

CITY COUNCIL AGENDA
Monday, May 20, 2019



5:00 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Boards & Commissions; Personnel; Legal advice)

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

PLEDGE OF ALLEGIANCE
ROLL CALL
ANNOUNCEMENTS
PROCLAMATIONS

National Public Works Week 2019

- 1. CONSENT AGENDA*** (Items removed from consent agenda will be considered at the end of the regular agenda)
- a. MINUTES: April 17, 2019 Special Meeting
 - b. APPROPRIATION: Appropriation of funding for CPA-TV from The Ryal Thomas Show, LLC - \$4,247.50 (1st of 2 readings)
 - c. APPROPRIATION: 2019-2020 Community Development Block Grant funding – \$395,052.82 (2nd of 2 readings)
 - d. APPROPRIATION: 2019-2020 HOME Investment Partnership funding – \$120,382.75 (2nd of 2 readings)
 - e. APPROPRIATION: Amendment to Community Development Block Grant Account – Reprogramming of Funds for FY 2019-2020 - \$1,900.82 (2nd of 2 readings)
 - f. APPROPRIATION: Local Emergency Management Performance Grant (LEMPG) - \$7,500 (2nd of 2 readings)
 - g. APPROPRIATION: Funding Requirements for SAP Integration for the FASTER Fleet Management Software - \$48,000 (2nd of 2 readings)
 - h. APPROPRIATION: Virginia Housing Solutions Program Grant Award -\$16,500 (1st of 2 readings)
 - i. ORDINANCE: Amend Conditions for Closing a Portion of the Coleman Street Right of Way (Unaccepted ROW) (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. REPORT:** Youth Council presentation
- 3. APPROPRIATION:** Greenstone on 5th Corporation Sponsorship Agreement for Enhanced Police Coverage - \$41,092 (1st of 2 readings)
- 4. RESOLUTION*:** Design Build construction procurement procedures for the City (1st of 1 reading)
- 5. RESOLUTION*:** Revising Agency Budget Review Team (ABRT) and Setting Funding Priorities (1st of 1 reading)
- 6. ORDINANCE:** Repeal of Charlottesville City Code Section 17-8 (1st of 2 readings)
- 7. REPORT:** Bike Month – accomplishments/status update on Bike/Ped Plan and TJPDC Bike/Ped Plan – written report only

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

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NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL and the POLICE CIVILIAN REVIEW BOARD will be held on Wednesday, April 17, 2019, AT 6:30p.m. IN COUNCIL CHAMBER, City Hall, 605 E. Main Street, Charlottesville, Virginia.

THE PROPOSED AGENDA IS AS FOLLOWS:

Review of proposed Bylaws of the Police Civilian Review Board

BY ORDER OF THE MAYOR

BY Kyna Thomas

COUNCIL CHAMBER – April 17, 2019

Charlottesville City Council met in joint session with the Police Civilian Review Board (CRB) on this date with the following Councilors present: Ms. Walker, Ms. Hill and Dr. Bellamy.

City staff in attendance were Interim City Manager Mike Murphy, City Attorney John Blair, Mr. Matthew Murphy and Ms. Maxicelia Robinson.

Ms. Walker called the meeting to order at 6:40 p.m.

Ms. Rosia Parker welcomed meeting attendees.

Members of the CRB made a presentation to Council and stressed the importance of using the particular model presented. The CRB wants to be an advisory board to Council with the independence to make decisions, and staffed with an Executive Director and Police Auditor, both positions City-funded.

After a question and answer period, Council advised that they would discuss the model with other stakeholders and come back to the CRB with feedback.

During the public comment period, Ms. Kate Fraleigh asked about complaint numbers and efforts to resolve them, and Mr. Walt Heinecke encouraged Council to move forward with careful consideration of how appointments are made, with sufficient funding of the CRB and with political will. He also emphasized the need for transparency. Ms. Adiola (?) discussed the need for a collaborative spirit moving forward and a memorandum of understanding to include what types of documents and data will be accessible to the CRB. Mr. Harold Folley advised that without funding, the CRB will be ineffective.

Ms. Walker adjourned the meeting at 8:15 p.m.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 20, 2019
Action Required:	Approval of Appropriation
Presenter:	Brian Wheeler, Director of Communications
Staff Contacts:	Brian Wheeler, Director of Communications
Title:	Appropriation of funding for CPA-TV from The Ryal Thomas Show, LLC - \$4,247.50

Background:

On April 15, 2019, Charlottesville City Council approved a lease with York Property, LLC along with a license agreement with The Ryal Thomas Show, LLC for the term of one year to facilitate the relocation of the CPA-TV studio to the York Place building on the Charlottesville Downtown Mall.

The license agreement entails Mr. Thomas paying a monthly fee of \$1,663.00 to the City in exchange for use of CPA-TV studio time and broadcast equipment for his commercial program. Per the lease agreement, Ryal Thomas has remitted payments in the amount of \$2,584.50 for the first full month's lease payment plus a pro-rated amount for the first partial month. The total payments in FY 2019 will be \$4,247.50.

Discussion:

Charlottesville Public Access Television (CPA-TV) has been proudly serving the Charlottesville community for over 40 years by offering a voice to citizens and organizations alike. CPA-TV began broadcast operations at Adelphia Cable studios on West Main Street and enjoyed a lengthy residence at Charlottesville-Albemarle Technical Education Center (CATEC) for many years thereafter. In 2013, CATEC ended its lease agreement with the City, leaving CPA-TV to secure a new location to base its operations.

During 2014-2019, the Charlottesville Fire Department executed a Memorandum of Understanding with the Office of Communications to provide studio space for CPA-TV community broadcast productions and producer training at one of their two leased buildings owned by the U.S. Department of Forestry and located at 460 George Dean Drive. That lease has been terminated effective May 31, 2019.

A new venue on the Charlottesville Downtown Mall will give the City of Charlottesville a cost-effective way to transform our CPA-TV studio space, attract new users, and increase community engagement. Our Franchise Agreement with Comcast designates three stations for our use as public

access, education and government programming.

Alignment with City Council's Vision and Strategic Plan:

Providing CPA-TV a home on the bustling Downtown Mall supports City Council's C'ville Arts and Culture vision. The agreement put forth would directly support Goal 5 of the City's Strategic Plan of being a Well-Managed and Responsive Organization by integrating effective business practices and fostering community engagement.

Community Engagement:

CPA-TV community producers are excited about the potential move to the Downtown Mall. The high visibility of York Place and ease of access would make this an ideal move for CPA-TV and its members.

Communications staff is also in the process of upgrading CPA-TV operations, developing specialized training modules for community members, and rebranding Charlottesville Public Access as the *Charlottesville Community Media Center*.

Budgetary Impact:

None as this is a reimbursement for lease expenses already provided by Council.

Recommendation:

Staff recommends approval and appropriation of the funds.

Alternatives:

If funds are not appropriated, the City will have to cover the cost of the lease.

Attachments:

Appropriation.

APPROPRIATION
Appropriation of funding for CPA-TV from The Ryal Thomas Show, LLC
\$4,247.50

WHEREAS, the City of Charlottesville entered into a license agreement with The Ryal Thomas Show, LLC;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$4,247.50 to be received per the agreement is hereby appropriated as follows:

Revenues - \$4,247.50

\$4,247.50 Fund: 105 Internal Order: 2000146 G/L Account: 450030

Expenditures - \$4,989

\$4,247.50 Fund: 105 Internal Order: 2000146 G/L Account: 599999

BE IT FURTHER RESOLVED, that future lease proceeds to CPA-TV will be hereby considered as a continuing appropriation and shall automatically appropriate upon receipt of funds.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 6, 2019
Action Required:	Appropriation and Approval
Presenter:	Alex Ikefuna, Director, NDS
Staff Contacts:	Missy Creasy, Assistant Director, NDS Tierra Howard, Grants Coordinator, NDS
Title:	Approval and Appropriation of CDBG & HOME Budget Allocations for FY 2019-2020

Background:

This agenda item includes project recommendations, action plan approval, and appropriations for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds to be received by the City of Charlottesville from the U.S. Department of Housing and Urban Development (HUD).

Discussion:

In Fall 2018, the City of Charlottesville advertised a Request for Proposals (RFP) based on the priorities set by Council on September 17, 2018. The priorities were for affordable housing (priority for persons who are 0-50 percent AMI), support for the homelessness and those at risk of homelessness, workforce development (support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services. The City received one application totaling \$76,000 for housing projects; six applications totaling \$97,477 for public service projects; and two applications totaling \$32,500 for economic development projects. A summary of applications received is included in this packet.

In January 2019 and February 2019, the CDBG/HOME Task Force reviewed and recommended housing and public service projects for funding and the Strategic Action Team reviewed and recommended economic development projects for funding.

On March 12, 2019, these items came before the Planning Commission and Council for a joint public hearing. The Planning Commission accepted the report and unanimously recommended the proposed budget for approval by City Council.

CDBG and HOME Project Recommendations for FY 2019-2020:

The CDBG program total has an estimated \$395,052.82 for the 2019-2020 program year. The CDBG grand total reflects the \$393,152 Entitlement (EN) Grant, \$1,900.82 in Reprogramming, and \$0 in previous years' entitlement available after program income has been applied. The HOME total consists of an estimated \$73,603 which is the City's portion of the Consortium's appropriation, in addition to \$18,400.75 for the City's 25% required match, \$0 in Reprogramming and \$28,379 in program income. Minutes from the meetings are attached which outline the recommendations made. It is important to note that all projects went through an extensive review by the CDBG/HOME Task Force as a result of an RFP process.

Priority Neighborhood – The FY 2019-2020 Priority Neighborhood is Ridge Street (for the first cycle), however, staff and Planning Commission recommends to Council to designate Belmont as the Priority Neighborhood for FY 19-20 (for the second continuous year). Per the Belmont Priority Neighborhood Task Force recommendations, the first priority project is a sidewalk infill construction project on Franklin Street. Per project estimates, the project may cost an estimated \$300,000 for construction and engineering. In order to prevent phasing the project over two to three years, which will increase the cost of the project, staff and Planning Commission recommends Belmont for a continuous round of funding for FY 19-20 and then designate Ridge Street as the 20-21, and 21-22 Priority Neighborhood. There are several upcoming projects surrounding Franklin Street that will impact traffic and safety conditions within the neighborhood.

Economic Development – Council set aside FY 19-20 CDBG funding for Economic Development Activities. Members of the Strategic Action Team reviewed applications for Economic Development and made a recommendation.

Funds are proposed to be used to provide scholarships to assist 20 entrepreneurs launch their own micro-enterprises through technical assistance.

Public Service Programs – The CDBG/HOME Task Force has recommended several public service programs. Programs were evaluated based on Council's priorities for affordable housing (priority for persons who are 0-50 percent AMI), support for the homelessness and those at risk of homelessness, workforce development (support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services. Programs were also evaluated based upon metrics included in the RFP evaluation scoring rubric. Funding will enable the organizations to provide increased levels of service to the community.

Estimated benefits include workforce development training for seven beneficiaries; basic literacy instruction for 20 beneficiaries; and increased capacity of a coordinated entry system for homeless services which will benefit 41 homeless persons.

Administration and Planning: To pay for the costs of staff working with CDBG projects, citizen participation, and other costs directly related to CDBG funds, \$78,630 is budgeted.

HOME Funds: The CDBG/HOME Task Force recommended funding to programs that support homeowner rehabilitation. Estimated benefits include three homeowner rehabilitations/three preserved units.

Program Income/Reprogramming: For FY 2019-2020, the City has \$0 in previous CDBG EN that

has been made available through the application of received Program Income (PI) to be circulated back into the CDBG budget. The City has \$28,379 in HOME available after PI was applied to be circulated back into the HOME budget. There are also completed projects that have remaining funds to be reprogrammed amounting to \$1,900.82 CDBG and \$0 HOME. These are outlined in the attached materials.

Adjusting for Actual Entitlement Amount: Because actual entitlement amounts are not confirmed at this time, it is recommended that all recommendations are increased/reduced at the same pro-rated percentage of actual entitlement to be estimated. Should the total actual amount of entitlement received differ from the appropriated amount, all appropriated amounts may be administratively increased/reduced at the same pro-rated percentage of change between the estimated entitlement and the actual entitlement. The total appropriated amount will not to exceed 2.5% total change, nor will any agency or program increase more than their initial funding request, without further action from City Council.

Community Engagement:

A request for proposals was held for housing, economic development, public facilities and public service programs. Applications received were reviewed by the CDBG Task Force or SAT. Priority Neighborhood recommendations will be made by members who serve on the Priority Neighborhood Task Force.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to have **Economic Sustainability, A Center for Lifelong Learning, Quality Housing Opportunities for All, and A Connected Community**. It contributes to variety of Strategic Plan Goals and Objectives including: Goal 1: Inclusive, Self-sufficient Community; Goal 3: Beautiful Environment; Goal 4: Strong, Diversified Economy; and Goal 5: Responsive Organization.

Budgetary Impact:

Proposed CDBG projects will be carried out using only the funds to be received by the City of Charlottesville from the U.S. Department of Housing and Urban Development (HUD) for the City's CDBG program. The HOME program requires the City to provide a 20% match (HOME match equals ¼ of the EN amount). The sum necessary to meet the FY 2019-2020 match is \$18,400.75, which will need to be appropriated out of the Charlottesville Housing Fund (CP-0084) at a future date.

Recommendation:

Staff recommends approval of the CDBG and HOME projects as well as the reprogramming of funds. Planning Commission recommended approval of the proposed budget with any percent changes to the estimated amounts being applied equally to all programs. All Planning Commissioners present at the meeting voted. Staff also recommends approval of the appropriations. Funds included in this budget will not be spent until after July 1, 2019 or at a later date when HUD releases the entitlement.

Alternatives:

No alternatives are proposed.

