



CITY COUNCIL AGENDA May 17, 2021

Members

Nikuyah Walker, Mayor
Sena Magill, Vice Mayor
Heather D. Hill
Michael K. Payne
J. Lloyd Snook, III
Kyna Thomas, Clerk

N/A Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code
Virtual/electronic meeting

6:30 p.m. Regular Meeting

Register at www.charlottesville.gov/zoom. Virtual/electronic meeting in accordance with a local ordinance amended and re-enacted on April 19, 2021, to ensure continuity of government and prevent the spread of disease during a declared State of Emergency. 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.

CALL TO ORDER

MOMENT OF SILENCE

ROLL CALL

AGENDA APPROVAL

ANNOUNCEMENTS

RECOGNITIONS/PROCLAMATIONS

- Proclamation: Provider Appreciation Day - May 7

CONSENT AGENDA*

1. Minutes: March 15 closed and regular meetings, March 25 budget work session, April 13 special meeting, April 27 joint work session with Police Civilian Review Board, April 29 special meeting
2. Appropriation: Supplemental Appropriation of State Operational Funding for Charlottesville Area Transit - \$265,025 (2nd reading)
3. Appropriation: Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$25,000 (2nd reading)
4. Appropriation: Coronavirus Aid, Relief, and Economic Security Act (CARES) Act Round 2 Funding for Utility Customer Bill Arrearage Assistance – \$15,766.58 (2nd reading)
5. Resolution: Coronavirus Aid, Relief, and Economic Security Act (CARES) Funds for City Hall Ambassador Program -\$46,000 (1 reading)
6. Resolution: Fourth Amended Charlottesville Supplemental Rental Assistance Program (CSRAP) Grant Agreement (1 reading)
7. Ordinance: Establishing a Grant Program to Promote and Preserve Home Ownership by Low and Moderate Income Persons within the City of Charlottesville (1st of 2 readings)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS and to COUNCILORS

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. 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.org/zoom.

ACTION ITEMS

- 8. Public Hearing/App.: Belmont Bridge Replacement Project – \$4,280,739 (1st of 2 readings)

GENERAL BUSINESS

OTHER BUSINESS

MATTERS BY THE PUBLIC

*Action Needed

CITY OF CHARLOTTESVILLE



PROCLAMATION

PROVIDER APPRECIATION DAY

MAY 7, 2021

WHEREAS, Child Care Aware® of America and other organizations nationwide are recognizing Child Care Providers on this day; and

WHEREAS, an estimated 12.8 million children under the age of six nationwide spend some time in a non-parental care arrangement on a weekly basis, which provides critical enrichment opportunities and nurtures development for children of all backgrounds and is a vital building block of our state economy; and

WHEREAS, Childcare providers, mostly women and many women of color, have long been essential to families in our community and our local economy, with little recognition for their labor and skill; and

WHEREAS, the COVID-19 pandemic has created tremendous hardship for childcare providers during a global pandemic and an economic crisis in addition to a national reckoning on race; and

WHEREAS, Childcare providers in the greater Charlottesville area have continued to meet the needs of families in their centers and homes while risking their health and financial stability to remain open; and

WHEREAS, Childcare providers in centers and family day homes stepped in to support children in remote learning situations, doing all they could to provide space and supports for school-aged children; and

WHEREAS, our future depends on the quality of the early childhood experiences provided to young children today; high quality early childcare services represent a worthy commitment to our children's future.

NOW, THEREFORE, BE IT RESOLVED that I, Nikuyah Walker, Mayor of the City of Charlottesville, on behalf of City Council, do hereby proclaim May 7, 2021 as Provider Appreciation Day in Charlottesville, Virginia, and urge all citizens to recognize Child Care Providers for their important work.

Signed and sealed this 17th day of May 2021.

Nikuyah Walker, Mayor

CITY COUNCIL MEETING
March 15, 2021
Virtual/electronic meeting via Zoom

4:50 PM CLOSED MEETING

The Charlottesville City Council met in an electronic meeting on Monday, March 15, 2021, in accordance with local ordinances to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 4:50 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill and Councilors Heather Hill, Michael Payne and Lloyd Snook.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

Section 2.2-3711(A)(1), for discussion or consideration of one or more prospective candidates for appointment to City boards or commissions

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none.), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 6:34 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

6:30 PM REGULAR MEETING

CALL TO ORDER and ROLL CALL

The Charlottesville City Council met in an electronic meeting on Monday, March 15, 2021, in accordance with local ordinances to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 6:34 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill and Councilors Heather Hill, Michael Payne and Lloyd Snook.

City Council observed a moment of silence.

On motion by Councilor Hill, seconded by Councilor Snook, Council unanimously approved the meeting agenda.

ANNOUNCEMENTS

Vice Mayor Magill announced:

1. Recovery Roadmap process meetings with the Economic Development Department;
2. Alex-Zan's "My Help List" writing contest for Charlottesville students in grades K-12 from March 15 to April 23, with a cash prize;
3. Charlottesville Climate Collaborative (C3) conducting a public transit survey through March 28 and seeking focus group members.

RECOGNITIONS/PROCLAMATIONS

Mayor Walker announced the intention to recognize Diane Kuknyo, retiring Social Services Director, for her years of service at an upcoming City Council meeting.

BOARD/COMMISSION APPOINTMENTS

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by a vote of 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) APPROVED the appointment of the following individuals to City boards and commissions:

- Board of Architectural Review – Robert Edwards
- Community Development Block Grant Task Force – Helen Sporkin
- Charlottesville Economic Development Authority - Jonathan Chasen, J'riah Guerrero and Reid Thompson
- Housing Advisory Committee – Philip d'Oronzio and LD Perry
- Retirement Commission – Ben Cullop
- Tree Commission – Jeffrey Aten, Victoria Metcalf, and Jean Umiker-Sebeok
- Vendor Appeals Board – Frank Fountain

Vice Mayor Magill announced openings on Board of Zoning Appeals and the Community Representative seat on the Police Civilian Review Board. She also announced upcoming vacancies for other boards and commissions for the next quarterly cycle.

CONSENT AGENDA*

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

1. MINUTES: February 1, 2021 closed and regular meetings
2. APPROPRIATION: Additional State Funding for Adoption Assistance - \$600,000 (2nd reading)

APPROPRIATION
Additional Funding for Adoption Assistance - \$600,000

WHEREAS, the Charlottesville Department of Social Services has received \$600,000 from the Virginia Department of Social Services to provide assistance to adoptive families.

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

Revenue-\$600,000

Fund 212	Cost Center: 9900000000	G/L Account: 430080	\$600,000
----------	-------------------------	---------------------	-----------

Expenditures-\$600,000

Fund 212	Cost Center: 3311007000	G/L Account: 540060	\$600,000
----------	-------------------------	---------------------	-----------

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

3. **APPROPRIATION: Virginia Transit Association (VTA) Free Transit Fare for Working Families Grant – \$180,750 (2nd reading)**

APPROPRIATION
Virginia Transit Association (V.T.A) Free Transit Fare for Working Families Grant
\$180,750

WHEREAS, the City of Charlottesville has received grant funds from the Virginia Transit Association in the amount of \$180,750; and

WHEREAS, the funds will be administered by the Office of Economic Development through the Downtown Job Center and used to support transportation for program participants for employment purposes; and

WHEREAS, the grant award covers the period from July 1, 2020 and June 30, 2021;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$180,750 is hereby appropriated in the following manner:

Revenue – \$180,750

\$180,750	Fund: 210	IO: 1900392	G/L: 430120 State/Fed pass thru
-----------	-----------	-------------	---------------------------------

Expenditures - \$180,750

\$180,750	Fund: 210	IO: 1900392	G/L: 599999 Lump Sum
-----------	-----------	-------------	----------------------

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$180,750 from the Virginia Transit Association.

4. **APPROPRIATION: COVID Homelessness Emergency Response Program (CHERP) – Homelessness Management Information System Grant Award - \$29,786 (carried)**
5. **APPROPRIATION: COVID Homelessness Emergency Response Program (CHERP) Grant Award - \$806,594 (carried)**
6. **RESOLUTION: Community Development Block Grant (CDBG) Ridge Street Priority Neighborhood Improvement Project Recommendations**

**RESOLUTION
RIDGE STREET PRIORITY NEIGHBORHOOD FUNDS**

WHEREAS, on September 16, 2019 and May 4, 2019 City Council of the City of Charlottesville recommended Ridge Street as the priority neighborhood for FY 2020-2021, FY 2021-2022, and FY2022-2023;

WHEREAS, the Ridge Street Priority Neighborhood Taskforce recommends the following projects for City Council approval:

1. Traffic Calming Project Recommendations (Estimated \$25,000)
 - a. Adding Speed Limit Sign at Ridge St before Lankford Ave
 - b. Adding Speed Limit Sign between Hartman’s Mill and Raymond Rd.
 - c. Adding Speed Limit Sign between 900-1000 block of Ridge St.
 - d. Adding a flashing Speed limit sign between 700-850 block of Ridge Street
 - e. Adding a flashing crosswalk sign for the South First and Elliot Ave Intersection
 - f. Adding a flashing pedestrian crosswalk for Old Ridge St and 5th St crossing
2. Sidewalk Project Recommendations (Estimated \$220,000).
 - a. East side of Brookwood Dr and Ridge Intersection: Adding sidewalk and retaining wall to fill missing gaps
 - b. North Side of Baylor Lane and Raymond Rd Intersection: Adding Sidewalk
 - c. East Side 6th St SE: Adding sidewalk

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Community Development Block Grant funds for FY 2020-2021, FY 2021-2022, and FY2022-2023 be allocated for the Ridge Street Priority Neighborhood Taskforce project recommendations as presented on March 15, 2021.

7. RESOLUTION: FY2020-2021 Minor Action Plan Amendment - Home Investment Partnerships Program (HOME) 2020-2021 Habitat for Humanity Contingency Plan

RESOLUTION

Approval of Habitat for Humanity of Greater Charlottesville Contingency Plan and Approval of FY 2020-2021 Minor Annual Action Plan Amendment

BE IT RESOLVED, that the Charlottesville City Council hereby approves the Habitat for Humanity of Greater Charlottesville Contingency Plan and the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. This will assist the City and the subrecipient meet CDBG and HOME timeliness goals. All HOME funds are to be expended by the June 30, 2021 program deadline.

Mayor Walker opened the floor for comments from the public on the Consent Agenda. There were no speakers.

Mayor Walker asked about speed limit signs in the Ridge Street area. Brennen Duncan advised of studies done in that area over the last five to ten years and all show a speeding problem.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the Consent Agenda: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

CITY MANAGER RESPONSE TO COMMUNITY MATTERS

City Manager Chip Boyles shared an update on the following community matters:

1. He advised that the Parks and Recreation Department has a plan and schedule for the re-opening of city facilities on a staggered basis. He advised of the need to meet safety measures and have proper staffing in order to accommodate various activities.
2. Regarding the Sacajawea, Lewis and Clark statue on West Main, the request for information period ended and nine informational responses were received. He advised that staff would review and come back to Council with a recommendation.

Mayor Walker commented on the hiring of staff to support re-opening city activities, and the need for access to health benefits for part-time and temporary employees.

