax** was \$158,581 over budget which is right on target with the adopted budget.
- **Personal Property Taxes** were \$663,709 over budget primarily due to overall growth being more than anticipated. There has been increases in the total number of vehicles and new purchases.
- **Tax on Bank Stock** was \$373,260 over budget due to higher than anticipated deposits on hand with banks headquartered in the City.
- **Business and Professional License** were \$932,642 over budget due to primarily due to higher gross receipts of local businesses.

The City of Charlottesville has a revenue forecasting team that consists of members from Budget, Finance, Treasurer, Commissioner of Revenue, and Economic Development. This team meets on a regular basis to review budget versus actual revenue during the year. The team also monitors and tracks trends to keep management informed as revenue forecasts change.

Expenditures:

Expenditures were under budget by \$2,708,065 or 1.6% of the adopted budget. Significant budget savings were as follows:

- **Commonwealth Attorney** was under budget by \$185,171 due to position vacancies.
- **Parks and Recreation** was under budget by \$655,428 due a variety of factors such as attrition and program cost savings. Approximately \$116,000, of this surplus represents funds that are continuing appropriations and will carried over to FY19.
- **Public Works** was under budget by \$486,723 primarily due to personnel attrition and vacancies.
- **Citywide Departmental Budget Savings.** City departments continue to do a very good job of monitoring their budgets which resulted in expenditures less than budget. Savings resulted from vacancies, efficiencies, and staff's constant due diligence with city tax dollars.

Resolution/Carryover Request:

At each year-end, the City calculates required fund balance amounts to maintain compliance with its policies. Any additional surplus generated is earmarked for spending on one-time items in future years.

For FY2018, the City ended \$4.7 million in excess of its 17% fund balance policy. The resolution recommends that \$1,500,000 be approved and carried over to be spent as described in the memo and on Exhibit 1. The remaining surplus balance of \$3,201,082 will be reserved for Affordable Housing

Redevelopment. Additionally, the City spent approximately \$7.8 million of prior years' carry over during FY 2018 that had been earmarked for one-time expenditures. The financial statements will report an actual decline of \$3.1 million in fund balance from FY2017 to FY2018. This decline was planned, and the funds were appropriated at the end of FY2017. The City does not anticipate the decline in fund balance will have any impact on the City's bond rating as the City still in compliance with its fund balance policy and other long-term financial management policies.

Attached is Exhibit I which provides a summary of appropriations requested.

Community Engagement:

A public hearing will be held to discuss these year-end results and accompanying appropriation of carryover funds.

Budgetary Impact:

These surplus funds are being allocated as part of the year-end process and will allow for the implementation of programs that may not have otherwise been funded.

Alignment with Council Vision Areas and Strategic Plan:

This resolution serves to close out and summarize the financial results of fiscal year 2018 and as such aligns with Goal 4 of the Strategic Plan, to be a well-managed and successful organization.

Recommendation:

Staff recommend that Council approve the attached resolution.

Alternatives:

Amend the Recommendations.

Attachments:

1. Memo- End of Year Adjustments/Exhibit I.
2. FY 2018 Year End Appropriation.

**City of Charlottesville.
MEMO.**



To: Members of City Council.
From: Christopher Cullinan, Director of Finance.
Leslie Beauregard, Assistant City Manager.
Date: December 3, 2018
Subject: **F.Y. 2018 End of Year Adjustments**

In order to close the City's financial records for F.Y. 18 and to finalize the City's annual financial report, we would like to request that Council approve the attached resolution to adjust certain accounts. This is a normal procedure that takes place each year.

Provided below is a brief description of the items contained in the various sections of the appropriation:

- Section I - General Fund.
- Section II - Capital Projects Fund.
- Section III - Facilities Repair Fund.
- Section IV - Grants Funds.
- Section VI – School Gainsharing.

Included are names of the department or program, the amount of the adjustment and a brief discussion of the reason(s) for the appropriation.

I. General Fund.

(a) Departmental Appropriations – Section 1 (a).

The following appropriations are requests for carryovers of unspent funds and new requests not previously appropriated.

- Citywide Reserve/Unplanned Expenses - \$1,000,000.
The City incurred over \$900,000 of unplanned expenses related to the one-year anniversary of the "Unite the Right" rally. The City continues to work with the Virginia Department of Emergency Management to ascertain the availability of Public Assistance from the Commonwealth to offset a portion of the unplanned expenses. At this time however, it is not known if these funds will be available. The appropriation of these funds will ensure the City is able to cover these costs and/or any unexpected costs that may occur during this

year. The City Manager is hereby authorized by this appropriation to transfer these funds as needed.

(b) Additional Transfers and Appropriations – Section 1(b).

The following appropriations are requests for transfers from the General Fund to other funds.

- Transfer to Retirement Fund - \$500,000.
These funds will be carried over and transferred to the Retirement fund. The FY19 budget granted a 1.5% to current retirees. The budgeted annual retirement contribution only funded a 1% COLA. These funds are needed to fund the additional 0.5% COLA granted.
- Transfer to Capital Projects Fund - \$3,201,082.
These funds will be reserved for Affordable Housing Redevelopment.

II. Capital Projects Fund - \$100,000.

- The sum of \$100,000 received from the schools as F.Y.18 gainsharing funds are appropriated to the Schools Lump Sum project account (SH-019, P-00993).

III. Facilities Repair Fund - \$57,335

- Courthouse Maintenance (P-00099) - \$25,667 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$31,668 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

IV. Grants Fund - \$1,439

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$1,439 – these funds will be used for additional qualifying State Fire Grant expenditures (1900010).

V. Schools Gainsharing - \$100,000.

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and the City. For the year ending June 30, 2018, the Schools had an operating surplus of \$112,828. According to the formula, \$100,000 will be contributed to the City's School Lump Sum Project Fund and \$12,828 will be retained by the City Schools.

Cc: John C. Blair, II, City Attorney.

FY 2018 Year End Appropriation

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the actions hereinafter set forth are herein authorized with respect to the accounts of the City listed herein, for the fiscal year ended June 30, 2018. The memo to Council dated December 3, 2018 is hereby made part of this appropriation.

I. General Fund (105).

(a) Departmental Appropriations.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year:

1631001000. Citywide Reserve/Unplanned Expenses	\$ 1,000,000
---	--------------

Total Section 1 (a).	<u>\$ 1,000,000</u>
----------------------	---------------------

(b) Additional Transfers and Appropriations

9803030000. Transfer to Retirement Fund	\$ 500,000
---	------------

9803030000. Transfer to Affordable Housing Redevelopment	\$ 3,201,082
--	--------------

Total Section 1 (b).	<u>\$ 3,701,082.</u>
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II. Capital Projects Fund (426).

- The sum of \$100,000 received from the schools as F.Y.18 gainsharing funds are appropriated to the Schools Lump Sum project account (SH-019, P-00993).

III. Facilities Repair Fund (107).

- Courthouse Maintenance (P-00099) - \$25,667 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$31,668 - These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

IV. Grants Fund (209).

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$1,439 - these funds will be used for additional qualifying State Fire Grant expenditures (1900010).

V. Schools Gainsharing.

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and the City. For the year ending June 30, 2018, the Schools had an operating surplus of \$112,828. According to the formula, \$100,000 will be contributed to the City's School Lump Sum Project Fund and \$12,828 will be retained by the City Schools.

Exhibit 1

Fiscal year End 2018

Revenue over Budget	1,993,017	
Expenditures under Budget	<u>2,708,065</u>	
Balance under Budget	4,701,082	-

RECOMMENDED APPROPRIATIONS

Additional Retirement Contribution	500,000	
Citywide Reserve/Unplanned Expenses	1,000,000	
Affordable Housing Reserve	3,201,082	
		(4,701,082)

Surplus Fiscal Year End 2018 \$ -

Transfer to CIP **\$** -

Remaining Surplus 0.00

Summary of Prior Year Results

	Revenue	Expenses	Balance Under Budget
Year ended June 30, 2017	6,502,691	2,438,879	8,941,570
Year ended June 30, 2016	2,924,529	3,071,050	5,995,579
Year ended June 30, 2015	1,962,858	2,353,748	4,316,606
Year ended June 30, 2014	1,566,171	1,419,986	2,986,157
Year ended June 30, 2013	691,027	2,506,046	3,197,073
Year ended June 30, 2012	891,240	2,903,832	3,795,072
Year ended June 30, 2011	1,155,727	4,038,399	5,194,126
Year ended June 30, 2010	(1,215,660)	4,829,993	3,614,333

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	December 3, 2018
Action Requested:	Action on a Rezoning (PUD) Application
Presenter:	Matt Alfele, City Planner
Staff Contacts:	Matt Alfele, City Planner
Title:	ZM-18-00002 Carlton Views PUD

Background:

Scott Collins (of Collins Engineering) on behalf of Hydro Falls, LLC, Carlton Views I, LLC, Carlton Views II, LLC, and ADC IV C’ville, LLC (landowners) have submitted an application pursuant to City Code 34-490 et seq., seeking a zoning map amendment to change the zoning district classifications of the following four (4) parcels of land: 1335 Carlton Avenue (Tax Map 56 Parcel 430), 1337 Carlton Avenue (Tax Map 56 Parcel 431), Tax Map 56 Parcel 432, and Tax Map 56 Parcel 433 (together, the “Subject Property”). The Subject Property has frontage on Carlton Avenue and apparent frontage on Franklin. The entire development contains approximately 4.855 acres or 211,483 square feet. The application proposes to change the zoning classification of the Subject Property from “M-I” (Industrial) to “PUD” (Planned Unit Development) subject to proffered development conditions. See **Attachment A** (Proffer Statement) for proffered conditions. The Proffered Development includes:

1. Maximum buildout of 154 units.
2. Maximum Non-residential square footage of 50,000.
3. Use Matrix (See **Attachment B**, Proffered Development Plan, for list of uses).
4. Maximum Building Height of 65 feet.
5. Affordable Dwelling Units (See **Attachment A**, Proffer Statement, for more detailed information).
6. Entrance Feature for Buildings that front on Carlton Avenue.
7. On-site Parking Restrictions.
8. Outdoor Lighting Restrictions.
9. Bus Stop and/or Shelter if Requested by the City of Charlottesville.
10. Preservation of Tree Canopy adjacent to Franklin Street.
11. Pedestrian Linkage within the site and to the Adjacent Neighborhood.

The PUD Development Plan for this proposed development includes the following key components: approximate location of existing buildings and building envelope for future

buildings, a phasing sequence of the development (phase 1 the PACE Center, completed, Phase 2 Carlton Views I Apartments, completed, Phase 3 Carlton Views II Apartments, Phase 4 Carlton Views III Apartments). The PUD Development Plan contains details required by City Code, including: a use matrix for each phase, setback/ yard requirements for each phase, parking calculations for residential uses, open space, landscaping, architectural elements, and signage. The City's Comprehensive Plan and Land Use Map calls for the area to be used and developed for Business and Technology uses. The Comprehensive Plan contains no residential density range for the Subject Property.

Discussion:

The Planning Commission held a joint Public Hearing and discussed this matter at their May 8, 2018 and November 13, 2018 meeting.

The discussion centered on the use of a PUD to accommodate affordable housing. Commissioners were concerned that the applicant was misusing the PUD concept in order to increase density without creating a fully cohesive development. Commissioners and Councilors were also concerned that should the applicant not receive tax credits to build affordable housing, it is unknown what would be built in the final phase. ADA accessible routes within the development, lack of amenities for families with children, lack of useable green spaces, and lack of innovation in design and building placement were all concerns voiced during the Planning Commission's discussion. These concerns were weighed against the need for impactful amounts of affordable units within the City. The Commission noted the possibility of adding 52 affordable units to the City's housing stock was consistent with the Comprehensive Plan's goals.

Alignment with City Council's Vision and Strategic Plan:

If City Council approves the rezoning request, the project could contribute to *Goal 3: A Beautiful and Sustainable Natural and Built Environment, 3.1 Engage in robust and context sensitive urban planning and implementation*, and the City Council Vision of *Quality Housing Opportunities for All*.

Community Engagement:

The Planning Commission held a joint Public Hearing with City Council on this matter at their meeting on May 8, 2018 and November 13, 2018.

During the May 8th Public Hearing, three members of the public spoke. All three speakers voiced concerns with parking, lack of housing type, lack of amenities for residents of the development and the surrounding neighborhood, lack of open space, and the maintenance of Carlton View I.

During the November 13th Public Hearing, four members of the public spoke. Many of the same concerns from the May 8th Public Hearing were voiced. In addition, the misuse of a PUD for the sole purpose of density was voiced. Concern with the future accessibility of tax credits for funding was raised. One member of the public spoke in support of the development. This person is a resident of Carlton View I and sees it (and any future building) as an asset to the City, but is

concerned with the management and would like the development to remain accessible to the retirement age community. It was indicated the management issues were improving.

On March 15, 2018 the applicant held a community meeting at the Blue Ridge PACE Center. The applicant gave an overview of the project as it related to the need for a rezoning. Two members of the public attended the meeting and voiced the following concerns:

- How will Phase IV (Carlton Views III) be screened from the adjacent Woolen Mills neighborhood?
- What will the architectural style of the future buildings be?
- Would any of the future phase include a small grocery store or other neighborhood amenity?
- Lighting from the development is a big concern.
- Retaining all the SUP conditions from the original development is a priority.

As of the date of this report, staff has received the following concerns through email, phone calls or in person conversations:

- Parking for the development is not adequate. Employees of the PACE Center are often forced to park on the street or in the surrounding neighborhood.
- The height from the SUP conditions was 50 feet and the new proffer statement is showing an allowed height of 65 feet. This change is concerning.
- The development is not a fully throughout PUD.

