



## CITY COUNCIL AGENDA November 15, 2021

### Members

Nikayah 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 PM Regular Meeting**

Register at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom). Virtual/electronic meeting in accordance with a local ordinance amended and re-enacted October 4, 2021, to ensure continuity of government and prevent the spread of disease during a declared State of Emergency. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto: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**

### **CONSENT AGENDA\***

1. Minutes: September 20 closed and regular meetings, September 28 work session, October 4 closed and regular meetings, October 12 special meeting, October 22 special meeting, October 26 joint meeting with PCRB
2. Resolution: Appropriating funds for the Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$50,000 (2nd reading)
3. Resolution: Appropriating funds for Safe Routes to School Program (SRTS) Non-Infrastructure Grants - \$39,000 (2nd reading)
4. Resolution: Transferring Capital Funds from completed Fuel Station Project, completed Fleet Shop Improvements Project and incomplete Avon Salt Barn Project to Avon Fuel Station Project - \$523,048.95 (1 reading)
5. Ordinance: Closing, vacating and discontinuing a portion (0.038 acre) of the public street right-of-way for Seminole Court (2nd reading)
6. Resolution: Appropriating Department of Conservation and Recreation Recreational Trail Grant funds for Construction of Meadow Creek Bridges - \$222,511.21 (1st of 2 readings)
7. Resolution: Appropriating reimbursement received in connection with the Charlottesville Circuit Court renovation and addition project - \$6,643.00 (1st of 2 readings)
8. Resolution: Appropriating funds for Edward Byrne Memorial Justice Assistance Grant - \$23,284 (1st of 2 readings)
9. Resolution: Appropriating contribution from Charlottesville City Schools to the School Small Cap funded program for School Security Projects - \$250,000 (1st of 2 readings)

- 10. Resolution: Appropriating funds for Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (1st of 2 readings)
- 11. Resolution: Approving conveyance of a 2003 Pierce Quantum fire engine to the Charlottesville-Winneba Foundation (1st of 2 readings)
- 12. Resolution: Appropriating American Rescue Plan (ARP) Funds from the Commonwealth for Utility Bill Assistance - \$359,879.30 (1st of 2 readings)
- 13. Resolution: Appropriating BAMA Works funds for Skate Park lighting - \$100,000 (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 first 8 spaces; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Public comment will be conducted through electronic participation while City Hall is closed to the public. Participants can register in advance at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom).

**ACTION ITEMS**

- 14. Public Hearing/Res.: Amending the Comprehensive Plan for the City of Charlottesville (including the Future Land Use Map) (1 reading)
- 15. Ordinance: Amending and reordaining Charlottesville City Code Chapter 14 (Licenses), Section 14-24 (Tax Incentives for Technology Businesses) to extend the eligibility period for five years to December 31, 2026 (1st of 2 readings)
- 16. Resolution\*: Approving the request to waive the Critical Slope requirements of City Code Section 34-1120(b) for the development project identified as "Lyman Street Residences" (1 reading)
- 17. Ordinance: Amending the Charlottesville Albemarle Convention and Visitors Bureau Agreement (1st of 2 readings)

**GENERAL BUSINESS**

- 18. Report: Community Attention Youth Internship Program (CAYIP) Summer 2021 update
- 19. Report: Land Use and Environmental Planning Committee (LUEPC) 2021 Semiannual Report (written only)

**OTHER BUSINESS**

**MATTERS BY THE PUBLIC**

\*Action Needed

**CHARLOTTESVILLE CITY COUNCIL MEETING**  
**September 20, 2021**  
**Virtual/electronic meeting via Zoom**

**5:30 PM CLOSED MEETING**

The Charlottesville City Council met in an electronic meeting on Monday, September 20, 2021, 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.

Concluding a 4:00 p.m. work session where all councilors were present, the closed meeting began at 6:02 p.m.:

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 the purpose of discussion of the appointment of individuals to fill vacancies that exist on sixteen (16) city boards or commissions.

On motion by Councilor Hill, seconded by Councilor Snook, 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 6:31 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**6:30 PM REGULAR MEETING**

The Charlottesville City Council met in an electronic meeting on Monday, September 20, 2021, 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 pandemic.

Mayor Walker called the meeting to order at 6:32 p.m. and City Council observed a moment of silence. 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.

## **AGENDA APPROVAL**

Vice Mayor Magill moved to approve the agenda, seconded by Councilor Snook.