COMMUNITY MATTERS

Mayor Walker opened the floor for comments from the public. The following individuals spoke:

1. Kate Fraleigh asked Council to appoint a board member for the Police Civilian Review

- Board, revise the Executive Director job description, and include an ordinance that addresses changes from the 2021 General Assembly session.
2. Roy Van Doorn, local business owner, spoke about the impact of a reduced budget on the Convention and Visitors Bureau. He also spoke about the need for a collaborative effort for economic recovery and asked that Council vote to sunset the emergency Covid restrictions and allow State guidelines to prevail.
 3. Karin Reed, city resident, spoke in support of opening city pools this summer.
 4. Beth Ann Carta, city resident, spoke in support of opening indoor pools this summer.
 5. Andrea Ross read a letter from city resident Kathryn Harrell in support of opening city pools this summer and beginning aquatic programming.
 6. Lisa Grove spoke about city aquatic programs and in support of opening city pools this summer.
 7. Bill Emory, city resident, spoke about the need to improve access to the Rivanna River.
 8. Tanesha Hudson spoke about the requests from other citizens to have the pools opened. She spoke about budget concerns and a response that she received to an inquiry she sent to the City Manager. She shared a concern about race issues regarding the response to requests to open basketball courts for children last year versus the push to open swimming pools this summer.
 9. Pertelle Gilmore spoke about the imminent threat of violence in the city. He asked for funding of violence interrupter positions for his non-profit organization to address gun violence.
 10. Nancy Carpenter spoke about the desire for boards and commissions to meet in person. She spoke about shifting police funding to community programs.
 11. Virginia Leavell, Chief of the Charlottesville-Albemarle Rescue Squad (CARS), shared information about CARS services, volunteers, and need for funding.
 12. Jon Howard, President of CARS, encouraged Council to provide funding that would allow CARS to follow through on the Memorandum of Understanding.
 13. Robin Hoffman, city resident, spoke about Covid vaccination appointment concerns. She also spoke about gun threats in the city.

Councilors directed follow-up comments to Mr. Boyles and addressed Mr. Gilmore's concerns.

The meeting recessed at 8:02 p.m. and reconvened at 8:17 p.m.

ACTION ITEMS

PUBLIC HEARING: Proposed Real Estate Tax Rate for FY2022 (1st reading)

City Manager Chip Boyles provided a summary of the City Budget and shared dates of additional upcoming budget meetings.

Mayor Walker opened the public hearing.

- Jeffrey Fogel, city resident, spoke about the need to increase taxes and make full use of property tax relief programs.

Councilors engaged in discussion.

With no more speakers coming forward, Mayor Walker closed the public hearing.

PUBLIC HEARING: City Manager's Proposed Budget for FY2022 (1st reading)

City Manager Boyles provided a brief summary.

Krisy Hammill, Senior Budget and Management Analyst, advised that this public hearing would be informal and the official public hearing would be April 5, and will be advertised no later than March 28.

Mayor Walker opened the floor for public comment

- Shelby Edwards, city resident, staff member with Public Housing Association of Residents (PHAR), spoke in support of Vibrant Communities funding for the PHAR internship program and the Legal Aid Justice Center.
- Joan Fenton, county resident with businesses in the city, requested that the City honor its agreement with Albemarle County for the building of a downtown parking garage.
- Angela Ciolfi, city resident and Executive Director of the Legal Aid Justice Center (LAJC), spoke in support of funding for the LAJC.
- Brandon Collins, city resident and organizer for PHAR, spoke in support of Vibrant Communities funding for the PHAR internship program and the Legal Aid Justice Center.
- Pertelle Gilmore spoke about the unique nature of conflict mediation work and the need for staffing. He requested funding for staffing and stipends.
- Ang Conn spoke in support of funding for the Legal Aid Justice Center and public housing to address equity in the city.
- Tanesha Hudson spoke in support of funding for the Legal Aid Justice Center, PHAR, the Charlottesville-Albemarle Rescue Squad, and housing vouchers - programs that address fairness and equity.
- Virginia Leavell spoke in support of funding for the Charlottesville-Albemarle Rescue Squad. She asked that the City Manager consider how CARES funding may be used to assist CARS.
- Rory Stolzenberg spoke in support of Council's decision to defer building the 7th and Market Street parking garage. He also spoke about the Parking Enterprise Fund projected surplus and the need to increase transit options.
- Chris Schopper spoke about parking and discouraged the building of a new parking

structure. He asked that funds be focused on transit, housing, and bike-pedestrian connections.

- Chief Hezedean Smith spoke about the sustainability of the Emergency Management Services system and advised of areas of improvement for Emergency Medical Services for the Rescue Squad and Fire Department. He advised that he would share a report with Council and that the proposed budget should address the goal to efficiently collaborate with CARS to provide service.
- Don Gathers, city resident, asked Council to provide stipends to members of city-appointed boards and commissions.
- Hunter Ware spoke in support of needed funding to address Fire Department and Rescue Squad operations. Chief Smith advised that he has relied on data analysis from staff and is willing to meet with CARS staff to decide on steps forward for service delivery.

Mayor Walker closed public comment.

Councilors discussed cost of living adjustments for employees at various levels, Vibrant Community funding, and use of American Recovery Funds once restrictions are known.

Chief Brackney clarified information regarding the structure for police services formerly provided to City Schools, advising that the officers were re-assigned. She shared information about mobile data terminals in the proposed budget.

Mayor Walker advised that she sent a message to the Commissioner of the Revenue about the Charlottesville Housing Assistance Program (CHAP), and the elderly and disabled real estate fund and will have an update at the next meeting. She noted that the formal public hearing for the budget would be held on April 5.

GENERAL BUSINESS

REPORT: City Assessor Property Assessment Presentation

City Assessor Jeffrey Davis provided a report about property reassessments. He shared 2020 assessment statistics. There were 181 administrative appeals representing 1.16% of the total number of assessments, down from 2019. He advised that the real estate market is expected to remain strong as interest rates for residential real estate are expected to remain low through 2022.

After sharing statistics, Mr. Davis answered a question about land valuation from Councilor Payne.

OTHER BUSINESS

There were no other items for consideration.

MATTERS BY THE PUBLIC

- Ang Conn suggested decreasing the police budget in order to fund other initiatives and resources.
- Nancy Carpenter spoke about the budget process. She advised of enabling legislation from the Virginia General Assembly to allow the Police Civilian Review Board to review the police budget, and perhaps will be incorporated into a future ordinance.

Mayor Walker adjourned the meeting at 10:59 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY COUNCIL WORK SESSION
March 25, 2021
Virtual/electronic meeting via Zoom

6:00 PM BUDGET WORK SESSION

The Charlottesville City Council met in an electronic meeting on Thursday, March 25, 2021, in accordance with local ordinance #O-21-026, amended and re-enacted February 16, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. The purpose of the meeting was a work session to discuss the Fiscal Year 2022 budget.

CALL TO ORDER

Mayor Walker called the meeting to order at 6:03 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

PRESENTATION and DISCUSSION

Mayor Walker turned the meeting over to City Manager Chip Boyles, who introduced Senior Budget and Management Analysts Ryan Davidson and Krisy Hammill for the presentation.

The presentation reviewed the FY22 Capital Improvement Program (CIP), noting the following key messages:

- Strategic Focus – The Proposed CIP focuses on Council’s key priorities
- Affordability - This plan is not affordable without significant revenue enhancements
- Reallocations – Funds already committed but not spent in previous plans can still be reallocated
- Future Needs - Additional or new CIP funding would likely not be available for quite some time. Cash funding would be the only option and would also be competing with the additional funds needed to cover the debt service.
- Limited reserves – Even with additional tax revenues, the reserve funds are depleted

Councilors discussed the budget process, staff requests, Schools funding, West Main Streetscape, debt service, bond-eligible projects, downtown parking

Mr. Boyles identified FY 2022 operating budget revenue changes and expenditure savings, and made recommendations for a 2% cost of living adjustment for employees (which would trigger contractual adjustments), and fully funding a Deputy City Manager position. He presented options to Council for the use of remaining funds. Councilors expressed an interest in adding a Measurements and Solutions position.

Mr. Davidson provided a Vibrant Community Fund (VCF) update for Consensus Agencies.

In answering Council questions:

- Kaki Dimock, Director of Human Services, provided additional information about VCF.
- Kristel Riddervold, Environmental Sustainability and Facilities Development Manager, spoke about the Climate Action Plan and the need to add staff capacity once the Plan is enacted.

Mr. Boyles advised that he would be looking into appropriate uses of American Rescue Plan funds once more information is available.

PUBLIC COMMENT

Mayor Walker opened the floor for public comment.

- Ivy Ziedrich asked Council to address the mayor's social media comments.
- Anna Mendez spoke in support of funding for the Drug Court and Therapeutic Docket and emphasized that the alternative to these programs would be incarceration.
- Molly Conger asked about an invitation for bids posted for purchasing police guns and off-duty holsters. She questioned where the funds would come from and whether police are authorized to carry their service weapons while off duty.
- Tim Wallace, Director of Development at the Legal Aid Justice Center suggested that Council find a way to fund all the priorities discussed.

Mayor Walker adjourned the meeting at 7:55 p.m.

BY Order of City Council

BY Clerk of Council, Kyna Thomas

CITY COUNCIL SPECIAL MEETING
April 13, 2021
Virtual/electronic meeting via Zoom

5:30 PM SPECIAL MEETING

Pursuant to Virginia Code §15.2-1417, the Charlottesville City Council held a special meeting on Tuesday, April 13, 2021, to conduct business related to tax relief, tax levy and the FY2022 budget. The meeting was held electronically in accordance with local ordinance #O-21-026, amended and re-enacted February 16, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency.

CALL TO ORDER

Mayor Walker called the meeting to order at 5:30 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook.

ACTION ITEMS

1. RESOLUTION: Establishing 2021 tax year Personal Property Tax Relief Percentage

Todd Divers, Commissioner of the Revenue, provided a brief summary of the resolution.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) ADOPTED the following resolution:

RESOLUTION
Establishing 2021 Tax Year Tax Relief Percentage

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Charlottesville, Virginia that the personal property tax relief percentage on up to \$20,000 value for vehicles valued over \$1,000 is set at 40% for tax year 2021.

2. ORDINANCE: Tax Rate/Tax Levy Ordinance for Calendar Year 2021 (2nd reading)

City Manager Chip Boyles provided a brief summary.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) ADOPTED the following ordinance:

AN ORDINANCE TO ESTABLISH THE ANNUAL TAX LEVY ON VARIOUS CLASSES OF PROPERTY FOR THE PAYMENT OF INTEREST AND RETIREMENT OF THE CITY DEBT, FOR THE SUPPORT OF THE CITY GOVERNMENT AND CITY SCHOOLS, AND FOR OTHER PUBLIC PURPOSES.

3. RESOLUTION: FY 2022 Budget Adoption and Appropriation of Funds (2nd reading)

City Manager Boyles introduced the item, advising that Council would need to reach agreement on allotted amounts to include for Council in the City Budget.

Mayor Walker indicated that she sent a budget for \$10,000 on April 12.

Vice Mayor Magill shared that she submitted an itemized budget to Clerk Thomas for the \$1000 per Councilor previously discussed.

Other Councilors did not submit individual budget proposals.

Councilor Hill voiced the desire for Council to act as a body as much as possible with public funds. She shared that if it is decided that discretionary funds would be allotted, then she would be comfortable with amounts of \$500 for “Meetings and Events – food/refreshments”, \$250 for “Meetings and Events Other”, and \$250 for “Constituent Communications and Outreach”, with Council being able to address other needs as they arise.