Attachments:

2019-2020 Proposed CDBG and HOME Budget

Appropriation Resolution for CDBG funds

Appropriation Resolution for HOME funds

Appropriation Resolution for CDBG & HOME reprogrammed funds

Summary of RFPs submitted

Minutes from CDBG Task Force meetings

2019-2020 CDBG and HOME BUDGET ALLOCATIONS
RECOMMENDED BY CDBG/HOME TASK FORCE and SAT: 1/16/19 and 2/7/19
RECOMMENDED BY PLANNING COMMISSION: March 12, 2019
APPROVED BY CITY COUNCIL:

A. PRIORITY NEIGHBORHOOD		
A. Belmont		\$244,950.82
B. ECONOMIC DEVELOPMENT PROJECTS		
A. Community Investment Collaborative - Scholarships		\$12,500
	ECONOMIC DEVELOPMENT TOTAL:	\$12,500
C. PUBLIC SERVICE PROJECTS		
A. Literacy Volunteers – Basic Literacy Instruction		\$9,237
B. OED GO Utilities		\$20,498
C. TJACH – Coordinated Entry System		\$29,237
	SOCIAL PROGRAMS TOTAL:	\$58,972 (15% EN)
D. ADMINISTRATION AND PLANNING:		
A. Admin and Planning		\$78,630 (20% EN)
	GRAND TOTAL:	\$395,052.82
	ESTIMATED NEW ENTITLEMENT AMOUNT:	\$393,152
	ESTIMATED EN AVAILABLE AFTER PI APPLIED:	\$0.00
	REPROGRAMMING:	\$1,900.82

* Funding includes reprogrammed funds

2019-2020 HOME BUDGET ALLOCATIONS

A. AHIP – Homeowner Rehab		\$73,603*
	TOTAL:	\$120,382.75
	ENTITLEMENT AMOUNT:	\$73,603
	ESTIMATED EN AVAILABLE AFTER PI APPLIED:	\$28,379
	REPROGRAMMING:	\$0.00
	LOCAL MATCH:	\$18,400.75

* Includes estimated EN available after program income applied

**APPROPRIATION OF FUNDS FOR
THE CITY OF CHARLOTTESVILLE'S 2019-2020
COMMUNITY DEVELOPMENT BLOCK GRANT - \$395,052.82**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of a Community Development Block Grant (CDBG) for the 2019-2020 fiscal year in the total amount of **\$395,052.82** that includes new entitlement from HUD amounting to \$393,152, and previous entitlement made available through reprogramming of \$1,900.82.

WHEREAS, City Council has received recommendations for the expenditure of funds from the CDBG Task Force, the SAT, the Belmont Priority Neighborhood Task and the City Planning Commission; and has conducted a public hearing thereon as provided by law; now, therefore;

BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the sums hereinafter set forth are hereby appropriated from funds received from the aforesaid grant to the following individual expenditure accounts in the Community Development Block Grant Fund for the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations.

PRIORITY NEIGHBORHOOD

Belmont Priority Neighborhood	\$244,950.82
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ECONOMIC DEVELOPMENT

Community Investment Collaborative Scholarships	\$12,500
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PUBLIC SERVICE PROGRAMS

OED GO Utilities	\$20,498
TJACH – Coordinated Entry System	\$29,237
Literacy Volunteers – Basic Literacy Instruction	\$9,237

ADMINISTRATION AND PLANNING:

Admin and Planning	\$78,630
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TOTAL	\$395,052.82
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BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$395,052.82 from the Department of Housing and Urban Development. Should the total actual amount of entitlement received differ from the appropriated amount, all appropriated amounts may be administratively increased/reduced at the same pro-rated percentage of change between the estimated entitlement and the actual entitlement. The total appropriated amount will not to exceed 2.5% total change, nor will any agency or program increase more than their initial funding request, without further action from City Council.

The amounts so appropriated as grants to other public agencies and private non-profit, charitable organizations (sub-recipients) are for the sole purpose stated. The City Manager is authorized to enter into agreements with those agencies and organizations as he may deem advisable to ensure that the grants are expended for the intended purposes, and in accordance with applicable federal and state laws and regulations; and

The City Manager, the Directors of Finance or Neighborhood Development Services, and staff are authorized to establish administrative procedures and provide for mutual assistance in the execution of the programs.

**APPROPRIATION OF FUNDS FOR
THE CITY OF CHARLOTTESVILLE'S 2019-2020
HOME FUNDS \$120,382.75**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of HOME Investment Partnerships (HOME) funding for the 2019-2020 fiscal year;

WHEREAS, the region is receiving an award for HOME funds for fiscal year 19-20 of which the City will receive \$73,603 to be expended on affordable housing initiatives such as homeowner rehab and downpayment assistance.

WHEREAS, it is a requirement of this grant that projects funded with HOME initiatives money be matched with local funding in varying degrees;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the local match for the above listed programs will be covered by the a surplus of match from previous appropriations from the Charlottesville Housing Fund (account CP-0084 in SAP system) in the amount of \$18,400.75. Project totals also include previous entitlement made available through program income of \$28,379. The total of the HUD money, program income, and the local match, equals \$120,382.75 and will be distributed as shown below.

PROJECTS	HOME EN	PI	MATCH	TOTAL
AHIP-Homeowner Rehab	\$73,603	\$28,379	\$18,400.75	\$120,382.75
Total	\$73,603	\$28,379	\$18,400.75	\$120,382.75

* includes Program Income which does not require local match.

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$73,603 from the Department of Housing and Urban Development. Should the total actual amount of entitlement received differ from the appropriated amount, all appropriated amounts may be administratively increased/reduced at the same pro-rated percentage of change between the estimated entitlement and the actual entitlement. The total appropriated amount will not to exceed 2.5% total change, nor will any agency or program increase more than their initial funding request, without further action from City Council.

The amounts so appropriated as grants to other public agencies and private non-profit, charitable organizations (subrecipients) are for the sole purpose stated. The City Manager is authorized to enter into agreements with those agencies and organizations as he may deem advisable to ensure that the grants are expended for the intended purposes, and in accordance with applicable federal and state laws and regulations; and

The City Manager, the Directors of Finance or Neighborhood Development Services, and staff are authorized to establish administrative procedures and provide for mutual assistance in the execution of the programs.

**APPROPRIATION
 AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
 Reprogramming of Funds for FY 19-20**

WHEREAS, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

WHEREAS, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

Program Year	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
16-17	P-00001-05-18	Seedplanters	\$25.82		
17-18	P-00001-05-20	Community Investment Collaborative	\$1,875.00		
19-20		Priority Neighborhood		\$1,900.82	\$1,900.82
		TOTALS:	\$1,900.82	\$1,900.82	\$1,900.82

CDBG & HOME RFP SUBMISSIONS - FY 2019-2020

Organization, (Program Title)	Project Contact	Program Description	Funding Requested
Charlottesville Public Housing Association of Residents	Brandon Collins	Internship Program	\$24,000
City of Charlottesville Office of Economic Development	Hollie Lee	GO Public Works	\$24,400
Literacy Volunteers of Charlottesville/Albemarle	Ellen Osborne	Basic Literacy Instruction	\$10,000
Piedmont Housing Alliance	Karen Klick	Renter Resource Program	\$18,077
Thomas Jefferson Area Coalition for the Homeless	Anthony Haro	Coordinated Entry System	\$30,000
Thomas Jefferson Area Coalition for the Homeless	Anthony Haro	PACE Secure Seniors Program	\$15,000
Total Amount of Requests			\$97,477
Total Projected Budget			\$61,200
Request Overage			\$36,277

Organization, (Program Title)	Project Contact	Program Description	Funding Requested
AHIP	Corey Demcheck	Homeowner Rehabs	\$76,000
Total Amount of Requests			\$76,000
Total Projected Budget			\$76,000
Request Overage			\$0

CDBG TASK FORCE

Minutes

Second Floor Conference Room, City Hall

Wednesday, January 16, 2019

12:00pm – 1:00pm

Attendance:

Task Force Members	Present	Absent
Tanea Dowell	X	
Howard Evergreen	X	
Kathy Johnson Harris		X
Joy Johnson		X
Sherry Kraft	X	
Kelly Logan	X	
Sarah Malpass	X	
Kelsey Cox	X	
Tierra Howard (staff)	X	
Others:		

The meeting began at 12:00pm.

HOME Funding Allocation

- Staff mentioned that \$76,000 in HOME entitlement funds are available for HOME applicants. The only applicant was AHIP.
- On a motion by Sherry Kraft (SK), seconded by Tanea Dowell (TD), the CDBG/HOME Task Force unanimously approved the HOME funding recommendations as follows: Fund AHIP at \$76,000 (entitlement). Because actual entitlement amounts for HOME are not known at this time, the Task Force recommended that all recommendations are increased/reduced at the same pro-rated percentage of actual entitlement to be estimated. No agency will increase more than their initial funding request.

Discussion related to TJACH's Application Scoring for the Priority Neighborhood Criteria

- Staff mentioned that there was a need for discussion related to both of TJACH's applications regarding how to score the priority neighborhood response as it relates to the homeless population. There were inconsistencies in the Task Force scores.
- There was discussion about giving TJACH a three because serving the homeless population is a priority for the City the same way that the priority neighborhood is a priority.
- Staff mentioned that from the application it appears as though TJACH does not go out into the community and recruit homeless persons, rather persons needing services come to them.
- One member mentioned that in this case the Salvation Army is located in Ridge Street and would be a way in which persons located in Ridge Street are served by TJACH.
- There was discussion about applicants not being penalized because the question does not fit the applicant and/or the services provided. One member responded and mentioned that

applicants aren't being penalized, however it is an opportunity to gain bonus points for responding appropriately to the question.

- Another member mentioned that we have the question so that funds can be targeted in the priority neighborhood similar to previous priority neighborhoods such as 10th & Page and that all applications meet Council Priorities.
- There was discussion about it being unfair to give points to TJACH other than a zero. Staff suggested that the Task Force focus on the response to the application question. One member mentioned that the application question gives applicants the opportunity to address the priority neighborhood.
- There was discussion about separating question #21 in the future so that the question is clear.
- It was mentioned that the Task Force should focus on the question and the response and utilize what is provided in the response to come to a consensus about the score. A task member urged the group that applicants are not being penalized, rather applicants have the opportunity to score additional points for answering the question.
- Staff mentioned that TJACH potentially serves clients or makes/receives referrals to/from the Salvation Army and they failed to mention it in their application and perhaps if they had made the connection to the Salvation Army, there would have been an opportunity for points in the priority neighborhood category.
- Staff reminded the Task Force that they agreed to score the proposals based solely on the responses and agreed to be objective in the scoring.
- A member agreed that the Task Force has to be objective and have to be fair with the scoring and that there was an opportunity to address the question. Another member agreed.
- The group came to a consensus that both TJACH applications would be provided a zero for the priority neighborhood score because it was not addressed in the proposal response.
- The group agreed to discuss the priority neighborhood proposal question in the future.

CDBG Funding Application Recommendation

- Staff shared the average scores for each proposal.
- Per a question asked by a Task Force member, staff explained that all other grants provided to applicants from the City's Charlottesville Affordable Housing Fund is included in the staff summary (but does not include funds received from Agency Budget Review Team or other sources).
- There was discussion about whether the Task Force wanted to fully fund agencies or spread funding amongst several applicants. Staff provided clarification on which agencies mentioned that they could operate their projects without receiving full funding.
- The group mentioned that some applicants are requesting funding to fund staff hours and reductions in funding would reduce the number of beneficiaries and/or the number of staff hours.
- The group agreed to fully fund Literacy Volunteers as they were the top scorer.
- One member mentioned that that it makes sense to support the TJACH Coordinated Entry System project a second year, however, that long-term sustainability of supporting the position outside of CDBG is something that they should be aware of.
- There was discussion about why the task force is taking time to score applications if the scores aren't going to be used as the basis for making funding decisions. One member mentioned that the only reason why there should be room to consider discussions regarding funding amounts relative to scores is if there are other applicants that can't operate a program without full funding (only opportunity for subjectivity). Another member mentioned that the group should prioritize funding

amounts based upon the score and have the option to alter the amounts if necessary. Another member mentioned that the scoring tool does not take into account the applications as a whole and the needs that the City has as a whole. A rubric will never be able to serve as the only decision-maker for funding allocation decisions.

- There was discussion regarding whether or not to fully fund the next top scorer which is TJACH at \$30,000. There was discussion about being okay with fully funding TJACH but making sure that they are aware that CDBG shouldn't be used as their only funding source and that they should build a sustainable amount of funds to fund the position over the next 10 years.
- Discussion continued on whether to fully fund TJACH and how to fund OED and/or PHAR as another option.
- One member thought PHAR's application was a lot better than the previous application and that a lot of improvements were made. The member mentioned that PHAR is working on empowerment of leaders and the work being done by PHAR will impact redevelopment of public housing. The benefit is not just immediate but PHAR will be seeking to make the housing fit the needs of the community long-term. PHAR's application has a broader impact and it stood out as being unique in terms of the moment the City is in right now as it pertains to affordable housing. Others thought that the application wasn't strong at all and that the application didn't answer the questions clearly related to how the narrative answered Council priority/goal of affordable housing options and evaluation methods. The group discussed how there were there were stronger applications such as literacy volunteers, TJACH, and OED.
- One member suggested that the Task Force make a recommendation to fund the three top scorers and split funding amongst the second and third top scorers. The Task Force members agreed on the suggestion.
- The group agreed to that TJACH should be fully funded due to the work that was put into the application.
- Staff mentioned that OED informed staff that they can still carry out program without being fully funded.

On a motion by HE, seconded by KC, the CDBG/HOME Task Force unanimously approved the CDBG funding recommendations as follows:

- Fund Literacy Volunteers at \$10,000; and
- Fund TJACH at \$30,000; and
- Fund OED GO Public Works at \$21,200.
- Because actual entitlement amounts for CDBG are not known at this time, the Task Force recommended that all recommendations are increased/reduced at the same pro-rated percentage of actual entitlement to be estimated. No agency will increase more than their initial funding request.

Group mentioned that they liked the new scoring rubric and the rubric went along with the application.

The meeting adjourned at 1:00pm.

CDBG RFP SUBMISSIONS - FY 2019-2020

Organization, (Program Title)	Project Contact	Program Description	Funding Requested
City of Charlottesville Office of Economic Development	Hollie Lee	GO Start-Up	\$20,000
Community Investment Collaborative	Stephen Davis	Entrepreneur Scholarships	\$12,500
Total Amount of Requests			\$32,500
Total Projected Budget			\$20,000
Request Overage			\$12,500

STRATEGIC ACTION TEAM (SAT)

Minutes

Neighborhood Development Services Conference Room, City Hall

Thursday, February 7, 2019

11:00am – 12:00pm

Attendance:

Task Force Members	Present	Absent
Gretchen Ellis	X	
Diane Kuknyo	X	
Kelly Logan	X	
Sue Moffett	X	
Tierra Howard (staff)	X	
Others:		

The meeting began at 11:00am.

