

CITY COUNCIL AGENDA
Monday, June 17, 2019



5:30 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Personnel; legal advice)

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

PLEDGE OF ALLEGIANCE
ROLL CALL
ANNOUNCEMENTS
PROCLAMATIONS

- 1. CONSENT AGENDA*** (Items removed from consent agenda will be considered at the end of the regular agenda)
- a. MINUTES: May 14, May 20, May 22, and June 3, 2019 Special Meetings
 - b. APPROPRIATION: Appropriation of Human Services Balance for FY 2019 Expenses - \$400,000 (2nd of 2 readings)
 - c. APPROPRIATION: Highway Safety Improvement Program – Appropriation of funds for Pedestrian Connections within Hillcrest/Birdwood Neighborhood - \$708,932 (1st of 2 readings)
 - d. APPROPRIATION: Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000 (1st of 2 readings)
 - e. RESOLUTION: Transfer of FY 2020 City of Promise Funding to ReadyKids - \$81,837 (2nd of 2 readings)
 - f. RESOLUTION: First Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (CSRAP) (1st of 1 reading)
 - g. RESOLUTION: Accepting Burnet Commons Development, Phase 2 “The Woods” into the City Street System for Maintenance (1st of 1 reading)
 - h. RESOLUTION: Accepting portion of Belmont Cottages Lane into the City Street System for Maintenance (1st of 1 reading)
 - i. RESOLUTION: Amendment to Rivanna Solid Waste Authority (RSWA) McIntire Recycling Center Agreement (1st of 1 reading)
 - j. ORDINANCE: Utility Rate Report FY2020 (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. ORDINANCE:** Amend Section 2-6 of the Charlottesville City Code – City holidays (1st of 2 Readings)
 - 3. RESOLUTION*:** Disposition of the Lewis, Clark and Sacajawea Statue (1st of 1 reading)
 - 4. RESOLUTION*:**
 - a. 2019 City Climate Protection Program – Program Support Grant with LEAP - \$104,920 (1st of 1 reading)
 - b. Authorization for City Manager to sign Memorandum of Understanding between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements (1st of 1 reading)
 - 5. RESOLUTION*:** Revising Agency Budget Review Team (ABRT) and Setting Funding Priorities (1st of 1 reading)
 - 6. RESOLUTION*:** Bicycle & E-Scooter Sharing System (aka “Dockless Mobility”) Pilot Program Extension through December 18, 2019 (1st of 1 reading)
 - 7. REPORT:** Participatory Budgeting Report

OTHER BUSINESS
MATTERS BY THE PUBLIC
*ACTION NEEDED

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NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, May 14, 2019, AT 3:00 p.m. IN Council Chamber, City Hall, 605 E. Main Street, Charlottesville, Virginia.

THE PROPOSED AGENDA IS AS FOLLOWS:

City Council discussion of Police Civilian Review Board proposals.

BY ORDER OF THE CITY COUNCIL

BY Kyna Thomas

COUNCIL CHAMBER – May 14, 2019

City Council met on this date with the following members present: Ms. Nikuyah Walker; Ms. Heather Hill; Ms. Kathy Galvin and Mr. Mike Signer. Dr. Wes Bellamy arrived at 3:39 p.m.

Ms. Walker called the meeting to order at 3:10 p.m.

Ms. Hill reviewed the proposed goals for the meeting:

- Receive feedback from City Attorney's office relative to placement of proposals in final by-laws, an ordinance, or administrative procedures
- Discuss scope of the permanent Civilian Review Board (CRB) relative to the Arms proposed - (1) Complaint and Independent Auditor (, (2) Audit and Policy Review and/or, (3) Community Engagement & Police/ Community Affairs
- Discuss composition of the Permanent CRB and Selection Process
- Discuss consideration of paid staff to support the CRB and corresponding funding - Executive Director and Auditor
- CRB and staff access to Charlottesville Police Department (CPD) data and documents (subject to confidentiality agreements); and
- Final timeline of CRB's work

Mr. Blair began the discussion by handing out a copy of the Charlottesville Planning Commission Bylaws as a guide to help distinguish between ordinances, bylaws and administrative procedures. He also gave a brief summary of related terminology and advised that at least a portion of what the CRB is proposing would need to be codified in an ordinance.

Mr. Blair advised that the scope of the three Arms presented by the CRB would be part of an Ordinance; the composition of the CRB and the selection process would be by Ordinance; paid staffing positions to support the CRB would be determined by Ordinance; and funding would be part of Budgetary or Administrative operations.

Mr. Signer advised of past challenges to Council authority. Mr. Blair advised that the bylaws submitted neither contain subpoena power nor disciplinary authority for police officers,

so they would not violate Dillon's Rule in Virginia. As far as data, further research would be needed to study the limits of data accessibility, especially regarding juveniles.

Ms. Galvin noted that the structure of the Human Rights Commission ordinance serves as precedent to the CRB ordinance.

Council discussed concerns about parallel investigations with CRB and Internal Affairs, how conflicting results would be resolved, and whether an appellate process has been proposed.

Ms. Sarah Burke provided feedback on behalf of the CRB.

Dr. Bellamy arrived at 3:39 p.m.

Mr. Signer asked how confidentiality would be enforced. Mr. Blair gave a couple of possible scenarios including possible legal sanctions, the City Manager enforcing the City Personnel Policy, the CRB passing a resolution expressing disappointment or Council acting to remove the member in violation. Discussion ensued to affirm that CRB investigations would not interfere with criminal investigations.

Ms. Walker reviewed the proposal for the Executive Director (ED) position. Mr. Blair advised of the potential for conflict, perceived and real, if the ED is given investigatory powers.

Mr. Joshua Bowers of the CRB advised that the parallel process should be a rarity.

Ms. Walker asked about the complaint process and how to formalize it to alert both the Charlottesville Police Department (CPD) and the CRB at the same time. Mr. Blair advised of restrictions based on the government data collection and dissemination practice. He advised that complaints received by CPD could automatically go to CRB if given the express consent of the citizen. This could help to alleviate some concerns with underreporting.

Ms. Hill asked about a timeline. Chief Brackney advised of initial 45 days to respond to the complainant; then a 30-day extension can be requested by the investigating officer – giving reason and expected completion date. Chief Brackney advised that she is now posting on the CPD website additional information: the case number, date, and case status. She has also enacted a compliance team and audit team for outstanding cases. She advised that complainants are notified of any collateral findings and are able to file an appeal.

Mr. Bowers stated that there is not just one 30-day extension, but they can be indefinite.

Ms. Walker expressed the need to put measures in place to make sure that complaints are resolved in a timely manner. She guided the CRB to discuss a proposal of a timeframe.

Council agreed that the Executive Director position would be needed.

In response to feedback from the CRB and People's Coalition, Chief Brackney advertised for an Internal Affairs Investigator position and Sensitive Data Specialist. The CRB has not

reviewed the positions and will consider their role in relation to the Police Auditor position which was requested. Mr. Bowers advised that the CRB specifically asked for the Police Auditor position as an independent entity.

Mr. Blair clarified that any employee of the CRB would report to the City Manager.

Dr. Bellamy expressed interest in having a Council member as a voting member of the CRB. Ms. Burke advised that having a Councilor as ex-officio would allow engagement without undue influence.

Mr. Signer agreed with Dr. Bellamy that a Councilor should have voting power on the CRB. He expressed concern that the membership requirements were too prescriptive and may hinder filling positions; he suggested refining the characteristics of member seats.

Mr. Bowers gave feedback on board composition and the selection criteria. He advised that a single board member could satisfy multiple criteria.

Ms. Hill shared that there has been interest for the public to interview board candidates. Dr. Bellamy advised against public interviews for board members as some potential members are not interested in participating in a public process.

Mr. Signer expressed budget concerns. Mr. Signer left the meeting at 5:00 p.m.

Council reached general consensus that the current CRB would participate on the interview panel for new members, and confirmed that the current Board could remain in effect until July 1, 2019.

Ms. Burke asked about staff position feasibility in order for the CRB to move forward with writing an ordinance and bylaws. Ms. Galvin advised that she would support both positions. Ms. Walker expressed support for ED and would like to hear feedback on Auditor once other CPD positions are reviewed to avoid redundancy. She would not be in favor of extending board terms past July 2, 2019, but would be open to discussing should the need arise.

Ms. Hill agreed with Ms. Walker on positions. As far as terms, she advised that she would be okay with waiting to make a determination.

Dr. Bellamy commended the CRB, Mr. Blair and Council for the work done to date.

Ms. Walker opened the floor for public comment.

Mr. Walt Heinecke made remarks regarding the parallel process, the Independent Auditor position and reporting structure.

The meeting was adjourned at 5:21 p.m.

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, May 20, 2019, AT 5:00 p.m. IN THE Second Floor Conference Room, City Hall, 605 E. Main Street, Charlottesville, Virginia.

THE PROPOSED AGENDA IS AS FOLLOWS:

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

BY ORDER OF THE CITY COUNCIL

BY Kyna Thomas

Second Floor Conference Room – May 20, 2019

City Council met on this date with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, and Ms. Kathy Galvin. Absent: Dr. Wes Bellamy and Mr. Mike Signer. Dr. Bellamy joined the meeting at 6:22 p.m.

Ms. Walker called the meeting to order at 5:30 p.m.

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

Section 2.2-3711(A)(1) for the consideration of the appointment of specific individuals to the Charlottesville Redevelopment and Housing Authority, Citizen Transportation Advisory Committee, Community Development Block Grant Task Force, Community Policy and Management Team, Historic Resources Committee, Jefferson Area Board for Aging, Minority Business Program Task Force, Monticello Area Community Action Agency Board, Parks and Recreation Advisory Committee, PLACE Design Task Force, Region Ten Community Services Board, Charlottesville Retirement Plan Commission, Sister City Commission, Towing Advisory Board, Tree Commission, Vendor Appeals Board, and Youth Council; and

-as authorized by Virginia Code Section 2.2-3711(A)(1) to discuss the performance of the Charlottesville City Manager, Charlottesville City Attorney, and Charlottesville Director of Finance; and

-as authorized by Virginia Code Section 2.2-3711(A) for consultation with legal counsel from the City Attorney's Office pertaining to the United States Department of Housing and Urban Development.

Dr. Bellamy joined the meeting at 6:22 p.m.

Ms. Galvin left the meeting at 6:24 p.m.

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

The meeting adjourned at 6:26 p.m.

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Wednesday, May 22, 2019, AT 2:00 p.m. IN THE Second Floor Conference Room, City Hall, 605 E. Main Street, Charlottesville, Virginia.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code
(Personnel)

BY ORDER OF THE CITY COUNCIL

BY Kyna Thomas

Second Floor Conference Room – May 22, 2019

City Council met on this date with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, and Ms. Kathy Galvin; Absent: Dr. Wes Bellamy, and Mr. Mike Signer.

Ms. Walker called the meeting to order at 2:12 p.m.

On motion by Ms. Hill, seconded by Ms. Galvin, Council voted (Ayes: Ms. Walker, Ms. Hill, and Ms. Galvin. Absent: Dr. Bellamy and Mr. Signer. Noes: None.) to meet in closed session as authorized by Va. Code Section 2.2-3711(A)(1) for the discussion of the performance of the City Manager.

Dr. Bellamy joined the meeting at 2:30 p.m.

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

The meeting adjourned at 3:56 p.m.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 3, 2019
Action Required:	Approve Appropriation
Presenter:	Kaki Dimock, Acting Assistant City Manager
Staff Contacts:	Kaki Dimock, Acting Assistant City Manager Ryan Davidson, Sr. Budget & Management Analyst
Title:	Appropriation of Human Services Balance for F.Y. 2019 Expenses \$400,000

Background:

The Department of Human Services is seeking approval to appropriate into the current fiscal year budget, \$400,000 of the department's existing fund balance, in order to cover expenses beyond what was initially approved as part of the Adopted F.Y. 2019 budget. Expenses in the department are higher than anticipated in the area of foster care payments. This is a result of a significant increase in the number of youth in foster care placed in Community Attention Foster Families through our regional collaboration with area departments of social services. These expenses are paid out by the department and reimbursed at a rate of 100% by Children's Services Act (C.S.A.) funds. As is always the case, reimbursement for such expenses is delayed by as much as 60 days, resulting in the occasional need to access the fund balance.

Discussion:

Staff in the Department of Finance, Office of Budget Performance Management, and Human Services Department, discussed this issue to identify the recommended course of action, establishing the legitimate need for use of the fund balance and ensuring that no larger financial concern exists within the department's operations. Through the collection of revenue from fee for service activities (from which the department generates 94% of its annual revenue), and through other savings in the department's operational budget, the Human Services fund has over time accumulated a fund balance of approximately \$2 million, which is available for usage by the department. It should be noted that \$772,579 of this fund balance will be transferred to the general fund in F.Y. 2020 based on the adopted budget. Based on the nature of this fund, being roughly 94% dependent upon fee for service revenue, staff recommend that the target fund balance for this fund is to have at least 90 days of working capital in reserve. The use of the available fund balance requires approval of a supplemental appropriation by City Council.

Alignment with City Council's Vision and Strategic Plan:

The Department of Human Services has a direct impact on the strategic goals of #1: *An inclusive community of self-sufficient residents* and of #2: *a healthy and safe city*. The Community

Attention Foster Families program particularly impacts #2.2: *Meet the safety needs of victims and reduce the risk of re-occurrence/re-victimization.*

Community Engagement:

N/A

Budgetary Impact:

This has no financial impact on the General Fund. The department's existing fund balance will see a reduction, which is expected to only be temporary until the pending reimbursement for C.S.A. expenses are received.

Recommendation:

Staff recommend approval of the use of \$400,000 from the department's fund balance in F.Y. 2019.

Alternatives:

N/A

Attachments:

Appropriation

APPROPRIATION

Appropriation of Human Services Fund Balance for FY 2018 Expenses

\$400,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of up to \$400,000 in department fund balance, is hereby appropriated in the following manner:

Revenues - \$400,000

Fund: 213 Cost Center: 3413002000 G/L Account: 498011

Expenditures - \$400,000

Fund: 213 Cost Center: 3413002000 G/L Account: 599999

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



Agenda Date:	June 17, 2019
Action Required:	Appropriation
Presenter:	Jeanette Janiczek, UCI Program Manager
Staff Contacts:	Alex Ikefuna, NDS Director Tony Edwards, Development Services Manager Jeanette Janiczek, UCI Program Manager
Title:	Highway Safety Improvement Program – Appropriation and transfer of funds for Pedestrian Connections within Hillcrest/Birdwood Neighborhood - \$708,932

Background:

The City was awarded a grant in the amount of \$422,869 to implement pedestrian improvements within the Hillcrest/Birdwood neighborhood. An additional \$694,753 was reallocated to this project from remaining State funding from completed transportation projects. The previous grant appropriation was composed of state (10%) and federal (90%) allocations that are reimbursed once expended. This additional funding requires a City match of \$14,179 which will come from the remaining City funds that were previously appropriated to the JPA Bridge project. Total funding for the project will be \$1,131,801.

Discussion:

The Route 250 Bypass Interchange at McIntire Road (Interchange) project improved multi-modal access within its project limits. During numerous community meetings, citizens requested additional pedestrian/bicyclist improvements located outside of the project area. At two Hillcrest/Birdwood neighborhood meetings, citizens requested that their sidewalk network be completed and that an additional pedestrian access point connecting the neighborhood to the rest of the City.

A grant was pursued and awarded by VDOT to add sidewalk along Hillcrest Road, add/upgrade crosswalks/ADA ramps within the neighborhood to meet the latest ADA standards, and reconstruct a failing staircase for additional pedestrian access. While the majority of improvements are expected to be constructed within the existing right of way, staff will coordinate with neighboring property owners during the design and right of way process.

Project design plans have reached 60% in anticipation of entering the Right of Way Phase. Sidewalk will be constructed on the western side of Hillcrest Road with curb ramp improvements and crosswalks on Hillcrest Road and Birdwood Court. By constructing the sidewalk on the western edge of Hillcrest Road, right of way impacts will be limited to one private property owner who City Staff has consulted with to relocate the staircase from between two parcels owned by the same property owner to the far southern edge of the property. Even with the consultation the private property owner is resistant to re-establishing the staircase down to McIntire Road. A compensation offer will be made to this property owner in the Right of Way Phase and additional consultation efforts will be conducted with the property owner through formal negotiations.

Plans will be distributed to the adjacent property owners with an offer to meet one-on-one to discuss proposed improvements.

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

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

Community Engagement:

Previous public meetings related to the Interchange project resulted in the application of a grant to fund these improvements. Additional coordination with the adjacent property owners and neighborhood is being planned to provide design details and solicit feedback.

Budgetary Impact:

There is no impact on the general fund. The entire local match of \$14,179, will be transferred from previously appropriated Capital Improvement Program (C.I.P.) funding sources.

On-going maintenance will be required once improvements are constructed.

Recommendation:

Staff recommends approval and appropriation of the funds.

Alternatives:

Appropriate remaining state funding to another, existing transportation project.

Attachments:

Appropriation & Transfer

APPROPRIATION

Highway Safety Improvement Program funds for Pedestrian Connections within Hillcrest/Birdwood Neighborhood - \$708,932

WHEREAS, a total of \$694,753 in state funds for the Highway Safety Improvement Program requires appropriation; and

WHEREAS, \$14,179 in previously appropriated City funds require transfer to this project;

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

Revenues

\$ 694,753 Fund: 426 WBS: P-00694 G/L Account: 430080

Expenditures

\$ 694,753 Fund: 426 WBS: P-00694 G/L Account: 599999

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

Transfer From

\$ 14,179 Fund: 427 WBS: P-00212 G/L Account: 561425

Transfer To

Revenue

\$ 14,179 Fund: 426 WBS: P-00694 G/L Account: 498010

Expense

\$ 14,179 Fund: 426 WBS: P-00694 G/L Account: 599999

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



Agenda Date:	June 17, 2019
Action Required:	Approval and Appropriation
Presenter:	Riaan Anthony, Parks and Recreation Management Specialist
Staff Contacts:	Riaan Anthony, Parks and Recreation Management Specialist Vic Garber, Parks and Recreation, Deputy Director
Title:	Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000

Background:

The City of Charlottesville, through the Parks and Recreation Department, has received approval for reimbursement of up to \$100,000 from the Virginia Department of Education Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs and dinner to our community housing centers.

Discussion:

Charlottesville Parks and Recreation will operate six Summer Camp programs and four community housing centers (Westhaven, Friendship Court, South First, and GreenStone) throughout the City of Charlottesville. These sites serve children in Pre K-6th grades, for nine weeks during the summer, June 17-August 16 and 7th – 9th grades for six weeks during the summer, June 17-July 26th. Various activities are planned from 9:00am-4:00pm, Monday through Friday. The Virginia Department of Education Special Nutrition Program provides free, nutritious breakfast and lunch for these children and at the community housing centers will provide free, nutritious dinner. Most of the children served receive free or reduced meals during the school year. Over 1000 children were enrolled in Summer Camps last year.

The \$100,000 appropriation covers the cost of the food and administration of the summer food service program. The lunches are purchased through the City of Charlottesville School Food Service. The Parks and Recreation Department pays the bills to the City of Charlottesville Food Service and is then reimbursed by the Virginia Department of Education Special Nutrition Programs.

Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and it contributes to Goal 2 of the Strategic Plan to be a safe,

equitable, thriving, and beautiful community. Children will receive nutritious breakfast, lunch and/or dinner, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

Community Engagement:

N/A

Budgetary Impact:

This has no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of funds

Alternatives:

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

Attachments:

Appropriation

APPROPRIATION

**Virginia Department of Education Special Nutrition Program
Summer Food Service Program
\$100,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$100,000 from the Virginia Department of Education Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs; and

WHEREAS, the grant award covers the period from period June 17, 2019 through October 31, 2019.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, which the sum of \$100,000, received from the Virginia Department of Education Special Nutrition Program, is hereby appropriated in the following manner:

Revenue – \$100,000

Fund: 209 Internal Order: 1900334 G/L Account: 430120

Expenditures - \$100,000

Fund: 209 Internal Order: 1900334 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$100,000 from the Virginia Department of Education Special Nutrition Program.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 3, 2019
Action Required:	Approval of Resolution
Presenter:	Kaki Dimock, Acting Assistant City Manager
Staff Contacts:	Kaki Dimock, Acting Assistant City Manager
Title:	Transfer of FY 2020 City of Promise Funding to ReadyKids - \$81,837

Background:

The Department of Human Services in coordination with ReadyKids has supported the development of City of Promise since its inception. The city has hired and supported a full-time director for the program. In 2017, the City of Promise Advisory Board determined that the most sustainable course of action for the program was to pursue an I.R.S. 501(c)3 designation as a nonprofit and move towards independence. City of Promise has completed the process for incorporation with the Virginia State Corporation Commission and has been notified by the I.R.S. of approval for nonprofit designation.

The City of Promise Advisory Board recently voted to rely on ReadyKids as their formal fiscal agent until July 2020 to ensure continuity of administrative functions.

In addition, the current director, Denise Johnson, has notified the program of her resignation to assume a position at Charlottesville City Schools.

Discussion:

The Department of Human Services seeks approval to transfer a portion of the funding for City of Promise (\$81,837), which was previously appropriated as part of the FY2020 budget, from the Human Services fund to ReadyKids, which is serving as City of Promise's fiscal agent. These funds could then be used to hire an interim or permanent director for the program based on the Advisory Board's direction. Making this administrative shift in the funding mechanism allows the program, ReadyKids and the city to take advantage of the transition of staff before the beginning of the fiscal year and avoid the potential of a mid-year disruption.

While \$89,437 was appropriated in the FY2020 budget, if approved, \$81,837 will be transferred to ReadyKids, and the remainder (\$7,600) will be retained to support actual expenses associated with building, which remains property of the city,

Community Engagement:

City of Promise is a community-based program, historically supported by the city, with an Advisory Board largely made up of community members. This change is not intended to impact services and, therefore, no specific community engagement has occurred around this administrative change in funding mechanism.

Alignment with City Council's Vision and Strategic Plan:

City of Promise advances the City of Charlottesville's Strategic Plan Goal #1 of enhancing the self sufficiency of our residents. City of Promise specifically works on Objective 1.1: To prepare students for academic and vocational success.

Budgetary Impact:

There is no budgetary impact to the City. Funding was previously appropriated as part of the FY2020 Adopted Budget.

Recommendation:

Staff recommends approval of the transfer of funds to support City of Promise.

Alternatives:

Council may elect not to approve this change and request that the department continue to support City of Promise by hiring a program director as a city employee, despite the program's pursuit of independence.

Attachments:

Resolution

RESOLUTION
Transfer of FY 2020 City of Promise Funding to ReadyKids
\$81,837

WHEREAS, The City of Charlottesville, through the Department of Human Services, in coordination with ReadyKids has supported the development of City of Promise since its inception;

WHEREAS, the City of Promise has completed the process for incorporation with the Virginia State Corporation Commission and has been notified by the I.R.S. of approval for nonprofit designation;

WHEREAS, the City of Promise Advisory Board voted to have ReadyKids serve as their formal fiscal agent until July 2020 to ensure continuity of administrative functions;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Department of Human Services is hereby authorized to transfer \$81,837 in previously appropriated funding for the City of Promise to ReadyKids for the administration of the City of Promise program.

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



Agenda Date:	June 17, 2019
Action Requested:	Resolution
Presenter:	Brenda Kelley, Redevelopment Manager, City Manager's Office
Staff Contacts:	Mike Murphy, Interim City Manager Lisa Robertson, Deputy City Attorney Alex Ikefuna, Director, Neighborhood Development Services Brenda Kelley, Redevelopment Manager, City Manager's Office
Title:	Approval of the First Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (CSRAP)

Background:

On June 19, 2017, City Council approved the Housing Advisory Committee's (HAC) recommendation for the creation of a supplemental rental assistance program for the City of Charlottesville. In October 2017, the City Council approved the Charlottesville Supplemental Rental Assistance Program (CSRAP) and funding for the program. The Grant Agreement between the City and the CRHA was executed in January 2018. At the time of approval of the program and funding, City Council requested a reporting at the one-year mark. The first voucher was issued in April 2018.

Currently, the City Council has approved total funding for this program in the amount of \$2,595,000 (\$900,000 in FY17/18; \$945,000 in FY18/19; \$750,000 in FY19/20).

Discussion:

CRHA provided a 1-year update on the CSRAP to the City Council at its May 6, 2019 meeting. At that meeting, City Council approved the allocation of FY18/19 funding in the amount of \$945,000 for the continued funding of the program. The City Council was advised that the Grant Agreement between the City and the Charlottesville Redevelopment and Housing Authority (CRHA) expired at the end of June 2019 and would need to come back for approval of amendment. In addition, there were several operational items within the Agreement that City staff, CRHA staff and the Housing Advisory Committee (HAC) have discussed for modification in the Grant Agreement.

Following discussions between City staff, CRHA staff and HAC, generally, the following items are recommended to be amended in the Grant Agreement to provide for more efficient management and reporting of the program by CRHA and to provide for more housing opportunities for voucher holders:

- Program timeframe is updated to July 1, 2019 through June 30, 2020
- The City approved funding allocation is updated
- An exception is made to the administration of the program to allow for single room or shared housing, in limited circumstances, that might not otherwise meet HUD rules and regulations
- Rental assistance priorities and utilization of the income tier objectives are simplified to cover an increase in vouchers issued and ease of management of the program
- the initial search time that voucher holders are required to locate housing in the City of Charlottesville is reduced; and the overall search time for housing is increased
- the existing program reserve fund (\$292,500) will continue be held by the City to provide for funding to cover rental assistance payments due to decreases in participant household incomes or increases in rent
- the funding balance held by CRHA is revised to cover an increase in the number of vouchers that may be issued
- at the request of CRHA, the reporting dates are revised
- reporting requirements are expanded to include preference priorities

Alignment with City Council's Vision and Strategic Plan:

The provision of assistance with housing some of our most vulnerable families supports City Council's visions of Quality Housing Opportunities for All; Community of Mutual Respect; and Smart, Citizen-Focused Government. This program aligns directly with Strategic Plan Goal 1.3: Increase affordable housing options.

Community Engagement:

CRHA staff provided a presentation on the status of the program to the Housing Advisory Committee (HAC) on April 17, 2019. The HAC provided a recommendation to the City Council regarding the operation and funding of the program at the May 6th meeting

Amendment of the Grant Agreement has been reviewed with CRHA staff and the HAC. Both groups continue to discuss the merits and benefits of this program. In addition, the Human Rights Commission has reviewed the program and provided a recommendation to the City Council.

Budgetary Impact:

This request does not required any additional funding from the City budget.

Recommendation:

Staff recommends that City Council approve the attached Resolution.

Alternatives:

City Council could choose to not approve this Resolution which may effectively end this program and/or negatively affect the provision of housing assistance currently providing relief for some of our most vulnerable families.

Attachments:

Resolution

**RESOLUTION
APPROVING THE CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE
PROGRAM FUNDING AGREEMENT**

FOR THE FISCAL YEAR BEGINNING JULY 1, 2019

WHEREAS, on June 19, 2017 the City of Charlottesville approved the creation of a City-funded Supplemental Rental Assistance Program (“CSRAP”), and on May 6, 2019 City Council approved an allocation of \$945,000 from previously-appropriated funds in the Charlottesville Affordable Housing Fund (“CAHF”) to be used for the CSRAP program, which will be administered by CRHA; and

WHEREAS, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority(“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2019 which has been reviewed by City Council this same date;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, **THAT**:

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2019, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

Approved by Council
June 17, 2019

Kyna Thomas, CMC
Clerk of Council

**First Amended GRANT AGREEMENT
Charlottesville Supplemental Rental Assistance Program
(CSRAP)**

This grant agreement provides the terms and conditions upon which the City of Charlottesville ("City") will provide funding to the Charlottesville Redevelopment and Housing Authority ("CRHA") for the purpose of administering the "Charlottesville Supplemental Rental Assistance Program" ("CSRAP"). The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority.

In order to facilitate expedient housing of those in need and to insure that funding resources are provided directly to housing clients, CRHA has proposed to administer the CSRAP at no cost to the City or the CSRAP. Therefore, the City and CRHA recognize that it is critical that the administrative burden associated with the program be kept to an absolute minimum. Funding approval in the amount of \$900,000 to support CRHA's administration of the CSRAP was provided by City Council on October 16, 2017.

Section 1. Time for Performance: July 1, 2019 through June 30, 2020.

Section 2. City Funding Amount: \$945,000

Section 3. Conditions of City Funding:

I. PURPOSE OF THE PROGRAM

- A. The City of Charlottesville has authorized the transfer of up to \$945,000.00 plus carryforward program funding, if any, from Charlottesville Affordable Housing Fund (CAHF) to the Charlottesville Redevelopment and Housing Authority (CRHA) for use within the Fiscal Year ending June 30, 2020, upon the following conditions: (i) the funding shall be used exclusively by CRHA to provide rental assistance subsidies to individuals who are part of Extremely Low-Income to Low-Income Households, defined as those households earning less than 60% of Area Median Income (Area Median Income) as determined by the US Department of Housing and Urban Development annually within the City of Charlottesville, including, but not limited to, those who are homeless, elderly and/or disabled individuals, or those enrolled in a self-sufficiency program; and (ii) the administration of this funding by CRHA shall be in accordance with the terms of this document.
- B. The City is authorized by Va. Code §36-7 to provide money to a housing authority, to enable or assist the authority to carry out its purposes.

II. FUNDING

The CSRAP shall be funded through the Charlottesville Affordable Housing Fund (CAHF).

III. ADMINISTRATION

The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. In order to facilitate expedient housing of those in need and to insure that funding resources are provided directly to housing clients, CRHA has proposed to administer the CSRAP at no cost to the City or the CSRAP. Therefore, the City and CRHA recognize that it is critical that the administrative burden associated with the program be kept to an absolute minimum. CRHA agrees to administer the CSRAP in a manner similar to the federal Housing Choice Voucher Program (HCVP) rules and regulations, as amended, and the City of Charlottesville's Housing Policy 1, as amended (attached hereto as Appendix A). An exception to the administration of the program will be permitted to allow for single room housing that might not otherwise meet HUD rules and regulations, in limited circumstances.

For purposes of administration of the CSRAP, the term "household" shall mean and include any one (1) or more individual(s) who comprise a single housekeeping unit.

IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

- A. Eligible Households shall be selected and admitted from the CRHA's existing HCVP waiting list in accordance with the HCVP rules and regulations established by the CRHA for selection and admission for tenant-based housing assistance through the CSRAP unless specified otherwise in this agreement. Only Households with incomes less than 60% AMI shall be issued CSRAP rental assistance subsidies. A Household can apply to participate in the CSRAP Program if individual(s) within the Household live or work within the City of Charlottesville at the time of the application; however, CSRAP rental assistance shall be issued only to subsidize rental payments owed by a Household for rental of a dwelling unit located within the City of Charlottesville, except as per the provision in Section V.B.iii.
- B. The CHRA shall issue the CSRAP rental assistance according to the following priorities:
- (i) A minimum of fifteen (15) CSRAP rental assistance subsidies will be issued to Households who are homeless. (These recipients may or may not be enrolled in the CRHA HCV waiting list.)
 - (ii) A minimum of forty (40) CSRAP rental assistance subsidies will be issued to Households enrolled in a local self-sufficiency program. (These recipients may or may not be enrolled in the CRHA HCV waiting list.)
 - (iii) The remainder of the CSRAP funded rental assistance subsidies (i.e., those not issued in accordance with Sections IV.B(i) or IV.B(ii), above) shall be issued to HCVP eligible households, if the individual(s) within those Households live or work in the City of Charlottesville, and if the Household(s) is or are on the CRHA's HCVP waiting list at the time of the issuance of a CSRAP voucher.

(iv) In the administration and issuance of CSRAP funded rental assistance subsidies described in Section IV.B(iii) above, CRHA will insure that vouchers will be issued to households with incomes less than 60% AMI.

C. Households on the CRHA's HCVP waiting list who accept CSRAP voucher(s) shall remain on the HCVP waiting list, and shall retain their ranking on that list. If an individual or household on the HCVP waiting list is selected by CRHA for the HCVP program, CRHA shall offer that Household the opportunity to replace any CSRAP subsidy being received with an HCV.

V. TENANT-BASED HOUSING ASSISTANCE

A. CSRAP rental assistance subsidies shall be administered as tenant-based housing assistance in a manner similar to CRHA's HCVP rules and regulations.

B. Notwithstanding any CRHA HCVP rule or regulation to the contrary, (see Section V.A, above), the following rules apply specifically to the CSRAP:

(i) Rental assistance subsidies shall not be eligible for portability as such term is defined and utilized in 24 C.F.R. §§ 982.351 and 982.353, as amended.

(ii) Households receiving a CSRAP voucher shall have 60 days to locate, and lease, a rental housing unit within the City of Charlottesville.

(iii) Should a Household be unable to locate a rental unit that it can afford (based on the 30% required contribution referenced in subparagraph (iv), following below) within the City of Charlottesville within the initial 60-day CSRAP voucher term, the CRHA may grant one 120-day extension, during which time the recipient household may continue to search for rental housing in the City of Charlottesville or within Albemarle County.

(iv) Households receiving a CSRAP voucher shall be required to contribute 30% of the monthly gross income of that Household toward rent each month. The Household's required rent contribution shall be determined at the time the Household is accepted into the CSRAP, and thereafter shall not be increased more than once every 24 months; regardless of whether or not the rent contribution is increased during any 24 month period, CRHA shall continue to verify and keep records as to the Household income, report income to the City, and comply with the requirements within this Grant Agreement.

(v) CSRAP rental assistance shall be provided monthly. The monthly housing assistance payment shall be equal to the applicable HCVP payment standard for bedroom size for the Charlottesville area, as established annually by the Virginia Housing and Development Authority, minus the tenant's portion of the rent.

