



**CITY COUNCIL AGENDA
August 17, 2020**

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

**5:30 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code
(Legal consultation; scheduling boards and commissions interviews)**

6:30 p.m. Regular Meeting

Virtual/electronic meeting. Register at www.charlottesville.gov/zoom

CALL TO ORDER

MOMENT OF SILENCE

ROLL CALL

AGENDA APPROVAL

ANNOUNCEMENTS

RECOGNITIONS/PROCLAMATIONS

CONSENT AGENDA*

1. Appropriation: Belmont Bridge Replacement Project – \$15,263,257.41 (2nd reading)
2. Appropriation: Appropriation of funds received for reimbursement for Crescent Halls driveway repair - \$18,483.73 (1st of 2 readings)
3. Appropriation: Safe Routes to School Non-Infrastructure Grant Award - \$95,000 (2nd reading)
4. Appropriation: Community Development Block Grant Coronavirus (CDBG-CV) Funding, FY 20-21 - \$246,699 (2nd reading)
5. Appropriation: Office of the Registrar CARES funding for 2020 Presidential election - \$64,229 (2nd reading)
6. Appropriation: BAMA Works Grant for Supporting Aspirations-Improving Resiliency for Vulnerable Families - \$6,000 (2nd reading)
7. Ordinance: Approving CitySpace as Central Absentee Precinct for November 3, 2020 General Election (1 reading; request to waive 2nd reading)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for up to 8 spaces; preregistered speakers announced by Noon the day of the meeting as an update to the agenda. Additional public comment period at end of meeting. Public comment will be conducted through electronic participation as City Hall is closed to the public. Participants can register in advance at www.charlottesville.gov/zoom.

ACTION ITEMS

8. Public Hearing/Ord.: Public hearing and ordinance for granting permanent and temporary easements to the Rivanna Water Services Authority for the installation of water line facilities in Ragged Mountain Natural Area (1st of 2 readings)
9. Public Hearing/Ord.: Public hearing and ordinance for granting an underground utility easement to Dominion Energy for the installation of electric power lines in Ragged Mountain Natural Area (1st of 2 readings)

- 10. Public Hearing/Ord.: Public hearing and ordinance for granting a drainage easement to the International School of Charlottesville, Inc. (1st of 2 readings)
- 11. Public Hearing/Ord.: Public hearing and Ordinance for the sale of a 0.13 acre portion of Northeast Park (1st of 2 readings)
- 12. Public Hearing/Res.: Public hearing and resolution endorsing the submission of three SmartScale (HB2) applications requesting transportation funding by Charlottesville-Albemarle Metropolitan Organization – Hydraulic/29 Intersection Improvements; Hillsdale Avenue South Extension; Fifth Street Hub and Trails (1 reading)
- 13. Ordinance*: Amending Chapter 33 (Weapons) of the Code of the City of Charlottesville to add Section 33-10. – Prohibition of firearms on city property (2nd reading)
- 14. Resolution*: ~~218 West Market Street Special Use Permit (1 reading)~~

GENERAL BUSINESS

- 15. Resolution*: Consideration of support for the Frontline Workers Fair Treatment Charter
- 16. Report: Social Services - Family Services Report (oral report)
- 17. Report: City Financial Report for July 2020 (oral report)
- 18. Discussion: Boards and commissions meetings discussion and guidance

OTHER BUSINESS

MATTERS BY THE PUBLIC

*Action Needed

NOTE: Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

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



Agenda Date: August 3, 2020

Action Required: Appropriation

Presenter: Jeanette Janiczek, UCI Program Manager

Staff Contacts: Marty Silman, Interim Public Works Director
Tony Edwards, Development Services Manager
Jeanette Janiczek, UCI Program Manager

Title: **Belmont Bridge Replacement Project – Appropriation of \$15,263,257.41**

Background: On May 16, 2005, the City entered into an agreement with the Virginia Department of Transportation to participate in the Urban Construction Initiative (“First Cities”) Program (UCI). Through this program, the City is responsible for administering its urban system construction program – design, right-of-way acquisition, utility relocation, and construction. In addition, accounting of the UCI program funds must reconcile with the VDOT six-year plan. This appropriation involves the state, federal and local funds necessary to fund the City’s projects as outlined in the VDOT six-year plan.

Some state funds have been received upfront from the state based on the previously used urban allocation based on the City’s population and size. The remaining state and federal funding, however, must be spent first by the City and is later reimbursed by the Virginia Department of Transportation. Reimbursement requests are submitted to VDOT on a quarterly basis.

Discussion: Preliminary Engineering (PE) is the phase of the roadway project “that includes all project initiation and development activities undertaken after its inclusion in the approved State Transportation Improvement Program through the completion of (construction bid submittal). It may include preliminary Right of Way engineering and investigations necessary to complete the environmental document.” Activities include design, plan development, environmental evaluation and public participation process. Right of Way (ROW) is the phase of the roadway project that “includes the work necessary to appraise and acquire project right of way, relocate individuals or businesses, and revise or relocate utilities.” Construction is the phase of the roadway project that includes “the management of all construction activities necessary to ensure the completion of a high quality product meeting all contract specifications, and applicable federal, state, and local laws and regulations.”

To date, \$2,788,170.59 has been received in reimbursement for this project in the preliminary engineering and right of way phases. This appropriation reconciles and applies the remaining federal and state funding allocations previously awarded to the City. Additional local funding is planned for FY21 and FY22 totaling \$7,500,000 which fully funds this project based on the current engineering estimate.

Funding Allocations	Federal	State	Local	GRAND TOTAL
	3,181,234	14,870,194	13,048,615	31,100,043

Available Balance & Projected Capital Improvement Project Budget	Federal	State	Local	
			4,851,572	Available Balance
			5,000,000	Projected CIP FY21
			2,500,000	Projected CIP FY22
			12,351,572	

Past Reimbursements	Federal	State	Local	
	17,314	2,770,857	697,043	
	17,314	2,770,857	697,043	

Current Appropriation	Federal	State	Local	
	3,163,920	12,099,337		

Current Status: The Belmont Bridge Replacement project is currently in the Right of Way phase acquiring necessary property rights to construct the improvements as well as design of relocation of private utilities. Final design has been reviewed by City Staff as well as the Virginia Department of Transportation and comments are being addressed. Final Construction Documents, including revised final plans addressing comments, is under development with a planned advertisement date of Fall 2020.

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 2 of the Strategic Plan, Be a safe, equitable, thriving, and beautiful community; Objectives 2.3. Provide reliable and high quality infrastructure and 2.6. Engage in robust and context sensitive urban planning.

Community Engagement: There has been significant engagement throughout project planning through a Steering Committee, project specific public meetings, coordination with City boards/commissions and public surveys. A Design Public Hearing was held on May 24, 2018 and its results were accepted by City Council on July 16, 2018. A Certificate of Appropriateness was granted by the Board of Architectural Review on August 20, 2019. A Citizen Information Meeting will be advertised and held in the coming months to discuss maintenance of traffic for both vehicles and pedestrians, construction schedule and sequencing. Progress reports, future traffic notices as well as historical meeting information can be found on www.belmontbridge.org.

Budgetary Impact: None. Appropriation is composed of the remaining state and federal allocations that are reimbursed once expended. Local funds were previously approved and funded through the CIP from FY03 to FY21 with a planned contribution in FY22.

Recommendation: Staff recommends approval and appropriation of the funds.

Alternatives: N/A

Attachments: Appropriation

APPROPRIATION
Belmont Bridge Replacement Project –
\$15,263,257.41

WHEREAS, a total of \$3,163,920.41 in federal funds for the Belmont Bridge Replacement project requires appropriation;

WHEREAS, a total of \$12,099,337 in state funds for the Belmont Bridge Replacement project requires appropriation;

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

Revenues

\$3,163,920.41	Fund: 426	WBS: P-00436	G/L Account: 430120
\$12,099,337	Fund: 426	WBS: P-00436	G/L Account: 430080

Expenditures

\$3,163,920.41	Fund: 426	WBS: P-00436	G/L Account: 599999
\$12,099,337	Fund: 426	WBS: P-00436	G/L Account: 599999



Agenda Date:	August 17, 2020
Action Requested:	Appropriation
Presenter:	Brenda Kelley, Redevelopment Manager
Staff Contacts:	Brenda Kelley, Redevelopment Manager Melissa Orndorff Stephens, Stormwater Utility Administrator Krisy Hammill, Sr. Budget and Management Analyst
Title:	Appropriation of funds received for reimbursement for Crescent Halls driveway repair - \$18,483.73

Background:

In November 2019, the City entered into an Agreement with Charlottesville Redevelopment and Housing Authority (CRHA) to “set forth the terms and conditions under which the City will replace a driveway culvert on property owned by CRHA at the public housing project known as Crescent Hall...”.

CRHA requested the City’s assistance in completing the work because the City could do the work more expeditiously through contractual arrangements available to the City. CRHA agreed to reimburse the City for the work as it was their intent to utilize HUD CIP funding which was reimbursement funding. While the original city contractor estimate for the work was \$31,300, the actual cost of the work was \$18,483.73.

The work has been completed and the City has received the reimbursement payment.

Discussion:

Appropriation approval is required to allocate the revenue back into the account that the work was originally paid from.

Alignment with City Council’s Vision and Strategic Plan:

Assisting CRHA with capital improvements supports City Council’s visions of Quality Housing Opportunities for All; Community of Mutual Respect; and Smart, Citizen-Focused Government. In addition, this program supports the following Strategic Plan Goals: Goal 3.2: Provide reliable and high quality infrastructure; Goal 5.1: Integrate effective business practices and strong fiscal policies and; Goal 5.3: Provide responsive customer service.

Community Engagement: N/A

Budgetary Impact:

This request does not encumber any additional funding from the City budget. Approval of this Appropriation simply allocates the receipt of the revenue back into the city account that was used to pay the contractor.

Recommendation:

Staff recommends City Council approve this Appropriation.

Alternatives:

Should City Council choose to not approve this appropriation, these funds which were originally appropriated to support affordable housing efforts will be unavailable

Attachments:

Appropriation

APPROPRIATION
Reimbursement for Crescent Halls driveway repair
\$18,483.73

WHEREAS, in November 2019, the City entered into an Agreement with Charlottesville Redevelopment and Housing Authority (CRHA) to “set forth the terms and conditions under which the City will replace a driveway culvert on property owned by CRHA at the public housing project known as Crescent Hall...”.

WHEREAS, the City of Charlottesville has received a reimbursement from Charlottesville Redevelopment and Housing Authority (“CRHA”) for work performed; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, that \$18,483.73 received as reimbursement be appropriated back to the City account from which the expenses were originally paid.

Expense

\$18,483.73 Fund: 426 WBS Element: P-01019 GL Code: 599999

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



Agenda Date:	August 3, 2020
Action Required:	Appropriation of Grant Funds
Presenter:	Amanda Poncy, Bicycle and Pedestrian Coordinator
Staff Contacts:	Amanda Poncy, Bicycle and Pedestrian Coordinator; Kyle Rodland, Safe Routes to School Coordinator
Title:	Safe Routes to School Non-Infrastructure Grant Award - \$95,000

Background:

This is the 5th year that the Virginia Department of Transportation (VDOT) has awarded the City of Charlottesville with a Safe Routes to School (SRTS) Non-Infrastructure (Activities and Programs) Grant. This \$76,000 grant will be used to fund education, encouragement, evaluation and enforcement programs related to Safe Routes to School. The Non-Infrastructure Grant will also be used to fund a full-time SRTS coordinator who works within the school division to promote and facilitate Safe Routes to School activities.

Last year, the city received a non-infrastructure grant in the amount of \$74,500 to fund a full-time coordinator and associated program budget to manage, train, and expand Safe Routes to School programming city-wide. The grant provides for a dedicated champion to work within schools to provide education, encouragement and evaluation activities needed to support active transportation for K-8 students.

Discussion:

As part of the grant application, the City was required to update the Safe Routes to School (SRTS) Activities and Programs Plan (APP), a written document that outlines a community's intentions for enabling and encouraging students to engage in active transportation (i.e. walking or bicycling) as they travel to and from school. The plan details the number of students living within ¼ to 2 miles of their school and demonstrates the potential benefits that can be accrued from a coordinate SRTS program (nearly 30% of students live within ½ mile of school and nearly 70% live within 1 mile of school). The SRTS APP was originally created through a team-based approach that involved key community stakeholders and members of the public in both identifying key behavior-related to barriers to active transportation and, using the four non-

infrastructure related E's (education, encouragement, enforcement and evaluation) to address them.

The APP update reflects minimal changes from last year's plan, but emphasizes lessons learned since our Coordinator was hired in October 2016. The following short-term recommendations were developed to enhance the program:

- Institute bike riding, repair, and safety curriculum (Education)
- Develop a division-wide SRTS website and newsletter (Education)
- Facilitate biking and walking incentive program (Encouragement)
- Regularly host walk- and bike-to-school days (Encouragement)
- Consistently host annual Bicycle Rodeos (Encouragement)
- Conduct bike safety checks (Enforcement)
- Expand the bike helmet give-away program (Enforcement)
- Administer student travel tallies (Evaluation)
- Keep records of participation in workshops, biking and walking trains, bike rodeos, afterschool clubs, and other events (Evaluation)

The SRTS Activities and Programs Plan will continue to serve as a guiding document to assist in promoting, encouraging, and enabling walking and bicycling to school. The \$76,000 grant will allow the City to continue to fund a full-time Safe Routes to School Coordinator and the supplies needed to implement the recommendations included in the APP.

The grant requires a 20% match in the amount of \$19,000. Of that amount \$15,400 will be funded by the Public Works Engineering Operating Budget. An additional \$3,600 will be provided as an in-kind donation of bicycle maintenance. For the 2019-2020 school year, the program received approximately \$10,000 in local in-kind and we anticipate being able to secure that level of match again for the 2020 – 2021 school year.

As a reimbursable grant, costs will be incurred by Public Works and reimbursed by VDOT.

Alignment with City Council's Vision and Strategic Plan:

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

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

The initiative further implements recommendations within the Comprehensive Plan (2013), Bicycle and Pedestrian Master Plan (2015) and supports the City's Healthy Eating Active Living (HEAL) Resolution.

Community Engagement:

This grant application implements one of the programming recommendations included in the Bicycle and Pedestrian Master Plan (adopted 2015), which included significant public involvement. Further, city staff from Neighborhood Development Services worked with staff from the Thomas Jefferson Health District and Charlottesville City Schools (Physical Education and Pupil Transportation) to create a Safe Routes to School Task Force in 2016 that was responsible for outlining elements of a city-wide Safe Routes to School Activities and Programs Plan (APP). The task force included representatives from city schools, community organizations, multiple city departments (NDS, Public Works, Parks and Recreation), as well as health and enforcement disciplines. The APP was developed by the task force with input from parents (via Parent Survey) and further discussed/refined at public meeting in February 2016. The Bicycle and Pedestrian Advisory Committee provided feedback on the APP annually. A parent survey will be conducted in the 2020-2021 school year to better understand some of the barriers and challenges of walking and biking school.

Budgetary Impact:

There is no impact to the General Fund. The total grant appropriation is \$95,000 which will be recorded and expensed from a grant fund. The grant requires a 20% match of \$19,000 (cash or in-kind donations are acceptable). \$15,400 of the City match will come from funds previously appropriated as part of the FY 2021 PW Operating Budget, and local in-kind donations will cover the remainder (\$3,600).

Recommendation:

Staff recommends approval and appropriation of the grant funds.

Alternatives:

If grants funds are not appropriated, Safe Routes to School programming will continue in an ad-hoc fashion with assistance from community partners and parent volunteers.

Attachments:

Safe Routes to School Activities and Programs Plan <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/transportation/bicycle-and-pedestrian/safe-routes-to-school>

Appropriation

APPROPRIATION

Safe Routes to School Program (SRTS) Non-Infrastructure Grants
\$95,000

WHEREAS, the Safe Routes to School Program (SRTS) non-infrastructure grant, providing Federal payments for **education, encouragement, evaluation and enforcement** programs to promote safe walking and bicycling to school has been awarded the City of Charlottesville, in the amount of \$76,000;

WHEREAS, the SRTS program is a 80% reimbursement program requiring a 20% match from the City, of which \$15,400 will come from Public Works and the remainder will be in-kind contributions;

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

REVENUE

\$76,000	Fund: 209	Cost Center: 3901008000	G/L Account: 430120
\$15,400	Fund: 209	Cost Center: 3901008000	G/L Account: 498010

EXPENDITURES

\$67,400	Fund: 209	Cost Center: 3901008000	G/L Account: 519999
\$24,000	Fund: 209	Cost Center: 3901008000	G/L Account: 599999

TRANSFER FROM

\$15,400	Fund: 105	Cost Center: 2401003000	G/L Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$76,000 from the Virginia Department of Transportation.

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



Agenda Date:	August 3, 2020
Action Required:	Appropriation and Approval
Presenter:	Erin Atak, Grants Coordinator
Staff Contacts:	Erin Atak, Grants Coordinator
Title:	Approval and Appropriation of CDBG-CV Budget Allocations for FY 2020-2021

Background:

The City of Charlottesville is eligible to receive \$246,699 in Community Development Block Grant Coronavirus (CDBG-CV) funding from the United States Department of Housing and Urban Development (HUD) through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136; to respond to the growing effects of the historic public health crisis. Minutes from meetings are attached which outline the recommendations made from the CDBG/HOME Taskforce, and the Planning Commission. It is important to note that all projects underwent an extensive review as a result of the RFP process. The administering department for these funds is the City of Charlottesville’s City Manager’s Office.

Discussion:

CDBG-CV funding is separate from the regular, annual CDBG funds that the City receives every year. In May 2020, the City of Charlottesville advertised a Request for Proposals (RFP) based on [HUD](#) guidance regarding eligible CDBG-CV activities, and the Council priorities set on September 16, 2019. The Council priorities were for affordable housing (priority for persons who are 0-50 percent AMI, including but not limited to low income housing redevelopment), support for the homelessness and those at risk of homelessness, workforce development (including but not limited to efforts to bolster Section 3 training opportunities and partnerships with the City’s GO programs, support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services. HUD has waived certain standard procedures, including the timeframe for community engagement. The City received five CDBG-CV public service applications totaling \$304,324 and one CDBG-CV economic development application totaling \$98,640. One of the five CDBG-CV public service applications was submitted late and was not considered for scoring in accordance with the program guidelines. A summary of applications received is included in this packet.

On June 11 and June 15, 2020, the CDBG/HOME Task Force reviewed and recommended two public service projects for funding and the Strategic Action Team reviewed and recommended one economic development project for funding.

CDBG and HOME Project Recommendations for FY 2020-2021:

The CDBG-CV program total has an estimated \$246,699 for the 2020-2021 program year. Entitlement funds were divided into three categories: Public Services, Economic Development, and Administrative/Planning to respond to the growing effects of the coronavirus.