Discussion of Proposals

- The SAT members discussed both economic development applications. Member felt that the Office of Economic Development's (OED) application provided insufficient evidence of community need and provided no evidence-based information.
- Members mentioned that the OED's application was well-written, however, businesses need capital and funds to run a business. One member felt like that application was lacking an explanation of or connection to capital and that the program may set businesses up for failure due to the lack of a connection to capital. One member mentioned that the funding request will not directly serve beneficiaries, rather grant funds would be allocated to staff time. Another member mentioned that the program's measure of success is tied to persons completing the program and not to starting a business. The application also lacked research on the specific model that would be implemented.
- One member questioned if OED's proposal was the best model and what factors would determine if people were ready for CIC. It appeared as though the only criteria was income and not readiness.
- One member felt as though OED needed to provide evidence that entrepreneurship is a way out of poverty.
- The group discussed wanting to fully fund the Community Investment Collaborative (CIC) application, however, they were concerned about lack of outreach and engagement in the priority neighborhood (Ridge Street). The members also discussed that their application had a low score based upon the points available.
- One member noted that they scored CIC low on their outreach strategy and organizational capacity sections.
- The SAT unanimously agreed to provide a funding recommendation to fully fund CIC at their \$12,500 request and to not fund OED's request. Because actual entitlement amounts for CDBG are not known, the SAT recommended that all recommendations be increased/reduced at the same pro-rated percentage of actual entitlement to be estimated. No agency will increase more than their initial funding request.

The meeting adjourned at 11:30pm.

Applicant	Average Score	Funding Request	TF Funding Recommendations
Literacy Volunteers	38.7	\$ 10,000.00	\$ 10,000.00
TJACH	36.3	\$ 30,000.00	\$ 30,000.00
OED	35.2	\$ 25,400.00	\$ 21,200.00
PHAR	34.3	\$ 24,000.00	
TJACH Seniors	33.2	\$ 15,000.00	
PHA	27.8	\$ 18,077.00	
			\$ 61,200.00
		Funds Available	61,200
		Funds Leftover	\$ -
AHIP	37	76,000	76,000 EN Available

	Description	Goal	Need	Outcomes	Strategies	Implement	Evaluation	Demography	Financial	Collaboration	Engagement	PN	Org Capacity	Budget	Sum	Average Score	
AHIP																	
HE	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	42	
SM	3	3	3	3	1	0	3	3	3	3	3	3	3	3	3	37	
KL	3	3	3	3	1	3	3	3	3	3	3	3	3	3	2	39	
KC	3	3	2	2	1	2	1	3	1	2	3	3	3	1	30		
SK	3	3	3	3	2	3	3	3	3	3	3	3	3	2	40		
TD	3	2	2	3	1	1	3	3	3	3	2	2	3	3	34	222	37
PHAR																	
HE	3	3	3	3	3	3	3	3	3	3	3	1	3	3	40		
SM	3	3	3	2	3	0	3	3	3	3	3	3	3	1	36		
KL	1	1	1	1	0	2	1	2	1	2	2	2	2	1	19		
KC	2	3	3	2	2	3	2	3	3	3	2	3	3	3	37		
SK	3	3	3	3	2	3	2	2	3	3	3	3	3	2	38		
TD	2	3	3	3	2	2	2	3	3	3	3	3	3	1	36	206	34.33333333
OED																	
HE	3	3	3	3	3	3	3	3	3	3	3	0	3	1	37		
SM	3	3	3	3	1	0	2	3	2	3	3	3	3	3	35		
KL	3	3	3	3	1	3	2	3	2	1	2	1	3	3	33		
KC	3	3	3	3	1	2	2	3	3	1	3	2	3	3	35		
SK	3	3	3	3	2	3	2	3	2	2	3	2	3	3	37		
TD	3	3	2	2	2	2	3	3	2	1	3	2	3	3	34	211	35.16666667
LIT VOL																	
HE	3	3	3	3	3	3	3	3	3	3	3	3	3	3	42		
SM	2	3	3	2	3	3	3	3	3	3	3	2	3	3	39		
KL	3	2	3	3	3	3	3	3	3	3	3	1	3	3	38		
KC	3	3	3	2	3	3	2	3	3	2	3	1	3	3	37		
SK	3	3	3	3	3	3	3	3	3	3	2	2	3	3	40		
TD	2	3	2	3	3	2	3	3	3	3	2	1	3	3	36	232	38.66666667
PHA																	
HE	1	1	1	1	1	3	1	3	3	3	1	1	2	2	24		
SM	3	3	2	2	1	0	1	3	2	3	3	2	2	3	30		
KL	2	1	2	1	2	1	1	3	1	2	2	2	2	1	23		
KC	2	3	3	1	1	2	2	3	0	2	2	2	2	2	27		
SK	2	2	3	1	3	2	2	3	2	3	2	2	2	1	30		
TD	3	3	3	2	2	1	2	3	3	3	2	2	2	2	33	167	27.83333333
TJACH																	
HE	3	3	3	3	3	3	3	3	3	3	3	0	3	3	39		
SM	3	3	3	3	3	0	3	3	3	3	3	0	3	3	36		
KL	3	3	3	3	3	2	3	3	3	3	3	0	3	2	37		
KC	2	3	3	3	3	1	3	3	3	3	2	0	3	2	34		
SK	3	3	3	3	3	3	3	3	3	3	3	0	3	3	39		
TD	3	3	3	3	2	1	3	3	2	3	2	0	3	2	33	218	36.33333333
TJACH SENIORS																	
HE	3	3	3	3	2	3	3	3	3	3	3	0	3	2	37		
SM	3	3	3	3	2	0	2	3	2	3	3	0	3	3	33		
KL	3	3	3	2	3	2	2	2	1	1	3	0	3	1	29		
KC	3	3	3	3	1	2	2	3	3	1	3	0	3	3	33		
SK	3	3	3	3	3	2	2	3	1	3	2	0	3	2	33		
TD	3	3	2	3	3	1	2	3	2	3	2	0	3	2	32	197	32.83333333
CIC																	
SM	3	3	3	3	2	3	3	2	3	3	3	1	2	3	37		
GE	3	3	3	3	2	3	3	3	3	3	2	0	2	3	36		
DK	1	2	2	1	2	3	3	1	2	3	2	0	2	2	26		
KL	3	3	3	3	3	3	3	3	3	3	2	0	2	2	36	135	33.75
OED																	
SM	2	3	2	2	1	2	0	3	1	1	2	2	0	1	22		
GE	3	2	3	2	1	3	2	3	1	3	2	1	3	2	31		
DK	1	2	2	3	1	3	1	2	1	1	3	2	3	3	28		
KL	3	3	3	3	3	3	1	3	3	1	2	3	3	2	36	117	29.25

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 6, 2019
Action Required:	Appropriation
Presenter:	Allison Farole, Emergency Management Coordinator
Staff Contacts:	Allison Farole, Emergency Management Coordinator Gail Hassmer, Chief Accountant
Title:	Local Emergency Management Performance Grant (LEMPG) - \$7,500

Background:

The Virginia Department of Emergency Management has allocated \$7,500 in 2018 Emergency Management Performance Management Grant (L.E.M.P.G.) funding from the Federal Emergency Management Agency to the City of Charlottesville. The locality share is \$7,500, for a total project of \$15,000.

Discussion:

The City of Charlottesville is the grant administrator for this grant, which will be passed to the Office of Emergency Management at the Charlottesville-U.V.A.-Albemarle County Emergency Communications Center. The grant award period is July 1, 2018 to June 30, 2019. The objective of the L.E.M.P.G. is to support local efforts to develop and maintain a Comprehensive Emergency Management Program. The 2018 L.E.M.P.G. funds will be used by the Office of Emergency Management to enhance local capabilities in the areas of planning, training and exercises, and capabilities building for emergency personnel and the whole community.

Alignment with City Council's Vision and Strategic Plan:

This emergency management program supports City Council's America's Healthiest City vision, specifically, "Our emergency response system is among the nation's best," as well as Goal 2 of the Strategic Plan, specifically sub-elements 2.1 (Provide an effective and equitable public safety system) and 2.4 (Ensure families and individuals are safe and stable). Maintaining our response and recovery capability is an on-going process that requires regular planning discussions and well as training and exercising with community response partners. Citizen preparedness, including awareness of local hazards and actions they can take to survive and recover from an emergency is a critical part of the local response system.

Community Engagement:

The L.E.M.P.G. engages the community through public outreach efforts led by the Office of Emergency Management. Increasing citizen awareness of hazards and promoting steps individuals can take to prepare for, respond to, and recover from emergency situations is a critical priority for the Office of Emergency Management. Community outreach efforts include presenting on preparedness to community groups and designing and implementing targeted messaging through various media. This funding allows the Assistant Emergency Manager to dedicate additional time in support of this mission.

Budgetary Impact:

This has no impact on the General Fund. The funds will be expended and reimbursed to a Grants fund. The locality match of \$7,500 will be covered with an in-kind match from the Office of Emergency Management budget.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If grants funds are not appropriated, the Office of Emergency Management will not be able to completely fund the full-time salary for the Assistant Emergency Management Coordinator. A reduction in time for this position will negatively impact the quantity and quality of public outreach on emergency preparedness to community members.

Attachments:

Appropriation

APPROPRIATION
2018 Local Emergency Management Performance Grant (LEMPG)
\$7,500

WHEREAS, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of \$7,500 in federal pass through funds and \$7,500 in local in-kind match, provided by the Charlottesville-UVA-Albemarle Emergency Communications Center Office of Emergency Management; and

WHEREAS, the funds will be used to support programs provided by the Office of Emergency Management; and

WHEREAS, the grant award covers the period from July 1, 2018 through June 30, 2019;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500 is hereby appropriated in the following manner:

Revenue – \$7,500

\$7,500 Fund: 209 I/O: 1900319 G/L: 430120 State/Fed pass thru

Expenditures - \$7,500

\$7,500 Fund: 209 I/O: 1900319 G/L: 510010 Salaries

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$7,500 from the Virginia Department of Emergency Management, and the matching in-kind funds from the Charlottesville-UVA-Albemarle Emergency Communications Center Office of Emergency Management.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 6, 2019
Action Required:	Appropriation
Presenter:	Sunny Hwang, Interim Director Department of Information Technology
Staff Contacts:	Sunny Hwang, Interim Director Department of Information Technology Harold Young, Fleet Manager Ryan Davidson, Senior Budget and Management Analyst
Title:	Funding Requirements for SAP Integration for the FASTER Fleet Management Software - \$48,000

Background:

The Department of Public Works is implementing a new fleet management system, FASTER, to help enhance operational efficiency. The City Information Technology Department (City I.T.) is working closely with Public Works staff and the vendor to help facilitate successful implementation of this project. The FASTER project requires three integration interfaces that must be properly designed and configured to interface with the City's S.A.P. enterprise resource planning system to ensure seamless and efficient operation. City I.T. seeks appropriation of \$48,000 I.T./City Link Operations Fund Balance to acquire S.A.P. consulting services needed to implement this integration.

Discussion:

An internal analysis was performed to assess the S.A.P. integration needs prior to the purchase of the new fleet management system. Efficacy of this assessment was confirmed by a S.A.P. consultant and an accurate estimate of the consulting work required to properly perform the work has been established. Specifically, this proposed integration work will help address system integration between FASTER and S.A.P. on Inventory Purchases and Associated Returns, Settlement of Work Orders, and Bulk Fluid/Fuel Inventory Expenses. Without this work, the City staff would need to enter the same data more than once and this will create significant operational inefficiency and business risk. The nature of the integration work to be performed is highly specialized and critical, therefore it is recommended that the work be performed by an experienced S.A.P. consultant to ensure successful and timely implementation of this project.

Alignment with City Council's Vision and Strategic Plan:

The project supports City Council's "Smart, Citizen-Focused Government" vision. It also contributes to Goal 3 and 5 of the Strategic Plan to integrate effective business practices and strong fiscal policies, provide responsive customer service, and provide reliable and high quality infrastructure.

Community Engagement:

Not applicable.

Budgetary Impact:

No new funding will be required. Funding for the S.A.P. integration costs for the FASTER Fleet Management software will be appropriated from the existing fund balance in the Information Technology Fund.

Recommendation:

Staff recommends approval and appropriation of Information Technology/City Link Operations fund balance for the S.A.P. Integration costs related to the implementation of the FASTER Fleet Management Software system.

Alternatives:

If I.T./City Link Operations fund balance is not appropriated, the project implementation would be delayed until another funding source could be identified.

Attachments:

Appropriation

APPROPRIATION

**Appropriation of Information Technology Fund Balance for SAP Integration for the
FASTER Fleet Management Software**

\$48,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of up to \$48,000 in Information Technology fund balance, will be transferred to the Equipment Replacement Fund to be used as funding for SAP integration cost for the FASTER Fleet Management software implementation and shall be hereby appropriated in the following manner:

Revenues - \$48,000

Fund: 106 Cost Center: 1631001001 G/L Account: 498010

Expenditures - \$48,000

Fund: 106 Cost Center: 1631001001 G/L Account: 599999

BE IT ALSO RESOLVED that the fund balance transfer from the Information Technology fund is hereby appropriated in the following manner;

Expenditure - \$48,000

Fund: 705 Cost Center: 2111001000 G/L Account: 561106

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 20, 2019
Action Required:	Approval and Appropriation
Presenter:	Kaki Dimock, Director, Human Services
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	Virginia Housing Solutions Program Grant Award (\$16,500)

Background:

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.), received additional grant funding from the Virginia Department of Housing and Community Development. The Virginia Housing Solutions Program supplement is \$16,500 and is a additional contract for the program for July 1, 2018 – June 30, 2019.

Discussion:

The City of Charlottesville has staff from City Manager’s Office, Human Services and Social Services, all taking a leadership role in the governance of T.J.A.C.H. V. H. S P. is an important resource in our community’s efforts to end homelessness. The grant provides services in several points along the local continuum of services:

1. **Coordinated Assessment:** The Haven serves as the physical front door to the homelessness system of care, using an evidence-based tool for determining priority access to available resources.
2. **Emergency Low Barrier Shelter** P. A. C. E. M. provides a low-barrier shelter for adults using rotating local churches for support.
3. **Rapid Re-Housing & Housing Navigation:** The Haven screens and administers rapid re-housing assistance and housing navigation to households experiencing homelessness.
4. **Case Management:** The Haven provides supportive services including crisis intervention, case management and service referrals.
5. **Homeless Management Information System(H.M.I.S.):** The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with T.J.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care(C.O.C.) has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among T.J.A.C.H. C.o.C. Service Providers expedites communication and reduces the need to

interface disparate documentation systems.

6. **Coalition Coordination:** The Thomas Jefferson Area Coalition for the Homeless provides leadership and coordination for the required local homelessness continuum of care.
7. **Administration:** The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to T. J. A. C. H.

Community Engagement:

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

Alignment with City Council's Vision and Strategic Plan:

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

Budgetary Impact:

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

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

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

Attachments:

Sub Grant agreement and amendment are attached.

APPROPRIATION
V. H. S. P. Grant \$16,500

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received the V. H. S. P. Grant from the Virginia Department of Housing and Community Development in the additional amount of \$16,500;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the additional sum of \$16,500 is hereby appropriated in the following manner:

Revenues
\$16,500 Fund: 209 IO: 1900313 G/L: 430110 State Grant

Expenditures
\$16,500 Fund: 209 IO: 1900313 G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of an additional \$16,500 in funds from the Virginia Department of Housing and Community Development.