Mayor Walker proposed the following amendments:

- 1) add the discussion of the firing of the police chief. Without a second, the amendment died;
- 2) add discussion about the hiring of a new police chief, seconded by Councilor Payne and supported 5-0 by Council; and
- 3) add discussion of the Police Civilian Review Board Chair. Without a second, the amendment died.

On motion by Vice Mayor Magill, seconded by Councilor Snook, Council by the following vote approved the meeting agenda as amended: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

## **ANNOUNCEMENTS**

Ryan McKay with Virginia Department of Health - Blue Ridge Health District, provided an update on COVID-19 cases and the Delta variant, with a call to action for people to get vaccinated and wear masks.

Vice Mayor Magill announced Hispanic and LatinX Heritage Month, September 15 through October 15.

Mayor Walker announced that today was the 4<sup>th</sup> annual CYM (Close Your Mouth) Day by Mr. Alex-Zan. She also announced an event on September 30 at the Ting Pavilion - The Legacy of Black Wall Street by Deborah Draper.

## **BOARD/COMMISSION APPOINTMENTS**

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPOINTED the following individuals to boards and commissions: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: none).

- Albemarle-Charlottesville Regional Jail Authority – Lisa Draine
- Charlottesville-Albemarle Airport Commission – Brian Johnson and Matthew Murray
- Community Development Block Grant Task Force – Conner Brew
- JAUNT Board of Directors – Erik Larson
- Monticello Area Community Action Agency Board – Sarah Shalf
- Region Ten Community Services Board – Jacqueline Webber
- Youth Council – Zanayah Bryant and Chistopher Proncino

**CONSENT AGENDA\***

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

- 1. MINUTES: August 16 closed and regular meetings
- 2. ORDINANCE: Amending and re-enacting Charlottesville City Code Chapter 19 Section 19-59 to change the length and number of terms for members of the City's Retirement Commission (2nd reading)

**AN ORDINANCE TO AMEND AND RE-ENACT THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, CHAPTER 19 (PERSONNEL), ARTICLE III (RETIREMENT PLAN COMMISSION), SECTION 19-59 (APPOINTMENT AND TERMS; FILLING OF VACANCIES), TO CHANGE THE LENGTH AND NUMBER OF TERMS FOR MEMBERS OF THE CITY'S RETIREMENT COMMISSION**

- 3. RESOLUTION: Appropriating Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) Grant funds to the Thomas Jefferson Area Coalition for the Homeless (TJACH) - \$288,172 (2nd reading)

**RESOLUTION TO APPROPRIATE FUNDS for  
H.O.P.W.A. Grant \$288,172**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$288,172;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$288,172 is hereby appropriated in the following manner:

**Revenues**

\$288,172      Fund: 209    IO: 1900372 (H.O.P.W.A.)      G/L: 430120 Federal Pass-Thru State

**Expenditures**

\$288,172      Fund: 209    IO: 1900372 (H.O.P.W.A.)      G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of the Virginia Department of Housing and Community Development.

4. RESOLUTION: Appropriating funds from the Thomas Jefferson Area Coalition for the Homeless (TJACH) to the Department of Human Services - \$10,000 (2nd reading)

**RESOLUTION TO APPROPRIATE FUND FOR  
Expansion of Pathways Community Resource Navigation - TJACH Grant  
\$10,000**

**WHEREAS**, the Human Services Department of the City of Charlottesville has been awarded \$10,000 from the Thomas Jefferson Area Coalition for the Homeless; and

**WHEREAS**, the grant award covers the period from August 16, 2021 through August 15, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$10,000 is hereby appropriated in the following manner:

**Revenue – \$10,000**

\$10,000      Fund: 213      Cost Center: 3411001000      G/L Account: 451020

**Expenditures - \$10,000**

\$10,000      Fund: 213      Cost Center: 3411001000      G/L Account: 510010

5. RESOLUTION: Appropriating funds for the Virginia Behavioral Health Docket Grant - \$49,000 (2nd reading)

**RESOLUTION TO APPROPRIATE FUNDS FOR THE  
Charlottesville - Albemarle Therapeutic Docket Grant Award  
\$49,000**

**WHEREAS**, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$49,000 for the Charlottesville - Albemarle Therapeutic Docket in order to fund salaries, benefits, and operating expenses; and

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

**WHEREAS**, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$109,450; and

**WHEREAS**, the grant award covers the period September 1, 2021 through June 30, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$49,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$49,000      Fund: Internal Order: #1900428      G/L Account: 430110 (State Grant)

**Expenditures**

\$49,000      Fund: Internal Order: #1900428      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$49,000 from the Supreme Court of Virginia.