Councilor Snook advised that his preference would be to not allocate funds for discretionary spending by Council but agreed to the allotted amounts proposed by staff.

Vice Mayor Magill expressed interest in starting the use of discretionary funds based on staff recommendations for line items.

Councilor Payne indicated no strong preference on a dollar amount so long as spending was within State guidelines.

Council reached agreement on \$1000 discretionary funding per Councilor as discussed and line items as presented, totaling \$5000 from the Council Strategic Initiatives Fund.

Mayor Walker made comments about having a more inclusive process going forward and having a system for ranking staff requests. She added comments about the changing of the ABRT process to Vibrant Community Fund and that the system was not working as quickly as she hoped in the interest of citizens. She added that the Council budget should include funds for items that the Councilors individually want to handle. She advised that with limited funding for Council engagement, she would like to see more community engagement from staff and that there is a need to review compensation for people who participate on City boards and commissions.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker) ADOPTED the following resolution:

RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF CHARLOTTESVILLE FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022 AND PROVIDING FOR THE ANNUAL APPROPRIATION OF FUNDS FOR SUCH FISCAL YEAR.

Mayor Walker adjourned the meeting at 5:53 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL
Police Civilian Review Board Joint Work Session
April 27, 2021
Virtual/electronic meeting via Zoom

The Charlottesville City Council met in a joint work session on Tuesday, April 27, 2021, with the Police Civilian Review Board (PCRB) for the purpose of discussing the proposed changes to PCRB governing policies and to vote on the Coronavirus Aid, Relief, and Economic Security Act (CARES) funding allocation for the Pathways emergency assistance program.

Mayor Walker called the City Council meeting to order at 5:04 p.m., and Council conducted an item of business prior to opening the joint work session. The following members were present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Councilors Heather Hill, Michael Payne, and Lloyd Snook.

Resolution: CARES Funding Allocation for Emergency Assistance Program (Pathways Fund) - \$150,000 (1 reading)

Mayor Walker turned the meeting over to City Manager Chip Boyles, who requested Council approval to transfer \$150,000 of previously appropriated CARES monies from the Public Safety Police Department salaries to the Emergency Assistance Program. The request was made because monies in the Emergency Assistance Program fund is currently depleted and approval to reallocate CARES monies would prevent an interruption of housing assistance until the American Rescue Plan (ARP) funding is received.

On motion by Ms. Hill, seconded by Mr. Snook, Council by the following vote APPROVED the CARES Funding Allocation for Emergency Assistance Program (Pathways Fund) in the amount of \$150,000: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

Chair Bellamy Brown called the Police Civilian Review Board to order at 5:14 p.m. The following members were present: Chair Bellamy Brown, Vice Chair William Mendez, and members Nancy Carpenter, Jeffrey Fracher, Deirdre Gilmore, Phillip Seay and James Watson.

PCRB Overview

Chair Brown turned the meeting over to Vice Chair Mendez to present the Board's overview of proposed changes to its governing policies.

Major Elements of the Proposed Oversight Mode:

1. Receive and process complaints
2. Initiate independent investigations of complaints of serious misconduct or incidents involving use of force, etc.
3. Review IA investigations that are not categorized as “serious”
4. Hold hearings in support of complaint review, investigations, or disciplinary matters, in support of which the board may exercise subpoena power
5. Conduct periodic audits of Charlottesville Police Department’s (CPD) policies, practices, and outcomes, evaluate impacts on disproportionately policed groups
6. Provide reports of audits and investigations of CPD policies, practices, and outcomes
7. Conduct public engagement activities to hear community concerns, facilitate communications with the CPD

Public Comment

Mayor Walker opened the floor for public comment. The following members of the public spoke:

- Sean McGowen, Division Director of the Virginia Police Benevolent Association
- Kate Fraleigh, People’s Coalition
- Sarah Burke
- Jeff Fogel
- Walt Heinecke

Questions from Council

Councilor Snook addressed the board regarding its proposal for binding disciplinary authority and expressed his concern for eliminating the Police Chief from the disciplinary process for serious cases. Vice Chair Mendez referenced a CRB in Chicago where which the Board may make a recommendation of disciplinary action and if the Chief of Police rejects the recommendation the oversight board can file an appeal with the Police Board. He described other Boards where if a recommendation is rejected then the Chief of Police must publically explain the reason for the rejection. Chair Brown suggested that a disciplinary model in Denver could offer some guidance in this area. Board members noted that the board will consult with the Police Chief before making a disciplinary decision.

Councilor Snook asked how investigations that require CPD resources, such as forensic examinations, will be conducted without CPD assistance. Board members responded that as an administrative body the Board would not need to conduct a forensic examination, and that the

board cannot conduct investigations on criminal cases. Councilor Snook also raised questions about The Garrity Rule and the Boards binding disciplinary authority as it relates to its inability to terminate an officer.

Mayor Walker commented on CPD involvement throughout all points of an investigation and determining if it is possible for the CRB to conduct an investigation without CPD involvement.

Councilor Hill requested that the process to draft an ordinance be a collaborative effort to include as many stakeholders as possible.

Chief Brackney explained her opposition to the Board creating a three-step disciplinary process, which eliminates the grievance process offered to an officer as a City employee, her ability to participate in that process and the Boards ability to conduct a grievance hearing. Chief Brackney also raised the concern of officers whose grievance does not go through the CRB, subsequently creating two separate grievance processes.

Vice Chair Mendez confirmed that the Boards legal counsel is reviewing the enabling legislations amendment to Section 9.1-507 - Law Enforcement Officer Procedural Guarantees Act applicability to the board.

Councilor Hill acknowledged that the operating procedures for the proposed powers will be a key component to developing the ordinance. Chair Brown replied that the ordinance and the operational procedures are a two-step process. The first step being the approval of an ordinance to include the powers provided in the enabling legislation and the second step is to draft the operational procedures for Council approval.

Councilor Payne asked how the board will address Freedom of Information Act (FOIA) non-exemptions and recommended that both the ordinance and the operational procedures be presented simultaneously. Chair Brown replied that FOIA protections should be included in the operational procedures and reliant upon the Board's Executive Director.

Member James Watson requested that Council compile a list of its concerns with the ordinance and continue to work closely with the Board to develop the governing document.

Chair Brown asked that Council approve the ordinance as-is with the exception of the independent investigatory authority and disciplinary authority.

Member Nancy Carpenter asked about opportunities for conjoined hearings and resource

allocation.

Councilor Magill asked for more information about: the auditor position, ensuring anonymity for the complainants, the current investigation process, investigatory training, and independent investigators, in addition to other questions. She also expressed a preference for the ordinance and operational procedures to be simultaneous. Mr. Mendez answered that the auditor may be a full or part-time position that will be responsible for tracking various procedures within the complaint process. He explained that the board is requesting to receive all applications because complainants are more likely to file with a CRB, the opt-in box on the application to file a complaint may be overlooked and to avoid determent to file. Investigative training is currently being provided by the National Association for Oversight of Law Enforcement (NACOLE). Mr. Mendez clarified that as a review board the board does not currently have an investigatory process. Independent investigators will be secured through procurement and the board has already secured legal counsel. Chair Brown noted that specific details of the complaints filed with the CRB to-date have not been released to the public and that the complainant would have to request a hearing with the board before information would be subject for release. He confirmed that certain aspects of the hearing process will be public while others are conducted in a closed session.

Acting City Attorney Lisa Robertson voiced her concerns about FOIA exemptions for members of the public who file a complaint. Ms. Robertson has spoken with the Legal Aid Justice Center and Delegate Sally Hudson and her staff regarding the exemptions. The current exemptions only apply to the police department and protect police officers' personnel records and records of internal and administrative investigations being conducted by the police department. The FOIA Advisory Council may be consulted for additional guidance. Complaints forwarded from the police department to the CRB are protected under FOIA through a confidentiality agreement that is signed by members of the Board. Chief Brackney clarified that CPD does not provide the Board with any documentation from an investigative file. The Board is sent the formal complaint, the acknowledgement letter, and the closure letter. Per Ms. Robertson, individuals requesting a hearing may authorize the board to speak publically about their case. A determination must also be made about how the Board and CPD will determine what information will be exempt under FOIA. The Board's Executive Director does not provide a FOIA exemption for documents. Efforts to extend FOIA laws to CRBs are resolved through legislation or the FOIA Advisory Council's interpretation of existing laws.

Mayor Walker asked for further discussion of the complaint process and of any specific challenges surrounding the current complaint process. She asked that the criteria of 'serious' and 'not serious' violations be more concise and that drafting the list of criteria be a collaborative effort. Mayor Walker referenced a public speaker's comments about whether or not the Board

should decide if it will review ‘serious’ and/or ‘not serious’ complaints. She recognized CPD involvement at varying points in a case and asked how the Board can be structured as to not remove CPD and the Commonwealth Attorney’s Office from the investigation process and still provide the desired oversight. Vice Chair Mendez expressed his opposition to the op-out option on the complaint intake form. Chief Brackney provided details of the online internal affairs complaint intake process that is automatically distributed to the Police Chief, Major, Internal Affairs, and the CRB Executive Director. All complaints are posted on the CPD website and will be distributed to the Board’s Executive Director upon placement. Approximately three complaints filed in 2020 and five complaints filed in 2021 opted out of forwarding their complaint to the CRB. The Mayor discussed the Board’s access to resources that will be required to support an investigatory model.

Vice Chair Mendez petitioned Council to hire the Board’s Executive Director and the Auditor position.

Public Comment

Mayor Walker opened the floor for public comment. The following members of the public spoke:

- Harold Folley
- Kate Fraleigh
- Rosia Parker
- Don Gathers
- Gloria Beard
- Sarah Burke
- Walt Heinecke
- Teresa Hepler, Legal Aid Justice Center

Next Steps

- CRB to draft operational procedures and share with Council
- Council to amend the current CRB ordinance to include a provision enabling general counsel by the Board’s legal representative
- Ongoing joint work sessions. The two initial sessions will cover disciplinary powers, investigatory powers, and operational procedures drafted at that time. The first session to tentatively occur in June. CRB legal counsel to attend.

Mayor Walker adjourned the meeting at 8:57 p.m., followed by the adjournment of the Police Civilian Review Board meeting.

BY Order of City Council

BY Maxicelia Robinson, Deputy Clerk of Council

CHARLOTTESVILLE CITY COUNCIL

April 29, 2021

Virtual/electronic meeting via Zoom

8:30 AM SPECIAL MEETING

The Charlottesville City Council met electronically on Thursday, April 29, 2021, at 8:30 a.m. in accordance with a local ordinance amended and re-enacted on April 19, 2021 to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency.

Mayor Walker called the meeting to order at 8:31 a.m. and Clerk of Council Kyna Thomas called the roll, noting the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

On motion by Councilor Hill, seconded Councilor Snook, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: none) to meet in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2-3712, specifically:

- Section 2.2-3711(A)(1) for interviewing of prospective candidates for appointment as city attorney.