All applications for potential funding must be able to demonstrate that the program/project to be conducted meets federal income requirements that benefit low to moderate income individuals. Additionally, applications must clearly demonstrate project/program readiness or that the project or program that the funding is being requested for will be ready to begin providing services immediately after July 1, 2020. Potential applicants are required to demonstrate sufficient organizational capacity and fully meet projected outcomes in previous grant years. Staff organizational capacity scores are not included into the final total score averages.

The eligibility of all subrecipients, pursuant to HUD guidelines, will be verified prior to contract award on-line at System for Award Management (SAM). In addition to City requirements, the subrecipient will comply with Section 3, and Davis-Bacon requirements.

Economic Development – In accordance to [*HUD's Quick Guide to CDBG Eligible Activities to Support Infectious Disease Response*](#), \$98,679.60 in FY 20-21 CDBG-CV funds were set aside for Economic Development activities in accordance with Council CDBG priorities. Members of the Strategic Action Team reviewed one application for Economic Development and made a recommendation of \$98,679.60 to the Community Investment Collaborative (CIC). Funds are proposed to be used to administer 24 grants and technical support to eligible microenterprises. Grants will help businesses cover expenses including rent, payroll, replacing inventory, etc. Technical support will help owners access services to adapt to the economic environment: support in bringing businesses online, financial planning, additional cleaning, etc.

Public Service Programs – \$98,679.60 in FY 20-21 CDBG-CV funds were set aside for Public Service Program activities. The CDBG/HOME Task Force has recommended two public service programs. Programs were evaluated based on [*HUD's Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response*](#) and City Council CDBG priorities. Programs were also evaluated based upon metrics included in the RFP evaluation scoring rubric. Funding will enable the organizations to prevent and respond to the spread of infectious diseases such as the coronavirus.

The Taskforce made a funding recommendation of \$49,661.78 for the Thomas Jefferson Health District for COVID-19 Outreach, Testing, and Linkage to Care. Estimated benefits include hiring two full-time Community Health workers to engage priority populations in COVID-19 prevention, act as liaison for testing and wrap around services, and inform the health department's COVID-19 strategy.

The Taskforce also made a funding recommendation of \$49,017.82 for the Thomas Jefferson Area Coalition (TJACH) for the COVID-19 Homeless Prevention Response. Estimated benefits include providing rental and utility assistance to 25 households under 30% of AMI at imminent risk of

homelessness due to income loss from COVID-19 and hiring one additional staff person to assist with homeless prevention assistance

Administration and Planning: To pay for the costs of staff working with CDBG-CV projects, citizen participation, and other grant related costs directly related to CDBG-CV funds, \$49,339.80 is budgeted.

On July 14, 2020, the Planning Commission held a public hearing and reviewed the CDBG/HOME Taskforce CDBG-CV proposed budget. The motion passed unanimously with Planning Commission supporting the Taskforce recommendations for City Council approval on August 3rd 2020. No public comments were received during the public hearing.

Community Engagement:

A request for proposals was held for economic development, public facilities, and public service programs. Applications received were reviewed by the CDBG Task Force or the Strategic Action Team (SAT). Eleven interested applicants inquired about the program, and a total of six applicants submitted a final application for review.

Members of the public were given the opportunity to voice their opinions during the HUD authorized expedited 5-day public comment period between April 28, 2020 through May 4, 2020, on May 18, 2020 at the virtual City Council Public Hearing, the virtual June 11, 2020 Strategic Action Team Subcommittee meeting, the virtual June 15, 2020 CDBG/HOME Taskforce meeting, the virtual July 14, 2020 Planning Commission. HUD authorized an expedited 5-day public comment period on April 2, 2020 to prevent, prepare for, and respond to the coronavirus with the goal to quickly appropriate funds to eligible activities.

Alignment with City Council’s Vision and Strategic Plan:

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

Budgetary Impact: None

Recommendation: Staff recommends approval of the proposed CDBG-CV funding recommendations. Funds included in this budget will not be spent until after HUD authorizes the approved FY 2021 amended Action Plan.

Alternatives:

City Council may reappropriate the funds among the scored public service and economic development applicants. Staff recommends taking into consideration the RFP application scores if funds are to be reappropriated.

Attachments:

HUD's *Quick Guide to Eligible CDBG Activities to Support Coronavirus and Other Infectious Disease Response*

Appropriation Resolution for CDBG funds

2020-2021 Proposed CDBG-CV Budget

Summary of RFPs submitted

RFP Scoring Template

Minutes from CDBG Task Force meetings

Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response
REVISED April 6, 2020

Grantees should coordinate with local health authorities before undertaking any activity to support state or local pandemic response. Grantees may use Community Development Block Grant (CDBG) funds for a range of eligible activities that prevent and respond to the spread of infectious diseases such as the coronavirus.

Examples of Eligible Activities to Support Coronavirus and Other Infectious Disease Response

<i>For more information, refer to applicable sections of the Housing and Community Development Act of 1974 (for State CDBG Grantees) and CDBG regulations (for Entitlement CDBG grantees).</i>	
Buildings and Improvements, Including Public Facilities	
Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements. <i>See section 105(a)(2) (42 U.S.C. 5305(a)(2)); 24 CFR 570.201(c).</i>	Construct a facility for testing, diagnosis, or treatment.
	Rehabilitate a community facility to establish an infectious disease treatment clinic.
	Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment.
Rehabilitation of buildings and improvements (including interim assistance). <i>See section 105(a)(4) (42 U.S.C. 5305(a)(4)); 24 CFR 570.201(f); 570.202(b).</i>	Rehabilitate a commercial building or closed school building to establish an infectious disease treatment clinic, e.g., by replacing the HVAC system.
	Acquire, and quickly rehabilitate (if necessary) a motel or hotel building to expand capacity of hospitals to accommodate isolation of patients during recovery.
	Make interim improvements to private properties to enable an individual patient to remain quarantined on a temporary basis.
Assistance to Businesses, including Special Economic Development Assistance	
Provision of assistance to private, for-profit entities, when appropriate to carry out an economic development project. <i>See section 105(a)(17) (42 U.S.C. 5305(a)(17)); 24 CFR 570.203(b).</i>	Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease.
	Avoid job loss caused by business closures related to social distancing by providing short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons.
Provision of assistance to microenterprises. <i>See section 105(a)(22) (42 U.S.C. 5305(a)(22)); 24 CFR 570.201(o).</i>	Provide technical assistance, grants, loans, and other financial assistance to establish, stabilize, and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine.

Provision of New or Quantifiably Increased Public Services	
<p>Following enactment of the CARES Act¹, the public services cap² has no effect on CDBG-CV grants and no effect on FY 2019 and 2020 CDBG grant funds used for coronavirus efforts.</p> <p><i>See section 105(a)(8) (42 U.S.C. 5305(a)(8)); 24 CFR 570.201(e).</i></p>	Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
	Provide testing, diagnosis or other services at a fixed or mobile location.
	Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
	Provide equipment, supplies, and materials necessary to carry-out a public service.
	Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
Planning, Capacity Building, and Technical Assistance	
<p>States only: planning grants and planning only grants.</p> <p><i>See section 105(a)(12).</i></p>	Grant funds to units of general local government may be used for planning activities in conjunction with an activity, they may also be used for planning only as an activity. These activities must meet or demonstrate that they would meet a national objective. These activities are subject to the State's 20 percent administration, planning and technical assistance cap.
<p>States only: use a part of to support TA and capacity building.</p> <p><i>See section 106(d)(5) (42 U.S.C. 5306(d)(5)).</i></p>	Grant funds to units of general local government to hire technical assistance providers to deliver CDBG training to new subrecipients and local government departments that are administering CDBG funds for the first time to assist with infectious disease response. This activity is subject to the State's 3 percent administration, planning and technical assistance cap.
<p>Entitlement only: data gathering, studies, analysis, and preparation of plans and the identification of actions that will implement such plans. <i>See 24 CFR 570.205.</i></p>	Gather data and develop non-project specific emergency infectious disease response plans.

Planning Considerations

Infectious disease response conditions rapidly evolve and may require changes to the planned use of funds:

- CDBG grantees must amend their Consolidated Annual Action Plan (Con Plan) when there is a change to the allocation priorities or method of distribution of funds; an addition of an activity not described in the plan; or a change to the purpose, scope, location, or beneficiaries of an activity (24 CFR 91.505).
- If the changes meet the criteria for a “substantial amendment” in the grantee’s citizen participation plan, the grantee must follow its citizen participation process for amendments (24 CFR 91.105 and 91.115).
- Under the CARES Act, CDBG grantees may amend citizen participation and Con Plans concurrently in order to establish and implement expedited procedures with a comment period of no less than 5-days.

Resources

The Department has technical assistance providers that may be available to assist grantees in their implementation of CDBG funds for activities to prevent or respond to the spread of infectious disease. Please contact your local CPD Field Office Director to request technical assistance from HUD staff or a TA provider.

- Submit your questions to: CPDQuestionsAnswered@hud.gov
- Coronavirus (COVID-19) Information and Resources: <https://www.hud.gov/coronavirus>
- CPD Program Guidance and Training: <https://www.hudexchange.info/program-support/>

¹ On March 27, 2020, President Trump approved the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) (CARES Act). The CARES Act makes available \$5 billion in CDBG coronavirus response (CDBG-CV) funds to prevent, prepare for, and respond to coronavirus.

² Section 105(a)(8) of the HCD Act caps public service activities at 15 percent of most CDBG grants. Some grantees have a different percentage cap.

**APPROPRIATION OF FUNDS FOR
THE CITY OF CHARLOTTESVILLE'S 2020-2021
COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS - \$246,699**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of a Community Development Block Grant Coronavirus (CDBG-CV) authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to respond to the growing effects of the historic public health crisis for the fiscal year in the total amount of **\$246,699**.

WHEREAS, City Council has received recommendations for the expenditure of funds from the CDBG/HOME Task Force, the Strategic Action Team (SAT), and the Planning Commission; and has conducted a public hearing thereon as provided by law; now, therefore;

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

ECONOMIC DEVELOPMENT

Community Investment Collaborative – COVID-19 Grants	\$98,679.60
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PUBLIC SERVICE PROGRAMS

TJACH – COVID-19 Homeless Prevention Response	\$49,017.82
Thomas Jefferson Health District – COVID-19 Outreach	\$49,661.78

ADMINISTRATION AND PLANNING:

Admin and Planning	\$49,017.82
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TOTAL	\$246,699
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BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$246,699 from the Department of Housing and Urban Development authorized by the CARES Act. Funds authorized will be used to prevent, prepare for, and respond to the coronavirus (COVID-19).

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

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

Approved by Council
August 3, 2020

Kyna Thomas, CMC
Clerk of Council

2020-2021 CDBG-CV BUDGET ALLOCATIONS
RECOMMENDED BY CDBG/HOME TASK FORCE and SAT: 6/11/2020, 6/15/2020
RECOMMENDED BY PLANNING COMMISSION: 7/14/2020
APPROVED BY CITY COUNCIL:

A. ECONOMIC DEVELOPMENT PROJECTS

A. Community Investment Collaborative – Entrepreneur Scholarships \$98,679.60
ECONOMIC DEVELOPMENT TOTAL: \$98,679.60

B. PUBLIC SERVICE PROJECTS

A. TJACH - Coordinated Entry System \$49,017.82
B. Thomas Jefferson Health District \$49,661.78
SOCIAL PROGRAMS TOTAL: \$98,679.60

C. ADMINISTRATION AND PLANNING:

A. Admin and Planning \$49,339.80 (20% EN)

GRAND TOTAL: \$246,699
ESTIMATED NEW ENTITLEMENT AMOUNT: \$246,699

CDBG-CV FY20/21 RFP Submissions

Public Services	Organization, Program Title	Project Contact	Program Description	Submittal	Funding Requested
	Office of Economic Development (OED)	Hollie Lee	GO Delivery/S.E.L.F Odyssey	On Time	\$35,000.00
	Thomas Jefferson Health District	Rebecca Schmidt	COVID-19 Outreach, Testing and Linkage to Care	On Time	\$99,323.56
	Thomas Jefferson Area Coalition for the Homeless (TJACH)	Anthony Haro	COVID-19 Homeless Prevention Response	On-Time	\$60,000.00
	Habitat for Humanity	Ruth Stone	Mortgage Forbearance Loan	Late	\$40,000.00
	Charlottesville Redevelopment and Housing Authority (CRHA)	Kathleen Glenn-Matthews	CRHA Rental Assistance Program	On Time	\$70,000.00
	Total Amount of Request				\$304,324
	Total Projected Budget				\$98,679.60
Request Overage				\$205,644	
Econ	Organization, Program Title	Project Contact	Program Description	Submittal	Funding Requested
	Community Investment Collaborative (CIC)	Stephen Davis	CIC COVID Microbusiness Grant	On Time	\$98,640.00
	Total Amount of Request				\$98,640
	Total Projected Budget				\$98,679.60
Request Overage				(\$40)	

SCORING RUBRIC FOR CDBG-CV PROPOSALS

Name of Applicant:

Name of Project:

	Exemplary (3 Points)	Adequate (2 Points)	Needs Improvement (1 Point)	Missing Information (0 Points)	Score	Comments
Program/Project Description	Provides a clear description and clearly explains how it will address a Council Priority	Provides a description that adequately explains how it will address a Council Priority	Program/project description needs improvement	Proposal does not describe how it will address a Council Priority		
Program/Project Goal	Provides a clear explanation of the goal. Identifies what will be provided to whom, how many. Provides demographic information of the beneficiaries and how they will meet the income guidelines	Provides an adequate explanation of the goal	Program/Project goal needs improvement. Barely identifies what will be provided to whom and how many. Barely provides demographic information and how the beneficiaries will meet the income guidelines	Goal is missing and/or not explained. Identification of beneficiaries, number of beneficiaries, demographic information, and information about how the beneficiaries will meet the income guidelines is missing		
Need	Clearly describes how the program will directly address the needs.	Adequately describes how the program will directly address the needs using some local	Description of need needs improvement. Only state, regional, or national data	Does not describe how the program will directly address the needs and/or		

	Provides local data to describe the needs of the community <u>and</u> the beneficiaries	data to describe the needs of the community <u>and</u> the beneficiaries	provided, data not specific to clients	does not provide data to describe the needs of the community and the beneficiaries		
Outcomes	Clearly explains how proposed outcomes will be meaningful, client-focused and related to the service	Adequately explains how proposed outcomes will be meaningful, client-focused and related to the service	Explanation of how proposed outcomes will be meaningful, client-focused and related to the service needs improvement	Does not explain how proposed outcomes will be meaningful, client-focused and/or related to the service		
Strategies	Provides evidence-based strategies for how the program/project will address the need	Adequately describes how strategies address need using researched best practices strategies at a minimum	Describes how strategies address need without information about best practices or research	Does not identify how strategies directly address need		
Implementation Timeline	Timeline is detailed and realistic	Timeline is adequate	Timeline is limited or not realistic	No timeline provided and information is missing		
Evaluation Plan	Provides a rigorous evaluation plan which informs ongoing work, explains metrics and why they are used	Provides a solid evaluation plan	Evaluates some elements of its work, but the evaluation is not thorough	Proposal does not provide an evaluation plan or the plan is insufficient		
Demographic Verification	Proposal clearly describes how the agency will collect and verify <u>all</u> required information	Proposal adequately describes how the agency will collect and verify all required information	Proposal describes how the agency will collect and verify <u>some</u> required information	Proposal does not describe how the agency will collect and verify any required information		

Financial Benefits	Proposal describes how the program fully meets two financial benefits	Proposal describes how the program fully meets one financial benefit	Proposal describes how the program <u>partially</u> meets one to two financial benefits	Proposal does not describe how the program will provide a financial benefit		
Collaboration	Proposal describes how the program collaborates with other organizations to achieve a common goal using defined deliverables and metrics (ex. Clear accountability, shared management, such as MOU's or formal partnership agreements)	Proposal describes formal agreements with more than two organizations describing how they cooperate, but does not share common deliverables or metrics.	Proposal describes collaboration informally with other organizations (ex. information sharing, resource sharing)	Proposal does not describe collaboration with other entities		
Engagement/ Outreach Strategy	Proposal describes complete outreach and engagement strategies and explains how it will serve needy and underserved populations	Proposal describes some outreach and engagement strategies and how it will serve needy and underserved populations	Proposal explains that services are available to needy and underserved populations but program/project does not conduct outreach or engagement	Proposal does not provide strategies for outreach and engagement to needy and underserved populations		
Priority Neighborhood Ridge Street	Proposal describes complete outreach strategies and program/project serves residents in the Priority Neighborhood	Proposal describes some outreach and program/project serves residents in the Priority Neighborhood	Proposal explains that services are available to priority neighborhood residents but program/project does not conduct outreach	Proposal does not provide strategies for outreach to priority neighborhood residents		

Organizational Capacity (STAFF ONLY)	Organization demonstrated sufficient capacity and fully met projected outcomes in previous grant year	Organization demonstrated adequate capacity and almost met projected outcomes in previous grant year	Organization capacity needs improvement, did not meet projected outcomes	The organization demonstrated a lack of a capacity		
Organizational Capacity	Proposal provides clear evidence of the capacity and ability to ensure timely performance and reporting	Proposal provides adequate evidence of the capacity and ability to ensure timely performance and reporting	Evidence of capacity and ability needs improvement. Does not address the question fully	Proposal does not provide evidence of the capacity and ability		
Budget	<p>Proposal clearly demonstrates:</p> <ul style="list-style-type: none"> A. How requested funds will be applied to expense line items B. How the amount requested is reasonable C. That the overall program budget shows a direct relationship with proposed service items 	<p>Proposal provides an adequate budget. Adequately addresses A, B, and C</p>	<p>Proposed budget needs improvement and barely addresses A, B, and/or C. Proposed budget needs improvement.</p>	<p>The proposal does not demonstrate how the requested funds will be applied to expense line items, how the amount requested is reasonable, and does not show a direct relationship with proposed service items</p>		
TOTAL SCORE (MAX SCORE = 42 PTS)						

Meeting registration/participation available at www.charlottesville.gov/zoom
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CDBG Taskforce

Monday, June 15th, 2020

3:30-5:00 PM

Virtual Meeting

AGENDA

1. Introductions/Housekeeping/Minutes
2. Review Application Scores & Create proposal budget.
3. Other Business
4. Public Comment

Staff Contact:

Erin Atak, Grants Coordinator (atake@charlottesville.gov), (434) 970-3093

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CDBG Taskforce Meeting Minutes

Monday, June 15th, 2020
 3:30-5:00 PM
 Virtual Meeting

AGENDA

1. Introductions/Housekeeping/Minutes

City Staff member Erin Atak (EA), Grants Coordinator, begins meeting with CDBG Taskforce attendance. Meeting commences at 3:32 PM on Monday July 15, 2020.

<i>CDBG/HOME Taskforce Roster</i>	<i>Attendance</i>
<i>Howard Evergreen</i>	Present
<i>Helen Kimble</i>	Present
<i>Nancy Carpenter</i>	Present
<i>Emily Cone Miller</i>	Absent
<i>James Bryant</i>	Present
<i>Kem Lea Spaulding</i>	Present
<i>Tanea Dowell</i>	Absent
<i>Matthew Gillikin</i>	Present
<i>Olivia Gabbay</i>	Absent

Other City Staff members present: Symia Tabron, Brenda Kelley, John Sales.