6. RESOLUTION: Appropriating funds for the Charlottesville-Albemarle Adult Drug Treatment Court Grant Award - \$240,000 (2nd reading)

**RESOLUTION TO APPROPRIATE FUNDS FOR  
Charlottesville/Albemarle Adult Drug Treatment Court Grant Award  
\$240,000**

**WHEREAS**, the Supreme Court of Virginia awarded the Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$240,000 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

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

**WHEREAS**, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$124,725; and

**WHEREAS**, the grant award covers the period July 1, 2021 through June 30, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$240,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$240,000 Fund: 209 Internal Order: 1900431 G/L Account: 430120

**Expenditures**

\$240,000 Fund: 209 Internal Order: 1900431 G/L Account: 530550

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$240,000 from the Supreme Court of Virginia.

7. RESOLUTION: Appropriating Bama Works Grant funds for the recruitment and retention of Black, Indigenous and People of Color (BIPOC) Foster Families - \$5,000 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS for  
Changing the Narrative Black Male Achievement Bama Works Fund Grant  
\$5,000**

**WHEREAS**, the Human Services Department of the City of Charlottesville has been awarded \$5,000 from the Bama Works Fund; and

**WHEREAS**, the grant award covers the period from July 1, 2021 through June 30, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$5,000 is hereby appropriated in the following manner:

**Revenue – \$5,000**

\$5,000 Fund: 213 Cost Center: 3413002000 G/L Account: 451022

**Expenditures –\$5,000**

\$5,000 Fund: 213 Cost Center: 3413002000 G/L Account: 599999

8. RESOLUTION: Appropriating VDOT funds for VDOT Highway Safety Improvement (HSIP) Grant for Washington Park to Madison Avenue Trail - \$88,350 (carried)
9. RESOLUTION: Appropriating funds for Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (TANF) Grants - \$257,479.76 (carried)
10. ORDINANCE: Amending and reenacting the Transient Occupancy Tax of the Code of the City of Charlottesville (1990), to conform the City’s process for collection and reporting of



Transient Occupancy Tax with Changes in State Enabling Legislation (carried)

11. ORDINANCE: Amending and reenacting the Meals Tax to Clarify that Meals Tax Reports are Due from the Sellers to the City Every Month (carried)

Mayor Walker opened the floor for comment on the Consent Agenda.

- Jeff Fogel spoke about Item #6, asking Council to provide an explanation for approving the funds.
- Tanesha Hudson agreed with Mr. Fogel about Item #6, advising that the program mainly affects people of color.

Councilors made responsive remarks.

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 and to COUNCILORS**

City Manager Chip Boyles provided a response to questions raised by Mayor Walker at the last City Council meeting regarding the termination of the Police Chief.

Mayor Walker asked additional questions and made comments regarding individuals of other local law enforcement agencies and the need to have an understanding of what the complaints were against Charlottesville Police Department leadership.

Councilor Payne added that he would want more explanation of the motivations behind the employment termination and the future direction of Police Department leadership.

### **COMMUNITY MATTERS**

Mayor Walker opened the floor for public comment.

1. Sara Rimm-Kaufman, city resident, spoke in support of the BUCK Squad violence interruptor services.
2. Myra Anderson, city resident, spoke about several concerns: city shootings as related to mental health, termination of Chief Brackney's contract, and the silence of other councilors when Mayor Walker wanted to place the termination discussion on the Council agenda.
3. Jeffrey Fogel, city resident, spoke about City Manager Boyles's handling of the Police Chief's termination.
4. Nancy Carpenter read a letter that she sent to City Council regarding removal of Police Civilian Review Board (PCRB) Chair Bellamy Brown from his position. She asked for a public hearing regarding the PCRB Chair.