On motion by Councilor Hill, seconded by Councilor Payne, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 12:32 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



Agenda Date:	May 3, 2021
Action Required:	Approve Supplemental Appropriation
Presenter:	Garland Williams, Director, Charlottesville Area Transit
Staff Contact:	Garland Williams, Director, Charlottesville Area Transit Ryan Davidson, Senior Budget and Management Analyst
Title:	Supplemental Appropriation of State Operational Funding for Charlottesville Area Transit - \$265,025

Background and Discussion:

With a Resolution Authorizing the Application for State & Federal Aid to Public Transportation, City Council authorized the Transit Division to provide the local match necessary to apply for Federal and State grants to fund Transit Division expenses, including both Capital and non-Capital projects. Through discussions with the Virginia Department of Rail and Public Transportation (DRPT) during the 2021 Fiscal Year budget season, Transit was advised to project the same budget for Fiscal Year 2021 as was received in Fiscal Year 2020 (\$1,787,000). DRPT finalized their allocation for each agency in the fall of calendar 2020. The final amount of operating subsidy awarded by DRPT was 2,052,025, which represented \$265,025 more than the original adopted budget for Fiscal Year 2021.

These additional funds are to be used by Charlottesville Area Transit on non-Capital Projects and help off-set operational expenditures in Fiscal Year 2021. These funds will also be used to fund several integral transit-related studies to assist Charlottesville Area Transit provide the data and analysis for route coverages and frequencies that will better meet our community’s needs. No local match is necessary for this increase.

- The proposed budget for Fiscal Year 2021 is \$1,787,000, which comes from State Operating Assistance.
- The amount awarded for Fiscal Year 2021 is \$2,052,025.
- The total cost of appropriation is \$265,025.

Community Engagement:

Charlottesville Area Transit utilizes the Metropolitan Planning Organization’s Public Participation Plan to fulfill its public engagement requirements. The Metropolitan Planning Organization’s Public Participation Plan includes an opportunity for members of the public to request a public hearing on CAT’s Program of Projects. No public hearing was requested.

Alignment with City Council's Vision and Priority Areas:

Approval of this agenda item aligns directly with Council's vision for Charlottesville as a Connected Community, where the City is part of a comprehensive transportation system that enables citizens of all ages and incomes to easily navigate our community. It also aligns with Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment, Objective 3.3 Provide a variety of transportation and mobility options.

Budget Impact:

There is no impact to the General Fund. The local match requirement for Operating Assistance will be covered through the City's contribution from the General Fund and Albemarle County's contribution and was previously appropriated as part of the Adopted budget for fiscal year 2021.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

City Council may choose not to accept the additional funding from the State. Without this appropriation, CAT will not have funding to support its operations and the future growth within our community.

Attachments:

Appropriation

APPROPRIATION
Transit Division Project Funds
\$265,025

WHEREAS, The Fiscal Year 2021 State Operating Grant in the amount of \$2,052,025 has been awarded to the City of Charlottesville, which represents an increase of \$265,025 over the original operating funds previously budgeted;

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

Revenue (Operating)

- \$265,025
- Fund: 245
- Cost Center: 2801003000
- G/L: 430080 State Assistance

Expenditures (Operating)

- \$265,025
- Fund: 245
- Cost Center: 2801003000
- G/L: 530560 Consulting Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$2,052,025 from the Virginia Department of Rail and Public Transportation.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 3, 2021
Action Required:	Appropriation
Presenter:	Riaan Anthony, Park and Recreation Management Specialist
Staff Contacts:	Riaan Anthony, Park and Recreation Management Specialist II Vic Garber, Deputy Director, Parks and Recreation
Title:	Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$25,000

Background:

In November 2020 City Council appropriated \$30,000 to provide free dinners to children 18 and under attending our drop-in afterschool programs through the Child and Adult Care Food Program. Due to increased demand, the expenditures incurred by the Charlottesville Parks and Recreation Department has reached the original appropriation amount of \$30,000. Parks and Recreation is requesting to increase the appropriation by an extra \$25,000 to cover the projected expenses for the four months remaining until the program ends. All expenses incurred for this program are reimbursed by the Virginia Department of Education Special Nutrition Program.

Discussion:

Charlottesville Parks and Recreation has been operating an afterschool meals program for the last 30 weeks during the regular school year. There are currently five locations, Friendship Court, Greenstone on 5th, South First Street, and Westhaven Community Centers, and the Boys and Girls Club. The reimbursement received from the State covers the cost of a nutritious dinner at these locations. Staff made an initial estimate of the expenses for this program of \$30,000, not knowing for certain the number of kids that would participate in the program during COVID -19. The City has seen the demand for this program exceed the levels from previous years. The staff is very pleased the program has reached so many children during this difficult time. As of March 2021, the Parks and Recreation department has served 8,553 meals, which is the most we have ever provided under the Child and Adult Care Food Program.

Alignment with City Council's Vision and Strategic Plan:

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

City. Children will receive a nutritious dinner, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

Community Engagement:

N/A

Budgetary Impact:

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

Recommendation:

Staff recommends approval and appropriation of funds,

Alternatives:

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

Attachments:

Appropriation

APPROPRIATION

**Virginia Department of Education Special Nutrition Program
Child and Adult Care Food Program
\$25,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$25,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2020 through September 30, 2021;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$30,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$25,000

Fund: 209 Internal Order: 1900381 G/L Account: 430120

Expenditures - \$25,000

Fund: 209 Internal Order: 1900381 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$25,000 from the Virginia Department of Education Special Nutrition Program.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 3, 2021
Action Required:	Appropriation of CARES Act Funding
Presenter:	Chris Cullinan, Director of Finance
Staff Contacts:	Chris Cullinan, Director of Finance Lauren Hildebrand, Director of Utilities Richard Palumbo, Utility Billing Manager
Title:	COVID-19 Municipal Utility Relief Program to Assist Customers – Round 2 - \$15,766.58

Background:

In December 2020, the City received \$182,801.59 in CARES funds from the Commonwealth for municipal utility relief. The City allocated these funds to qualifying utility customers in January 2021.

The City received notice in March 2021 that additional CARES funds for municipal utility relief were available. The City applied for these funds and received an award letter on April 22, 2021 for \$15,766.58 (see attachment).

Discussion:

The second round guidance and requirements are similar to the first round. Any customer, residential or non-residential with the exception of a government entity, is eligible for utility bill arrearage assistance. Utility customers must apply and attest, via a Customer Intake Form returned to the City by a specified date, that the utility bill arrearages are due to the COVID-19 economic hardship and the application is for arrearages owed between March 1, 2020 and November 1, 2021 (note this is a longer time period than the first round of funding).

Alignment with City Council's Vision and Strategic Plan:

This funding supports and contributes to Goal 5 of the Strategic Plan, a well-managed and responsive organization; Objective 2.3, improve community health and safety outcomes by connecting residents with effective resources and Objective 3.2, to provide reliable and high quality infrastructure.

Community Engagement:

Similar to the first round of Municipal Utility Relief, City staff will notify eligible customers via phone and mail about this program. The mailing will include a letter notifying customers they are eligible to apply for the CARES funds, with a link to the fillable Customer Intake Form on the website. If a customer needs help with the form or requires a paper copy of the form, City staff will be available to assist the customer and/or mail the form to the customer. Additional outreach efforts will be considered based on the success of the initial notification efforts.

Budgetary Impact:

This has no impact on the General Fund or the Utilities Enterprise Funds. These funds will be appropriated to and expended from a designated fund. The funds will be distributed as credits towards a customer’s utility bill.

Recommendation:

Staff recommends approval and appropriation of CARES Act (COVID-19) funding in the amount of \$15,766.58 be used to assist municipal utility customers experiencing economic hardship due to the COVID-19 pandemic.

Alternatives:

There is no alternative. Funds must be used for utility bill arrearage assistance or returned to the Commonwealth of Virginia Department of Accounts.

Attachments:

Appropriation
Award Letter



Ralph S. Northam
Governor

R. Brian Ball
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Erik C. Johnston
Director

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

April 22, 2021

VIA EMAIL

Chris Cullinan

City of Charlottesville Utilities

Re: Second Round Award Letter and Required Certification for COVID-19 Municipal Utility Relief Program

Dear Chris Cullinan:

On behalf of Governor Northam, it gives me great pleasure to inform you that City of Charlottesville Utilities has been awarded a second round of federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds as part of the COVID-19 Municipal Utility Relief Program. Your award is \$15,766.58, which is based on your response to the Virginia Department of Housing and Community Development's Municipal Utility Relief Program: Status Survey and in accordance with the Appropriation Act. This funding is provided under CFDA 21.019 – Coronavirus Relief Funds (CRF).

Additional details concerning this program including guidance, requirements, and several model forms were provided in your first award letter, so please refer to those documents as a reference in addition to the supplemental correspondence that has been issued during the administration of this program.

Similar to the first round of funding distributions and based upon guidance provided by the Virginia Department of Accounts (DOA), you must return the attached certification and certification addendum in partnership with your partner fiscal agent, City of Charlottesville, to receive the funds from DOA. **Please email your signed certification and certification addendum to utility@dhcd.virginia.gov.** Once your partner fiscal agent receives the funds (usually 2 to 3 business days after approval of your certification), then they will forward funds to the municipal utility. Once the project is complete, DOA will follow up regarding project outcomes and compliance. I want to reiterate that it is incumbent on City of Charlottesville Utilities and your fiscal agent, City of Charlottesville, to ensure project expenses are properly documented and verified in case of audit.

For questions, please contact DHCD staff member David Conmy at utility@dhcd.virginia.gov.

Sincerely,

A handwritten signature in black ink that reads "Erik C. Johnston".

Erik Johnston

Director, Virginia Department of Housing and Community Development

CC: David Von Moll, Comptroller, Department of Accounts
Chris Cullinan

Encl: Certification Form and Certification Addendum

Certification:

(Please review all the information below and in the Certification Addendum, provide any updates or corrections where appropriate, complete the signature page, and then email everything to utility@dhcd.virginia.gov)

CERTIFICATION for RECEIPT of CORONAVIRUS RELIEF FUND PAYMENTS

by

City of Charlottesville

on behalf of

City of Charlottesville Utilities

We, the undersigned, represent City of Charlottesville and are working in partnership with City of Charlottesville Utilities (the utility), and we certify that:

1. The intent is for this allocation to pass through the county or city directly to the municipal utility to serve all eligible Virginia municipal utility customers. The customer utility relief program operator should develop a subagreement with the county or city fiscal agent that ensures they will be responsible for compliance with state and federal law.
2. We have the authority to request direct payment, on behalf of the utility from the Commonwealth of Virginia, of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
3. We understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the city or county.
4. The city or county and municipal utility's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
 - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
 - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the utility; and
 - c. were incurred during the period that begins on March 1, 2020, and ends on November 1, 2021.
5. Any funds that are not expended or that will not be expended on necessary expenditures incurred before November 1, 2021, by the municipal utility or its grantee(s), must be returned to Commonwealth of Virginia no later than December 1, 2021, and that the Commonwealth of Virginia is entitled to invoke State Aid Intercept to recover any such unexpended funds.
6. We understand that customer attestations of the COVID-19 economic hardship must be obtained and saved by the utility relief program before forgiving arrearages.

7. We understand that the municipal utility will not receive continued funding beyond November 1, 2021, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to November 1, 2021.
8. Funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
9. Up to five percent of funds allocated to individual localities may be used for direct administrative costs to support management of the utility relief programs.
10. Any CRF funds expended by the municipal utility or its grantee(s) in any manner that does not adhere to official federal guidance or COVID-19 Municipal Utility Relief Program guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to invoke State Aid Intercept on the city or county serving as fiscal agent to the partner municipal utility system to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.
11. As a condition of receiving the CRF funds pursuant to this certification, the city or county on behalf of the municipal utility system shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, direct administrative costs, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
12. The city or county on behalf of the municipal utility system must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.
13. Any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
14. Fund payments may not be used for government revenue replacement, including the replacement of unpaid municipal utility fees.
15. Any CRF funds received pursuant to this certification will not be used for expenditures for which the municipal utility and its subrecipients have received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

(Electronic or typed signatures are allowed if all parties are copied in the email submission)

By typing your name in the Signature field, you agree your electronic signature is the equivalent of your manual/handwritten signature on this form.