- (vi) The CRHA shall reexamine the income and family composition of each Household receiving CSRAP rental assistance, at least once every 24 months. Any Household that experiences a decrease in income may request a reexamination and adjustment of the requirement for 30% monthly income participation (see subparagraph (iv), above) at any time.

VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

- A. Subject to availability of CSRAP funds and the terms of this Grant Agreement, CSRAP rental assistance may be issued to a Household so long as the Household is in compliance with the CSRAP Program Rules.
- B. CSRAP-assisted Households shall be entitled to the Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs as defined by 24 CFR §982.54(d)(12) and (13) as amended, as administered by the CRHA.

VII. PROGRAM FUNDING

- A. The City's Housing Program Coordinator has verified that funding in the amount of \$945,000 is available and has been appropriated by City Council to the CAHF to support the CSRAP. CSRAP will continue so long as funds from the initial funding allocation of \$945,000 plus carryforward program funding, if any, to CAHF for support of the CSRAP remain unencumbered or additional funding has been appropriated by City Council in amounts sufficient to support continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year. CRHA will be afforded at least 30 days within which to prepare and submit such annual funding estimate. This CSRAP Agreement may be renewed for succeeding fiscal years by written agreement of the parties, subject to the availability and appropriation of public funds.
- C. The City shall retain the existing program funding reserve of \$292,500 as a program reserve fund to ensure funding is available to cover any increases in rental assistance payments due to decreases in participant household income or increases in rent. All unused reserve funds shall be carried over in to the next year's program funding total.
- D. When the unencumbered funding balance within the Initial Operational Allocation reaches an amount equal to approximately one month of maximum program rental expenses (or not to exceed \$80,000), CRHA shall request and the City shall immediately disperse an additional amount equal to approximately three months of maximum rental expenses (or not

to exceed \$240,000) to CRHA to provide ongoing support for the program. In so doing, at all times during the term of the CSRAP, CRHA will maintain an unencumbered program Operational Allocation balance of no less than \$80,000 and no more than \$240,000.

E. Initial Reporting Requirements:

- (i) Upon determining that a Household is eligible to participate in the CSRA Program, CRHA shall transmit to the City's Housing Program Coordinator the following:
 - (a) A copy of the Household's rental assistance subsidy agreement, lease approval form, rent portions notice, rental unit information (including address and monthly rent), unit inspection report, and Household information (including income, size, composition), and
 - (b) A copy of an invoice or other statement of rent from the Household's landlord, identifying the monthly rental amount for that Household, at time of initial lease-up.

F. Ongoing Reporting Requirements.

- (i) 30 days following the end of each calendar year quarter (specifically: on October 31, January 31, April 30, and July 31 each calendar year), the CRHA will submit to the City of Charlottesville, an itemized Quarterly Report, listing each recipient Household participating in the CSRA Program as of the date of such Report, and specifying the amount of monthly rent required for each Household (both household rent portion and rental assistance amount) for the calendar year quarter next succeeding the date of the Quarterly Report. Each such Quarterly Report shall add up each of the amounts required for the CSRA Program for the upcoming quarter, and shall give a total amount necessary to satisfy the Program commitments for that upcoming calendar year quarter.

G. Each itemized Quarterly Report referenced in Paragraph (F)(i), above, shall be accompanied by the following information (in addition to the information required by paragraph (D), above) and this information shall be presented in an Excel Spreadsheet or other format mutually acceptable to both CRHA and the City's Housing Program Coordinator. Each Quarterly Report shall provide program and household statistics, including but not necessarily limited to:

- Date voucher issued
- Date voucher extended (if applicable)
- Date unit leased
- Name (head of household)
- Unit Address
- Total Monthly Rent

- Amount of Monthly Rental Assistance Provided
 - Household Income
 - %AMI
 - Employment Status
 - Number of Wage Earners
 - Household Composition
 - Number of Adults
 - Number of Children
 - Number of Children Under 5-years
 - Number of Elderly (65 years+)
 - Number of Disabled
 - Race/Ethnicity
 - Compliance with admissions preference priorities as defined in Section IV.B.
- (i) Following the Initial Operational Allocation, no funds will be released to CRHA, unless and until all required reporting pursuant to Section (E), Section (F) and Section (G) have been properly completed and submitted to the Housing Coordinator.
- (ii) The Housing Coordinator shall have 14 days from the date of report submittal to review and certify to CRHA that the reports provided meet the CSRAP reporting standards defined in Section (E), Section (F), & Section (G) above. After 14 days following report submittal (unless otherwise notified), CRHA and the Housing Coordinator will consider all reports submitted to be complete, proper and certified.
- (iii) All reports shall be submitted to the City of Charlottesville’s Housing Program Coordinator.

OFFERED BY: City of Charlottesville

By: _____

Date: _____

ACCEPTED BY: Charlottesville Redevelopment and Housing Authority

By: _____

Date: _____

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 17, 2019
Action Required:	Passage of Street Acceptance Resolution
Presenter:	Jack Dawson, City Engineer Carrie Rainey, Neighborhood Planner
Staff Contacts:	Alex Ikefuna, Director of NDS
Title:	Acceptance of Burnet Commons, Phase 2 “The Woods”

Background: Burnet Commons Development LLC. submitted a major subdivision for Burnet Commons Phase 2, “The Woods,” located off the southern side of Elliott Avenue, as shown on the attached plat. Burnet Commons Phase 2 plans were originally approved on August 7, 2013. The final site as-built plan was submitted November 27, 2018. The proposed street infrastructure improvements have been completed and the developer has requested that those new portions of street right of way, referred to in the attached final plat sheet 5 of 20, be accepted for inclusion in the City Street system. At this time, all work required to be completed for road acceptance is done to the satisfaction of all reviewing City Departments.

Discussion: The Burnet Commons Phase 2 development was approved with the requirement that all new streets be built to the city’s standards and satisfaction. These streets would be extended from existing city street system with the intent to become a public street.

Budgetary Impact: The Burnet Commons Phase 2 project has resulted in additional property taxes for the City. The City will incur costs to maintain this public street. These include plowing snow, trash collection to eventual resurfacing. While snow plowing could begin in the near future, other maintenance is projected to be several years off.

Recommendation: Staff recommends these road improvements be accepted into the City street system as shown on the attached plat sheet 5 of 20.

Attachments:

Final Plat, with highlighted street right of way to be accepted on sheet 5 of 20.

RESOLUTION
ACCEPTING BURNET COMMONS DEVELOPMENT, PHASE 2
INTO THE CITY STREET SYSTEM FOR MAINTENANCE

WHEREAS, the new portions of Burnet commons, phase 2, have been completed by Burnet Commons Development LLC. and has asked the City to accept the new portion from Elliott Avenue to Lankford Avenue into the City street system;

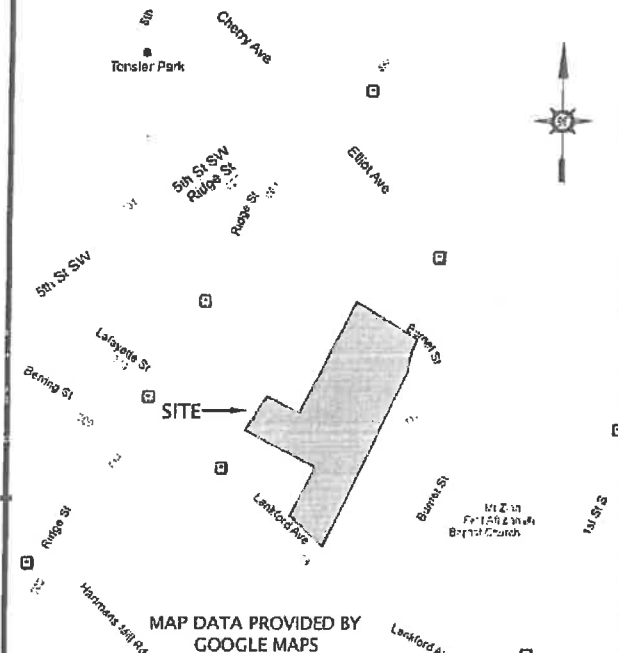
WHEREAS, City staff has inspected those street sections of Burnet Commons, Phase 2 and recommends acceptance into its street system for maintenance; now, therefore

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new street portions of Burnet Commons , Phase 2, including Penick Court, Burnet Way, Roades Court & Somesso Court as shown on the attached drawing, are hereby accepted into the City street system for maintenance. The subject roadway has been built to the specifications and standards required by the city approved plan.

L:\Land Projects 2008\CHARLOTTESVILLE\TM-25\25-68 SUBPLAT\dwg\25-63 SUBPLAT Rev1.dwg

SUBDIVISION NOTES

1. Source of title: Instrument # 20095583
2. The subject property shown hereon appears to be located in zone "X" and does not fall within flood hazard zone "AE" for a 100 year flood as shown on Flood Insurance Rate Map number 51003C0288D effective date February 4, 2005, except for areas shown hereon which do otherwise appear to fall within zone "AE". This determination has been made by graphic methods. No elevation study has been performed as a portion of this project.
3. Parcels are zoned PUD.
4. All common areas and open space shall be owned and maintained by the home owners association to be named later.
5. The City records indicate the ownership of this adjoining parcel to be recorded at DB 1165-PG 316. However, said DB/PG reference does not appear to be associated with TMP 25-66. A Title search is recommended to resolve/verify ownership of this parcel.
6. Proposed use is residential.
7. A perimeter field boundary survey was performed by Dominion Engineering. Bearing rotation is based on VA State Grid (VA South Zone).
8. This plat has been prepared without the benefit of a title report and therefore does not necessarily indicate all encumbrances on the property shown hereon and said property may be subject to information disclosed on a title report by a licensed attorney.
9. All property corners will be monumented with iron pins unless noted otherwise.



MAP DATA PROVIDED BY GOOGLE MAPS

VICINITY MAP
SCALE: 1"=500'

Willy Thomas 4/30/13
Secretary City Planning Commission Date

Jennifer Keller 4/30/13
Chairman City Planning Commission Date

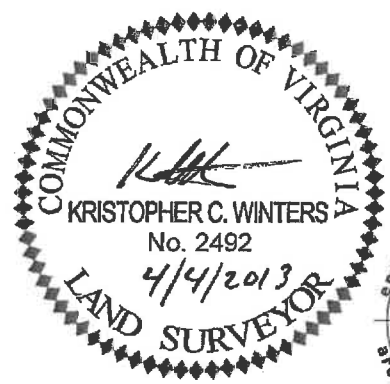
DRAWING INDEX:

- | | |
|-------------------------|------------------|
| 1 - COVER SHEET | 12 - EASEMENTS |
| 2 - SIGNATURES | 13 - EASEMENTS |
| 3 - EXISTING CONDITIONS | 14 - EASEMENTS |
| 4 - RESIDUAL LOTS | 15 - EASEMENTS |
| 5 - OVERALL LAYOUT | 16 - EASEMENTS |
| 6 - LOT LAYOUT | 17 - EASEMENTS |
| 7 - LOT LAYOUT | 18 - REGION 10 |
| 8 - LOT LAYOUT | BOUNDARY |
| 9 - LOT LAYOUT | ADJUSTMENT |
| 10 - LOT LAYOUT | 19 - LINE TABLE |
| 11 - LOT LAYOUT | 20 - CURVE TABLE |

AREA SUMMARY:

New Tract	5.100 Acre
New Lots	2.757 Acre
New Open Space A	0.748 Acre
New Open Space C	0.014 Acre
Total	3.519 Acres

(Exclusive of New R/W)



SUBDIVISION PLAT FOR
TAX MAP 25 PARCEL 68&69
BURNET COMMONS PHASE II,
"THE WOODS"
CITY OF CHARLOTTESVILLE, VIRGINIA
SHEET 1 OF 20

DATE: NOVEMBER 28, 2012 PROJECT: 10.0015
DRAWN BY: BRV CHECKED BY: KCW

Dominion Engineering **REVISED: JANUARY 7, 2013**
MARCH 15, 2013
APRIL 4, 2013

172 South Parkside Drive
Charlottesville, VA 22911
434.979.0121 (p)
434.979.1601 (f)
DDRVA.com

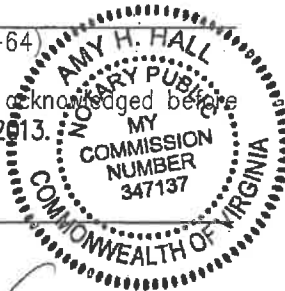
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OWNER'S APPROVAL

The division of the land described is with the free consent of and in accordance with the desires of the undersigned owner, trustees, or proprietors. Any reference to future potential development is to be deemed as theoretical only. All statements affixed to this plat are true and correct to the best of my knowledge.

OTIS L. LEE JR.
Otis L. Lee Jr. et al. /Agent (TMP 25-64)

To wit: The foregoing instrument was acknowledged before me this 27th day of April 2013.



My commission expires: 9/30/2016

MAURICE D. COX
Maurice D. Cox et al. /Agent (TMP 25-65)

To wit: The foregoing instrument was acknowledged before me this 27th day of April 2013.

ROBERT M. LUNSFORD
Notary Public # 89527

State of Louisiana
My commission expires: Death
My commission is for Life.

BURRIET COMMONS DEVELOPMENT, LLC
Burriet Commons Development, LLC /Agent (TMPs 25-68 & 25-69)

To wit: The foregoing instrument was acknowledged before me this 26th day of April 2013.

JOIS A. HAVERSTROM
NOTARY PUBLIC

My commission expires: 7-31-16
298946
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JULY 31, 2016
REGISTRATION NO. 298946

REGION TEN COMMUNITY SERVICES
Region Ten Community Services /Agent (TMP 27-91A)

To wit: The foregoing instrument was acknowledged before me this 23rd day of April 2013.

JESSICA O'SHAW

My commission expires: Jan 31 2014

ROSA M. LEE
Red & Rosa, LLC (TMP 29-262)

To wit: The foregoing instrument was acknowledged before me this 27th day of April 2013.

IMYD DALL

My commission expires: 9/30/2016

ELLIOTT AVE GREATER C'VILLE HABITAT FOR HUMANITY, INC.
(TMPs 29-266C, 29-266.1, 29-266.2)

To wit: The foregoing instrument was acknowledged before me this 25th day of April 2013.

JOHN A. DEW
My commission expires: 2-26-2014



WILLIAM COX ET AL.

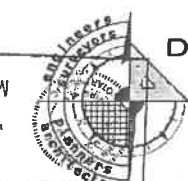
William Cox et al. /Agent (TMP 27-91.301)
known as Desiree A. Cox
To wit: The foregoing instrument was acknowledged before me this 1st day of April 2013.

LEO A. HAVESTROM

My commission expires: 7-31-2016 Reg # 298946



JOIS A. HAVERSTROM
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JULY 31, 2016
REGISTRATION NO. 298946



Dominion Engineering

172 South Parkers Drive
Charlottesville, VA 22911
434.979.6121 (p)
434.979.1661 (f)
DDRVA.com

REVISED: JANUARY 7, 2013
MARCH 15, 2013
APRIL 4, 2013

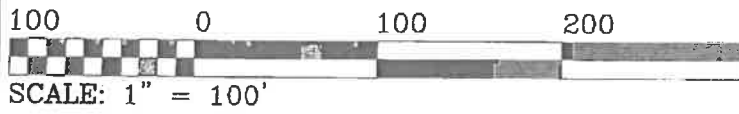
OWNER'S APPROVAL
SIGNATURES
SHEET 2 OF 20

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ADJOINING PARCEL OWNERS:

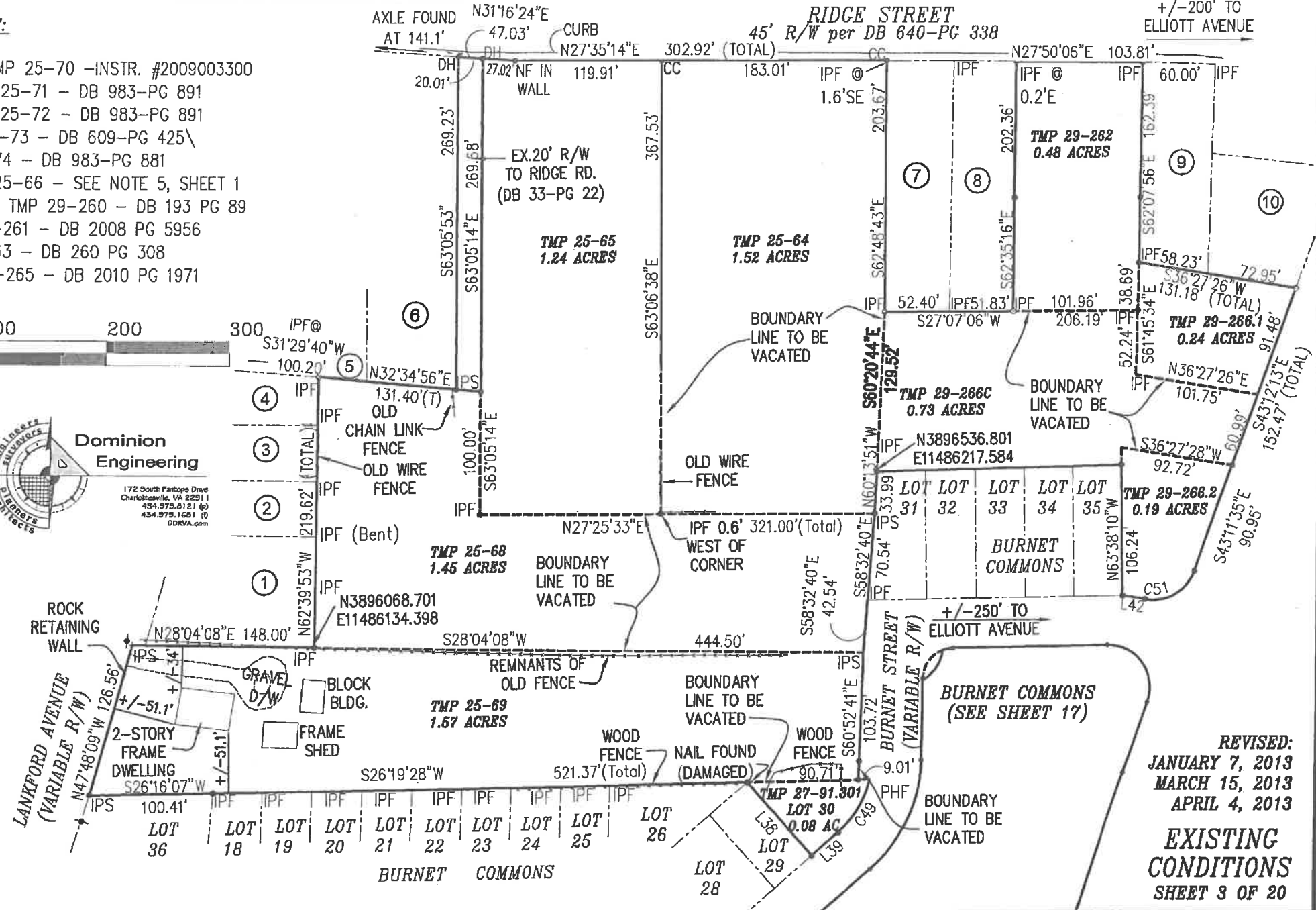
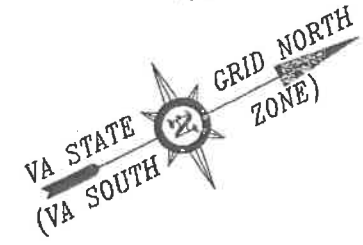
1. N/F JOHNSON, TRS. - TMP 25-70 - INSTR. #2009003300
2. N/F ALLEN, TRS. - TMP 25-71 - DB 983-PG 891
3. N/F ALLEN, TRS. - TMP 25-72 - DB 983-PG 891
4. N/F BARBOUR - TMP 25-73 - DB 609-PG 425\
5. N/F MORRIS - TMP 25-74 - DB 983-PG 881
6. N/F (UNKNOWN) - TMP 25-66 - SEE NOTE 5, SHEET 1
7. N/F RIDGE STREET LLC - TMP 29-260 - DB 193 PG 89
8. N/F WILLIAMS - TMP 29-261 - DB 2008 PG 5956
9. N/F JONES - TMP 29-263 - DB 260 PG 308
10. N/F ANDESHA - TMP 29-265 - DB 2010 PG 1971

AXLE FOUND AT 141.1' N31°16'24"E 47.03' CURB N27°35'14"E 302.92' (TOTAL) 45' R/W per DB 640-PG 338
 RIDGE STREET N27°50'06"E 103.81' +/-200' TO ELLIOTT AVENUE

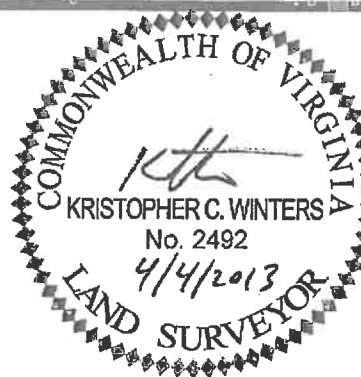


Dominion Engineering
 172 South Fantops Drive
 Charlottesville, VA 22911
 434.975.8121 (p)
 434.975.1681 (f)
 DERRA.com

COMMONWEALTH OF VIRGINIA
Kristopher C. Winters
 KRISTOPHER C. WINTERS
 No. 2492
 4/4/2013
 LAND SURVEYOR

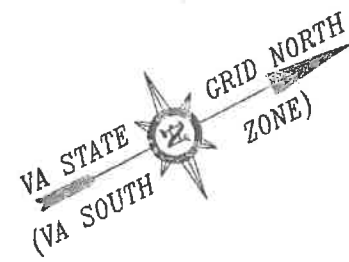


REVISED:
 JANUARY 7, 2013
 MARCH 15, 2013
 APRIL 4, 2013
EXISTING CONDITIONS
 SHEET 3 OF 20



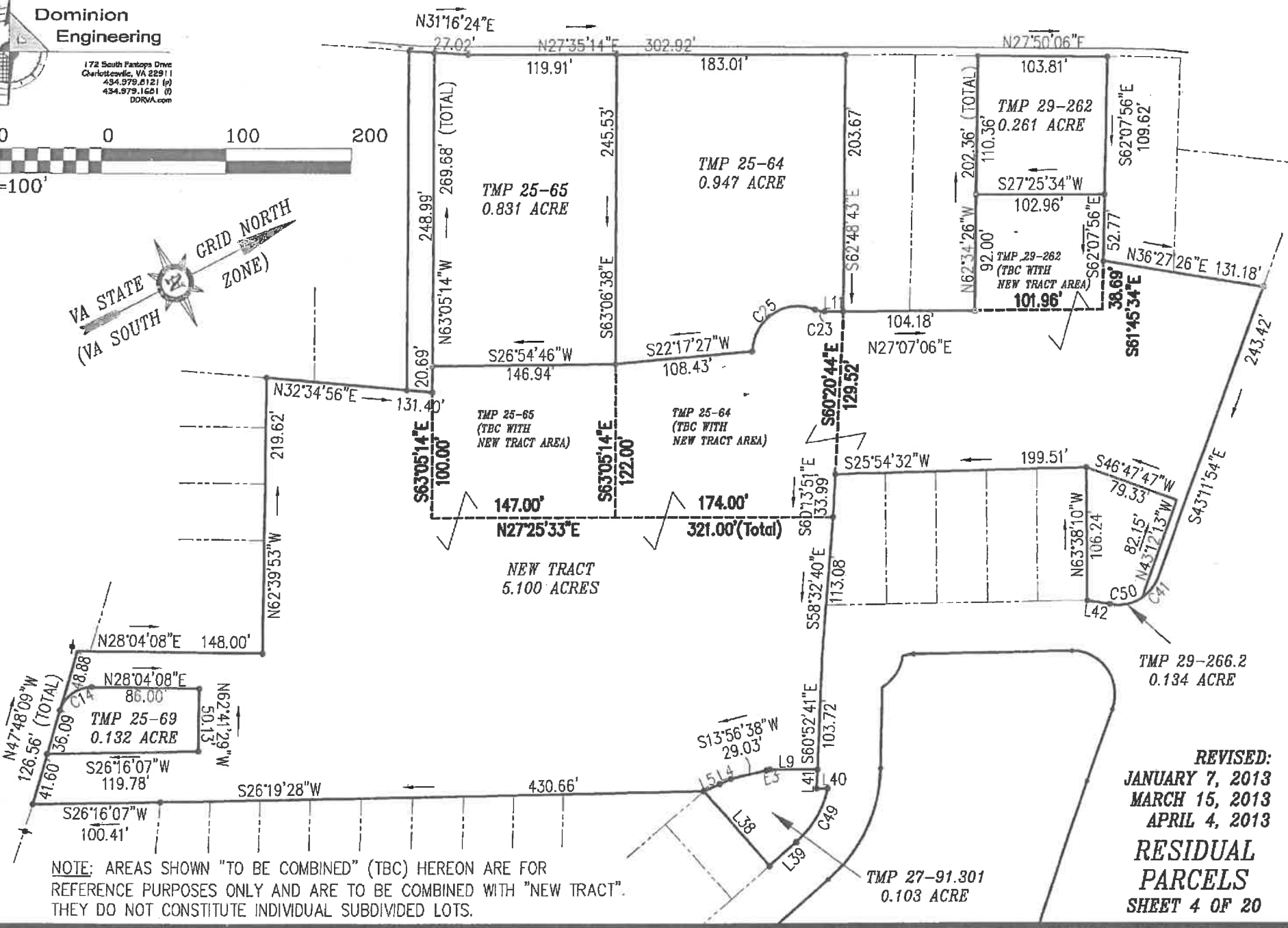
Dominion Engineering

172 South Pantops Drive
Charlottesville, VA 22911
434.979.6121 (p)
434.979.1601 (f)
DORVA.com



AREA SUMMARY:

EXISTING TMP 25-64	.....	1.52 ACRE
LESS NEW TRACT	.....	0.57 ACRE
NEW TOTAL	.....	0.95 ACRE
EXISTING TMP 25-65	.....	1.24 ACRE
LESS NEW TRACT	.....	0.41 ACRE
NEW TOTAL	.....	0.83 ACRE
EXISTING TMP 25-69	.....	1.57 ACRE
LESS NEW TRACT	.....	1.44 ACRE
NEW TOTAL	.....	0.13 ACRE
EXISTING TMP 29-262	...	0.48 ACRE
LESS NEW TRACT	.....	0.22 ACRE
NEW TOTAL	.....	0.26 ACRE
EXISTING TMP 29-266.2	0.19 ACRE	
LESS NEW TRACT	.....	0.06 ACRE
NEW TOTAL	.....	0.13 ACRE
EXISTING TMP 27-91.301	0.08 ACRE	
(BURNET COM. LOT 30)	.....	0.02 ACRE
PLUS NEW	.....	0.02 ACRE
NEW TOTAL	.....	0.10 ACRE
TOTAL NEW TRACT	.....	5.10 ACRES



NOTE: AREAS SHOWN "TO BE COMBINED" (TBC) HEREON ARE FOR REFERENCE PURPOSES ONLY AND ARE TO BE COMBINED WITH "NEW TRACT". THEY DO NOT CONSTITUTE INDIVIDUAL SUBDIVIDED LOTS.

REVISED:
 JANUARY 7, 2013
 MARCH 15, 2013
 APRIL 4, 2013
RESIDUAL PARCELS
 SHEET 4 OF 20

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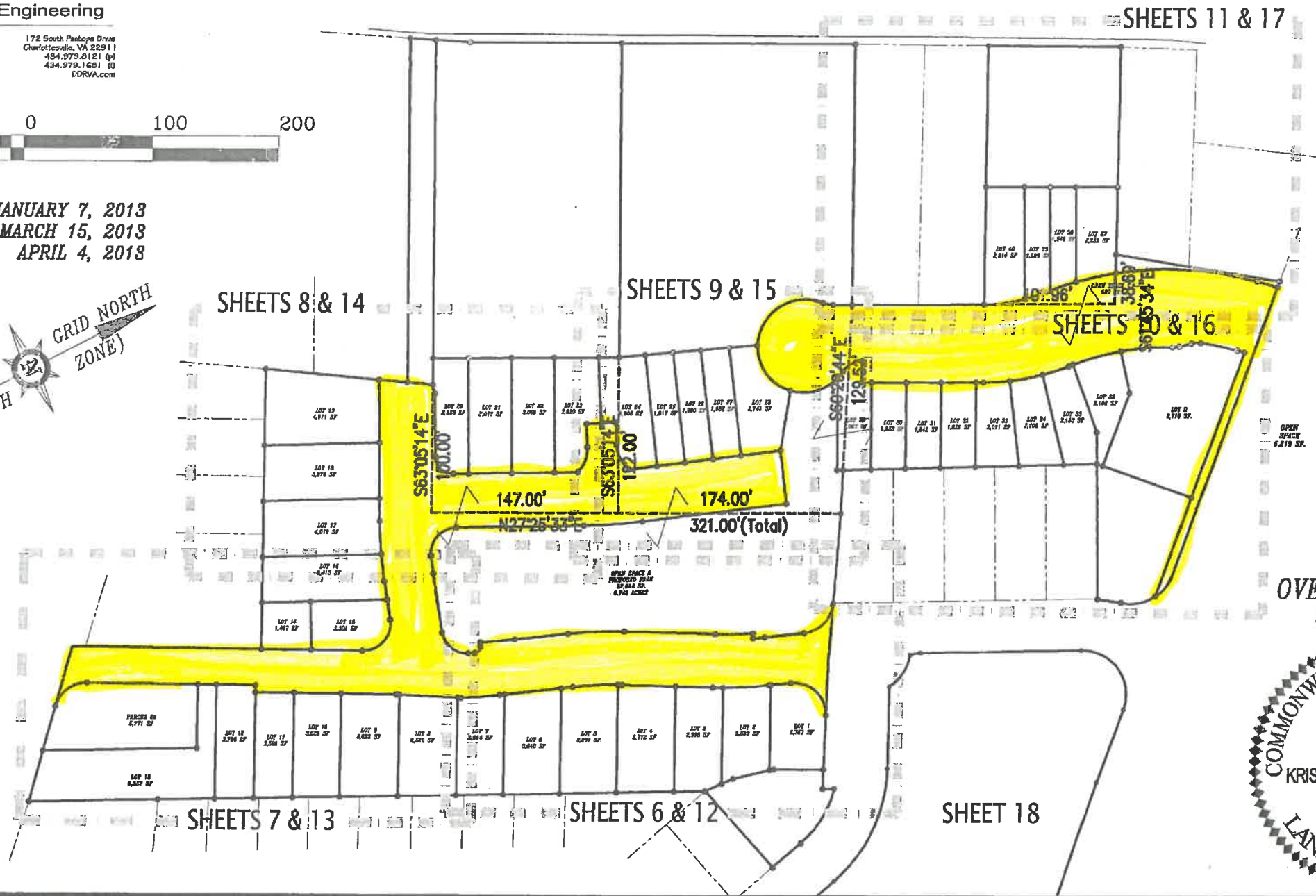
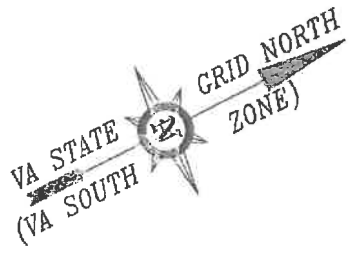


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APRIL 4, 2013



OVERALL LAYOUT
SHEET 5 OF 20



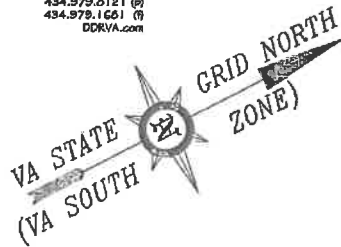
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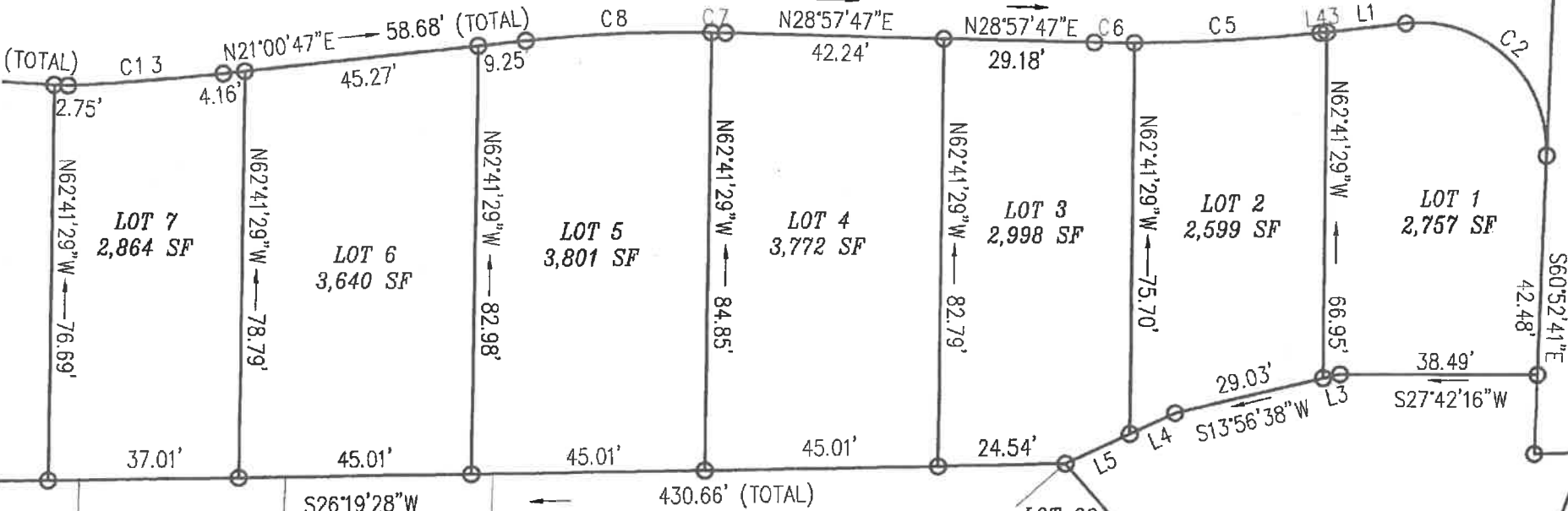
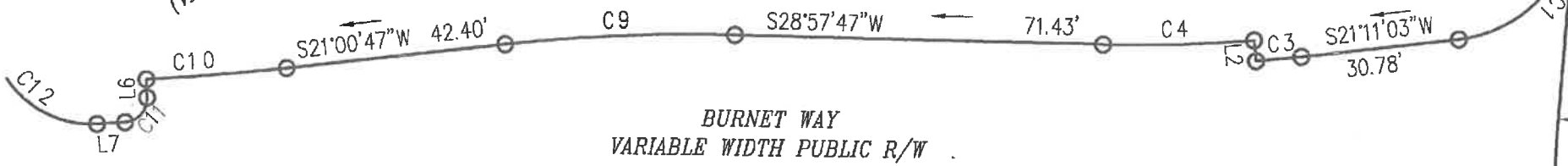
30 0 30 60
1"=30'