EA begins to explain the CDBG-CV program to Taskforce members and viewers at home: The main goal of the CDBG-CV grant is to prevent, prepare for, and respond to the Coronavirus. HUD priorities are to fund activities towards infectious disease response. The City of Charlottesville was awarded \$246,699 in CDBG-CV funds authorized by the CARES Act. The CDBG-CV award is divided into three funding categories. All qualifying applicants are able to apply for public services and economic development funds. The Administrative/Planning portion of the CDBG-CV grant is

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designated for City of Charlottesville to cover all grant related expenses (ex: Davis Bacon, Section 3, Environmental Reviews, Citizen Participation, etc.)

- a. Public Service: \$98,679.60
- b. Economic Development: \$98,679.60
- c. Administrative/Planning: \$49,339.80

On June 11, 2020 the economic development CDBG taskforce subcommittee, the Strategic Action Team (SAT), convened discussed one application the City received applying for the econ funds. The SAT made a funding recommendation to award the application all \$98,679.60 to the one economic development CDBG-CV applicant.

The job of the CDBG/HOME Taskforce is to create a funding recommendation for the public services fund of the CDBG-CV grant.

2. Review Application Scores & Create proposal budget.

EA shares CDBG/HOME Taskforce Score Spreadsheet on screen.

Average score rankings:

Thomas Jefferson Health District (TJHD): 33.33

Thomas Jefferson Area Coalition for the Homeless (THACH): 30

Charlottesville Redevelopment Housing Authority (CRHA): 28

Office of Economic Development (OED): 25.17

Taskforce opens for discussion:

Taskforce member Matthew Gillikin begins meeting with clarification question for city staff member Erin Atak. Question concerns Staff Organization Capacity scores for all applicants and the relation to COVID-19 situation.

City Staff Erin Atak, Grants Coordinator, clarifies to Taskforce members that Staff Organizational Capacity Scores for all organizations is not included in the final score averaging. Staff Organizational Capacity scores review previous audits, how previous invoices were processed, quarterly reports, and whether organizations were able to follow HUD protocol. With COVID-19, jurisdictions were more lenient with grading, however, City Staff cannot overlook HUD procedures and paperwork requirements. Scores were given accordingly.

Taskforce member Matthew Gillikin request additional information on CRHA's staff organizational capacity score.

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City Staff Erin Atak explains that detailed explanation is written on staff sheet of the Taskforce binder, however the CRHA applicant had to repay the City HOME and CDBG funding back to HUD in the past. The concern with the applicant is focused on the inability to spend funds in a timely manner. The concern was raised during the CRHA technical assistance meeting with CRHA staff, and was not addressed in the CDBG-CV application. Additionally, CRHA received a copy of the last CDBG/HOME audit to address concerns. Said concerns were not addressed in the application.

Taskforce member Nancy Carpenter states that CDBG-CV and CDBG funding is meant for low income people. Ms. Carpenter recounts listening to weekly calls with the National Low-Income Housing Coalition during the months of April and May. She adds that CRHA has the infrastructure to provide rental assistance as 22-23% of rental households nationwide will face risk of eviction starting July. CRHA wanting to provide housing stability for families outside of public housing is an important cause.

Staff Member Erin Atak comments to Taskforce Member Nancy Carpenter stating that CRHA application was not marked down from the lack of subject importance, but concern for administration. She reminded all taskforce members again that the staff organizational capacity score is not included into the final average score of each organization.

City Staff Housing Coordinator John Sales introduces himself to the Taskforce and provides additional information concerning the housing related applications (CRHA and TJACH). Mr. Sales also discusses the four housing initiatives being proposed for City Council on June 15, 2020. Mr. Sales notes the funding request for CRHA CDBG-CV application may not be able to serve three months' worth of rent for 50 families, and is similar to city's housing proposal.

Taskforce member Nancy Carpenter highlights the importance of housing during the COVID-19 pandemic.

Housing Coordinator provides a hypothetical breakdown of three months' worth of rent using CRHA's funding request. Grants Coordinator explains to the Taskforce that even with partial funding awarded to an organization, she would need to use the total goal amount written on the application for HUD reporting purposes.

Taskforce member Matthew Gillikin poses Housing Coordinator a question on TJACH's application and whether the applicant would be able to achieve their goal for the funding amount requested.

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Housing Coordinator replies “yes” as TJACH is proposing to partner CDBG-CV funds with outside sources. Mr. Sales elaborates and states all program proposals submitted for the CDBG-CV program appear to be important needs for the community.

Discussion continues around fair market rent prices and three-months’ worth of rent. Taskforce member Howard Evergreen notes that many residents that would be receiving assistance through the CRHA program would be living outside the fair market rate rental prices. Taskforce members note the concerns for applicant CRHA meeting the conditions of the grant.

City Staff member Symia Tabron raises a question of whether CRHA would undergo or submit another audit.

Grants Coordinator Erin Atak explains that CRHA has not submitted an audit for the CDBG-HOME program since 2015.

Taskforce member Nancy Carpenter states the importance of funding housing initiatives over other priorities such as health initiatives currently. Taskforce member James Bryant agrees and proposes to divide the \$98,679.60 among all applicants.

Taskforce member Howard Evergreen reminds the committee that the discussion on scoring is repeated each year. Scores are overlooked and there is never enough CDBG money. Mr. Evergreen reminds everyone that health priorities were included with the CDBG-CV funds specifically with the new release of the funds as an equal priority to housing. Mr. Evergreen continues and states that the scoring method cannot be disregarded.

Taskforce member Mattew Gillikin makes funding recommendation #1: Not funding OED, not funding CRHA due to hurdles identified by City Staff, fully funding TJACH to support housing initiatives at \$60,000, and give TJHD the remaining \$38,678.60.

Taskforce member Helen Kimble reminds the rest of the committee that the TJHD community health worker salary was around \$44,000 in addition to supervisory fees added on. Funding recommendation #1 would not support the cost of one community health worker. Potentially a part-time community health worker. Ms. Kimble asks City Staff whether they would be able to guarantee the living wage contract to community workers if TJHD was awarded funds.

City Staff Erin Atak states the CDBG program would not be able to dictate salary contracts for community health workers but could hold TJHD accountable for having provided a salary for community health workers in accordance to the program application.

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Taskforce member Howard Evergreen offers a counter funding recommendation #2, to either flip the recommendation #1 or give TJHD 2/3 of the funding and give TJACH 1/3 of the CDBG-CV funding in accordance to the application scores. Taskforce member Nancy Carpenter states that Mr. Evergreen makes a point about rubric indexing.

Taskforce member Matthew Gillikin proposed funding recommendation #3 to award TJHD 50% (\$49,661.78) of the funding request and award TJACH (\$49,017.82) the remaining CDBG-CV funds.

Taskforce members agree with funding proposal #3.

Public Services CDBG-CV: \$98,679.60 (Breakdown of Funding Recommendation #3)

Thomas Jefferson Health District: \$49,661.78

Thomas Jefferson Area Coalition for the Homeless: \$49,017.82

Office of Economic Development: \$0.00

Charlottesville Redevelopment Housing Authority: \$0.00

Funding Recommendation Approval – CDBG/HOME Taskforce Roll Call

<i>CDBG/HOME Taskforce Roster</i>	<i>Vote – Funding Recommendation of Award</i>
	3
<i>Howard Evergreen</i>	Approve
<i>Helen Kimble</i>	Approve
<i>Nancy Carpenter</i>	Approve
<i>Emily Cone Miller</i>	
<i>James Bryant</i>	Approve
<i>Kem Lea Spaulding</i>	Approve
<i>Tanea Dowell</i>	
<i>Matthew Gillikin</i>	Approve
<i>Olivia Gabbay</i>	

3. Other Business

None

4. Public Comment

None

Meeting Adjourned.

	Description	Goal	Need	Outcomes	Strategies	Implement	Eval	Demogr	Financial	Collab	Engage	PN	STAFF Org	Org Capa	Budget	Subtotal	Total Score	Final Average	
CRHA																			
TD																0			
ECM		2	2	2	2	2	2	2	2	2	2	2	2	0	2	2	28		
HE		1	2	2	1	1	1	1	1	1	2	2	0	0	1	1	17		
JB		2	3	3	2	3	2	2	2	3	2	2	2	0	2	2	32		
HK		2	2	2	3	1	2	0	0	2	1	2	2	0	1	2	22		
MG		2	3	3	3	3	3	2	3	3	3	3	2	0	2	3	38		
NC		2	2	2	2	3	3	2	3	2	2	2	2	0	1	3	31		
OG																0			
KLS																0	168	28	
TJHD																			
TD																0			
ECM		3	3	3	3	2	2	2	2	2	2	2	2	3	2	2	32		
HE		3	3	3	3	3	3	2	1	3	3	3	2	3	3	3	38		
JB		3	3	3	2	2	2	2	2	2	3	2	2	3	3	3	34		
HK		3	3	2	3	2	2	2	2	3	2	3	3	3	3	2	35		
MG		1	3	2	2	2	3	2	2	2	3	2	2	3	3	3	32		
NC		1	3	2	2	2	3	1	2	2	3	2	2	3	2	2	29		
OG																0			
KLS																0	200	33.33333	
TJACH																			
TD																0			
ECM		3	3	3	2	2	2	2	2	2	2	2	2	3	2	2	31		
HE		1	1	1	1	2	2	2	1	1	2	2	0	3	1	0	17		
JB		2	2	2	2	2	2	2	2	3	3	3	2	3	3	2	32		
HK		3	2	2	2	3	2	1	3	2	2	2	1	3	1	2	28		
MG		3	3	3	3	3	2	3	3	3	3	3	1	3	3	2	38		
NC		3	2	3	3	2	3	3	3	2	3	2	0	3	3	2	34		
OG																0			
KLS																0	180	30	
OED																			
TD																0			
ECM		2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	28		
HE		1	1	1	1	1	1	1	2	1	2	1	0	2	1	1	15		
JB		3	3	3	3	2	3	2	3	2	2	2	2	2	2	2	34		
HK		3	1	2	3	2	1	1	2	0	2	2	0	2	3	1	23		
MG		3	3	3	3	2	1	2	3	2	2	3	1	2	3	3	34		
NC		1	2	2	1	1	2	1	2	1	1	2	0	2	0	1	17		
OG																0			
KLS																0	151	25.16667	
Econ Scores below																			
CIC																			
EG		2	3	3	3	2	3	2	3	2	2	3	0	2	3	2	33		
KL		3	3	3	3	2	3	2	3	3	3	3	2	2	3	3	39		
SM		3	3	2	2	2	3	2	3	2	2	3	1	2	3	2	33		
DK		3	3	3	3	1	2	3	3	1	2	3	0	2	2	3	32		
LS		2	2	2	2	2	2	2	2	2	2	2	0	2	2	2	26	163	32.6

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 3, 2020
Action Required:	Appropriation of CARES ACT Funding
Presenter:	Anne Hemenway, City of Charlottesville Electoral Board Chair
Staff Contacts:	Melissa A. Morton, Director of Elections and General Registrar City of Charlottesville Office of Voter Registration and Elections Anne Hemenway, Electoral Board Chair
Title:	Office of Voter Registration CARES ACT funding for 2020 Presidential Election - \$64,229

Background:

The City of Charlottesville Office of Voter Registration and Elections has received award approval for \$64,229 from the CARES ACT- (COVID-19) from the Virginia Department of Elections to use to help offset the costs associated with the 2020 Presidential Election.

Discussion:

The Office of Voter Registration and Elections will use the funding for costs related to the 2020 Presidential Election for items such as postage, mailings, purchase of an additional absentee hi-speed scanner, purchase of a cart to store absentee and election day ballots, office supplies, two workstations, and office and precinct supplies. COVID-19 office and precinct plans were written and implemented for the June 23, 2020 Dual Congressional Primary.

The purchase of the additional HART Verity Central package is to handle the increase of the working capacity for absentee mailed ballots scanned for pre-processing and on Election Day. Both scanners can work independently with two teams of election officers to tabulate and report numbers faster and accurately. The package includes a Cannon scanner, workstation with a monitor and printer and other related items. The purchasing cost is \$22,429.00 including shipping and handling charges. The Director of Elections and General Registrar, Electoral Board Members, and Voting Equipment Technicians will receive, inspect, and perform a functionality test on the equipment upon arrival. Training will be provided for, and by, the Director of Elections to the electoral board members, voting equipment technicians, voter registration manager, and all election officers working in the Central Absentee Precinct (CAP) prior to usage.

Due to the unknown of COVID-19, we are anticipating of the 31,000+ registered voters that half will vote by mail or in-person during the Absentee Voting period from September 18-October 31 and the other half will vote on Election Day. The \$64,229 appropriation funding will also cover the cost to

mail approximately 15,000 voters an absentee application and the ballot package, which includes two return envelopes; \$7,700.00 for postage; \$6,450.00 for a precinct scanner; \$3,054.00 all required envelopes for the ballot package; \$4,000.00 for two staff workstations, a table, precinct voter stanchions, and a secured cage; \$15,115.00 for working and training of staff, precinct election officers and CAP election officers.

Alignment with City Council’s Vision and Strategic Plan:

This funding supports and contributes to Goal 5 of the Strategic Plan, a responsible organization and Goal 2, a healthy and safe city. Due to the unknown of the pandemic bringing unprecedented challenges to the voters, office staff, electoral board members, election officers and the polling places for the June Primary and will continue for the November General Elections.

Community Engagement:

Office of Voter Registration and Elections will provide qualified voters who request their absentee ballot by mail a pre-paid return postage envelope for their absentee ballot. Hand sanitizer stations were purchased for voters use in-person and on Election Day. Election officers, staff, electoral board members had to wear personal protective equipment (PPE) for their safety, and voters were encouraged to, but not required, to wear PPE. We will also follow and administer any recommendations and guidelines provided by the State of Virginia Governor’s Office, and Center of Disease Control and Preventions. Voters will be notified via the city’s website and media outlets of any changes related to the November General Election, including but not limited to polling place, election date, election officers, witness signatures, candidates on the ballot, etc. as soon as possible.

Budgetary Impact:

This has no impact on the General Fund. These funds will be appropriated to and expended from a grants fund and no local match is required. These funds will be expensed and used for Elections expenses for the 2020 Presidential Election only and will be separate from the approved fiscal year 2021 budget.

Recommendation:

Director of Elections and General Registrar and the City of Charlottesville Electoral Board recommends approval and appropriation of CARES ACT (COVID-19) Funding.

Alternatives:

There is no alternative. Funds must be used for 2020 Presidential Election or returned to the Department of Elections.

Attachments:

This section should list additional relevant supplemental material provided, such as appropriations, resolutions, ordinances, maps and drawings, reports, presentations, etc.

APPROPRATION

Office of Voter Registration CARES ACT funding for 2020 Presidential Election
\$64,229

WHEREAS, the Charlottesville Office of Voter Registration and Elections has received award approval for \$64,229 from the CARES ACT from the Virginia Department of Elections to use to help offset the costs associated with the 2020 Presidential Election;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$64,229 is hereby appropriated in the following manner:

Revenue-\$64,229

Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 430127

Expenditures

\$11,634 Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 599999

\$7,700 Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 520030

\$6,450 Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 520900

\$12,535 Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 520990

\$3,481 Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 530210

\$22,429 Fund 208 Cost Center: 2301001000 I/O: 1900368 G/L Account: 541050

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



Agenda Date:	August 3, 2020
Action Required:	Approve appropriation
Presenter:	Diane Kuknyo, Director, Department of Social Services
Staff Contacts:	Elmona Reid, Family Services Specialist, Foster Care Prevention Sue Moffett, Assistant Director, Department of Social Services
Title:	BAMA Works Grant for Supporting Aspirations-Improving Resiliency for Vulnerable Families - \$6,000

Background:

The Charlottesville Department of Social Services has received \$6,000 from the BAMA works fund to implement an employee-designed initiative: Supporting Aspirations-Improving Resiliency for Vulnerable Families. The Foster Care Prevention Team works to help vulnerable families develop skills and resources needed for safety and stability. While poverty does not equate child neglect, the trauma of persistent poverty is a risk to child well-being as evidenced in the landmark CDC-Kaiser-Peremente Adverse Childhood Experiences (ACE) study.

<https://www.cdc.gov/violenceprevention/childabuseandneglect/acestudy/about.html>

One challenge in our work with vulnerable families is to build on their resiliency, and help them overcome the trauma of persistent poverty. The parents with whom we work see increases in household income evaporate in a cloud of rent increases and public assistance decreases. Routine “emergencies” like missing work to care for an ill child, or new tires for a 10-year-old car make budgeting for field trips, club and sports participation fees and birthday celebrations unrealistic; and saving for aspirations is impossible. Persistent poverty is isolating, and limits the economic and social mobility of the most vulnerable families in our community.

Discussion:

Using available budgeting tools, participating families will work to develop a budget for not only routine and necessary household expenses, but also aspirational financial goals. Supporting Aspirations funds will be used to support family celebrations- important activities that organize and stabilize family life, celebrate and reward short-term successes, and increase capacity for resiliency.

Alignment with City Council’s Vision and Strategic Plan:

This appropriation request aligns with the City Council’s vision, which includes being flexible and progressive in anticipating and responding to the needs of our citizens.

Community Engagement:

The Department of Social Services works with community members and service providers to identify and meet the needs of the most vulnerable.

Budgetary Impact:

There are no additional City funds required or being requested for this initiative.

Recommendation:

Staff recommends approval and appropriation of these funds.

Alternatives:

Funds that are not appropriated will need to be returned to BAMA works.

Attachments:

Appropriation

APPROPRIATION

Supporting Aspirations-Improving Resiliency for Vulnerable Families

\$6,000

WHEREAS, the Charlottesville Department of Social Services has received \$6,000 from the BAMA Works Fund to implement supporting aspirations initiative for vulnerable families.

NOW, THEREFORE BE IT RESOLVED by the council of the City of Charlottesville, Virginia, that the sum of \$6,000 is hereby appropriated in the following manner:

Revenue - \$6,000

Fund 212 Cost Center: 9900000000 G/L Account: 451022

Expenditures - \$6,000

Fund 212 Cost Center: 3343011000 G/L Account: 540060

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



Agenda Date:	August 17, 2020
Action Required:	Ordinance Enactment
Staff Contacts:	Melissa Morton, Director of Elections and General Registrar John Blair, City Attorney
Presenters:	Melissa Morton, Director of Elections and General Registrar John Blair, City Attorney
Title:	Central Absentee Precinct Temporary Change (1st of 2 Readings)

Background:

Virginia Code Section 2.2-712 permits each locality to establish a central absentee voter precinct.

The City of Charlottesville maintains one central absentee voter precinct at City Hall pursuant to Charlottesville City Code Section 9-31.

Discussion:

Due to concerns about the spread of COVID-19, the Charlottesville Electoral Board and the Charlottesville General Registrar and Director of Elections are recommending that the central absentee voter precinct be moved from City Hall to City Space for the November 2020 general election.