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



Agenda Date:	May 6, 2019
Action Requested:	Public Hearing/1 st Reading of Amended Ordinance
Presenter:	John Blair, City Attorney
Staff Contacts:	Lisa A. Robertson, Chief Deputy City Attorney
Title:	Amend Conditions for Closing a Portion of the Coleman Street Right of Way (Unaccepted ROW)

Background:

Habitat for Humanity is the owner of three (3) parcels of land (City Tax Map 49, Parcels 112, 112.1 and 112.2) located southeast of an unaccepted portion of Coleman Street, and adjacent to that unaccepted (“paper”) street. With a previous application, Habitat requested that City Council close the unaccepted portion of Coleman Street (“Subject Right of Way”) adjacent to these three lots, in order to facilitate its plans for construction of affordable dwelling unit(s). The adjoining property owners on the west and northwest sides of the Subject Right of Way agreed with Habitat to transfer to Habitat whatever legal interest they may acquire in the Subject Right of Way as a result of any street closing.

With this updated request, Habitat requests the City Council to amend and re-enact the Ordinance that Council adopted on August 6, 2018, approving Habitat’s request for vacation of the Subject Right of Way. The reasons for this updated request are set forth in the Discussion section, below.

Discussion:

With Habitat’s 2018 Application, Habitat submitted a plat showing very specific locations for two new utility easements to be granted to the City (“Plat”). At that time, Habitat’s plan was to construct one (1) duplex on the adjacent property, which [according to Habitat’s representatives] would NOT require the existing utility line(s) to be relocated. The Ordinance that City Council adopted on August 6, 2018, approving the vacation of the Subject Right of Way, referenced a specific Plat and was conditioned upon Habitat’s recordation of the easement depicted in the Plat.

After Council adopted the August 6, 2018 Ordinance, Habitat obtained a variance from the City’s Board of Zoning Appeals, modifying certain building setback requirements for their property. This approval means that Habitat can explore the feasibility of establishing up to six (6) single-family attached dwelling units on this difficult site; however, if more than one (1) duplex is constructed on Habitat’s property, the Utility Easement that was included within the August 6, 2018 Ordinance cannot be satisfied and the legality of the vacation of the Subject Right of Way could be questioned (potentially creating a cloud on legal title to the property).

Habitat's current request is for City Council to amend and re-enact the Ordinance previously approved, to omit reference to the specific utility easement shown on the Plat and to modify the conditions applicable to the existing utilities. (See Attachment 1 to this Agenda Memo).

The Subject Right of Way was originally created by an extension of the Locust Grove Subdivision, shown on a plat dated November 11, 1941, recorded in the Albemarle County Clerk's Office in Deed Book 252, page 287-289. It was never formally accepted by the City as a public street, although at some point either the City or a private developer installed a sanitary sewer line and storm sewer line within the area proposed to be vacated. There is no record (at least none located at this point in time) of whether the City ever officially accepted these lines for ownership and maintenance.

The zoning ordinance currently allows up to six (6) single-family attached dwelling units by right in this location (subject to compliance with applicable building setback requirements and other applicable lot requirements; the BZA's recent decision has created new possibilities for Habitat). When Habitat previously brought their petition to vacate Coleman Street to you, its plan was to combine the existing lots into 2 lots (Lot 321 and 326), both with frontage on Coleman Street—i.e., one lot for each single-family-attached dwelling (two dwelling units, total). The benefit of the originally-proposed single-family attached dwelling ("duplex") was the ability to utilize the existing location of utilities; the benefit of allowing Habitat the flexibility to "vet" the alternative for up to 6 dwelling units (3 single-family-attached-dwellings)—which may require the abandonment and relocation of water, sewer and/or storm sewer lines—would be the possibility that Habitat could fit four additional affordable dwelling units on the development site.

The Subject Right of Way is 50' wide, approximately 125 feet in length with a 30% grade, and is heavily wooded, so it is currently inaccessible by vehicles and pedestrians. Currently, only pedestrians authorized by the adjacent landowners to use the area would have a right to do so.

A sanitary sewer line and a storm drain pipe (with riprap) which outflows into the woods, are within the Subject Right of Way. According to Utilities, the location of the existing waterline is unknown, and would need to be field-verified. Habitat designated on the previously-submitted Plat a 20' wide easement centered on the sanitary sewer line and a 20' wide drainage easement centered on the storm drain pipe. The Utilities staff has performed a video inspection of the existing sewer and storm sewer lines to determine their current condition. The CCTV showed that the mains are currently in acceptable condition, but once Habitat gets further along in the preparation of specific construction plans, Utilities will need to assess the impact of the specific construction activities on the capacity of the lines. If Habitat pursues its original proposed development (one (1) single-family-attached dwelling, consisting of two dwelling units) then the City will require an easement to be recorded prior to issuance of a building permit, no less than 20 feet wide centered on the current location each existing utility line (sewer, storm sewer, and the field-verified waterline).

If Habitat pursues an alternative development plan, requiring relocation of existing utilities, then Habitat will be required to remove [demolish] the existing utility lines, and replace them in a new location approved by the Utilities engineers in accordance with City standards, and the City will need an easement at least 20-foot wide centered on the as-built location of each new/relocated utility line.

Virginia Code Sec. 15.2-2272 allows City Council to vacate and close the Subject Right of Way, after consideration of the following questions:

1. Will vacating the street impede any person's access to his property, or otherwise cause

irreparable damage to the owner of any lot shown on the original subdivision plat?

Answer: The Subject Right of Way does not provide vehicular or pedestrian access to any adjoining lot, and the City Traffic Engineer is of the opinion that topography would prevent development as a functional City street constructed to City street standards within a reasonable budget.

2. Are there any public utilities currently located in the area proposed to be vacated, and is the applicant offering to allow the City to reserve a public utility easement?

Answer: There is a sanitary sewer line and storm sewer pipe within the Subject Right of Way. Habitat will offer easements to the City over the actual location of the utility lines to be used within the Subject Right of Way as part of the development of the lots.

3. Will vacation of the street result in an adverse impact on traffic on nearby public streets, or result in undesirable circulation conditions for vehicular movements in and through the subdivision?

Answer: If Habitat were to construct only one duplex on their property, the traffic impact on neighboring streets could be expected to be less than the impact that would be anticipated from development of the existing three lots. Coleman Court is a cul-de-sac so Coleman Street is the only affected street. If Habitat pursues a three-lot, six-dwelling plan, traffic would be slightly greater than if the three lots were developed with single-family housing, but the difference should be nominal and would not increase traffic beyond levels currently permitted by right if the road vacation were not to take place.

Alignment with City Council's Vision and Strategic Plan:

This street closing application supports Council's Vision for **Quality Housing Opportunities for All: Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities.** It also is consistent with the Strategic Plan, Goal 1.3 (Increase Affordable Housing Options).

Community Engagement:

Habitat posted a sign on the Subject Right of Way notifying passersby that a public hearing would be held on the closing of this unaccepted street, in accordance with the City's Street Closing Policy. A public hearing is also scheduled at this meeting, notice of which was published in the Daily Progress as required by law, to allow the general public to offer comment. Habitat previously reached out to all the adjoining property owners and received their written agreement to convey their one-half property interest in all of the closed right of way to Habitat.

Budgetary Impact:

There is no negative budgetary impact that can be ascertained at this point. Additional real estate tax revenue could be generated as a result of construction and occupancy of the dwelling units proposed by Habitat.

Recommendation:

City NDS staff does not oppose the proposed vacation. According to the City Traffic Engineer, although a connection road between Coleman Street and Smith Street could theoretically be constructed, the cost to do so would be prohibitive as some combination of bridge and/or retaining wall would be needed.

The Director of Utilities and Utilities Engineers do not oppose the proposed vacation, so long as:

- Any closing is conditioned upon the conveyance by Habitat of utility easements to the City for all existing [and relocated] water, sewer and storm sewer lines (City Attorney is authorized to accept easements on behalf of the City). The easements must be at least 20 feet in width (possibly wider, depending on topography and depth of cover), in accordance with City standards. Existing utility lines may remain in their current location(s), and new dwellings may be connected to them, subject to verification that the existing lines can handle the additional capacity generated by the development.
- If existing utility lines are proposed by Habitat to be abandoned [relocated] the City will not be required to participate in the cost of that abandonment, which would require construction/ installation of new, upgraded lines in a different location.

The City Attorney's Office recommends approval of an amended and re-enacted Ordinance. Doing so will avoid having to record the prior Ordinance in the City's real estate land records, knowing that the Utility conditions may never be satisfied as referenced within the Ordinance. The proposed amended Ordinance will give Habitat additional flexibility to complete a planning process suitable for this difficult site, without the added complexity of a specifically-sited Utility easement that may not work for Habitat's ultimate development plans.

Alternatives:

City Council can choose to deny the Ordinance, or to approve the Ordinance with conditions.

Attachments:

Proposed Ordinance

**AN ORDINANCE
AMENDING AND REENACTING AN ORDINANCE PREVIOUSLY ADOPTED ON
AUGUST 6, 2018 FOR THE PURPOSE OF CLOSING, VACATING AND
DISCONTINUING AN UNACCEPTED PORTION OF COLEMAN STREET**

WHEREAS, Habitat for Humanity (“Landowner”), as the owner of certain land adjacent to Coleman Street, designated on 2018 City Real Estate Tax Map 49 as Parcels 112, 112.1 and 112.2, initiated a petition seeking to close a portion of the 50’ wide Coleman Street right-of-way adjoining its property (approximately 125 feet in length from its origin at the intersection of Coleman Street and Coleman Court), hereinafter “Subject Right of Way”; and,

WHEREAS, the Subject Right of Way was initially platted in 1941 as part of the Locust Grove Extension Subdivision, and was never accepted by the City as part of the City’s public street system; and

WHEREAS, there are existing utility lines located in the Subject Right of Way, including sanitary sewer and storm sewer, and there is an existing water line, the exact location of which is currently unknown; and

WHEREAS, following notice to the public pursuant to Virginia Code §15.2-2272, a public hearing by the City Council was held on July 16, 2018, and comments from City staff and the public were made and heard, and after consideration of the factors set forth within the City Street Closing Policy (2005), this City Council did, on August 6, 2018, adopt an Ordinance closing, vacating and discontinuing the Subject Right of Way, subject to certain conditions; and

WHEREAS, due to certain changed circumstances, including a variance granted by the City’s board of zoning appeals modifying building setback requirements for petitioner’s property, additional development prospects are possible for petitioner’s land, and petitioner has requested this City Council to amend and re-enact the Ordinance previously granted on August 6, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the City hereby closes, vacates and discontinues the Subject Right of Way, subject to the conditions listed below, described as follows:

That portion of Coleman Street, 50 feet wide and 125 feet in length,
adjacent to land identified as 2018 City Tax Parcel Identification numbers
490112000, 490112100, 490112200, 4900125000 and 490124000.

BE IT FURTHER ORDAINED that as a condition of City Council’s vacation of the Subject Right of Way, the owner of the land (“Landowner”) designated on 2018 City Real Estate Tax Map 49 as Parcels 112, 112.1 and 112.2, inclusive of the land area within the vacated portion of Coleman Street (in the aggregate, the “Land”) shall comply with the following:

- (A) Use or abandonment of existing utility lines--Landowner shall provide the City of Charlottesville with utility easements, as follows, as deemed necessary by the City’s Director of Utilities;
 - (i) To accommodate all existing water, sanitary sewer and storm sewer lines *in situ*, Landowner shall convey easements to the City of Charlottesville, no less than 20 feet in width (centered on the verified location of each of the existing lines) for the

operation, maintenance, repair or replacement of each of the existing lines;

- (ii) To tie new utility lines into existing water, sanitary sewer and storm sewer lines, Landowner shall convey easements to the City of Charlottesville no less than 20 feet in width, allowing the installation, operation, maintenance, repair or replacement of the new lines, and Landowner shall install the new lines within the easements; or
 - (iii) To abandon the existing water, sanitary sewer and storm sewer lines and replace them with new lines (in the same, or different location(s)) Landowner shall convey easements to the City of Charlottesville, no less than 20 feet in width, allowing the installation, operation, maintenance, repair, or replacement of new lines, and the Landowner shall install the new lines within the easements.
- (B) Submissions, approvals and costs:
- (i) Landowner, at its sole cost, shall be responsible for preparing site plans, utility plans and easement plats for the City's review and approval, prior to taking any action(s) referenced within Conditions (A)(i) – (iii), preceding above.
 - (ii) All easements required by condition (A) shall be conveyed to the City, and recorded in the land records of the Circuit Court for the City of Charlottesville, prior to issuance of any building permit authorizing a building or structure to be constructed on the Land.
 - (iii) The cost of abandoning and replacing existing lines and of installing any new lines, shall be at the sole cost of the owner of the Land if: (a) the existing utility lines must be relocated, or new lines must be installed, to accommodate construction of buildings on the Land, or (b) if the existing lines in their current state of repair, are insufficient to support the additional capacity added by tying new lines into existing water, sanitary sewer or storm lines or by connecting building(s) constructed on the Land.
 - (iv) Landowner shall not demolish or abandon any existing utility line, and Landowner shall not install any new line, until the City's Director of Utilities approves Landowner's proposed action(s). To obtain this approval, Landowner shall submit plans for its proposed action(s) to the City and the City's Director of Utilities determines that, based on the information within the plans, existing lines are in good condition and can handle the additional capacity of the development and that proposed new lines comply with City standards.

BE IT FURTHER ORDAINED that this Ordinance amends and re-enacts the Ordinance adopted by City Council on August 6, 2018, and that prior ordinance shall be of no further force or effect; and

BE IT FURTHER ORDAINED that, unless an appeal from Council's enactment of this ordinance is made to the Charlottesville Circuit Court within thirty (30) days of the date of adoption, the Clerk of the Council shall send a certified copy of this ordinance to the Clerk of the Circuit Court for recordation in the current street closing book.

CITY OF CHARLOTTESVILLE

SEE MAP 49 (CONT.)

SEE MAP 48

SE 49

SEE MAP 48

SEE MAP 51

SEE MAP 50

SECTION 49

SCALE 1" = 100'



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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA
May 20, 2019**



**Charlottesville
Youth Council Report
2018-2019**

Charlottesville Youth Council

To: Charlottesville City Council

From: Charlottesville Youth Council: Zyahna Bryant, Margaret Ann Doran, Cole Fairchild, Harrison Greenhoe, TaMarah Jenkins, Eve Keesecker, Chloe Porter Landry, Jamez Lynch, Noelle Morris, Niharika Pathak, Ashton Ryan, LaAsia Thomas, Ben Yates

Date: May 20, 2019

Report on 2018-2019 Activities

During the current year, Youth Council has focused on equity issues within the Charlottesville City Schools. Youth Council had adopted this focus early in the academic year, prior to the New York Times, Pro Publica article on equity issues in Charlottesville City Schools.