OPEN SPACE A
PROPOSED PARK
32,584 SF.
0.748 ACRES



BURNET COMMONS
LOT 31 LOT 32



PROPERTY LINE
HEREBY VACATED

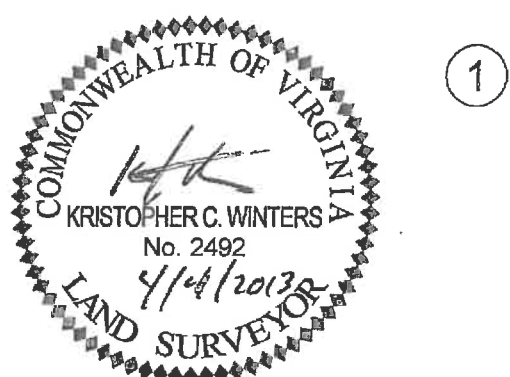
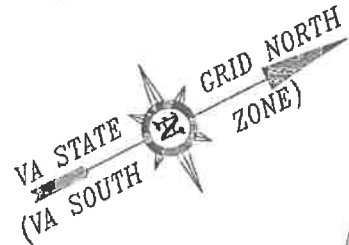
BURNET ST.
VARIABLE R/W

REVISED:
JANUARY 7, 2013
MARCH 15, 2013
APRIL 4, 2013

LOT 23 LOT 24 LOT 25 LOT 26 LOT 29 LOT 30

PARCEL LAYOUT
SHEET 6 OF 20

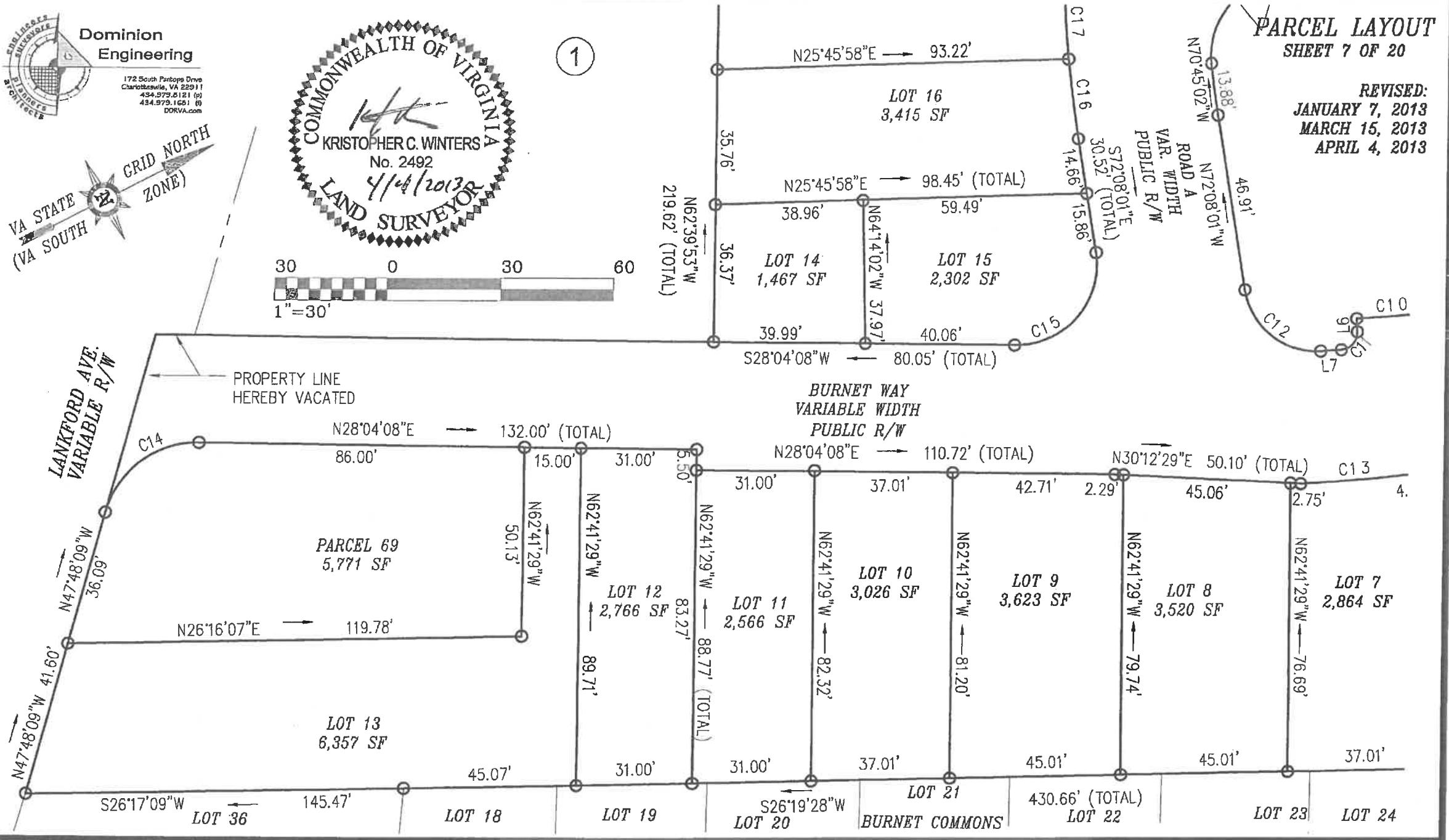
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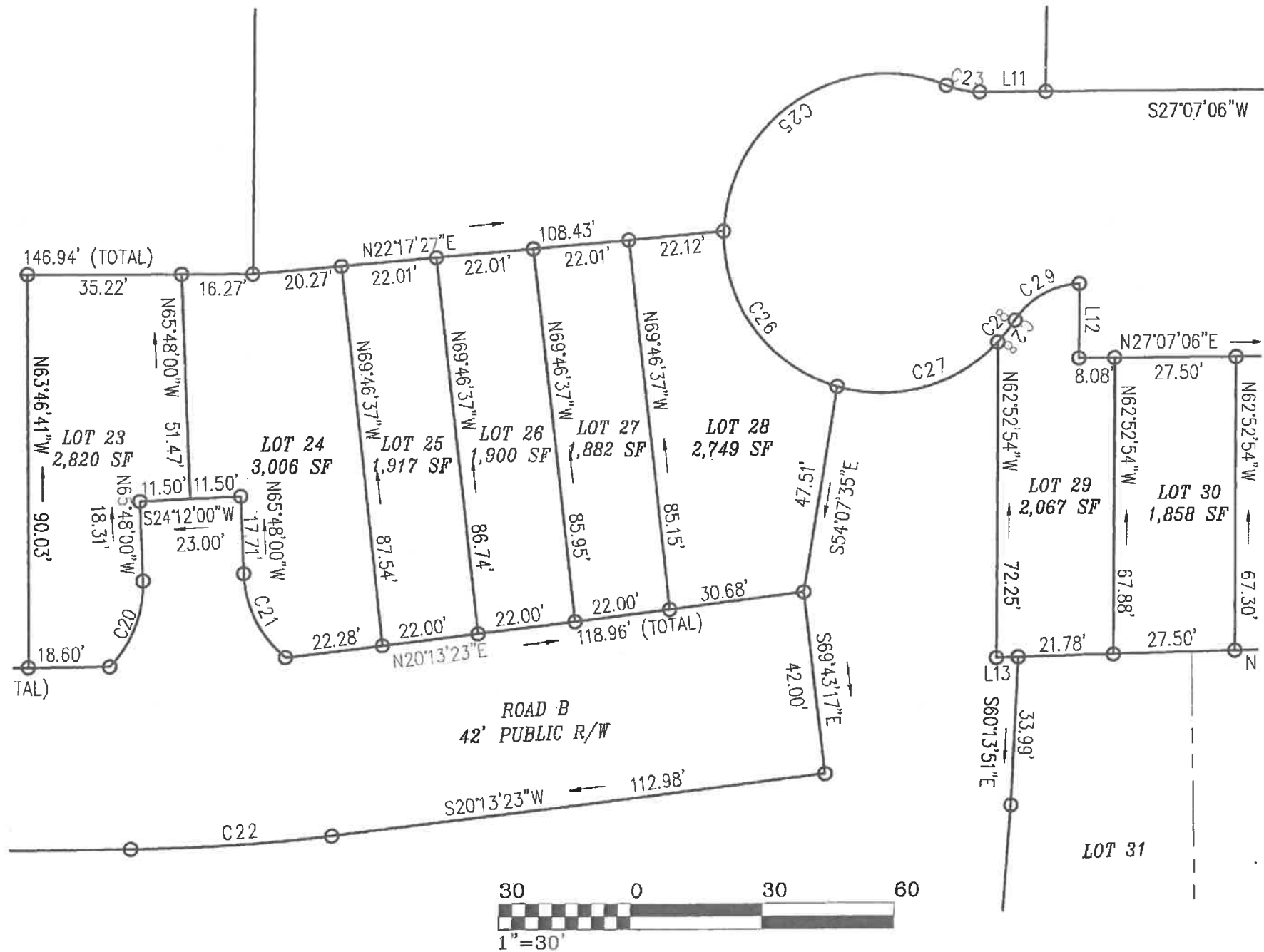


PARCEL LAYOUT

SHEET 7 OF 20

REVISED:
JANUARY 7, 2013
MARCH 15, 2013
APRIL 4, 2013





VA STATE
(VA SOUTH
ZONE)

GRID NORTH

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434.979.1661 (office)
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COMMONWEALTH OF VIRGINIA

KRISTOPHER C. WINTERS
No. 2492
4/4/2013
LAND SURVEYOR

REVISED:
JANUARY 7, 2013
MARCH 15, 2013
APRIL 4, 2013

PARCEL LAYOUT
SHEET 9 OF 20

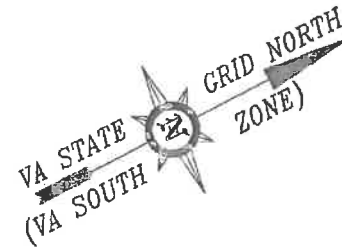
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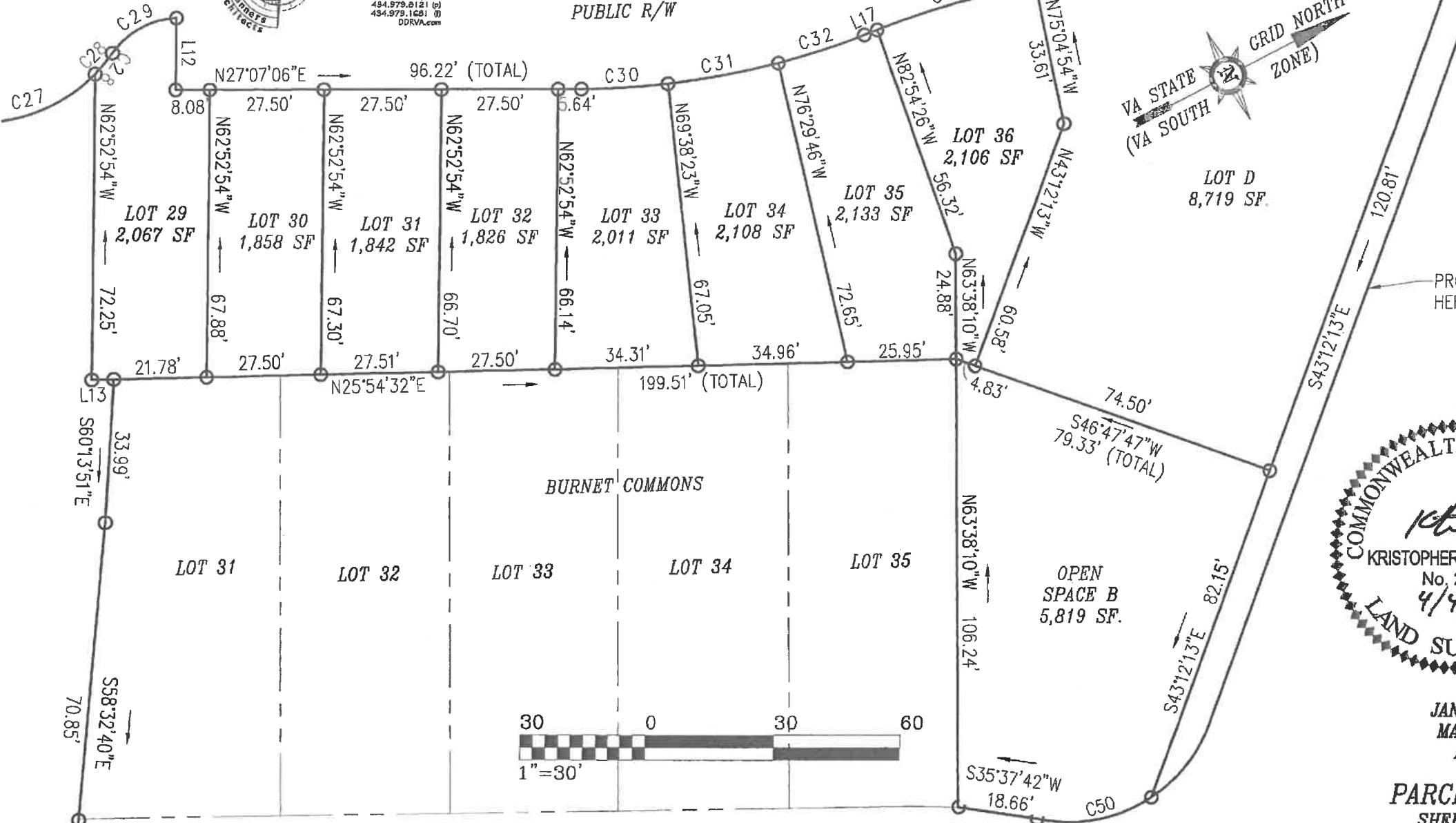
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**PENICK CT.
VARIABLE WIDTH
PUBLIC R/W**



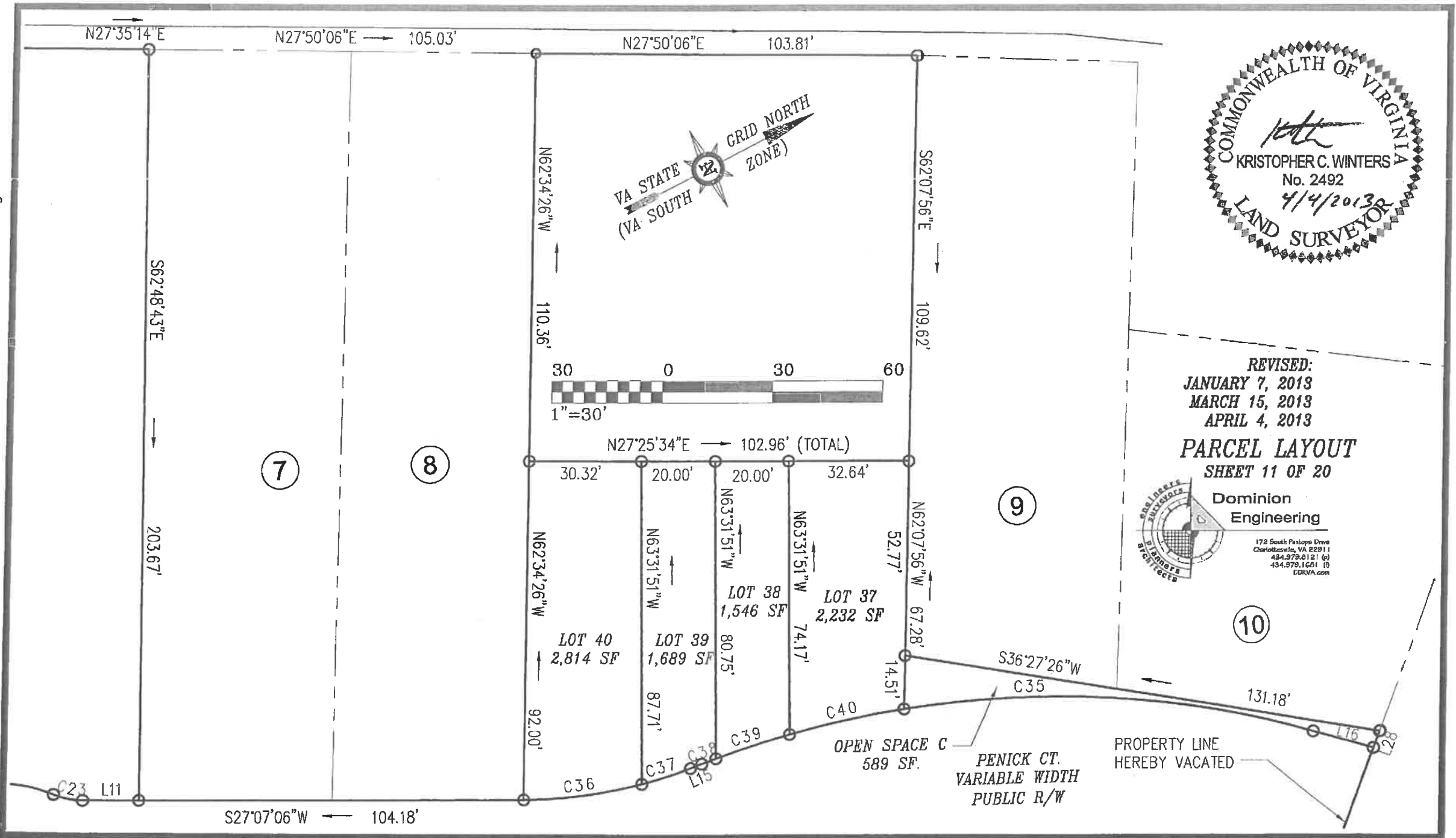
**ELLIOTT AVE.
VARIABLE R/W**



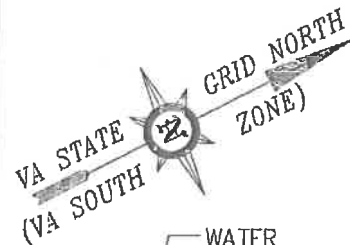
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**PARCEL LAYOUT
SHEET 10 OF 20**





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S27°03'44"W 284.60'

SWM EASEMENT

OPEN SPACE A
PROPOSED PARK
32,584 SF.
0.748 ACRES

S61°38'20"W 45.92'

SWM EASEMENT

20' SANITARY
SEWER
EASEMENT

S67°49'41"E
95.35'

BURNET COMMONS

LOT 31

LOT 32

WATER
EASEMENT

L22

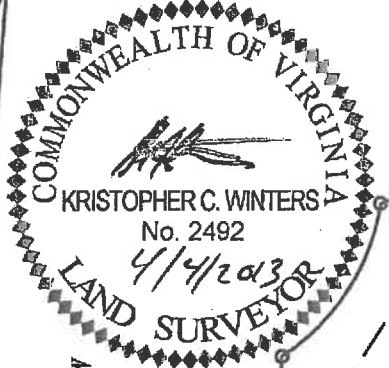
1.2'
TIE



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BURNET WAY
VARIABLE WIDTH PUBLIC R/W



BURNET ST.
VARIABLE R/W

LOT 7
2,864 SF

LOT 6
3,640 SF

LOT 5
3,801 SF

LOT 4
3,772 SF

LOT 3
2,998 SF

LOT 2
2,599 SF

LOT 1
2,757 SF

5' DRAINAGE
EASEMENT

10' BUFFER
EASEMENT

10.0'

LOT 23

LOT 24

LOT 25

BURNET COMMONS

LOT 26

LOT 29

LOT 30

EASEMENTS
SHEET 12 OF 20

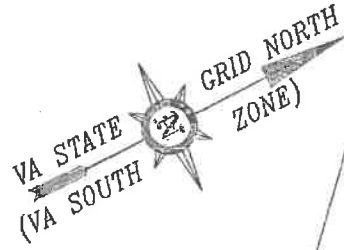
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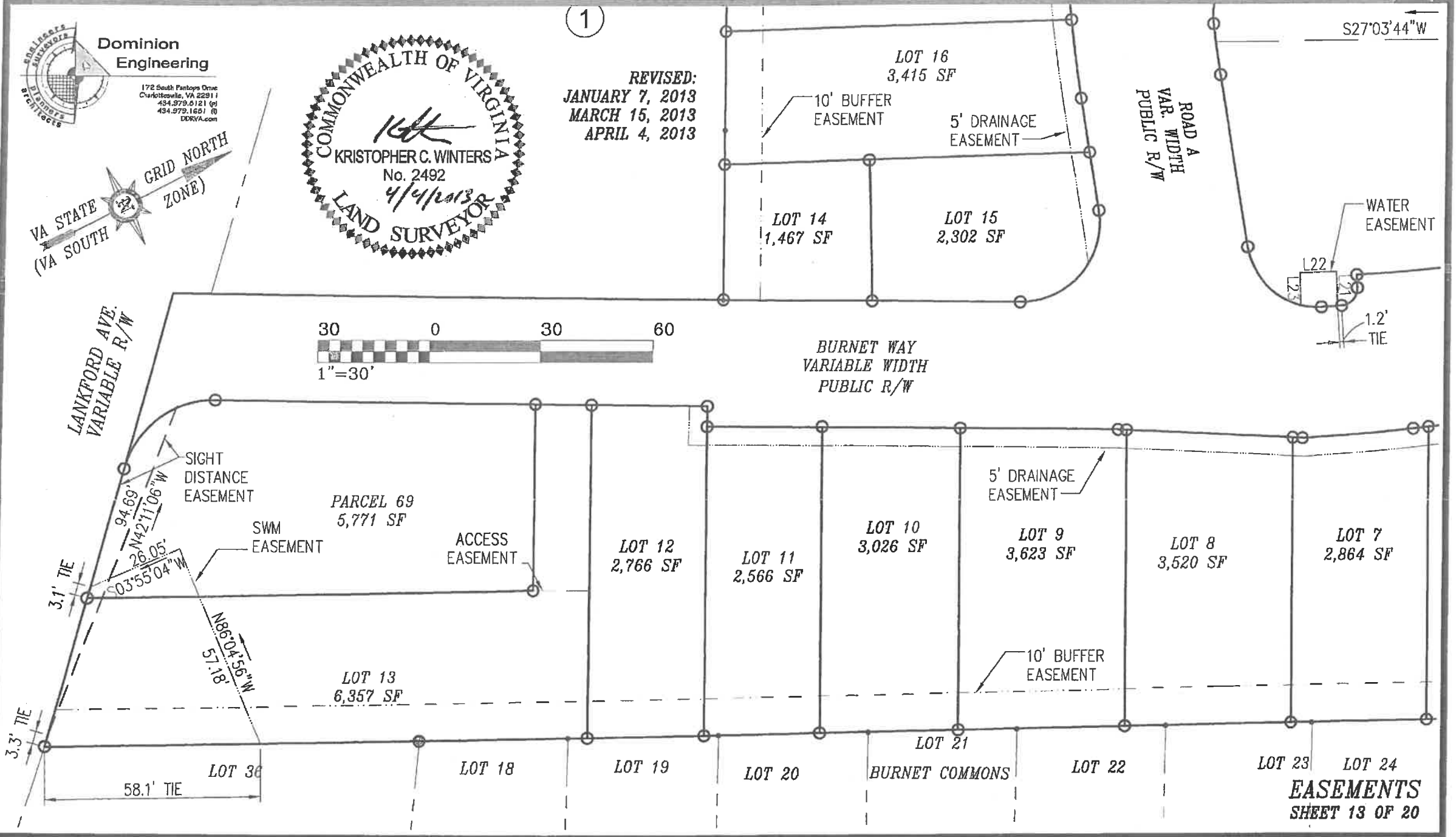


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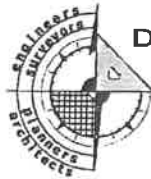


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EASEMENTS
SHEET 13 OF 20

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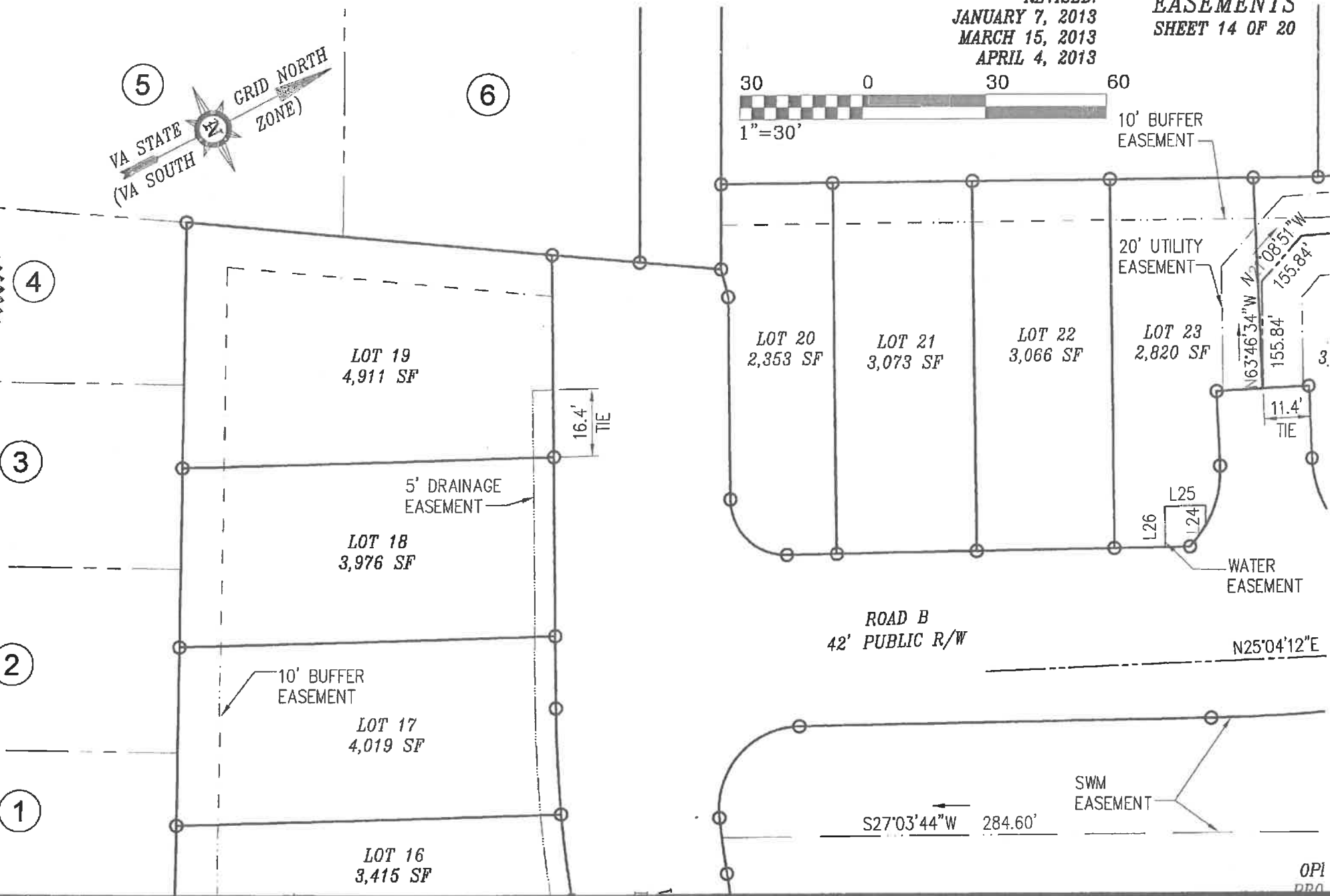
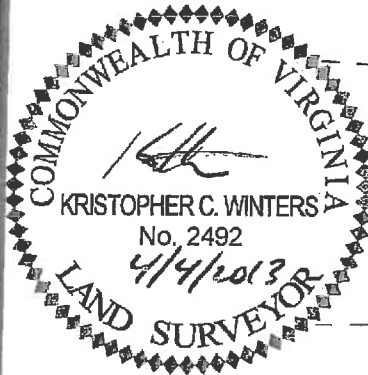
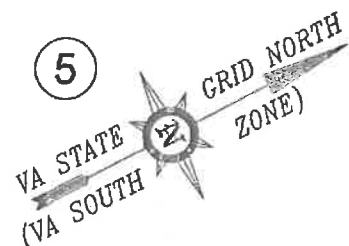


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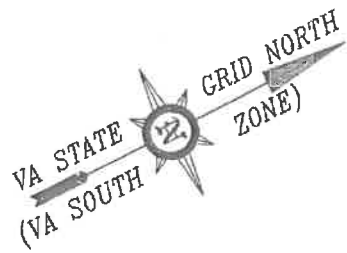
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EASEMENTS
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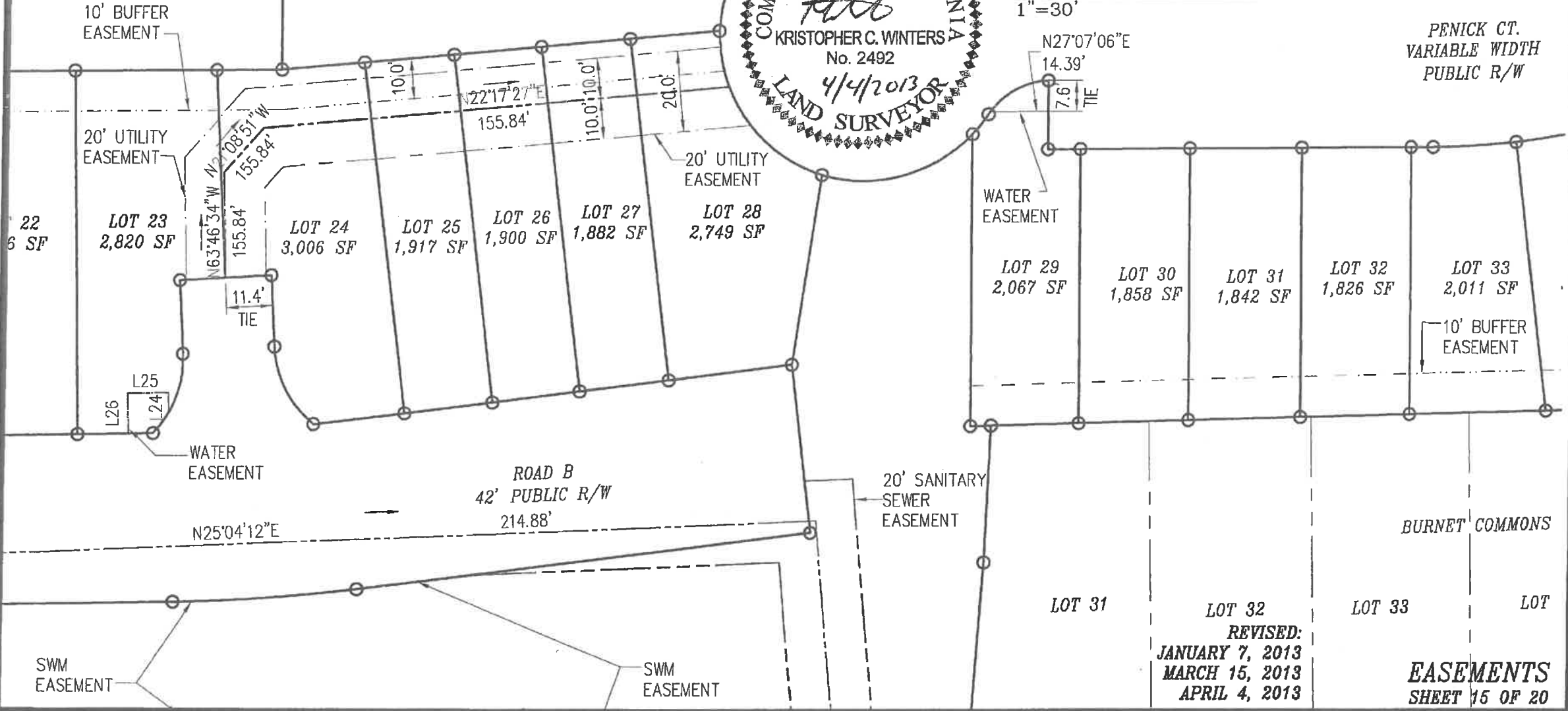
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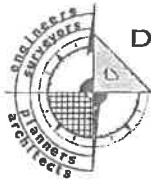


PENICK CT.
VARIABLE WIDTH
PUBLIC R/W

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JANUARY 7, 2013
MARCH 15, 2013
APRIL 4, 2013