This ordinance is prepared as a temporary ordinance with an expiration date of November 10, 2020.

Attachments:

Proposed Ordinance

**ORDINANCE
APPROVING CITY SPACE
AS CENTRAL ABSENTEE PRECINCT FOR
NOVEMBER 3, 2020 GENERAL ELECTION**

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order 51 declaring a state of emergency for the Commonwealth of Virginia due to the potential spread of COVID-19; and

WHEREAS, Governor Northam’s March 12, 2020 declaration found that the anticipated effects of COVID-19 constitute a disaster pursuant to Virginia Code Section 44-146.16; and

WHEREAS, City Manager and Director of Emergency Management, Dr. Tarron J. Richardson, declared the potential spread of COVID-19 an emergency on March 12, 2020 pursuant to a Resolution adopted by the Charlottesville City Council; and

WHEREAS, Virginia Code Section 15.2-1413 provides that a locality may, by ordinance, provide a method to assure continuity in government in the event of a disaster “notwithstanding any contrary provision of law, general or special”; and

WHEREAS, the conduct of elections is necessary to assure continuity in government; and

WHEREAS, Virginia Code Section 24.2-310 provides that if an emergency makes a polling place unusable, the Director of Elections and General Registrar shall provide an alternative polling place;

WHEREAS, Charlottesville City Code Section 9-31 establishes City Hall as the polling place for the City of Charlottesville’s Central Absentee Precinct; and

WHEREAS, the Charlottesville Electoral Board and the Charlottesville Director of Elections and General Registrar have determined that the use of City Space as the polling place for the City of Charlottesville’s Central Absentee Precinct may assist the City’s efforts to avoid the spread of COVID-19 and that the continued use of City Hall as the Central Absentee Precinct polling place may contribute to the spread of COVID-19; and

WHEREAS, the potential spread of COVID-19 is a rare and unforeseen circumstance necessitating the movement of the Central Absentee Precinct polling place.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that for the November 3, 2020 general election, the City of Charlottesville’s Central Absentee Precinct shall be located at City Space located at 100 5th Street NE, Charlottesville, Virginia 22902.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is adopted pursuant to the provisions of Virginia Code Sections 15.2-1413 and 24.2-310.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this polling place change shall be advertised in the *Daily Progress* and on the City of Charlottesville's web site.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance shall be effective on September 8, 2020 and shall expire on November 10, 2020.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia that this ordinance is passed with the votes of four-fifths of the City Council and that the second reading of this ordinance shall not be required.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Approval of Ordinance – First of Two Readings
Presenter:	Lauren Hildebrand, Director of Utilities
Staff Contacts:	Lauren Hildebrand, Director of Utilities John Blair, City Attorney
Title:	Rivanna Water and Sewer Authority Water Line Easement – Ragged Mountain Reservoir Property

Background:

The Community Water Supply Plan, developed with substantial community input, represents the program whereby Rivanna Water and Sewer Authority (RWSA) will provide adequate drinking water for future needs. The Community Water Supply Plan was approved in 2012 and one element of the plan includes the construction of a water supply line from the South Rivanna Reservoir to the Ragged Mountain Reservoir. This water line will replace the existing Upper Sugar Hollow Pipeline and increase raw water transfer in the urban water system. The water line is anticipated to be constructed between 2027 and 2040 for an estimated cost of \$80 million. The benefits of the raw water line include increasing the water supply for the community, improving both redundancy and operational flexibility for the drinking water system, and providing a better balance of environmental needs.

Discussion:

The City, as the owner of the Ragged Mountain Reservoir property, has been requested to approve an easement to allow construction of the South Rivanna Reservoir to the Ragged Mountain Reservoir water supply line. The Departments of Parks and Recreation and Utilities have reviewed the proposed deed of easement and plat and have no concerns.

Alignment with City Council’s Vision and Strategic Plan:

This request supports City Council’s “Green City” vision. It contributes to Goal 3 of the Strategic Plan: To be a beautiful and sustainable natural and built environment; Objective 3.2: To provide reliable and high-quality infrastructure; and Objective 3.4: To be responsible stewards of natural resources.

Community Engagement:

A community information meeting regarding the water line was held by RWSA in June 2018.

Budgetary Impact:

Approval of the easement will not have any budget impact on the City.

Recommendation:

Staff recommends approval of the easement to RWSA for the raw water line from the Ragged Mountain Reservoir to the South Rivanna Reservoir.

Alternatives:

If the easement is not approved, the community would not have sufficient water capacity in the future.

Attachments:

Proposed Ordinance, Deed of Easement and Plat

**AN ORDINANCE
GRANTING PERMANENT AND TEMPORARY EASEMENTS TO THE
RIVANNA WATER AND SEWER AUTHORITY
FOR THE INSTALLATION OF WATER LINE FACILITIES
IN RAGGED MOUNTAIN NATURAL AREA**

WHEREAS, the Rivanna Water and Sewer Authority (“RWSA”) has requested the City of Charlottesville (“City”) to grant permanent and temporary easements across a portion of Ragged Mountain Natural Area along Reservoir Road, located in the County of Albemarle, as shown on the attached plat dated July 22, 2019, last revised February 21, 2020; and,

WHEREAS, the proposed easement will allow construction of a water supply line from the South Rivanna Reservoir to the Ragged Mountain Reservoir; and

WHEREAS, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held on August 17, 2020 to give the public an opportunity to comment on the conveyance of these easements; and

WHEREAS, City staff have reviewed the request and have no objection to the conveyance of said easements to RWSA.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Deed of Easement and such other documents as may be requested by RWSA, in form approved by the City Attorney, to convey the above-described easements to the Rivanna Water and Sewer Authority.

This document was prepared by:
Rivanna Water and Sewer Authority
695 Moores Creek Lane
Charlottesville, Virginia 22902

Albemarle County Tax Map and Parcel Numbers:
07500-00-00-047B0
07500-00-00-047B1
07500-00-00-06200
07500-00-00-062A0

**EXEMPT FROM RECORDATION TAXES UNDER
THE CODE OF VIRGINIA (1950), AS AMENDED, SECTION 58.1-811.A.3 and SECTION 58.1-811.C.4.**

This **DEED OF EASEMENT**, made this ____ day of _____, 2020 by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia, Grantor (“Property Owner”) and **RIVANNA WATER AND SEWER AUTHORITY**, a body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act, whose address is 695 Moores Creek Lane, Charlottesville, Virginia 22902, Grantee (the “Authority”).

WITNESSETH:

WHEREAS, the Property Owner has agreed to grant the Authority the various easements shown on the four separate plats attached hereto and recorded herewith each entitled “Plat Showing a RWSA Permanent_Waterline Easements and Temporary Construction Easements to be Acquired by Rivanna Water and Sewer Authority on the Land of City of Charlottesville”, and each prepared by Rinker Design Associates, P.C., dated July 22, 2019, last revised February 21, 2020 (the “Plats”); and

WHEREAS, as shown on the Plats, the proposed easements cross a portion of the property conveyed to Property Owner by deed dated October 15, 2019, of record in the Albemarle County Circuit Court Clerk’s Office in Deed Book 5233, at pages 113-127, and Property Owner is the fee simple owner of the said property as of the date hereof.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Property Owner does hereby GRANT and CONVEY with GENERAL WARRANTY and ENGLISH COVENANTS of TITLE unto the Authority a perpetual right of way and easement to construct, install, operate, maintain, repair, replace, relocate and extend a water line consisting of pipes, equipment, and appurtenances to such pipes and equipment, over, under and across the real property of Property Owner located in the County of Albemarle, Virginia, and to access any other adjacent easement held by the Authority, the location and width of the easement hereby granted and the boundaries of the property being more particularly described and shown on the Plats as “RWSA Permanent Waterline Esmt. (Hereby Granted)” (the “Waterline Easement”). Reference is made to the Plats for the exact location and dimension of the Waterline Easement hereby granted and the property over which the same crosses.

Further, Property Owner does hereby GRANT and CONVEY with GENERAL WARRANTY and ENGLISH COVENANTS of TITLE unto the Authority a temporary construction easement for a term so long as necessary to construct and install those certain water lines comprising the South Fork Rivanna Reservoir (SFRR) to the Ragged Mountain Reservoir (RMR) Project of which the water line to be constructed in the Waterline Easement is a part and to do all things reasonably necessary and incident to such initial construction, the location and size of the temporary construction easement hereby granted and the boundaries of the property being more particularly described and shown on the Plats as “Temporary Construction Esmt. (Hereby Granted)” (the “Temporary Construction Easement”). Reference is made to the Plats for the exact location and dimension of the Temporary Construction Easement hereby granted and the property

over which the same crosses. The Temporary Construction Easement shall automatically terminate upon the expiration of the above-described term.

Easement Obstructions

Property Owner, its successors or assigns, agree that trees, shrubs, fences, buildings, overhangs or other improvements or obstructions shall not be located within the Waterline Easement or the Temporary Construction Easement (during the term thereof); provided, however, that Property Owner may construct, install and maintain roads, walkways and paths, with prior written notice to the Authority, within the easements hereby granted. The Waterline Easement and the Temporary Construction Easement (during the term thereof) shall include the right of the Authority to cut any trees, brush and shrubbery, remove obstructions and take other similar action reasonably necessary to provide economical and safe water line construction, installation, operation, maintenance, repair, replacement, relocation and extension. The Authority shall have no responsibility to Property Owner, its successors or assigns, to replace or reimburse the cost of trees, brush, shrubbery, or other obstructions located in the Waterline Easement or the Temporary Construction Easement (during the term thereof), if cut or removed or otherwise damaged.

Easement Access and Maintenance

As part of the Waterline Easement and the Temporary Construction Easement (during the term thereof) the Authority shall have the right to enter upon the above-described property within the Waterline Easement and the Temporary Construction Easement (during the term thereof) for the purpose of installing, constructing, operating, maintaining, repairing, replacing, relocating and extending the above-described water line and appurtenances thereto, within the Waterline Easement and in addition, the Authority shall have the right of ingress and egress thereto as reasonably necessary to construct, install, operate, maintain, repair, replace, relocate and extend

such water lines. If the Authority is unable to reasonably exercise the right of ingress and egress over the right-of-way, the Authority shall have the right of ingress and egress over the property of Property Owner adjacent to the right-of-way, and shall restore surface conditions of such property adjacent to the right-of-way as nearly as practical to the same condition as prior to the Authority's exercise of such right.

Excavation

Whenever it is necessary to excavate earth within the Waterline Easement or the Temporary Construction Easement (during the term thereof), the Authority agrees to backfill such excavation in a proper and careful manner so as to restore surface conditions as nearly as practical to the same condition as prior to excavation and consistent with the provisions of the section titled "Easement Obstructions" above, including restoration of such paved surfaces as may be damaged or disturbed as part of such excavation.

Ownership of Facilities

The facilities constructed within the Waterline Easement shall be the property of the Authority, its successors and assigns, which shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations and connections to or extensions of its facilities within the boundaries of the Waterline Easement as are consistent with the purposes expressed herein.

IN WITNESS WHEREOF, the City of Charlottesville has caused this Deed of Easement to be executed by its Mayor, pursuant to an Ordinance adopted by City Council on _____, 20____.

SIGNATURES ON FOLLOWING PAGE

WITNESS the following signatures and seals:

PROPERTY OWNER:

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____ (SEAL)

Name: _____

Title: Mayor

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ as Mayor of the City of Charlottesville, Virginia.

Notary Public

My commission expires on: _____

My Registration No: _____

Approved as to form:

[Assistant] City Attorney

AUTHORITY:

RIVANNA WATER AND SEWER AUTHORITY

By: _____ (SEAL)
William I. Mawyer, Jr., P.E.
Executive Director

COMMONWEALTH OF VIRGINIA:

CITY/COUNTY of _____, TO WIT:

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by William I. Mawyer, Jr., P.E., as the Executive Director of the Rivanna Water and Sewer Authority.

Notary Public

My commission expires on: _____

My Registration No.: _____

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Ordinance
Presenter:	Chris Gensic, Dept. of Parks and Recreation Scott Gobbi – Dominion Energy
Staff Contacts:	Chris Gensic, Dept. of Parks and Recreation John Blair, City Attorney
Title:	Dominion Energy Underground Easement – Ragged Mountain

Background:

The City, as the owner of the Ragged Mountain Reservoir property at 1760 Reservoir Road, has been requested to approve an easement to allow undergrounding of utilities near the Ragged Mountain Dam as part of Dominion Energy Virginia’s (hereinafter “Dominion”) Strategic Underground Program efforts to protect electrical supply to critical facilities and in difficult-to-maintain locations.

In 2018, the City approved a new alignment for the underground utilities service along the entry drive to Ragged Mountain Reservoir. After some technical reviews, Dominion has determined its preferred route is to remain along the existing corridor that has the overhead lines at the upper most portion of its service to Ragged Mountain Reservoir. Therefore, Dominion is requesting that this overhead easement be converted to an underground easement. This will affect both the Ragged Mountain Reservoir property and the newly acquired “Heyward Forest” property.

Discussion:

The Charlottesville Departments of Parks and Recreation and Utilities have reviewed the proposed easement and survey and have no concerns with providing the easement to Dominion.

Alignment with City Council’s Vision and Strategic Plan:

The project supports City Council’s Green City Vision and Goal 2 of the Strategic Plan for a Healthy and Safe Community.

Community Engagement:

There has not been direct community engagement about his proposal.

Budgetary Impact:

Approval of the easement will not have any budget impact to the City or Dominion.

Recommendation:

Staff recommends approval of the easement to Dominion .

Alternatives:

If the easement is not approved, the utility lines will remain overhead and exposed as they currently are.

Attachments:

Proposed Ordinance, Right of Way Agreement with Plat

**AN ORDINANCE
GRANTING AN UNDERGROUND UTILITY EASEMENT TO
DOMINION ENERGY FOR THE INSTALLATION OF ELECTRIC POWER LINES
IN RAGGED MOUNTAIN NATURAL AREA**

WHEREAS, Dominion Energy has requested the City of Charlottesville (“City”) to grant a permanent and temporary easement across a portion of Ragged Mountain Natural Area along Reservoir Road, located in the County of Albemarle, as shown on the attached plat prepared by Dominion Energy dated March 26, 2020; and,

WHEREAS, the proposed easement will allow construction of a new placement of an underground utility service that would follow existing overhead utility lines at the upper most portion of its service to Ragged Mountain Reservoir; and

WHEREAS, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held on August 17, 2020 to give the public an opportunity to comment on the conveyance of these easements; and

WHEREAS, City staff have reviewed the request and have no objection to the conveyance of said easements to Dominion Energy.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Right of Way Agreement and such other documents as may be requested by Dominion Energy, in a form approved by the City Attorney, to convey the above-described utility easement to Dominion Energy.



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this ____ day of _____, _____, by and between

CITY OF CHARLOTTESVILLE

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend fifteen (15) feet in width across the lands of GRANTOR; and

Initials: _____

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Energy Virginia, PO Box 26666, Richmond, VA 23261.

(Page 1 of 5 Pages)

VAROW No(s). 13-20-0097

Tax Map No. 07500-00-00-047B0, 07500-00-00-047C1

Form No. 728493-1 (Apr 2019)
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Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Albemarle County, Virginia, as more fully described on Plat(s) Numbered 13-20-0097, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: _____

(Page 2 of 5 Pages)

VAROW No(s). 13-20-0097

Form No. 728493-2 (Apr 2019)
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Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE'S** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE'S** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE'S** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE'S** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: _____

(Page 3 of 5 Pages)

VAROW No(s). 13-20-0097

Form No. 728493-3 (Apr 2019)
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Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said County.

NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

CITY OF CHARLOTTESVILLE

(Name)

By:

(Title)

Title:

State of _____

I, _____, a Notary Public in and for the State of Virginia at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

_____, _____ on
(Name of officer or agent) (Title of officer or agent)

behalf of the City of Charlottesville, Virginia, whose names signed to the foregoing writing dated this ____ day of _____, 20__, and acknowledged the same before me.

Given under my hand _____, 20__

Notary Public (Print Name)

Notary Public (Signature)

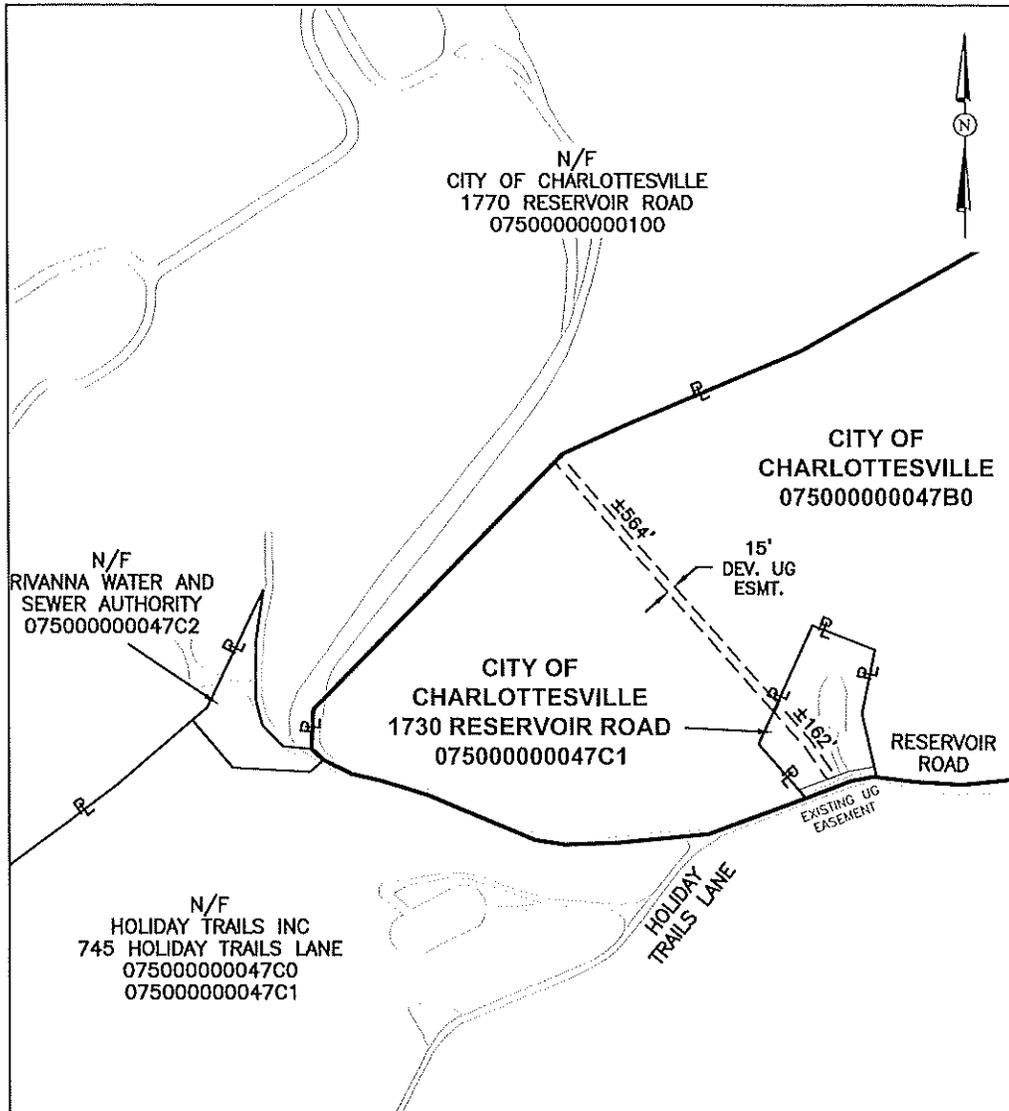
Virginia Notary Reg. No. _____

My Commission Expires: _____

(Page 4 of 5 Pages)

ROW No(s)13-20-0097

(Notary Seal Here)



LEGEND --- Location of Boundary Lines of Right-of-Way 15' in Width. = P = Indicates Property Line is Right-of-Way Boundary 15' in Width. N/F Now or Formerly *NOTE: Location of underground cables installed will determine the centerline of the easement.	District Charlottesville	PLAT TO ACCOMPANY UG RIGHT-OF-WAY AGREEMENT
	District-Township-Borough County-City State Samuel Miller Albemarle Co. VA	VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Energy Virginia
	Office Plot Number North/West Region 13-20-0097	Page 5 of 5
	Estimate Number Grid Number 10136253 F2225 Date By 03/26/2020 E. Jones	OWNER INITIALS _____

row_10136253_0097.dwg

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Public Hearing - First Reading of Proposed Ordinance
Presenter:	John Blair, City Attorney
Staff Contacts:	Lisa Robertson, City Attorney's Office Allyson Manson-Davies, City Attorney's Office Roy Nester, Utilities Engineer Brian Haluska, NDS Planner
Title:	Easement to International School of Charlottesville, Inc. (Linden Avenue)

Background/Discussion: The International School of Charlottesville, Inc. ("ISC") submitted a site plan to construct a preschool. Construction of the preschool will require a new storm drainage easement from the City. The location of the proposed easement is located through a small corner of Rives Park which is City owned property.