Budgetary Impact:

This has no impact on the General Fund. On October 1, 2018 City Council allocated 1.44 million from CAHF for the final phase of the development. The funds are contingent on the applicant receiving 2019 tax credits.

Recommendations:

The Planning Commission took the following action:

Mr. Mitchell moved to recommend approval of this application to rezone the subject property from M-I to PUD, on the basis that the proposal would serve the interests of the general public and good zoning practice.

Mr. Stolzenberg seconded the motion. The motion passed 5 – 2.

Alternatives:

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance granting the Rezoning as recommended by the Planning Commission;
- (2) by motion, deny the requested Rezoning;
- (3) by motion, request changes to the City Council findings, or to the specific list of properties to be rezoned, and then by separate motion, approve the ordinance granting the Rezoning ; or
- (4) by motion, defer action on the proposed Rezoning.

Attachments:

- A. Ordinance
- B. Proffer Statement Dated November 13, 2018
- C. Proffered Development Plan Dated September 12, 2018
- D. Link to the Staff Report and background information from the November 13, 2018 Planning Commission meeting:
<http://www.charlottesville.org/home/showdocument?id=63507>
(Staff Report starts on page 44)

**AN ORDINANCE
APPROVING A REQUEST TO REZONE FOUR PARCELS OF LAND
LOCATED AT 1335 AND 1337 CARLTON AVENUE, AND TWO ADJACENT LOTS,
FROM M-I (WITH A SPECIAL USE PERMIT) TO PLANNED UNIT DEVELOPMENT
("CARLTON VIEWS PUD")**

WHEREAS, Carlton Views I, LLC, Carlton Views II, LLC, ADC IV C'ville, LLC, and Hydro Falls, LLC (collectively, the "Applicant") are the Owners of four parcels of land designated on City Tax Map 56 as Parcels 430, 431, 432, and 433, containing, collectively, approximately 4.855 acres, and the Applicant seeks a rezoning of such property from M-I (subject to a special use permit) to Planned Unit Development subject to proffered development conditions (hereinafter the "Proposed Rezoning"); and

WHEREAS, in connection with the Proposed Rezoning, the Landowners submitted: (i) a written PUD Development Plan, dated March 27, 2018, revised April 19, 2018 and September 12, 2018, titled "Carlton Views Development PUD Application Plan" (hereinafter referred to as the "PUD Development Plan"), and (ii) proffered development conditions submitted in writing to the City, dated November 13, 2018; and

WHEREAS, the Proposed Rezoning proposes development that is subject to the requirements of City Code §34-12 specifying a minimum number of affordable dwelling units required for a development, and the Applicant's proffered development conditions specify the Applicant's proposal for exceeding the minimum requirements of that section; and

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

WHEREAS, on November 13, 2018, following the joint public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

WHEREAS, City Council has considered the materials included within the rezoning application, the PUD Development Plan and the proffered development conditions dated November 13, 2018, and Council has also considered the analysis within the Staff Report, comments received from the public, and the Planning Commission's recommendation; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice requires the Proposed Rezoning; that both the existing zoning classification (M-I, subject to a special use permit) and the proposed PUD zoning classification (subject to the PUD Development Plan and the proffered development conditions) are 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-I to PUD four parcels of land designated on City Tax Map 56 as Parcels 432, 433, 430 (1335 Carlton Avenue), and 131 (1337 Carlton Avenue), (the "Property"), consisting of approximately 4.855 acres, or 211,483 square feet, subject to the following Proffers, which were tendered by the Applicant in accordance with law and are hereby accepted by this City Council:

Accepted Proffers

1. **Specific Development**—The Subject Property shall be developed in accordance with the PUD Development Plan.
2. **Provision of Accessible, Affordable Dwelling Units**--Where the PUD Development Plan indicates residential uses, the portion(s) of the Subject Property that will contain residential dwelling units shall incorporate handicapped-accessible dwelling units and affordable dwelling units, as set forth following below.
 - a. Affordable dwelling units (ADUs), as defined within the City’s Zoning Ordinance, will be provided within the PUD, as follows:
 - i. at all times: at least thirty percent (30%) of the affordable dwelling units required by the City’s Zoning Ordinance (“Required ADUs”) within the PUD shall be occupied by, or reserved for occupancy by, households having income of not more than 60% AMI; and
 - ii. at all times: at least fifteen percent (15%) of the Required ADUs within the PUD shall be occupied by, or reserved for occupancy by, households having income of not more than 40% AMI.
 - b. Handicapped-accessible units will be provided among the Required ADUs, meeting Uniform Federal Accessibility Standards (“UFAS”) standards for accessibility, or Virginia Housing Development Authority (“VHDA”) standards for universal design; specifically: at least fifteen percent (15%) of the Required ADUs within the PUD shall meet UFAS guidelines for accessibility, and at least thirty percent (30%) of the Required ADUs within the PUD shall meet VHDA guidelines for universal design.
 - c. The Landowners shall record within the land records of the Circuit Court for the City of Charlottesville one or more instruments containing covenants or restrictions assuring that the Subject Property will provide the Required ADUs referenced in Paragraph 2(a), above, for a period of not less than twenty (20) years from the date the first Required ADU is occupied by a household of persons meeting the applicable AMI requirements. The Landowners shall notify the City’s zoning administrator promptly of the date on which the first Required ADU is occupied by a household of persons meeting the applicable AMI requirements.
 - d. Administration of the Required ADUs shall be conducted in a manner such that books and records will be kept to document the following:
 - i. section 8 voucher holders will have first priority for occupancy of any available Required ADU within the PUD;
 - ii. each owner of a residential dwelling unit within the PUD shall maintain records documenting the household income of the occupants of the dwelling unit, and (as to units offered for rental at market rates) of the owner’s efforts to obtain funding or financing to facilitate the occupancy of the dwelling unit

as an ADU in accordance with the AMI levels referenced in paragraph 2(a), above; and

- iii. once per year the Landowners shall provide a written report to the zoning administrator, accompanied by evidence that the requirements of paragraphs 2(a)(ii)(1) and (2) have been satisfied.
 - e. Notwithstanding the foregoing: if, on or before December 31, 2019, both of the following conditions (i) and (ii) have been satisfied, then one hundred percent (100%) of the residential dwelling units within the PUD will be affordable dwelling units (“Required ADUs”) subject to the provisions of 2(b) – (d) preceding above:
 - i. federal tax credits have been approved and syndicated, AND
 - ii. permanent financing has been obtained for construction of the project as a one-hundred-percent affordable housing project.
 - iii. Further: if conditions (e)(i) and (e)(ii) are both satisfied on or before December 31, 2019, then thirty percent (30%) of the Required ADUs provided in accordance with this paragraph (e) shall be occupied by, or reserved for occupancy by, households having income of not more than 60% AMI, and fifteen percent (15%) of the Required ADUs shall be occupied by, or reserved for occupancy by, households having income of not more than 30% AMI.
3. ***Development design and features***—in addition to any requirements of the City’s zoning ordinance, subdivision ordinance, water protection ordinance, or other applicable laws or ordinances, the use and development of the Subject Property shall comply with all of the following:
- a. No building or structure within the PUD shall exceed a height of 65 feet. Building elevations demonstrating compliance with this requirement shall be included within the final site plan for the PUD development.
 - b. Each building façade that fronts on Carlton Avenue shall be designed to include a door or other entrance feature. Building elevations depicting how this requirement will be satisfied shall be included within the final site plan for the PUD development.
 - c. Within the PUD, the number of on-site parking spaces shall not exceed the minimum required by the City’s zoning ordinance; however, if additional parking spaces are required as a condition of receiving grant funding, or other financing, to support the provision of the Required ADUs, then upon presentation of documentation of such requirement to the City’s zoning administrator, a landowner may include the additional number of on-site parking spaces necessary for receipt of such funding/ financing.
 - d. All outdoor light fixtures shall be equipped with full-cutoff luminaires, and with devices for redirecting light (e.g., shields, visors, hoods, etc.) to eliminate light glare

- and block direct light spillover onto neighboring properties. Each light fixture shall be recessed to conceal the light source from all viewing positions except those positions permitted to receive illumination. Directional task lighting (e.g., floodlights, spotlights, sign lights, etc.) shall illuminate only the intended task, and no light from any fixture(s) used in such task lighting shall shine directly onto neighboring properties or roadways, nor shall any task lighting have the effect of causing an excessive amount of light to be released skyward.
- e. Upon written request from a public official of the City of Charlottesville, a landowner shall provide a location within the Subject Property at which Charlottesville Area Transit can, without charge, establish a bus stop/ shelter. The City shall bear the cost of providing, installing and maintaining the bus stop/ shelter.
 - f. The Landowners shall retain the existing tree canopy on the east side of the Subject property, adjacent to Franklin Street, within an area designated as open space for the PUD. The final site plan for the PUD development shall depict how this requirement will be satisfied.
4. Site design shall provide pedestrian linkages connecting on-site buildings, buildings on-site open space, and neighborhoods adjacent to the PUD. These pedestrian linkages shall be depicted within the final site plan proposed for the PUD development.

Attachment A

Carlton Views Planned Unit Development

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA
IN RE: PETITION FOR REZONING (City Application No. ZM18-00002)
STATEMENT OF PROFFERED DEVELOPMENT CONDITIONS

Dated as of November 13, 2018

Subject Property: City of Charlottesville Tax Map 56, Parcels 430, 431, 432, & 433

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:

The undersigned individuals are all of the owners of the Subject Property (“Owner(s)”) who have petitioned the Charlottesville City Council to approve the above-referenced rezoning petition (“Proposed Rezoning”), to allow for development of a specific project, identified as the Carlton Views Planned Unit Development (“PUD”) as specifically described within a proposed PUD Development Plan dated September 12, 2018.

In furtherance of the Proposed Rezoning, the Owners hereby proffer for City Council’s consideration several voluntary development conditions, which the Owners agree are reasonable. Each of the Owners agrees that, if the Subject Property is rezoned as requested, the use and development of the Subject Property will be subject to and in accordance with the following conditions:

1. ***Specific Development***--The Subject Property shall be developed in accordance with the PUD Development Plan dated September 12, 2018 (“Development Plan”).
2. ***Provision of Accessible, Affordable Dwelling Units.*** For purposes of these proffers,
 - “60% Affordable Units” shall mean residential dwelling units within the PUD occupied by, or reserved for occupancy by, households having income of not more than sixty-percent (60%) of the area median income (“AMI”) for the area including the City of Charlottesville published annually by the United States Department of Housing and Urban Development (“HUD”), as adjusted for family size.
 - 40% Affordable Units’ shall mean residential dwelling units within the PUD occupied by, or reserved for occupancy by, households having income of not more than forty-percent (40%) of AMI.
 - “UFAS Units” shall mean dwelling unit meeting Uniform Federal Accessibility Standards (“UFAS”) standards for accessibility.
 - “Universal Design Units” shall mean dwelling units meeting Virginia Housing Development Authority (“VHDA”) standards for universal design.

Attachment A

Except as otherwise described here, during the Income Limit Period (as defined below) where the Development Plan indicates residential uses, the portion(s) of the Subject Property that will contain residential dwelling units shall incorporate handicapped-accessible dwelling units and affordable dwelling units, as set forth following below.

- a. Affordable dwelling units will be provided within the PUD, as follows:
 - i. At least thirty percent (30%) of the residential dwelling units within the PUD shall be 60% Affordable Units (“Required ADUs”) and at least fifteen percent (15%) of the Required ADUs shall be 40% Affordable Units .
 - ii. At least fifteen percent (15%) of the Required ADUs shall be UFAS Units and at least thirty percent (30%) of the Required ADUs will be Universal Design Units.
- b. The Owners shall record within the land records of the Circuit Court for the City of Charlottesville one or more instruments containing covenants or restrictions assuring that the Subject Property will provide the Required ADUs referenced in Paragraph 2(a), above, for a period of not less than twenty (20) years from the date the first Required ADU is occupied by a household of persons meeting the applicable AMI requirements (“Income Limit Period”). The Owners shall notify the City’s zoning administrator promptly of the date on which the first Required ADU is occupied by a household of persons meeting the applicable AMI requirements.
- c. Administration of the Required ADUs shall be conducted in a manner such that books and records will be kept to document the following:
 - i. Section 8 voucher holders will have first priority for occupancy of any available Required ADU within the PUD.
 - ii. Each Owner of a residential dwelling unit within the PUD shall maintain records documenting the household income of the occupants of the dwelling unit, and of the Owner’s efforts to obtain funding or financing to facilitate the occupancy of the dwelling unit as an ADU in accordance with the AMI levels referenced in paragraph 2(a), above.
 - iii. Upon request by the City, the Owners shall provide a written report to the zoning administrator, accompanied by evidence verifying the Owner’s efforts and results in satisfying the requirements of paragraphs 2(a)(i) and (ii).
- d. Notwithstanding the foregoing, if, on or before December 31, 2019, both of the following conditions have been satisfied (“Funding Conditions”), then paragraph 2(a), above shall be replaced with the following:
 - a. Affordable dwelling units will be provided within the PUD, as

Attachment A

follows:

- i. one hundred percent (100%) of the residential dwellings within the PUD will be 60% Affordable Units (“Maximum ADUs) and at least fifteen percent (15%) of the Maximum ADUs shall be 40% Affordable Units .
- ii. At least fifteen percent (15%) of the Maximum ADUs shall be UFAS Units and at least thirty percent (30%) of the Maximum ADUs will be Universal Design Units.

For purposes of this paragraph, the term “Funding Conditions” shall mean:

- i. an allocation of federal low income housing tax credits and syndication thereof, and
- ii. permanent and construction financing from VHDA.