The City Schools convened a series of public hearings and meetings to gather community input about equity issues and possible solutions. Dr. Atkins and Beth Cheuk, Coordinator of Community Affairs and Development, requested assistance from the Charlottesville Youth Council to gather youth voices and experiences.

Working with Charlottesville City Schools and the City of Charlottesville, on January 24th and February 7th, 2019 the Charlottesville City Youth Council conducted a series of student led focus groups in over 30 classrooms at Charlottesville High School and Buford Middle School. Employees of the City of Charlottesville served as scribes while the members of Youth Council conducted the focus groups. These responses were compiled into one document that highlighted the most pressing issues presented by students during the focus groups. Youth Council then presented this information to Dr. Atkins and created potential solutions to the issues suggested.

This information was presented to the School Board on May 2nd and will be shared with City Council on May 20th.

Youth Council's presentation will include observations and suggestions on the following:

1. Strong focus on four-year colleges
2. Course Knowledge and Registration
3. Lunch
4. Demystifying College Admissions
5. Lack of Diversity in Advanced Courses
6. Standard Diploma vs. Advanced Diploma
7. Standardized Testing
8. ESL Student Experience
9. QUEST Program
10. Algebra Functions and Data Analysis Course
11. Black Student Union Demands

Youth Council Suggestions

Topics

1. Strong focus on four-year colleges
2. Course Knowledge and Registration
3. Lunch
4. Demystifying College Admissions
5. Lack of Diversity in Advanced Courses
6. Standard Diploma vs. Advanced Diploma
7. Standardized Testing
8. ESL Student Experience
9. QUEST Program
10. Algebra Functions and Data Analysis Course
11. BSU Demands

Strong Focus on Four-Year Colleges

Issues

- We need more advertisement to know who is responsible for helping teens with non-college/trade school post graduation options at CHS
- Four-year colleges are seen as the only option after CHS

Suggestions

- Let students know that there is a non-college/Trade school coach or Americorp Vista Member to guide students to take advantage of local job opportunities
- Increase the number of CATEC options available at CHS on site so students don't need to leave CHS

Course Knowledge and Registration

Issues

- Lack of knowledge of available courses
- No long term planning in Middle or HS
- Teacher Recommendations are too hard to change
- Students are not encouraged to take challenging courses

Suggestions

- Individualized course plans for students that are revisited every year with counselor
- Survey the parents to find the best way to communicate potential course options
- Decrease the barriers to override a teacher recommendation
- Increase support for students taking AP/Honors courses for the first time by hiring outside tutors or peer tutors
- Train LINK Crew to help with course

Lunch

Issues

- Some students don't eat during lunch because there are only pork options left
 - Other options besides pork are not labeled with ingredients
- Students that eat a Halal diet can't have dairy and meat in the same meal (i.e. Cheeseburgers & pepperoni pizza)
- There is a perception that you can only eat pepperoni pizza on Free/Reduced Lunch
- Athletes don't find the lunches filling enough

Suggestions

- Have water as an option for lunch, not just milk
- Make more cheese pizzas and non-pork options
 - Take pepperonis out of the salads
- Label the food ingredients
- Make lunches more filling and nutritious
- Survey students on what they want to eat
- Clearly label what costs money and what is available for Free and Reduced Lunch
 - Be sure not to stigmatize the lunches

Demystifying College Admissions

Issues

- School counselors are not always made aware of changes to college admissions guidelines or practices
- Many students have false beliefs about the college admission process
 - Unweighted Core GPA
 - AP Courses taken vs. available
 - Essay writing
 - AP scores accepted
 - Weight of SAT/ACT scores

Suggestions

- Have an admission counselor come talk to school counselors and AVID teachers about admission guidelines yearly
- Have a current/former admission counselor come in to talk about the behind the scenes college process

Lack of Diversity in Advanced Classes

Issues

- Perception - Most White students are in QUEST and most POCs are not in QUEST. There are two pathways in CCS:
 - QUEST to Honors to AP/DE to Advanced Diploma to College
 - Non-QUEST to academic classes to Standard Diploma to...
- Students take the same courses with the same people K-12
- There is little academic support for students in AP/honors classes

Suggestions

- Allow for more students to try AP classes by creating a pathway into advanced classes
- Encourage everyone to take one honors class in each subject to help them see their potential
- Take away stand alone honors classes to help diversify classes
- Hire AP Tutors and peer navigators for each subject with office hours

Standard Diploma vs. Advanced Diploma

Issues

- Many questions surround the purpose of two diplomas:
 - What is the difference between an Standard and an Advanced diploma?
 - Can you get accepted into college with a Standard Diploma?
 - What is required to get an Advanced Diploma?
 - Do colleges care what diploma you receive?

Suggestions

- The School Board should advocate at the General Assembly to eliminate the two diplomas, it creates an unnecessary binary
- Explain the differences between a SD and AD to Buford students and parents
- Have an individualized plan with pathways to each diploma with requirements for AD & SD discussed in plan

Standardized Testing

Issue

- Some teachers only teach to the SOL and students learn less critical thinking skills in those classes
- There are no free PSAT, SAT, ACT, or AP Prep courses provided by the school

Suggestions

- Advocate for the elimination of SOLs on the state and federal level
- Provide free PSAT, SAT, ACT, and AP prep courses for students
- Create a school-wide/division-wide mantra about critical thinking by incorporating these ideas into teacher trainings

ESL Student Experience

Issues

- Many ESL Students don't feel respected or heard by admin and teachers
- Many ESL Students are separate from other CHS Students

Suggestions

- Have cultural sensitivity training for admin and teachers
- Raise awareness of phone translation service
- Have in person translators for ESL Students to help with class registration, counselor meetings, orientation, and tours
- Find creative ways for ESL students to integrate with other CHS students in a meaningful way (not just walking the same halls)
 - a. Culture to Culture

QUEST Program

Issues

- QUEST program is biased toward wealthy and white students
- QUEST leads to a separate pathway for wealthy and white students throughout the CCS System
- QUEST was created after desegregation in order to separate white kids from kids of color

Suggestions

- Eliminate the program
 - a. It doesn't measure "giftedness"
 - b. You can buy books to pass the test
 - c. It creates a pipeline to Honors & AP
 - d. It separates students & minimizes integration through classes
- Raise awareness of the QUEST to parents
- Stop testing in 1st grade
- Have ongoing testing for QUEST for all students with the prep materials for the test available through the library

Algebra Functions and Data Analysis Course

Issues

- AFDA can place students a year behind in math courses which can inhibit their ability to be on track for college
- No HS credit for taking AFDA

Suggestions

- Make AFDA a free summer course so students won't be behind for the school year
- Provide tutoring services for students when they get to Algebra II instead of/in addition to recommending AFDA

BSU Demands

1. Charlottesville City Schools denounce and call out RACISM against Black and Brown students
2. African American History class to hold the same weight as an honors history course, not an elective.
3. Hiring more black teachers, especially in CORE CLASS honors, AP, honors and DE studies
4. Extend resources in addition to AVID, for future Black and Brown first generation college students
5. Discipline Reform - end the excessive suspending and policing of Black middle and high school students by creating a diverse governing board of staff, students, and parents to oversee equitable and effective discipline
6. Test EVERY student for quest
7. Apply mental health practices that are culturally relevant and racially aware
8. A high standard for programing associated with Black History. No one should have the opportunity to opt out of Black History
9. Racial bias and cultural sensitivity training for all school resource officers
10. Implement the same locked door and buzzer system currently used in elementary schools at Walker, Buford, and Charlottesville to ensure the safety of the student body as a whole and the staff

THANK YOU!

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 20, 2019
Action Required:	Approve appropriation for sponsorship agreement
Presenter:	Captain Joseph L. Hatter, Police Department
Staff Contacts:	Captain Joseph L Hatter, Police Department Detective Annmarie Hamill, Police Department
Title:	Greenstone on 5th Corporation Sponsorship Agreement for Enhanced Police Coverage - \$41,092

Background:

Greenstone on 5th Corporation entered into a Sponsorship Agreement dated August 1, 2018, and terminating on January 31, 2019, whereby a donation was made to the Charlottesville Police Department for \$41,092 to support enhanced police coverage within and adjacent to Greenstone on 5th Apartments. An appropriation should have been approved at the beginning of the fiscal year to cover funds received and expenses incurred pursuant to the Sponsorship Agreement. Because this condition was not fulfilled at that time, the appropriation is now being presented for approval so that funds may be properly allocated.

Discussion:

Enhanced coverage involved police officers being assigned to public patrol duties in the sponsored coverage area in addition to those officers who were assigned within normal budgetary constraints. Acceptance of the donation under this arrangement did not require officers to be pulled away from other areas of coverage within the City. Even in these circumstances the Chief had full authority to deploy the officers elsewhere to meet operational necessities.

Alignment with Council Vision Areas and Strategic Plan:

This agreement supports GOAL 2: A Healthy and Safe City (2.1 Reduce adverse impact from sudden injury and illness and the effects of chronic disease, 2.2 Meet the safety needs of victims and reduce the risk of re-occurrence/re-victimization, 2.3 Improve community health and safety outcomes by connecting residents with effective resources, 2.4 Reduce the occurrence of crime, traffic violations and accidents in the community. GOAL 5: A Well-managed and Responsive Organization (5.3 Provide responsive customer service and 5.4 Foster effective community engagement)

Community Engagement:

N/A

Budgetary Impact:

This Sponsorship agreement is a donation that covered all costs associated with the added security, with no additional cost to the City. The funds will be appropriated to the General Fund.

Recommendation:

Staff recommends approval and appropriation funds.

Alternatives:

The alternative is not to approve this appropriation, which would result in the inability to provide enhanced coverage to the sponsored coverage area.

Attachments:

Appropriation

APPROPRIATION
Greenstone on 5th Sponsorship Agreement for Enhanced Police Coverage
\$41,092

WHEREAS, the City of Charlottesville entered into an agreement with Greenstone on 5th Corporation to fund enhanced police coverage for the area of Greenstone on 5th Apartments, including salary, equipment, technology and related administrative expenses associated with provisions of such enhanced coverage.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$41,092, to be received as a donation from Greenstone on 5th Corporation.

Revenues - \$41,092

\$41,092	Fund: 105	Internal Order: 2000113	G/L Account: 451999
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Expenditures - \$82,184

\$37,598	Fund: 105	Internal Order: 2000113	G/L Account: 510090
\$3,494	Fund: 105	Internal Order: 2000113	G/L Account: 599999

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 20, 2019
Action Required:	Adopt Design Build Construction Procurement Resolution and Procedures
Presenter:	Jennifer Stieffenhofer, Procurement and Risk Manager
Staff Contacts:	Jennifer Stieffenhofer, Finance Department, Procurement & Risk Management Division
Title:	Resolution – Design Build Construction Procurement

Background:

"Design-build contract" means a contract between a public body and another party in which the party contracting with the public body agrees to both design and build the structure, or other item specified in the contract. (Code of Virginia § 2.2-4379).

The Procurement section of the City of Charlottesville *Code of Ordinances* does not presently permit procuring construction services utilizing design-build procurement methods. Code of Virginia § 2.2-4382 provides that Design-build contracts for local public bodies is authorized. Specifically, any local public body may enter into a contract for construction on a fixed price or not-to-exceed price design-build basis, provided that the local public body (i) complies with the requirements of this article and (ii) has by ordinance or resolution implemented procedures consistent with the procedures adopted by the Secretary of Administration for utilizing design-build contracts. Many Virginia public entities have a Design-Build ordinance or resolution. The following list includes a sample of local public bodies in Virginia that have a Design-Build ordinance or resolution or procurement policy:

- City of Roanoke
- City of Richmond
- City of Suffolk
- Fauquier County
- Isle of Wight County
- Pittsylvania County
- Spotsylvania County

The following categories are types of projects that generally may be suited for Design-Build contracts:

- Projects tied to programs that require the City to use Design-Build contracting to participate.
- Emergency and repair projects
- Projects directly impacting public safety
- Projects directly supporting economic development/enhancement
- Projects using specialty or innovative designs and construction methods or techniques

- Projects that do not lend themselves to normal Design-Bid-Build procedures

Discussion – Implementing a Design-Build Resolution:

This request seeks City Council’s approval to implement a Design-Build Resolution and procedures that allow the City to pursue design-build projects and thereby streamline the process for project implementation.

If this request is approved, the City will be able to participate in the state’s Energy Performance Contracting (EPC) program, and will be able to use the design-build procurement method, as warranted, for other construction procurements. An EPC is a widely-used method for implementing large-scale upgrades in municipalities. A municipality may enter into an EPC with an energy service company (ESCO) who then facilitates the implementation of projects, from design through construction. Due to the age of the City’s heating, ventilating, and air conditioning (HVAC) equipment, light fixtures, and water using equipment, it is appropriate for the City to consider the EPC option for handling these large scale upgrades.

The Virginia Department of Mines, Minerals, and Energy (DMME) is the state agency that provides assistance to localities interested in pursuing an EPC. DMME has a prequalified list of energy service companies (ESCOs) that are vetted and approved by the Commonwealth through a pre-qualification process, and DMME will help support public entities as a third party facilitator as public entities progress through the EPC process. This oversight provides a level of assurance that ESCOs must deliver on the mutually-agreed upon scope and terms of projects. The Cities of Fairfax, Harrisonburg, and Staunton have all implemented EPCs in partnership with DMME and Albemarle County Public Schools completed an EPC in 2018 upgrading lighting and water fixtures throughout their schools.

A Design-Build Resolution will:

- Permit the City to participate in the Commonwealth of Virginia’s Energy Performance Contracting Program.
- Permit the City to use Design-Build contracting for other construction projects, as appropriate.
- Establish a procedure for evaluation and selection of design-build contractors.
- Facilitate value engineering, and encourage collaboration.

Alignment with City Council’s Vision and Priority Areas:

The adoption of a Design Build Resolution aligns with Council’s vision for Charlottesville to be a Smart, Citizen-Focused Government and a Green City. It contributes to Goal 4 of the Strategic Plan, Be a well-managed and successful organization, and objective 4.2, maintain strong fiscal policies. It also contributes to Goal 3 of the Strategic Plan, A Beautiful and Sustainable Natural and Built Environment, and objective 3.4, be responsible stewards of natural resources.

Budgetary Impact:

There is no anticipated impact on the General Fund.

Recommendation:

Staff recommends approval of this Resolution.

Alternatives:

If the Resolution is not approved, the City cannot use Design-Build contracting, and cannot participate in the Commonwealth of Virginia's Energy Performance Contracting Program.