The proposed easement will allow a new storm pipe to connect to the existing drain at Rives Park. This easement will not impact City services or operations. The proposed easement is for a period of forty years in accordance with the requirements of Va. Const. Art. VII, § 9.

City Staff recommends the following requirements for ISC:

1. Maintain the easement;
2. Protect specimen trees and replace any trees requiring removal;
3. Restore any surface grass damaged by construction to its original condition.

Alignment with City Council's Vision and Priority Areas: This agenda item and recommendation aligns with Council's vision for Charlottesville to be a Center for Lifelong Learning.

Community Engagement: A public hearing is required by law to give the public an opportunity to comment on the proposed conveyance of the drainage easement.

Budgetary Impact: There is no budget impact for the City.

Recommendations: City Staff recommends approval of the Ordinance authorizing the Mayor to execute the attached Deed of Easement conveying the new drainage easement subject to the conditions referenced above.

Alternatives: Council could deny the request by the International School of Charlottesville. The denial will prohibit construction of the pre-school under the current plan.

Attachments: Proposed Ordinance;
Proposed Deed of Easement and Plat.

**AN ORDINANCE
GRANTING DRAINAGE EASEMENT TO THE
INTERNATIONAL SCHOOL OF CHARLOTTESVILLE, INC.**

WHEREAS, the International School of Charlottesville, Inc. (“ISC”) has requested the City of Charlottesville (“City”) grant a drainage easement across a portion of 1011 Linden Avenue, located in the City of Charlottesville, (portion of Rives Park), as shown on the attached plat dated January 24, 2020; and,

WHEREAS, the proposed drainage easement will allow for the installation and maintenance of a new drainage pipe to connect to the existing drain at Rives Park; and,

WHEREAS, in accordance with Virginia Code Secs. 15.2-1800 (B) & 15.2-2101(A), an advertised public hearing was held to give the public an opportunity to comment on the conveyance of this easement; and,

WHEREAS, City staff have reviewed the request and have no objection to the conveyance of said easement to ISC.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Deed of Easement located at 1011 Linden Avenue in Charlottesville, Virginia and as shown on a plat dated January 24, 2020, and such other documents as may be required, in a form approved by the City Attorney, to convey the above-described easement to the International School of Charlottesville, Inc.

City Tax Map Parcel 61-56 (1011 Linden Avenue)

This deed is exempt from state recordation taxes imposed by Virginia Code Sec. 58.1-801 pursuant to Virginia Code Sec. 58.1-811(A)(3).

THIS DEED OF EASEMENT made this ____ day of _____, 2020, by and between **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, P.O. Box 911, Charlottesville, Virginia 22902, Grantor; and the **INTERNATIONAL SCHOOL OF CHARLOTTESVILLE, INC.**, a **Virginia non-stock corporation**, 830 Monticello Avenue, Charlottesville, Virginia, 22902, Grantee.

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR AND 00/100 (\$1.00), receipt of which is hereby acknowledged, Grantor does hereby GRANT and CONVEY unto the Grantee the following described easement:

New private twenty foot (20') drainage easement to be centered on the City accepted and approved location of the constructed storm sewer, shown and labeled "New Drainage Easement tax Map 61 Parcels 56 and 61, #1011 Linden Avenue, City of Charlottesville, Virginia" on a plat made by Roudabush, Gale & Associates, dated January 24, 2020, which plat is attached hereto and made a part of this deed;

Said drainage easement and right-of-way cross a portion of the property conveyed to Grantor by deed dated February 11, 2016, of record in the Charlottesville Circuit Court Clerk's Office as Instrument #201600000615. Reference is hereby made to the aforesaid deed for a more complete description of the property over which this easement and right-of-way cross.

The Grantee shall have the right to trim, cut, and remove all trees, limbs, undergrowth,

shrubby, landscape plantings of any kind, fences, buildings, structures, paving, or other obstructions or facilities within said easement which interferes with construction, operation, and maintenance of the storm drain facilities in or on said easement.

The Grantee shall restore, repair or replace ground cover (pavement, gravel, or grass) located within the easement which is disturbed, damaged, or removed as a result of the construction or repair of any of the Grantee's facilities, shall remove all trash and other debris of construction or repair from the easement area, and shall restore the surface thereof to its original condition as nearly as reasonably possible, all subject, however, to this exception, to-wit: that the Grantee shall not be so obligated when it would be inconsistent with the proper operation, maintenance or use of its drainage facilities.

Grantor, its successors and assigns, reserves the right to make use of the land subject to the rights herein granted, which use shall not be inconsistent with the rights herein conveyed or interfere with the use of the said easement by the Grantee for the purposes aforesaid; provided, however, that all such use shall be at Grantee's risk unless prior written approval of Grantor is obtained.

The conveyance of the drainage easement and right-of-way includes the right of ingress and egress across Grantor's property at Rives Park, (formerly addressed as 942 Rives Street), (City Tax Map Parcel 610061000) for a period of forty (40) years, for the above-mentioned purposes. This easement shall be in effect for a period of forty (40) years; however, if Grantee at any time discontinues use of all or any portion of the easement herein conveyed for a period of one (1) year, all Grantee's rights and interest in said easement or portion thereof shall terminate and revert to Grantor, its successors and assigns, and Grantee shall at its own expense remove any Facilities and restore Grantor's property as nearly to its original condition as practicable, and

on written request by Grantor, Grantee shall quit claim and release same.

As evidenced by its acceptance and recordation of this deed, the Grantee covenants that it will perform the installation of the new storm drain facilities in a proper and careful manner, shall maintain the easement, protect specimen trees, replace any trees requiring removal and restore any surface grass damaged by construction to its original condition.

Both Grantor and Grantee agree and attest that no other agreement, either written or implied, has been entered into by either or both parties except as expressed hereinabove.

Grantor covenants that it is seized of and has the right to convey this easement, that Grantee shall have quiet possession, use and enjoyment of this easement, and that Grantor shall execute such further assurances thereof as may be required.

IN TESTIMONY WHEREOF, the City of Charlottesville, Virginia, pursuant to an ordinance adopted by the Council on the _____ day of _____, 2020, has authorized this deed to be executed by Nikuyah Walker, its Mayor.

WITNESS the following signatures and seals:

**THE INTERNATIONAL SCHOOL OF
CHARLOTTESVILLE, VIRGINIA, INC.**

Authorized Representative

(Printed Name of Representative)

STATE OF VIRGINIA
COUNTY/CITY OF _____, to wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2020, by _____, authorized representative for the International School of Charlottesville, Virginia, Inc.

My commission expires: _____

Registration Number: _____

NOTARY PUBLIC

**CITY OF CHARLOTTESVILLE,
VIRGINIA**

Nikuyah Walker, Mayor

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE, to wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2020, by Nikuyah Walker, Mayor, on behalf of the City of Charlottesville.

My commission expires: _____

Registration Number: _____

NOTARY PUBLIC

Approved as to Form:

John C. Blair, II, City Attorney

NEW DRAINAGE EASEMENT TAX MAP 61 PARCELS 56 AND 61

#1011 LINDEN AVENUE
CITY OF CHARLOTTESVILLE, VIRGINIA

NOTES:

1. EASEMENTS AND UTILITIES OTHER THAN THOSE SHOWN MAY EXIST.
2. NO TITLE REPORT USED IN THE PREPARATION OF THIS PLAT.
3. THIS PLAT BASED ON A RECORDED SURVEY BY THIS OFFICE DATED JANUARY 24, 2019 AND RECORDED AT INSTRUMENT #2019-0000441 IN THE CITY OF CHARLOTTESVILLE CLERKS OFFICE.
4. SUBJECT PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
5. SUBJECT PROPERTY APPEARS TO LIE IN FLOOD INSURANCE RATE MAP ZONE 'X', "AREAS OF MINIMAL FLOOD HAZARD" AS SHOWN ON COMMUNITY PANEL NUMBER 51003C0288 D, EFFECTIVE DATE: FEBRUARY 04, 2005.
6. THE NEW PRIVATE 20' DRAINAGE EASEMENT SHOWN ON TAX MAP 61 PARCEL 61 IS TO BE CENTERED ON THE CITY ACCEPTED AND APPROVED LOCATION OF THE CONSTRUCTED STORM SEWER.
7. THE NEW PRIVATE 20' DRAINAGE EASEMENT SHOWN ON TAX MAP 61 PARCEL 61 IS TO BE CONSTRUCTED AND MAINTAINED BY THE OWNERS OF TAX MAP 61 PARCEL 56.

LEGAL REFERENCE:

TAX MAP 61 PARCEL 56
(ZONED HW)

OWNER

INTERNATIONAL SCHOOL OF CHARLOTTESVILLE INC.
830 MONTICELLO AVE
CHARLOTTESVILLE, VA. 22902

SOURCE OF TITLE/PLAT REFERENCE

INSTR. #2019: 441
D.B.304 P.214
D.B.97 P.352 (county) Plat

LEGAL REFERENCE:

TAX MAP 61 PARCEL 61
RIVES PARK
(ZONED R-1S)

OWNER

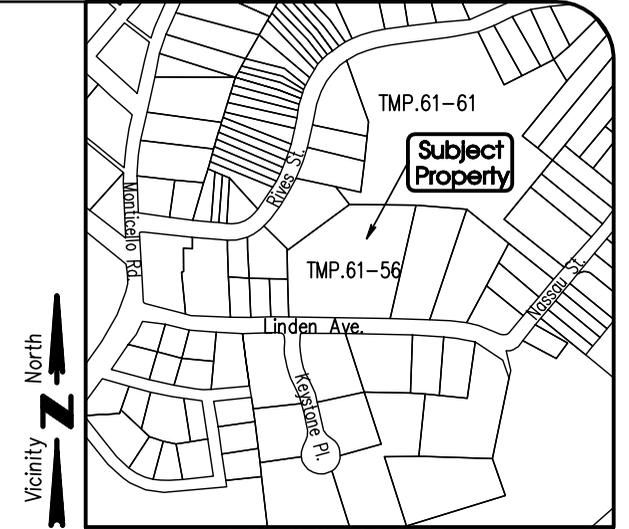
CITY OF CHARLOTTESVILLE VIRGINIA
PO BOX 911
CHARLOTTESVILLE, VA. 22902

SOURCE OF TITLE/PLAT REFERENCE

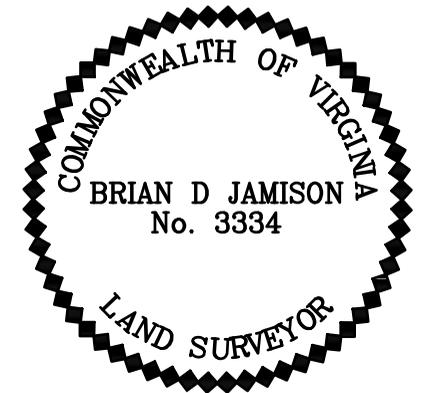
Instr. #2016: 615

CURRENT SETBACKS(HW)

PRIMARY STREET FRONTAGE: 5' MINIMUM, 30' MAXIMUM
LINKING STREET FRONTAGE: 5' MINIMUM, 20' MAXIMUM
SIDE AND REAR MINIMUM: NONE REQUIRED
SIDE AND REAR (ADJACENT TO LOW RES. DISTRICT): 20'



VICINITY MAP
1"=500'+/-



SHEET INDEX

SHEET 1 - COVER SHEET
SHEET 2 - EASEMENT PLAT

JANUARY 24, 2020

SCALE: N/A
FILE: 7342
SHEET 1 of 2

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



A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1956

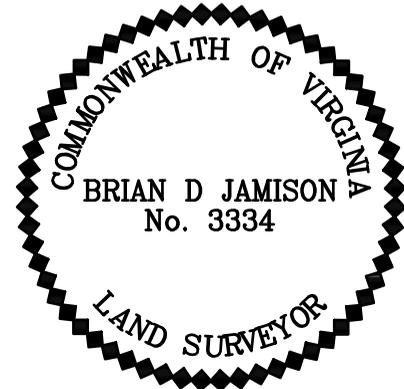
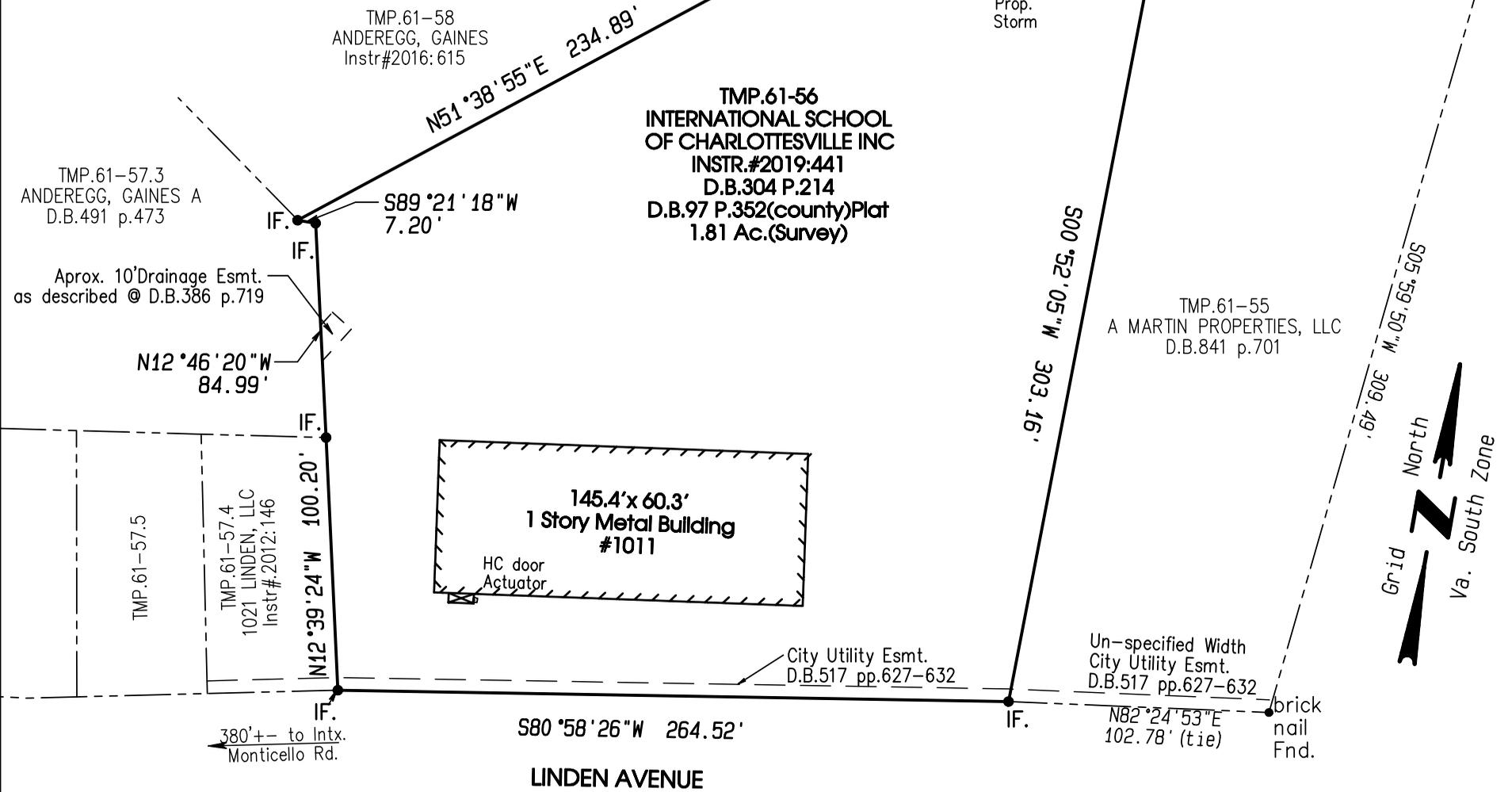


914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM

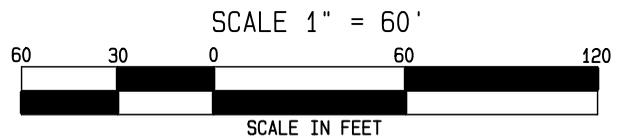
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NEW DRAINAGE EASEMENT
TAX MAP 61 PARCELS 56 AND 61
 #1011 LINDEN AVENUE
 CITY OF CHARLOTTESVILLE, VIRGINIA

TMP.61-61
 RIVES PARK
 CITY OF CHARLOTTESVILLE
 Instr# 2016:615
 Zoned: R1S(per GIS)



ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS
 A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1956
 914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM



JANUARY 24, 2020
SCALE: 1" = 60'
FILE:7342
SHEET 2 of 2

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Public Hearing to approve sale of City owned real estate
Presenter:	Chris Gensic, Dept. of Parks and Recreation
Staff Contacts:	Chris Gensic, Dept. of Parks and Recreation
Title:	Approval of Sale of portion of Northeast Park – Public Hearing

Background:

Daniel and Veronica Katz, the owners of 912 Marshall Drive, adjacent to Northeast Park, have requested to purchase a .13 acre portion of the parkland that abuts their backyard and includes a small creek area. This area of the park is not used for public recreation and is not needed for public use. There is not an apparent way to activate this area for public park or trail use in the future since it does not connect to any public streets. A public hearing is required to authorize the sale of the property.