3. ***Development design and features***—in addition to any requirements of the City’s zoning ordinance, subdivision ordinance, water protection ordinance, or other applicable laws or ordinances, the use and development of the Subject Property shall comply with all of the following:

- a. No building or structure within the PUD shall exceed a height of 65 feet. Building elevations demonstrating compliance with this requirement shall be included within the final site plan for the PUD development.
- b. Each building façade that fronts on Carlton Avenue shall be designed to include a door or other entrance feature. Building elevations depicting how this requirement will be satisfied shall be included within the final site plan for the PUD development.
- c. Within the PUD, the number of on-site parking spaces shall not exceed the minimum required by the City’s zoning ordinance; however, if additional parking spaces are required as a condition of receiving grant funding, or other financing, to support the provision of the Required ADUs or other permitted use outlined in the PUD rezoning application, then upon presentation of documentation of such requirement to the City’s zoning administrator, a landowner may include the additional number of on-site parking spaces necessary for receipt of such funding.
- d. All outdoor light fixtures shall be equipped with full-cutoff luminaires, and with devices for redirecting light (e.g., shields, visors, hoods, etc.) to eliminate light glare and block direct light spillover onto neighboring properties. Each light fixture shall be recessed to conceal the light source from all viewing positions except those positions permitted to receive illumination. Directional task lighting (e.g., floodlights, spotlights, sign lights, etc.) shall illuminate only the intended

Attachment A

task, and no light from any fixture(s) used in such task lighting shall shine directly onto neighboring properties or roadways, nor shall any task lighting have the effect of causing an excessive amount of light to be released skyward.

- e. Upon written request from a public official of the City of Charlottesville, a landowner shall provide a location within the Subject Property at which Charlottesville Area Transit can, without charge, establish a bus stop/ shelter. The City shall bear the cost of providing, installing and maintaining the bus stop/ shelter.
- f. The Landowners shall retain the existing tree canopy on the east side of the Subject property, adjacent to Franklin Street, within an area designated as open space for the PUD. The final site plan for the PUD development shall depict how this requirement will be satisfied.
- g. Site design shall provide pedestrian linkages connecting on-site buildings, buildings on-site open space, and neighborhoods adjacent to the PUD. These pedestrian linkages shall be depicted within the final site plan proposed for the PUD development.

WHEREFORE, the undersigned Owner(s) stipulate and agree that the use and development of the Subject Property shall be in conformity with the conditions hereinabove stated, and in accordance with other applicable federal, state or local laws, ordinances, and requirements.

Respectfully submitted this 13th day of November, 2018. Each of the undersigned individuals represents and warrants that he or she has been duly authorized to execute this Proffer Statement on behalf of the Landowner and to bind the Landowner hereto.

*[Insert one signature block for **each** Landowner, listing the Landowner's legal name. If Landowner is an LLC, the individual who signs should indicate whether he or she is a "member" or a "managing member".]*

LANDOWNER: _____[*type legal name*]

Signed By: _____ [*signature of individual*]

Print Name: _____

Its: _____[*member, managing member, etc.*]

LANDOWNER: _____[*type legal name*]

Signed By: _____ [*signature of individual*]

Attachment A

Print Name: _____

Its: _____ [*member, managing member, etc.*]

LANDOWNER: _____ [*type legal name*]

Signed By: _____ [*signature of individual*]

Print Name: _____

Its: _____ [*member, managing member, etc.*]

LANDOWNER: _____ [*type legal name*]

Signed By: _____ [*signature of individual*]

Print Name: _____

Its: _____ [*member, managing member, etc.*]

CARLTON VIEWS DEVELOPMENT

PUD Application Plan

City of Charlottesville, Virginia



March 27, 2018

Revision #1: April 19, 2018

Revision #2: September 12, 2018

CARLTON VIEWS PUD APPLICATION

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Purpose and Intent

Carlton Views Development is an existing mixed-use development located adjacent to the CSX railroad at the eastern terminus of Carlton Avenue in downtown Charlottesville, Virginia. The owner/applicants, Fountainhead Properties and its affiliates, ADC IV Charlottesville, Carlton Views I LLC, Carlton Views II LLC and Hydro Falls LLC, are requesting approval for a PUD rezoning of the parcels making up the Carlton Views/PACE Center project. This project, on 4.855 acres at 1335 Carlton Avenue, was initially approved for a Special Use Permit dated May 20, 2013 to allow up to 21 dwelling units an acre on the property, which is currently zoned M-1. The proposed PUD request would increase the allowable density on the property from 21 DUA to a maximum of 154 units (32 DUA) and increase the affordable housing requirements, while keeping similar allowable uses on the property for the M-1 zoning and maintaining the Special Use Permit conditions on the property.

The Carlton Views development is a mixed-use project that has successfully blended the commercial and medical uses of the Blue Ridge Pace Center with affordable and accessible housing for the frail elderly and disabled residents in Charlottesville. With a Housing + Services approach, supportive services for the elderly and disabled are partnered with affordable and accessible housing options located in close proximity to these services. Building on the success of the current 54-unit apartment building that is currently providing accessible and universally designed units for low-income elderly and disabled residents, the developers for the Carlton Views property is seeking to allow additional density on the property through the PUD process to construct more affordable units. The additional density will meet the objectives set by the Charlottesville Housing Policy and Comprehensive plan by growing the affordable housing stock in Charlottesville, providing a minimum of 30% affordability for the residential units for a minimum of 20 years, accommodating the housing needs for low-income seniors and those with disabilities, and increasing density in the areas near employment and transit services.

Project History

Beginning in 2012, Fountainhead Properties and its affiliates began purchasing and developing parcels along Carlton Avenue at the site of the old H.T. Ferron concrete plant. Fountainhead had plans to develop a mixed-use project incorporating commercial and residential uses centered on the development of a PACE facility on the site.

In November 2012, ADC IV Charlottesville purchased 2.032 acres at 1335 Carlton Avenue (TM 56-43.2) and began the by-right development of the Blue Ridge PACE Center. The project was successfully completed in the summer of 2014 and is now in its third year of operation.

In May 2013, the City of Charlottesville approved a Special Use Permit permitting residential uses in the M-1 zoning district and approved residential density of 21 DUA for the 4.855 acres

Attachment B

site. This set the stage for the phased development of multifamily buildings on the sites around the PACE Center.

In August 2014, upon completion of the PACE facility and approval of the SUP, Hydro Falls LLC exercised its purchase option on the remaining acreage and began developing the first residential phase of the project at 1337 Carlton Avenue (TM 56-43.3). This fifty-four (54) unit apartment building, known as Carlton Views I, was completed and successfully leased-up in early 2017.

The second residential phase, including a forty-eight unit building, is set to receive final site plan approval from the City and break ground in April 2018. This building, known as Carlton Views II, is expected to be completed in late 2019.

Prior to development of Carlton Views I, Parcel C (TM 56-43) was subdivided into two parcels. Carlton Views I was built on a new 1.262 acre parcel C (TM 56-43.3). The subdivision left a 1.034 acre residual parcel D (the new TM 56-43) remaining and undeveloped.

With this subdivision, Fountainhead Properties or its affiliates own and operate four contiguous properties along Carlton Avenue as follows:

<u>Tax Map</u>	<u>Parcel</u>	<u>Acres</u>	<u>Project</u>	<u>Building</u>
56-43.1	A	0.627	Carlton Views II	48 units
56-43.2	B	1.925	PACE	Commercial
56-43.3	C	1.262	Carlton Views I	54 units
56-43	D	1.034	Undeveloped	None

Figure 1 on sheet 5 shows the boundary line subdivision plats for a layout of the parcels as currently configured.



Existing Blue Ridge Pace Center

CARLTON VIEWS PUD APPLICATION

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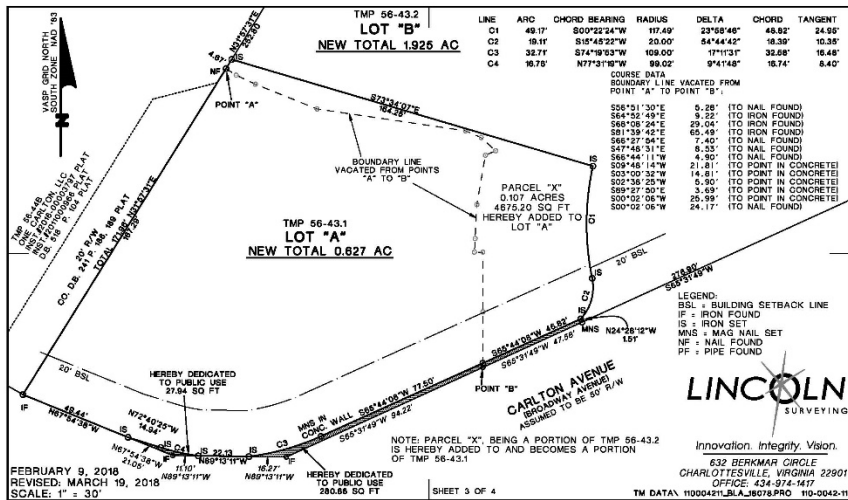
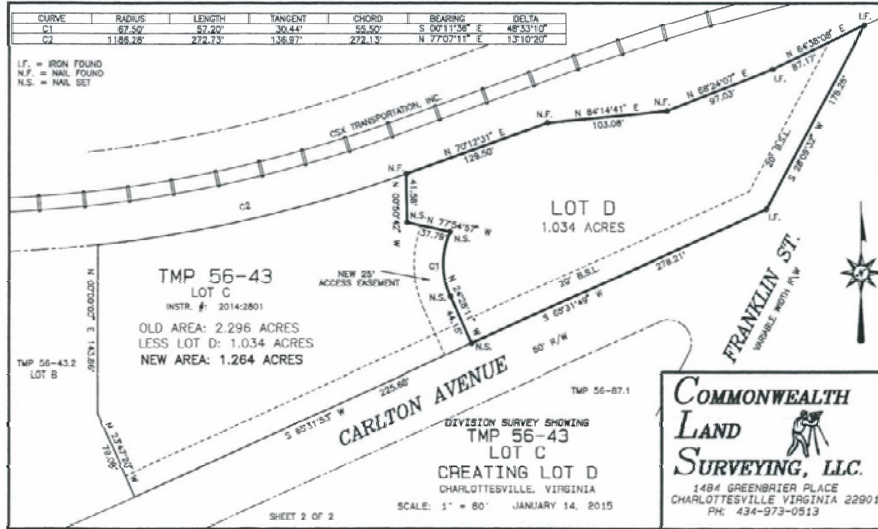
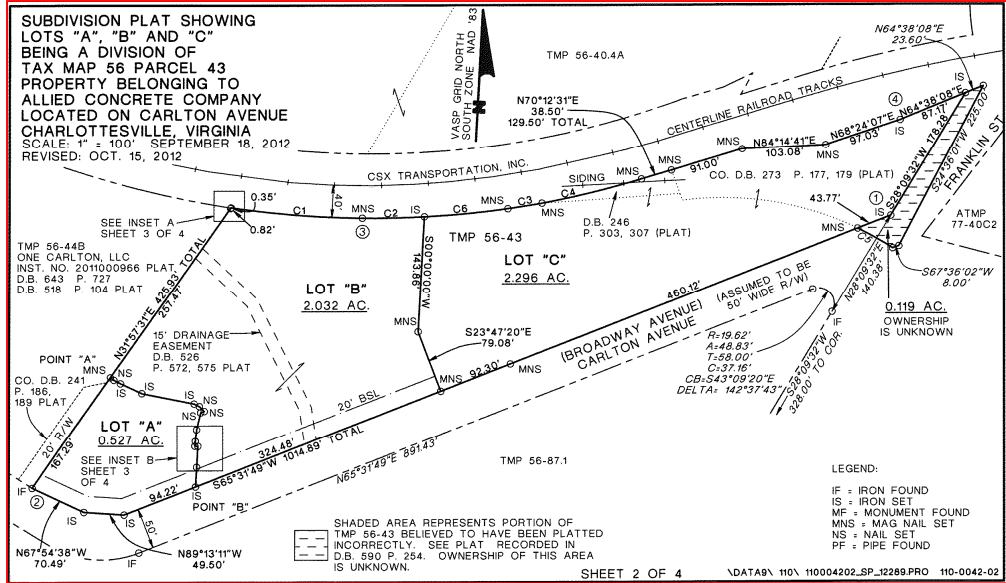


Figure 1: Existing Subdivision Plats
 CARLTON VIEWS PUD APPLICATION

Land Use

Existing Conditions

The existing Carlton Views property consists of four (4) parcels comprising 4.855 acres of land. The project is bordered by the CSX Railroad to the north, commercial properties fronting Carlton Avenue to the west, and residential properties to the south and east. The four (4) properties are currently zoned M-1 (as shown below in Figure 2) and received a Special Use Permit for residential development in 2013. The Blue Ridge Pace Center was constructed in 2013 on Parcel B, and a 54-unit apartment building was completed in 2017 on parcel C. Parcel A and Parcel D are currently vacant, and the buildings and structures previously used by Allied Concrete remain on these parcels. Road improvements along Carlton Avenue, including road widening, sidewalks, planting strips, and street trees are being constructed in conjunction with each phase of the development.