EASEMENTS
SHEET 15 OF 20

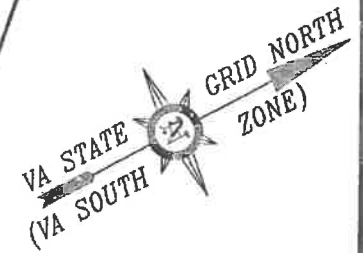
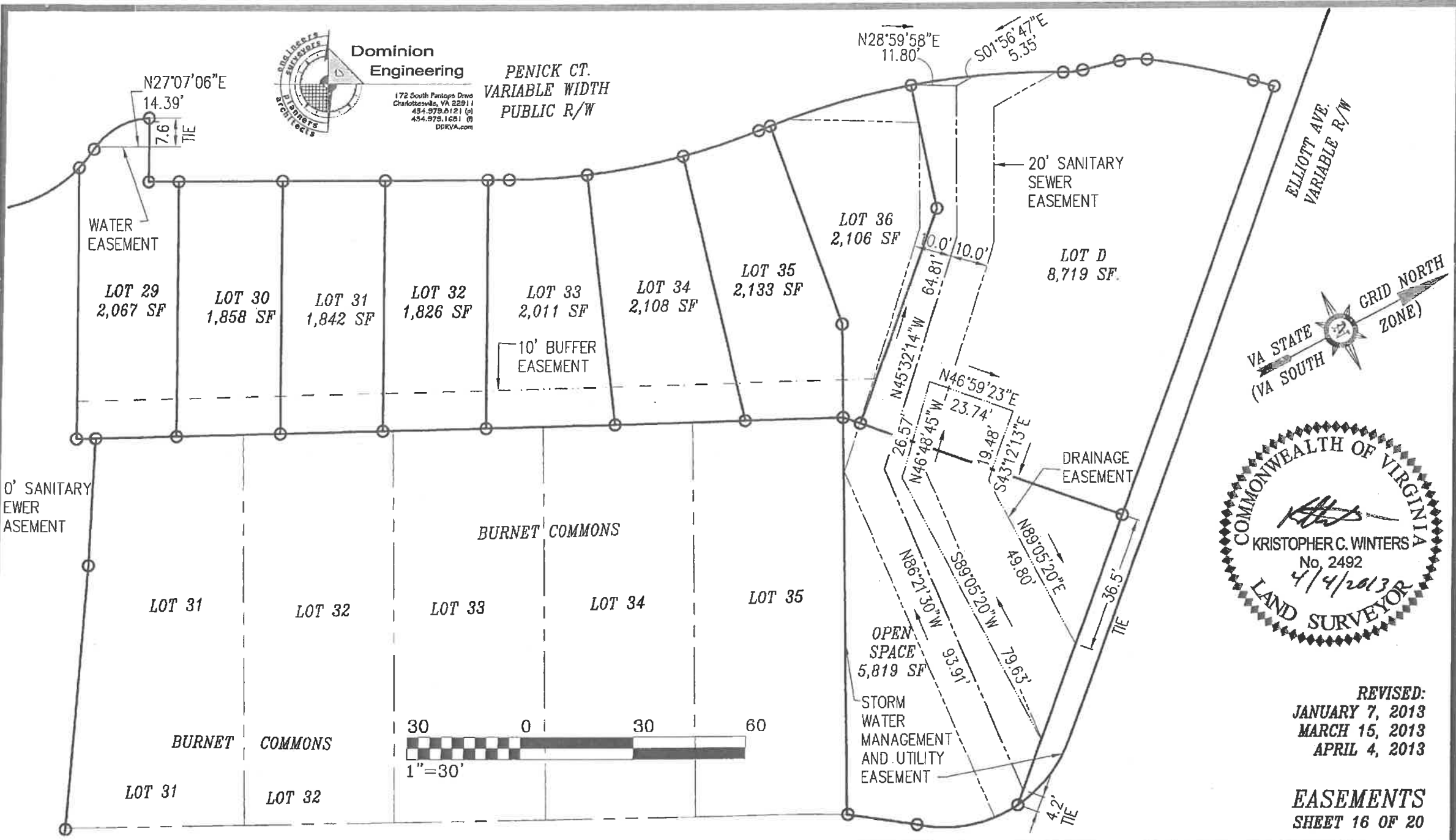
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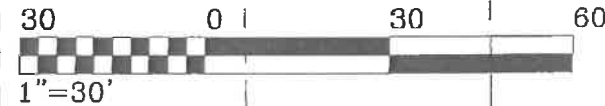
172 South Fountains Drive
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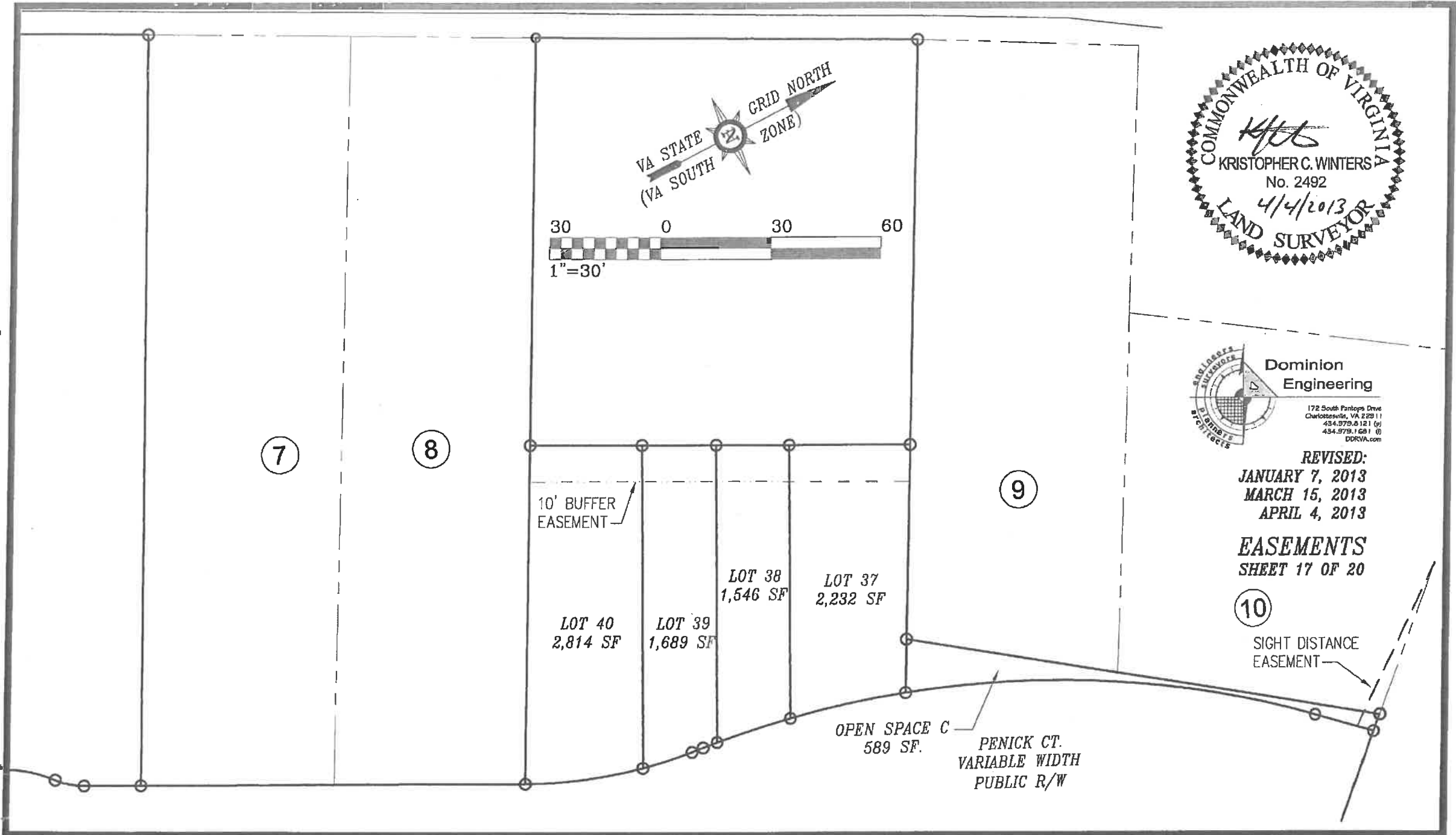
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PUBLIC R/W**



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**EASEMENTS
SHEET 16 OF 20**





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**EASEMENTS
SHEET 17 OF 20**

10

SIGHT DISTANCE
EASEMENT

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



Agenda Date:	June 3, 2019
Action Required:	Passage of Street Acceptance Resolution
Presenter:	Jack Dawson, City Engineer Carrie Rainey, Neighborhood Planner
Staff Contacts:	Alex Ikefuna, Director of NDS
Title:	Acceptance of Belmont Cottage Lane from Avon St. to dead-end.

Background: Habitat for Humanity of the Greater Charlottesville submitted a major subdivision for a Planned Unit Development located on Avon Street. The plan contains 14 residential units. The Belmont Cottages site plan amendment was approved on April 22, 2011. The proposed street infrastructure improvements have been completed and Habitat has requested that the new portion of street referred to as Belmont Cottage Lane be accepted for inclusion in the City Street system. At this time, all work required to be completed for road acceptance is done to the satisfaction of all reviewing City Departments.

Discussion: The Belmont Cottages development was approved with the requirement that Belmont Cottage Lane would be extended from Avon Street with the intent to become a public street.

Budgetary Impact: The Belmont Cottages project has resulted in additional property taxes for the City. The City will incur costs to maintain this public street. These include plowing snow, trash collection to eventual resurfacing. While snow plowing could begin in the near future, other maintenance is projected to be several years off.

Recommendation: Staff recommends these road improvements be accepted into the City street system as shown on the attached approved site plan amendment.

Attachments:

Map of highlighted street section

Signed final plat

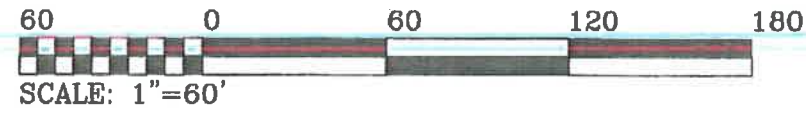
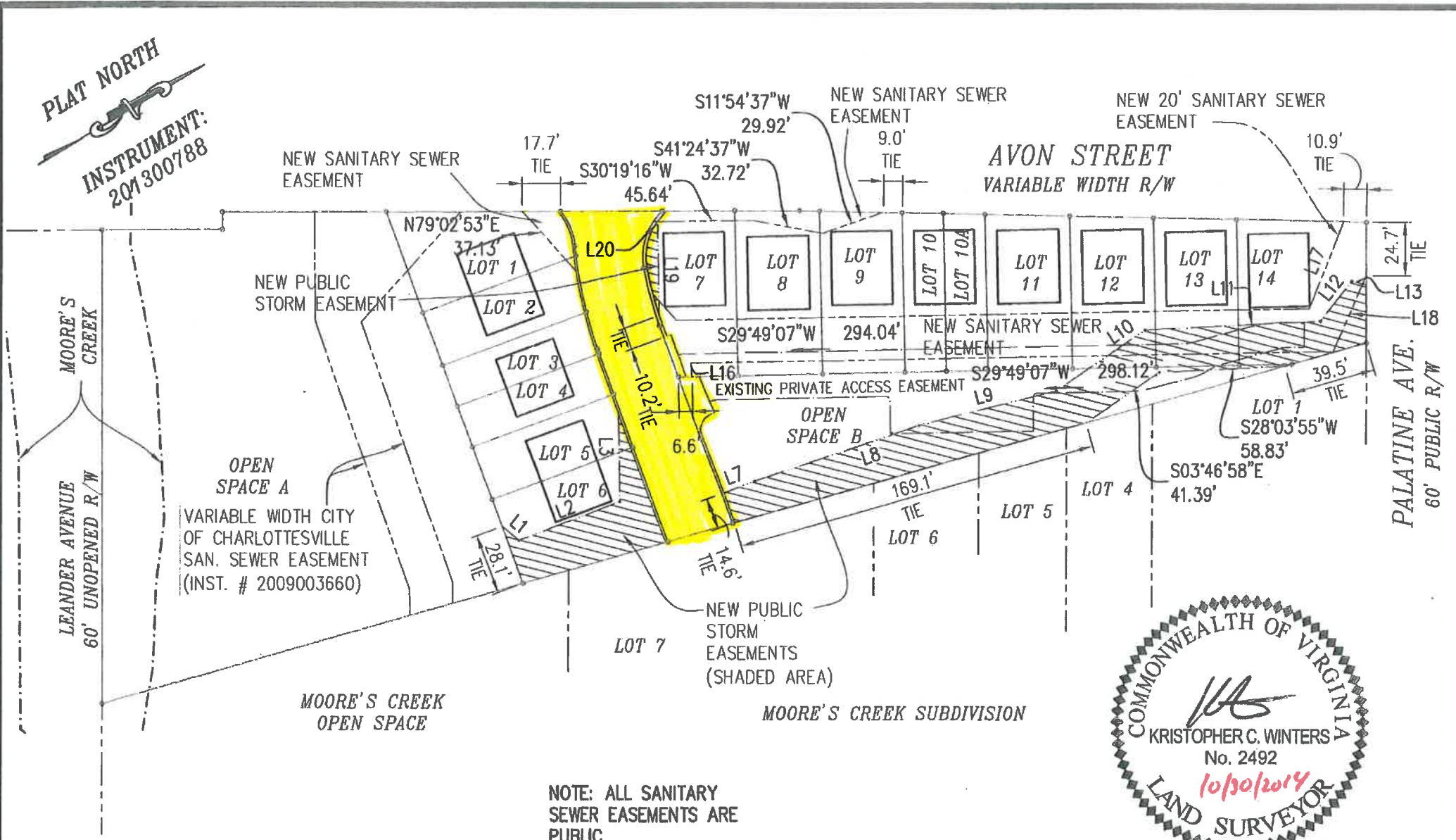
RESOLUTION
ACCEPTING PORTION OF BELMONT COTTAGES LANE
INTO THE CITY STREET SYSTEM FOR MAINTENANCE

WHEREAS, the new portion of Belmont Cottages Lane has been completed by Habitat for Humanity and has requested the City to accept the new portion of street improvements, from Avon Street to the dead-end, into the City street system;

WHEREAS, City staff has inspected that portion of Belmont Cottage Lane and recommends acceptance into its street system for maintenance; now, therefore

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new portion of Belmont Cottage Lane from its intersection with Avon Street to Dead-end as shown on the attached map, is hereby accepted into the City street system for maintenance. The subject roadway has been built to the specifications and standards required by the city approved plan.

PLAT NORTH
 INSTRUMENT:
 201300788



AMENDED SUBDIVISION PLAT
TMP 59-373
 BELMONT COTTAGES SUBDIVISION
 CITY OF CHARLOTTESVILLE, VIRGINIA

DATE:	06-03-14	REVISION:	12.0127
REVISION:	08-22-14	REVISION:	10-30-14
DRAWN BY:	BRV	CHECKED BY:	KCW
SHEET:	V2		
	2 OF 7		

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



Agenda Date:	June 17, 2019
Action Required:	Resolution
Staff Contacts:	Paul Oberdorfer, Public Works Director
Presenter:	John Blair, City Attorney
Title:	Local Government Support Agreement for Recycling Programs between RSWA, City of Charlottesville, and Albemarle County

Background:

The Rivanna Solid Waste Authority (hereinafter “RSWA”), the City of Charlottesville, and Albemarle County entered into an Agreement dated August 23, 2011. This Agreement detailed the financial obligations of the City and the County as well as RSWA’s operational responsibilities for recycling services at the McIntire Road Recycling Center (hereinafter “McIntire”). The Council has approved seven amendments to extend the term of the Agreement. The current Agreement amendment expires on June 30, 2019. The attached Amendment No. 8 is an additional extension of the Agreement through June 30, 2020 and states that the Agreement will automatically renew for one year terms unless either the City or County provide the RSWA written notice to terminate the Agreement by April 30 prior to the Agreement’s expiration date.

Discussion:

Amendment No. 8 to the Agreement continues the current funding arrangement and services at McIntire from July 1, 2019 to June 30, 2020. The Albemarle County Board of Supervisors will consider Amendment No. 8 at its June 19, 2019 meeting. At its May 28, 2019 meeting, the RSWA authorized its executive director to sign Amendment No. 8 upon the City and County’s execution of the Amendment.

Budgetary Impact:

Sufficient funds are appropriated for Fiscal Year 2020.

Attachments:

Signatory Resolution for Amendment No. 8
RSWA May 28, 2019 Memorandum Detailing Amendment No. 8
Amendment No. 8

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AMENDMENT NO. 8 TO THE AUGUST 23, 2011
AGREEMENT CONCERNING THE MCINTIRE RECYCLING CENTER**

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the City Manager is hereby authorized to sign Amendment No. 8 the Local Government Support Agreement for Recycling Programs Among the City of Charlottesville, Albemarle County, and the Rivanna Solid Waste Authority.



MEMORANDUM

**TO: RIVANNA SOLID WASTE AUTHORITY
BOARD OF DIRECTORS**

FROM: BILL MAWYER, EXECUTIVE DIRECTOR

**SUBJECT: PROPOSED AMENDMENT NO. 8 TO THE LOCAL GOVERNMENT
SUPPORT AGREEMENT FOR RECYCLING PROGRAMS**

DATE: MAY 28, 2019

This recommendation is to extend the Local Government Support Agreement for Recycling Programs (LGSARP) an additional year through June 30, 2020, and to modify the Term of Agreement to automatically renew for one-year terms, unless terminated by one of the parties.

The LGSARP originated in August 2011 as an agreement between the City, County, and RSWA to provide the terms of the City's (30 %) and County's (70 %) shared financial support for the recycling services located at the McIntire Recycling Center and the Paper Sort Facility, and RSWA's operation of those facilities. A one-year extension of the LGSARP has been executed by all parties annually since 2011.

Based on the continued successful operation of our recycling facilities, and our understanding that the City and the County wish to continue these recycling services, we recommend approval of the attached amendment.

Board Action Requested

Staff respectfully requests the Board authorize the Executive Director to execute Amendment No. 8 to the Local Government Support Agreement for Recycling Programs after execution by the County Executive and the City Manager, including any minor and non-substantive revisions requested.

Attachment

**AMENDMENT NO. 8 TO
LOCAL GOVERNMENT SUPPORT AGREEMENT FOR RECYCLING PROGRAMS
AMONG
THE CITY OF CHARLOTTESVILLE
THE COUNTY OF ALBEMARLE
AND
THE RIVANNA SOLID WASTE AUTHORITY**

This **Amendment No. 8** to the **Local Government Support Agreement for Recycling Programs** (this “Amendment”) is made this ___ day of _____, 2019 by and among the **City of Charlottesville, Virginia** (the “City”), the **County of Albemarle, Virginia** (the “County”) and the **Rivanna Solid Waste Authority** (the “Authority”, individually a “Party”, and together referred to as the “Parties”).

WHEREAS, the City, the County and the Authority entered into a certain Local Government Support Agreement for Recycling Programs dated August 23, 2011 (the “Original Agreement”) providing the terms of the City’s and County’s shared financial support and Authority’s operation of the Recycling Services; and,

WHEREAS, the Original Agreement provided that such financial support and operations continue through the Authority’s fiscal year ending June 30, 2012, with the City and County retaining an exclusive option to extend the Original Agreement for two successive one-year periods by giving prior written notice to the Authority; and,

WHEREAS, the City and County exercised their first option to extend the term of the Original Agreement through June 30, 2013, but the County elected not to exercise its second option to extend the term through June 30, 2014 and instead requested, with the concurrence of the City, an extension of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 1 to the Original Agreement dated June 5, 2013 extending the term of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 2 to the Original Agreement dated October 23, 2013 extending the term of the Original Agreement through June 30, 2014; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 3 to the Original Agreement dated January 28, 2014 extending the term of the Original Agreement through June 30, 2015; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 4 to the Original Agreement dated July 1, 2015 extending the term of the Original Agreement through June 30, 2016; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 5 to the Original Agreement dated June 6, 2016 extending the term of the Original Agreement through June 30, 2017; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 6 to the Original Agreement dated July 14, 2017 extending the term of the Original Agreement through June 30, 2018; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 7 to the Original Agreement dated July 5, 2018 extending the term of the Original Agreement through June 30, 2019 (the Original Agreement, as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4, Amendment No. 5, Amendment No. 6 and Amendment No. 7, hereinafter, the "Agreement"), and,

WHEREAS, the County desires an additional extension of the term of the Agreement through June 30, 2020, and the City is agreeable to an extension for such period.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. **Amendment to Section 4.** Section 4 of the Agreement, entitled "Term of Agreement," is amended and restated as follows:

4. **Term of Agreement**

This Agreement shall be effective upon execution and the financial participation requirements shall be retroactive to July 1, 2011 and shall continue to June 30, 2020. Subsequent to June 30, 2020, this agreement will automatically renew for additional one (1) year terms unless terminated by the City or County by written notice received by the Authority not later than April 30 prior to the expiration date of the Agreement.

2. **Miscellaneous.** Capitalized terms used herein shall have the meanings ascribed to them in the Agreement unless otherwise specifically defined herein. Except as expressly modified hereby, all other terms and conditions of the Agreement shall remain unchanged and shall continue in full force and effect. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates below.

CITY OF CHARLOTTESVILLE:

Dr. Tarron Richardson
City Manager

Date

COUNTY OF ALBEMARLE:

Jeffrey Richardson
County Executive

Date

RIVANNA SOLID WASTE AUTHORITY:

William I. Mawyer, Jr., P.E.
Executive Director

Date

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



Agenda Date:	June 3, 2019
Action Requested:	1st of 2 Readings of Ordinance
Presenter:	Chris Cullinan, Director of Finance Lauren Hildebrand, Director of Utilities
Staff Contacts:	Chris Cullinan, Director of Finance Lauren Hildebrand, Director of Utilities
Title:	Proposed Utility Rates for FY2020

Background:

The City of Charlottesville owns and operates public utilities for water, wastewater, natural gas, and stormwater. Utility services are essential on a daily basis to us as both individuals and a community. Thoughtful, deliberate planning and sufficient financial resources ensure efficient and orderly maintenance and operation of these systems. This need for investment in our utility systems is not without cost, but our rates must also be balanced with the need for continued affordability for our customers.

Each of the City's utilities is accounted for separately as enterprise funds. Enterprise funds are operated on a self-supporting basis, meaning that each utility is required to cover the full costs of providing its service. The City's utilities are funded solely through their rates and related fees and charges and are not subsidized with general tax revenues. The utilities do not operate on a for-profit basis. As such, utility rates are calculated annually to bring each fund to a break-even point; however, variable factors, such as weather, usage, and number of customers may result in an unexpected and unanticipated operating surplus or deficit during any given year. If so, the surpluses or deficits are accounted for and remain within their respective utility fund.

Discussion:

Staff is making two recommendations for utility rates for FY'20:

1. Implement the second year of the three year transition plan for UVA from the 1981 Water Agreement to City rates for water and sewer.
2. Proposed utility rates for water, sewer, natural gas, and stormwater.

Each of these recommendations is discussed in more detail below.

1. Three year transition plan for UVA from 1981 Water Agreement

The 1981 Water and Sewer Agreement between the City and UVA includes the Rivanna Water and Sewer Authority (RWSA) lease for the Observatory Water Treatment Plant and formulas for water and sewer rates UVA pays the City.

The 1981 Agreement is in the process of being replaced. RWSA is renegotiating the lease for Observatory Water Treatment Plant. The February 2018 agreement signed as part of Brandon Avenue discussions stated that all UVA facilities brought online or modified after 1/1/18 will pay full City rates. The February 2018 agreement also states UVA and the City will establish a plan for transitioning the water and wastewater rates charged to UVA, for University buildings/facilities constructed and occupied prior to 1/1/2018, to an updated rate structure supported by a professional water rate study. The City has completed the cost of service study.

The City is implementing the second year of the three year transition plan from the 1981 Agreement to UVA paying City water and sewer rates. In the first fiscal year (which occurred July 1, 2018), the University paid 25% of the difference between the 1981 Agreement and the City rates. In the second fiscal year (July 1, 2019), the University will pay 75% of the difference between the 1981 Agreement and the City rates. In the third fiscal year (July 1, 2020), the University will pay 100% of the City rate.

2. Proposed Utility Rates for FY'19

The budgets for each of the utilities have been thoroughly examined for opportunities to minimize costs without sacrificing service. Based on the revenue requirements needed to operate and maintain each utility and the above recommendations, the City is proposing the following rates in the water, wastewater, and gas utility:

- \$56.52/1,000 cubic feet (cf) of water (average annual composite rate of seasonal rates),
- \$80.14/1,000 cf of wastewater, and;
- \$78.03/8,000 cf of natural gas.

For the stormwater utility, there are some changes to the budget which includes increasing the operating budget to incorporate four maintenance crew members from the General Fund and three new maintenance crew members and decreasing the capital project budget to match the pace of the actual work being completed. These changes will provide an improved level of service to residents with no proposed changes to the current fees.

Impact on Average Customer

Utility customers continue to conserve water and natural gas, which is both good for the environment and for their utility bill. The average residential water customer is using 400 cubic feet (cf) per month. Similarly, the average residential gas customer is using 4,600 cf. Based on these usage figures and the proposed utility rates, the average residential customer is projected to spend the following per month:

<u>Service</u>	<u>Current</u> <u>(based on rates adopted</u> <u>7/1/18)</u>	<u>Proposed</u> <u>(Effective 7/1/19)</u>	<u>Change</u>	<u>Percent</u>
Water ¹	\$27.38	\$27.61	\$0.23	0.84%
Wastewater ¹	\$36.43	\$37.06	\$0.63	1.73%
Natural Gas ¹	\$47.81	\$50.85	\$3.04	6.36%
Stormwater ²	\$5.86	\$5.86	\$0	0%
TOTAL	\$117.48	\$121.38	\$3.90	3.32%

(1) Rates include monthly service charge.

(2) The budget impact shown reflects a residential monthly average fee and provides consistency with other utilities. Stormwater fees are rounded to the next whole billing unit and are billed to property owners biannually.

For City residential customers who receive water, wastewater, stormwater and natural gas (approximately 87% of City residents), their total utility bill is projected to rise by \$3.90 per month, or 3.32%. For residential customers who receive just water, wastewater and stormwater service, their utility bill will increase by \$0.86 per month, or 0.1%. The proposed rate report can be found at www.charlottesville.org.

Alignment with City Council’s Vision and Strategic Plan:

City Utilities operations supports City Council’s “A Green City” vision. It contributes to the Strategic Plan’s Objectives:

- 3.2, To provide reliable and high-quality infrastructure,
- 3.4, Be responsible stewards of natural resources,
- 5.1, Integrate effective business practices and strong fiscal policies.

Community Engagement:

The public hearing is being held at the Council meeting, June 3, 2019, to establish the rates for City utility services (water, sanitary sewer and natural gas). These rates would be effective July 1, 2019, if approved by Council June 17, 2019. The notice for the public hearing was advertised in the newspaper May 20, 2019 and May 27, 2019.

Budgetary Impact:

The Utility Funds (water, wastewater, and natural gas) are self-sustaining enterprise funds that are supported by the revenues from customers’ usages.

Note: The approval of the utility rates has no impact on the General Fund.

Recommendation:

Staff recommends approval of the proposed rates.

Alternatives:

Maintaining existing rates for water and wastewater would result in a loss within the Water and Wastewater Funds. Keeping FY2019 gas rates will also result in a loss within the gas utility. This would deplete available fund balances for water, wastewater and natural gas, which would violate the City's long term financial policies by not meeting the working capital requirements. If the utilities are not self-sustaining, the funds would either require subsidies from other City funds to maintain levels-of-service or reduced reliability and performance of the utility systems.

Attachments:

Ordinance
At a Glance
Utilities Operations Overview

**AN ORDINANCE
AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES
FOR CITY GAS, WATER AND SANITARY SEWER.**

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

1. Sections 31-56, 31-57, 31-60, 31-61, 31-62, 31-153, 31-156 and 31-158 of Chapter 31, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:

CHAPTER 31. UTILITIES

ARTICLE II. GAS

DIVISION 2. TYPES OF SERVICE; SERVICE CHARGES

Sec. 31-56. Rates - Generally.

The firm service gas rates based on monthly meter readings shall be as follows:

Basic Monthly Service Charge	\$ 10.00	
First 3,000 cubic feet, per 1,000 cubic feet	\$8.3944	<u>\$9.0706</u>
Next 3,000 cubic feet, per 1,000 cubic feet	\$7.8907	<u>\$8.5264</u>
Next 144,000 cubic feet, per 1,000 cubic feet	\$7.0513	<u>\$7.6193</u>
All over 150,000 cubic feet, per 1,000 cubic feet	\$6.8834	<u>\$7.4379</u>

Sec. 31-57. ~~Same~~ Air conditioning.

(a) Gas service at the rate specified in this paragraph (“air conditioning rate”) shall be available to customers who request such service in writing and who have installed and use air conditioning equipment operated by natural gas as the principal source of energy. The air conditioning rate will be ~~\$7.3471~~ \$7.4271 per one thousand (1,000) cubic feet of gas used per month.

(b) The director of finance may, when it is impracticable to install a separate meter for air conditioning equipment, permit the use of one (1) meter for all gas delivered to the customer, in which instance the director of finance shall estimate the amount of gas for uses other than air conditioning and shall bill for such gas at the rates provided in applicable sections of this division.

...

Sec. 31-60. Interruptible sales service (IS).

(a) *Conditions. . . .*

(b) *Customer's agreement as to discontinuance of service. . . .*

(c) *Basic monthly service charge.* The basic monthly charge per meter for interruptible sales service ("IS gas") shall be sixty dollars (\$60.00).

(d) *Rate.* For all gas consumed by interruptible customers the rate shall be ~~\$6.1065~~ \$7.3874 per one thousand (1,000) cubic feet for the first six hundred thousand (600,000) cubic feet, and ~~\$5.1210~~ \$6.5720 per one thousand (1,000) cubic feet for all volumes over six hundred thousand (600,000) cubic feet.

(e) *Annual Minimum Quantity.* Interruptible rate customers shall be obligated to take or pay for a minimum quantity of one million two hundred thousand (1,200,000) cubic feet of gas annually. Each year, as of June 30, the director of finance shall calculate the total consumption of each interruptible customer for the preceding twelve (12) monthly billing periods, and shall bill any customer that has consumed less than the minimum quantity for the deficient amount at the rate of ~~\$6.1065~~ \$7.3874 per one thousand (1,000) cubic feet. Any new customer shall be required to enter into a service agreement with the City prior to the start of service. If an interruptible customer terminates service the annual minimum requirement shall be prorated on the basis of one hundred thousand (100,000) cubic feet per month for each month the customer has received service since the last June 30 adjustment.

(f) *Contract required. . . .*

Section 31-61. Interruptible Transportation Service (TS).

(a) *Generally. ...*

(b) *Rates.* The rates for interruptible transportation service ("TS gas") shall be as follows:

(1) ~~\$3.4853~~ \$3.2293 per decatherm for a customer receiving only TS gas, and

(2) ~~\$2.0379~~ \$1.8842 per decatherm, for customers who transport 35,000 or more decatherms per month ("large volume transportation customers"), regardless of whether such large volume transportation customer receives only TS gas, or also receives IS service.

(c) *Basic Monthly Service Charges. ...*

(d) *Special terms and conditions. ...*

(e) *Extension of facilities. . . .*

- (f) *Billing month. . . .*
- (g) *Lost and unaccounted-for gas. . . .*
- (h) *Combined IS and TS customer using more than provided or scheduled by customer....*
- (i) *TS Customer providing more gas, or less gas, than customer's usage. ...*
- (j) *Other terms and conditions. . . .*

Section 31-62. Purchased gas adjustment.

In computing gas customer billings, the basic rate charges established under sections 31-56, 31-57, 31-60 and 31-61 shall be adjusted to reflect increases and decreases in the cost of gas supplied to the city. Such increases or decreases shall be computed as follows:

(1) For the purpose of computations herein, the costs and charges for determining the base unit costs of gas are:

- a. Pipeline tariffs;
- b. Contract quantities; and
- c. Costs of natural gas, in effect or proposed as of March 1, ~~2016~~ 2019.

(2) Such base unit costs are ~~\$4.4128~~ \$4.2810 per one thousand (1,000) cubic feet for firm gas service and ~~\$2.7710~~ \$2.8498 per one thousand (1,000) cubic feet for interruptible gas service.

(3) In the event of any changes in pipeline tariffs, contract quantities or costs of scheduled natural gas, the unit costs shall be recomputed on the basis of such change in accordance with procedures approved by the city manager. The difference between the unit costs so computed and the base unit costs shall represent the purchased gas adjustment to be applied to all customer bills issued beginning the first billing month after each such change.

ARTICLE IV. WATER AND SEWER SERVICE CHARGES

...

Sec. 31-153. Water rates generally.

(a) Water rates shall be as follows:

(1) Monthly service charge.

Meter Size (inches)	Fee
5/8	\$ 5.00
3/4	5.00
1	12.50
1 1/2	25.00
2	40.00
3	80.00
4	125.00
6	250.00
14	1,637.50

May-September

October-April

(2) Metered water consumption, per 1,000 cu. ft. ~~\$64.66~~ \$65.31 ~~\$49.74~~ \$50.24

(b) This section shall not apply to special contracts for the consumption of water which have been authorized by the city council.

...

Sec. 31-156. Sewer service charges generally.