Discussion:

Charlottesville Parks and Recreation staff and the Parks and Recreation Advisory Board have reviewed the proposal and have no objection to the sale of this parcel. The proposal has been circulated to other City departments for comment per the “Sale of City Land Policy” dated May 2009. No department objected to the proposed land sale. The requestors are offering \$750 and will cover all legal, survey, and transfer fees. The requestors’ letter is attached. Neighbors have been notified and signs posted on the property for 2 weeks in advance of this hearing pursuant to the above referenced policy.

Alignment with City Council’s Vision and Strategic Plan:

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

Community Engagement:

Tonight’s public hearing is intended to gather public input on the proposal.

Budgetary Impact:

Proceeds of the sale will be returned to the Parkland Acquisition and Trail Fund to be used to purchase other property for parkland and trail use.

Recommendation:

Staff recommends approval of the sale of the small area of parkland.

Alternatives:

Retain the property as part of Northeast Park.

Attachments:

Proposed Ordinance, Request letter from Katz, Map of property

**ORDINANCE
AUTHORIZING THE SALE OF A 0.13 ACRE PORTION
IN NORTHEAST PARK**

WHEREAS, property owners Daniel and Veronica Katz have requested to purchase a .13-acre portion of property located in Northeast Park in the City of Charlottesville (“City”) which abuts to the back portion of their property located at 912 Marshall Drive; and,

WHEREAS, the proposed 0.13-acre parcel is not used for public recreation or public use; and,

WHEREAS, proceeds of the sale will be returned to the Parkland Acquisition and Trail Fund to be used to purchase other property for parkland and trail use; and,

WHEREAS, in accordance with Virginia Code Sec. 15.2-1813, a public hearing was held to give the public an opportunity to comment on the sale of this property; and

WHEREAS, City staff has reviewed the request and has no objection to the sale of said property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute a Deed of Bargain & Sale, in a form approved by the City Attorney, to convey the above-described 0.13 acre portion of property in Northeast Park to Daniel and Veronica Katz.

April 16, 2020

To: Chris Gensic, Park and Trail Manager
Attn: Tarron J. Richardson, City Manager
Copy: Todd Brown, Director
City of Charlottesville
Parks Division Offices
1300 Pen Park Road
Charlottesville, VA 22901

Dear Chris, Todd, and Tarron:

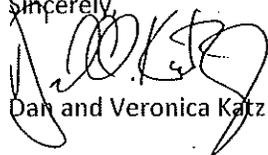
We received a letter dated March 25th from Deborah Willard in response to our land purchase offer. Thank you very much for replying and clarifying a bit of the process.

In our first letter we offered to purchase the land behind our house for \$300. Ms. Willard informed us that the city values this land at a higher rate and that the process includes other legal fees. In consideration of the city's proposed valuation and the other associated fees, we are increasing our offer to \$750 and in addition will pay for the plat to be prepared and deeded, as well as any other legal fees normally associated with this process. We believe this offer is fair and reflects the current value of the land in question. We believe the valuation of the land needs to include the following considerations:

1. The land in question is prone to consistent flooding. For most of the year it is flooded and right now presents a health risk to our family and neighbors as it attracts unhealthy insects and wildlife, specifically mosquitoes and rats.
2. The costs required to maintain or remediate this land are expensive and we expect they will increase in years to come. As a note: the city has already conducted tree maintenance in 2019 and in the event we don't purchase this land, we expect further trips as the quality of the trees and the land deteriorate due to persistent flooding and low maintenance.
3. The land in question is not accessible to anyone without first crossing onto another landowner's personal property, which makes us question its real value to the city.
4. The economic climate today is very different than it was in the fall—the price of the land is undoubtedly lower and the revenue from this purchase will be beneficial to the city in the short term and in years to come, as it will add to the permanent tax basis to the city.
5. Lastly, we want to reiterate that our intention is to keep the land undeveloped and to invest our time and resources into creating a more stable environment. This will include new plantings and routine maintenance that are to the benefit of our local habitat and the creek that is immediately adjacent to the land. These costs (born by the property owner) are to the city's collective benefit.

Thanks again for your consideration, please reach out if you have additional questions.

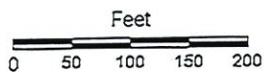
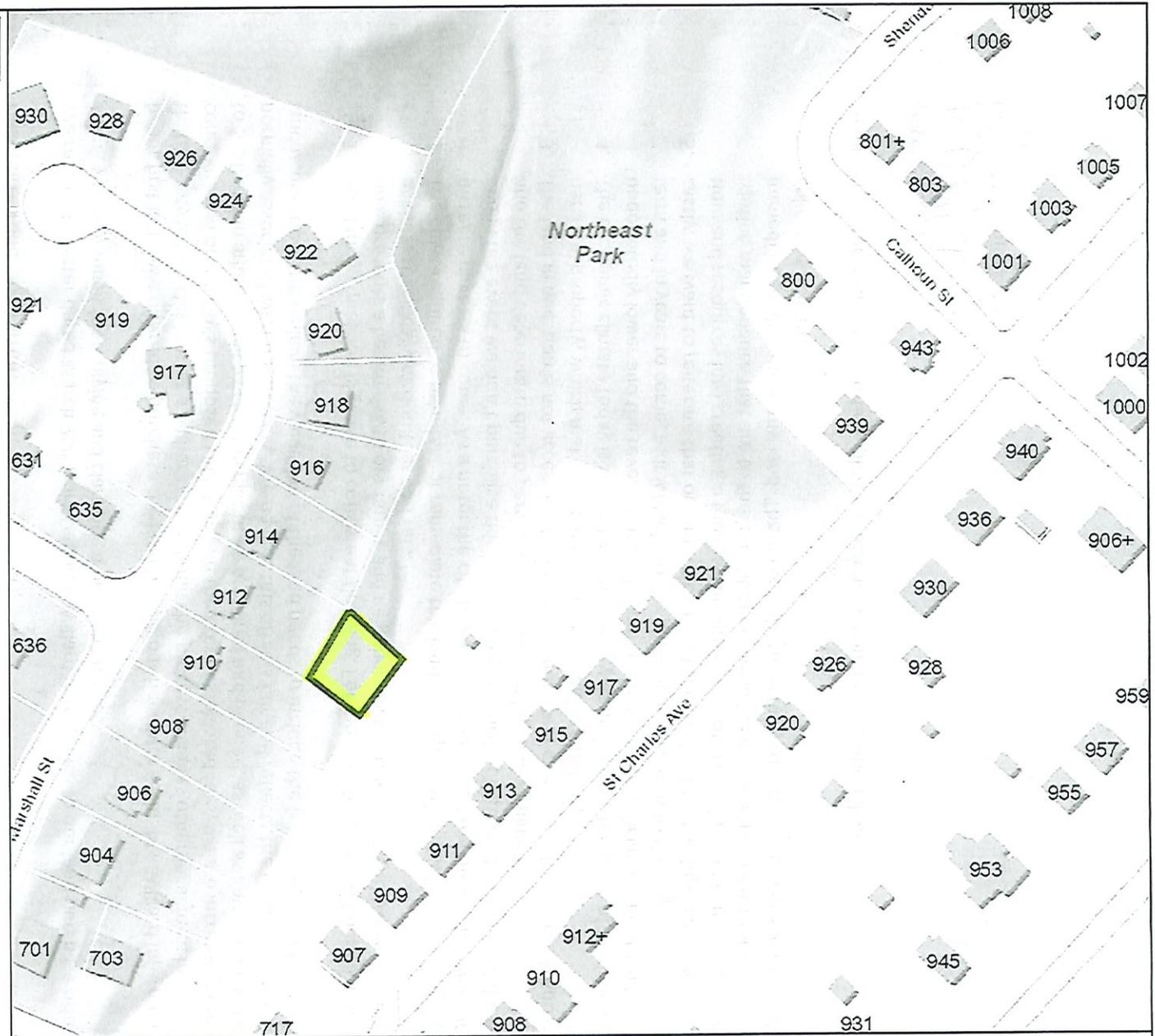
Sincerely,



Dan and Veronica Katz

Legend

- Parcels
- Addresses
- City Limits



Title: Northeast Park property request

Date: 5/6/2019

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.



CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Resolution
Presenter:	Chip Boyles, Executive Director, Thomas Jefferson Planning District Commission (TJPDC)
Staff Contacts:	Sandy Shackelford, Director of Planning & Transportation, TJPDC Jessica Hersh-Ballering, Transportation Planner, TJPDC Chuck Proctor, Culpeper District Planning Manager, Virginia Department of Transportation (VDOT) Jeanette Janiczek, Public Works UCI Program Manager
Title:	Resolution of Support for 3 Smart Scale Grant Applications – Hydraulic/29 Intersection Improvements Hillsdale Avenue South Extension Fifth Street Hub and Trails

Background:

Virginia's SMART SCALE (§33.2-214.1) is a grant process where transportation projects are scored and funded based on an objective, outcome-based process that is transparent to the public. The Commonwealth Transportation Board (CTB) continues to refine the process in each round with this being the fourth round.

Eligible projects include newly constructed facilities that increase capacity or improve operations – for vehicles, transit, rail, bicyclist and/or pedestrians.

Project applications must also meet an identified need in the Commonwealth's long-range transportation plan – VTrans2040 - under one or more of the following categories:

- Corridors of Statewide Significance (CoSS) – certain key multimodal corridors
- Regional Networks – certain multimodal networks that serve urbanized or intraregional travel areas
- Urban Development Areas (UDA) – areas of identified concentrated growth and development
- Transportation Safety Needs – Statewide safety needs identified in VTrans2040

Each project in the Culpeper District are scored by the 6 factors and their weighted basis:

- Safety – 20%
- Congestion Mitigation – 15%
- Accessibility – 25%
- Environmental Quality – 10%

- Economic Development – 20%
- Land Use – 10%

Once a project is scored, that score is divided by its submitted budget/estimate to create its final ranking/funding priority. Even if a project has many benefits, if the cost of implementation is too high, it will receive a low final ranking/ funding priority. One method of improving a project's score is to commit additional funding to lower the amount of funding being sought, or cost of the project for the SmartScale application.

Next Steps: VDOT will evaluate all applications received and will issue a Recommended Funding Scenario of projects to receive funding in January 2021. February to April 2021, public meetings will be held to discuss Funding Scenario to inform the Commonwealth Transportation's Board adoption of the Six Year Improvement Plan (SYIP) which finalized awards to projects in the Funding Scenario in June 2021.

Discussion:

The Charlottesville-Albemarle Metropolitan Organization (CA-MPO) and the Thomas Jefferson Planning District Commission (TJPD) have the opportunity to submit Smart Scale applications in addition to the applications submitted by localities.

The projects addressed herein are competing for VDOT's High-Priority Projects funds against projects across the state due to the estimated benefits in providing capacity on a Corridor of Statewide Significance and regional network. These three grants applications would not be competing against the City's grant applications because the City's grants are seeking funding from a different source of funding from the District.

Letters of Resolution have been provided for these three grant applications by the Charlottesville-Albemarle MPO as well as the County of Albemarle for the Hydraulic/29 Intersection Improvement project and the Thomas Jefferson Planning District Commission for the Fifth Street Hub and Trails project. Since these three grant applications impact land located within the City, a Resolution of Support is being sought from the Charlottesville City Council tonight on all three projects.

The following projects were identified as critical needs in previous planning documents (Hydraulic Small Area Plan, Long Range Transportation Plan 2045, Jefferson Area Bicycle and Pedestrian Plan).

In addition, two of the projects have additional funding that can be applied to the projects to buy down the costs of the projects improving the cost/benefit analyses, increasing the scores, and thereby increasing the likelihood that the projects will receive funding. There is \$18 million in state funding currently dedicated to relieving congestion along the 29 Corridor that will be applied to the 29/Hydraulic intersection improvements project, and there are Transportation Alternatives funding and dedicated proffer funds from Albemarle County dedicated to the Fifth Street Hub and Trails project.

Each project has been evaluated to ensure it meets Smart Scale eligibility as well as address the 6 scoring factors.

Additional Details– All of the remaining 29 Solutions funding will be applied to the Hydraulic/29 Intersection Improvements application. Discussions with the 29/Hydraulic Solutions panel indicated that project was a slightly higher priority, so this application will request the full funding amount through Smart Scale.

3) Fifth Street Hub and Trails

Cost Estimate **\$3.7 million** (*\$3.7 project estimated cost; remaining Transportation Alternatives and proffer funding will be applied to the project; the balance of the project cost will be requested through Smart Scale*)

Application Project Manager **Jessica Hersh-Ballering, TJPDC**

Scope – This project improves bicycle and pedestrian access to a number of commercial destinations along Fifth Street SW and at Fifth Street Station shopping center. The project will construct a shared use path that is eight feet wide with a two feet wide graded shoulder on either side. Other components of the project include the widening of an existing bridge over Moore’s Creek, the construction of a bridge over Moore’s Creek, and a retaining wall paired with earthwork to address terrain challenges for the branch of the shared use path leading to the Fifth Street Station shopping center parking area.

Current Plan Development Status and Public Engagement – Due to the existing Transportation Alternatives funding, which has allowed planners and engineers to identify terrain and other design challenges, this project is ready to move forward quickly following the award of Smart Scale funding.

An open house on the project area was held in March of 2018. The Thomas Jefferson Planning District Commission hosted a public workshop that included the most current project design concepts on May 13th.

Additional Details – Because of careful project design that uses existing crosswalks and does not include a mid-block crossing for bicycle and pedestrian traffic, VDOT’s assessment of the project projects limited impact on motor vehicle traffic on Fifth Street Station Parkway.

This Fifth Street Hub and Trails project was awarded \$399,880 in Transportation Alternatives funding in 2016 and, additionally, has \$200,000 of funding from a proffer to Albemarle County. Through the process of designing this project, it was determined that additional funding was needed to allow the project to adequately address the challenges of the area’s terrain. The Smart Scale funding requested would leverage the existing Transportation Alternatives and proffer funds to complete this project.

This design of the Fifth Street Hub and Trails project is the product of joint efforts from bicycle and pedestrian transportation experts from the City of Charlottesville, Albemarle County, VDOT, and other organizations.

Alignment with City Council’s Vision:

Approval of these agenda items uphold the City’s commitment to create “a green city,” “America’s healthiest city,” and “a connected community” by expanding sustainable and healthy transportation options in commercial corridors and improving regional transportation efficiency. Furthermore, these projects expand transportation options that will be available to residents “of all ages and incomes.”

Budgetary Impact:

No funding is requested from the City of Charlottesville for these projects.

Recommendation:

Staff recommends approval of the attached Resolutions of Support for the 3 projects:

- Hydraulic/29 Intersection Improvements
- Hillsdale Avenue South Extension
- Fifth Street Hub and Trails

Alternatives:

Remove one or all of the projects from the Resolutions of Support so that support from the City of Charlottesville would not be included with the grant applications, which may impact the ability of the project(s) to receive funding.

Attachments:

- 1) Resolution of Support
- 2) Public Comments Received from May 13th public meeting
- 3) Project Concept Sketches

**RESOLUTION ENDORSING THE SUBMISSION OF SMART SCALE (HB2)
APPLICATIONS REQUESTING TRANSPORTATION FUNDING BY THE
CHARLOTTESVILLE-ALBEMARLE METROPOLITAN ORGANIZATION**

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), in cooperation with the Virginia Department of Transportation and the Thomas Jefferson Planning District Commission, completed a comprehensive Long Range Transportation Plan (LRTP) in May, 2019; and

WHEREAS, the 2045 LRTP includes the following transportation improvements; and

WHEREAS, the Hydraulic Small Area Plan was adopted as an amendment to the Charlottesville Comprehensive Plan on May 7, 2018; and

WHEREAS, the MPO Policy Board has identified transportation projects which are critical to improve safe and efficient movement of people and goods along public roadways in the Charlottesville-Albemarle Metropolitan area; and

WHEREAS, during its 2014 session, the Virginia General Assembly enacted legislation in the form of House Bill 2 (“HB2”) now titled “Smart Scale”, which established new criteria for the allocation of transportation funding for projects within the state; and

WHEREAS, the Commonwealth Transportation Board (CTB) during its board meeting of June 17, 2015 approved the Policy and Guidelines for Implementation of a Project Prioritization Process in accordance with Smart Scale; and

WHEREAS, many of the transportation projects identified by the MPO meet the eligibility criteria for funding under Smart Scale; and

WHEREAS, it is in the best interests of the Metropolitan Transportation Planning Area of Charlottesville-Albemarle, for the MPO, the City of Charlottesville and Albemarle County to submit HB2 applications requesting state funding for eligible transportation projects.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville fully endorses the submission of a Smart Scale application by the MPO requesting funding for the following transportation projects:

Being Submitted by the CA-MPO within the City of Charlottesville

1. Hillsdale Drive South Extension
2. Hydraulic Road and US 29

ADOPTED this _____ day of _____, 2020 by the Charlottesville City Council being duly assembled.

A COPY ATTEST

Kyna Thomas, Council Clerk

**RESOLUTION ENDORSING THE SUBMISSION OF SMART SCALE (HB2)
APPLICATIONS REQUESTING TRANSPORTATION FUNDING BY THE THOMAS
JEFFERSON PLANNING DISTRICT COMMISSION**

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), in cooperation with the Virginia Department of Transportation and the Thomas Jefferson Planning District Commission, completed a comprehensive Long Range Transportation Plan (LRTP) in May, 2019; and

WHEREAS, the 2045 LRTP includes the following transportation improvements; and

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), in cooperation with the Thomas Jefferson Planning District Commission, completed the Jefferson Area Bicycle and Pedestrian Plan in early 2019 after a multi-year process that relied heavily on public engagement; and

WHEREAS, the 2019 Jefferson Area Bicycle and Pedestrian Plan includes the following transportation improvement; and

WHEREAS, the MPO Policy Board has identified transportation projects which are critical to improve safe and efficient movement of people and goods along public roadways in the Charlottesville-Albemarle Metropolitan area; and

WHEREAS, during its 2014 session, the Virginia General Assembly enacted legislation in the form of House Bill 2 (“HB2”) now titled “Smart Scale”, which established new criteria for the allocation of transportation funding for projects within the state; and

WHEREAS, the Commonwealth Transportation Board (CTB) during its board meeting of June 17, 2015 approved the Policy and Guidelines for Implementation of a Project Prioritization Process in accordance with Smart Scale; and

WHEREAS, many of the transportation projects identified by the MPO meet the eligibility criteria for funding under Smart Scale; and

WHEREAS, it is in the best interests of the Thomas Jefferson Planning District Commission and the Metropolitan Transportation Planning Area of Charlottesville-Albemarle, for the MPO, the PDC, the City of Charlottesville and Albemarle County to submit HB2 applications requesting state funding for eligible transportation projects.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville fully endorses the submission of a Smart Scale application by the MPO requesting funding for the following transportation projects:

Being Submitted by the CA-MPO within the City of Charlottesville

1. Fifth Street Hub and Trails

ADOPTED this _____ day of _____, 2020 by the Charlottesville City Council being duly assembled.