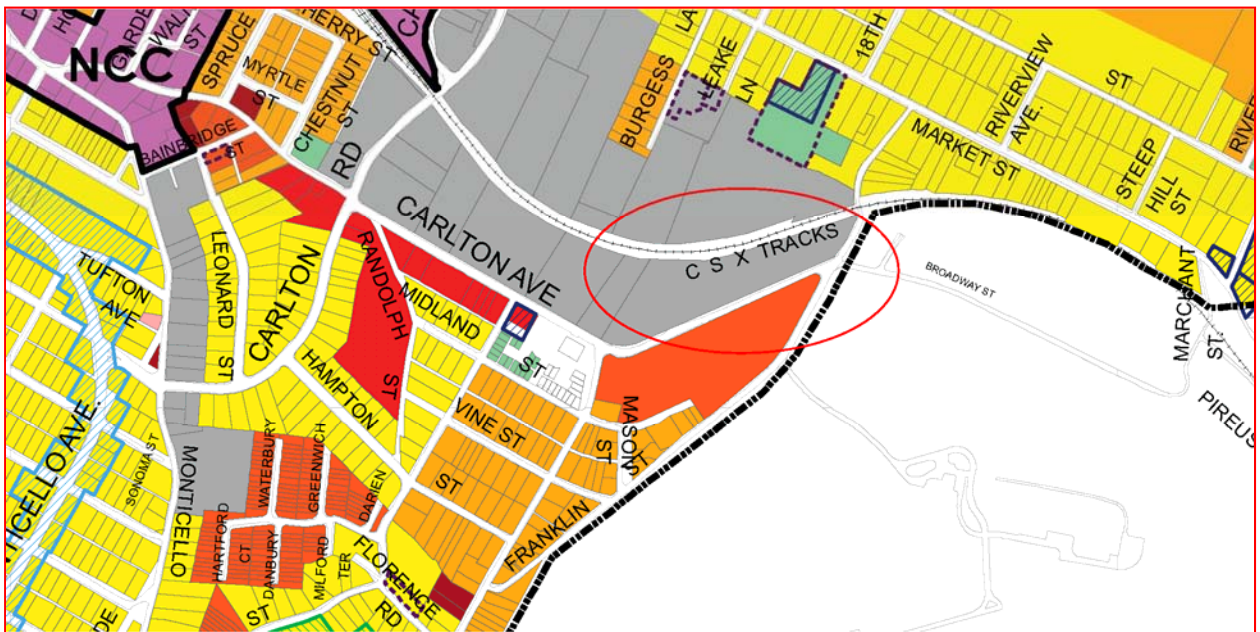


Figure 2: Existing Zoning Map

Adjacent Properties and Uses

The Carlton Views property is located in the Belmont-Carlton neighborhood, a residential community with some industrial and commercial uses between Carlton Avenue and the Railroad tracks, see Figure 3. Across from this site is a trailer park. The Blue Ridge PACE Center, a joint venture owned by Riverside Health Systems; UVA Medical System); and JABA, Inc. located on Parcel B, is the mixed-use component of the project. The PACE center employs over 50 people in the area.

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Commercial businesses are located to the west of the development, as shown in Figure 3. Storage facilities and an existing junkyard are located to the north of the development, on the other side of the railroad tracks. To the east of the development are existing residential neighborhoods and commercial and industrial properties (along Broadway Street). Figure 6, on page 8, identifies all the properties within 500 feet of the Carlton Views property, identifying the owners and uses of the property.

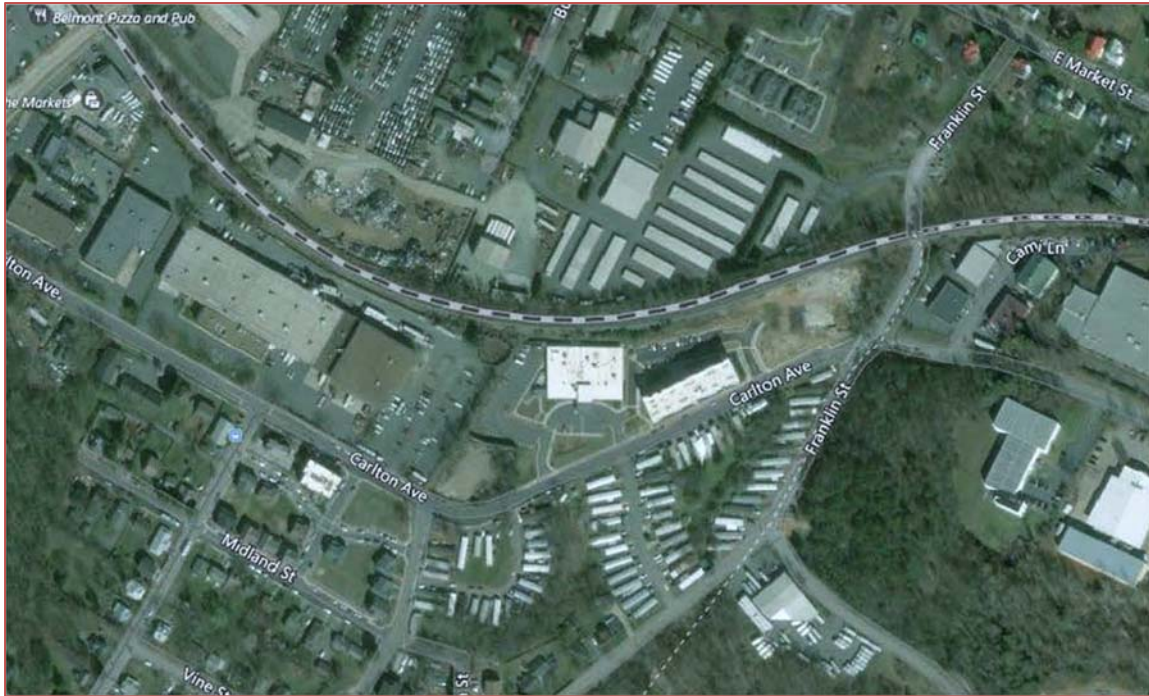


Figure 3: Existing Conditions – Carlton Views Property

Comprehensive Plan

The Comprehensive plan, see Figure 4 on page 8, shows the Carlton Views property as Business and Technology, a continuation of uses and services from the properties to the west and north. The trailer park property is shown as high density residential, acting as a transition from the Business and Technology properties to the low density residential neighborhoods to the south and east of the property. Currently, the City of Charlottesville is working on updating the Comprehensive Plan. Preliminary discussions and mapping for the Carlton Views property illustrate this area as potentially Neighborhood Commercial, adjacent to High Density Residential properties to the south.

The proposed mixed-use development on the Carlton Views properties ties in well with the Comprehensive plan for this area. The commercial aspects of the property allow uses that will work on a neighborhood scale, and the proposed residential uses on the property are consistent with the residential development and density in the adjacent parcels.

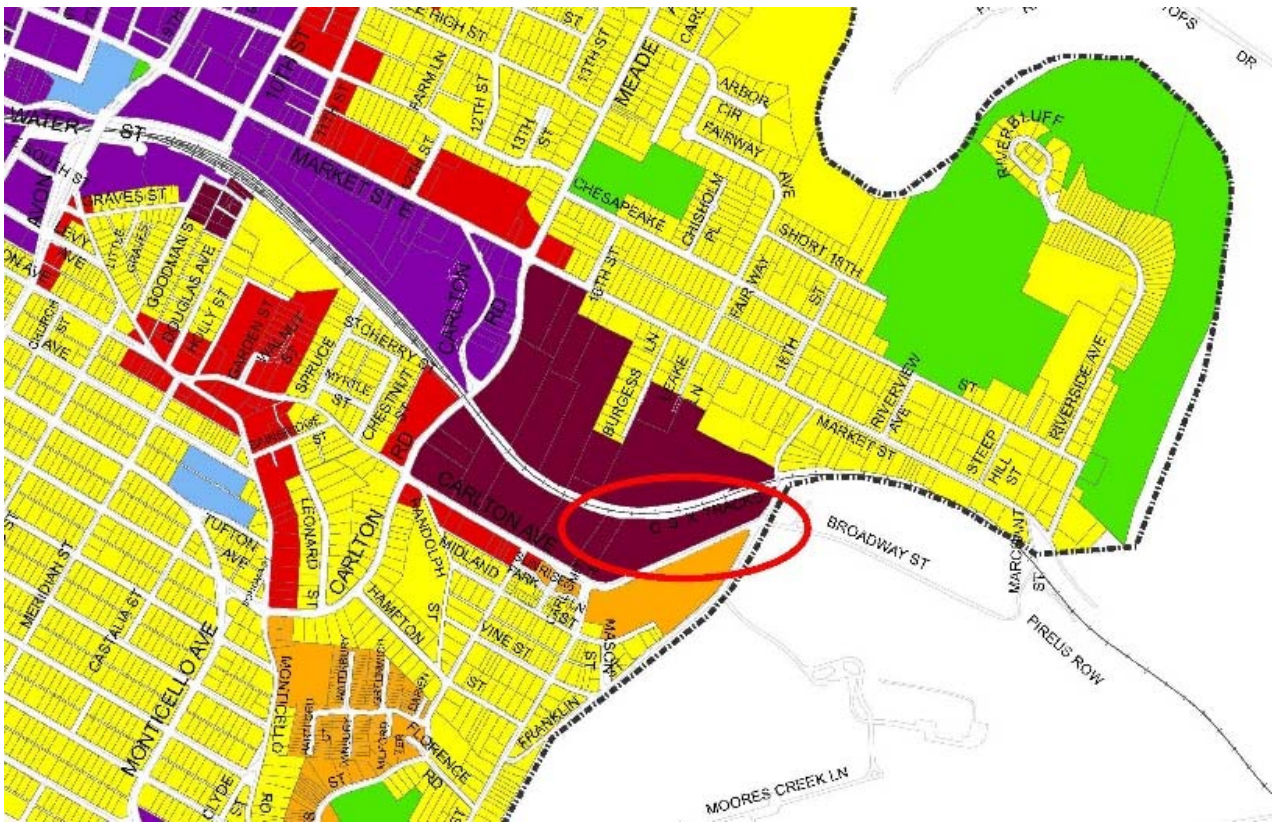


Figure 4: Existing Comprehensive Plan



Existing Carlton Views Apartment Building
CARLTON VIEWS PUD APPLICATION

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Figure 6: City of Charlottesville GIS map

Parcel Id:	Tax Parcel #	Owner:	Address	Zoning
A	5600404A0	Woolen Mills Self Storage, LLC	131 Franklin St Charlottesville, VA 22902	MLTP
B	560029200	Wright Brothers Holdings, LLC	1308 E Market St Charlottesville, VA 22902	M-I
C	560028000	Wright Brothers Holdings, LLC	1308 E Market St Charlottesville, VA 22902	MLTP
D	560027000	Wright Brothers Holdings, LLC	1308 E Market St Charlottesville, VA 22902	M-I
E	560044000	One Carlton, LLC	12704 Crimson Ct, Ste 101 Henrico, VA 23233	M-I
F	560044A00	STC, LLC	1327 Carlton Ave, #A Charlottesville, VA 22902	M-I
G	560086000	My Properties, LLC	411 2 nd St NE Charlottesville, VA 22902	B-2H
H	560085100	Sunrise Park, LLC	919 W Main St Charlottesville, VA 22903	PUD
I	560085W00	Sunrise Park, LLC	919 W Main St Charlottesville, VA 22903	PUD
J	560087100	Bolton, Constance, TR & Shirley W, TR	1500 Carlton Ave, Box 67 Charlottesville, VA 22902	R-3
K	07700-00-00-040B0	Elemental Ecotech, LLC	809 Bolling Ave, Unit C Charlottesville, VA 22902	Light Industry

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L	07700-00-00-040C2	Jackrabbit Partners, LLC	605 Cami Lane Charlottesville, VA 22902	Light Industry
M	07700-00-00-040C5	615 Cami Lane, LLC	615 Cami Lane Charlottesville, VA 22902	Light Industry
N	560114500	Morningstar Development, LLC	3101 Sugar Hill Lane Crozet, VA 22932	R-1SC
O	560114400	Franklin St, LLC	1845 James Monroe Pkwy Charlottesville, VA 22902	R-1SC
P	560114300	Franklin St, LLC	1845 James Monroe Pkwy Charlottesville, VA 22902	R-1SC
Q	560114200	Franklin St, LLC	1845 James Monroe Pkwy Charlottesville, VA 22902	R-1SC
R	560113000	Burgess, Lane Properties, LLC	PO Box 1054 Charlottesville, VA 22902	R-1SC
S	560109000	Jaba Timberlake Place, LLC	674 Hillsdale Dr, Ste 9 Charlottesville, VA 22901	PUD
T	560114000	Dominick, Betty Jo	1610 E Market St Charlottesville, VA 22902	R-1SC
U	560114100	Gelburd, Greg	1612 E Market St Charlottesville, VA 22902	R-1SC
V	56011500	Sam & Moose, LLC	1001 E Market St, Ste 202 Charlottesville, VA 22902	R-1SC
W	560112000	Goddin, Charles Burr	511 Moseley Dr Charlottesville, VA 22902	R-1SC
X	560110000	Emory, William	1604 E Market St Charlottesville, VA 22902	R-1SC
Y	560111000	Emory, William	1604 E Market St Charlottesville, VA 22902	R-1SC
Z	560108000	Syme, Preston Trigg, Etal, Trustees	1600 E Market St Charlottesville, VA 22902	R-1SC
AA	560107000	Childress, Connor J M & Mariel T	1516 E Market St Charlottesville, VA 22902	R-1SC
BB	560040400	Jaba Timberlake Place, LLC	674 Hillsdale Dr, Ste 9 Charlottesville, VA 22901	PUD
CC	560082000	Lombardo, Jacqueline & Joseph	313 Parkway St Charlottesville, VA 22902	R-2
DD	560081000	Redd, Bernice	1408 Midland St Charlottesville, VA 22902	R-2
EE	560079000	Linke, Robin	1412 Midland St Charlottesville, VA 22902	R-2
FF	560078000	Kitelinger, Luke	1410 Rialto St Charlottesville, VA 22902	R-2
GG	560078100	Gibson, E Wayne & Shelby	1416 Midland St Charlottesville, VA 22902	R-2
HH	560078200	Pugh, Paul & Joyce	1418 Midland St Charlottesville, VA 22902	R-2
II	560088000	Chung, Jonathan	1500 Midland St	R-2