5. Gregory Weaver, city resident, spoke about transit emissions, the Future Land Use Map and climate justice.
6. Tanesha Hudson spoke about the termination of the Police Chief.
7. Carol Carter, city resident, spoke in support of the land lease for the Botanical Garden of the Piedmont.
8. Kate Fraleigh spoke in support of funding for the BUCK Squad.
9. Katrina Turner spoke about a personal case involving police, advising that she received a report that she was awaiting for five years.
10. Robin Hoffman spoke in support of the Botanical Garden of the Piedmont and spoke favorably about former Chief of Police RaShall Brackney. She congratulated Andrea Copeland for her emcee role and spoke in support of Covid vaccinations.
11. Gudrun Campbell, city resident and high school student, spoke about the City reaching its climate goals and provided several action items.
12. Peter McIntosh, city resident, spoke in support of the land lease for the Botanical Garden of the Piedmont.
13. Mike Fox and Katie Fox of Moms Demand Action spoke in support of funding for the BUCK Squad.
14. David Manka, city resident, spoke in support of funding for the BUCK Squad violence interruptor program.
15. Don Gathers, city resident, spoke about City Manager Boyles's handling of the Police Chief's termination and a subsequent decision related to equity in leadership.
16. Forrest Calland, local emergency doctor, spoke about the Fire Department presentation at the 4:00 p.m. work session. He spoke of the need to establish an Emergency Medical Service Interagency Council.

Mayor Walker made follow-up comments regarding several speaker comments.

The meeting recessed at 8:59 p.m. and reconvened at 9:15 p.m.

## **ACTION ITEMS**

- 12. PUBLIC HEARING/RESOLUTION: Reviewing program performance and setting priorities for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds for Program Year 2022-2023**

Erin Atak, Grants Coordinator, presented the report and recommendations.

Mayor Walker asked clarifying questions. After discussion with Ms. Atak, Ms. Walker opened the public hearing.

- Joy Johnson, city resident, spoke about the purpose of CDBG funds and a concern that higher income neighborhoods are applying for CDBG funds. She recommended that sidewalks could be built using Capital Improvement Plan funds.
- Tanesha Hudson requested that Council review the neighborhoods that have benefited from CDBG dollars.
- Ang Conn agreed with both previous speakers.

Mayor Walker closed the public hearing.

Per request by Councilor Hill, Ms. Atak provided information about priority neighborhoods for previous years.

Councilors discussed the need to be strategic about using the funds for their intended purpose.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED the resolution: 4-1 (Walker opposed with questions about the use of HOME funds).

#### **RESOLUTION**

#### **Setting City Council Priorities for Community Development Block Grant and HOME Investment Partnership funds for FY 2022-2023**

**WHEREAS**, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2022; and

**WHEREAS**, in accordance with the City of Charlottesville’s Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2022;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2022-2023 shall be as follows:

- Council’s priorities for the CDBG and HOME program for FY 22-23 shall be access to affordable housing (including but not limited to low income housing redevelopment), workforce development (including but not limited to efforts to bolster Section 3 training opportunities and partnerships with the City’s GO programs), microenterprise assistance, access to quality childcare, homeowner rehabilitation, and down payment assistance.

- For FY 22-23, \$244,950.82 CDBG entitlement shall be set aside for Belmont Priority Neighborhood Franklin Street Sidewalk.
- For FY 22-23, the Priority Neighborhood shall be Ridge Street and the allocation shall be \$150,000 of the total CDBG entitlement. If the CDBG entitlement received is less than the estimate amount of \$150,000 this amount will be decreased accordingly.
- The CDBG Admin and Planning budget shall be set at 20% of the total CDBG entitlement.

**13. RESOLUTION\*: Approving a long-term lease of a portion of McIntire Park to the Botanical Garden of the Piedmont (1st of 2 readings; public hearing on 2nd reading)**

City Manager Boyles presented the proposal for a forty-year lease as a landlord-tenant lease. Councilors asked questions which were answered by Mr. Boyles, City Attorney Robertson and Chris Gensic.

Jill Trischman-Marks of the Botanical Garden of the Piedmont shared additional information about the future of the Garden programming and results of community outreach.

**14. RESOLUTION\*: Ratifying or approving the formation by the Charlottesville Redevelopment and Housing Authority (CRHA) of certain entities identified as Limited Liability Companies (LLCs)**

Jeff Meyer of the Virginia Community Development Corp (VCDC), presented the resolution on behalf of the CRHA.