City or County Chief Administrative Officer (CAO)	Authorized Official Representing Municipal Utility Allocated Funds by SCC
Name of City or County:	Name of Municipal Utility:
Printed Name of CAO:	Printed Name of Municipal Utility Official:
Signature:	Signature:
Title:	Title:
Date:	Date:

Please provide city/county DUNS number: _____

Please provide municipal utility DUNS number: _____

Certification Addendum

(Please review all the information below and provide any updates or corrections where appropriate)

Federal Requirements for information to be included in agreement between county/city and municipal utility

§200.332 Requirements for pass-through entities.

All pass-through entities must:

(a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:

(1) Federal award identification. (Federal Coronavirus Aid, Relief and Economic Security Act (CARES ACT, Coronavirus Relief Fund))

(i) Subrecipient name (which must match the name associated with its unique entity identifier);
City of Charlottesville Utilities

(ii) Subrecipient's unique entity identifier; 74745829000

(iii) Subaward Period of Performance Start and End Date; March 1, 2020, to November 1, 2021

(iv) Subaward Budget Period Start and End Date; March 1, 2020, to November 1, 2021

(v) Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient; \$15,766.58

(vi) Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation; (**second award:** \$15,766.58; **first award:** \$182,801.59)

(vii) Total Amount of the Federal Award committed to the subrecipient by the pass-through entity; (**second award:** \$15,766.58; **first award:** \$182,801.59)

(viii) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA); (Coronavirus Relief Fund: Municipal Utility Relief Program to Assist Customers)

(ix) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;(U.S. Treasury Department / City of Charlottesville / Chris Cullinan, cullinan@charlottesville.gov, (434) 970-3300)

(x) Assistance Listings number and Title; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement; (CFDA Number and Title are 21.09, Coronavirus Relief Funds)

(xi) Identification of whether the award is R&D; and (This is not R&D award)

(xii) Indirect cost rate for the Federal award (including if the de minimis rate is charged) per §200.414. (No indirect costs can be charged by county/city or municipal utility)

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 17, 2021
Action Required:	Approve Resolution
Presenter:	Jason Vandever, City Treasurer
Staff Contacts:	Jason Vandever, City Treasurer Chris Cullinan, Director of Finance
Title:	CARES Funding Allocation- City Hall Ambassador Program

Background:

The City received approximately \$8.2 million from the Commonwealth of Virginia as part of the Coronavirus Relief Funds (C.R.F.) to local governments made available through the CARES Act. The City received these funds in two, equal tranches of \$4.1 million in June and August of 2020. The Commonwealth distributed these funds to local governments based on population. Expenses related to the City's direct response to the pandemic were eligible for CARES funding.

Discussion:

Since the emergency declaration in early 2020, most of City Hall has been closed to the public. First floor offices have been servicing customers through an appointment system to maintain social distancing and capacity limits in the lobby and customer service areas. Additionally, the Courts and the Police Department Customer Service areas are open to the public in a limited capacity.

Until April 22, 2021, Parks and Recreation Ambassadors have been assisting with building access and customer service. With the reopening of recreation centers, those employees have returned to their regular job assignments. Due to the ongoing impact of the pandemic, additional temporary staff is needed to continue the level of service being provided by City Hall offices. This staffing request would provide three temporary staff to service the front door operations, and one temporary staff to service the General District Court Entrance to City Hall.

Approximately \$7.3 million in CARES funding was anticipated to be incurred by the original deadline of December 30, 2020. The projected balance of unspent funds and accrued interest totaled approximately \$921,500. At the December 21, 2020 City Council meeting staff recommended the usage of these unspent CARES funds to reimburse the General Fund for previously incurred public safety payroll expenses in order to expend all of the CARES Funds prior to the deadline of December 30, 2020. Subsequent to the December 21, 2020 City Council meeting, the deadline was extended allowing for the usage of these funds for other purposes.

On April 27, 2021 City Council appropriated \$150,000 of these funds for the Emergency Assistance Program, leaving a balance of \$771,500. Staff is seeking an appropriation of \$46,000 to fund four temporary staff positions through the spring and summer, in addition to connecting

the Air Conditioner Unit in the Customer Service Kiosk.

Staff's review of this request finds that it is eligible to receive funds under the CARES Act and is appropriate and needed to meet customer and building security needs.

Alignment with City Council's Vision and Strategic Plan:

This proposal aligns with the following City Council Strategic Plan Goals:

- Goal 5: A Well-Managed and Responsive Organization

Community Engagement:

The positive feedback received for both the appointment system and Ambassador program has been overwhelming.

Budgetary Impact:

The CARES funds that are proposed to be reallocated are unspent, previously appropriated dollars, so no new additional funding is required to be appropriated.

Recommendation:

Approval of the resolution.

Alternatives:

Council could elect an alternative funding source or elect to not fund the initiative. If the resolution is not approved, building access would likely be restricted or eliminated for the immediate future until an alternative strategy can be found.

Attachments:

Resolution.

RESOLUTION
Coronavirus Aid, Relief, and Economic Act (CARES) Funds for
City Hall Ambassador Program
\$46,000

WHEREAS, the Charlottesville City Council allocated \$771,500 of unspent Coronavirus Aid, Relief, and Economic Act (CARES) funds to reimburse the General Fund for previously incurred public safety payroll expenses; and

WHEREAS, the Charlottesville City Council has requested those funds be used to provide funding for temporary staffing through the City Hall Ambassador Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$46,000 of the previously unspent CARES Funds be allocated in the following manner:

Transfer From:

\$46,000 Fund: 208 Internal Order: 1900386 GL Code: 599999

Transfer To:

\$46,000 Fund: 208 Internal Order: 1900385 GL Code: 599999

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



Agenda Date:	May 17, 2021
Action Requested:	Resolution
Presenter:	Brenda Kelley, Redevelopment Manager, City Manager's Office
Staff Contacts:	Chip Boyles, City Manager Brenda Kelley, Redevelopment Manager, City Manager's Office
Title:	Approval of the Fourth Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (CSRAP)

Background:

On June 19, 2017, City Council approved the creation of a supplemental rental assistance program for the City of Charlottesville. In October 2017, the City Council approved the Charlottesville Supplemental Rental Assistance Program (CSRAP) and funding for the program. The Grant Agreement between the City and the CRHA was executed in January 2018. The first voucher was issued in April 2018.

Currently, the City Council has approved total funding for this program in the amount of \$4,395,000 (\$900,000 in FY17/18; \$945,000 in FY18/19; \$750,000 in FY19/20; \$900,000 in FY20/21; and \$900,000 in FY21/22) which will continue to extend this housing assistance for our vulnerable households.

Discussion:

Charlottesville Redevelopment and Housing Authority (CRHA) continues to administer this program similar to the federal Housing Choice Voucher program. Each year CHRA staff provides City Council with an update on the status of the program. In 2020, City Council approved an amendment to the agreement to allow for administrative costs to be included from the program funding, due to concerns from the U.S. Department of Housing and Urban Development (HUD). This current revised Agreement generally includes items that update the program timeframe and funding allocation(s).

Alignment with City Council's Vision and Strategic Plan:

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

Community Engagement:

Amendment of this Grant Agreement has been reviewed by CRHA staff.

Budgetary Impact:

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

Recommendation:

Staff recommends that City Council approve the attached Resolution.

Alternatives:

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

Attachments:

- Resolution
- Strikethrough/underline version of amended Agreement
- Clean version of amended Agreement

RESOLUTION
APPROVING THE FOURTH AMENDED GRANT AGREEMENT FOR THE
CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE PROGRAM

FOR THE FISCAL YEAR BEGINNING JULY 1, 2021

WHEREAS, on June 19, 2017 the City of Charlottesville approved the creation of the city-funded Charlottesville Supplemental Rental Assistance Program (“CSRAP”), and on April 13, 2021 City Council approved an allocation of \$900,000 from Capital Improvement Program funds to be used for the CSRAP program, which will be administered by CRHA; and

WHEREAS, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority (“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2021 which has been reviewed by City Council this same date;

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

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2021, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

Approved by Council
May 17, 2021

Kyna Thomas, CMC
Clerk of Council

~~Third~~Fourth Amended GRANT AGREEMENT
Charlottesville Supplemental Rental Assistance Program
(CSRAP)

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

Approval of the program to support CRHA's administration of the CSRAP was provided by City Council on October 16, 2017.

Section 1. Time for Performance: July 1, 2021~~0~~ through June 30, 2022~~2~~.

Section 2. City Funding Amount: ~~\$750,000 (FY19/20)~~
and
\$900,000 ~~or amount of funding approved (FY210/221)~~

Section 3. Conditions of City Funding:

I. PURPOSE OF THE PROGRAM

- A. The City has authorized the transfer of ~~up to \$750,000.00 plus~~ carryforward program funding and FY210/221 funding, if any, to the Charlottesville Redevelopment and Housing Authority (CRHA) for use within the Fiscal Year ending June 30, 2022~~1~~, upon the following conditions: (i) the funding shall be used exclusively by CRHA to provide rental assistance subsidies to individuals who are part of Extremely Low-Income to Low-Income Households, defined as those households earning less than 60% of Area Median Income (Area Median Income) as determined by the US Department of Housing and Urban Development annually within the City of Charlottesville, including, but not limited to, those who are homeless, elderly and/or disabled individuals, or those enrolled in a self-sufficiency program; and (ii) the administration of this funding by CRHA shall be in accordance with the terms of this document.
- B. The City is authorized by Va. Code §36-7 to provide money to a housing authority, to enable or assist the authority to carry out its purposes.

II. FUNDING

The CSRAP shall be funded through the City's Capital Improvement Program (CIP) fund.

III. ADMINISTRATION

The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. The City and CRHA recognize that

program funding is required to cover the administrative burden associated with the program. CRHA agrees to administer the CSRAP in a manner similar to the federal Housing Choice Voucher Program (HCVP) rules and regulations, as amended, and the City of Charlottesville's Housing Policy 1, as amended (attached hereto as Appendix A). An exception to the administration of the program will be permitted to allow for single room housing that might not otherwise meet HUD rules and regulations, in limited circumstances.