Attachments:

Proposed Resolution
Design-Build Procedures

RESOLUTION
APPROVING PROCEDURES TO GOVERN THE COMPETITIVE PROCUREMENT OF
DESIGN-BUILD CONTRACTS

WHEREAS, the City of Charlottesville procures goods and services in accordance with the requirements of the Code of the City of Charlottesville, Chapter 22, as well as the Virginia Public Procurement Act (Code of Virginia, Title 2.2, Chapter 43); and

WHEREAS, the Code of Virginia also sets forth enabling legislation within §§2.2-4378 et seq., authorizing a local public body to procure and enter into contracts for construction on a design-build basis, when the public body has, by resolution, implemented procedures consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts; and

WHEREAS, the Charlottesville City Council desires to authorize the procurement and award of construction contracts by the City on a design-build basis, and has received procedures prepared by the Purchasing Manager, and the Purchasing Manager has represented that the proposed “City of Charlottesville Design Build (D/B) Procedures (5/1/2019)” contains provisions that are consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts and the City Attorney’s Office has likewise confirmed this consistency;

NOW, THEREFORE, be it resolved by the Council of the City of Charlottesville that it does hereby FIND that the City of Charlottesville Design Build (D/B) Procedures (5/1/2019) are consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts, and this Council hereby RESOLVES that the Charlottesville Design Build (D/B) Procedures (5/1/2019) are approved for implementation by the City administration for and in connection with the procurement and award of construction contracts. logistical assistance.

**City of Charlottesville
Standard Operating Procedure**



Type of Policy: FISCAL	Policy Number: 200-12
<i>Subject: Design Build (D/B)</i>	
Circulated for Comment/Approval of Lead Team? Yes	Date: 03/28/2019
Authorization: Charlottesville City Council Resolution Dated:	Effective Date: 05/01/2019

Introduction

The City of Charlottesville may procure and enter into contracts for construction on a design-build basis, using the competitive negotiations procedures set forth within this Policy. Construction contracts awarded on this basis must be for a fixed-price or not-to-exceed price.

A “Design-Build” contract is a contract between the City of Charlottesville and another party, in which the other party agrees to both design and construct the building, structure or other item described in the contract. This results in a single source of contractor responsibility for the design and construction of a public facility.

Enabling Authority

The enabling authority for these procedures is set forth within Virginia Code, Title 2.2, Chapter 43.1 (Construction Management and Design Build Contracting) and Chapter 43 (Virginia Public Procurement Act), as well as within the Charlottesville City Code, Chapter 22 (City Procurement of Goods and Services from Non-Governmental Sources)

Summary

The following procedures shall be followed by all departments, agencies, and institutions of the City of Charlottesville (each of which is hereinafter referred to as the "Department") for the procurement of Design-Build (“D/B”) contracts.

Essential Information

- The City may enter Design-Build (D/B) contracts only after it has determined in writing, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public.
- Prior to using a D/B contract, a City department must receive approval from the City’s Purchasing Manager (or designee).
- Procurement of a D/B contract is a two-step competitive negotiation process. The City first selects qualified offerors using a prequalification procedure and then will issue a Request for Proposal (RFP) to prequalified offerors and will select the successful design-build contractor through a competitive negotiations process.

- The criteria for selection shall be included in the Request for Qualifications (RFQ) and Request for Proposal (RFP).
- At the RFP stage, separate technical and cost proposals are required.

Key References to the Code of Virginia Applicable to Design Build

[Section 2.2-4301](#): Definitions of design-build contract and other key terms

[Section 2.2-4379](#): Definitions of design-build contract and additional key terms

[Section 2.2-4303\(D\)\(1\)](#): Exceptions to competitive sealed bidding

[Section 2.2-4378](#): Purpose and Applicability

[Section 2.2-4382](#): Design-build contracts for local public bodies authorized.

[Section 2.2-4383](#): Reporting requirements for all public bodies

I. General

A "Design-build contract" (D/B contract) means a contract between a public body and another party in which the party contracting with the public body agrees to both design and build a building or structure, or other item specified in the contract (§ 2.2-4379). The City may contract to secure D/B contracts on a fixed price or not-to-exceed price basis in accordance with *Virginia Code* § 2.2-4382, the requirements of that section, and the procedures adopted by the City that are consistent with the procedures adopted by the Virginia Secretary of Administration for utilizing design-build or construction management contracts.

The City is authorized to use competitive negotiations to procure D/B contracts when it determines in advance, and sets forth in writing, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, which writing shall document the basis for this determination.

D/B contracts are intended to minimize the project risk for an owner and to reduce the delivery schedule by overlapping the design phase and construction phase of a construction project.

II. Procedure for Approval

(A) Prior to taking any action, the Department shall make a written request to the City's Purchasing Manager, for authorization to utilize a D/B contract for a specific project. The request shall set forth information and analysis establishing that a D/B contract is more advantageous than a contract procured via competitive sealed bidding. The request must reflect consultation with, and information and analysis provided by a licensed architect or engineer with professional competence appropriate to the project (the "Consulting A/E"), The Consulting A/E must be in the City's employ or under contract with the City. The Consulting A/E shall thereafter assist the City with preparation of the RFQ, the RFP evaluation of applications and proposals.

(B) If satisfied that a D/B contract would be in the City's best interests, the

Purchasing Manager shall prepare a written determination finding that competitive sealed bidding is not practical or fiscally advantageous, and shall document the basis to utilize a D/B contract. The Purchasing Manager's determination shall be incorporated into any RFQ utilized for the procurement transaction

III. Selection Procedures

On projects approved for D/B, procurement of the contract shall be a two-step competitive negotiation process. The following procedures shall govern selection of a D/B contractor and award of a D/B contract:

A. The City shall utilize an Evaluation Committee ("Committee") to review responses to the RFQ and to the RFP. The Committee shall consist of the Finance Director or designee; the Public Works Director or designee; the City Engineer or designee; at least one City employee from Public Works, Division of Facilities Management; the Director of the Department seeking to utilize D/B, or designee, and any other City employee(s) deemed appropriate by the Purchasing Manager or City Manager. The Committee shall be assisted by the licensed architect or engineer who assisted with the D/B determination. The Committee may also be assisted by an attorney from the City Attorney's Office (CAO).

B. Selection of Qualified Offerors (**STEP I**):

1) On projects approved for D/B, the Department may use a valid Commonwealth of Virginia list of prequalified offerors established by the Commonwealth of Virginia using D/B procedures. Otherwise, the Department shall conduct a prequalification process as follows to determine which offerors are qualified to receive and submit proposals in response to a subsequent Request for Proposals (RFPs).

2) The Department shall prepare a Request for Qualifications ("RFQ"), assisted by the Consulting A/E. The RFQ shall contain the Department's Facility Requirements, building and site criteria, site and survey data (if available), the criteria to be used to evaluate RFQ Responses and other relevant information, including any unique capabilities or qualifications that will be required of the contractor. Neither prior D/B experience nor prior experience with the state Bureau of Capital Outlay Management shall be required as a prerequisite for award of a contract. The following requirements will always be included: all offerors shall have a licensed Class "A" contractor and an Architect or Engineer registered in the Commonwealth of Virginia as part of the Project Team. The application form utilized in the RFQ process shall set forth the criteria established by the Department as the basis for prequalification, which shall include: (i) the criteria in Virginia Code §2.2-4317(C) and (ii) other criteria established in advance, with the assistance of the Consulting A/E, to allow for prequalification of two (2) to five (5) offerors to receive the RFP. The application form shall allow the prospective contractor seeking prequalification to request, BY CHECKING A BOX, that all information voluntarily submitted by the

contractor in response to the RFQ shall be considered a trade secret or proprietary information subject to the provisions of Virginia Code §2.2-4342(D).

- 3) The RFQ shall be posted in accordance with the current standards for the posting of public procurement notices, as set forth within the Virginia Public Procurement Act ("VPPA") and in accordance with the latest edition of the CPSM provided by the [Virginia Division of Engineering and Buildings](#).
- 4) The Committee shall evaluate each offeror's RFQ responses and any other relevant information and shall select a minimum of two (2) and not more than five (5) offerors who are fully qualified and suitable for the project (Short List"). Prequalification may not be denied to a contractor, except if the Committee makes a finding pursuant to Virginia Code §2.2-4317(C).
- 5) At least 30 days prior to the date established for the submission of proposals in response to the RFP, the Department shall advise in writing each offeror which sought prequalification whether that offeror has been prequalified. The written notification to such offeror shall state the reasons for the denial of prequalification and the factual basis of such reasons.

C. Selection of Design-Build Contractor (**STEP II**):

- 1) The procuring Department shall develop an RFP with assistance from the Consulting A/E. The RFP shall clearly describe how the competitive negotiations process will be conducted, and evaluation criteria to be utilized during the process. Price shall be a critical basis for award of the D/B contract. The RFP shall require each offeror to submit its offer in two-parts, in separate sealed envelopes or containers: a Technical Proposal and a Cost Proposal. Each envelope or container shall be clearly labeled on its exterior as either a "Technical Proposal" or a "Cost Proposal" and shall contain the offeror's name and the date of submission.

The basis for award of the contract shall be as set forth within the RFP. Cost shall be a critical component of the basis for award. Guidance on methods for award can be found in the Virginia Department of General Services, [Division of Engineering and Buildings](#), *Construction and Professional Services Manual (CPSM)*.

- 2) The Department shall send the RFP to the D/B offerors on the Short List for the project and request formal proposals from them.
- 3) Sealed Technical Proposals as described in the RFP shall be submitted to the Committee. Separately-sealed Cost Proposals shall be submitted to the City's Purchasing Manager (or designee), and shall be secured by and kept sealed until evaluation of the Technical Proposals and the design adjustments are completed.

- 4) The Committee will evaluate the Technical Proposals based on the criteria contained in the RFP. Discussions will be conducted by the Committee with each offeror, and the Committee may request adjustments to any offeror's Technical Proposal consistent with the purpose and scope of the Project described within the RFP.
- 5) Based on the adjustments made to an offeror's Technical Proposals, the offeror may amend and re-submit its Cost Proposal in a new sealed envelope clearly labeled on the exterior in the same manner specified in D.1., above. In addition, an offeror may amend its prior at any time, for reasons not related to adjustments requested by the Committee. Each Cost Proposal submitted to the City shall be submitted in a sealed envelope clearly labeled on the exterior in the manner specified in D.1., above. Each Cost Proposal must be submitted to the Purchasing Manager separately from the offeror's Technical Proposal.
- 6) The Committee shall evaluate (and rank if technical rankings are to be considered as a criteria for award) the Technical Proposals. The Committee reviewing proposals shall make its recommendation for the selection of a design builder to the Purchasing Manager (or designee) based on its evaluations of the technical and cost proposals and all amendments thereto in accordance with the evaluation criteria set forth within the RFP.

Should the Committee, with the assistance of the Consulting A/E, determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified than the others under consideration on the basis of the evaluation factors specified in the RFP, a contract may be negotiated and awarded to that offeror after approval of the Purchasing Manager (or designee) and after verification by the Department, with assistance of the Consulting A/E, that the offeror's Cost Proposal presents a fair and reasonable price. The Department may utilize value engineering, if necessary, as a basis for negotiating with the offeror for modifications of its Cost Proposal. Otherwise, the Committee.

- 7) A contract may be awarded to the offeror who is fully qualified and has been determined to have provided the best value in response to the Request for Proposal.
- 8) The Committee and the procuring Department shall provide all records of the procurement transaction to the City's Purchasing Manager (or designee), and the City shall post the notice of award in the same manner as such notices are posted by the City for other types of contracts.
- 9) In addition to the posting of notice of the award, the Department will notify all offerors who submitted proposals of which offeror was

selected for the project. In the alternative, the Department may notify all offerors who submitted proposals of the City's intent to award the contract to a particular offeror at any time after the City has selected the Design-Builder.

10) Proposal records shall be available for inspection in accordance with the provisions of Virginia Code §2.2-4342(D).

IV. **Contract Form**

The City Attorney's Office shall approve the form of a design-build contract, as well as the terms and conditions to be included therein, and the contract form approved by the City Attorney's Office shall be utilized for any construction project that will be undertaken on a design-build basis. The form of the contract shall be established prior to issuance of an RFQ for any D/B procurement transaction.

V. **Amendments.**

The City's Purchasing Manager shall have authority to make any amendment to this Policy as may be necessary to conform with changes in the state enabling legislation referenced herein.

VI. **Reporting**

The City shall comply with the reporting requirements of Virginia Code § 2.2-4383 (B). This reporting shall be the responsibility of the Purchasing Manager.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 20, 2019
Action Required:	Resolution
Presenter:	Kaki Dimock, Acting Assistant City Manager
Staff Contacts:	Kaki Dimock, Acting Assistant City Manager
Title:	Revising A.B.R.T and Setting Funding Priorities

Background:

A workgroup considered changes to the method with which the city funds nonprofits in 2018 and recommended that funding be focused on priority areas to be determined by an independently appointed commission. Council considered a resolution for such a priority-setting commission on January 22, 2019 and determined that a worksession was needed for additional information and discussion.

A worksession was held on the issue of revising the A.B.R.T. nonprofit funding process on Wednesday, May 8, 2019. Council considered data gathered by city staff and the Center for Nonprofit Excellence, reviewed practices used to prioritize funding in other communities, and identified the competing expectations that exist around this funding practice. Council requested that the issue be brought before them for additional discussion, direction for staff and consideration of a formal commission to set broad funding priorities.

Discussion:

The following issues were identified at the worksession and/or previous discussions:

- Improving ease of access for nonprofits
- Prioritizing funding for marginalized communities and for significant needs
- Supporting capacity-building activities for nonprofits
- Creating a separate process for arts & culture
- Making process improvements
- Acknowledging competing expectations and guiding philosophies
- Need for community feedback

Staff seek guidance on process improvements, priority-setting methods and the extent to which improvements and changes will be made by staff or through a charge to a community group. **Specifically, should a commission be charged with reviewing data and determining broad priority areas for city funding or should a commission be charged with evaluating process changes and**

improvements for the A.B.R.T. process, making recommendations for implementation and identifying priority funding areas?

Alignment with City Council's Vision and Strategic Plan:

This proposal aligns with City Council Strategic Goal #5 – A well-managed and responsive organization; specifically 5.4: Foster effective community engagement. Funds provided to area nonprofits are most likely to impact City Council Strategic Goals #1: An inclusive community of self-sufficient residents and #2: A healthy and safe city.

Community Engagement:

The mayor's ad hoc workgroup included several community members. A worksession was held that included two opportunities for public comment and results of surveys and community meetings of nonprofit partners. Staff created a survey for the city's website which was promoted on Facebook, which yielded 478 responses over the 30 day period in which it was live. The Center for Nonprofit Excellence sought information and feedback from the nonprofit community through surveys and community meetings which was presented in full at the May 8 worksession.