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

**RESOLUTION  
RATIFYING OR APPROVING THE FORMATION BY THE CHARLOTTESVILLE  
REDEVELOPMENT AND HOUSING AUTHORITY (CRHA) OF CERTAIN  
ENTITIES IDENTIFIED AS LIMITED LIABILITY COMPANIES (“LLCs”)**

**WHEREAS**, the Charlottesville Redevelopment and Housing Authority was created pursuant to the Virginia Housing Authorities Law (the “Act”), found in Chapter 1, Title 36, Code of Virginia of 1950, as amended (the “Virginia Code”), and is now existing and operating as a public body corporate and politic, and the Act empowers the CRHA to form corporations, partnerships, joint ventures, trusts, or any other legal entity or combination thereof, on its own behalf or with any person or public or private entity; and

**WHEREAS**, the CRHA, through various entities, has applied to the formerly known as Virginia Housing and Development Authority (“VHDA”) program or the now known as Virginia Housing program for Low Income Housing Tax Credits (“LIHTCs”), in part to provide financing for the rehabilitation or development of affordable multi-family residential rental projects on various CRHA- owned properties, the funding of debt service and other reserve funds and the payment of other transaction costs related to the award of LIHTCs to the projects; and

**WHEREAS**, to secure VHDA or Virginia Housing funding for its affordable housing redevelopment projects, certain entities need to be created by CRHA to undertake the development of such projects; and

**WHEREAS**, Section 36-19(12) of the Virginia Code, requires, among other things, the approval by the local governing body of the formation by the CRHA of corporations, partnerships, joint ventures, trusts, or any other legal entity; and

**NOW, THEREFORE BE IT RESOLVED** that the Council of the City of Charlottesville, Virginia, hereby ratifies the creation of the following LLCs, already created by the Charlottesville Redevelopment and Housing Authority, to enable the CRHA to secure VHDA or Virginia Housing funding for affordable housing redevelopment projects:

SOUTH FIRST PHASE ONE, LLC

SOUTH FIRST PHASE ONE MANAGEMENT, LLC

SOUTH FIRST PHASE TWO, LLC

SOUTH FIRST PHASE TWO MANAGEMENT, LLC

CRESCENT HALLS RENO, LLC

CRESCENT HALLS RENO MANAGEMENT, LLC

**FURTHER, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the Charlottesville Redevelopment and Housing Authority is authorized to create the following LLCs, to enable the CRHA to secure Virginia Housing funding for an affordable housing redevelopment project at South Sixth Street (Phase One):

SOUTH SIXTH PHASE ONE, LLC (or similar name)

SOUTH SIXTH PHASE ONE MANAGEMENT, LLC (or similar name)

**FURTHER, BE IT RESOLVED** that the Council of the City of Charlottesville, Virginia, does not ratify the creation of CRHA ASSET MANAGEMENT, LLC, already created by the Charlottesville Redevelopment and Housing Authority, for affordable housing redevelopment.

**15. RESOLUTION: Considering an off-cycle budget request from the BUCK Squad - \$50,000 (carried)**

City Manager Chip Boyles presented the off-cycle budget request, placed on the agenda by request of three City Councilors.

Herb Dickerson, Executive Director of the BUCK Squad, spoke and suggested that funding for this initiative should be a line item in the City budget.

Councilor Snook made comments in favor of the work done by the BUCK Squad.

Councilor Hill spoke in favor of funding the request.

Councilor Payne asked questions about what partnerships with residents of public housing would look like. Mr. Dickerson advised that they are in touch with victims and shooters, and that the program is not directed to low income housing "projects" but they have spoken with the CRHA Executive Director.

Tommy Everett, BUCK Squad Treasurer, advised that the program is labor-intensive.

Kimberly Hayes, BUCK Squad Board Chair, provided background of the initial request of the BUCK Squad services. She advised that increased funding would allow for more visibility of members.

Council agreed to move the item forward to the October 4 meeting for a second reading.

**GENERAL BUSINESS**

**16. ADDED: Discussion of hiring the next Police Chief**

Mr. Boyles reviewed his intended process for reviewing candidates for Interim Police Chief within the next couple of weeks and using the same committee to develop the Request for Proposal to present to the search firm for a national search for a new Police Chief.

Mayor Walker made comments about the difficulty of hiring for the position.

Councilor Payne shared a desire to compose the right panel to acquire a Police Chief whose vision aligns with the needs of the community.

In response to questions from Mayor Walker, Mr. Boyles emphasized the need to select the correct search firm.

In response to a question from Ms. Walker, Ms. Robertson shared City Code language for the hiring of a Police Chief. Ms. Walker advised that Council should consider implementing a Charter change whereby the City Manager would need approval from City Council to also terminate certain positions. Ms. Robertson provided a response regarding the differences between City and County government, and employment structure, referencing authorities granted in the City Charter.

Ms. Magill asked for clarification about making changes to the City Charter.

### **OTHER BUSINESS and QUESTIONS FOR CITY MANAGER FOLLOW-UP**

There were no other business items or follow-up questions for the City Manager.