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

IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

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

V. TENANT-BASED HOUSING ASSISTANCE

- A. CSRAP rental assistance subsidies shall be administered as tenant-based housing assistance in a manner similar to CRHA's HCVP rules and regulations.
- B. Notwithstanding any CRHA HCVP rule or regulation to the contrary, (see Section V.A, above), the following rules apply specifically to the CSRAP:
 - (i) Rental assistance subsidies shall not be eligible for portability as such term is defined and utilized in 24 C.F.R. §§ 982.351 and 982.353, as amended.
 - (ii) Households receiving a CSRAP voucher shall have 60 days to locate, and lease, a rental housing unit within the City of Charlottesville.
 - (iii) Should a Household be unable to locate a rental unit that it can afford (based on the 30% required contribution referenced in subparagraph (iv), following below) within the City of Charlottesville within the initial 60-day CSRAP voucher term, the CRHA may grant one 120-day extension, during which time the recipient household may continue to search for rental housing in the City of Charlottesville or within Albemarle County.
 - (iv) Households receiving a CSRAP voucher shall be required to contribute 30% of the monthly gross income of that Household toward rent each month. The Household's required rent contribution shall be determined at the time the Household is accepted into the CSRAP, and thereafter shall not be increased more than once every 24 months; regardless of whether or not the rent contribution is increased during any 24 month period, CRHA shall continue to verify and keep records as to the Household income, report income to the City, and comply with the requirements within this Grant Agreement.
 - (v) CSRAP rental assistance shall be provided monthly. The monthly housing assistance payment shall be equal to the applicable HCVP payment standard for bedroom size for the Charlottesville area, as established annually by the Virginia Housing and Development Authority, minus the tenant's portion of the rent.
 - (vi) The CRHA shall reexamine the income and family composition of each Household receiving CSRAP rental assistance, at least once every 24 months. Any Household that experiences a decrease in income may request a reexamination and adjustment of the requirement for 30% monthly income participation (see subparagraph (iv), above) at any time.

VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

- A. Subject to availability of CSRAP funds and the terms of this Grant Agreement, CSRAP rental assistance may be issued to a Household so long as the Household is in compliance

with the CSRAP Program Rules.

- B. CSRAP-assisted Households shall be entitled to the Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs as defined by 24 CFR §982.54(d)(12) and (13) as amended, as administered by the CRHA.

VII. PROGRAM FUNDING

- A. The City's Housing Program Coordinator has verified that funding in the amount of \$750900,000 is available and has been appropriated by City Council to support the CSRAP. CSRAP will continue so long as funds from the initial funding allocation of \$750900,000 plus carryforward program, if any, for support of the CSRAP remain unencumbered or additional funding has been appropriated by City Council in amounts sufficient to support continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year. CRHA will be afforded at least 30 days within which to prepare and submit such annual funding estimate. This CSRAP Agreement may be renewed for succeeding fiscal years by written agreement of the parties, subject to the availability and appropriation of public funds.
- C. The City shall retain the existing program funding reserve of \$292,500 as a program reserve fund to ensure funding is available to cover any increases in rental assistance payments due to decreases in participant household income or increases in rent. All unused reserve funds shall be carried over in to the next year's program funding total.
- D. When the unencumbered funding balance within the Initial Operational Allocation reaches an amount equal to approximately one month of maximum program rental expenses (or not to exceed \$80,000), CRHA shall request and the City shall immediately disperse, from the funds appropriated to CSRAP in the City's Capital Improvement Program an additional amount equal to approximately three months of maximum rental expenses (or not to exceed \$240,000) to CRHA to provide ongoing support for the program. In so doing, at all times during the term of the CSRAP, CRHA will maintain an unencumbered program Operational Allocation balance of no less than \$80,000 and no more than \$240,000.
- E. CRHA may retain a portion of the program funding to be used for administration of the program. Administrative costs shall be equal to 7.5% of the annual program funding allocated by the City, or direct costs of administering the program if those costs exceed 7.5%. CRHA shall request and the City shall disperse an amount equal to one-fourth of administrative costs submitted with the rental expenses identified in paragraph (D) above, or on a quarterly basis. Administrative costs shall also be included in the Quarterly Report.

F. Initial Reporting Requirements:

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

G. Ongoing Reporting Requirements.

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

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

- Date voucher issued
- Date voucher extended (if applicable)
- Date unit leased
- Name (head of household)
- Unit Address
- Total Monthly Rent
- Amount of Monthly Rental Assistance Provided
- Household Income
 - %AMI

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

OFFERED BY: City of Charlottesville

By: _____

Date: _____

ACCEPTED BY: Charlottesville Redevelopment and Housing Authority

By: _____

Date: _____

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

This grant agreement provides the terms and conditions upon which the City of

Charlottesville ("City") will provide funding to the Charlottesville Redevelopment and Housing Authority ("CRHA") for the purpose of administering the "Charlottesville Supplemental Rental Assistance Program" ("CSRAP"). The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority.

Approval of the program to support CRHA's administration of the CSRAP was provided by City Council on October 16, 2017.

Section 1. Time for Performance: July 1, 2021 through June 30, 2022.

Section 2. City Funding Amount:
\$900,000 (FY21/22)

Section 3. Conditions of City Funding:

I. PURPOSE OF THE PROGRAM

- A. The City has authorized the transfer of carryforward program funding and FY21/22 funding, if any, to the Charlottesville Redevelopment and Housing Authority (CRHA) for use within the Fiscal Year ending June 30, 2022, upon the following conditions: (i) the funding shall be used exclusively by CRHA to provide rental assistance subsidies to individuals who are part of Extremely Low-Income to Low-Income Households, defined as those households earning less than 60% of Area Median Income (Area Median Income) as determined by the US Department of Housing and Urban Development annually within the City of Charlottesville, including, but not limited to, those who are homeless, elderly and/or disabled individuals, or those enrolled in a self-sufficiency program; and (ii) the administration of this funding by CRHA shall be in accordance with the terms of this document.
- B. The City is authorized by Va. Code §36-7 to provide money to a housing authority, to enable or assist the authority to carry out its purposes.

II. FUNDING

The CSRAP shall be funded through the City's Capital Improvement Program (CIP) fund.

III. ADMINISTRATION

The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. The City and CRHA recognize that program funding is required to cover the administrative burden associated with the program.

CRHA agrees to administer the CSRAP in a manner similar to the federal Housing Choice Voucher Program (HCVP) rules and regulations, as amended, and the City of Charlottesville's Housing Policy 1, as amended (attached hereto as Appendix A). An exception to the administration of the program will be permitted to allow for single room housing that might not otherwise meet HUD rules and regulations, in limited circumstances.

For purposes of administration of the CSRAP, the term "household" shall mean and include

any one (1) or more individual(s) who comprise a single housekeeping unit.

IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

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

V. TENANT-BASED HOUSING ASSISTANCE

- A. CSRAP rental assistance subsidies shall be administered as tenant-based housing assistance in a manner similar to CRHA's HCVP rules and regulations.
- B. Notwithstanding any CRHA HCVP rule or regulation to the contrary, (see Section V.A, above), the following rules apply specifically to the CSRAP:

- (i) Rental assistance subsidies shall not be eligible for portability as such term is defined and utilized in 24 C.F.R. §§ 982.351 and 982.353, as amended.
- (ii) Households receiving a CSRAP voucher shall have 60 days to locate, and lease, a rental housing unit within the City of Charlottesville.
- (iii) Should a Household be unable to locate a rental unit that it can afford (based on the 30% required contribution referenced in subparagraph (iv), following below) within the City of Charlottesville within the initial 60-day CSRAP voucher term, the CRHA may grant one 120-day extension, during which time the recipient household may continue to search for rental housing in the City of Charlottesville or within Albemarle County.
- (iv) Households receiving a CSRAP voucher shall be required to contribute 30% of the monthly gross income of that Household toward rent each month. The Household's required rent contribution shall be determined at the time the Household is accepted into the CSRAP, and thereafter shall not be increased more than once every 24 months; regardless of whether or not the rent contribution is increased during any 24 month period, CRHA shall continue to verify and keep records as to the Household income, report income to the City, and comply with the requirements within this Grant Agreement.
- (v) CSRAP rental assistance shall be provided monthly. The monthly housing assistance payment shall be equal to the applicable HCVP payment standard for bedroom size for the Charlottesville area, as established annually by the Virginia Housing and Development Authority, minus the tenant's portion of the rent.
- (vi) The CRHA shall reexamine the income and family composition of each Household receiving CSRAP rental assistance, at least once every 24 months. Any Household that experiences a decrease in income may request a reexamination and adjustment of the requirement for 30% monthly income participation (see subparagraph (iv), above) at any time.

VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

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

VII. PROGRAM FUNDING

- A. The City's Housing Program Coordinator has verified that funding in the amount of \$900,000 is available and has been appropriated by City Council to support the CSRAP. CSRAP will continue so long as funds from the initial funding allocation of \$900,000 plus carryforward program, if any, for support of the CSRAP remain unencumbered or additional funding has been appropriated by City Council in amounts sufficient to support continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year. CRHA will be afforded at least 30 days within which to prepare and submit such annual funding estimate. This CSRAP Agreement may be renewed for succeeding fiscal years by written agreement of the parties, subject to the availability and appropriation of public funds.
- C. The City shall retain the existing program funding reserve of \$292,500 as a program reserve fund to ensure funding is available to cover any increases in rental assistance payments due to decreases in participant household income or increases in rent. All unused reserve funds shall be carried over in to the next year's program funding total.
- D. When the unencumbered funding balance within the Initial Operational Allocation reaches an amount equal to approximately one month of maximum program rental expenses (or not to exceed \$80,000), CRHA shall request and the City shall immediately disperse, from the funds appropriated to CSRAP in the City's Capital Improvement Program an additional amount equal to approximately three months of maximum rental expenses (or not to exceed \$240,000) to CRHA to provide ongoing support for the program. In so doing, at all times during the term of the CSRAP, CRHA will maintain an unencumbered program Operational Allocation balance of no less than \$80,000 and no more than \$240,000.
- E. CRHA may retain a portion of the program funding to be used for administration of the program. Administrative costs shall be equal to 7.5% of the annual program funding allocated by the City, or direct costs of administering the program if those costs exceed 7.5%. CRHA shall request and the City shall disperse an amount equal to one-fourth of administrative costs submitted with the rental expenses identified in paragraph (D) above, or on a quarterly basis. Administrative costs shall also be included in the Quarterly Report.
- F. Initial Reporting Requirements:
 - (i) Upon determining that a Household is eligible to participate in the CSRA Program, CRHA shall make available to the City's Housing Program Coordinator the following:
 - (a) A copy of the Household's rental assistance subsidy agreement, lease

approval form, rent portions notice, rental unit information (including address and monthly rent), unit inspection report, and Household information (including income, size, composition), and

- (b) A copy of an invoice or other statement of rent from the Household's landlord, identifying the monthly rental amount for that Household, at time of initial lease-up.

G. Ongoing Reporting Requirements.

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

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

- Date voucher issued
- Date voucher extended (if applicable)
- Date unit leased
- Name (head of household)
- Unit Address
- Total Monthly Rent
- Amount of Monthly Rental Assistance Provided
- Household Income
 - %AMI
- Employment Status
- Number of Wage Earners
- Household Composition
 - Number of Adults
 - Number of Children
 - Number of Children Under 5-years
 - Number of Elderly (65 years+)
 - Number of Disabled

- Race/Ethnicity
 - Compliance with admissions preference priorities as defined in Section IV.B.
 - Administrative costs
- (iv) Following the Initial Operational Allocation, no funds will be released to CRHA, unless and until all required reporting pursuant to Section (E), Section (F) and Section (G) have been properly completed and submitted to the Housing Program Coordinator.
- (v) The Housing Program Coordinator shall have 14 days from the date of report submittal to review and certify to CRHA that the reports provided meet the CSRAP reporting standards defined in Section (E), Section (F), & Section (G) above. After 14 days following report submittal (unless otherwise notified), CRHA and the Housing Program Coordinator will consider all reports submitted to be complete, proper and certified.
- (vi) All reports shall be submitted to the City of Charlottesville’s Housing Program Coordinator.