Budgetary Impact:

Meals during commission meetings and facilitation services are estimated at \$5,000.
Meals during review team meetings and facilitation services are estimated at \$5,000. These expenses will be paid from previously appropriated FY2020 adopted budget.

Recommendation:

Staff recommends that a commission be charged to review data sources and meet with community members to determine broad funding priority areas and that city staff implement improvements to the funding process as identified below. While the following staff recommendation includes many, but not all, of the recommendations made by the 2018 workgroup, these changes are substantial and will require thoughtful consideration and careful implementation. Staff believe making these changes will require more time than allowed if the FY2021 process is not suspended for an additional year.

Staff recommends suspending the funding process for one additional year to allow for thoughtful development of a priority-setting commission, creation of new application tools and processes, identification of appropriate technical assistance providers, and the selection and training of a new review team to evaluate proposals.

Staff recommends delaying the consideration of a separate funding mechanism for nonprofit start-up funding and nonprofit matching fund until additional best practice information is gathered.

Staff recommends the following changes to the A.B.R.T. process.

Access for Nonprofits

- Change the name so that it is clear the purpose of the process: **City/Nonprofit Partnership Funding**
- Create mission statement to clarify intent of process: **City/Nonprofit Partnership Funding addresses significant and urgent community needs to improve the lives of marginalized community members by funding holistic strategies with the greatest potential to work.**

- Create webpage on funding process on city site so new nonprofits may understand how to apply and what technical assistance is available to them

Priority Funding

- Clarify that the city prioritizes proposals that focus on underserved community members
 - Part of mission statement
 - Extra points awarded to proposals that reflect this priority
- Provide grants for higher amounts to those organizations that can demonstrate engagement with underserved community members: **Grants over \$20,000**
- Create commission to review data sources and determine broad funding priority areas for nonprofit funding decisions
 - Extra points awarded to proposals that reflect this priority
 - Provide grants for higher amounts to those organizations that propose to address issues within these priority areas: **Grants over \$50,000**
 - Provide multi-year grants to those organizations that propose to address issues within these priority areas
 - Priorities set every three years unless council determines a need to reconvene earlier

Support Nonprofit Capacity

- Establish a separate pool of funding to grow nonprofit capacity: **\$150,000** set aside for grants up to \$10,000 with a priority for organizations seeking assistance to complete equity analysis and action planning activities
 - Equity analysis and action planning
 - Strategic planning
 - Financial protocols & development planning
 - Leadership development
 - Data collection & evaluation

Separate Funding Process for Arts & Culture Proposals: \$125,000 set aside

- Establish specific funding priorities through staff/constituent workgroup
- Establish specific evaluation criteria through staff/constituent workgroup

Process Improvements

- Diversify technical assistance for nonprofits interested in pursuing city funding
 - Train additional city staff
 - Contract with external nonprofit consultants
- Create simplified application process for funding requests **less than \$20,000**
- Establish new review team
- Create robust training for review team members including conflict of interest, power dynamics and bias
- Conduct site visits for all applicants

Alternatives:

Council could continue deliberations on the issue and defer decision-making to another time.

RESOLUTION

Whereas, Charlottesville City Council seeks to partner with nonprofits to provide services to improve the quality of life for community members, and,

Whereas, the historic Agency Budget Review Team process is not flexible enough to respond to the changing needs and expectations of City Council and community members, and,

Whereas, a workgroup has recommended changes to the process by which the city funds nonprofits, and,

Whereas, the city wishes to prioritize funding for organizations serving marginalized members of our community, and,

Whereas, the city wishes to invest general fund dollars in programs and organizations meeting the most pressing needs in our community,

Therefore, be it resolved by the Council of the City of Charlottesville that:

A Priority-Setting Commission shall be established to identify priority funding areas that will directly influence the distribution of funds to nonprofits in the City/Nonprofit Partnership Funding process.

Specifically, the commission is charged with establishing 3-5 broad funding priorities in a formal report to council in May 2020. The commission shall meet regularly from October to April to review local data on demographics, local need, and indicators on community well-being; seek counsel from area experts, and hold at least one open community listening session to determine funding priorities. Commission will review existing, reliable data with trend lines, if possible, including but not limited to:

- A. City strategic plan
 - 1. Strategic initiative scorecards
 - 2. Departmental scorecards
- B. Stepping Stones Report
- C. Community Planning & Management Team (CPMT) Data Dashboard
- D. Local community demographics
- E. National Citizen Survey results
- F. Housing Advisory Committee & Neighborhood Development Services Housing Strategy
- G. Orange Dot report
- H. M.A.P.P.

Membership for the commission will be recruited through an open call for applications and formally appointed by council. The commission will consist of 13 members as follows:

- 2 community members
- 2 members with professional data analysis expertise including a background in economics, social science, public policy, or similar
- 2 members with experience in large, quasi-governmental nonprofits such as Region Ten, J.A.B.A., or similar

- 2 members with experience in mid-sized nonprofits
- 2 members with experience in grassroots nonprofits
- 2 at large members
- 1 council member

The commission will be staffed to provide technical and logistical assistance.

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



Agenda Date:	May 20, 2019
Action Required:	Ordinance Repeal
Staff Contacts:	Dr. RaShall Brackney, Chief of Police John Blair, City Attorney
Presenter:	Dr. RaShall Brackney, Chief of Police
Title:	Repeal Section 17-8 of the Charlottesville City Code

Background:

On October 29, 1962, the Charlottesville City Council enacted Charlottesville City Code Section 19-37.1, the predecessor ordinance to Charlottesville City Code Section 17-8. This ordinance prohibited trick or treating by anyone over the age of twelve on Halloween night. It also established a special curfew hour of 10:00 p.m. on Halloween night for trick or treating visitations.

The Council enacted the 1962 ordinance because the city code at the time prohibited anyone under the age of fifteen from being on public property after 9:15 p.m. unless accompanied by an adult (Charlottesville City Code Section 19-20 in the Charlottesville City Code of 1959). The city code at the time also prohibited any person from concealing their identity or disguising themselves for any “improper purpose” (Charlottesville City Code Section 19-24 in the Charlottesville City Code of 1959).

Discussion:

In subsequent years, the Council amended the Charlottesville City Code to change the curfew provisions to prohibit individuals under the age of seventeen from being on public property from midnight to 5:00 a.m. on Monday through Friday and from 1:00 a.m. to 5:00 a.m. on Saturday and Sunday. The previously discussed disguise ordinance has also been removed from the Charlottesville City Code.

In a survey of other localities, the cities of Richmond, Harrisonburg, Roanoke, and Lynchburg do not have ordinances that regulate trick or treating. A review of Charlottesville Police Department data for the past five years indicates that no citations have been issued for a violation of Charlottesville City Code Section 17-8.

Budgetary Impact:

There is no anticipated budgetary impact.

Alternatives:

Council could decline to repeal the ordinance.

Attachments:

Proposed Ordinance

**AN ORDINANCE
REPEALING SECTION 17-8
OF CHAPTER 17 (OFFENSES-MISCELLANEOUS)**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 17-8 of Chapter 17 of the Code of the City of Charlottesville (1990), as amended, is hereby repealed as follows:

Sec. 17-8. ~~Trick or treat visitations; special curfew on Halloween.~~ Repealed.

~~(a) It shall be unlawful and a Class 1 misdemeanor for any person to appear on the streets, highways, public homes, private homes or public places in the city to make trick or treat visitations; except, that this subsection shall not apply to children twelve (12) years of age and under on Halloween night.~~

~~(b) A special curfew hour of 10:00 p.m. on Halloween night is hereby established for the trick or treat visitations permitted by subsection (a) of this section.~~

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



Agenda Date:	May 20, 2019
Action Required:	Report on Bicycle and Pedestrian Master Plan Implementation
Presenter:	Amanda Poncy, Bicycle and Pedestrian Coordinator Chris Gensic, Parks and Trails Coordinator Jakob zumFelde, Transportation Planner, Thomas Jefferson Planning District Commission
Staff Contacts:	Amanda Poncy, Bicycle and Pedestrian Coordinator Chris Gensic, Parks and Trails Coordinator
Title:	Bicycle and Pedestrian Master Plan Implementation

Background:

In September 2015, the City Council adopted the Bicycle and Pedestrian Master Plan as an amendment to the City's Comprehensive Plan (2013). The Bicycle and Pedestrian Master Plan establishes a vision for both on-road and off-road bicycle and pedestrian improvements focusing on the integration of on-street and off-street networks identified in past planning efforts. It provides the recommended network improvements for Charlottesville's on-street bicycle and pedestrian corridors to create safe, comfortable transportation corridors that appeal to a wide range of users of all abilities, as well as a phasing plan for implementation. This report provides a status update on the projects listed in the plan and highlights the accomplishments in 2018.

Discussion:

The Bicycle and Pedestrian Master Plan has served as a useful guide over the past 4 years, providing both general guidance in the design and implementation of bicycle and pedestrian facilities, as well as specific projects, programs and policies that should be implemented. With the Bicycle and Pedestrian Master Plan and the Streets the Work Plan as a tool, the City has completed more than 3 miles of on-road bicycle facility and 2+ mile of shared use path since 2015, and been awarded nearly \$93 million dollars of state and federal funds that will be used to implement bicycle and pedestrian transportation projects in the City over the next 2-5 years. These include:

- West Main Streetscape
- Belmont Bridge + E. High Streetscape
- Emmet Street Streetscape + Barracks/Emmet Intersection Improvements
- Fontaine Avenue Streetscape
- E. McIntire Park Pedestrian Bridge and Trail Connections

- 250 Bypass Trail
- Rugby Avenue Trail
- Water Street Trail
- Various sidewalk, ADA and trail connections

Most of the on-road bike lane projects continue to be implemented through the city's annual roadway maintenance program. While there are still opportunities to implement bicycle improvements with street paving, we are approaching the point where future improvements will involve choices to balance the needs of multiple user groups within a limited right-of-way, particularly if protected bicycle infrastructure is to become a reality in Charlottesville. When staff has attempted to remove parking to increase safety for other users (for example along East Market Street between 9th and Meade), there has been significant public outcry from neighboring businesses. A similar sentiment was expressed in the design efforts for bike lanes on Ridge Street as part of the Monticello Avenue Intersection Improvements public outreach. These areas need to be examined as a whole and in relationship to future land use plans, existing and future parking supply, and innovations in cycling infrastructure currently being implemented across the country to determine best case options that will enhance mobility and improve the design of public space within our streets.

Many new shared use paths have been built, are about to go to bid, or are funded and nearly finished with design work. These will be the primary trail links between neighborhoods and commercial areas of the City providing for daily-use transportation to and from work, school, shopping, and cultural activities. These trails are stroller, wheelchair, bicycle and pedestrian friendly.

- The Coal Tower and Meade Avenue trail is complete between 10th Street and Meade Park. The pending Water Street trail connection will extend this to downtown.
- The 250 bypass trail includes the connection from John Warner Parkway to the new railroad bridge, the new railroad bridge, connections built by the YMCA, the existing trail behind the fire station. Pending projects aim to fill the remaining gaps for a complete off-road shared use path from the Recycling Center on McIntire drive to Hydraulic Road, Michie Drive and eventually to Route 29.
- The Meadow Creek trail has multiple phases underway including new shared use stone dust trails and boardwalks in Greenbrier Park. Two bridges and associated stone dust path soon to be built between Greenbrier Park and Hydraulic Road, and a stone dust path and new bridge will be built between near Locust Avenue and Holmes Avenue, providing a new link from downtown to Pen Park and neighborhoods in the Rio Road area.

Also over the past decade:

- Much of the existing Rivanna Trail Foundation corridor and proposed shared use path corridor has been acquired in fee simple or permanent easements, guaranteeing its longevity and allowing for investment in bridges and other improvements. There are about 2 dozen remaining acquisitions that will provide the needed space to complete the entire system.
- Nearly all parks have had sidewalk and/or trail improvements to ensure access from nearby streets and sidewalks into parks and to trails

Sidewalk implementation has also been progressing with the following sidewalks completed or funded and under design since plan adoption:

- Montrose Avenue*
- Cabell Avenue*
- Harris Road*
- Franklin Street*
- Harris Street
- Rosehill Drive
- Elliot Avenue
- Fontaine Avenue

* Note: City staff are still working to complete priority sidewalks identified in the 2011 Priority Sidewalk List.

The full list of status updates for each plan recommendation is attached, along with the accomplishments from 2018. The tables are taken directly from the Bicycle and Pedestrian Master Plan as adopted in 2015. Note that some sidewalk locations/facility types may have changed since the adoption of the plan as a result of additional field work/public process/design.

In addition, the City has participated in the Thomas Jefferson Planning District Commission's Update to the Jefferson Area Bicycle and Pedestrian Master Plan (adopted by the MPO in 2019), which serves as a guide to implement regionally significant projects that enhance connectivity and provide routes to important residential and economic centers within the urban areas of Albemarle County and the City of Charlottesville. This Plan also recommends bicycle and pedestrian safety and education programs to reduce roadway crashes and injuries among pedestrians and bicyclists. The goal is to increase awareness of the responsibilities of pedestrians, bicyclists, and motorists, and promote tolerance among all roadway users.

The Jefferson Area Bicycle and Pedestrian Master Plan was developed over two years and made possible by a grant awarded by the Charlottesville Area Community Foundation to TJPDC and Piedmont Environmental Council. Creation of this Plan involved extensive public involvement and collaboration with County/City staff. The Jefferson Area Bicycle and Pedestrian 2019 Plan was adopted by the CA-MPO Policy Board in February 2019 and by the Planning District Commission in March 2019.

Additionally, creation of an online regional dataset and map of existing and proposed bicycle and pedestrian infrastructure is currently in progress between the County of Albemarle, the City of Charlottesville, and UVA. This is an on-going planning effort in coordination with TJPDC. This map will show existing and proposed infrastructure as well as the status of that infrastructure (i.e. funding received or applied for). Once complete, this map will be a collaborative resource with the 2019 Plan to identify, prioritize, and advocate for bicycle and pedestrian infrastructure in the region. Implementation will require effort from the regional stakeholders to create an accessible bicycle and pedestrian infrastructure network with regional significance.

Alignment with City Council's Vision and Strategic Plan:

This initiative supports Council's Vision to be a "Connected Community" ("the City of Charlottesville is part of a comprehensive, regional transportation system that enables citizens of all ages and incomes to easily navigate our community") and "America's Healthiest City ("we have a community-wide commitment to personal fitness and wellness, and all residents enjoy our outstanding recreational facilities, walking trails, and safe routes to schools").