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			Charlottesville, VA 22902	
JJ	560088200	Newman, Lauren	1502 Midland St Charlottesville, VA 22902	R-2
KK	560088300	Beach, Benjamin	1504 Midland St Charlottesville, VA 22902	R-2
LL	560098000	Smith, Gary	1506 Midland St Charlottesville, VA 22902	R-2
MM	560101B00	McDaniel, Donnie	1304 Carlton Ave, #1 Charlottesville, VA 22902	R-2
NN	560101A00	Ryan, Edward & Sherry	708 Franklin St Charlottesville, VA 22902	R-2
OO	560103000	Hammell, Adam & Weesner, Jillian	718 Franklin St Charlottesville, VA 22902	R-2
PP	56010500	Local Oak, LLC	PO Box 359 Keene, VA 22964	R-2
QQ	560106000	Slezak, David & Martha Loach	722 Franklin St Charlottesville, VA 22902	R-2
RR	560087000	White, John Jr	1012 Grove St Charlottesville, VA 22903	R-2
IA	560085V00	Chhetri, Keshar & Parbati	509 Nassau St Charlottesville, VA 22902	PUD
IB	560085U00	Amaya, Wendy	511 Nassau St Charlottesville, VA 22902	PUD
IC	560085T00	Brown, Latoya	513 Nassau St Charlottesville, VA 22902	PUD
ID	560085S00	Hammond, Verma Towander	515 Nassau St Charlottesville, VA 22902	PUD
IE	560085R00	Ince, Alexander	1433 Midland St Charlottesville, VA 22902	PUD
IF	560085Q00	Cunningham, Timothy	1431 Midland St Charlottesville, VA 22902	PUD
IG	560085P00	Southern Property, LLC	170 S Pantops Dr Charlottesville, VA 22911	PUD
IH	560085J00	Martinez-Fuentes, Jasmin Leticia	1420 Sunrise Park Ln Charlottesville, VA 22902	PUD
IJ	560085I00	Mayo, Rachel	1418 Sunrise Park Ln Charlottesville, VA 22902	PUD
IK	560085H00	Martin, Danna Katrice	1414 Sunrise Park Ln Charlottesville, VA 22902	PUD
IL	560085G00	Briggs, Lisa	1412 Sunrise Park Ln Charlottesville, VA 22902	PUD
IM	560086B00	Candelario, Louisa	1406 Sunrise Park Ln Charlottesville, VA 22902	PUD
IN	560086A00	Ayite, Kokou & Eya	1404 Sunrise Park Ln Charlottesville, VA 22902	PUD
IO	560086C00	Ott, Joshua	506 Rives St Charlottesville, VA 22902	PUD

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IP	560086D00	Yang, Steve	508 Rives St Charlottesville, VA 22902	PUD
IQ	560086F00	Southern Property, LLC	170 S Pantops Dr Charlottesville, VA 22902	PUD
IR	560086G00	Martin, John Nelson	514 Rives St Charlottesville, VA 22902	PUD
IS	560086H00	Smith, Michael Anthony	516 Rives St Charlottesville, VA 22902	PUD
IT	560085A00	Almafraji, Mohamad & Sanaa Aldolemi	1403 Midland St Charlottesville, VA 22902	PUD
IU	560085B00	Viglietta, Evan & Sally	1405 Midland St Charlottesville, VA 22902	PUD
IV	560085C00	Folley, Harold Jr & Clarissa	1407 Midland St Charlottesville, VA 22902	PUD
IW	560085D00	Allah Mohammad, Haji & Nasima Khuda	1409 Midland St Charlottesville, VA 22902	PUD
IX	560085E00	Anderson, Beverly J	1411 Midland St Charlottesville, VA 22902	PUD
IY	560085F00	Guerra, Benjamin & Maria Hernandez	1413 Midland St Charlottesville, VA 22902	PUD
IZ	5600851A0	Sunrise Park, LLC	919 W Main St Charlottesville, VA 22903	PUD

Public Facilities and Infrastructure

Water and Sanitary Sewer

The Carlton Views development extended sanitary sewer approximately 1,500 linear feet up Franklin Street and Carlton Street to serve the existing Pace Center and Phase I apartment building. This extension of the sanitary sewer also services the adjacent properties to the south and west of the development, extending sanitary sewer services to this area. The sanitary sewer was extended in 2013 and is currently operational and has the capacity for the proposed development and redevelopment of the adjacent properties.

Also in 2013, the developers of the Pace Center worked together with the City of Charlottesville Utilities department to install a 12" waterline under the railroad tracks along Franklin Street. With the installation of this 12" waterline, the overall water pressure was increased within this portion of the neighborhood for overall fire protection. Prior to the installation of the 12" waterline, and existing waterline infrastructure in the neighborhood did not meet the current fire flow requirements. The improvements to the water infrastructure not only provided the necessary fire flows for the neighborhood, it provided adequate fire protection on the property for the Pace Center and the proposed apartment buildings.

Pedestrian and Bicycle Improvements

With the current development of the Carlton Views property, the streetscape along Carlton Avenue has been improved with the development. Pedestrian sidewalks and street trees have been installed along Carlton Avenue with each of the phases of development. Upon completion of the overall development, sidewalks and street trees will extend along Carlton Avenue and Franklin Street, tying into the existing pedestrian improvements within this area. A grass utility strip has also been installed between the sidewalk and the roadway to provide additional buffering for the pedestrians from the roadway.

In addition to the pedestrian improvements, Carlton Avenue has been widened along the frontage of the property. The widening of this section of Carlton Avenue is consistent with the current width of the remaining portions of Carlton Avenue, which accommodates (2) lanes of traffic, on-street parking, and bike lanes. Carlton Avenue has extended the existing shared street bicycle route down Carlton Street to the intersection of Franklin Street. This extension of the shared bicycle route helps connect downtown Charlottesville with the redevelopment projects along Broadway, as well as connecting to more of the residential neighborhoods to the north and south of Carlton Avenue. Shared bike lane pavement markings shall be added to Carlton Avenue.

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Picture of Carlton Avenue Streetscape



Picture of Carlton Avenue Improvements

Transportation Improvements

Carlton Views has improved the portion of Carlton Avenue from the intersection of Carlton Avenue and Nassau Street east to the intersection of Carlton Avenue and Franklin Street. The road improvements include widening, reconstruction, and overlay of Carlton Avenue along the road frontage of the property. With the widening of the roadway, both vehicular and bicycle traffic can be accommodated on this portion of the roadway, tying into the existing Carlton Avenue streets that also accommodate both vehicular and bicycle traffic. Shared bicycle lane striping shall be incorporated into the Carlton Avenue improvements. In addition, on-street parking has been designed within the streetscape improvements along this portion of the roadway.

A recent traffic study was completed in late 2016 for the proposed redevelopment of the Woolen Mills historic property located in Albemarle County. The traffic impact analysis included traffic studies along Carlton Avenue, including the Carlton Avenue/Franklin Street intersection and the Carlton Avenue/Carlton Road intersection. Both of these intersections currently operate at an acceptable level, and the additional residential units will have minimal impacts on these intersections. With the additional traffic from the Woolen Mills development project, all the main intersections around this portion of the neighborhood, including the Carlton Avenue/Carlton Road intersection and the Carlton Avenue/Franklin Street intersection still operate at the same level of services (between an A and C level of service) during the peak AM and peak PM traffic. Any additional non-residential development on the Carlton Views properties, as allowed within the use matrix, will require additional traffic studies at the site plan level.

Currently, the Carlton Views property is located on the CTS bus route, providing transit opportunities for the commercial services and residential units on the property. The transit system helps reduce the dependence on vehicular cars to access the residential units and commercial services on the property. In addition, Jaunt and other transit systems provide bus access to the Pace Center and the adjacent residential units. These transit facilities will continue to operate in this area, and ADA accessible access routes and sidewalks have been incorporated into the design of the Carlton Views development to provide access from the buildings to the transit stop locations.

Stormwater Management Improvements

Carlton Views has addressed stormwater run-off with a series of different low impact designs, including rain gardens, bio-filters, water quality swales, and underground storage tanks. These measures will continue to capture and treat the run-off from the development in accordance with city and state stormwater requirements.

Environmental Features and Impacts

Prior to the current redevelopment, the existing property was a concrete manufacturing and supply plant, as shown in Figure 7 below. Most of the site was impervious area that drained directly to Carlton Avenue, without any water quality or detention measures.

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No streams or wetlands are located on the property, as the site slopes from the railroad tracks down to Carlton Avenue. There is a portion of the site adjacent to Franklin street with steep slopes and existing large specimen trees. This portion of the site will be preserved, maintaining the steep slopes in this area and the wooded buffer between the development and Franklin Street. Additional information on the preservation of this area and the steep slopes can be found on the application plan that is accompanying the PUD narrative.

The redevelopment of this site has also substantially reduced the noise, light pollution, and dust from its former levels under the operation as a concrete plant. With the redevelopment, the property is also a buffer for the surrounding community from the adjacent industrial uses. The new commercial uses of the Blue Ridge PACE Center and the proposed apartment buildings will eliminate that industrial impact to the neighborhood, while upgrading light, noise and other environmental impacts to current standards. Lighting conditions and regulations that were part of the Special Use Permit will be adhered to and proffered with this PUD application.



Figure 7: Previous Use – Concrete manufacturing plant

Affordable Housing

The residential properties at Carlton Views/PACE will incorporate affordable and accessible housing into the land use plan. Units will be set aside for low income residents earning under sixty-percent (60%) of the area median income (AMI) and extremely low income residents earning under forty percent (40%) of the area median income. In addition, a specified number of affordable units will meet UFAS requirements for accessibility and VHDA requirements for universal design.

Specific use requirements will include:

- a minimum of 30% affordable housing, defined as residents earning under 60% AMI.
- a minimum of 15% of all affordable units set aside for residents earning under 40% AMI.
- a minimum of 15% of all affordable units designed to meet UFAS guidelines for accessibility.
- a minimum of 30% of all affordable units designed to meet VHDA guidelines for universal design.

It is the intent of the developer to provide 100% affordable units on this project, provided that funding is obtained for the affordable development units. The developer shall provide documentation that they actively sought to obtain funding to create affordable units for each dwelling unit, prior to developing the dwelling unit as a market rate unit.

Each of these requirements will remain in place for no less than 20 years from the time an affordable unit is first placed in service. The affordability period shall be codified through an Extended Use Agreement or other deed restriction recorded in the land records at the Circuit Court in Charlottesville. In addition, Section 8 voucher holders will have first priority for any available units that have been designated affordable across the properties. These conditions have also been incorporated in the proffers for the PUD application.

By designing for affordability, accessibility and universal design, Carlton Views/PACE will provide much needed housing opportunity for frail elderly and disabled tenants. Residential buildings shall be comprised primarily of one and two-bedroom units. The number of bedrooms in any residential building shall not exceed three-bedrooms.

In addition, with a majority of the housing available for elderly and disabled tenants, the impacts to the existing schools in the neighborhood should be minimal. And the design of the apartments as primarily one and two-bedroom units will be self-limiting to smaller families in the community

PUD Objectives

- 1) *To encourage development of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern.*

As a successful mixed-use, mixed-income development, Carlton Views is a vibrant addition to the Carlton/Belmont neighborhood. It provides high quality housing opportunity in a climate in which affordable housing is increasing difficult to preserve and grow.

A strict application of the Zoning Ordinance would not allow for the unit density necessary to develop additional housing on this site and would effectively prohibit the build-out of the project as initially conceived.

- 2) *To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design.*

As an in-fill project on an abandoned site, Carlton Views epitomizes efficient, attractive and sensitive design. Approving a PUD rezoning will ensure the completion of this innovative effort, provide an appropriate level of housing density, and increase affordable housing options in close proximity to community services.

- 3) *To promote a variety of housing types, or within a development containing only a single housing type, to promote inclusion of houses of various sizes.*

Carlton Views is committed to providing affordable and accessible rental housing set aside for low-income elderly and disabled residents. As such, the majority of the units in the project will be one and two-bedroom units designed to meet UFAS accessibility requirements and/or VHDA universal design standards. There is a very limited supply of this housing type in the City of Charlottesville.

- 4) *To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space.*

Carlton Views is a multifamily development. Its higher level of density and relatively small unit size allows for land use efficiency and the preservation of landscaped and open space. The preponderance of elderly and disabled tenants without automobiles will allow for a cooperative parking arrangement, greatly reducing the number of parking spaces required to serve the residential development.

- 5) *To provide for developments designed to function as cohesive, unified projects.*

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Carlton Views has been organized and designed around the Blue Ridge PACE Center. The design intent is to provide accessible housing in close proximity to requisite services and to accommodate easy access across the site.

- 6) *To ensure that a development will be harmonious with the existing uses and character of adjacent property and/or consistent with the patterns of development noted with respect to such adjacent property.*

The Carlton Views/PACE project enhances the residential character along Carlton Avenue and, though higher in density than much of the neighborhood, serves to anchor the northeastern corner of the Belmont/Carlton neighborhood. It is bound to the north by the CSX railroad, to the east and west by warehouse and manufacturing uses and to the south, across Carlton Avenue, by a large trailer park.

The neighboring property at its southwest corner, across Carlton Avenue, is Sunrise Park, a successful PUD redevelopment incorporating a variety of single and multi-family housing types, including a three-story apartment building. Carlton Views is consistent with this pattern of higher density development.