(a) Any person having a connection directly or indirectly, to the city sewer system shall pay therefor a monthly charge as follows:

(1) Monthly service charge

Meter Size (inches)	Fee
5/8	\$ 5.00
3/4	5.00
1	12.50
1 1/2	25.00
2	40.00
3	80.00
4	125.00
6	250.00
14	1,637.50

(2) An additional charge of ~~seventy eight dollars and fifty seven cents (\$78.57)~~ eighty dollars and fourteen cents (\$80.14) per one thousand (1,000) cubic feet, of metered water consumption.

(b) Any water customer not discharging the entire volume of water used into the city's sanitary sewer system shall be allowed a reduction in the charges imposed under this section,

provided such person installs, at his expense, a separate, City-approved water connection to record water which will not reach the City sewer system. The cost and other terms of City Code section 31-102 shall apply. For customers with monthly water consumption in excess of thirty thousand (30,000) cubic feet, where the director of finance considers the installation of a separate meter to be impracticable, the director may establish a formula which will be calculated to require such person to pay the sewer charge only on that part of the water used by such person which ultimately reaches the city sewers.

2. The foregoing amendments shall become effective July 1, 20189.

At A Glance

City of Charlottesville

Utility Rate Report



The following material provides a brief summary of the rate and fee recommendations for water, wastewater, stormwater, and natural gas for FY2020. All rates will go into effect July 1, 2019. For a thorough explanation and details of the recommendations, please consult the Utility Rate Report FY2020.

The table below illustrates the monthly impact on an average City residential customer using 400 cubic feet (cf) of water and wastewater, owning a property with approximately 2,440 square feet of impervious surface, and using 4,600 cf of gas per month. This information is based on utility rates and charges adopted July 1, 2018 and proposed rates and charges. Specific changes to each utility's rate are discussed in this report.

	Current Based on rates adopted 7/1/18	Proposed Effective 7/1/19	Change	Percent
Water ¹	\$27.38	\$27.61	\$0.23	0.84%
Wastewater ¹	\$36.43	\$37.06	\$0.63	1.73%
Gas ¹	\$47.81	\$50.85	\$3.04	6.36%
Stormwater ²	\$5.86	\$5.86	\$0	0%
Total	\$117.48	\$121.38	\$3.90	3.32%

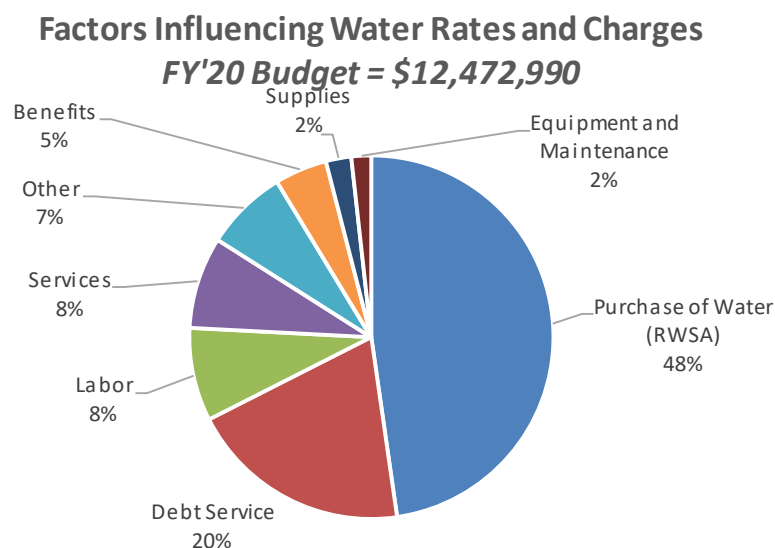
(1) Rates include monthly service charge

(2) The budget impact shown reflects a residential monthly average fee and provides consistency with other utilities. Stormwater fees are rounded to the next whole billing unit and are billed to property owners biannually.

Water Rates

Revenue Requirements to operate and maintain the City's Water System

The chart below depicts the expenses that impact the water rate.



Usage Rate

Water rates are proposed to increase by \$0.57 per 1,000 cf based on the amount of water used which is a 1.0% increase



Impact on the Customer

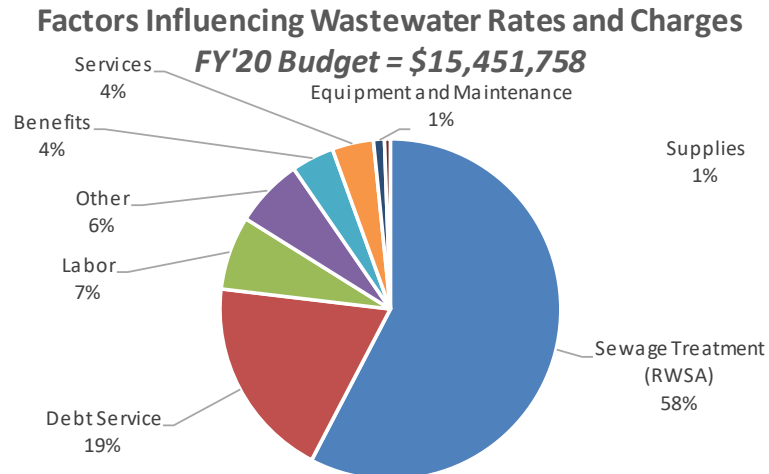
The impact on a customer's bill will depend on how much water is consumed. The average single-family household uses 400 cf/month (2,992 gallons/month; approximately 100 gallons/day). To the extent an individual customer's usage differs from the average will determine the impact of the proposed rate on their bill. The table below shows the monthly impact on water customers at different amounts of usage.

	Water Used/Month (cf)	Current Composite Water Rate/1,000 cf	Current Water Usage Charge/month	Proposed Composite Water Rate/1,000 cf	Proposed Water Usage Charge/month	\$ Change	% Change
Minimal User (10 th Percentile)	140	\$55.95	\$7.83	\$56.52	\$7.91	\$0.08	1.02%
Small User (25 th Percentile)	250	\$55.95	\$13.99	\$56.52	\$14.13	\$0.14	1.00%
Median User (50 th Percentile)	400	\$55.95	\$22.38	\$56.52	\$22.61	\$0.23	1.03%
Large User (75 th Percentile)	610	\$55.95	\$34.13	\$56.52	\$34.48	\$0.35	1.03%
High Volume User (90 th Percentile)	880	\$55.95	\$49.24	\$56.52	\$49.74	\$0.50	1.02%

Wastewater Rates

Revenue Requirements to operate and maintain the City's Wastewater System

The chart below depicts the expenses that impact the wastewater rate.



Usage Rate

Wastewater usage rates are proposed to increase by \$1.57 per 1,000 cf based on the amount of water used which is a 2.0% increase.



Impact on the Customer

The impact on a customer's bill will depend on how much water is consumed. The average single-family household uses 400 cf/month (2,992 gallons/month; approximately 100 gallons/day). To the extent an individual customer's usage differs from the average will determine the impact of the proposed rate on their bill. The table below shows the monthly impact on wastewater customers at different amounts of usage.

	Water Used/Month (cf)	Current Wastewater Rate/1,000 cf	Current Wastewater Usage	Proposed Wastewater Rate/1,000 cf	Proposed Wastewater Usage	\$ Change	% Change
Minimal User (10 th Percentile)	140	\$78.57	\$11.00	\$80.14	\$11.22	\$0.22	2.00%
Small User (25 th Percentile)	250	\$78.57	\$19.64	\$80.14	\$20.04	\$0.40	2.04%
Median User (50 th Percentile)	400	\$78.57	\$31.43	\$80.14	\$32.06	\$0.63	2.00%
Large User (75 th Percentile)	610	\$78.57	\$47.93	\$80.14	\$48.89	\$0.96	2.00%
High Volume User (90 th Percentile)	880	\$78.57	\$69.14	\$80.14	\$70.52	\$1.38	2.00%

Water & Wastewater

Monthly Service Charge

The monthly service charge for water and wastewater will not change. The proposed combined monthly service charges for water and sewer are as follows:

Water Meter Size (in inches)	Current	Proposed
5/8	\$ 10.00	\$ 10.00
1	\$ 25.00	\$ 25.00
1 1/2	\$ 50.00	\$ 50.00
2	\$ 80.00	\$ 80.00
3	\$ 160.00	\$ 160.00
4	\$ 250.00	\$ 250.00
6	\$ 500.00	\$ 500.00
14	\$ 3,267.00	\$ 3,267.00

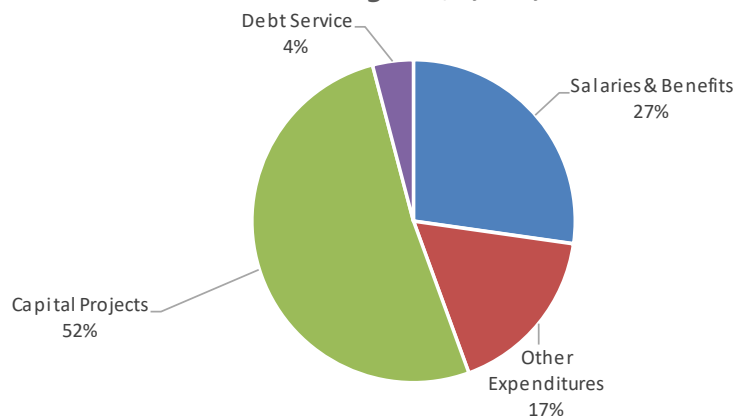
Stormwater Rates

Revenue Requirements to operate and maintain the City's Stormwater System.

The chart below depicts the expenses that impact the stormwater rate.

Factors Influencing Stormwater Rates and Charges

FY'20 Budget = \$2,931,611



Stormwater rates are proposed to remain constant for the coming year at \$1.20 per 500 square feet of impervious surface (or part thereof) per month. Stormwater fees are billed concurrently with real estate tax assessments and are due in June and December.

Modernize and maintain infrastructure integrity while pursuing environmental stewardship.

As part of the larger Water Resources Protection Program (WRPP), the City has adopted a stormwater utility fee to provide a dedicated and stable source of funding for stormwater management activities. Funds received are used to help the City comply with federal and state stormwater regulations, rehabilitate the City's aging stormwater infrastructure, address drainage and flooding problems, and pursue environmental stewardship.

Impact on the Customer

The stormwater utility fee is charged to property owners based on the amount of impervious area on their property (areas covered by hard surfaces, such as: buildings, concrete, gravel, etc.).

An example fee calculation is provided below:



Example Fee Calculation

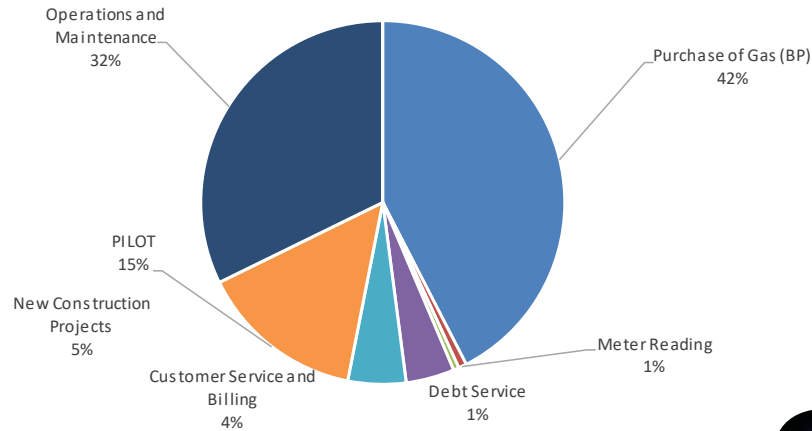
- Total impervious area (house and driveway): 2,100 SF
- Divide by 500 square feet: $2,100 / 500 = 4.2$ billing units
- Round to the next whole number: 4.2 rounds to 5 billing units
- Multiply the number of billing units by the rate (\$1.20 per billing unit per month) to determine annual fee: $5 \times \$1.20 \times 12 = \72 annual fee, billed \$36 due in June and December

Gas Rates

Revenue Requirements to operate and maintain the City's Natural Gas System

The chart below depicts the expenses that impact the gas rate.

Factors Influencing Natural Gas Rates and Charges
FY'20 Budget = \$27,155,399



Usage Rate

Gas usage rates are proposed to increase by an average of 7.00% for firm customers. Most of the increase is due to the cost of gas.



Impact on the Customer

In addition to a change to the usage rate, the impact on a customer's bill will depend on how much gas is consumed. The average single-family household uses 4,600 cf of gas monthly. The table below shows the monthly impact on gas customers at different amounts of usage.

	Gas Used/Month (cf)	Current Monthly Gas Bill (based on rates adopted 7/1/18) ¹	Proposed Monthly Gas Bill ¹	\$ Change	% Change
Minimal User	4,000	\$43.07	\$45.74	\$2.67	6.20%
Average User	4,600	\$47.81	\$50.85	\$3.04	6.36%
Large User	20,000	\$157.57	\$169.46	\$11.89	7.55%
High Volume User	60,000	\$439.63	\$474.23	\$34.60	7.87%

The base gas rate is set as of July 1 each year. Gas is purchased throughout the year and that price changes monthly due to a variety of factors (weather, economics, etc.) which are hard to predict. The purchased gas adjustment (PGA) is an adjustment that acts as a "true up" to account for differences between the market rate of purchasing gas and the base rate. This ensures that customers are not over or underpaying and that the City is not over or under collecting.

	Gas Used/Month (cf)	Recent Monthly Gas Bill with 3/1/19 PGA ²	Proposed Monthly Gas Bill ¹	% Change
Minimal User	4,000	\$45.27	\$45.74	1.04%
Average User	4,600	\$50.34	\$50.85	1.01%
Large User	20,000	\$168.58	\$169.46	0.52%
High Volume User	60,000	\$472.63	\$474.23	0.34%

(¹) Include monthly service charges (²) Include monthly service charges and PGA adjustment

Utilities Operations Overview



FY20

The Charlottesville Department of Utilities provides the Charlottesville community with safe and reliable natural gas, drinking water, wastewater and stormwater services at a reasonable cost in an environmentally responsible manner.

Water Distribution



The City's water distribution system serving over 15,000 customers contains over 1,100 fire hydrants, 3,400 water valves and 183 miles of water main line ranging in size from 2 inch to 18 inch in diameter.

Water Distribution System Improvements

A Water Prioritization Study was completed in 2009, which identified 48 projects to be completed. Since 2009, additional projects were identified and added to the list and work has been completed on 73 water projects.

These projects aim to improve fire protection, reduce main breaks, improve overall water quality and address the undersized lines. Total length of pipe replaced to date for water projects is approximately 14.8 miles (78,313 linear feet) averaging about two miles per year. To date, \$16 million has been spent. This work is continuing in FY2020.

Additional supplemental water main projects include the following:

1. Rugby Road Water Meter Replacements/ Gentry Lane Water Main Installation
2. Emmet Street/ Ivy Road Water Main Replacement
3. High Street Water Main Replacement
4. West Main Street Water Main Replacement

Backflow / Cross-Connection Prevention

Cross-contamination presents a serious hazard to our water supply. The situation in which water flows in a direction that is opposite from the intended flow is called backflow, and can potentially put the drinking water supply in danger by allowing the undesirable reversal of flow, such that non-potable water moves into the potable water system. The location at which this backflow occurs, where a customer's water line and the main supply line are joined, is called a point of cross-connection. As part of the City's strategy, certain businesses, such as medical facilities, laboratories, food processing plants, chemical plants, high-rise buildings, or other facilities where a potential for backflow or cross-connection hazard may exist, are required to install and maintain cross-connection or backflow prevention devices. The City's Department of Utilities currently inspects over 1,200 backflow devices in an effort to maintain and provide the highest quality water to the City residents.



System Improvements to Prevent Water Loss

Replacing water distribution mains and service lines is an important component in water loss prevention and conservation. Aging pipes are a primary cause of lost water in a system. Since FY2009, the City has been replacing aged water lines and service lines, which reduces leaks and supports improving infrastructure. The City has also performed annual system-wide leak detection surveys. With over 238 miles of water lines (mains

and services), 10 leaks were detected and repaired during the 2018 testing, resulting in an estimated loss of 68,000 gallons per day. The City aims to respond and repair leaks expeditiously to minimize water loss and service impacts. Leak audit surveys were completed in 13 of the past 15 years and will continue annually. The next survey is scheduled for Fall 2019 and will be consistent with past years covering 100% of the distribution system.



The American Water Works Association (AWWA) recommends that all utilities perform a water audit every year. This audit is intended to identify sources of non-revenue water and to focus efforts in reducing those water losses. Based on the water audit recommendations, the City continues to minimize water loss by outreach, system repair and replacement, and improved leak detection technologies.

The water audit also recommended a water meter calibration and replacement program be implemented starting in FY2014. The meter replacement program replaced 84 large water meters in 2018 and over 231 since the program's inception. The success of the program has led to increased momentum with approximately 80 meters projected to be replaced in FY2020. Because conventional water meters less accurately measure low flow rates, starting in 2017 highly-sensitive "low-flow" ultrasonic meters are being installed in all applications.

Wastewater Collection



Charlottesville's sanitary sewer system extends to most areas of the City and consists of about 171 miles of pipe and 5,700 manholes.

Wastewater Collection Improvements

In 2009, Utilities awarded a multi-year, multi-million dollar contract utilizing a "find-and-fix" approach for sewer repair and rehabilitation. The work encompasses the rehabilitation of sewer manholes and sewer lines. In addition, crews have been performing CCTV (closed-circuit televising) and smoke testing throughout the City system. Any deficient pipes or structures found are immediately added to the list for rehabilitation/replacement under the same contract.

"Find-and-Fix" rehabilitation projects are unique construction projects. The exact work is not known at the time of bidding, so all potential work items must be included in the bid form (bid form includes over 200 bid items). The Contractor performs the evaluation work during construction, primarily TV inspections, submits the evaluation to the Engineer for review, and the Engineer then decides on the final rehab work within seven days. The work is fast-paced and allows for emergency situations to be addressed within 48 hours. The City estimates savings of over \$2 million following this find-and-fix approach. To date, 44.1 miles or 232,915 linear feet of sewer lines have been replaced or rehabilitated and \$19 million has been spent.



Staffing Needs

Due to the increase of development throughout the City, and the demand for increased infrastructure capacity, the Department is creating a new position and will hire an additional Utilities Construction Inspector. This position will be responsible for overseeing all aspects of the installation of public utility lines by private contractors to ensure that they are installed in compliance with local, state, and federal standards. This position will also assist in the inspection of capital improvement projects.



Fats Oils and Grease

The City of Charlottesville prohibits the discharge of fats, oils, and grease (FOG) down the drain. In excessive amounts, these contaminants will cause or contribute to a blockage in the sanitary sewer collection system. FOG accumulates in sewer pipes, and over time, can build up and restrict the flow in the pipe, causing untreated wastewater to back up into businesses or homes, or cause manholes to overflow in the street (commonly referred to as sanitary sewer overflow or SSO). This SSO can potentially enter a storm drain and contaminate local waters. In an effort to prevent these events, the City of Charlottesville maintains an active FOG program that routinely inspects and advises best management practices to over 300 city restaurants on an annual basis on how to properly dispose of FOG.

Stormwater



Charlottesville's stormwater conveyance system is integrated throughout the City's municipal boundary and consists of approximately 130 miles of pipe and 8,250 structures.

The City owns roughly 54% of the stormwater pipes and 28% of the stormwater structures within the municipal boundary. Approximately 13 miles of the stormwater conveyance system carry streams that have been piped. The Stormwater Utility is the dedicated funding source for the City's Water Resources Protection Program (WRPP). The WRPP is designed to rehabilitate the City's aging stormwater conveyance system, comply with federal and state stormwater regulations, address drainage problems, and pursue environmental stewardship. The proposed stormwater utility rate for FY2020 remains unchanged at \$1.20/month per 500 square feet of impervious surface on a property. Stormwater utility fees are billed twice a year to property owners and are received with real estate tax bills due in June and December.



Stormwater Improvements

Utilities have had an active Stormwater Conveyance System Rehabilitation Program since 2010. The City has integrated the sanitary and storm sewer rehab into a single "find-and-fix" construction project with the same contractor completing the work. The work encompasses the rehabilitation, replacement, and repair of pipes and associated structures. In addition, non-routine repairs are completed in a timely manner as they arise, often in response to subsidence in City streets and sidewalks. Approximately 10 miles of pipe and 250 structures have been rehabilitated. To date, \$7 million has been spent.

The City-wide Water Resources Master Plan, published in 2017, includes both a drainage improvement and water quality capital improvement plan (CIP). Each individual plan ranks and prioritizes projects in reference to available funding. Projects included in the drainage improvement CIP address a combination of both historic and more recently identified drainage issues. Projects in the water quality CIP focus on stormwater management retrofits to achieve water quality improvement and nutrient runoff reduction.

Staffing Needs

In order to continue proper maintenance of the stormwater conveyance system and keep up with the increased workload of the Stormwater Utility, three (3) new positions will be created in FY2020. These positions will provide an additional maintenance crew which will be responsible for the day-to-day routine maintenance of the stormwater conveyance system. In FY2020, the Utilities Department will be able to move all operating expenses, including an additional four (4) positions currently paid from the General Fund, to the Stormwater Utility Enterprise Fund. This move is accomplished by reducing cash funding to the capital improvements budget to a level that is more in line with actual annual expenditures. This move ensures that adequate staffing is available to meet regulatory requirements under the City's MS4 permit while maintaining a high level of service to the system.



Gas System



Charlottesville Gas has provided residents of Charlottesville and urban areas of Albemarle County with safe, efficient, reliable, and economical service for over 150 years. Charlottesville Gas has over 20,200 customers and maintains 333 miles of gas lines and 275 miles of gas service lines.

Charlottesville Gas is required by the Pipeline & Hazardous Materials Safety Administration (PHMSA) to maintain an Operator Qualification Plan that adheres to federal regulations. These regulations require Charlottesville Gas employees to demonstrate their competence in regards to a variety of different tasks that are performed on any Charlottesville Gas pipeline. The typical Charlottesville Gas employee must satisfactorily pass over 40 Operator Qualification (OQ) tests. Charlottesville Gas is required, by code, to retain these training and test records for a minimum of five years. In December 2018, the State Corporation Commission (SCC) on behalf of PHMSA audited the Charlottesville Gas Operator Qualification Plan and testing records. The Commission found no probable violations or recommendations in regards to the Plan or the associated OQ records. The Charlottesville Gas Utility takes pride in staffing a trained and informed workforce, and the State Corporation Commission's inspection only validated the City's efforts.

Charlottesville Gas is required by PHMSA to monitor and address any potential leak threats to the natural gas system through a Distribution Integrity Management Program (D.I.M.P.). Examples of potential threats include excavator damages, corrosion and material defects. Included in the City's D.I.M.P. Plan are procedures that have been put in place to mitigate potential threats to the gas system. Not only must this plan be in place, but operators must demonstrate that the procedures are being implemented and that potential threats are being reduced. As part of the Program, Utilities have been working with the City's IT Department to develop an application to track and survey risks and threats to the natural gas system. Using the Utility GIS Viewer and tablets, Gas employees are able to track and document the location, cause, severity and response time associated with each leak. In March 2019, the State Corporation Commission on behalf of PHMSA performed a thorough audit of the City's D.I.M.P. The Commission found no pipeline safety violations in regards to the documentation or implementation of the City's D.I.M.P.

The Gas Utility works closely with the Local Energy Alliance Program (LEAP), a local community-based nonprofit that offers a variety of energy efficiency resources. Since 2014, a Home Energy Check-Up (HECU) is available to residential gas customers. This program is funded through a combination of a Charlottesville Gas contribution and a small fee of \$45 from the residents. During the HECU, a LEAP Energy Coach performs direct installs of energy saving measures. For 2019, the Gas Utility and LEAP have developed a new pilot program offering energy efficiency upgrades at no cost to income-qualified households. This program has the primary goal of reducing greenhouse gas emissions by saving energy. These improvements will also enhance low-income household conditions while reducing living expenses for residents.

There has been a 53% reduction in gas line damage caused by third party excavators in the last six years (from 2.83/100 Miss Utility tickets in 2013 to 1.32/1000 Miss Utility tickets in 2018). This is due to the implementation of the outreach program "Dig with Care" and outsourcing the natural gas location operation to improve its accuracy. The program includes a series of "Marty's Minute" radio spots, annual VA811 Day celebrations, excavation safety training workshops, and distributing VA811 kits to local contractors. In association with the Charlottesville Gas mascot, Flicker the Flame, a Flicker Sing-a-long Jingle Contest was held in conjunction with CBS19. Utilities asked the participants to help us promote gas safety in our community by submitting a video singing Flicker's jingle for a chance to win a \$1000 prize. This user-generated campaign had over 213,000 views on Flicker the Flame Facebook page and 4,258 engagements. 2,378 people voted for their favorite video which is more participation than CBS19 has received before for a single contest.



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



Agenda Date:	June 17, 2019
Action Required:	Ordinance Amendment
Staff Contacts:	John Blair, City Attorney
Presenter:	John Blair, City Attorney
Title:	Amend Section 2-6 of the Charlottesville City Code 1st of 2 Readings

Background:

On September 20, 1933, the Charlottesville City Council adopted a resolution recognizing five official City holidays: New Year's Day, Independence Day, Labor Day, Thanksgiving and Christmas. In examining the Council's minutes, the City Attorney's Office could not find any other City Council action regarding City holidays until 1945. On December 3, 1945, the Charlottesville City Council adopted a resolution recognizing eight official City holidays including the observation of Thomas Jefferson's birthday on April 13. This is the first recognition of April 13 as an official City holiday contained in the Council's minutes. A December 4, 1945 *Daily Progress* story indicates that the City adopted its holiday schedule to mirror the holiday schedule adopted by the Albemarle County Board of Supervisors adopted in November of 1945.

On January 4, 1971, the Charlottesville City Council enacted City Code Section 2-189.1 codifying the legal holidays observed by the City of Charlottesville. The 1971 ordinance designated April 13 as a city holiday to observe Thomas Jefferson's birthday.

On September 5, 2017, the Charlottesville City Council adopted a resolution that recognized March 3 as Liberation Day within the city, but did not codify it as a legal holiday. A copy of the September 5, 2017 Council Memorandum and Resolution is attached to this memorandum.

On June 3, 2019, Mayor Walker requested that a future Council agenda consider removing April 13 as an official city holiday and making Liberation and Freedom Day an official city holiday.

Discussion:

On March 3, 1865, United States Army forces under the command of Major General Philip H. Sheridan arrived in Charlottesville, Virginia and remained in the area until March 6, 1865. From March 3 to March 6, 1865, area African-Americans emancipated themselves from enslavement.

Mayor Walker is proposing that the City of Charlottesville recognize March 3 as an official City

holiday to be known as Liberation and Freedom Day. Additionally, Mayor Walker is proposing adding March 4 as an official City holiday.

April 13 would no longer be recognized as an official City holiday.

One additional ordinance change for the Council's consideration is the treatment of March 3 and 4 when March 3 occurs on a Friday and March 4 occurs on a Saturday. The proposed ordinance would provide that the City would recognize the March 4 holiday on Monday March 6.

If the ordinance amendment is approved, the City's Human Resources Personnel Policies would be amended to reflect the ordinance, and City employees would receive notification of the change in the holiday schedule.

Budgetary Impact:

An additional city holiday would have a budgetary impact of approximately \$62,500 in Fiscal Year 2020.

Attachments:

2017 Liberation Day Council Memorandum and Resolution
Proposed Ordinance

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 21, 2017
Action Required:	Resolution Decision
Presenters:	Mike Murphy, Assistant City Manager
Staff Contacts:	Maurice Jones, City Manager
Title:	Recognition of Liberation Day as a City Holiday

Background:

Council created an ad-hoc blue ribbon commission on May 2, 2016 to address the questions and concerns brought before council regarding race, memorials and public spaces in Charlottesville. A number of recommendations were made based on the charge from City Council. One recommendation was the designation of March 3 as either Freedom or Liberation Day.

Discussion:

Union forces occupied Charlottesville from March 3-March 6, 1865. Encyclopedia Virginia says of the occupation "In February 1865, Sheridan's men rode south from Winchester with orders to destroy railroads and possibly take Lynchburg. They arrived in Charlottesville on March 3, and there were met by a delegation of town and university officials, who asked for protection. Union troopers burned a nearby woolen mills but, apart from widespread foraging and some looting, left the town and college intact. In the meantime, many of the area's African Americans, including at least one enslaved directly by the University of Virginia, used the Union occupation to escape their enslavement." UVA magazine reported in 2015 "Wherever Union troops went, large numbers of African Americans escaped to freedom. Scholars have called this phenomenon "self-emancipation," while Gallagher, for one, has emphasized the importance of the Union army in making such escapes even possible." (Dr. Gary Gallagher spoke to the Blue Ribbon Commission to provide historical context for their work.)

Vice Mayor Bellamy read a proclamation into the record on February 6, 2017. This item returns to Council so that a vote may be recorded to document the decision that Liberation Day will be recognized by the City of Charlottesville in future years.

Alignment with City Council's Vision and Strategic Plan:

The blue ribbon commission reflects the City's vision to be a "Community of Mutual Respect." This also aligns with Strategic Plan Goal 5: *Foster Strong Connections*, and the initiative to respect and nourish diversity.

Budgetary Impact

No budgetary impact has been discussed at this time. If Council sponsored events to commemorate Liberation Day, or created an additional holiday for City of Charlottesville employees, additional funding would be required from the City Council Strategic Initiatives account.

Recommendation:

Staff recommends approval of the resolution without creating an additional City of Charlottesville Holiday where offices would be closed.

Alternatives:

Council may elect to not pass a resolution at this time. Council may choose to appropriate funds for a celebration of Liberation day on March 3, 2018. Council may elect to consider the creation of an additional City of Charlottesville holiday where offices would be closed.

Attachments:

Resolution

RESOLUTION

WHEREAS more than half of the population of Charlottesville and of Albemarle County at the time of the Civil War was enslaved; and

WHEREAS this historical fact remained little-known until the recent salutary work of the Charlottesville Blue Ribbon Commission on Race, Monuments, and Public Spaces, which promoted public knowledge of this important aspect of the history of our City and county; and

WHEREAS the City of Charlottesville endeavors to “change the narrative on race” by recognizing and celebrating African American history as an important constituent of the City’s collective history; and

WHEREAS 14,000 members of our community, having struggled for generations in bondage, began to be freed on March the 3rd, 1865, owing to the arrival of Union forces under the command of Generals Custer and Sheridan, who enforced the 1863 Emancipation Proclamation; and

WHEREAS the values of freedom and justice are universal, and are thus rightly celebrated by everyone;

NOW, THEREFORE, BE IT RESOLVED, by declaration of the Charlottesville City Council, that March the 3rd shall henceforth be officially recognized by the City, and celebrated as “Liberation Day.”

**AN ORDINANCE
AMENDING SECTION 2-6
OF CHAPTER 2 (ADMINISTRATION)**

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

Section 2-6 of Chapter 2 of the Code of the City of Charlottesville (1990) is amended as follows:

Sec. 2-6. - Legal holidays.

In each year, the first day of January (New Year's Day), the third Monday in January (Martin Luther King, Jr. Day), the third Monday in February (George Washington Day), the third day of March (Liberation and Freedom Day), the fourth day of March, ~~the thirteenth day of April (Jefferson's Birthday)~~, the last Monday in May (Memorial Day), the fourth day of July (Independence Day), the first Monday in September (Labor Day), the eleventh day of November (Veterans Day), the fourth Thursday in November (Thanksgiving Day), the Friday after the fourth Thursday in November, the twenty-fifth day of December (Christmas Day) or, whenever any of such days shall fall on Saturday, the preceding Friday shall be a legal holiday, and whenever such days shall fall on Sunday, the Monday next following such day shall be a legal holiday. When the fourth day of March occurs on a Saturday, the sixth day of March shall be a legal holiday.

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



Agenda Date:	June 17, 2019
Action Required:	Report and Direction
Presenter:	Alex Ikefuna, Director, Neighborhood Development Services
Staff Contacts:	Jeff Werner, Urban Design & Preservation Planner Carrie Rainey, Urban Designer, Neighborhood Development Services Charlene Green, Director, Human Rights Commission
Title:	Disposition of the Lewis, Clark and Sacajawea Statue

Background:

Council approved on 6 May 2019 a resolution accepting staff's recommendation to slightly shift the statue per previous direction provided for the West Main Street Schematic Design Plan. Council also directed staff to design a public process for addressing the disposition of the Lewis, Clark, and Sacajawea Statue to be considered for implementation separate from the state-funded components of the West Main Street Streetscape Plan.

Discussion:

To begin the public process of the final disposition of the Statue, staff recommends the establishment of an oversight committee, similar to the Blue Ribbon Commission on Race, Memorials and Public Spaces, and retaining a qualified consultant to facilitate and assist with the community outreach component.

The committee could be comprised of eleven members to be appointed by Council through an application process, including six at-large members and one representative from each of the following Boards and Commissions: the Board of Architectural Review, the Historic Resources Commission, the Human Rights Commission, and the PLACE Design Task Force. The eleventh designated member would be City staff who shall assist in coordination with the consultant.

The proposed mission of the Lewis, Clark, and Sacajawea Statue committee would be to oversee a public engagement process charged with providing Council options for the disposition of the Lewis, Clark, and Sacajawea Statue.

For example, options including, but not limited to:

- Removing the statue from the public right of way and relinquishing ownership to a party willing;

- Retaining the statue and augmenting the site;
- Here and/or elsewhere in the city creating opportunities to more fully express the historical context of the Corp of Discovery and the contributions of all of its members through interpretative signage;
- Identifying additional opportunities for the City to more fully express this community's Native American history.

Council will explore tasking the committee with the following goals:

- Engage and involve the Charlottesville community through public meetings, hearings, forums, etc.;
- Evaluate and advise Council on a full range of options within the charge--the objective shall be consensus on a series of options, not a majority vote on a single recommended outcome;
- Coordinate with the City Attorney's office to provide full legal review of options considered;
- Identify and communicate with other efforts underway related to this matter.