In addition, the project contributes to Goals 1 and 3 of the Strategic Plan, to be an inclusive, self-sufficient community and a healthy and safe city.

The initiative further implements recommendations within the Comprehensive Plan (2013), Streets that Work Plan (2016), Climate Action Plan, and supports the City's Healthy Eating Active Living (HEAL) Resolution.

Community Engagement:

The development of the Bicycle and Pedestrian Master Plan included significant public involvement. Plan implementation continues to be vetted and steered by the Bicycle and Pedestrian Advisory Committee with individual projects receiving input from the greater public during concept and design development.

The Jefferson Area Bicycle and Pedestrian Plan (2019) was developed over two years of community engagement and outreach, made possible through a grant awarded by the Charlottesville Area Community Foundation to TJPDC and Piedmont Environmental Council. Creation of this Plan involved extensive public involvement and collaboration with County/City staff. This 2019 Plan brings together multiple planning efforts to provide a guide for implementation on a regional scale. The Jefferson Area Bicycle and Pedestrian 2019 Plan was adopted by the CA-MPO Policy Board in February 2019 and by the Planning District Commission in March 2019.

Budgetary Impact:

City Staff will continue to seek CIP funding and leverage it with state and local funds to implement plan recommendations.

Recommendation:

Not Applicable.

Alternatives:

Not Applicable.

Attachments:

Updates and Accomplishments

Bicycle and Pedestrian Master Plan Status Update (as of Feb. 2019)

In September 2015, the City Council adopted the Bicycle and Pedestrian Master Plan as an amendment to the City's Comprehensive Plan (2013). The Bicycle and Pedestrian Master Plan will guide decisions related to bicycle and pedestrian infrastructure and design, safety, access, and more. It includes a list of potential bicycle and pedestrian projects that the City will consider over time. This document provides a status update on the projects listed in the plan and highlights accomplishments in 2018.

The following tables are taken directly from the Bicycle and Pedestrian Master Plan as adopted in 2015. Note that some sidewalk locations/facility types may have changed since the adoption of the plan as a result of additional field work/public process/design.

Table 6.4: Sidewalk Projects by Neighborhood

Neighborhood	Street	Sidewalk Location	Starting	Ending	Status Update
Barracks Road	Barracks Road	SW	Existing	250/29 Bypass	Possible VDOT/ County project to complete gap
Venable	Preston Ave	South	Rugby Rd	Madison	No progress.
Lewis Mountain	Alderman Road	NW	Kent Rd	Morris Rd	On hold.
The Meadows	Hydraulic Road	West	Dominion Power	250 Bypass	Small Area Plan completed. Smart Scale funding not awarded.
Barracks/Rugby	Rose Hill Drive	West	Rugby Ave	Madison Ave	95% Design. Advertise for construction in July. 2019
Greenbrier	Kenwood Lane	North	Yorktown Dr	Meadowbrook.	On hold.
Locust Grove	St. Clair Avenue	NW	Peartree Ln	Smith St	No progress.
Rose Hill	Albemarle Street	Both	Dale Ave	Rivanna Ave	On hold.
10th & Page	9th Street NW	Both	West St	Preston Ave	No progress.
Star Hill	Commerce Street	South	6 th	Existing	Quirk Hotel Proposed Dev't.
North Downtown	Harris Street	Both	Rivanna Ave	McIntire Rd	90% Design. Advertise for construction in July. 2019
Martha Jefferson	12th Street NE	West	E Jefferson St	Meriwether St	No progress.
Woolen Mills	Market Street	Both	Franklin Ave	Meade Ave	No progress.
Belmont	Monticello Ave	West	Quarry Rd	Druid Ave	No progress.
Ridge Street	Elliott Avenue	North	Ridge St	Avon St	Design completed. Nearly \$1.2 million Current CIP request
Fifeville	9th Street SW	East	Elm St	Existing	No progress.
Johnson Village	Cleveland Avenue	North	Existing	Ranier Rd	No progress.
Fry's Spring	Azalea Drive	Both	Existing	Harris Rd	On hold.

Jefferson Park Avenue	Fontaine Avenue	North	Summit St	JPA	Design underway. Public Open House on 1/31/19
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Table 6.6: Near-Term Recommendations

Infrastructure Projects (On Road Bicycle Facilities)

Project Location	Facility Type	Status Update
2nd Street NW*	Contraflow Bicycle Lane	Downtown Pedestrian Safety Study completed (2018). Funding needed to implement recs.
5th Street SW	Separated Bicycle Lanes	Bike lanes widened to 6' during repaving 2016 Ridge St. Corridor Study (2019) explored feasibility of separated facilities
9th Street NE, including bridge	Separated Bicycle Lane	Design for Belmont Bridge/Smart Scale projects in process
Jefferson Park Avenue at Emmet Street	Bicycle Lanes	Completed (2015)
Monticello Avenue -- Avon Street to Carlton Road	Climbing Bicycle Lane	100% Design. Will implement with repaving. Grant application submitted in 2018. Not awarded. Second attempt underway.
Park Street*	Shared Lanes	Completed (2016)
Ridge Street	Bicycle Lanes	Ridge St. Corridor Study (Feb. 2019)
Ridge McIntire Road	Bicycle Lanes	Ridge St. Corridor Study (Feb. 2019)
West Main Street**	Separated Bicycle Lanes Physically separated bike lanes not feasible due to space constraints (per West Main Street Master Plan)	Phase 1 Engineering underway and funded. Round 3 Smart Scale Tent. Award (\$2mil)

*2nd Street NW is not included in the twenty highest ranked projects; however it is scheduled for repaving in summer 2015, in addition to being listed on the 2014-2015 pavement management schedule. Park Street is also scheduled for repaving.

**Conceptual Plan is currently underway for West Main Street. Cost estimate is higher for full street reconstruction. Cost of striping separated bicycle lanes only is approximately \$75,000.

Infrastructure Projects (Trails)		
Project Location	Facility Type	Status Update
250 Bypass Trail	Multi Use Path	Phase 1 - Hydraulic to Dairy Bridge -to be bid 2019. McIntire railroad bridge opened in March 2019. Connection from railroad bridge to interchange to begin construction spring 2019.
Rivanna River	Multi Use Path	Working on property acquisitions to extend further upstream. VFW easement underway to formally connect end of trail to River Road
Moore's Creek (Upper)	Multi Use Path	Working on property acquisitions and trail plan near Wegman's with TJPDC grant
Meadow Creek (Pen Park)	Multi Use Path	Developer to build bridge in 2019, City working to build section from Pen Park to Rio Road in 2019
Meadow Creek	Culvert Trail	Design phase and working to finalize acquisition of land in 250/hydraulic triangle
Riverview to Pantops	Bridge over Rivanna River	No progress. Will require major grant for design/construction. PDC Smart Scale Grant submitted for Free Bridge. Not awarded.

Policy Recommendations	
Develop and approve complete streets design guidelines	<i>Streets that Work</i> adopted by City Council Sept. 6, 2016
Develop and approve bicycle parking guidelines	West Main Street zoning district updated. City-wide guidelines will be updated as part of code audit/SADM which kicked off in Nov. 2017
Incorporate maintenance of on-street bicycle facilities into routine street maintenance	Ongoing
Programmatic Recommendations	
Pursue grant funding to hire a Safe Routes to School coordinator	VDOT Grant secured for third year. Position is now full time.
Participate in Safe Routes to School events	Ongoing
Conduct annual student travel tallies and parent surveys	Conducted in Sept. 2018
Host bicycle maintenance classes in different parts of the City	Bike UVA offers maintenance classes. Some SRTS programming will offer maintenance
Partner with Thomas Jefferson Planning District Commission to support the Ride Share program	Clean Commute Day activities being rethought
Launch a traffic safety media campaign	Awareness PSA's are produced in Fall/Spring annually. Traffic safety campaign being considered for 2019.
Recruit volunteers to expand the active transportation count program and share collected data	Not addressed. Bi-annual counts should have taken place in 2017, but TJPDC did not have enough manpower to facilitate.
Continue to Monitor U-bike Program	Dockless Mobility Pilot program launched – 40 ebikes provided. Opportunity to work with UVA/County to establish regional solution

Table 6.7: Midterm Recommendations

Infrastructure Projects (On Road Bicycle Facilities)		
Project Location	Facility Type	Status Update
10th Street NW	Climbing Bicycle Lane	No progress. Limited R/W and parking removal needed.
Alderman Road	Shared Roadway	Climbing lanes installed 2015
East/West High Street	Climbing Bicycle Lane	Design underway
Grady Avenue	Shared Roadway	Design underway
Hydraulic Road	Separated Bicycle Lanes	Small Area Plan completed in 2018. Smart Scale application submitted. Not funded.
Jefferson Park Avenue – West Main Street to Emmet Street	Bicycle Lanes	UVA Completed Planning Study (2017). Pavement Marking Plan Completed (2018).
University Avenue	Shared Roadway	Design underway
West Market Street	Climbing Bicycle Lane	Implemented (2018)
Infrastructure Projects (Trails)		
Project Location	Facility Type	Status Update
Interstate 64 near Route 20	Tunnel	No progress
Greenbrier Railroad	Tunnel	Preliminary Engineering and exploration underway
Emmet Street	Multi Use Path	Design underway (Ivy to Arlington). Feasibility Study underway from Arlington to Angus
Moore’s Creek (Lower)	Multi Use Path	
Schenk’s Greenway	Multi Use Path	VDOT and RWSA easements to be finalized by spring
Melbourne Road	Multi Use Path	Design for bike lanes underway

Policy Recommendations		
Approve a snow removal policy that incorporates bicycle and pedestrian facilities		
Develop a trails maintenance and improvement schedule based on trail typologies		
Program Recommendations		
Design an interactive citizen reporting system for road and sidewalk repair, similar to See-Click-Fix – myCville App implemented (2018)		
Create bicycle maps and distribute to the public – Maps updated in 2018		
Encourage local businesses to become “Bicycle Friendly”		
Establish a citywide and expanded bicyclist and pedestrian count program using automated counters – The city has acquired 10 Eco-Counters. In 2018, counters were installed in the following locations:		
2 permanent Zelt Loops – 1 installed on Preston Avenue, 1 waiting to be installed		
1 Mobile Multi – installed on Goodwin Bridge		
3 PYRO - Emmet St (NB/SB), 1 not installed		
4 Tube Counters - W. Main (EB/WB), JWW (NB), Hillsdale Drive (NB)		

Table 6.8: Long-Term Recommendations

Infrastructure Projects (On Road Bicycle Facilities)		
Project Location	Facility Type	Status Update
Millmont Street	Bicycle Lanes	Completed (2018)
Preston Avenue	Separated Bicycle Lanes	
Preston Avenue / Barracks Road	Bicycle Lanes	
Rugby Road	Climbing Bicycle Lane	
Infrastructure Projects (Trails)		
Project Location	Facility Type	Planning Level Cost Estimate
Darden Towe to Pen Park	Bridge over Rivanna River	
Rock Creek	Trail	
Lodge Creek	Trail	
Pollock's Branch	Trail	
Policy Recommendations		
Dedicate more funds in the City's Capital Improvement Program specifically for bicycle and pedestrian projects Ongoing advocacy for CIP		
Programmatic Recommendations		
Encourage local businesses and neighborhoods to participate in a car-diet challenge		
Monitor active transportation trends and expand count program, if necessary		

2018 Accomplishments

Planning

- Worked with Thomas Jefferson Planning District Commission to develop Regional Bicycle and Pedestrian Master Plan
- Worked with UVA on Jefferson Park Avenue and Emmet Street Corridor Plan, and Brandon Avenue connection over RR tracks

Streetscape

- West Main Street – Engineering Designs underway. Phase 2 Smart Scale funding submitted and received preliminary approval.
- Belmont Bridge – Design Public Hearing Conducted.
- Schematic Design underway for Smart Scale Projects:
 - E. High Street
 - Emmet Street
 - Fontaine Ave
- Barracks/Emmet Intersection Design Consultant hired

Pedestrian Infrastructure

- Jackson-Via SRTS – 5 intersections upgraded with curb ramps. Crosswalk markings to be completed in 2019. (SRTS)
- Upgraded pedestrian crossings at 8 intersections (33 ramps) in 10th and Page Neighborhood
- Upgraded pedestrian crossings at 2 intersections (6 ramps + sidewalk gap) on Belmont Ave.
- Cutler Lane curb ramps, driveway entrance and sidewalk installed
- Millmont St. Curb Ramps installed
- Sidewalk projects completed – Franklin St, Montrose (2011 Priority List)
- Nelson/Northwood intersection completed
- Sidewalk designs for Harris Rd, Cabell Ave and Harris St sidewalks underway (2011 Priority List)
- Sidewalk designs underway for Rosehill Drive (2016 Priority List)
- Designs for JPA Pedestrian Crossings underway

Bicycle Infrastructure

- Millmont Street Bike Lanes Installed
- Design for Avon St. (City Limits to Druid - not installed due to roadway width/parking), Grady Ave, Preston Ave, W. High Street, Water Street, E. Market St (not installed due to public outcry for parking), Melbourne Ave, and JPA gaps underway
- Installed permanent bicycle counter on Preston Avenue bike lanes and deployed all counters

- Avon St. bike lanes and pedestrian crossings design started (from Garrett/Levy to Belmont Ave)
- Dockless Mobility Pilot Program – 40 Publicly available Electric Bikes introduced in the City

Multi-use Infrastructure

- Hillsdale Drive + Multi-use path completed
- Pollocks Bridge – Design Completed (SIA). Easements being secured during redevelopment underway.
- Trail projects near to bid – Water Street Trail, 250 Bypass Trail, Rugby Avenue Trail Project
- Moore’s Creek Trail (TAP/Set-Aside) – may be grant for 2019 – Sunset Bridge to Azalea Park
- North-South Trail from Skate Park to Melbourne Road w/ connection to JW Parkway trail – awaiting stream restoration

Grants and Funding

- Awarded \$77K for Full-Time SRTS Coordinator + programming
- Submitted approx. \$20M for Round 3 Smart Scale - W. Main Phase 2 (CTB Recommended), Preston/Grady Improvements, 5th Street Corridor Improvements, Hydraulic/250 Intersection Improvements.
- Madison/Washington Park Ramp connection – awarded – funding released FY20 or FY21.

Education/Outreach:

- Eco-Fair
- Community Picnic – Tom Tom
- Clean Commute Day
- Family Bike Fest
- Bike to Work Day Energizer Station
- Mayor’s Bike Ride
- Various Bike Month Activities
- Books on Bikes Bike Parade
- SRTS at Westhaven Community Day
- Bike your Park Day/Rivanna River Renaissance
- Grand Illumination – Helmet/Light Giveaway
- Safe Routes to School Programming
- Radio PSA’s during Bike Month, Back to School and Daylight Savings

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