- 7) *To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography.*

The Carlton Views project is the redevelopment of an old concrete manufacturing plant for which natural topography and other features have been dramatically altered with retaining walls, storage bins and hoppers. While few natural features remain, the site and landscape design will address each buildings relationship to the street at Carlton Avenue and provide pedestrian connectivity to City sidewalks and streets.

- 8) *To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development.*

The buildings at Carlton Views have all been imagined and developed by the same design team and reflect a coordinated design across parcels and uses. Each building incorporates clean, modern lines with a mix of brick and hardiplank cladding, modern fenestration, storefront doors, and flat rooflines.

- 9) *To provide for coordinated linkages among internal buildings and uses, and external connections at a scale appropriate to the development and adjacent neighborhoods.*

While the topography along Carlton Avenue presents challenges, the site design links sidewalks across parcels and provides for accessible crossings from each site to the PACE Center.

10) To facilitate access to the development by public transit services or other single-vehicle-alternative services, including public pedestrian systems.

The PACE Center, in coordination with Jaunt, provides transportation to and from the center for its daycare clients. In addition, the buildings at Carlton Views are within a 1/4 mile of an existing bus stop, and the owner/applicants are eager to work with CAT to provide an additional stop centered on the new development. Overall connectivity to City sidewalks and streets has been addressed in each phase of development.

General Development Plan

Development Plan

The Carlton Views/PACE Center project is a mixed-use project combining commercial and residential uses. The development plan contemplates a mix of uses more in line with the residential character of the neighborhood and abandons many previously permitted industrial and manufacturing uses on the site.

The development establishes medium-density residential in buildings up to four stories as the dominant land use on three of the four parcels making up the Planned Use Development (PUD). With residential uses dominant across much of the site, many uses currently permitted under the M-I zoning designation will no longer complement the residential character of the site or the surrounding neighborhood. To reflect this change in use, many of the industrial and manufacturing uses previously permitted under the M-1 zoning have been removed in favor of general commercial and retail uses. Table 2 sets forth the allowable residential and non-residential uses on the properties. Below in Table 1, the proposed maximum heights, density, and maximum non-residential square footages are included for each property. Note, the allowable density is calculated cumulatively over all four (4) parcels. Table 3 on page 21 includes the allowable setbacks for each parcel.

Table 1: Overall Allowable Densities					
Phase	Project	Acreage	Dominant Land Use	Maximum Non-Residential	Maximum Residential
1	PACE	1.932	Commercial	30,000	Combined Total Units: 154 across (4) parcels
2	Carlton I	1.262	Multi-family	7,500	
3	Carlton II	0.627	Multi-family	5,000	
4	Carlton III	1.034	Multi-family	7,500	
Total		4.855		50,000	154 max.

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Table 2: Land Use Matrix

Use Types	Carlton Views PUD			
	PH 1 PACE	PH2 Carlton I	PH3 Carlton II	PH4 Carlton III

RESIDENTIAL AND RELATED USES

Accessory buildings, structures and uses	B	B	B	B
Adult assisted living				
1—8 residents	B	B	B	B
Greater than 8 residents	B	B	B	B
Adult day care	B	B	B	B
Amateur radio antennas, to a height of 75 ft.	B	B	B	B
Dwellings:				
Multifamily	B	B	B	B
Single-family attached	B	B	B	B
Single-family detached	B	B	B	B
Townhouse	B	B	B	B
Two-family	B	B	B	B
Nursing homes	B	S	S	S
Occupancy, residential				
3 unrelated persons	B	B	B	B
4 unrelated persons	B	B	B	B
Residential density (developments)	FOR DENSITY CALCULATIONS - SEE TABLE 1: OVERALL ALLOWABLE DENSITIES			
Residential treatment facility				
1—8 residents	B	B	B	B
8+ residents	S	S	S	S
Shelter care facility	S	S	S	S
Single room occupancy facility	S	S	S	S

**NON-RESIDENTIAL: GENERAL and
MISC. COMMERCIAL**

Access to adjacent multifamily, commercial, industrial or mixed-use development or use	B	B	B	B
Accessory buildings, structures and uses	B	B	B	B
Art gallery:				
GFA 4,000 SF or less	B	B	B	B
GFA up to 10,000 SF	B	B	B	B
Art studio, GFA 4,000 SF or less	B	B	B	B

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Art workshop	B	B	B	B
Auditoriums, theaters	B			
Houses of worship	B			
Bakery, wholesale				
GFA 4,000 SF or less	B			
GFA up to 10,000 SF	B			
Banks/ financial institutions	B			
Clinics:				
Health clinic (no GFA limit)	B			
Health clinic (up to 10,000 SF, GFA)	B			
Health clinic (up to 4,000 SF, GFA)	B			
Public health clinic	B			
Veterinary (without outside pens/runs)	S			
Clubs, private	S			
Communications facilities:				
Attached facilities utilizing utility poles as the attachment structure	B	B	B	B
Attached facilities not visible from any adjacent street or property	B	B	B	B
Attached facilities visible from an adjacent street or property	B	B	B	B
Carrier on wheels (COW)	P			
Towers	B			
Monopole tower	B			
Data center				
>4,000	B			
<4,000	B			
Daycare facility	B			
Libraries	B	B	B	B
Museums:				
Up to 4,000 SF, GFA	B			
Up to 10,000 SF, GFA	B			
Offices:				
Business and professional	B	B	B	B
Medical	B	B	B	B
Philanthropic institutions/agencies	B	B	B	B
Property management	B	B	B	B
Other offices (non- specified)	B	B	B	B
Photography studio	B	B	B	B

Attachment B

Photographic processing; blueprinting	B			
Radio/television broadcast stations	B			
Recreational facilities:				
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	B	B	B	B
GFA 4,000 SF or less	B	B	B	B
GFA up to 10,000 SF	B			
GFA more than 10,000 SF	B			
Restaurants:				
Full service	B			
Technology-based businesses	B			
Transit facility	B			
Utility facilities	S	S	S	S
Utility lines	B	B	B	B

NON-RESIDENTIAL USES: RETAIL

Accessory buildings, structures and uses	B			
Consumer service businesses:				
Up to 4,000 SF, GFA	B	B	B	B
Up to 10,000 SF, GFA	B			
10,001+ GFA	B			
Farmer's market	S			
Grocery stores:				
Convenience	B	B	B	B
General, up to 10,000 SF, GFA	B			
General, 10,001+ SF, GFA	B			
Home improvement center	B			
Pharmacies:				
1—1,700 SF, GFA	B			
1,701—4,000 SF, GFA	B			
4,001+ SF, GFA	B			
Other retail stores (non- specified):				
Up to 4,000 SF, GFA	B	B	B	B
Up to 20,000 SF GFA	B			
20,000+ SF, GFA				

Attachment B

Table 3 – Setbacks and Maximum Building Heights						
Phase	Project	Acreage	Front Setbacks	Side Yard Setbacks	Rear Yard Setbacks	Maximum Bldg Height
1	PACE	1.932	20' min.	0	0	45
2	Carlton I	1.262	20' min.	0	0	65
3	Carlton II	0.627	20' min.	0	0	65
4	Carlton III	1.034	20' min.	0	0	65
Total		4.855				

Note: Building setbacks are based on the allowable M-1 setbacks.

The application plan illustrates the proposed building and parking envelopes for the Carlton II and Carlton III parcels. Development will occur within these proposed envelopes. Structured parking under the building may be allowed within the Carlton III building envelope to achieve additional parking.

Parking

The Carlton Views/PACE Center project is designed to meet the parking needs for the commercial and residential uses. A minimum of 161 spaces shall be provided on site and another 31 spaces will be created along the existing street frontage along Carlton Avenue. Additional parking spaces may be created through cooperative agreement(s) with neighboring property owners.

The PUD application is seeking a 35% reduction of the required residential parking. With many of the apartment units provided specifically for frail elderly and disabled residents, the parking spaces required for the overall development is much lower than an average apartment complex. In addition, the property is located on a transit loop with access to public transportation to the city. Other transportation services are also available with the Pace Center, which helps reduce the need and requirement of vehicular transportation. Bicycle parking will be provided with the overall development in accordance with City requirements.

The combination of the type of apartments proposed with the development and the availability of transit reduces the overall parking demands for the development. The proposed 35% reduction is for the overall residential parking on the site. The total residential parking required by the city ordinance is 154 parking spaces, and 103 residential off-street parking spaces are proposed with this development. An additional 31 on-street parking spaces (not included in the parking reduction calculations) are available along Carlton Avenue for overflow parking needs for the development. These on-street parking spaces were constructed with the overall improvements to Carlton

CARLTON VIEWS PUD APPLICATION

Attachment B

Avenue. The parking reduction does not include any reduction in parking for the Blue Ridge Pace Center.

Open Space

The proposed Carlton Views project shall incorporate a minimum of 27% open space in the proposed development plan. Currently, there is a minimum of 1.3 acres of open space proposed with the development plan, providing 27% open space over 4.855 acres. The open space areas are shown on the attached application plan. These open spaces include pocket parks, plazas, recreational areas, passive recreational areas, and landscaped areas. In addition, an open space preservation area and buffer area of 0.35 acres is proposed along the eastern property line adjacent to Franklin Street and the northeast property line along the CSX Railroad. These open space areas will protect the critically sensitive slopes on this side of the site, preserve the existing trees on the site, and provide a buffer between the development and the residential neighborhoods to the east and northeast of the property. Much of the additional open space provided through-out the project site shall include landscaped buffers, stormwater management facilities, and other open landscaped areas.



Picture of Greenspace area within existing Carlton Views I Apartments

Landscaping

The landscaping in the Carlton Views development shall be concentrated between the proposed development and Carlton Avenue. Attractive trees and shrubs shall be planted to enhance the proposed streetscape. Large shade street trees shall be planted within the limits of the property along Carlton Avenue at a maximum distance of 35' on center. These large street trees shall have an open planting space of 13' x 13' minimum to allow for the trees for fully develop and achieve maximum canopy size. The development plan shall include the required open space and landscaping of the front yards and lots as required per the City of Charlottesville Code of Ordinances, Chapter 34, Article VIII, Division 2 – Landscaping and Screening. In addition, an evergreen landscaping buffer shall be provided between the existing railroad and the proposed parking areas to help screen parking and lighting from the adjacent properties across the railroad tracks.

All proposed landscaping shall be provided using materials permitted in the city code ordinance and the city's list of approved plantings. Landscaping shall be designed to enhance the recreational and aesthetic value of the site and provide a continuous buffer of vegetation along the Carlton Avenue frontage. All landscaping within the public streetscape areas and open space shall be maintained by the Homeowners Association for the development.



Picture of the proposed Streetscape Landscaping

Attachment B

The existing tree preservation area along Franklin Street shall be protected with tree protection fencing. These trees shall remain undisturbed, along with the existing critical slopes in this area.

Architectural Elements

The architectural standards and guidelines for the Carlton Views development will be consistent with the Pace Center and existing apartment building currently constructed on the property. Each building shall incorporate clean, modern lines with a mix of brick and hardiplank cladding, modern fenestration, storefront doors, and flat rooflines. Windows will be vinyl architectural windows. Shutters, if installed on the houses, will be operable shutters. Wood and metal railings will be used for the porches.



Pictures of the existing Pace Center and Carlton Views Apartments

Attachment B

Signage

The signage regulations established in the City Zoning Ordinance shall govern all signage within the Carlton Views PUD.

Lighting

The lighting and dark sky regulations established in the City Zoning Ordinance shall govern all lighting within the Carlton Views PUD. In addition, the site lighting shall meet the conditions of the special use permit that are proffered conditions for the PUD.

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CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	December 3, 2018
Action Required:	Approval of Ordinance
Presenter:	Kathy Galvin, City Councilor
Staff Contacts:	John C. Blair, II, City Attorney Chris Engel, Director of Economic Development
Title:	Amendment to Charlottesville-Albemarle Convention and Visitors' Bureau Operating Agreement

Background:

The City of Charlottesville and the County have jointly funded and undertaken the operation of a joint convention and visitors' bureau since 1979 for the purpose of promoting the Charlottesville-Albemarle area as a tourist destination and site of convention facilities. Until recently, the Charlottesville-Albemarle Convention and Visitors' Bureau was operated pursuant to a July 1, 2004 agreement between the City and the County.

In June 2018, the Board of Supervisors and the City Council adopted a new operating agreement, effective July 1, 2018.

Discussion:

The new agreement specified that the organization would be led by an Executive Board composed of the following members:

- a. One member of the County Board of Supervisors.
- b. One member of the Charlottesville City Council.
- c. The County Executive or his designee.
- d. The Charlottesville City Manager or his designee.
- e. The County Director of Economic Development or his designee.
- f. The City Director of Economic Development or his designee.
- g. The Executive Vice President of the University of Virginia or his designee.
- h. One tourism industry organization representative appointed by the Board of Supervisors for a two-year term; no person serving under this appointment may be appointed to more than four consecutive two-year terms, exclusive of time served in the unexpired term of another.
- i. One tourism industry organization representative appointed by the City Council for a two-year term; no person serving under this appointment may be appointed to more than four consecutive two-year terms, exclusive of time served in the unexpired term of

- another.
- j. The Executive Director of the CACVB (non-voting member).
 - k. The Chair of the Advisory Board (non-voting member).
 - l. A representative of the Chamber of Commerce (non-voting member).
 - m. The President or Chief Executive Officer of the Thomas Jefferson Foundation or his designee (non-voting member).

The amendment to the agreement as proposed by the current County and City elected representatives to the board is to ***add one additional elected official*** from each jurisdiction.