The public involvement timeline is proposed to be no later than nine (9) months after the seating of the committee and the retaining of a consultant, the committee will produce a written report that summarizes public comments and findings, that presents options for Council consideration, and which will advise on the costs and any associated issues related to implementation of those options.

A budget of \$75,000 is proposed for consultancy fees, meeting space rentals, advertisements and other related tasks for public involvement.

Council may also provide direction to staff on organizing a work session to discuss scope, staffing, timeline and other logistical issues related to forming this committee.

Alignment with City Council's Vision and Strategic Plan:

Council's consideration of the committee reflects the following aspects of Council's Vision and Strategic Plan:

- To be a community of mutual respect: In all endeavors, the City of Charlottesville is committed to racial and cultural diversity, inclusion, racial reconciliation, economic justice, and equity. As a result, every citizen is respected. Interactions among city leaders, city employees and the public are respectful, unbiased, and without prejudice.
- To be an inclusive community of self-sufficient residents: Intentionally address issues of race and equity
- To be a beautiful and sustainable natural and built environment: Engage in robust and context sensitive urban planning and implementation; Protect historic and cultural resources
- To be a well-managed and responsive organization: An engaged community harnesses its most valuable resource, its residents.

Community Engagement:

The West Main Street Streetscape project has included extensive community engagement activities - focus groups discussions, public meetings, and feedback opportunities at City Council meetings, and engagement with the UVA representatives. The committee will also be tasked with ensuring robust community engagement throughout the process of developing options for City Council consideration.

Budgetary Impact:

Staff recommendations include hiring a facilitator to assist the committee to be established. Therefore, staff requests that the City Council consider allocating \$75,000 for this proposed project.

Recommendation:

Staff recommends establishing a committee of eleven members including one staff member, six at-large members and one representative from each of the following Boards and Commissions: the Board of Architectural Review, the Historic Resources Commission, the Human Rights Commission, and the PLACE Design Task Force. A budget of \$75,000 will be established and a consultant hired to assist the committee with leading a public involvement process which will result in a written report containing all public comments received and present viable options within nine (9) months of the committee's formation.

Alternatives:

Council may adapt or change staff's recommendation.

Council may elect not to accept staff recommendations, and in that case, the statue will be shifted and remain in the location as approved in the Schematic Design Plan on May 15, 2017; 20 feet to the southwest of the current location.

Attachment:

- Resolution

RESOLUTION

Approval of Recommendation on the Disposition of the Lewis, Clark and Sacajawea Statue

WHEREAS, by a vote taken on May 6, 2019, the City Council accepted staff's recommendation to slightly shift the statue per the approved Schematic Design Plan for the West Main Street Streetscape Plan; and

WHEREAS, by the same vote taken May 6, 2019, the City Council, directed staff to design a public process for developing recommendations on the disposition of the Lewis, Clark, and Sacajawea Statue to be considered for implementation after completion of the state-funded components of the West Main Street Streetscape Plan; and

NOW THEREFORE BE IT RESOLVED, that the Charlottesville City Council does authorize the creation of an ad hoc Lewis, Clark, and Sacajawea Statue committee with the mission to oversee a public engagement process charged with providing Council options for the disposition of the Lewis, Clark, and Sacajawea Statue including, but not limited to:

- Removing the statue from the public right of way and relinquishing ownership to a party willing;
- Retaining the statue and augmenting the site;
- Here and/or elsewhere in the city creating opportunities to more fully express the historical context of the Corp of Discovery and the contributions of all of its members;
- Identifying additional opportunities for the City to more fully express this community's Native American history;

BE IT FURTHER RESOLVED, that the committee shall work with a consultant retained by the City who is tasked with coordinating and facilitating community engagement plan, including, for example, but not limited to:

- Working directly with the committee to facilitate and coordinate public meetings and community outreach;
- Establishing a web link and/or designated email address for people to express comments and suggestions;
- Outreach to stakeholders including the Lewis and Clark Exploratory Center, the Virginia Indian Heritage Program, and the Lemhi Shoshone tribe;

BE IT FURTHER RESOLVED, that the committee shall have eleven members to be appointed by Council, including six at-large members, one representative from the Board of Architectural Review, the Historic Resources Commission, the Human Rights Commission, the PLACE Design Task Force, and one designated member of City staff who shall assist in coordination with the consultant;

BE IT FURTHER RESOLVED, that the committee shall establish a chair and co-chair, notes will be retained from each meeting, and;

BE IT FURTHER RESOLVED, that the committee is tasked with the following goals:

- Engage and involve the Charlottesville community through public meetings, hearings, forums, etc.;
- Evaluate and advise Council on a full range of options within the charge--the objective shall be consensus on a series of options, not a majority vote on a single recommended outcome;
- Coordinate with the City Attorney's office to provide full legal review of options considered;
- Identify and communicate with other efforts underway related to this matter;

BE IT FURTHER RESOLVED, that Council shall appoint to this committee members who meet the following criteria:

- Commitment to the mission;
- An open-minded approach to the charge;
- Respected in their area of expertise or study;
- Principled and collegial;
- Diverse and reflective of the Charlottesville community;
- Curiosity for history and a willingness to contribute to the narrative;
- Strong affiliation with this community;

BE IT FURTHER RESOLVED, that Council charges by no later than nine (9) months after the seating of the committee and the retaining of a consultant the committee will produce a written report that summarizes public comments and findings, that presents option for Council consideration, and which will advise on the costs and any associated issues related to implementation of those options;

BE IT FURTHER RESOLVED that Council will reserve \$75,000 to hire a consultant for committee operations, with expenditures approved by the City Manager and reported to Council at regular intervals.

Approved by Council
June 17, 2019

Kyna Thomas, CMC
Clerk of Council

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



Agenda Date:	June 17, 2019
Action Requested:	Approval of Resolution
Presenter:	Susan Elliott, Climate Protection Program Manager
Staff Contacts:	Susan Elliott, Climate Protection Program Manager Kristel Riddervold, Environmental Sustainability Manager Paul Oberdorfer, Department of Public Works Director
Title:	2019 City Climate Protection Program – Program Support Grant with LEAP - \$104,920

Background:

The City of Charlottesville’s Environmental Sustainability Division is proposing to provide already appropriated funds of \$104,920 to the Local Energy Alliance Program (LEAP) for support to the 2019 Climate Protection Program.

Charlottesville has been involved with climate protection related efforts at the local level for over 10 years, beginning with the establishment of the Climate Protection Program following the City of Charlottesville’s 2006 commitment through the US Mayors Climate Protection Agreement to reduce communitywide greenhouse gas (GHG) emissions. This focus and commitment was re-confirmed through joining of the Global Covenant of Mayors for Climate & Energy in June 2017. Updates on efforts under the Global Covenant of Mayors commitment were presented to City Council in November 2018 and May 2019.

Over 95% of Charlottesville’s GHG emissions are associated with non-municipal activities (the three largest sectors, in order, are residential, commercial, and transportation), indicating that success and progress in reducing our community’s emissions requires participation of the public *and* private sectors. It is noted, as well, that emissions-reducing actions are also frequently associated with reduced energy usage, lower utility bills, greater comfort, and health benefits. As such, the Climate Protection Program has a focus on supporting emissions-reducing actions within the community and aims to ensure that resources and services for such are available, accessible, and affordable. Successful efforts have routinely included an ongoing partnership with the Local Energy Alliance Program (LEAP) with Climate Protection Program support adjusting to the needs of the program.

LEAP, a community-based 501c3 nonprofit, aims to lead the effort in local communities to implement clean energy technologies in buildings to promote cost savings for families and businesses, job creation, energy self-reliance, local economic development, and the mitigation of climate change. LEAP’s alliance model is a community-based, public-private partnership.

The most recent annual report from all of the localities LEAP serves is available at <http://leap->

va.org/about/annual-reports and includes the following metrics:

- 560,000+ kilowatt hours of energy saved
- 52 equivalent homes off the grid for 1 year
- \$67,475 annual savings after improvements
- 90 residential solar installations
- 2 commercial solar installations
- 884 kW solar power installed
- 35 low-income single family homes served
- 1,205 low-income multifamily homes served
- 96 market rate single family homes served
- 5 commercial buildings

In working with LEAP, the Climate Protection Program receives program support in the form of providing core services to the community and opportunities to work collaboratively together to address specific needs. Additionally, LEAP is able to leverage funding from other sources – such as utility programs (e.g., Dominion Energy’s low-income weatherization programs), grant opportunities, partnerships with other non-profits with aligned programs, and the City-funded Home Energy Conservation Grant program – and layer them with the Climate Protection Program support agreement funds to expand the services available to City residents and businesses.

The 2018 Program Support Agreement with LEAP included continuing services core to the Climate Protection Program and established a coordinated, multi-stepped *Energy Smart Homes* retrofit program. The *Energy Smart Homes* program coordinates multiple funding sources and walks residents through the stages of energy assessment – starting with a Home Energy Check-Up – and progressing to home energy upgrades. The *Energy Smart Homes* program is available to owner-occupied and rental homes and provides funding pathways for both market-rate and low-income eligible households. The Climate Protection Program funding supports three key pieces of the *Energy Smart Homes* program in Charlottesville: the Home Energy Check-Ups (HECUs), Education and Outreach, and Low-Income Residential Retrofit Assistance. Use of the Climate Protection Program funds is intentionally designed to layer with other funding sources. In the case of lower income households, the PSA funding helps to address small improvements that enable eligibility to utility or federally funded programs and supplements such programs’ funding to ‘finish the job’ when a maximum cap is reached. (For example, if a utility will fund up to X feet of insulation, but the resident’s home needs somewhat more than that amount.) Funds from the 2018 Program Support Agreement will be expended by July 2019.

The proposed 2019 Program Support Agreement would continue funding these successful services and adds additional research and analysis support for staff as the City enters Phase 3 of the Covenant of Mayors commitment and develops a climate action plan.

Discussion:

As presented in the attached proposal, the ongoing partnership between LEAP and the City will continue a demonstrable, effective, and nimble model for delivering increased energy

performance to the City's building sectors, in particular its residential sector, to owner-occupied and renter-occupied homes, at multiple income levels.

LEAP continues to appreciate the past grants from the City and uses these to leverage significant additional funding that contributes to an increased level of energy efficiency programs and services implemented in Charlottesville. As an example, since November 2015, 515 homes LEAP has worked with (296 multi-family, 219 single family) have been part of Dominion's Low-Income Weatherization Programs, bringing \$717,383 of assistance to Charlottesville residents. Due to decisions from the SCC and the 2018 and 2019 General Assembly sessions, several sources of new funding will become available within the next 2-4 months for Dominion energy programs that LEAP can leverage for additional energy improvements in Charlottesville.

The proposal to grant funds to LEAP to provide ongoing support to the Climate Protection Program continues the strategy to reduce energy consumption and associated greenhouse gas (GHG) emissions, increase cost savings for residents, and contribute to the City's policy goals. Through a proposed grant of \$104,920 from the City to LEAP to implement the 2019 Climate Protection Program Support proposal (attached), the following will be furthered:

- Continuation of home energy direct installation services, which allow Charlottesville to leverage available utility funding to increase impact
- Development and delivery of residential energy education and outreach presentations to increase resident awareness of home energy use factors and services available to assist with improvements, including highlights of services supported by the City.
- Provision of industry expertise and recommendations to support policy and program considerations of City staff
- Retrofit assistance for low-income residents to help reach eligibility standards for utility-funded energy improvement programs, increase opportunities for improvement beyond the utility-funded services, and to address obvious and immediate fixes

City staff has closely coordinated with LEAP on the intent of the grant, and the attached Memorandum of Understanding provides a summary of the purposes of the funds, program parameters desired by the City, and progress reporting requests.

Alignment with City Council's Vision and Strategic Plan:

Approval of the Resolution for the 2019 Climate Protection Program Support Grant aligns directly with Council's vision for Charlottesville to be *A Green City* with clean air and energy efficient homes and buildings. It also contributes to the following goal/objective in the City's Strategic Plan:

Goal 3: A Beautiful and Sustainable Natural and Built Environment

Objective 3.4: Be responsible stewards of natural resources

Community Engagement:

There have been and will continue to be numerous initiatives engaging various community audiences. Utilization of the resources offered through past support agreements and questions

that City staff receive from community members seeking resources and information regarding improved energy use speak to community interest in these services. Additionally, public comments received about a new greenhouse gas reduction goal for the City included many statements about continuing to take action while developing a climate action plan.

Budgetary Impact:

Funding support for this program would come from funds that were previously appropriated as part of the Fiscal Year 2019 adopted budget within the Environmental Sustainability Division.

Recommendation:

Staff recommends approval of the Resolution.

Alternatives:

If Council chooses not to proceed, other approaches to promote energy efficiency improvements in the residential and non-residential sectors will be examined.

Attachments:

- Funding Resolution
- Signature Resolution and Proposed Memorandum of Agreement
- LEAP 2019 Proposal for City of Charlottesville Climate Protection Program Support

RESOLUTION
2019 Climate Protection Program Support Grant
\$ 104,920

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$104,920 is hereby paid to LEAP from previously appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:

\$104,920 Fund: 631 Cost Center: 2711001000 G/L Account: 599999

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, attached hereto, in form approved by the City Attorney or his designee.

Memorandum of Understanding (MOU) between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements.

**MEMORANDUM OF UNDERSTANDING
2019 CLIMATE PROTECTION PROGRAM SUPPORT**

This Memorandum of Understanding (“MOU”) is made this ___ of _____, 2019, by and among the City of Charlottesville, Virginia and the Local Energy Alliance Program.

Whereas, the City of Charlottesville, Virginia, (hereafter, the City) wishes to increase energy performance of Charlottesville homes and non-residential buildings, and to reduce the greenhouse gas associated with community-wide energy use, and;

Whereas, the Local Energy Alliance Program (hereafter, LEAP) wishes to serve our local community to conserve energy in existing buildings, to promote cost savings, job creation, sustainability, local economic development, and environmental stewardship, and;

Whereas, LEAP wishes to provide access to expertise and action steps for energy efficiency and renewable energy implementation;

Whereas, the parties agree that the intended use and release of City funds should be authorized in a mutually agreed fashion, in furtherance of these shared goals;

Now, Therefore, the City and LEAP jointly agree that upon execution of this MOU, LEAP will be granted an amount of One Hundred and Five Thousand Dollars (\$105,000) the source of which is already appropriated funds in Fund 631, Cost Center 2711001000, for the purpose of providing 2019 Climate Protection Program support focused on providing access to expertise and action steps for improved energy performance and making the energy efficiency actions process streamlined, easy to understand, and financially attractive, affordable, and accessible. The parties agree to the terms and conditions of this MOU as set forth below:

1. Use of Funds:

The parties agree that funds may be used only for the following purposes as covered in the 2019 Climate Protection Program Support proposal.

2. Program Parameters:

Upon receipt of the grant, LEAP agrees to provide the proposed program support to promote energy performance improvements.

3. Program Progress Reports

LEAP acknowledges the City’s desire to receive progress reports regarding the accomplishments of the program at a minimum of three mutually established checkpoint dates. Both parties agree to the value of monthly meetings to ensure that pursuit of common goals is on track. Progress reports may be provided to those LEAP board members appointed to represent the City of Charlottesville and may contain the metrics outlined in the 2019 proposal.

4. Modification Terms

This MOU may be supplemented, modified, or amended by mutual agreement as set forth in writing.

In Witness Whereof, the City of Charlottesville and the Local Energy Alliance Program have executed this MOU effective the last date written below.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____

Title: _____

Date: _____

Approved as to Form:

Funds are Available:

City Attorney

Director of Finance, or designee

LOCAL ENERGY ALLIANCE PROGRAM

By: _____

Title: _____

Date: _____

Proposal for City of Charlottesville Climate Protection Program Support

June 2019



Local Energy Alliance Program, Inc. (LEAP)

LEAP Proposal for City of Charlottesville

Energy Efficiency and Renewable Energy Programs

Summary

LEAP is presenting this proposal to the City of Charlottesville to continue supporting the Climate Protection Program. As the City engages in its process to identify activities to achieve new climate change mitigation goals, LEAP continues to be the key provider of an integral element of reducing energy demand in existing residential buildings. Moving forward for the rest of 2019 and into the future, LEAP proposes to continue existing programs that serve the residential sector, provide services to all socio-economic levels, and reduce energy usage, with the addition of LEAP providing supportive policy analyses to the City.

Updates from 2018-2019 Proposal Implementation

In October of 2018, LEAP signed an MOU with the City of Charlottesville for the implementation of residential energy efficiency programs through the end of fiscal year 2019. Successes and projected goals include:

1. Home Energy Check-Ups: **110**. Our target was 80. Many recipients expressed interest in “Project Management” to be offered by LEAP.
2. Retrofits Completed for Low-Income residents: 22
 - # of jobs with CPP funds leveraged: 7
 - # total CPP funding leveraged: \$2400 as of 5/21 with \$5,000 projected by end of June
3. Community Based Social Marketing: LEAP built a close collaboration with the Charlottesville Climate Collaborative (C3), a key influencer whose programming directly engaged households to contact LEAP. Additionally, LEAP focused outreach to targeted neighborhoods by placing door hangers and sending direct mail to strategically selected neighborhoods. Finally, LEAP began outreach to other key influencing organizations like Charlottesville Public Housing Association of Residents (PHAR) and realtor associations to discuss and plan for how we can best collaborate and get our messaging, and ultimately services, to the right constituents. Targeted outreach with mailers and hangers we have so far found not to be effective at generating interest, while the outreach to influencing organizations is still being implemented. Collaboration with C3 has been an extremely valuable partnership, generating demand for services provided by the PSA.
4. Education and Outreach Events: **24**. Through our Program Services Agreement with the city, LEAP provides outreach and education on topics related to energy efficiency and renewable technology directly to city residents and business owners. In some cases, these events engage a regional audience as well.

Events and Education opportunities participated in by LEAP staff:

1. Senior Center: 11-noon July 31 - 6 attendees
2. Westhaven Community Day: 10-1 pm August 4 - 50 attendees
3. Central library: ½ hr presentation & ½ hr open question time for specific homeowner concerns - August 8 - Kara & Heather - 6:30-7:30 - 2 attendees
4. Woolen Mills Neighborhood Association - Sept 10 - 7-8 - 15 attendees
5. Ridge St Neighborhood Assoc - Sept 13 - 6:30-8:30 - 20 attendees
6. 2RW - Info Friday - Wilson and Kara - 30
7. TomTober Community Mixer - IX Park Sept 29 - 12-4 - Kara & Heather - 50+
8. Gordon library: ½ hr presentation & ½ hr open question time for specific homeowner concerns - October 3 - Kara & Heather or Wilson - 6:30-7:30 - 3 attendees
9. CBIC Tech Tour - ecoREMOD - Oct 9 - 10-2 - 17 students/3 adults
10. UVA Credit Union Education Center Rio Rd - ½ hr presentation & ½ hr open question time for specific homeowner concerns - Oct 10 - Kara & Heather - 6-7 - 25 attendees
11. Renewable Energy Expo UVA - October 15 - Kara & Matt - 11-2 - 20 attendees
12. Garden Club of VA - October 24 - Paramount - Matt - 8-9 & 12-1 - 25 attendees
13. PVCC Biz Kids Career Pathways Expo - 10/29 & 30 - 8-1 - Kara & Heather - 100 attendees
14. Belmont Bash - November 10 - 1-5 - Kara - 20 attendees
15. Gen 180 staff presentation - Dec 17 - 5 attendees
16. Holiday Market with the Green Grannies - Dec 22 - 40 attendees
17. January 11, 6-11 pm - Paramount Theater - 22 Bands/22 Bucks - Kara & Matt - 200 attendees
18. February 1, 1:45-2:30 - Burnley Moran Elementary - Bobcat Den - Kara - 23 students
19. February 9, 10-3 - Kidvention @ Key Center - Kara, Heather, Matt - 1,000 attendees
20. March 9, 12-2 - Yancey School Community Center - Kara, 100 attendees
21. March 18 & 19, 8-2 - PVCC 7th Grade Career Exploration Fair - Kara, 1,000 students
22. TomTom Renewable Energy Day April 10 - staff, 100+ attendees
23. TomTom Community Mixer April 14 - staff 100+ attendees
24. Fix a Leak tabling, May 11th, Erin and team - 50 attendees

2019 PROGRAM SERVICES PROPOSAL

LEAP proposes the following programs and services:

1. “Energy Smart Homes” Program
2. Marketing, Education, and Outreach
3. Analyses Supporting Climate Action Planning - *NEW*

1. LEAP’s “Energy Smart Homes” Program for the City of Charlottesville

The vision of this ongoing program is designed based on a successful model operating in Fort Collins, Colorado, which aims to reach meaningful energy savings through a whole-house retrofit process, under an umbrella program to be known as, “Energy Smart Homes”. The design of the “Energy Smart Homes” program started in Charlottesville in 2017 and implementation by LEAP began in fiscal year 2019. LEAP proposes to continue to provide city residents with an Energy Smart Homes program that facilitates energy efficiency improvements and retrofits to existing City housing stock by removing traditional barriers.

The City’s program fits into LEAP’s broader Energy Smart program suite that is offered to municipalities throughout the state. The Energy Smart program includes many of the proposed energy efficiency programming activities included in this proposal, supporting the deployment of renewable energy and electric vehicles, and prioritizes leveraging energy efficiency resources provided by Dominion Energy. LEAP anticipates utilizing Dominion Energy funding to augment and subsidize much of the activities included in this proposal once the programs are finalized in the second half of 2019.

For the City of Charlottesville, LEAP will continue to primarily focus its operations and outreach in select Charlottesville neighborhoods. Specifically, LEAP will continue to target the Johnson Village, Fry’s Spring, Fifeville, and Belmont neighborhoods, as each of these exhibit large potential for the implementation of LEAP’s services. In general, demographic data for these neighborhoods indicates a broad spectrum of socioeconomic backgrounds, allowing for LEAP to serve both market-rate and low-income residents. As a result of this demographic variation, LEAP analyzed housing stock data, specifically the average age of homes in these neighborhoods, to better understand how our services may apply.

LEAP found that, typically, houses in Johnson Village were constructed in the 1960s and 70s, houses in Belmont in the 1920s, and houses in Fifeville and Fry’s Spring in the 1920s to 50s. That being said, many homes in Johnson Village and some in Fifeville and Fry’s Spring are owned by the first or second generation of tenants. LEAP deduces from this data, in addition to personal experience from conducting audits in many of these homes, that there have not been extensive improvements or retrofits made since their construction. In addition to this, the older homes in Fifeville, Fry’s Spring, and Belmont are becoming increasingly more gentrified and are therefore remodeling and making various other structural improvements. These conclusions indicate a perfect opportunity for LEAP to conduct Home Energy Check-Ups (HECUs, explained below) as homeowners begin to make these changes to their homes.

Additionally, making energy efficiency improvements to existing, low-income residents' homes can reduce the financial pressures that sometimes force displacement.

Based on the HECUs that LEAP has performed in these neighborhoods, (241 homes in Belmont, 121 in Fifeville, 96 in Fry's Spring, and 27 in Johnson Village), it is evident that there is both the demand and potential for LEAP's growth into these neighborhoods.

As part of the City's Energy Smart Homes program, LEAP proposes program support funding to support the following two aspects: Home Energy Check-Ups (HECU) and Retrofit Assistance for Low-Income Residents.

1a. Home Energy Check-Up (HECU)

The Home Energy Check-Up (HECU) was successfully modified in 2016 from a discontinued Dominion program. Recognizing the importance of having an affordable first step for residents to be able to gain understanding about their homes' energy performance and specific energy saving opportunities, LEAP and City staff developed the HECU as a core piece of the City-LEAP program support agreement. As such Charlottesville residents receive immediate energy savings and receive a two-hour home visit from a LEAP Energy Advisor who provides customized recommendations and education to residents. Low-income qualifying residents receive the HECU free of charge, while those whose household income is above that threshold are charged \$45. The purpose of this service is to provide actionable information to households and generate quality and quantity of home-specific energy use data for LEAP, the City, and the residents. Using blower door testing and other means of assessment, Energy Advisors provide direct installation measures to deploy immediate savings, and create a report for the homeowner outlining additional recommended measures intended to disaggregate the resident's utility bills.

The HECU is also the entry point or "gateway" for LEAP to engage homeowners to take subsequent action and assess their house for participation in other funded energy improvement programs LEAP proposes a target of 10 HECUs a month, which would be equivalent to 0.6% of the City's housing stock every 12 months.

LEAP will provide the following data reporting metrics:

- Number of Check-Ups Performed
- Blower Door Analysis Score Results - in raw format in a spreadsheet and as a histogram chart

1b. Retrofit Assistance for Low-Income Residents:

LEAP recognizes that there are residents in our community to whom an Energy Smart Home is out of reach because they do not have the means to pay for the Check-Up or the needed energy improvements. Fortunately, LEAP can still serve our low-income residents as a participating contractor in Dominion Energy's low-income weatherization programs, which provide many residential retrofit services for free. Since November 2015, LEAP has leveraged Dominion's low-income weatherization programs to serve

680 City homes (590 multi-family, 90 single family) at a value of \$714,357. Desired improvements that cannot fully be covered by Dominion's programs are made possible with retrofit assistance from this PSA which would:

- Pay for additional direct install measures beyond what utility programs provide (attic insulation, air sealing, lighting, hot water pipe wrap, low-flow showerheads, aerators, air filters, etc.)
- When helpful, pay for additional diagnostic tests to inform improvements and augment building data set
- Cover small price gaps that currently block clients' access to additional utility programs (ex. heat pump tune-ups, replacements, duct sealing)
- Directly fund obvious and immediate need fixes not covered by utility programs (refrigerant charges, emergency health/safety repairs, modest air-sealing)

2. Marketing, Education and Outreach

Working with city staff, we will continue our efforts to engage neighborhood associations, PTOs, Charlottesville City School students, and other community groups to increase energy efficiency literacy and to promote renewable energy, while tying the importance of both to mitigating climate change. LEAP's staff is dedicated to being the go-to resource on these subjects, and to that end, we attend and create as many opportunities as resources allow to engage with households face-to-face and to provide them with information either in person, radio spots, and/or informational articles such as those published monthly in the *Daily Progress*.

To market the HECU and *Energy Smart Homes* program, LEAP has developed tailored marketing messages for each neighborhood that take into account the data analysis results funded by previous PSAs and identified barriers to making energy efficiency upgrades. Messaging will be delivered through outreach to neighborhood associations and their neighborhood listservs, schools, other relevant institutions such as churches, realtors, community organizations, and all LEAP communications channels including social media, and some traditional and non-traditional paid social media like Nextdoor ads.

LEAP's marketing and outreach team will partner with the Charlottesville Climate Collaborative (C3) through their Home Energy Challenge and Better Business Challenge. These programs are building awareness for LEAP programs with more than 240 households and more than 90 business in the Charlottesville area. We anticipate that, through this partnership, participation in the *Energy Smart Homes* program will grow in 2019 and beyond. Realtors as buyer agents are a new group we will be educating this year. Realtors have a unique opportunity to offer HECUs at the time of transaction when new homeowners are most likely to be making modifications to their homes.

Finally, LEAP and the Climate Protection Program are beginning to map and leverage other City communication channels to low income residents, such as working with the City's Commissioner of the Revenue's office. As one example, in June 2019, information on LEAP's income qualifying no cost home energy improvement program will be included in the Charlottesville Housing Assistance Program

mailing. By coordinating our communications with a trusted voice to the community and on a related subject (housing costs), we expect to increase the efficacy of the marketing from single digit response percentages into the 20s, making it a more effective use of outreach funding.

3. Policy Research and Analyses Supporting Climate Action Planning

LEAP will support City staff with analyses on several topics that will be relevant to achieving an ambitious GHG reduction target and creating a climate action plan. If LEAP staff cannot provide the relevant topic expertise in-house, third party expertise would be retained to conduct the analysis. LEAP is focusing analyses on the sectors that are the biggest contributors of the City's GHGs: residential buildings, commercial buildings, and the transportation sector.

Scopes of work will be developed in conjunction with relevant City staff before research begins. Analysis topics of interest, and to be refined with City staff, are:

- *Investigate Effective Residential Energy Improvement Funding Models:* Reducing greenhouse gas emissions in the residential sector will require increased energy performance of Charlottesville's homes - at multiple income levels, owner and renter-occupied, and existing and new construction. LEAP will research and evaluate residential energy improvement funding program models for effectiveness, scalability, and applicability to a community like Charlottesville. Well-established incentive-based models and policy levers will be examined.
- *Best Practices Guide for Historic Buildings:* LEAP will review the City's Architectural Design Control District guidelines to identify compatible energy performance improvement techniques, areas, and - when appropriate - specific services or products. This guide is intended to be developed as a resource for the community and the Board Architectural Review to support actionable efforts to improve our historic buildings' energy performance. It will be made available to building owners and developers.
- *Suggested Building Code Standards for Energy Efficient Affordable/Public Housing:* LEAP will make suggestions regarding building energy standards that City staff could use when providing guidance or requirements to affordable housing developers seeking City funding. City Council or City staff could incorporate such guidance to reduce the energy burden on lower income families, ensure new affordable housing units will have low energy bills, and contribute to the City's climate action goal.
- *Review of Electric Vehicles (EV) promotion through Rideshare and Taxi Providers:* With EVs likely to be one action related to reducing the City's transportation related emissions, understanding how to increase citizen comfort and familiarity with EVs will be essential. Incentives and other regulatory approaches to increase EV usage by rideshare and taxi providers will be reviewed and potential program options fitting Charlottesville context presented.

Progress Updates and Reporting

Following the structure of previous CPP Program Support Agreements, LEAP will provide regular progress updates to City CPP staff throughout the service period and provide two written reports (an interim and a final) that summarize the work completed, relevant metrics, lessons learned, and recommendations for next steps. Funds will be released to LEAP in three installments (at the beginning of the work period, upon completion of the interim report, and upon completion of the final report).

Conclusion

As in the past, development of effective initiatives that expand the accessibility of energy efficiency for residents' houses within the City are critical to reducing GHG emissions to meet the City's new Climate Action goals. LEAP continues to uphold our partnership with the City of Charlottesville as a model for other localities in LEAP's service territories, especially Albemarle County. Again, LEAP reaffirms its full commitment to the special relationship it has with the City of Charlottesville as its energy efficiency program implementer and looks forward to our continued growth, innovation, and success.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 17, 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.

On May 20, 2019 additional information was presented to council including an alternative scenario for setting priorities proposed to council by Erika Viccellio and Cristine Nardi on the weekend just prior to the council meeting. Council requested additional time to consider this alternative scenario and set the matter for a future council agenda.

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.

The alternative scenario presented to council on May 20, 2019 included the following recommendations:

1) SET PRIORITIES

- Adopt U.V.A. Working Group's 4 Priority Areas for nonprofit funding
 - Jobs/Wages
 - Affordable Housing
 - Public Health Care
 - Education
- Create modified application process for requests above \$25,000 that respond to the priority areas
- For FY2021 process only, request/allow nonprofits to identify specific criteria, solutions, measurements and/or metrics

2) ESTABLISH MEASUREMENTS & SOLUTIONS GROUP

- Council will appoint members to a formal workgroup assigned to identify appropriate measurements, benchmarks, solutions and metrics for the 4 priority areas by:
 - Reading and reviewing best practice research
 - Holding community meetings and engaging in robust community engagement to understand the kinds of solutions community members want in each area
 - Intentionally engaging the Nonprofit Leaders of Color in community engagement listed above or in other recommended ways of hearing from those voices not traditionally heard
 - Reviewing recommended measurements, benchmarks, solutions and metrics with area nonprofits
 - Report out to City Council May 2020
- Council will consider and adopt recommendations by June 2020 to influence the FY2022 nonprofit funding cycle

3) SUPPORT NONPROFIT CAPACITY BUILDING

- Invite nonprofits to apply for grants under \$10,000 for building organizational capacity
- Prioritize applications that request funds for:
 - Equity analysis or action planning (highest priority)
 - Strategic planning
 - Financial protocols or development planning
 - Leadership development
 - Data collection & evaluation
- Permit applications for capacity-building activities identified by the applicant that are not listed above

4) DEFER DECISION TO SET ASIDE FUNDS FOR ARTS & CULTURE

- Wait until C.A.C.V.B. leadership is in place

- Wait until more arts-specific representatives are on C.A.C.V.B. board
- Encourage collaboration among arts organizations prior to final decision-making
- Consider support for facilitated conversations with arts organizations about best way to respond to arts and culture requests

5) PROCESS IMPROVEMENTS TO BE MADE BY STAFF

- Create simplified application process for requests under \$25,000 that do not specifically address one of the four priority areas
- Diversify technical assistance for nonprofits interested in pursuing city funding
- Establish new application review team
- Create and implement robust training for review team members including conflict of interests, power dynamics and bias
- Conduct site visits for all applicants
- Change the name to: **The Vibrant Community Fund**
- Create mission statement to clarify intent of process: **The Vibrant Community Fund 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

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 Measurements & Solutions Group be established to identify appropriate measurements, benchmarks, solutions and metrics for the designated priority areas (Jobs/Wages, Affordable Housing, Public Health Care, and Education) for use in The Vibrant Community

Funding process, and that city staff implement improvements to the funding process identified above.

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.

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, Virginia that:

A Measurements & Solutions Group shall be established to identify appropriate measurements, benchmarks, solutions and metrics for the designated priority areas (Jobs/Wages, Affordable Housing, Public Health Care, and Education) for use in The Vibrant Community Funding process.