OFFERED BY: City of Charlottesville

By: _____

Date: _____

ACCEPTED BY: Charlottesville Redevelopment and Housing Authority

By: _____

Date: _____

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



Agenda Date:	May 17, 2021
Action Required:	Approval of Homeowner Tax Relief Grant Program
Presenter:	Todd D. Divers, Commissioner of the Revenue
Staff Contacts:	Todd D. Divers, Commissioner of the Revenue
Title:	Homeowner Tax Relief Grant – 2021

Background:

Attached is an ordinance for Council’s consideration for the Homeowner Tax Relief grant program for low-and moderate-income homeowners for Calendar Year 2021. The program allows the owners of eligible homeowner-occupied properties grant amounts applied to real estate taxes due on the property for the second half of calendar year 2021.

Discussion:

Enabling language for the CHAP Program is found in Sec. 50.7 of the City’s Charter, which requires that in determining who are “low and moderate income persons” the City must apply the income guidelines issued by the VHDA for use in its single-family mortgage loan program. Those guidelines also contain limitations on the value of the home in question. Current VHDA guidelines stipulate a maximum income threshold of \$90,000 and a maximum home value of \$375,000. The grant and income parameters for the 2021 CHAP Program are as follows:

2021 CHAP				
Applicant Income	\$0 - \$25,000	\$25,001 - \$35,000	\$35,001 - \$45,000	\$45,001 - \$55,000
Grant Amount	Full Relief	\$1000	\$750	\$500

Any remaining grant amount in excess of what is owed on the taxpayer’s second half bill, but not to exceed the entire annual tax due, shall be remitted to the taxpayer.

Maximum value for a qualifying home is \$375,000.

Alignment with City Council’s Vision and Priority Areas:

This aligns with the City Council’s Vision “...to be flexible and progressive in anticipating and responding to the needs of our citizens.”

Budgetary Impact:

Cost of this program is funded with the annual budget appropriation for Fiscal Year 2022 once approved by Council.

Recommendation:

Approve proposed ordinance

AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE

WHEREAS, effective July 1, 2006, §50.7 of the Charter of the City of Charlottesville authorizes City Council to make grants and loans of funds to low- or moderate-income persons to aid in the purchase of a dwelling within the City; and

WHEREAS, this City Council desires to offer a monetary grant for Fiscal Year 2021-2022, to aid low- and moderate-income citizens with one of the ongoing expenses associated with the purchase of a dwelling, i.e. real estate taxes; and

WHEREAS, public funding is available for the proposed grant;

NOW, THEREFORE, be it ordained by the Council of the City of Charlottesville, Virginia, effective July 1, 2021 and for calendar year 2021:

Grant—provided.

(a) There is hereby provided to any natural person, at such person's election, a grant in aid of payment of the taxes owed for the taxable year on real property in the city which is owned, in whole or in part, and is occupied by such person as their sole dwelling. The grant provided within this section shall be subject to the restrictions, limitations and conditions prescribed herein following.

(b) If, after audit and investigation, the Commissioner of Revenue determines that an applicant is eligible for a grant, the Commissioner of Revenue shall so certify to the City Treasurer, who shall implement the grant as a prepayment on the applicant's real estate tax bill due on December 6, 2021.

(c) The amount of each grant made pursuant to this ordinance shall be equal to the total 2021 real estate taxes owed by taxpayers with a household income less than or equal to \$25,000; \$1,000 for taxpayers with a household income of \$25,001-\$35,000; \$750 for taxpayers with a household income of \$35,001-\$45,000; and \$500 for taxpayers with a household income from \$45,001-\$55,000, to be applied against the amount of the real estate tax bill due on December 6, 2021. Any remaining grant amount in excess of what is owed on the taxpayer's second half bill, but not to exceed the entire annual tax due, shall be remitted to the taxpayer.

Definitions.

The following words and phrases shall, for the purposes of this division, have the following respective meanings, except where the context clearly indicates a different meaning:

(1) *Applicant* means any natural person who applies for a grant authorized by this ordinance.

(2) *Dwelling* means a residential building, or portion such building, which is owned, at least in part, by an applicant, which is the sole residence of the applicant and which is a part of the real estate for which a grant is sought pursuant to this ordinance.

(3)*Grant* means a monetary grant in aid of payment of taxes owed for the taxable year, as provided by this ordinance.

(4)*Spouse* means the husband or wife of any applicant who resides in the applicant's dwelling.

(5)*Real estate* means a city tax map parcel containing a dwelling that is the subject of a grant application made pursuant to this ordinance.

(6)*Taxes owed for the current tax year* refers to the amount of real estate taxes levied on the dwelling for the taxable year.

(7)*Taxable year* means the calendar year beginning January 1, 2021.

(8)*Household income* means (i) the adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, or (ii) for applicants for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant, of the applicant's spouse, and of any other person who is an owner of and resides in the applicant's dwelling. The Commissioner of Revenue shall establish the household income of persons for whom no federal tax return is required through documentation satisfactory for audit purposes.

Eligibility and restrictions, generally.

A grant awarded pursuant to this ordinance shall be subject to the following restrictions and conditions:

(1)The household income of the applicant shall not exceed \$55,000.

(2)The assessed value of the real estate owned by the applicant shall not exceed \$375,000.

(3)The applicant shall own an interest in the real estate that is the subject of the application (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset) and the applicant shall not own an interest in any other real estate (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset).

(4)As of January 1 of the taxable year and on the date a grant application is submitted, the applicant must occupy the real estate for which the grant is sought as his or her sole residence and must intend to occupy the real estate throughout the remainder of the taxable year. An applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration.

(5)An applicant for a grant provided under this ordinance shall not participate in the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the Charlottesville City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) for the taxable year, and no grant shall be applied to real estate taxes on property subject to such program.

(6)An applicant for a grant provided under this division who is delinquent on any portion of the real estate taxes due on a property to which the grant is to be applied, must be in good standing on a payment plan with the Treasurer's office with the aim of paying off said delinquency.

(7) Only one grant shall be made per household.

Procedure for application.

(a) Between July 1 and September 1 of the taxable year, an applicant for a grant under this ordinance shall file with the Commissioner of Revenue, in such manner as the Commissioner shall prescribe and on forms to be supplied by the city, the following information:

(1) the name of the applicant, the name of the applicant's spouse, and the name of any other person who is an owner of and resides in the dwelling.

(2) the address of the real estate for which the grant is sought;

(3) the household income;

(4) such additional information as the Commissioner of Revenue reasonably determines to be necessary to determine eligibility for a grant pursuant to this ordinance.

(b) Changes in household income, ownership of property or other eligibility factors occurring after September 1, but before the end of the taxable year, shall not affect a grant once certified by the Commissioner of the Revenue, in which case such certified grant shall be applied to the subject real estate.

(c) Any person who willfully makes any false statement in applying for a grant under this division shall be guilty of a Class 3 misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$500 for each offense.

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



Agenda Date:	May 17, 2021
Action Required:	Approval of Appropriation (1 st of 2 Readings)
Presenter:	Jeanette Janiczek, UCI Program Manager
Staff Contacts:	David Brown, Public Works Director Tony Edwards, Public Works Development Services Manager Jack Dawson, City Engineer Jeanette Janiczek, UCI Program Manager
Title:	Belmont Bridge Replacement Project – Appropriation of \$4,280,739

Background: On May 16, 2005, the City entered into an agreement with the Virginia Department of Transportation (VDOT) 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. The Belmont Bridge Replacement project is one such project being administered under this program.

A public participation plan was developed to create a conceptual plan for the project and included a Steering Committee, Open House, Mobility Summit, Design Charette, several surveys and small stakeholder group meetings. Based on this culminated plan, a Design Public Hearing was held on May 24, 2018 and the Design Concept accepted by City Council on July 16, 2018. The Board of Architectural Review granted a Certificate of Appropriateness on August 20, 2019. VDOT and the Federal Highway Administration (FHWA) reviewed the plans, and an Authorization to Advertise the Invitation of Bid (IFB) was issued on January 15, 2021.

A non-mandatory Pre-Bid Meeting was held on February 2, 2021. A Bid Opening was held on March 16, 2021 and six (6) bids were received. A preliminary evaluation by staff and its consultant has been performed to determine a responsive, apparent low bid and to identify any errors prior to submittal to the VDOT. Based on this preliminary evaluation, all submitted bids were over the Engineer’s estimate. It has been determined that the higher bid results are reflective of the increases in material costs, labor costs, and the abundance of work with limited availability of contractors. An official bid tabulation has not been released as the evaluation process is still underway and options are being assessed; therefor, the results have not been released at this time.

In review of the overall project budget, there are enough remaining funds to cover a construction contract. However, additional funds are needed to cover project expenditures such as construction engineering inspection services, as well as to maintain an appropriate contingency fund. It is estimated that an additional \$4,280,739 will be needed to complete the project at a total cost of \$35,380,782.

Discussion: Based on current project funding level, the City has two options:

- 1) Increase the project budget
- 2) Reject all bids, rescope the project in removing items and/or conditions of the IFB, and re-bid the project

Option 1

As noted above, it is estimated that an additional \$4,280,739 in funding will be needed to complete the project. Though the current budget is sufficient to cover the construction costs, the additional funds are needed to cover other project related expenditures such as construction engineering inspection services and to fund the project contingency at an appropriate level.

The City has been working with the VDOT to identify additional, available funding to address following the March 16th bid opening. The VDOT has identified \$4,280,739 in state funds from the State of Good Repair (SGR) Local Bridge funding to address the additional funding needs to construct the bridge project. This will permit the project to move forward without incurring delay or rescoping and redesign of the project. No additional local funding will be needed.

Option 2

As part of the preliminary bid evaluation and analysis, the following items were identified as part of the contributing to the reason for the project cost increase: MSE Wall, Lighting (poles + luminaries), Precast Girders, Steel Girders, Bridge Demolition and Temporary Shoring. These items either cannot be removed or their elimination/reduction would directly impact the concept plan accepted by the City, as well as would not resolve the bid overages.

In a preliminary assessment of the rescoping the project, various details and operational changes were considered, such as removing the “knuckle”, eliminating the pedestrian plaza, removing the new pedestrian underpass, allowing complete closure of the bridge during construction. These could potentially reduce the overall project construction cost. However, rescoping and re-bidding the project would require additional public participation to communicate these changes. This would also require more coordination with the VDOT & the FHWA to obtain re-design approval.

Rescoping of the project will require redesign, which will result in additional costs to the project. Re-bidding would most likely result in higher bids due to the delay for redesign and obtaining re-authorization, as well as it is anticipated the factors associated with the current bids results will continue to escalate. For these reasons, staff is not recommending re-advertising the current or a revised IFB.

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 process 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 the Design Concept accepted by City Council on July 16, 2018. The Board of Architectural Review granted a Certificate of Appropriateness on August 20, 2019. Prior to commencement of construction, 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: On August 17, 2020, Council approved an appropriation in the amount of \$15,263,257.14, which represented the balance of State and Federal Funding that had been awarded by VDOT but not yet appropriated. Additionally, a total of \$7,500,000 in local dollars was committed and appropriated for the project in the FY 21 (\$5M) and FY 22 (\$2.5M) CIP budgets. Currently, the total Belmont Bridge project funding allocation is \$31,100,043 using a combination of federal, state, and local funds. With the additional award of State funds from the SGR Local Bridge funding program, the total funding allocation for the project is now \$35,380,782, and the appropriation will be amended as follows:

	<u>Federal</u>	<u>State (*)</u>	<u>Local</u>	<u>TOTAL</u>
Funding Allocations (as of August 2020)	\$3,181,234	\$14,870,194	\$13,048,615	\$31,100,043
Funding Allocations (revised May 2021)	<u>\$3,181,234</u>	<u>\$19,150,933</u>	<u>\$13,048,615</u>	<u>\$35,380,782</u>
		\$ 4,280,739		

(*) This amount is increased by the funds to be received through SGR Local Bridge funding.