As proposed, the voting members of the Executive Board would consist of four elected officials, four local government staff, a representative from the University of Virginia, and two representatives from the local tourism industry. The non-voting members of the Executive Board would remain unchanged.

The County Board of Supervisors is expected to consider approval of this amendment to the agreement at a future meeting.

Community Engagement:

There has been no community engagement on this matter.

Budgetary Impact:

There is no impact to the City budget as a result of this amendment.

Recommendation:

No recommendation.

Alternatives:

No recommendation.

Attachments:

Draft of Amended Agreement
Ordinance

**AN ORDINANCE TO ADOPT AND APPROVE AMENDMENTS TO
THE AGREEMENT DATED JUNE 28, 2018 TO OPERATE A
JOINT CONVENTION AND VISITORS' BUREAU
BETWEEN THE COUNTY OF ALBEMARLE, VIRGINIA AND
THE CITY OF CHARLOTTESVILLE, VIRGINIA**

WHEREAS, Albemarle County and the City of Charlottesville entered into an agreement on June 28, 2018 (the "Operating Agreement") for the joint funding and operation of the Charlottesville-Albemarle Convention and Visitors Bureau ("CACVB") to promote the resources and advantages of the County and the City; and

WHEREAS, the County and the City desire to amend the Operating Agreement to provide for an additional elected official from each jurisdiction to serve on the Executive Board;

NOW, THEREFORE, BE IT ORDAINED that the Agreement to Operate a Joint Convention and Visitors' Bureau between the County of Albemarle, Virginia and the City of Charlottesville, Virginia dated June 28, 2018 is hereby amended to require two (2) members of the Albemarle County Board of Supervisors and two (2) members of the Charlottesville City Council to serve on the Executive Board as voting members. The City Manager is hereby authorized to execute the Amendment to the Operating Agreement on behalf of the City after it is approved as to form by the City Attorney.

**FIRST AMENDED AGREEMENT TO OPERATE
A JOINT CONVENTION AND VISITORS' BUREAU**

THIS AGREEMENT is entered into this ___ day of ~~June~~December, 2018, by and between the County of Albemarle, Virginia (the "County") and the City of Charlottesville, Virginia (the "City"). This agreement may be referred to as the "CACVB Agreement" and "this Agreement." The County and the City may be referred to collectively as the "Parties."

RECITALS

- R-1** The County and the City are each enabled by Virginia Code § 15.2-940 to "expend funds from the locally derived revenues of the locality for the purpose of promoting the resources and advantages of the locality"; and
- R-2** The County is enabled by Virginia Code § 58.1-3819 to expend Transient Occupancy Taxes collected by it (amounts in excess of two percent of the total five percent authorized to be collected) solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with tourism industry organizations, including representatives of lodging properties located in Albemarle County, attract travelers to the County, increase occupancy at lodging properties, and generate tourism revenues within the County; and
- R-3** The County and the City are each enabled by Virginia Code § 15.2-1300 to jointly exercise the authority granted to them pursuant to Virginia Code § 15.2-940, and they desire to enter into an agreement with one another to continue to jointly fund and operate the local convention and visitors' bureau; and
- R-4** The County and the City desire to promote the resources and advantages of the County and the City, and to do so through the Charlottesville-Albemarle Convention and Visitors' Bureau as provided in this Agreement.

STATEMENT OF AGREEMENT

The County and the City agree to the following:

1. Convention and Visitors' Bureau Established and Authorized.

The Charlottesville-Albemarle Convention and Visitors Bureau (the "CACVB") is re-established and re-authorized.

2. Purpose of the CACVB.

The purpose of the CACVB is to promote the resources and advantages of the County, the City, and the region pursuant to the terms and conditions of this Agreement, including marketing of tourism, as well as marketing of initiatives that: attract travelers to the City and County, increase lodging at properties located within the City and County, and generate tourism revenues within the City and County.

3. Organization of the CACVB.

The CACVB shall be organized to have an Executive Board, an Advisory Board, an Executive Director, and staff serving the CACVB.

A. Executive Board. An Executive Board is hereby established, and its composition and powers and duties are as follows:

- 1. Composition.** The Executive Board shall be composed of the following ~~nine~~eleven voting members and four non-voting members:
 - a. ~~One~~Two members** of the County Board of Supervisors.

- b. ~~One~~Two members of the Charlottesville City Council.
 - c. The County Executive or his designee.
 - d. The Charlottesville City Manager or his designee.
 - e. The County Director of Economic Development or his designee.
 - f. The City Director of Economic Development or his designee.
 - g. The Executive Vice President of the University of Virginia or his designee.
 - h. One tourism industry organization representative appointed by the Board of Supervisors for a two-year term; no person serving under this appointment may be appointed to more than four consecutive two-year terms, exclusive of time served in the unexpired term of another.
 - i. One tourism industry organization representative appointed by the City Council for a two-year term; no person serving under this appointment may be appointed to more than four consecutive two-year terms, exclusive of time served in the unexpired term of another.
 - j. The Executive Director of the CACVB (non-voting member).
 - k. The Chair of the Advisory Board (non-voting member).
 - l. A representative of the Chamber of Commerce (non-voting member).
 - m. The President or Chief Executive Officer of the Thomas Jefferson Foundation or his designee (non-voting member).
2. **Appointments to the Executive Board.** The members of the County Board of Supervisors and the Charlottesville City Council who shall serve on the Executive Board shall be appointed by their respective governing bodies for terms determined by the respective governing bodies. The County Board of Supervisors and the Charlottesville City Council may appoint alternates to attend any meeting(s) that the regular appointees cannot attend. An alternate attending a meeting in place of the regular members may vote on behalf of the Board or Council at any such meeting.
3. **Powers and Duties of the Executive Board.** The Executive Board shall:
- a. **Adopt a Strategic Plan.** Adopt a strategic plan for the CACVB that is consistent with the purposes of the CACVB.
 - b. **Adopt By-laws.** Adopt by-laws, which shall include procedures and rules for electing a chair, a vice-chair, the conduct of its meetings, and regulating the business of the Executive Board.
 - c. **Adopt Policies and Plans.** Adopt any policies or plans consistent with the purposes of the CACVB and that may provide direction to the CACVB.
 - d. **Marketing Strategies, Performance Measures, and Indicators.** Approve general marketing strategies and programs, and establish performance measures and indicators.
 - e. **Hold Meetings; Quorum; Voting.** Hold a regular meeting at least once every two months. Each meeting shall be conducted in compliance with the Virginia Freedom of Information Act (Virginia Code § 2.2-3700 *et seq.*). ~~Four~~Five voting members of the Executive Board physically present at the meeting shall constitute a quorum. The Executive Board shall act only by a majority vote of those voting members present and voting at a lawfully held meeting.

- f. **Adopt a Budget.** Adopt a budget for the CACVB's operations and activities each fiscal year.
 - g. **Contracts.** Acting through its Executive Director, arrange or contract for (in the name of the CACVB) the furnishing by any person or company, public or private, of goods, services, privileges, works or facilities for and in connection with the scope of Section 2 of this Agreement, above and the administrative operations of the CACVB and its offices. The contracts may include any contracts for consulting services related to tourism marketing and to promoting the County, the City, and the region.
 - h. **Appoint the Executive Director; Performance; Termination.** The Executive Board shall appoint the Executive Director, who shall serve at the pleasure of the Executive Board, and evaluate the Executive Director's performance each year. If the CACVB does not have an Executive Director or an interim Executive Director on July 1, 2018, until the Executive Board appoints an interim or permanent Executive Director, the County shall provide an employee currently on its payroll to serve as an interim Executive Director for the CACVB, commencing July 1, 2018 and continuing only until such time as the newly constituted Executive Board has appointed an interim or permanent Executive Director.
 - i. **Offices.** The CACVB shall provide regular staffed visitor services at one location within the City of Charlottesville and one location within the County of Albemarle. Additional locations may be approved by the Executive Board. The Executive Board shall approve the location and terms and conditions for purchasing or leasing any CACVB office(s), and may, by recorded vote or resolution, authorize the Executive Director to execute any required instrument pertaining thereto.
 - j. **Official Seal.** Establish and maintain an official seal, which may be altered at will, and to use it, or a facsimile of it, by impressing or affixing it, or in any other manner reproducing it.
- B. **Advisory Board.** A seven-member Advisory Board is hereby established, and its composition and powers and duties are as follows:
- 1. **Composition.** The initial membership of the Advisory Board shall be composed of those members of the Management Board appointed pursuant to the July 1, 2004 Agreement and whose terms have not expired as of June 30, 2018. The initial Advisory Board members shall continue to serve as members of the Advisory Board until their terms expire under their appointment (the "Holdover Term"). Thereafter, the Executive Board shall appoint each member to the Advisory Board as provided in subsection 3(B)(2), as each Holdover Term expires.
 - 2. **Appointments to the Advisory Board.** The Executive Board shall appoint persons to serve on the seven-member Advisory Board as follows:
 - a. **Qualifications.** Any person appointed to the Advisory Board shall have experience or expertise in the local tourism industry ("stakeholders").
 - b. **Terms and Term Limits.** Each appointment to the Advisory Board, other than to fill a vacancy during an appointee's term, shall be for a two-year term. No person may be appointed to more than four consecutive two-year terms in an appointed seat, exclusive of time served in the unexpired term of another.
 - c. **Filling a Vacancy.** The Executive Board may fill a vacancy according to procedures set forth within its duly adopted bylaws and procedures. An appointment to fill a vacancy arising during an unexpired appointee's term shall be only for the remainder of the

unexpired term. In making appointments to the Advisory Board, the Executive Board shall ensure that the Advisory Board always contains at least three (3) County stakeholders and at least three (3) City stakeholders.

- d. **Holdover.** Any member of the Advisory Board whose term expires may continue to serve on the Advisory Board until a successor is appointed.
3. **Powers and Duties of the Advisory Board.** The Advisory Board has the following powers and duties:
 - a. **Meetings; Quorum; Voting.** The Advisory Board shall hold a regular meeting at least once every two months. Each meeting shall be conducted in compliance with the Virginia Freedom of Information Act (Virginia Code § 2.2-3700 *et seq.*). Four members of the Advisory Board physically present at the meeting shall constitute a quorum. The Advisory Board shall act only by a majority vote of those members present and voting at a lawfully held meeting.
 - b. **Advisor to the Executive Board.** The Advisory Board shall serve as an advisor to the Executive Board. This duty includes, but is not limited to, making recommendations to the Executive Board pertaining to marketing strategies and performance measures and performance indicators.
 - c. **Reports.** Prepare and provide reports to the Executive Board pertaining to matters within the scope of Section 2 of this Agreement.
 - d. **Committees.** Establish committees to research and provide reports to the Advisory Board on issues pertaining to promoting the resources and advantages of the County, the City, and the region.
 - C. **Executive Director.** The position of Executive Director is hereby established. The powers and duties of the Executive Director are as follows:
 1. **Promotion.** Promote the resources and advantages of the County, the City, and the region pursuant to the terms and conditions of this Agreement, the Strategic Plan, and other policies and plans adopted by the Executive Board within the scope of Section 2 of this Agreement, subject to the following:
 - a. **Services Provided Until Executive Board Directs Otherwise.** Beginning July 1, 2018, and until the Executive Board directs otherwise, the Executive Director and the persons hired to provide services for the CACVB shall provide the services identified in **Attachment A**, incorporated by reference herein.
 - b. **Services Identified by the Executive Board to be Provided.** When the Executive Board identifies different or additional services to be provided by the CACVB, the Executive Director and the persons hired to provide services for the CACVB shall provide those services. The different or additional services may include, but are not limited to, expanding destination packages focusing on the arts, wineries, breweries, and distilleries; promoting heritage and cultural tourism and including this area's African-American heritage; promoting agritourism; promoting outdoor recreational tourism for activities such as hiking, bicycling, kayaking, and canoeing; and developing and promoting events and activities related to the arts, local resources, and local businesses.
 2. **Budgeting.** Recommend an annual budget to the Executive Board.

3. **Contracting.** Execute contracts on behalf of the CACVB; perform the duties of purchasing officer on behalf of the Executive Committee, subject to compliance with Albemarle County procurement ordinances and procedures. The Executive Director shall procure all goods and services in compliance with the County's procurement laws and procedures, or may delegate procurement responsibilities to the County's purchasing agent.
4. **Reports.** The Executive Director shall provide to the Executive Board any reports required by this Agreement or requested by the Executive Board.
5. **Distribute the Budget and Provide a Balance Sheet.** The Executive Director shall provide the CACVB's adopted annual budget to the County and the City and a balance sheet showing the CACVB's revenues and expenditures for the prior fiscal year and the fund balance, if any, from the prior fiscal year. The budget and the balance sheet shall be provided by December 31 each year.
6. **Employees.** The Executive Director shall recruit, hire, and manage persons to be employed to perform services for the CACVB, subject to Section 8 of this Agreement.