Specifically, the commission is charged with establishing measurements, benchmarks, solutions and metrics in a formal report to council in May 2020. The commission shall meet regularly from August 2019 to April 2020 to seek to understand the best way to impact the priority areas; specifically to:

- Conduct best practice research on the four priority areas
- Engage the community to understand what solutions community members prefer in each priority area including but not limited to:
 - Community meetings & stakeholder interviews
 - Formal liaison with Nonprofit Leaders of Color network
 - Active engagement of people from marginalized communities

Membership for the Measurements & Solutions Group will be recruited through an open call for applications and formally appointed by council. The commission will consist of 9 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 community organizing experience
- 2 at large members
- 1 council member

The commission will be staffed to provide technical and logistical assistance and provided with a third-party facilitator to ensure equal and active engagement among members.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 17, 2019
Action Required:	Approval of Bicycle & E-Scooter Sharing System
Presenter:	Jason Ness, Office of Economic Development Amanda Poncy, Neighborhood Development Services
Staff Contacts:	Jason Ness, Office of Economic Development Amanda Poncy, Neighborhood Development Services
Title:	Bicycle & E-Scooter Sharing System (aka “Dockless Mobility”) Pilot Program Extension

Background:

In November 2018, the city approved a temporary pilot program to provide structure to the operation and use of Shared Electric Bicycles and Electric Scooters (aka Dockless Mobility) in the public right of way through July 31, 2019. Interested companies were required to complete and obtain approval of a Permit Application for their fleet (bicycles, e-bicycles, and electric scooters are considered different modes) and agree to certain operating parameters including, but not limited to the following:

1. Up-front payment of a one-time pilot permit fee of \$500 per mode per company, regardless of fleet size, plus \$1/day/device for the duration of the program.
2. A fleet limited to a cumulative total of 200 vehicles between all permittees with an opportunity to expand the fleet by 25% based on performance standards. Electric assist bicycles shall be exempt from this maximum.
3. Safety features for all devices consistent with state regulations and standard practice.
4. Maximum speed limit of 15 mph for electric scooters and electric assist bikes.
5. Minimum age of eighteen (18) for riders of electric scooters and electric-assist bikes.
6. Contact information and operations management from each company.
7. Outreach to low-income communities and reduced cost payment plans.
8. Provide Charlottesville device parking and use regulations to all users and require users to abide by those regulations.

9. Respond to customer and community complaints/issues in a timely fashion.
10. Provide monthly data to the City for staff analysis.

Discussion:

Since program inception, the city has seen more than 100,000 scooter rides and 20,000 users with nearly 85,000 miles traveled. The average trip length is about .5 miles and lasts roughly 5 minutes (data through May 31, 2019).

During the initial consideration of this new form of mobility, staff identified a number of potential concerns. The following section outlines the initial concerns relayed in the Nov. 5, 2018 Council Memo, as well as data collected relative to those concerns, actions taken and lessons learned during the pilot program.

Concern #1: Riding on sidewalks – *As mentioned, they are battery powered (silent motor) and can go fast, especially for unsuspecting pedestrians. Under Virginia Code Sec. § 46.2-903, e-scooters are prohibited from riding on the sidewalk. In addition, City Code Sec. 15-246, prohibits scooters from riding on the Downtown (DT) Mall.*

Pilot Findings -Despite regulations and technology in place to curb riding in places where it's not allowed, sidewalk and DT mall riding is an issue. It is difficult to assess the exact rate of sidewalk riding due to the accuracy of the GPS on the devices. However, in an observational study conducted by city staff and UVA student researchers in spring 2019, nearly 30% of observed scooter rides were on sidewalks. In addition, 13% of survey respondents reported riding on the sidewalk as their preferred riding location. Users indicated that riding on the street feels unsafe, and that they switch to riding on the sidewalk when they feel blind corners, fast drivers, or other conditions that make it feel unsafe to share the road.

Data from the companies shows that 5.5% of trips passed through the DT mall and 1.5% stopped/started in the DT mall no-go zone. Sidewalk/DT mall riding accounted for 8 % and 11% of complaints received respectively. To address this issue, staff worked with the companies to develop in-app messaging emphasizing the no-go zones and proper riding and has installed temporary signage on the mall reminding users to “walk your wheels.” If the goal is to have 100% compliance, additional signage and enforcement resources will be needed.

Concern #2: Safety – *Users must acknowledge they will abide by all traffic laws and wear helmets. Of course this doesn't always happen. There is anecdotal evidence that head injuries are increasing in the communities where scooter systems are employed.*

Pilot Findings - A number of communities have been evaluating the safety implications of scooters. A recent report by the CDC (in partnership with the Public Health and Transportation departments in Austin, Texas) reported nearly half of those hurt in e-scooter crashes sustained head injuries. The implication is that e-scooter head injuries are preventable with helmet use.

Of the complaints received, 11% had to do with lack of helmets. To evaluate helmet use, city staff and UVA student researchers observed 121 scooter riders during the spring of 2019. None of the riders wore helmets. An additional, 63% of survey respondents e-scooters users reported never wearing a helmet when riding, most of which stems from the spontaneous nature of most e-scooter trips. Despite the safety concerns, there is a clear distaste for mandatory helmet use from a large portion of those who submitted written responses. State law does not require helmet use for scooter or bicycle riders over the age of 14.

In Charlottesville, 15 people have visited the UVA Emergency Department for scooter related injuries (data reported through April 15, 2019). Approximately 90 have visited UVA Student Health for injuries during the same time period. At this point, we do not have specific information on the severity or type of these injuries. Based on the results of the user survey, less than 5% of users reported to have had a crash on a scooter and 10% responded that they've had close calls.

Visibility and lighting have also been raised as a common safety concern, as well as the previously discussed issue of scooters riding on sidewalks and observed unsafe scooter riding.

City staff published rules, etiquette on a dedicated website, promoted proper scooting via social and news media and worked with the companies to communicate laws/rules/etiquette via in-app messaging. Despite these efforts, 20% of users responded that they did not know the laws or regulations in Charlottesville for e-scooter use. There is an opportunity to ramp up outreach and educational efforts which could improve user safety.

Concern #3: Scooters improperly parked – *Since this is a dockless system, scooters are required to follow certain parking restrictions, prohibiting parking near fire hydrants, curb ramps, and building entrances. However, they can be knocked over, moved or just incorrectly parked by the rider.*

Pilot Findings -The nature of a dockless system has proven to increase ridership, both by using data to respond to demand and providing riders with the flexibility to leave their device at their destination. However, lack of designated parking areas creates concerns about visual clutter and the impacts on sidewalks which create barriers particularly for people with disabilities. Based on observational studies, 39% of scooters blocked pedestrian access and 4% were tipped over. Bird scooters tip more frequently than Lime. Among non-user survey respondents, blocking pedestrian access was a top concern (26%). In addition, blocking access represented 37% of complaints received by staff.

City staff published parking etiquette on a dedicated website, promoted a proper scooter parking video via social and news media and worked with the companies to communicate etiquette via in-app messaging. Staff have also worked to identify locations that could benefit from designated parking areas and have developed signage and pavement markings that can be deployed to better formalize parking areas to keep sidewalks free for pedestrians. We hope to implement these in the coming weeks and assess the impacts.

To date, neither the city nor UVA have impounded vehicles that are damaged or improperly parked, though that could be a technique that is used if a dedicated staff person is hired.

Concern #4: Workload on local government employees – *Not surprisingly, the public addresses their concerns to local government officials. From our discussions with other localities, there is*

a flurry of complaints and questions within the first two weeks but as riders understand their responsibilities and residents understand how to contact the participating company directly, calls and complaints decline after the initial few weeks.

Pilot Findings – To date the city has received 186 complaints from 90 individual users. Additional complaints were sent directly to the companies. To date, we have not received the exact number reported directly to the companies. While the volume of daily complaints directed to city staff has tapered off, dedicated staff time is needed to coordinate with the companies and UVA partners, promote safety and low-income ridership programs, implement scooter parking areas and further evaluate. Trying to shoehorn these responsibilities into current full-time staff workload has proven challenging.

Lessons Learned

Technology

At the start of the pilot program, staff’s proposal assumed that scooter companies had technology that can address the problems identified by local governments – such as “no go” geo-fencing (a virtual “fence” created around designated areas) that designates riding and parking areas, ‘slow-go’ zones that can lower the speed of the scooter, and other technology. These technologies are evolving, but they are not panaceas and have required other interventions – such as signage and in-app messaging to communicate riding and parking areas, as well as additional charges and ultimately account deactivation for repeated offenses. Additional encouragement and enforcement in key areas is needed.

Outreach

A successful program relies on the coordination between city staff and individual companies to promote safe riding and encourage an equitable distribution of the fleet as well as a diverse user base. While regulations required that the companies undertake these initiatives, without the city leading the charge, companies do not appear to take the initiative to engage with local stakeholders to promote safety or their programs that promote diverse ridership.

Fleet Size

While the providers were approved for 200 devices in the City, on any given day the fleet does not operate at the capacity approved. Limiting the fleet size has allowed us to better understand the pros and cons of this new form of mobility, while trying to respond to the demands on the city limited right of ways. However, the limited fleet size has restricted the ability to serve all neighborhoods within the City and has increased maintenance responsibilities for the companies (the average number of per vehicle trips per day far exceeds the desired average). Having a larger fleet would allow the city more flexibility to require that the companies have a certain percentage within designated areas without affecting the fleet resources needed to serve the areas with greatest demand. Lime has submitted a request to increase their fleet, and was recently approved for an additional 25 devices per the program regulations.

Infrastructure

An overwhelming majority of survey respondents, 77%, indicated that their preferred riding location would be bike lanes in the street. Only 13% indicated they preferred riding on the sidewalks. These findings suggest that, if there was better bicycle infrastructure, such as protected/separated bike lanes or trails, e-scooter users would use it appropriately.

Data

While both companies provide user dashboards that allow staff to monitor program trends consistent with the permit requirements, staff still does not have access to the level of detail from both companies that would allow us to conduct our own analysis of transportation trends for the program as a whole. This is due, in part, to concerns from the companies about providing staff with data that could divulge proprietary information. Finding a balance between the city's commitment to providing open data that does not jeopardize "trade secrets" has proven challenging.

Additional Concerns Not Previously Addressed

- The life cycle and disposal of the devices
- Affordability and comparison to parking/transit prices

Alignment with City Council's Vision and Strategic Plan:

In theory, this program supports City Council's Vision to be "A leader in innovation, environmental sustainability, and social and economic justice, and healthy race relations" through the following vision statements "Economic Sustainability," "Green City," "America's Healthiest City" and "Connected Community." It can contribute to Goal 3 of the Strategic Plan, to be a beautiful and sustainable natural and built environment, and objective 3.3 to provide a variety of transportation and mobility options. The program also aligns with the goals of the Bicycle and Pedestrian Master Plan (to explore bike share) as well as on-going discussions with the 2018 Comprehensive Plan to evaluate emerging technologies in transportation.

That being said, more data is needed to justify the economic, sustainability, equity and health benefits for the community.

Community Engagement:

Staff has met with representatives from a variety of city departments, city schools, as well as with representatives from UVA to coordinate an approach that would effectively manage this new technology. In addition, staff has sought input from the Bicycle and Pedestrian Advisory Committee throughout the pilot program.

City staff created a website with program and safety information, as an email address to collect feedback on the program was created. To date we have received nearly 100 comments (via phone, email and myCville) and more than 4,500 visits to the website. Staff has also worked with the companies to coordinate opportunities to table at a variety of popular events.

In addition, as part of the outreach during the first phase of the pilot program, staff, in collaboration with a representatives from Lime and Bird, and a University of Virginia Master's Planning Practicum (UVA DMG), developed and distributed an online survey targeted at users and non-users alike. The survey collection period ran from March 20 to May 1, 2019, and generated more than 3,100 responses.

The survey was distributed through the City of Charlottesville's website, social media, and email lists, Bird and Lime's mobile apps, the UVA DMG's personal, professional, and academic networks, and through various tabling events in collaboration with Bird, Lime, and UVA Parking and Transportation.

The survey attempted to measure Charlottesville residents' reactions to the pilot program, gauging the devices' popularity, market penetration, and viability as a mode of transportation. It also sought to gather demographic information to assess the population groups served (and not served) by the devices.

Some general takeaways about usage and perception of the dockless mobility pilot program in Charlottesville are as follows:

- 43% of respondents have ridden an e-scooter (83% of whom have ridden an e-scooter in Charlottesville).
- Roughly a third of users indicated that they rode e-scooters with some regularity (anywhere from 2-7 times per week)
- Nearly half (43%) of e-scooter users report regularly riding the devices to commute from work or school.
- E-scooter users skew demographically white, young, and male, but there is a solid contingent of riders among the Asian and Black communities.
- Among users, 83% had positive feelings about the pilot program in Charlottesville
- Of nonusers, on the other hand, only 29% responded positively.
- The majority of respondents, 72%, said they either did want the pilot program to continue with no reservation (47%) or with a few conditions (25%). 28% did not want to see the pilot program continue in Charlottesville.

Budgetary Impact:

One benefit of this program is that all capital equipment costs are covered by private funds, with no public funds required. In addition, the program provides a revenue stream via vendor permit fees to make improvements to bicycle and pedestrian infrastructure. To date the city has collected \$50,575.

The estimated staff time needed to successfully implement the program was accurate at approximately 20-25 hours a week. However, we do recommend hiring a temporary part-time position (using the funds collected from the permit fees) to administer the program for the remainder of the pilot. This is needed to maintain lines of communication with the operators, implement a city-led safety and outreach campaign (including outreach to underserved neighborhoods), and evaluate the program. It is anticipated that this staff member would work with both the City and UVA to better manage the program across jurisdictions.

Recommendation:

Staff proposes to extend the current pilot program through December 18, 2019. This additional time would allow staff to continue to incorporate the lessons learned from the pilot program thus far, and better coordinate policy and practice with the University and the County. First, parking corrals would be established and evaluated, especially in high use areas in the commercial districts. Second, a city-led safety and outreach campaign would be implemented and staff would evaluate its effectiveness. The outreach and engagement strategy would target UVA students and underserved populations. Third, in an effort to serve all neighborhoods and demographics, staff recommends increasing the total fleet size up to 250 total devices to better serve all City residents. This increase would include restrictions and mandatory numbers on how many devices could be deployed in certain areas of Charlottesville. Fourth, the extension would allow staff the proper time needed to fully understand the impacts of the new state legislation regarding these devices and the future impacts they would have in Charlottesville. Finally, staff recommends hiring a part-time temporary employee that can oversee this initiative (using the funds collected from permit fees). A dedicated staff person could help achieve the following:

1. Having a person hold the providers accountable for their operational promises, making the most of the providers' reporting capabilities, and analyzing data to identify infrastructure, communication, and enforcement initiatives that could move the program toward the program goals.
2. A focused staff resource could spend more time in the field, identifying and addressing improperly parked devices, perhaps through some kind of enforcement app that allows quick relocation rather than impoundment.
3. Focus the time invested by city and UVA staff to one person (or staff) to move the program toward the program goals rather than many people spending sporadic time.

Alternatives:

Council could not extend the pilot program and allow it to expire on July 31st, 2019. The City would be in the same position it was in before the dockless mobility pilot program was approved in November 2018, which means that scooter companies could operate in a largely unregulated manner within Charlottesville.

Council could make the pilot program permanent effective July 31, 2019. However, this tight time frame would not provide adequate time to incorporate lessons learned, engage the public, and make changes to the regulations in a meaningful way.

Attachments:

*INTERIM BICYCLE & E-SCOOTER SHARING SYSTEM (aka "DOCKLESS MOBILITY")
PERMIT PROGRAM REGULATIONS (Approved November 5, 2018) (Attachment A)*

Resolution (Attachment B)

Attachment A.

INTERIM BICYCLE & E-SCOOTER SHARING SYSTEM (aka “DOCKLESS MOBILITY”) PERMIT PROGRAM REGULATIONS

I. Policy Statement and Purpose

The purpose of this policy is to establish rules and regulations governing the temporary operation of a dockless bicycle and e-scooter sharing system within the City of Charlottesville (hereinafter referred to as “City” or “City of Charlottesville”) and to ensure that such mobility sharing systems are consistent with the safety and well-being of bicyclists, pedestrians, people with disabilities, and other users of the public rights-of-way for the duration of the pilot program.

State law prohibits any person or corporation from occupying or using city streets in a manner not permitted to the general public, without first having obtained permission from the city’s governing body. See Va. Code §15.2-2015.

II. Scope

This policy applies to any proposed deployment of bicycle, electric-assist bicycle, or electric-assist scooter sharing systems (to include direct rental or similar programs) within the City’s jurisdictional boundaries. The Permittee shall establish service area boundaries to designate areas of device deployment.

III. Permit Application Procedures

- i. Any person seeking to operate a bicycle or scooter share program within the City shall first obtain a permit from the Director of Neighborhood Development Services or designee conditioned on compliance with the Operating Regulations contained in this policy and any other conditions (including insurance and indemnity) established by the issuing official. No person shall operate a shared mobility program within the City except pursuant to such permit.
- ii. All Permittees shall be required to comply with these regulations, including any changes or amendments authorized by the City Manager from time to time during the course of the pilot program. The Director of Neighborhood Development Services or designee may revoke any permit without prior notice for failure to comply with the regulations.
- iii. Any person whose permit application has been denied or whose permit has been revoked or terminated may file an appeal with the City Manager by submitting a written statement to the City Manager within 10 business days of the denial or revocation. The written statement shall describe the basis of the appellant’s objection. The City Manager shall issue a final decision on the appeal within 10 business days.
- iv. The Permittee will be required to obtain a business license and will be responsible for all applicable business license fees and taxes.
- v. The following payments must be made in order for a Bicycle and E-scooter

Sharing Permit application to be accepted and a permit issued:

- a. A non-refundable permit application fee of \$500, due at the time of application. This covers the cost of staff time to review applications and no application will be considered complete before this payment is remitted.
- b. A non-refundable fee equivalent to \$1/day/device for the length of the pilot is due at the time of permit issuance to support bicycle and pedestrian infrastructure citywide.

IV. Operating Regulations

a. Equipment Requirements

- i. All bicycles shall meet the safety standards outlined in Code of Federal Regulations Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles. In addition, all bicycles shall meet the standards established in the Code of Virginia (§ 46.2-1015), including for lighting during operation in darkness.
- ii. Any electric Bicycles with a permit issued under this pilot program shall meet the definition of electric power-assisted bicycle in Virginia Code §46.2-100 and shall be subject to the same requirements as ordinary Bicycles. Electric bicycles shall have a top motor-powered speed not to exceed 15 mph.
- iii. Any electric Scooter with a permit issued under this pilot program shall meet the definition of motorized foot-scooter in Virginia Code §46.2-100. Scooters shall have a top motor-powered speed not to exceed 15 mph.
- iv. The City may modify the top speed of any electric Bicycles and electric Scooters at its discretion over the course of the Pilot Program.
- v. All scooters shall meet the safety standards established in the Code of Virginia (§ 46.2-1015), requiring both headlight and taillight.
- vi. All devices shall have always on front and back lights that are visible from a distance of at least 300 feet under normal atmospheric conditions at night. Front and rear lights must stay on at least 90 seconds after the device comes to a complete stop.
- vii. Each Electric Scooter/Bicycle shall be equipped with an on-board GPS device capable of providing real-time location data in accordance with the specifications described in the “Data Sharing Requirements” section of this application.
- viii. All Electric Scooters/Bicycles must be certified as safe to operate under any applicable standard by Underwriters Laboratories or an equivalent safety rating agency.
- ix. All Electric Scooters/Bicycles must be equipped with devices that allow the Permittee by remote means to render an Electric Scooter and/or Bicycle inoperable if it has been reported to Permittee as being damaged or defective.

- x. Additionally, the City reserves the right to terminate any permit issued under this pilot program if the battery or motor on a device is determined by the City to be unsafe for public-use or for lack of compliance with other provisions of this policy.

b. Operations

- i. Permittees shall have an initial maximum fleet of 100 bicycles or e-scooters. However, if the Permittee can demonstrate an average of at least four (4) trips per operational device per day over a full month, and compliance with this program's requirements, the Permittee may request in writing to expand its fleet size by 25%. Electric-assist bicycles shall be exempt from this maximum.
- ii. At program inception, the total number of human-powered bicycles and electric scooters permitted under this pilot program shall be limited to a cumulative total of 200 devices between all Permittees. Electric-assist bicycles shall be exempt from this maximum.
- iii. The Permittee shall provide a fee \$1/day/device for any increase in fleet size.
- iv. The Director of Neighborhood Development Services or designee reserves the right to revoke a permit at any time during the pilot program and can require that a Permittee's fleet of bicycles or e-scooters be removed from the City right-of-way within five (5) business days.
- v. City may require Permittee to reduce its fleet size on a monthly basis in the event Permittee's fleet provides on average less than one rider per device per day. City may request data from Permittee on a monthly basis to determine and demonstrate the utilization rate of devices in the Permittee fleet.

c. Safe Riding and Parking

- i. Devices shall be parked upright on hard surfaces in a manner that does not obstruct or impeded the public right of way.
- ii. Permittee shall apply geofencing specifications provided by the City to direct users to specified designated parking areas in commercial corridor (e.g. Corner business district, West Main Street and Downtown Mall area). Users shall not be allowed to sign out of their ride unless parked in a designated area in the commercial corridors.
- iii. Bicycles and e-scooters shall be parked in such a manner as to provide a 4-foot pedestrian clear zone area in the sidewalk.
- iv. Bicycles and e-scooters shall not be parked in such a manner as to impede or interfere with any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box; or the reasonable use of any commercial window display or access to or from any building.

- v. Bicycles and e-scooters shall not be parked in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
- vi. The City Manager, or their designee, reserves the right to determine certain block faces where bicycle share or e-scooter parking is prohibited.
- vii. Bicycles and e-scooters may be left in on-street parking spaces only if the Director of Neighborhood Development Services or designee has officially designated those spaces as dockless mobility parking stations in connection with this pilot program. The City will apply visible markings to identify any such parking stations. Permittees shall not apply any markings to public right-of-way.
- viii. Bicycles and e-scooters shall not be parked in the landscape/furniture zone adjacent to or within:
 - 1. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - 2. Loading zones;
 - 3. Disabled parking zone;
 - 4. Street furniture that requires pedestrian access (for example - benches, parking pay stations, bus shelters, transit information signs, etc.);
 - 5. Curb ramps;
 - 6. Entryways; and
 - 7. Driveways.
- ix. To the extent a Permittee desires to park bicycles or e-scooters in areas other than the public right-of-way (e.g. parks, plazas, parking lots, private property, or transit stations), the Permittee must first obtain the right to do so from the City Manager and shall communicate this right to users through signage approved by the City Manager or through a mobile or web application. To park bicycles or e-scooters on private property, the Permittee must also obtain consent from the owner of the property or his agent. The City is not responsible for any fees or conditions imposed by private property owners on Permittees' use of such spaces.
- x. Permittee shall stop placing scooters or allowing contractors to place scooters and/or bicycles in front of any address provided by the City within 48 hours of notice.
- xi. Permittee shall apply geofencing specifications provided by the City to prohibit riding/parking/locking scooters and/or bicycles in specified areas and geographic areas of the City (such as the Downtown Mall and some city parks). Permittee will reduce travel speed to 5mph or less and notify users of restricted areas.
- xii. During deployment and rebalancing, employees and contractors of the Permittee shall obey all City Permit Program Regulations and shall not block traffic lanes, parking lanes, and bus lanes without receiving prior permit approval. Permittee shall abide by all City Street and Sidewalk Closure requirements and standards.

- xiii. Permittees shall work with local businesses or other organizations to promote the use of bicycle helmets by system users through partnerships, promotional credits, and other incentives.
- vi. Permittees shall provide notice to all users by means of signage and through a mobile or web application that:
 - 1. Bicyclists and e-scooters must not ride on sidewalks or trails and must yield to pedestrians at crosswalks; and
 - 2. Bicycles and electric scooters must not ride on any bricked portions of the Downtown Mall or on bricked areas near the Corner or Court Square;
 - 3. Bicycles and electric scooters must not ride in McIntire Skate Park;
 - 4. Helmets are strongly encouraged for all users and required for minors 14 and under. If Permittees prohibit use of bicycles or scooters by certain minors, Permittees shall provide conspicuous notice of this policy to users.);
 - 5. Bicycles and electric scooters shall ride on streets, and where available, in bike lanes;
 - 6. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles on bike lanes and bike paths;
 - 7. Parking must be done in designated areas;
 - 8. Wearing headphones on or in both ears while riding a bicycle or scooter is prohibited;
 - 9. Texting while riding a bicycle or scooter is strongly discouraged; and
 - 10. Riding a bicycle or scooter under the influence of alcohol is strongly discouraged;
- vii. Permittee shall require riders to submit a photo whenever they park their scooter at the end of a ride.
- viii. Permittee shall provide education on the City's existing rules and regulations, safe and courteous riding, and proper parking.

d. Equitable Access

- i. Permittee will implement a marketing and targeted community outreach plan at its own cost to provide these services and promote the safe use of bicycle sharing and e-scooter sharing, particularly among low-income communities.
- ii. Permittee will provide a non-credit and non-smartphone mechanism to access its services.
- iii. Permittee will offer a low-income reduced cost plan that must be approved by the City Manager prior to permit issuance.
- iv. Mobile apps and other customer interface technology must be fully accessible to persons with disabilities and accessible to screen readers, and must comply with Section 508 of the United States Workforce Rehabilitation Act of 1973.

- v. The City reserves the right to propose or designate service areas that will ensure access to a variety of neighborhoods.

e. Customer Service

- i. Permittee shall provide easily visible contact information, including a toll-free phone number and e-mail address on each bicycle or electric scooter for City employees and/or members of the public to make relocation requests or to report other issues with devices.
- ii. Permittees shall maintain a local Permittee representative and provide a direct point of contact to the City and its residents.
- iii. Permittees shall maintain a 24-hour customer service phone number for customers to report safety concerns, complaints, or to ask questions. This phone number and its website shall be provided on every device that is in service in the City.
- iv. Permittee will maintain a multilingual website, call center, and mobile App customer interface that is available twenty-four hours a day, seven days a week. The City shall determine the languages to be provided on each mode of communication.
- v. Upon notification by the City, any scooter and/or bike belonging to Motorized Dockless Scooter/Bike Share Program Operator that is improperly parked, left standing, or unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the City, the Motorized Dockless Scooter/Bike Share Operator shall remove the scooter and/or bicycle within two hours.
- vi. In the event a bicycle or e-scooter is not relocated, re-parked, or removed within the timeframes specified herein, such devices may be removed by the City or its designee and taken to a facility for storage at the expense of the Permittee. Notwithstanding any other provision of the Municipal Code of the City of Charlottesville, Permittee shall be required to pay a fine for each device that is removed from the public right-of-way by the City, in addition to any storage expenses. The amount of the fine shall be set by the Director of Neighborhood Development Services and shall be contained in the permit.
- vii. Customers using scooters and/or bicycles that are permitted under this program must be provided with a mechanism to notify the Permittee that there is a safety or maintenance issue with the scooter and /or bicycle.
- viii. In the event a safety or maintenance issue is reported for a specific device, that bicycle or e-scooter shall immediately be made unavailable to users and shall be removed within the timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.

f. User Protections

- i. Permittee must employ an electronic payment system that is compliant with the Payment Card Industry Data Security Standards (PCI DSS).
- ii. Permittee must provide a Privacy Policy that safeguards customers' personal, financial, and travel information and usage including, but not limited to, trip origination and destination data. Permittee agrees to make its policies, procedures and practices regarding data security available to the City, upon request, and further agrees that the City reserves the right to hire a third party to perform a security audit mid-way through the permit term, or at any time the City determines that an audit is warranted.
- iii. Permittee must provide customers the opportunity to assent explicitly to any privacy policy, terms of service, or user agreements. Separately, customers must have the ability to decline sharing any data not required to enable the Permittee to process and complete the transaction. The customer's options with regard to these requirements shall be clearly stated and easily accessed by the customer.
- iv. Permittee shall produce a Privacy Policy that complies with any data protection laws applicable to minors, and further, expressly limits the collection, storage, or usage of any personally identifiable information to the extent absolutely required to successfully accomplish the provision of an e-scooter transportation service. Without limitation to other permitting provisions requiring anonymized origin/destination and route data for solely public purposes set forth by the City, Permittee may not make any personal data of program participants in the City available to any third party advertiser or other private entity, including another entity that may be affiliated with or jointly owned by the entity that owns Permittee.
- v. Permittee shall not claim any legal right in its Terms of Use, Privacy Policy, or elsewhere to institute retroactive changes to its Privacy Policy and shall provide an opportunity for the customer to explicitly assent prior to any changes to its data practices, including uses of data Permittee collected under a prior policy.
- vi. Permittee may not collect Personal Data related to, nor sort Personal Data nor individual data subjects according to, the protected classes of race, color, religion, sex (including, but not limited to, gender identity, transgender status, or sexual orientation, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability, except for survey data collected on an opt-in basis and for a public purpose expressly set forth by the City. Permittee may not deny service to any user on the basis of their refusal to provide any such survey information or on the basis of their actual or perceived membership in any of the protected classes listed above. The City shall consult the Human Rights Commission if it receives any complaints based upon any potential violations of this provision.
- vii. Permittee must disclose any and all existing data sharing agreements and must notify the City in advance of any prospective partnership, acquisition or other data sharing agreement. Permittee may not engage in or facilitate any inter-app operability or other

form of private partnership that includes data acquisition or other data sharing model with any entity if the entity does not meet the standards set forth herein.

- viii. Permittee shall disclose all data breaches to an affected customer within thirty days of the breach.

g. Data Sharing

- i. Without prejudice to the Permittee's rights and interest to its commercially privileged and sensitive information, Permittee shall provide the City the following data in a Monthly Report by the 15th of each month for the previous month's activity:
 - a. Total active customers who reside in the City with a breakdown of customers by gender and age
 - b. Total active customers
 - c. Trips starting and trips ending, separately, in the City during the month, and trips starting and trips ending in the City since launch (raw trip data)
 - d. Average trip duration in minutes
 - e. Average and total distance of trips (if this is calculable from provided raw trip data, no need to provide separately)
 - f. Total number of devices in service in the City (daily)
 - g. GPS tracking data for every trip route starting, ending, or passing through the City (especially to understand the equity implications of coverage of these services.)
 - h. Crashes – giving time, date, precise location, and number of parties impacted (if known) within the City
 - i. Injuries – giving time, date, precise location, and cause (if known) within the City
 - j. Number and precise location of device that had to be towed after seven (7) consecutive days in one location within the City
 - k. Complaints received within the City – giving the reason with date and location, if available/appropriate
 - 1. Incorrectly parked reports – giving time, date, and precise location
 - 2. Speeding reports
 - 3. Maintenance related issues
 - 4. Other complaints
 - 5. Other feedback received – by date, time, and precise location, if applicable
- ii. Permittees shall provide the City with real-time information on the entire City fleet through a documented application program interface (API). Permittees are directly responsible for obtaining an API key from the City's IT Department to which they will publish the data described below. The data to be published to the City API will include the following information in real time for every bicycle and e-scooter parked in the City operational area:
 - a. Point location
 - b. Bicycle/E-scooter identification number

- c. Type of device (standard, electric or scooter)
- d. Fuel level (if electric)

iii. Permittees shall provide the City with a publicly available API for real-time information on the entire City fleet. Data available via the API will include the following information in real time for every bicycle and e-scooter parked in the City operational area:

Field name	Format	Description
Permitee Name	[Permitee name]	n/a
Type of device	“Standard” or “Electric” or “Scooter”	n/a
Trip record number	xxx0001, xxx0002, xxx0003, ...	3-letter Permitee acronym + consecutive trip #
Trip duration	MM:SS	n/a
Trip distance	Feet	n/a
Start date	MM, DD, YYYY	n/a
Start time	HH:MM:SS (00:00:00 –	n/a
End date	MM, DD, YYYY	n/a
End time	HH:MM:SS (00:00:00 –	n/a
Start location	Point	n/a
End location	Point	n/a
Device ID number	xxxx1, xxxx2, ...	Unique identifier for every device

iv. All permitted operators will provide the following device availability data for oversight of parking compliance and device distribution by minutes. Data will be available for retrieval by the City using a publicly accessible API provided by the vendor.

Field name	Format	Description
GPS Coordinate	X,Y	n/a
Availability	Minutes	n/a
Availability start	MM, DD, YYYY	n/a
Availability start	HH:MM:SS (00:00:00 –	n/a

v. The City may, at its option, require Permittees to distribute a customer survey at the end of the pilot period.

V. INSURANCE:

By signing and submitting a permit application, the Permittee certifies that it will purchase and maintain, at its sole expense, and from a company or companies authorized to do business within the Commonwealth of Virginia, insurance policies containing the following types of coverages and minimum limits, protecting from claims which may arise out of or result from the Permittee's performance or non-performance of services under this agreement, or the performance or non-performance of services under this agreement by anyone directly or indirectly employed by the Permittee or for whose acts it may be liable:

- a. Workers' Compensation - Statutory requirements and benefits. Coverage is compulsory for employers of three or more employees, to include the employer. Contractors who fail to notify the City of increases in the number of employees that change their workers' compensation requirements under the Code of Virginia during the course of the agreement shall be in noncompliance with the agreement. This policy shall specifically list Virginia as a covered state.
- b. Employer's Liability - \$100,000. This policy shall specifically list Virginia as a covered state.
- c. Commercial General Liability - \$1,000,000 per occurrence. Commercial General Liability is to include bodily injury and property damage, personal injury, advertising injury, contractual liability, and products and completed operations coverage. The City and its officers, employees agents and volunteers must be named as an additional insured and so endorsed on the policy.
- d. Automobile Liability - \$1,000,000 per occurrence. (Only used if motor vehicle is to be used in the agreement.)
- e. Cyber Liability/ Information Technology - \$1,000,000 per claim, including coverage for costs of 3rd party notification, credit monitoring, and fraud protection.
- f. All insurance coverage:
 - i. shall be issued by an insurance carrier authorized to do business within the Commonwealth of Virginia and rated A – VIII or better, by A. M. Best Company or equivalent rating from an alternate recognized ratings agency, and otherwise acceptable to the City;
 - ii. shall be kept in force throughout performance of services;
 - iii. shall be an occurrence based policy;
 - iv. shall include completed operations coverage;
 - v. shall contain a cross liability or severability of interest clause or endorsement. Insurance covering the specified additional insured shall be primary and non-contributory, and all other insurance carried by the additional insureds shall be excess insurance;
 - vi. where additional insured required, such policy shall not have a restriction on the limits of coverage provided to the City as an additional insured. The City shall be entitled to protection up to the full limits of the Permittee's policy regardless of the minimum requirements specified in the Agreement.