A COPY ATTEST

Kyna Thomas, Council Clerk

Hydraulic Road and US 29

Name	Question/Comment	Answer
Debbie Luzynski-Weber	Can you please point out where the bike commuter trail will be?	live answered
Neil Williamson	Does this project make the 250/Hydraulic right in right out only? -- the image does not look like it	Not sure the answer addressed this particular question - This doesn't change the Hydraulic/250 intersection, though
Neil Williamson	If current cost for these projects total \$19 Million, how does \$ remaining in US29 Solutions plan enter into this project cost calculus?	live answered
Darren Pace	Is an overpass still an idea being considered for 29/Hydraulic?	live answered
Peter Ohlms	Is the intent to extend bike/ped facilities south past Holiday Drive to the existing sidewalk/path adjacent to 250? Hard to tell from the image.	live answered
Peter Ohlms	Lucinda and Sandy, Thanks for hosting the info sessions. I'd like to submit some comments on the proposed projects. I am generally in support of all of them. Hydraulic/29: Definitely include the bike/ped improvements on Hydraulic between Hillsdale and the 250 Bypass.	
Ann Mallek	please separate the cost elements especially the second bridge and the steep switchback trail.	live answered
Ann Mallek	There are already bike lanes in the shopping center.	live answered
Shawn Brydge	Will northbound 29 traffic going to 250 west getting re-routed to right on Angus then right on new on ramp?	It's Holiday, not Angus.
Travis Pietila	Can you explain where transit stop(s) would be located and how that relates to existing stops and route locations in this area?	We would expect to retain and improve bus stops but the locations would need to be evaluated in later designs. We are including transit stop improvements as part of the application.
John Lewis	I am very supportive of a bike/ped solution for crossing 29 safely in this area. I fully support prioritizing a bike/ped bridge crossing at Zan road, but in doing so we would need to consider what happens when bike/ped users reach the hydraulic/250 bypass intersection. Will that require a signalized crossing there? Or a formal bike/ped trail that uses the stream culverts (following the existing Rivanna Trail?	Thank you for your comment and or question! We are receiving comments in several formats, including at the online workshop, email, phone and on this website. We will continue to collect and categorize your comments/questions and will post a summary with responses on this webpage in early June. Thank you for your participation and patience while we work to address all your comments and questions. Have a great day!

Hillsdale Drive South Extension

Name	Question/Comment	Answer
John Lewis	As a representative of the bike ped community, I fully support this project as it (along with a Zan road bridge) would allow pedestrian/bike access across this very dangerous area, and much better access for bike/ped users to reach key shopping areas and future travel routes up 29 and into the City. Neighborhood connectivity and providing ways for people to reach these commercial areas without putting their lives in danger, or having to own a car, needs to be an important, funded strategy to address the residents of this area, who are now completely cut off by 29/hydraulic/bypass.	Thank you for your comment and or question! We are receiving comments in several formats, including at the online workshop, email, phone and on this website. We will continue to collect and categorize your comments/questions and will post a summary with responses on this webpage in early June. Thank you for your participation and patience while we work to address all your comments and questions. Have a great day!
Peter Ohlms	Lucinda and Sandy, Thanks for hosting the info sessions. I'd like to submit some comments on the proposed projects. I am generally in support of all of them. Hillsdale: Ensure the shared-use path on the east side extends south past the northern portion of Holiday Drive to the old stub of Holiday Drive and connects to the city sidewalk that continues east to Hydraulic Road.	

Fifth Street Hub and Trails

Name	Question/Comment	Answer
David Storm	Figuring out a way under 5th St. Station Parkway is paramount. You cannot have a mid-block crossing there as during the evening rush (5-6:30 or later), the traffic is nonstop off of 5th Street, leading to massive backups on the southbound side of 5th Street and with so much traffic coming off 64 and using 5th Street northbound to access the parkway, a mid-block crossing could never happen without great danger to the cyclists/pedestrians.	Thank you for your comment and or question! We are receiving comments in several formats, including at the online workshop, email, phone and on this website. We will continue to collect and categorize your comments/questions and will post a summary with responses on this webpage in early June. Thank you for your participation and patience while we work to address all your comments and questions. Have a great day!
Roger Schickedantz	How will this connect with the path parallel to Biscuit Run Creek running under I-64?	live answered
Dan Heuchert	I am very much in favor oof this project, in whatever form we can get it accomplished. As a resident of Mill Creek, I would love to have a better bike/ped connection from Biscuit Run Park to the 5th Street Station hub, and then to the Rivanna Trails.	Thank you for your comment and or question! We are receiving comments in several formats, including at the online workshop, email, phone and on this website. We will continue to collect and categorize your comments/questions and will post a summary with responses on this webpage in early June. Thank you for your participation and patience while we work to address all your comments and questions. Have a great day!
Dan Heuchert	Interested in trail hub.	

Peter Ohlms		<p>Lucinda and Sandy,</p> <p>Thanks for hosting the info sessions. I'd like to submit some comments on the proposed projects. I am generally in support of all of them.</p> <p>5th St hub and trails: I got confused about the midblock crossing location on 5th Street Station Parkway. This project really should show a connection to the existing biscuit run trail, even if it's primitive.</p>		
Rex Linville		<p>Won't a mid block crossing there create a huge conflict with cars in an area that is already very tight and congested?</p>		live answered

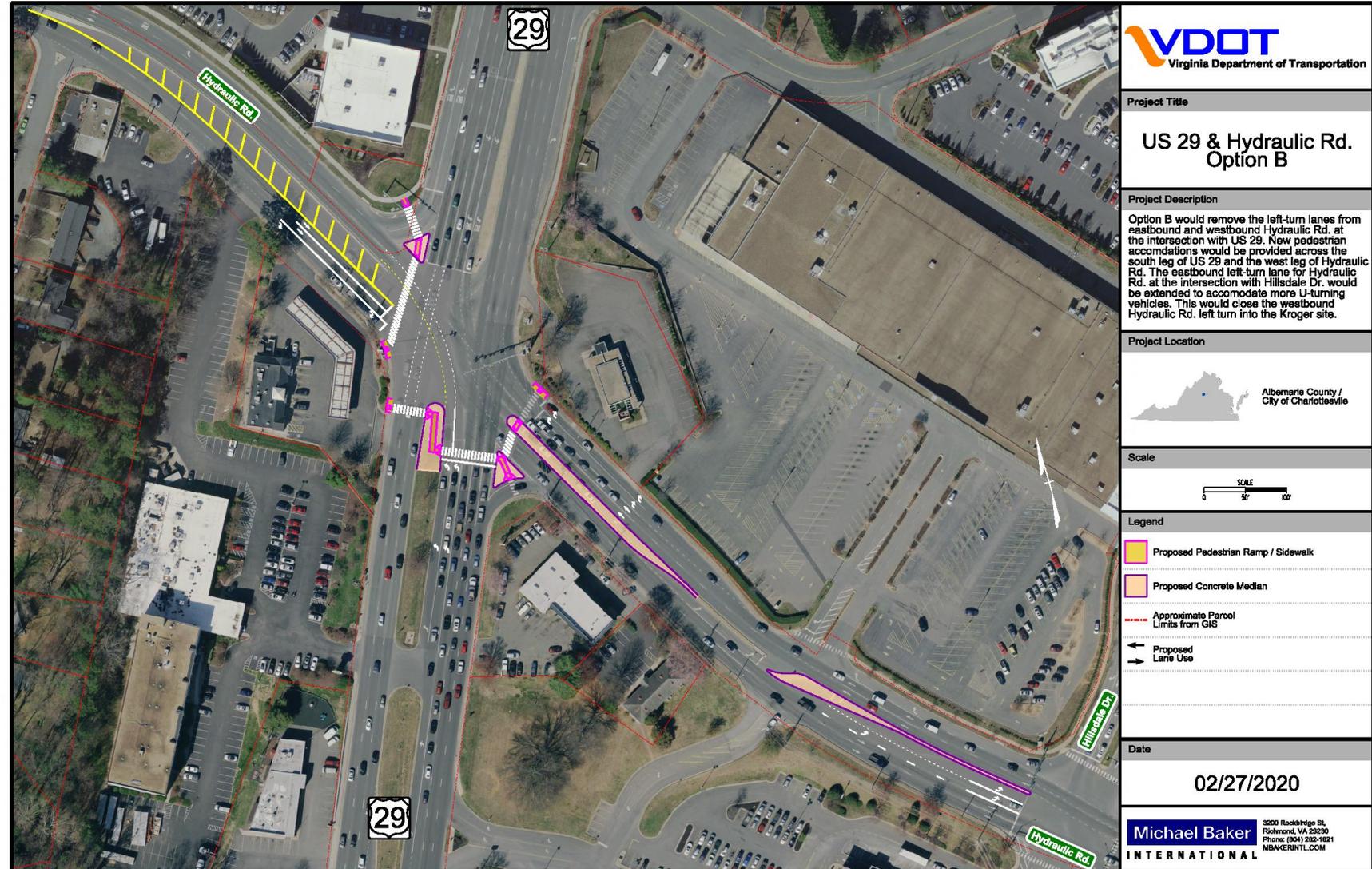
Project #1: Hydraulic/29 Intersection Improvements
Route 29 / Hydraulic Rd.

Option B – Concept

- No lefts from Hydraulic Road

**Estimated Cost
 \$1.0 – 1.2 Mil.**

This estimated cost does not include improvements to other intersections.



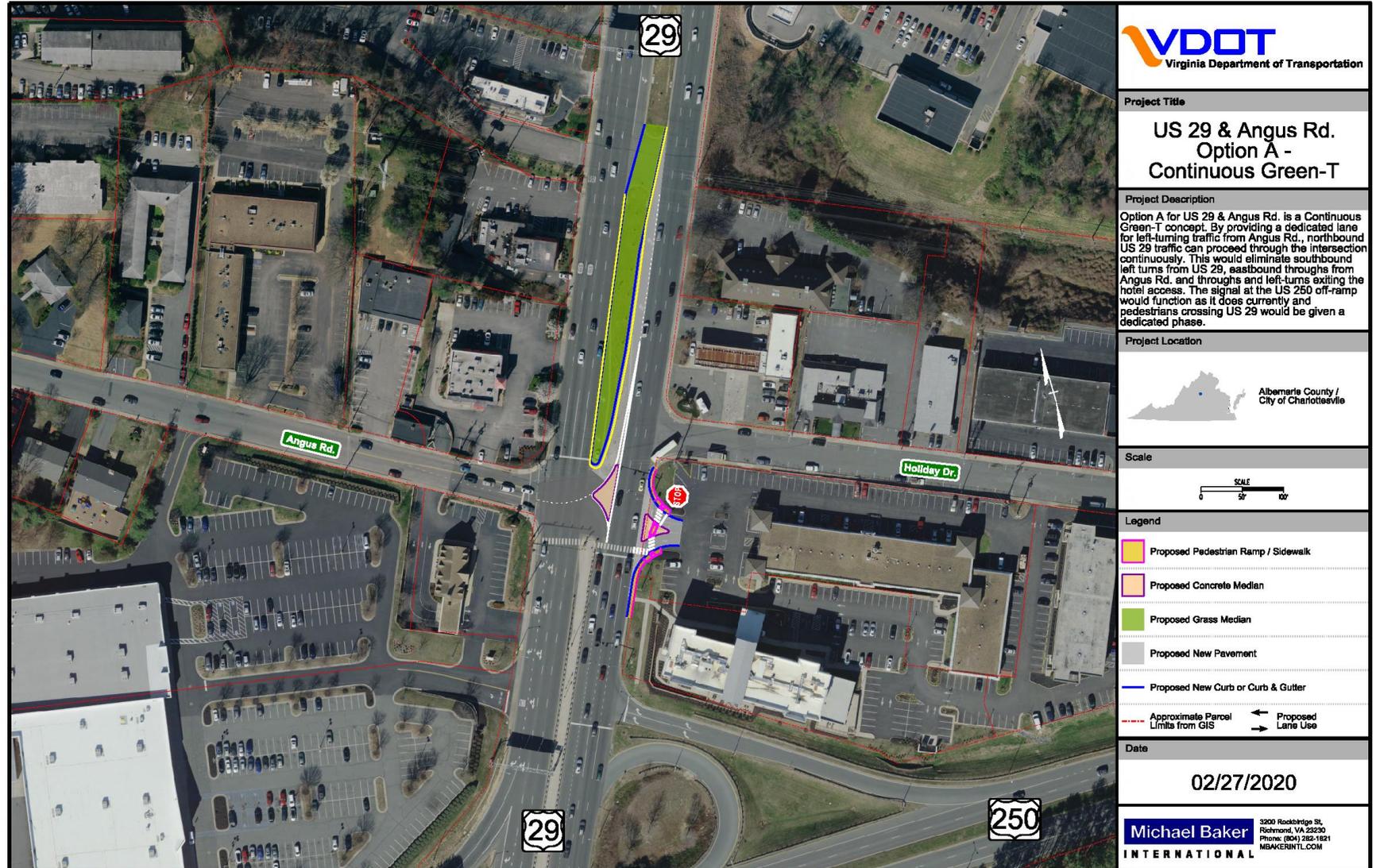
US 29 & Angus Rd.

Option A – Concept

- Continuous Green – T

Estimated Cost
\$1.2 – \$1.4 Mil.

This estimated cost does not include improvements to other intersections.



Hydraulic Rd./Hillsdale Dr. Roundabout

**Estimated Cost
\$10.0 – \$12.0 Mil.**

This estimated cost does not include improvements to other intersections.

The Concept shown was clipped from the previous application.



Zan Road Bicycle and Pedestrian Concept

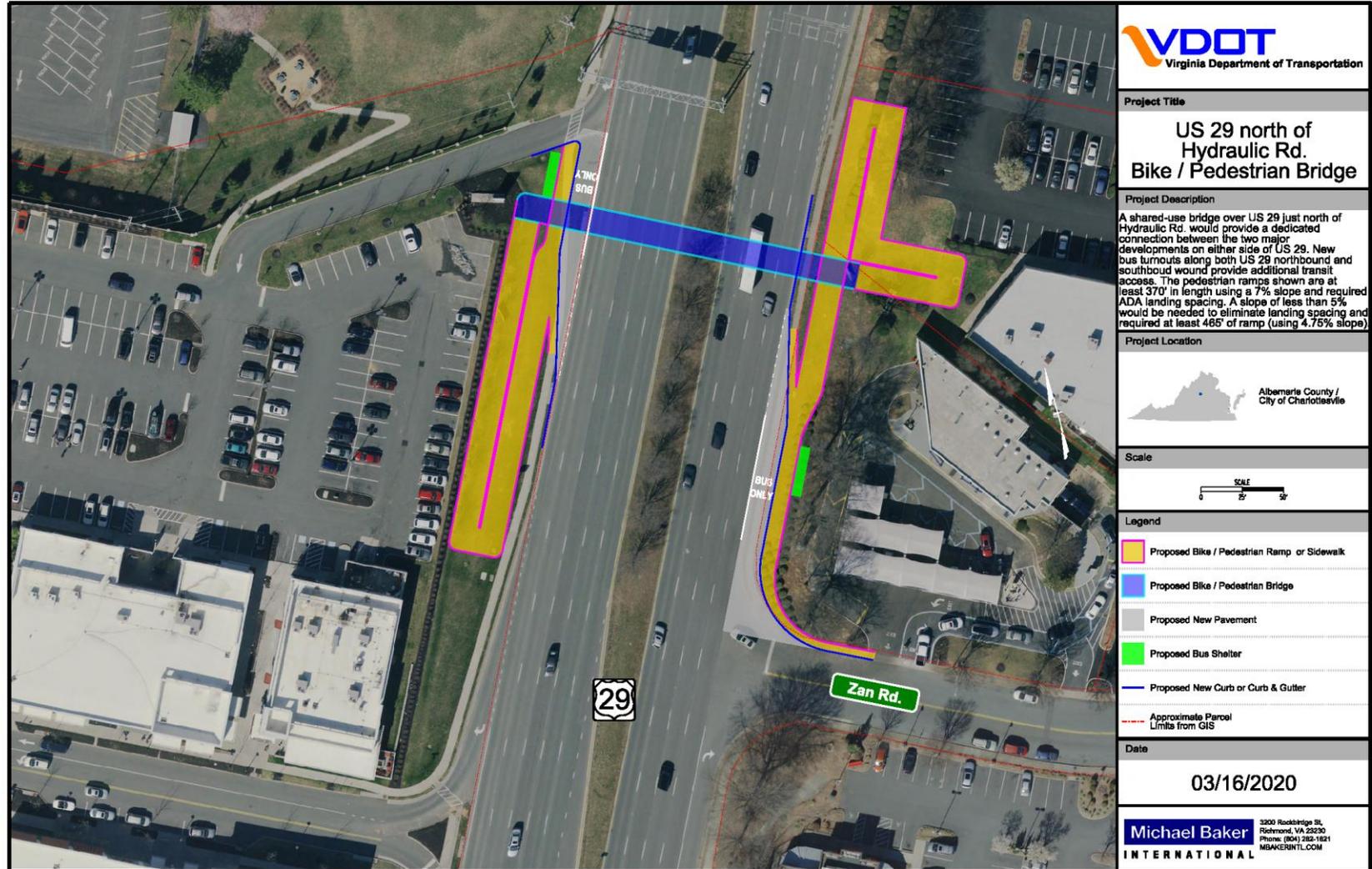
Bicycle and pedestrian only Alternative

Significantly less cost and impact

Flexible configuration

Transit stops with pull offs on both sides of Route 29

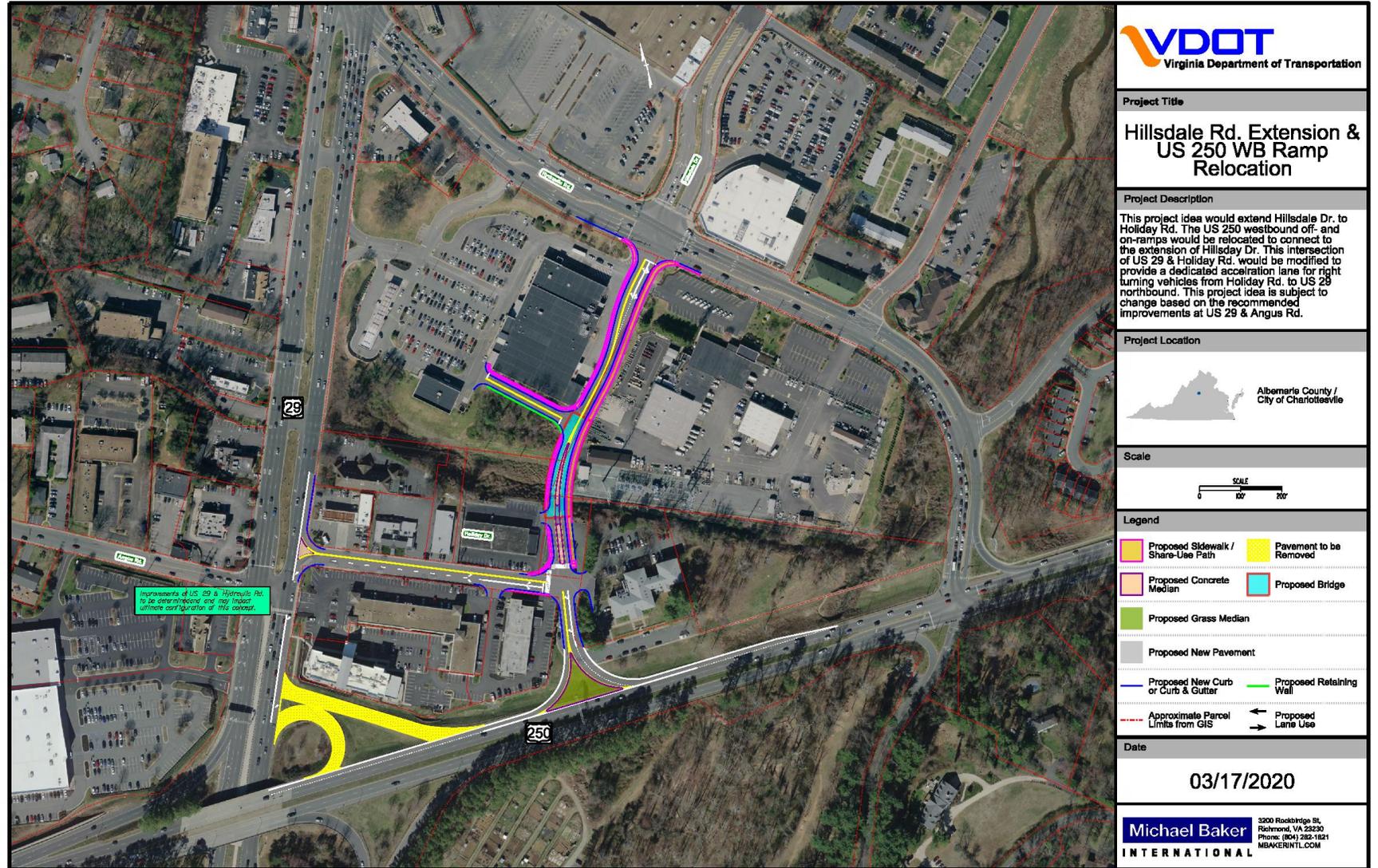
**Estimated Cost
\$9 – \$12 Mil.**



Hillsdale Drive Extension South

**Estimated Cost
\$24.2 – \$29.7 Mil.**

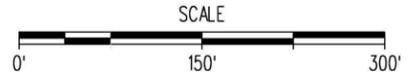
This estimated cost does not include improvements to other intersections.