4. **Funding the CACVB.**

The CACVB shall be funded as follows:

- A. **Funding Cycle.** The County and the City agree to fund the activities and responsibilities of the CACVB during each Fiscal Year (July 1 through June 30 of each calendar year) in which this Agreement remains in effect, beginning with the Parties' Fiscal Year 2019.
- B. **Funding Levels.** Subject to Subsection 4(F), the County and the City shall provide funding for the CACVB in each Fiscal Year in an amount equal to 30 percent of its Transient Occupancy Tax revenues collected by it in the most recent Fiscal Year ("Actuals"). This specified percentage and obligation is based on, and specifically limited to, a Transient Occupancy Tax of five percent in each locality. If either the County or the City enacts a Transient Occupancy Tax greater than five percent, that Party's funding obligation under the formula in this subsection is not changed by the increase in the tax rate for the Transient Occupancy Tax.
- C. **Payments to the Fiscal Agent.** Annual funding provided pursuant to Subsection 4(B) shall be delivered by the Party that is not the Fiscal Agent to the Party that is the Fiscal Agent in equal quarterly payments, payable on July 1, October 1, January 1, and April 1 each year, due upon receipt of an invoice from the Fiscal Agent.
- D. **Budget.** The budget prepared and recommended by the Executive Director, shall be presented to the Executive Board, and the recommended budget shall use the Actuals provided by the County and the City and referenced in Subsection 4(B), and any other revenue sources. Following receipt of a recommended budget from the Executive Director, the Executive Board shall take action to approve an annual budget, no later than May 1 each calendar year.
- E. **Documenting Costs.** All costs incurred and expenditures made by the CACVB in the performance of its obligations under this Agreement shall be supported by payrolls, time records, invoices, purchase orders, contracts, or vouchers, and other documentation satisfactory to the County and the City, evidencing in proper detail the nature and propriety of the costs. Records shall be maintained in accordance with Virginia law. Upon request by either the County or the City, the Executive Director shall allow City or County officials to inspect the documentation and records pertaining in whole or in part to this Agreement, or the Executive Director may, if acceptable to the requesting party, provide reports summarizing information within CACVB's records.

- F. **Appropriations.** Notwithstanding any other provisions of this Agreement, the County's and the City's obligation to fund the CACVB is expressly contingent upon the availability of public funds derived from Transient Occupancy Tax revenues and the annual appropriations of those funds thereof by the Parties. The City's appropriations of funds for the promotion and advertisement of the City are and shall be further subject to the provisions of Section 21 of the City's Charter.

5. **Permitted and Prohibited Uses of Funds, Goods, and Services by the CACVB.**

The CACVB shall expend revenues and use its funds, goods, and services only as follows:

- A. **Purposes for Which Tax Revenues May be Spent.** Revenues appropriated by the County and the City to the CACVB shall be expended only for the purposes for which their respective Transient Occupancy Tax revenues may be spent, as may be governed by state enabling legislation, the City's charter, and local ordinances.
- B. **Prohibited Use of Funds, Goods, and Services for Political Purposes.** The CACVB shall not expend its funds, use its materials or property, or provide services, either directly or indirectly, for any partisan political activity, to further the election of, or to defeat, any candidate for public office.

6. **Duration of this Agreement; Termination.**

This Agreement shall be effective on July 1, 2018 and remain in effect until it is terminated by the Parties, or either of them, as follows:

- A. **Termination by One Party.** Either the County or the City may terminate this Agreement by giving at least six months' written notice to the other Party.
- B. **Termination by Mutual Agreement.** The County and the City may mutually agree to terminate this Agreement under any terms and conditions they agree to.
- C. **Termination by Non-appropriation.** If either the County or the City fails to appropriate funds in the amount required to support its obligations under this Agreement for a subsequent fiscal year, then this Agreement shall automatically terminate at the end of the then-current fiscal year.

7. **Performance.**

The performance of the CACVB shall be measured as follows:

- A. **Until New Performance Measures and Performance Indicators are Adopted.** From July 1, 2018, until the Executive Board adopts new performance measures and performance indicators, the CACVB shall:
 - 1. **Return on Investment.** Meet a return on investment ratio of 7:1 annually that is based on seven dollars of total direct visitor expenditures for every one dollar of funding provided to the CACVB by the County and the City pursuant to the formula in Attachment A.
 - 2. **Performance Measures.** Measure performance using the specific measures in Attachment A.
 - 3. **Performance Indicators.** Track the performance indicators identified in Attachment A.
- B. **Adopted Performance Measures and Performance Indicators.** When the Executive Board adopts a new required return on investment, new performance measures, and new requirements to track performance indicators, the CACVB shall meet and perform those new measures and requirements.

- C. **Audits.** The County and the City may, at their option, request an independent audit of the CACVB's books and records. The cost of the audit shall be shared equally by the County and the City.

8. **Fiscal Agent Designation; Services.**

The County and the City will provide the following fiscal services for the CACVB:

- A. **Fiscal Agent.** The City will continue to serve as Fiscal Agent for the CACVB through December 31, 2018. Effective January 1, 2019, the County shall serve as Fiscal Agent for the CACVB. The Fiscal Agent shall be entitled to a fee of two percent of the Actuals referenced in Section 4(B) as compensation for acting as Fiscal Agent. This fee may be deducted from the Fiscal Agent's funding contribution pursuant to Section 4 each year.
- B. **Insurance.** The County will provide liability insurance coverage to the CACVB.
- C. **Legal Services.** The City Attorney will continue to provide legal services to the CACVB through December 31, 2018. Commencing on January 1, 2019, the County Attorney shall provide legal services to the CACVB, provided that representation does not create a conflict of interest under any rules of professional responsibility or other ethical rules of conduct. In the event any such conflict arises, the County Attorney shall so advise the Executive Board, so that the Executive Board may make necessary arrangements to obtain legal services. If the County Attorney anticipates any such conflict(s), he shall advise the Executive Board prior to January 1, 2019.
- D. **Other Services.** The County shall act as the CACVB's accounting and disbursing office; provide personnel administration services; maintain personnel and payroll records; provide information technology services; provide procurement services and maintain purchasing accounts and monthly statements; and contract for annual audits. Personnel administration shall include the matters referenced in paragraph E, following below.
- E. **Personnel Administration.** The employment of the Executive Director and any other persons hired to perform services for the CACVB are subject to the following:
 - 1. **County Employees.** Any Executive Director or other person hired on or after July 1, 2018 to perform services for the CACVB shall be hired as an employee within the County's personnel and payroll systems.
 - a. **Transition of Employees Hired Prior to July 1, 2018.** Effective January 1, 2019, or as soon thereafter as the County and the City have created and funded an Employee Transition Plan, any person who was hired prior to July 1, 2018 to perform services for the CACVB shall be transitioned to become an employee of the County and shall be classified within the County's pay system and shall be paid in accordance with the County's payroll system and policies and its personnel policies. Until January 1, 2019, all such employees shall remain within the City's personnel/payroll system.
 - b. **Pay and Benefits for Transitioning Employees.** Within their Employee Transition Plan, the City and the County shall provide benefits and funding, as necessary to assure, to the fullest extent practicable, that no employee will lose pay or retirement benefits as a result of making the transition from City to County employment. With respect to retirement benefits, it is the intention of the Parties to keep each person transitioning from City to County employment whole, and to ensure that they neither lose retirement credit for time employed nor monetary contributions made to the City's retirement plan.

2. **Duty Owed to Both the County and the City.** The Executive Director and any other persons hired to perform services for the CACVB owe a duty of good faith and trust to the CACVB itself as well as to both the County and the City as the localities which provide public funding for the CACVB.

F. **Sooner Transfer of Fiscal Agency.** Notwithstanding the January 1, 2019 date for fiscal agency to transfer from the City to the County as provided in this section, fiscal agency may transfer sooner if the County and the City have created and funded the Employee Transition Plan as provided in subsections 8(E)(1)(a) and (b) and the County and the City are otherwise prepared for fiscal agency to transfer.

9. **Disposition of Property Upon Termination or Partial Termination.**

Upon the expiration or earlier termination of this Agreement, all personal property of the CACVB shall be and remain the joint property of the County and the City for disposition, and the proceeds of disposition shall be pro-rated between the County and the City in accordance with the ratio of the amounts provided by each of them to the CACVB: (i) as capital contributions since 1979; and (ii) as contributions of operating funds during the 10 years preceding the date of termination, as compared with the aggregated contributions of the County and the City during that same 10-year period.

10. **Liability.**

Any liability for damages to third parties arising out of or in connection with the operations and activities of the CACVB and any persons employed to provide services for the CACVB shall be shared jointly by the County and the City, to the extent that any liability is not covered by funding within the CACVB's budget or liability insurance proceeds, and only to the extent that the County and the City may be held liable for damages under the laws of the Commonwealth of Virginia.

11. **Miscellaneous.**

A. **Ownership of Materials; Copyright; Use.** Any materials, in any format, produced in whole or in part pursuant to this Agreement are subject to the following:

1. **Ownership.** The materials are jointly owned by the County and the City.
2. **Copyright.** The materials are copyrightable only by the County and the City. Neither the CACVB, the Executive Board, nor any of its members, the Advisory Board, nor any of its members, the Executive Director, any CACVB employee, nor any other person or entity, within the United States or elsewhere, may copyright any materials, in any format, produced in whole or in part pursuant to this Agreement.
3. **Use.** The County and the City shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data or other materials prepared by or for the CACVB pursuant to this Agreement.

B. **Amendments.** This Agreement may be amended in writing as mutually agreed by the County and the City.

C. **Assignment.** The CACVB shall not assign any interest in this Agreement and shall not transfer any interest in this Agreement, whether by assignment or novation, without the prior written consent of the County and the City.

- D. **Severability.** If any part of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect the validity or enforceability of any other part of this Agreement.
- E. **Entire Agreement.** This Agreement contains the entire agreement of the County and the City and supersedes any and all other prior or contemporaneous agreements or understandings, whether verbal or written, with respect to the matters that are the subject of this Agreement.
- F. **Applicable Law.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the Commonwealth of Virginia.
- G. **Approval Required.** This Agreement shall not become effective or binding upon the County and the City until it is approved by ordinances of the Charlottesville City Council and the Albemarle County Board of Supervisors.

IN WITNESS WHEREOF, and as authorized by duly adopted ordinances of the Albemarle County Board of Supervisors and the Charlottesville City Council, the County and the City each hereby execute this Agreement as of the date first above written, by and through their respective authorized agents or officials:

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____
City Manager

Approved as to Form: _____
City Attorney

COUNTY OF ALBEMARLE, VIRGINIA

By: _____
County Executive

Approved as to Form: _____
County Attorney

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Theatre CHS Presents:

Dreaming AMERICA

A performance inspired by the poems of detained,
undocumented teen immigrants from Latin
America.



**WELCOMING
WEEK** SEPTEMBER 14-23
GREATER CHARLOTTESVILLE

Welcoming Week brings together immigrants, refugees, and native-born residents to raise awareness of the benefits of welcoming everyone.

"Dreaming America: Poems by Detained, Undocumented Latin American Teens" is a play devised, directed and performed by Charlottesville High School theater students, inspired by the book of the same title. The two student directors and cast of seven actors wove together 21 moving, thought-provoking poems written by teen immigrants from Latin America who are currently detained in a juvenile detention facility in Staunton. Themes include immigration, family, memory, dreams, love, sorrow, and hope.

The play premiered at Welcoming Week to an audience of over 150 people that included a mix of Charlottesville and CHS community members. The 30-minute performance was followed by a 45-minute panel discussion with the cast and Seth Michelson, Editor, Dreaming America; Tanishka Cruz, Immigration Attorney, Cruz Law; and Mercedes Herrero, Actor and Theater Instructor.

The students collected donations and sold copies of the book, raising nearly \$700 for a special fund held by the Capital Area Immigrants Rights (CAIR) Coalition to provide legal assistance to the youth in the Staunton detention facility. The play was covered in an article in *C-VILLE Weekly* and featured on CBS19 News. Select poems were subsequently read at CHS's Diversity Assembly, and the students have received requests to perform the play in spring 2019 at Burley Middle School and Washington and Lee University.

"I dream of discovering a world where nothing would matter more than what you carry within."



Welcoming Greater C'ville: Presentation to Council and the Public

Dec. 3, 2018

Background:



- **2015: City joined Welcoming America network**
- **March, 2017: Welcoming Greater Charlottesville task force created**

Our Mission:

To create a welcoming community, with a focus on immigrants, refugees, and others who are being marginalized today. We do this by:

1. Providing tangible support for these groups, and
2. Educating others about these groups' needs and contributions to our community.

Task Force members are from:

- City Council Outreach Coordinator Office
- City Human Rights Commission
- Families in Action
- International Neighbors
- IRC
- Jefferson-Madison Regional Library
- Latino Health Initiative at UVa
- Legal Aid Justice Center
- Literacy Volunteers
- Presidential Precinct program
- Sin Barreras
- Speak Language Center



Our main activities



- **“Know Your Neighbor” film**
- **“Dreaming America” play (created & performed by CHS students)**
- **Publicize the Welcoming Week events**
- **Creation of a community I.D. program**

Welcoming Week



- **What? Celebration of our community's diverse cultures**
- **Why? We have many rich cultures; much to learn from each other.**
- **How? > 20 creative activities, for all ages, including:**

Films

Gay Pride Day

C'ville Sabroso (Latino cultural festival)

Speakers/panels – on immigration, refugees, current challenges

Multicultural health festival

Events for families

The “Dreaming America” Play

- Created and performed by CHS students at Welcoming Week
- Based on poems written by detained S. American teenagers being held in a VA jail
- Plan to present it at other venues, supported by the CHS student welcoming group



Our next big project: ID cards for those who need them



- Need: 11% of U.S. citizens lack IDs
- IDs required for hotels, some prescription drugs, municipal and health services, bank accounts and much more
- A powerful symbol of community acceptance
- Benefits to community: builds trust, increases public safety
- Two local churches sponsor the program: New Beginnings, and Hinton Ave. United Methodist

How the ID program works:



- The stakeholders decide what documents are required: leads to buy-in
- Program is publicized widely
- At monthly ID drives, police and other stakeholders can have positive interactions with applicants, build some trust
- ID's sent within 2 weeks
- People who already have ID's are encouraged to apply for ours

Our requests:

- **Encourage staff to support the ID program**
- **In-kind assistance for publicity**



Questions? Comments?