Proof Of Insurance: Prior to performance of any services or delivery of goods, the Permittee shall (i) have all required insurance coverage in effect; (ii) the Permittee shall deliver to the City certificates of insurance for all lines of coverage, or other evidence satisfactory to the City in its sole discretion. (See Attachment A for a Sample C.O.I. and Guide to the Acord Form). The Permittee shall be responsible that such coverage evidenced thereby shall not be substantially modified or canceled without 30 days prior written notice to the City; and (iii) the Permittee shall deliver to the City endorsements to the policies which require the City and its officials, officers, employees, agents and volunteers be named as "additional insured". Policies which require this endorsement include: Commercial General Liability and Auto Liability. Such endorsements must be approved by the City, and (iv) upon the request of the City, provide any other documentation satisfactory to the City in its sole discretion, evidencing the required insurance coverage, including but not limited to a copy of the insurance policy and evidence of payment of policy premiums. The Permittee shall require each of its subcontractors and suppliers to have coverage per the requirements herein in effect, prior to the performance of any services by such subcontractors and suppliers. Further, the Permittee shall ensure that all Required Insurance coverages of its subcontractors and suppliers is and remains in effect during performance of their services on the Project and certifies by commencement of the Work that this insurance and that of subcontractors is in effect and meets the requirements set forth herein. The City shall have no responsibility to verify compliance by the Permittee or its subcontractors and suppliers.

Effect Of Insurance: Compliance with insurance requirements shall not relieve the Permittee of any responsibility to indemnify the City for any liability to the City, as specified in any other provision of this agreement, and the City shall be entitled to pursue any remedy in law or equity if the Permittee fails to comply with the contractual provisions of this agreement. Indemnity obligations specified elsewhere in this Agreement shall not be negated or reduced by virtue of any insurance carrier's denial of insurance coverage for the occurrence or event which is the subject matter of the claim, or by any insurance carrier's refusal to defend any named insured. Permittee explicitly acknowledges and understands that it assumes the risk of placing its dockless mobility devices on City property and that the City will not be responsible for any damages to such devices arising from their presence on City property.

Waiver Of Subrogation: The Permittee agrees to release and discharge the City of and from all liability to the Permittee, and to anyone claiming by, through or under the Permittee, by subrogation or otherwise, on account of any loss or damage to tools, machinery, equipment or other property, however caused.

Sovereign Immunity: Nothing contained within this agreement shall effect, or shall be deemed to affect, a waiver of the City's sovereign immunity under law. No agreement awarded as a result of this procurement transaction shall contain any provisions requiring the City to waive or limit any sovereign or governmental immunity to which it may be entitled.

Right to Revise or Reject: The City reserves the right, but not the obligation, to revise any insurance requirement not limited to limits, coverages and endorsements, or reject any insurance policies which fail to meet the criteria stated herein. Additionally, the City reserves the right, but not the obligation,

to review and reject any insurer providing coverage due to its poor financial condition or failure to operate legally.

VI. Effective Dates

This policy shall be effective from November 13, 2018 and shall terminate on July 31, 2019. During the time the pilot program is in effect, the City Manager may amend the program regulations from time to time to ensure that participants are meeting program goals. Any changes or amendments to program regulations shall go into effect immediately. The City shall notify Permittees of any such changes or amendments as soon as practicable.

The City reserves the right to terminate the pilot program prior to July 31, 2019 if, in the sole opinion of the City Manager, the use or accessibility of public right-of-way is compromised or compliance with program regulations is inadequate. If the City Manager terminates the pilot program,, Permittees shall remove all devices from City right-of-way within five (5) business days.

**RESOLUTION OF THE CHARLOTTESVILLE CITY COUNCIL EXTENDING THE
BICYCLE AND E-SCOOTER SHARING SYSTEM (AKA DOCKLESS MOBILITY)
PILOT PROGRAM UNTIL DECEMBER 18, 2019**

BE IT RESOLVED by the Council of the City of Charlottesville that the termination date of the Dockless Mobility Pilot Program shall be December 18, 2019.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 17, 2019
Action Required:	Report /Plan Approval Following Council Feedback
Presenter:	Leslie Beauregard, Assistant City Manager
Staff Contacts:	Leslie Beauregard, Assistant City Manager Matthew Murphy, Outreach Coordinator, Office of City Council Misty Graves, Program Supervisor, Human Services
Title:	Charlottesville Participatory Budgeting Pilot Program

Background:

As part of the F.Y. 2019 Adopted Budget, Charlottesville City Council set aside \$100,000 in city funds to launch the first participatory budgeting process in the City. The goal was to pilot new ways of engaging community residents and build public trust by empowering citizens to determine where and how public dollars will be spent in the community.

The attached handbook was developed by a Steering Committee, who met between the months of December and April, consisting of City staff and community residents and stakeholders with assistance from Floricane, a strategic planning and facilitation firm. Committee members were either recommended by City staff and/or City Council based on members' interest, perspective, expertise or demographic representation. While participatory budgeting (P.B.) is drawn from existing models, we want the Charlottesville process to reflect the local community.

This is not the first participatory budgeting initiative that has occurred in the City. In 2016-2017 a pilot arts based participatory budgeting took place, called BeCville, as a collaboration between the City of Charlottesville and Pauselab in connection with the Strategic Investment Area efforts. The focus of this work was to use creativity as a way to understand the skills, knowledge, and needs of the 3,500 people living in the area and make a series of small investments in projects through a rich community engagement process. The project reached every house in the area and hosted a series of events that spurred community participation. This included in the submission of over 350 different ideas to improve the community and the submission of over 400 ballots that resulted in the construction of a community garden on South 1st Street and a monument at the Daughters of Zion Cemetery.

Discussion:

What is Participatory Budgeting or P.B.?

P.B. is a democratic process in which community members directly decide how to spend part of a public budget. P.B. gives ordinary people real decision-making power over real money. The process was first developed in Brazil in 1989, and as of 2019, there are now over 3,000 participatory budgets around the world.



How Does P.B. Work in Charlottesville?

1. Volunteers and city staff form a Steering Committee that designs and oversees the process.
2. Residents come together in person and online to brainstorm and submit ideas for projects. Residents are also invited to volunteer on the Proposal Design Team.
3. The Proposal Design Team, comprised of residents and city staff, works to develop proposals based on the submitted ideas.
4. Residents vote on the proposals, and the winning projects are submitted to the City Manager and City Council for funding.
5. The winning project(s) is implemented over the next budget year.
6. The Steering Committee works with the City to monitor project implementation.

What Type of Project(s) Will be Funded?

The Steering Committee recommends that a capital project(s) be funded. Capital projects are one-time expenditures implemented by the city which benefit the public and usually involve physical infrastructure. Capital projects may have some sort of associated operating or ongoing cost that has to be captured and evaluated while the project is being considered. Before projects are put before a public vote, they must be reviewed by City staff to ensure they meet all requirements and can actually be accomplished.

Recommended Geographic Pilot Area

For the pilot year of P.B. in Charlottesville, the Steering Committee recommends narrowing the project focus to a specific geographic area that exhibits the greatest need according to demographic and census data including: low-income, high-poverty, housing (the most cost burdened), educational attainment (high school graduation/G.E.D.), free and reduced lunch, life expectancy and percentage of Black and/or Latino residents, etc. Because Charlottesville does not have Council Districts like most places where P.B. has been implemented, future P.B. processes would likely categorize the city into neighborhood groupings/areas and designate each a maximum project cost for each area based on designated funds. The committee thought it wise to pilot a small focus area to test and learn from before launching a city wide process.

For this pilot, the Steering Committee recommends that the *Ridge St. Neighborhood* serve as the pilot for Cville P.B. There were several reasons for this choice:

1. The Ridge St. Neighborhood has had inconsistent neighborhood association presence in the past, which has affected its ability to build community within the neighborhood, elevate the neighborhood's needs, and advocate for public amenities. The Steering Committee sees this as an opportunity to re-engage the neighborhood and association in a structured and positive way.
2. The Ridge St. Neighborhood is within the Strategic Investment Area, a high priority area in terms of overall investment.
3. The Ridge St. neighborhood includes three public housing sites (6th St., South 1st St., and Crescent Halls) as well as Friendship Court.
4. The City has made significant investment in Fifeville, with improvements to Tonsler and Forest Hills Parks, and in 10th and Page, with support of the City of Promise. There have not been similar investments in the Ridge St. Neighborhood.
5. Ridge St. responses to the 2018 National Citizen Survey showed that 74% of residents felt positively about the "neighborliness" of their community, compared to 64% of all

city residents, and 81% felt safe in their neighborhoods, compared to 76% of all city residents.

6. Regarding the data, some Census data that pops out includes the following when compared to Fifeville/Prospect and 10th and Page/Star Hill:
 - a. 14% of resident homeowners are cost burdened, compared to 9% in Fifeville/Prospect
 - b. 30% of residents in Ridge St. are considered in poverty, when compared to 25% citywide.
 - c. 13% have moved in the last year, which is low compared to the other two areas mentioned, which means stability in the neighborhood.
 - d. The Latino population is much higher than the other two areas, representing 10% of the total population, compared to 4% in Fifeville/Prospect and 1.3% in 10th/Page/Star Hill.

Proposed Timeline and Events *(Details and Guidelines for each phase can be found in the Cville P.B. Handbook)*

August – October: Education and Idea Collection

Community members from the geographical focus area are invited to gather to learn about participatory budgeting, and to share ideas at neighborhood meetings, outreach booths and online. Community volunteers are secured.

November – February: Proposal Development

The Proposal Design Team will work together with City departments/staff and subject matter experts to take all the submitted ideas from the Idea Collection phase and turn them into concrete, project proposals that can be put on a ballot.

April: Voting

Final proposals are presented to the community at various events then put on the ballot for the Vote.

T.B.D. and Following Voting: Implementation

Winning project(s) will be implemented by the appropriate City Department; the City will communicate updates on implementation to the public.

Roles and Responsibilities

Various roles are defined for City Council, community members, the Proposal Design Team, City Staff, Volunteers, Community Partners and the Steering Committee.

Alignment with City Council's Vision and Strategic Plan:

Cville P.B. has potential to align with various areas of the Strategic Plan depending in the final project(s) implemented;

Community Engagement:

There will be significant community engagement throughout the entire process that is outlined in the attached Handbook. Engagement will be in all phases from Education and Idea Collection, Proposal Development and finally Voting. The process is open to input from youth, residents, and businesses

in the area. The Steering Committee includes a staff member from the City's Communication Office at this point to assist in this effort as well. In addition, 40 City employees have already volunteered in some capacity to assist with this pilot. Engagement strategies will include social media, website, newsletter, flyers, media and news, and others!

Budgetary Impact:

As part of the F.Y. 2019 Adopted Budget, City Council set aside \$100,000 for a Participatory Budget Pilot. These funds will be carried over into F.Y. 2020. No new funds will need to be appropriated for this program.

Recommendation:

Staff will present their report to City Council and it is hoped that Council will provide some feedback and then approve the path forward.

Alternatives:

Provide feedback to staff on any changes to the proposal that will be incorporated in the final plan.

Attachments:

Cville Participatory Budgeting Handbook

CITY OF CHARLOTTESVILLE



Participatory Budgeting

HANDBOOK



March 27, 2019
Last Update May 21, 2019

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Introduction

As part of the F.Y. 2019 Adopted Budget, Charlottesville City Council set aside \$100,000 in city funds to launch the first participatory budgeting process in the City. The goal was to pilot new ways of engaging community residents and build public trust by empowering citizens to determine where and how public dollars will be spent in the community.

This handbook was developed by a Steering Committee consisting of City staff and community residents and stakeholders with assistance from Floricane, a strategic planning and facilitation firm. Committee members were either recommended by City staff and/or City Council based on members' interest, perspective, expertise or demographic representation. While participatory budgeting (P.B.) is drawn from existing models, we want the Charlottesville process to reflect the local community. The Steering Committee thus generated these guidelines and rules based on its understanding of community needs, issues, and interests. This handbook is only a starting point, and it is intended to remain a work in progress.

The list below reflects the Steering Committee members who helped develop this handbook. Later in this document we discuss how this committee will be expanded from this initial group:

Leslie Beauregard, City of Charlottesville, Assistant City Manager
Matthew Murphy, City of Charlottesville, City Council Outreach Coordinator
Tierra Howard, City of Charlottesville, Grants Coordinator
Misty Graves, City of Charlottesville, Community Based Services, Program Supervisor
Shymora Cooper, Community Member
Matthew Slaats, Pause Lab, BeCville Coordinator (former P.B. process)
Erin Sabina, Teachstone, Inside Sales Representative
Richard Aguilar, Teachstone, Client Implementation Representative

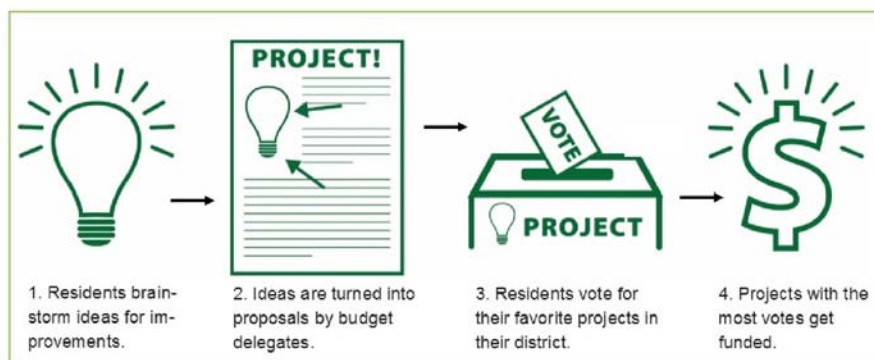
What is Participatory Budgeting (P.B.)?

P.B. is a democratic process in which community members directly decide how to spend part of a public budget. P.B. gives ordinary people real decision-making power over real money. The process was first developed in Brazil in 1989, and as of 2019, there are now over 3,000 participatory budgets around the world.



How Does P.B. Work in Charlottesville?

- Volunteers and city staff form a Steering Committee that designs and oversees the process.
- Residents come together in person and online to brainstorm and submit ideas for projects. Residents are also invited to volunteer on the Proposal Design Team.
- The Proposal Design Team, comprised of residents and city staff, works to develop proposals based on the submitted ideas.
- Residents vote on the proposals, and the winning projects are submitted to the City Manager and City Council for funding.
- The winning projects are implemented over the next budget year.
- The Steering Committee works with the City to monitor project implementation.
- For the pilot year of P.B. in Charlottesville, the Steering Committee recommends narrowing the project focus to a specific geographic area that exhibits the greatest need according to demographic and census data including: low-income, high-poverty, housing (the most cost burdened), educational attainment (high school graduation/G.E.D.), free and reduced lunch, life expectancy and percentage of Black and/or Latino residents, etc. (see attachment). Because Charlottesville does not have Council Districts like most places where P.B. is implemented, future P.B. processes would likely categorize the city into neighborhood groupings/areas and designate each a maximum project cost for each area based on designated funds. The committee thought it wise to pilot a small focus area to test and learn from before launching a city wide process.



How Much Money Do We Have?

City Council has committed \$100,000 for Charlottesville residents to spend on capital projects as a pilot P.B. process. As a pilot, the Charlottesville P.B. process will begin in one neighborhood based on need and public engagement capacity.

What Are Capital Projects?

Capital projects are one-time expenditures implemented by the city which benefit the public and usually involve physical infrastructure. Capital projects may have some sort of associated operating or ongoing cost that has to be captured and evaluated while the project is being considered. Before projects are put before a public vote, they must be reviewed by City staff to ensure they meet all legal requirements and can actually be accomplished.

Funds will be used in the City of Charlottesville to build or improve physical spaces. For example, local improvements to schools, parks, libraries, housing, and other public spaces. Capital funds can only be used for physical infrastructure projects that benefit the public.

For example, repairing a basketball court in a public park would be a capital project. However, repairing a basketball court in your backyard would not be a capital project because it would not benefit the public. Similarly, paying for staff and referees to run a basketball league would not be a capital project because it would not be an improvement to physical infrastructure.

VISION AND VALUES

We believe that we must provide a vision and firm foundation of values for P.B. in order to evaluate the impact of its work. We also believe we can improve our city through an effective PB process driven by core values which we feel are important in ensuring positive outcomes for the process and our city.

Vision

This process will:

- Promote diversity of voice and participation in the City (diversity on the steering committee, diverse collaborations across demographics, between groups and citizens especially those traditionally underrepresented in public processes).
- Seek opportunities to include, employ and empower youth and to promote leadership development for youth and neighborhood residents.
- Focus on neighborhoods in need, areas of historic poverty or disinvestment.
- Implement tangible physical improvement projects that have impact, and which promote equity, voice, empowerment and transformation (even at a small level)
- Promote collaboration with city staff, neighborhood organizations, residents, schools, teachers, parents, youth and the elderly.



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- Be flexible but committed to results, impact and continuous evaluation.

Values

Equity

- We are committed to focusing on where needs are in the city to ensure youth, adults and families from all races and backgrounds have equal access and participation. We aim to leverage existing strengths and resources to meet the greatest need and bridge gaps.
- The process is open and accessible to all within the focus area but we are committed to making sure we hear from people traditionally unengaged and underrepresented and that all segments that want to be heard are able to participate.

Transparency

- We strive to ensure that the decisions we make align with the desired outcomes of the project by being open and clear on how we select options and make decisions.
- We will provide ongoing communication to make sure people know what is going on – even if it means admitting a challenge and roadblock. Communication will include social media and online platforms to house information and provide ongoing feedback and comment.
- We understand that this process is an opportunity for building trust.

Accountability

- This process will be data driven where applicable as well as provide transparency in process, priorities and decision making points.
- We want to operate with integrity and remain loyal to our intended actions while recognizing that everyone has an opportunity for input.
- We will work toward the sustainability of the process.

Empowerment

- Both youth and adults will be able to participate, be a part of decision-making as well as organize and shape outcomes.
- We will recognize the strengths of the community, helping them see that the city cares, wants to hear their voice and that residents have the power to make decisions about their community.



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- This process can provide opportunities for community members to realize their own agency, and their ability to change the community and lives in a variety of ways in partnership with the City.

Effectiveness

- We are committed to a process that moves toward tangible outcomes in a way that works for the City and the Community.

Engagement

- There will be opportunities for people to be involved along the spectrum of engagement that ranges from informing to empowerment, from process to implementation.
- We will pursue creative and diverse ways of public participation, both in person and online.
- There will be opportunities to engage city employees –using their expertise to shape the outcomes and decision-making. We aim to keep them educated, informed and utilized as integral parts of the process.

Timeline: What happens when?

<p>PLANNING</p> <p>NOVEMBER – JUNE</p>	<p>During this time, the initial Steering Committee met to develop rules and procedures are created. Resource needs are identified and initial education, recruitment and training of city staff for leadership and participation. This also includes creation of branding and outreach platforms (website, social media, etc.).</p>
<p>EDUCATION & IDEA COLLECTION</p> <p>AUGUST - OCTOBER</p>	<p>The process will launch in August. Community members from the geographical focus area are invited to gather to learn about participatory budgeting, and to share ideas at neighborhood meetings, outreach booths and online. In addition to sharing ideas, people are asked to volunteer as Proposal Development Team members, event volunteers and for the street outreach team. The goal is to reach at least 10% of the population of the focus area.</p>
<p>PROPOSAL DEVELOPMENT</p>	<p>The Proposal Design Team will work together with City departments/staff and subject matter experts to take all the submitted ideas from the Idea Collection phase and turn them into concrete, project proposals that can be put on a ballot. There is</p>



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NOVEMBER - FEBRUARY	an Idea Summit to synthesize and prioritize ideas and subsequent meetings to take the ideas and turn them into proposals based on need, impact and feasibility.
VOTING APRIL	Final proposals are presented to the community at various events then put on the ballot for the Vote. Voting happens over a period of one to two weeks at various community locations convenient to the public. Projects with the most votes will be funded until the funds expire. Voting may take place at school related events, parent teacher nights, family, and other community events, etc.
IMPLEMENTATION	Winning project(s) will be implemented by the appropriate City Department and the City will communicate updates on implementation to the public.



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Guidelines: How does P.B. work in Charlottesville?

IDEA COLLECTION	<ul style="list-style-type: none">• Idea Collection will begin with a Kick-Off event including City Council, local media and community members.• Anyone who lives, works, owns a business or is a student in the identified neighborhood(s) are welcome to attend information meetings and propose project ideas during the idea collection weeks.• Idea Collection will be done online, at meetings, at outreach booths, canvassing, non-P.B. meetings of community organizations, churches, civic associations. There must be at least 4 idea collection events within the designated P.B. area. Events will be planned with consideration for inclusiveness and engaging underrepresented populations. At least one event should have special focus on youth. Special attention should be paid to ensure language and technology access do not present a barrier to participation.• It is recommended that there be at least one event in each of the following timeframes: morning, weekend, and evening. This will allow for the broadest possible attendance considering a variety of work and life schedules.
PROPOSAL DEVELOPMENT	<ul style="list-style-type: none">• City Staff and the Steering Committee will be responsible for taking the ideas collected and categorizing them into broad groupings based on similarities before the Idea Summit (see below).• Proposal Development will be a collaborative process conducted by the Proposal Design Team that will be a combination of volunteers, City staff, and community stakeholders.• Anyone at least 14 years of age, who lives, works, has a business or, is a student in the focus area or has children who are students in the focus area is welcome to serve as a Proposal Design Team Member.• The focus area should aspire to have up to 15 Proposal Design Team volunteers that represent the areas demographics and geography. The Proposal Design Team should include at least



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	<p>one youth representative, as well as city staff, neighborhood residents, business owners and other community partners.</p> <ul style="list-style-type: none"> • Volunteer Proposal Design Team members must fill out an application and commit to be a part of the process for the entire proposal development period. • City Staff and the Steering Committee will develop sub-committees of the Proposal Design Team to review and develop ideas proposed by the community into projects. Committees will be organized to develop projects based on the type of ideas that are proposed. • An Idea Summit will be an event open to the public, where the Proposal Design Team, Steering Committee, City Staff and Volunteers will review, synthesize and prioritize ideas so that the sub-committee can create proposals. Potential focus areas may include but are not limited to: 1. Transportation 2. Public Health 3. Public Safety 4. Education 5. Parks & Recreation 6. Art & Culture 7. Housing. • The sub-committees will meet to develop feasible, impactful proposals that respond to community needs and respects costs, constraints and capacity (Long-term maintenance, location, legality etc.). A Scorecard/Equity Matrix developed by the Steering Committee, City Staff and reviewed by neighborhood residents will be used to rate and develop proposals. Each sub-committee is allowed to develop a maximum of two proposals. • Each committee will send its final project proposals to the Steering Committee at least one month before the public vote. • Before a ballot is created, each of the proposed projects shall be reviewed and approved for cost and feasibility by the appropriate city department that would be involved with implementation.
<p>EXPOS & VOTING</p>	<p>EXPOS</p> <ul style="list-style-type: none"> • There will be at least <u>3</u> meetings for the Proposal Design Team to present their project proposals to the community and get feedback. These events include an opening presentation and project displays with visual aids (e.g., print outs or videos). • Information will also be provided on the criteria that determined what did or did not qualify ideas to be developed into proposals.



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	<ul style="list-style-type: none">● The Steering Committee will determine the number and location of the expos. At least one should be a youth focused event.● Information on the proposals will also be available online. <p>VOTING</p> <ul style="list-style-type: none">● Individuals who live, work, has a business or, is a student (or parent of a student) in the focus area can vote for projects.● During Voting Week, voters must provide their name and address within the focus area.● To facilitate broad participation there will be a week of voting, mobile voting sites, online voting and a text/email link to cast votes.● The Steering Committee will identify the number of votes allowed per voter. Each voter in the focus area will receive the same number of votes.● The projects will be ranked by order of highest number of votes to lowest. The \$100,000 will be allocated based on this list until it is expired.
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OUTREACH & ENGAGEMENT	<ul style="list-style-type: none">● A website, social media page and newsletter sign up shall be maintained to educate community members on the process, advertise dates, events and collect ideas.● City staff will use online, social media, news outlets, community meetings, events and street outreach to advertise, educate, collect ideas and encourage voting.● Outreach plans should be developed for Idea Collection, The Idea Summit, events and voting. They should include both broad- based outreach, and targeted outreach to ensure to make special efforts to engage populations traditionally disenfranchised.● Fliers should be translated into the various primary languages in the district.● Leading up to the Vote, there should be at least three group outreach days (street/door/events/key locations) as well as email, social media and newsletters campaign encouraging people to vote.



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	<ul style="list-style-type: none">● All public events should be publicized at least two weeks in advance, online and through publicly displayed posters and fliers.● The Project team will recruit community organizations and coordinate with them for outreach events.● Outreach should include social media, events, email, newsletters, street teams etc.● The City can utilize their newsletter and/or send a mailer to constituents.● Data (contact information) should be collected at from the kickoff event until voting (and a sign up online) for continued follow up communications and announcements.
APPROVAL & IMPLEMENTATION	<p>APPROVAL OF FUNDING</p> <ul style="list-style-type: none">● After the vote, winning projects will be formally presented to the City Council and the public.● City Staff will keep residents apprised regarding project implementation schedules. Staff may confer with the Steering Committee for additional information regarding specific projects. <p>EVALUATION</p> <ul style="list-style-type: none">● The Steering Committee and Project Staff will meet after the voting process is over to evaluate the success of the process for lessons learned and future changes. A survey may be created to get feedback from community residents, volunteers, partners and city staff.● The Steering Committee and Project Staff will meet at least one year after implementation begins to evaluate the implementation process for roadblocks, lessons, issues for recommendations for changes to future processes. <p>AMENDMENTS</p> <ul style="list-style-type: none">● The Steering Committee will review and modify the handbook as needed at the end of each PB cycle and during planning for the next cycle. In the case of urgent issues that cannot wait until the end of the current cycle, the Steering



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	Committee may make changes via majority vote. Reasonable prior notice of proposed changes will be furnished to the City and the Proposal Design Team.
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Voter Identification

Voters must live, work or have a businesses in the identified geographic area and be at least 14 years or older. They should provide write their name and address (of home, work or business) on the ballot and signature confirming that they live, work or have a business in the geographical area of focus.

Roles & Responsibilities: Who does what?

There is a role for everyone in participatory budgeting, but different people have different roles and responsibilities, based partly on their stake in the community and their time commitment to the process. We encourage every community stakeholder to both participate and encourage others in the community to participate.

Community Members	<p>In order to realize our vision and live our values, we are committed to providing opportunities for community member input and investment. Potential roles and responsibilities:</p> <ul style="list-style-type: none">● Speak up – identify local problems and needs.● Get creative – share ideas for project proposals.● Pursue partnership – volunteer for specific PB roles<ul style="list-style-type: none">○ Proposal Design Team○ Staff and/or facilitate outreach events○ Join the outreach street team● Share feedback – early and often<ul style="list-style-type: none">○ Your thoughts on project proposals○ Your thoughts on the overall P.B. process● Offer guidance – help monitor and provide input on the implementation of projects● Inspire others – spread the word about P.B. in Charlottesville● Vote!
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<p>Proposal Design Team</p>	<ul style="list-style-type: none"> ● City Staff and community members who are willing to assess all ideas gathered from the community during the idea collection phase and support the process of proposal development based on their decisions. ● Proposal Design Team should include at least one youth representative, as well as city staff, neighborhood residents, business owners and other community partners. ● The Proposal Design Team will meet to begin assessing the ideas that have been collected. ● The group will host a public event where in which they discuss the various ideas, introduce them to the broader community, and support a community assessment of the ideas. ● Using the CvillePB ScoreCard, they will help to make sure that the ideas are meeting community needs and are feasible. ● From this 10 ideas will be moved forward to be developed into proposals.
<p>City Staff</p>	<ul style="list-style-type: none"> ● P.B. will be coordinated, developed and implemented by the City Manager’s office (Budget office) with support from the Innovation Team and staff including but not limited to representatives from Parks and Recreation, Neighborhood Development Services and Public Works. ● Opportunities for City Staff include: ● Steering Committee Membership ● Volunteers for facilitating and coordinating events: dea Collection, Idea Summit, Street Team Members, ● Marketing and Communications ● Community Engagement & Outreach – Encouraging resident and staff participation with the P.B. process ● Proposal Design Team Membership ● Technical support as needed to the process and project implementation. ● Training Volunteers
<p>Volunteers</p>	<ul style="list-style-type: none"> ● Outreach & Engagement Days ● Street Team ● Idea Summit ● Ballot Distribution & Voting



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Community Partners	<ul style="list-style-type: none"> ● Develop, maintain and nurture relationships with community members and city staff. ● Commit to mobilizing community members and maintaining long-term community engagement. ● Draw from existing collaboration with the community (Historical trends, successes, and failures). ● Obtain and coordinate community resources to meet the needs of community members. ● Communicate clearly with all parties involved and contribute to the coordination and implementation of the P.B. model and adjust accordingly to the chosen location.
Steering Committee	<ul style="list-style-type: none"> ● Design and guide P.B. process via the creation of the handbook. ● Attend P.B. events and meetings in participating areas during each stage of P.B. ● Amplify the P.B. process by sharing the project throughout their network and to the broader community using social media and distributing print materials. ● Training volunteers and the Proposal Design Team. ● Provide specialized support for the P.B. process, including research, organizing, media, online engagement, social media, and policy & budgeting, data visualization, and design. ● Assist with the Idea Summit, Proposal Design Team Orientations and/or meetings. ● Evaluate and revise the rules of the P.B. process. ● Identify and recruit groups to support P.B.
City Council	<ul style="list-style-type: none"> ● Take action to move the money into the C.I.P. with the framework ● Support/cheerleaders for the process. ● Announcing at City Council Meetings. ● Attend outreach, idea collection and voting events. ● Community engagement opportunities



Glossary of Terms

- Accountability – The ability to justify actions or decisions to others.
- Allocate - To distribute funds for a specific reason.
- Ballot – A list of proposals developed during the Cville P.B. process that the community will be able to vote.
- Budgeting – The process of allocating money for a particular purpose
- Capital Project – a project that consists of a one-time cost to support the improvement of physical public space in the City of Charlottesville.
- City Council – Elected officials that represent and decide on policy for the City of Charlottesville.
- City Staff – Professional employees of the City of Charlottesville that manage and administrate the efforts of the City.
- Community Members – People that live in the selected Cville P.B. neighborhood(s).
- Community Partners – These are organizations that consist of schools, businesses, nonprofits, churches, and other community groups that will support the Cville P.B. process.
- Effectiveness – Achieving a defined result.
- Empowerment – Providing people with the ability to have control over and a voice in a process.
- Engagement – Connecting with and working together to achieve a goal.
- Equity – Making sure everyone is able to play a role no matter for the background.
- Equity Scorecard/ Matrix – A card distributed during the Idea Summit that allows the community to assess ideas and express their thoughts about the impact those ideas would have on the neighborhood.
- Expense Budget - The Expense Budget pays for the day-to-day operating costs of the city, such as the salaries of teachers and police officers, supplies, contracted services with non-profits and debt service. This is like a household's annual budget that includes food, clothing, and childcare.
- Expos – An event where information about Cville P.B. is shared with the community and the community will be able to participate in the Cville P.B. process.
- Facilitator - Someone who helps a group of people understand their common objectives and achieve them, without taking a particular position in the discussion.
- Grassroots Democracy - Political processes where as much decision-making authority as practical is shifted to the organization's lowest geographic level of organization.
- Ideas – Hopes and concepts that residents have for improving their neighborhood.



PARTICIPATORY BUDGETING

HANDBOOK

- Idea Collection – Whether online, in person, or via print, the process where residents submit ideas to Cville P.B.
- Idea Summit – A public event where residents from Charlottesville and the Vision Council work together to assess the ideas collected throughout the idea collection phase of Cville P.B.
- Identification – A card with information and a photo that proves those voting live in the selected Cville PB neighborhood(s).
- Implementation – The process by which the selected Cville P.B. projects become a reality.
- Inclusion - The act of including something, someone, or a group of people; making sure that everyone's voice is heard.
- Infrastructure - The basic equipment and structures (such as roads, school buildings, parks) that are needed for a city to function.
- Participatory – a process that allows as many people as possible to have a part or stake in creating an outcome.
- Participatory Budgeting (P.B.) - A democratic process in which community members directly decide how to spend part of a public budget.
- Proposal Development/Design Team – Small groups of city staff and community members that develop proposal for the Cville P.B. process.
- Proposals - A plan consisting of a description, budget, statement of impact, and implementation process for a specific idea that was deemed important by the community.
- Quorum - The number of members required to be present in order to make official decisions.
- Steering Committee – A group of people working to develop and organized the Cville PB process.
- Transparency - The ability of a process to be seen, understood, and opens to input.
- Volunteer - Someone that is dedicating time to support a cause.
- Voting - A two-week period of time, when residents will be able to vote on proposals they think will have the greatest impact on their community.