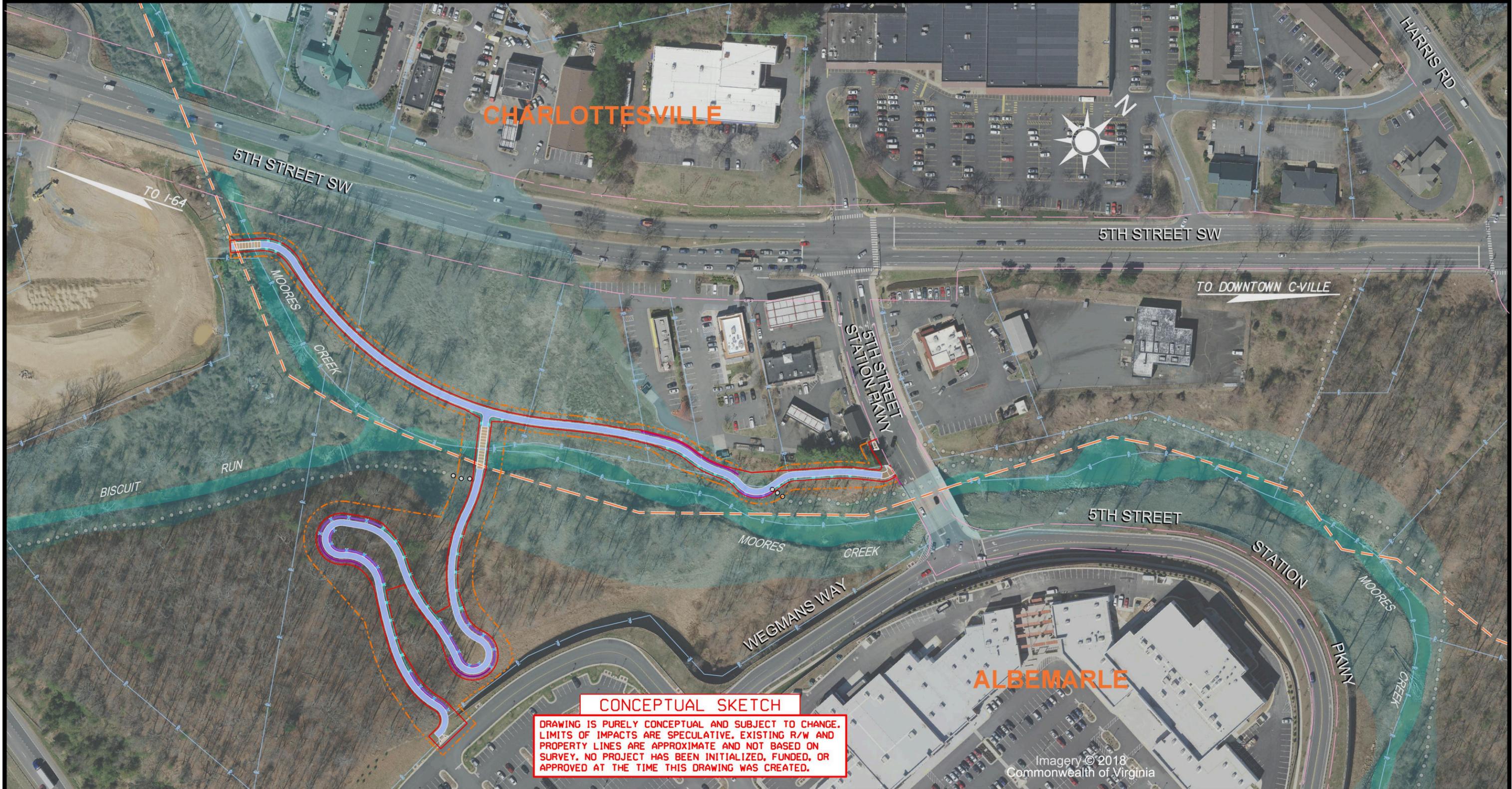
Legend

- 8' Shared Use Path
- Water Body
- Regulatory Floodway (per C-ville GIS)
- Retaining Wall w/ St'd. HR-1, Type III
- Retaining Wall
- St'd. HR-1, Type III
- Pedestrian Bridge
- Proposed Guardrail/FOA
- Prop. R/W
- Temp. Constr. Ease.
- Exist. Trail
- Prop. Trail Connection
- Exist. R/W (GIS)
- City/County Line (GIS)

Location: Charlottesville, VA



Sheet 1/1



CONCEPTUAL SKETCH

DRAWING IS PURELY CONCEPTUAL AND SUBJECT TO CHANGE. LIMITS OF IMPACTS ARE SPECULATIVE. EXISTING R/W AND PROPERTY LINES ARE APPROXIMATE AND NOT BASED ON SURVEY. NO PROJECT HAS BEEN INITIALIZED, FUNDED, OR APPROVED AT THE TIME THIS DRAWING WAS CREATED.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	August 17, 2020
Action Required:	Ordinance Amendment
Staff Contacts:	John Blair, City Attorney
Presenters:	John Blair, City Attorney
Title:	Ordinance Prohibiting Firearms and Ammunition in Public Spaces (2nd of 2 readings)

Background:

In 2020, the Virginia General Assembly amended Virginia Code Section 15.2-915. This amendment provides localities with the authority to enact prohibition on the possession, carrying, or transportation of firearms, ammunition, or components or combinations in certain public spaces.

Discussion:

The proposed ordinance prohibits the possession, carrying or transportation of firearms, ammunition, or components or combinations thereof in City buildings, City parks, in City recreational or community centers, and in any public street, road, alley, or sidewalk or public right-of-way or space open to the public that is being used by or is adjacent to a permitted event by the City or an event that would otherwise require a City permit.

The proposed ordinance permits the City to implement security measures designed to prevent the unauthorized access of the aforementioned public places such as metal detectors.

The proposed ordinance includes several exemptions from its provisions including exceptions for sworn law enforcement officers as well as the activities of Senior Reserve Officers' Training Corps program.

A violation of the ordinance is a Class 1 misdemeanor.

At the July 20, 2020 City Council meeting, Councilors expressed two reservations about the proposed ordinance regarding property owned by the Charlottesville Redevelopment and Housing Authority (CRHA) as well as parking garages owned or controlled by the City.

The revised ordinance includes language that clarifies that housing services provided by CRHA and parking services provided by the city are not "governmental purposes" as defined by this ordinance.

The revised ordinance also removed two separate uses of the word “or” in Section 33-10(4) to improve the clarity of the ordinance. The previous version of the ordinance used the same language in Virginia Code Section 15.2-915. However, the use of the word “or” three times in a list of items can cause confusion to the reader. Therefore, two uses of the word “or” have been replaced with commas.

One additional revision made subsequent to the July 20, 2020 City Council meeting is an additional category of exceptions added to subsection (d) of the ordinance. As part of a special events permit approved by the Charlottesville City Manager, individuals licensed as armed security officers by the Virginia Department of Criminal Justice Services providing security to the special event are exempted from the ordinance for the duration of the special event.

Finally, the ordinance will have an effective date of October 1, 2020. This will provide time for the City to prepare signage.

Attachments:

Proposed Ordinance

**AN ORDINANCE
ADDING SECTION 33-10
TO CHAPTER 33 (WEAPONS)**

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

Chapter 33 of the Code of the City of Charlottesville (1990) is amended as follows:

Sec. 33-10. – Prohibition of firearms on city property.

- (a.) The possession, carrying or transportation of firearms, ammunition, or components or combination thereof (1) in any buildings, or parts thereof, owned or used, by the city, or by any authority or local governmental entity created or controlled by the city, for governmental purposes; or (2) in parks owned or operated by the city, or by any authority or local governmental entity created or controlled by the city; or (3) in any recreational or community center facility operated by the city, or by any authority or local governmental entity created or controlled by the city; or (4) in any public street, road, alley, sidewalk, public right-of-way, or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or event that would otherwise require a permit, is prohibited. For purposes of this ordinance, governmental purposes shall not include housing provided by the Charlottesville Redevelopment and Housing Authority nor shall it include the provision of parking provided by the city.
- (b.) The possession, carrying, storage or transportation of firearms by city employees, agents or volunteers in workplaces owned, operated or managed by the city is prohibited.
- (c.) Pursuant to this section, the city may implement security measures that are designed to reasonably prevent the unauthorized access of such buildings, parks, recreation or community center facilities, or public streets, roads, alleys, or sidewalks or public rights-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit by a person with any firearms, ammunition, or components or combination thereof, such as the use of metal detectors and increased use of security personnel.
- (d.) This section shall not apply to (1) military personnel when acting within the scope of their official duties; or (2.) sworn law enforcement offices; or (3.) a Senior Reserve Officers' Training Corps program operated at a public or private institution of higher education in accordance with the provisions of 10 U.S.C. § 2101 et seq.; (4.) any intercollegiate athletics program operated by a public or private institution of higher education and governed by the National Collegiate Athletic Association or any club sports team recognized by a public or private institution of higher education where the sport engaged in by such program or team involves the use of a firearm. Such activities shall follow strict guidelines developed by such institutions for these

activities and shall be conducted under the supervision of staff officials of such institutions; or (5.) an armed security officer licensed by the Virginia Department of Criminal Justice Services providing security to a special event pursuant to a permit issued by the Charlottesville City Manager for the duration of the permitted special event.

(e.) Notice of the restrictions imposed by this ordinance shall be posted (1) at all entrances of any building, or part thereof, owned or used by the city, or by any authority or local governmental entity created or controlled by the city, for governmental purposes; (2) at all entrances of any public park owned or operated by the city, or by any authority or local governmental entity created or controlled by the city; (3) at all entrances of any recreation or community center facilities operated by the city, or by any authority or local governmental entity created or controlled by the city; and (4) at all entrances or other appropriate places of ingress and egress to any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

(f.) Any violation of section 33-10 is unlawful and shall be punished as a Class 1 misdemeanor.

BE IT FURTHER ORDAINED that this ordinance shall be effective on October 1, 2020.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	July 20, 2020
Action Required:	Sign Charter
Presenter:	Ben Allen, Executive Director, The Equity Center, University of Virginia
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	Frontline Worker's Fair Treatment Charter

Background:

The Frontline Workers Fair Treatment Charter was developed as a collaboration between The Equity Center, Network2Work at Piedmont Virginia Community College, and the University of Virginia's President's Council. The purpose of the charter is to identify regional support for the rebuilding of a healthy community as localities move forward with recovery efforts. The charter's authors recognize that the gradual reopening of the economy will depend on the healthy, well-being and labor of frontline workers. In Charlottesville, and surrounding counties, these low wage and essential workers are disproportionately African American and Latinx and, because of historic and current disparities and the compounded effects of complex trauma, are at higher risk for COVID-19 disease complications and death.

Discussion:

The Equity Center, Network2Work, and the President's Council seek support for the Frontline Workers Fair Treatment Charter from the Charlottesville City Council and the Albemarle County Board of Supervisors.

Alignment with City Council's Vision and Strategic Plan:

This request is aligned with the City Council's vision, which includes serving as a leader of innovation, environmental sustainability, and social and economic justice and healthy race relations; being flexible and progressive in anticipating and responding to the needs of our citizens; and supporting self-sufficiency of residents

Community Engagement:

The Frontline Workers Fair Treatment Charter is the product of a multi-jurisdictional, multi-organizational, public-private collaboration and represents the interests, investment and knowledge of a wide variety of constituents.

Budgetary Impact:

There are no general funds required or being requested.

Recommendation:

Staff recommends support for the Frontline Worker's Fair Treatment Charter.

Alternatives:

Council may decline to sign on to the proposed regional Frontline Worker's Fair Treatment Charter.

Attachments:

Frontline Workers Fair Treatment Charter

Ablemarle/Charlottesville Region Fair Treatment Charter for Frontline Workers

The novel coronavirus highlights conditions that are, sadly, not novel at all: low-income individuals, especially individuals of color, are suffering disproportionately, both physically and financially. These health and income inequities—which were pre-existing conditions long before COVID-19—will persist long after the pandemic subsides unless we are as intentional in addressing inequities as we were in creating and sustaining them.

As the Commonwealth of Virginia enters a new phase of COVID response, we should focus our recovery efforts not on restoring the old economy but on rebuilding an equitable economy—a healthy economy—intentionally constructed on a foundation of racial justice.

The gradual reopening of this economy will depend on front line workers. In Charlottesville and the surrounding counties these low wage and essential workers are disproportionately African American and Latinx.¹

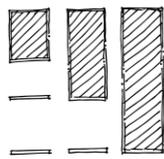
To achieve an equitable economy, public and private employers must recognize, fairly compensate, and protect the health of employees who risk losing their lives to pursue their livelihoods.. A healthy economy, which values the well-being of all of its workers, is both more just and more robust than an economy that compels workers to accept below subsistence wages in order to survive. We have an opportunity for our region to emerge from COVID-19 recovery with an economy that is more just and equitable than it was before the Commonwealth shut down. This means ensuring safe and equitable conditions for frontline workers and it means making sure that the voices of frontline workers infuse every plan. Community-based advocates from the Equity Center Local Steering Committee and UVA President’s Council on Community-University Partnerships helped build the list of just employment practices below, and Network2Work@PVCC is working to animate these as a set of just employment standards for which local employers could get certified.

Just Employment Practices

1. Health and Safety Protections:

- Personal Protective Equipment (PPE) is made available to all at no cost to employees and is permitted to be worn.
- COVID-19 testing is free and easily accessible.
- Stress reduction/Mental health support is readily available. Ideally, these services will be community-based, easily accessible, and delivered in a way to minimize stigma.

¹ For more on who constitutes our regional frontline workforce, see: https://virginiaequitycenter.github.io/cvilleequity_covid/frontline/



THE
EQUITY
CENTER

NETWORK²WORK@PVCC

+ Real Jobs. Real People. Realizing Potential.

2. **COVID training to protect essential workers:** Workers and managers are educated on risks and safety measures, and managers are educated on how to consider equity in making and enforcing policies that protect their workers.
3. **Robust Premium Compensation:** During a pandemic, workers at risk deserve more than a living wage. Essential workers receive compensation that acknowledges the critical contribution they make to our collective health and the economy. Essential workers need hazard pay; this means extra pay for performing extra dangerous duties.
4. **Paid Sick Leave for Essential Workers:** Frontline workers are provided paid sick leave. These essential workers not only contract the virus at higher rates, but are more likely to infect others because they feel like they cannot miss a day of work. They come to work sick and go home sick.
5. **Flexible Work Schedules and Arrangements:** Employers are flexible with work schedules, and other work arrangements as we attempt to reopen the economy, understanding that things cannot go back to “normal.”
6. **Open Hiring Practices:** Employers rebuilding their workforce use open hiring practices, which speeds the hiring process, improves retention and avoids the threat of implicit or explicit bias by hiring qualified workers on a first-come, first served basis. Those who want the job get the job.
7. **Pipeline Support for Former Frontline Workers:** Workers who are not willing to risk returning to a frontline position should be provided fair compensation and support by allowing them to continue collecting unemployment benefits, while also connecting them to training/resources on other jobs within employer networks.

Just Community Commitments:

Government, quasi-governmental and social service institutions must also acknowledge the collective imperative to support our frontline workers through the provision of:

8. **Wrap Around Services During Illness:** When workers get sick, they must be able to recover safely without infecting others. Infected workers will have access to housing and other essentials that allow them to more easily self-isolate while they recover.
9. **Child and Family Care:** This is crucial as public schools and daycare centers remain closed. Child care needs to be affordable, provide high-quality early educational experiences and might require creative solutions—i.e. using schools as safe places for cooperative or small business owned childcare to operate and subsidizing employment,

rather than just unemployment, for jobs that society values but the economy does not, such as child care.

10. **Provide Accessible, Safe, Reliable Transit:** CAT and JAUNT have demonstrated best practices in providing safe, free transit to frontline workers during the shelter-in-place, but as the economy re-opens frontline workers must continue to have access to safe, reliable, free transit options.
11. **Affordable health care is available to all frontline workers and their families during the crisis.**
12. **Create a Regional Frontline Worker Rights Commission:** In order to ensure that essential workers voices are centered in the expression of their needs during the pandemic, a regional commission (populated by frontline workers themselves) should be created as a place for dialogue and ongoing advocacy for workers' rights.