The increase in state allocation will be reimbursed once expended.

Recommendation: Staff recommends approval of the appropriation.

Alternatives: City Council could reject the bids and direct staff to rescope the project.

Attachments: Belmont Bridge Council Memo and Appropriation from August 17, 2020;

Appendix A

APPROPRIATION
Belmont Bridge Replacement Project
\$4,280,739

WHEREAS, a total of \$4,280,739 in state funds for the Belmont Bridge Replacement Project requires appropriation; and

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

Revenues

\$4,280,739	Fund: 426	WBS: P-00436	G/L Account: 430080
-------------	-----------	--------------	---------------------

Expenditures

\$4,280,739	Fund: 426	WBS: P-00436	G/L Account: 599999
-------------	-----------	--------------	---------------------

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, Virginia that \$4,280,739 noted above is conditioned upon the receipt of a fully executed Appendix A and receipt of the funds from the Virginia Department of Transportation (VDOT).

**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

Appendix A

Date: 4/26/2021

Project Number: 0020-104-101 UPC: 75878 CFDA # 20.205 Locality: City of Charlottesville

Project Location ZIP+4: 22902-5303	Locality DUNS # 074745829	Locality Address (incl ZIP+4): 610 East Market Street Charlottesville, VA 22902-5303
------------------------------------	---------------------------	--

Project Narrative

Work Description:	#SGR - RTE 20 - Bridge Replacement - Belmont Bridge		
From:	Garrett Street/Levy Ave. (0.173 mi south of Water Street)		
To:	East Market Street (0.095 mi. north of Water Street)		
Locality Project Manager Contact Info:	Jeanette Janiczek	janiczek@charlottesville.org	434-970-3309
Department Project Coordinator Contact Info:	Michael Barnes	michaeld.barnes@vdot.virginia.gov	434-270-2233

Project Estimates

	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$3,111,747	\$1,076,425	\$30,464,695	\$34,652,867
Estimated VDOT Project Expenses	\$99,000	\$5,000	\$623,915	\$727,915
Estimated Total Project Costs	\$3,210,747	\$1,081,425	\$31,088,610	\$35,380,782

Project Cost and Reimbursement

Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$3,158,240	Urban	20%	\$631,648	\$2,526,592	\$2,427,592
	\$52,507	Local Funds	100%	\$52,507	\$0	
				\$0	\$0	
Total PE	\$3,210,747			\$684,155	\$2,526,592	
Right of Way & Utilities	\$818,194	Urban	20%	\$163,639	\$654,555	\$912,786
	\$263,231	MAP21 w/ Soft Match	0%	\$0	\$263,231	
				\$0	\$0	
Total RW	\$1,081,425			\$163,639	\$917,786	
Construction	\$2,507,713	MAP21 w/ Softmatch	0%	\$0	\$2,507,713	\$18,263,874
	\$4,500,000	Bond	0%	\$0	\$4,500,000	
	\$438,433	CTB Formula State	0%	\$0	\$438,433	
	\$5,280,739	SGR	0%	\$0	\$5,280,739	
	\$12,321,808	Revenue Sharing Quarterly Payments remaining after match	50%	\$6,160,904	\$6,160,904	
	\$86,537	Local Funds	100%	\$86,537	\$0	
Total CN	\$31,088,610			\$12,200,821	\$18,887,789	
Total Estimated Cost	\$35,380,782			\$13,048,615	\$22,332,167	\$21,604,252

Total Maximum Reimbursement by VDOT to Locality (Less Local Share)	\$22,332,167
Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)	\$21,604,252


Project Financing

Federal 80%	Quarterly Payments	MAP 21 STP	MAP 21 Soft Match	Revenue Sharing State	Revenue Sharing Local	State CTB Formula	Bond	SGR State	SGR Federal	Local Funds	Aggregate Allocations
\$3,181,147	\$881,824	\$2,216,755	\$554,189	\$6,160,904	\$6,160,904	\$438,433	\$4,500,000	\$5,280,652	\$87	\$6,005,887	\$35,380,782

Program and Project Specific Funding Requirements

- This Project shall be administered in accordance with VDOT's Locally Administered Projects Manual and Revenue Sharing Program Guidelines.
- The Project will be constructed and maintained in accordance with VDOT's Urban Manual and Urban Construction Initiative Administration Guide.
- In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality completed project scoping on May 29, 2018.
- This is a limited funds project. The LOCALITY shall be responsible for any additional funding in excess of \$22,332,167
- Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.
- All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation.
- This Project has Revenue Sharing Program allocations. Per §33.2-357 the Project must progress in order to prevent these funds from being de-allocated.
- The LOCALITY will continue to operate and maintain the facility as constructed. Should the design features of the Project be altered by the LOCALITY subsequent to Project completion without approval of the DEPARTMENT, the LOCALITY inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the DEPARTMENT.
- Revenue Sharing Program funds, as indicated in the Project Financing section, were approved in the following fiscal years:
 - FY10 - \$400,000 (\$200,000 locality match and \$200,000 VDOT match)
 - FY11 - \$921,808 (\$460,904 locality match and \$460,904 VDOT match)
 - FY12 - \$1,000,000 (\$500,000 locality match and \$500,000 VDOT match)
 - FY13 - \$1,000,000 (\$500,000 locality match and \$500,000 VDOT match)
 - FY18 - \$9,000,000 (\$4,500,000 locality match and \$4,500,000 VDOT match)
- This Appendix A supersedes all previous versions signed by VDOT and the LOCALITY.

This attachment is certified and made an official attachment to this document by the parties to this agreement.

 _____ Authorized Locality Official	4/30/21 _____ Date	_____ Authorized VDOT Official	_____ Date
Charles P. Boyles II Typed or printed name of person signing	Revised: February 1, 2019	Gregory E. Banks Typed or printed name of person signing	

Appendix A
 Project Number: 0020-104-101 UPC: 75878 CFDA # 20 205 Locality: City of Charlottesville
 Date: 8/5/2020

Project Location ZIP+4: 22002-5303 Locality DUNS # 074745829
 Locality Address (incl ZIP+4):
 610 East Market Street
 Charlottesville VA 22002-5303

Project Narrative
 Work Description: #SGR - RTE 20 - Bridge Replacement - Belmont Bridge
 From: Garrett Street/Larry Ave (0.173 mi south of Water Street)
 To: East Market Street (0.095 mi. north of Water Street)
 Locality Project Manager Contact Info: Jeanelle Janiczek janiczek@charlottesville.org 434-070-3309
 Department Project Coordinator Contact Info: Michael Barnes michael.barnes@vdot.virginia.gov 434-270-2233

Project Estimates				
	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$3,537,937	\$1,051,425	\$25,625,768	\$30,215,130
Estimated VDOT Project Expenses	\$51,000	\$18,000	\$523,915	\$592,915
Estimated Total Project Costs	\$3,588,937	\$1,069,425	\$26,149,683	\$31,100,043

Project Cost and Reimbursement						
Phase	Estimated Project Costs	Funds type (Choose from dropdown)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max Reimbursement - Est VDOT Expenses)
Preliminary Engineering	\$3,159,240	Urban	25%	\$611,048	\$2,628,592	
	\$430,697	Local Funds	100%	\$430,697	\$0	
Total PE	\$3,588,937			\$1,062,345	\$2,628,592	\$2,475,592
Right of Way & Utilities	\$818,184	Urban	20%	\$163,639	\$654,555	
	\$203,231	MAP21 w/ Match	0%	\$0	\$203,231	
Total RW	\$1,031,425			\$163,639	\$917,786	\$592,760
Construction	\$2,507,713	MAP21 w/ Match	0%	\$0	\$2,507,713	
	\$4,600,000	Bond	0%	\$0	\$4,600,000	
	\$439,433	CTB Formula State	0%	\$0	\$439,433	
	\$1,000,000	SGR	0%	\$0	\$1,000,000	
	\$12,321,600	Revenue Sharing	50%	\$6,160,800	\$6,160,800	
	\$56,537	Quarterly Payments remaining after match	100%	\$56,537	\$0	
	\$5,575,160	Local Funds	100%	\$5,575,160	\$0	
Total CN	\$26,429,681			\$11,822,631	\$14,607,050	\$13,933,155
Total Estimated Cost	\$31,100,043			\$13,048,815	\$18,051,428	\$17,358,513

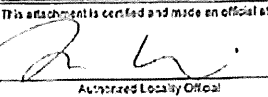

Total Maximum Reimbursement by VDOT to Locality (Less Local Share) **\$18,051,428**
 Estimated Total Reimbursement by VDOT to Locality (VDOT Expenses are reimbursable through UPC 77838) **\$18,051,428**

Project Financing											
Federal 60%	Quarterly Payments	MAP 21 STP	MAP 21 Soft Match	Revenue Sharing State	Revenue Sharing Local	State CTB Formula	Bond	SGR State	SGR Federal	Local Funds	Aggregate Allocations
\$3,181,147	\$881,824	\$2,210,755	\$554,169	\$6,160,904	\$6,160,904	\$439,433	\$4,500,000	\$999,913	\$87	\$6,005,887	\$31,100,043

Program and Project Specific Funding Requirements

- This Project shall be administered in accordance with VDOT's Locality Administrative Projects Manual and Revenue Sharing Program Guidelines
- The Project will be constructed and maintained in accordance with VDOT's Urban Manual and Urban Construction Intensive Administration Guide
- In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality completed project scoping on May 29, 2018.
- This is a limited funds project. The LOCALITY shall be responsible for any additional funding in excess of \$18,051,428
- Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.
- All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation.
- This Project has Revenue Sharing Program allocations. Per §33.2-357 the Project must progress in order to prevent these funds from being de-allocated.
- The LOCALITY will continue to operate and maintain the facility as constructed. Should the design features of the Project be altered by the LOCALITY subsequent to Project completion with approval of the DEPARTMENT, the LOCALITY inherently agrees, by execution of this agreement, to make restitution, either physically or monetary, as required by the DEPARTMENT.
- Revenue Sharing Program Funds, as indicated in the Project Financing section, were approved in the following fiscal years:
 - FY10 - \$400,000 (\$200,000 locality match and \$200,000 VDOT match)
 - FY11 - \$921,628 (\$460,804 locality match and \$460,804 VDOT match)
 - FY12 - \$1,000,000 (\$500,000 locality match and \$500,000 VDOT match)
 - FY13 - \$1,000,000 (\$500,000 locality match and \$500,000 VDOT match)
 - FY16 - \$3,000,000 (\$1,500,000 locality match and \$1,500,000 VDOT match)
- This standard agreement replaces the Programmatic Project Administration Agreement that this project was previously under and supersedes all previous versions signed by the Locality and VDOT.

This attachment is certified and made an official attachment to this document by the parties to this agreement

Dr. Tarron J. Richardson Date: 8/5/20 Date: 8/13/2020
 Authorized Locality Official Date Date
 Gregory E. Banks
 Authorized VDOT Official Date
 Typed or printed name of person signing Revised February 1, 2019 Typed or printed name of person signing