### **MATTERS BY THE PUBLIC**

Mayor Walker opened the floor for comments from the public.

- Tanesha Hudson spoke about the City Charter as related to the City Manager, about the potential of a search firm to work with the City, about the process for hiring an Interim Police Chief, and about the departure of nine city leaders in 2021.
- Robin Hoffman spoke about mail delivery in Woolen Mills, about the upcoming General Election, and in support of the Botanical Garden of the Piedmont, C3 and LEAP.
- Ang Conn spoke about the lack of discussion on policing. She suggested that the police system should be dismantled, and funding reallocated to community programs. She recommended removal of Bellamy Brown from the PCRB. She read a comment from Bellamy Brown's social media and expressed that she is awaiting numbers for people who turned in housing vouchers.
- Don Gathers asked community members to rally around Fire Chief Smith. He urged Council to do what is needed to fix the PCRB.
- Katrina Turner spoke about the community's need to know what happened in the termination of the Chief of Police, and whether citizen complaints against police are considered. She advised that Bellamy Brown needs to be removed from the PCRB.
- Joy Johnson spoke about a statement from the President of the Police Benevolence Association at the last City Council meeting. She thanked the mayor for her persistence. She spoke of issues of systemic racism.

In response to comments, Councilor Snook shared that his campaign was not about civility, but about working together.

Mayor Walker spoke of an opinion article by Bryant Bibbs regarding the Charlottesville Police Department, advising that there is no systemic racism. She shared stories about family members who have been affected and made closing remarks about racism and power structures.

The meeting adjourned at 11:24 p.m.

BY Order of City Council

BY Kyna Tomas, Clerk of Council



**CITY COUNCIL WORK SESSION**  
**September 28, 2021**  
**Virtual/electronic Meeting**

**5:00 PM WORK SESSION**

The Charlottesville City Council met in an electronic meeting on Tuesday, September 28, 2021, 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 Nikuyah Walker called the meeting to order at 5:01 p.m. and Clerk of Council Kyna Thomas called the roll, noting all Councilors in attendance: Mayor Nikuyah Walker, Vice Mayor Sena Magill and Councilors Heather Hill, Michael Payne and Lloyd Snook.

**REPORTS**

**1. Imagining a Just Cville group presentation**

Mayor Nikuyah Walker made opening remarks and shared the list of participants for the Imagining a Just Cville working group: Cherry Henley, Joy Johnson, Raylaja Waller, Nicholas Fagans, Martize Tolbert, Stacey Washington, Whitmore Merrick, Latasha Smith, Jay James, Harold Folley, Herb Dickerson, Neal Goodloe, Jeff Fogel, Janice Redinger, Jordy Yager, Dr. RaShall Brackney, Elizabeth Murtaugh, Kaki Dimock, Joe Platania, Nina Antony, and staff support from Clerk Kyna Thomas and Deputy Clerk Maxicelia Robinson.

Neal Goodloe, Criminal Justice Planner for the Thomas Jefferson Area Criminal Justice Board, shared Charlottesville-specific criminal justice trends by race for the period of 2011-2020.

The Smith Family (Wanda and Rajan) Shares their story about the impact that mass incarceration with inequitable laws has had on their family, both for incarcerated persons and for those left to care for their loved ones.

Dr. RaShall Brackney and Nancy Amin, law intern made a presentation on The Power and Impact of Officer Discretion.

Joe Platania, Commonwealth's Attorney shared an update on reform efforts of the Commonwealth's Attorney's Office.

Dr. Brackney and Joe Platania talked about the workgroup's recommendation to explore the LEAD Program as a way to disrupt and divert people from entering the legal justice system.

Liz Murtagh, Public Defender for the City of Charlottesville and the County of Albemarle, talked about participatory justice and a request for funding for the Public Defender's Office. Mayor Walker advised that she reached out to Diantha McKeel of the Albemarle County Board of Supervisors. Ms. Murtagh advised that with having an attorney present for all indigent people at the first appearance, they have overall better outcomes. She requested \$37,502 to support a part-time position.

Jeff Fogel suggested dismantling the police department and reconstituting it in order to change the culture of policing in Charlottesville.

Jay James shared information about The Bridge Ministries efforts during the COVID-19 pandemic. The Bridge Ministries is a residential substance abuse and re-entry program for men.

Sandra Carter, founder of Restoration and Hope House and graduate of the Home to Hope program, shared information about Restoration and Hope House, the only transition house for formerly incarcerated women in Charlottesville. She spoke about her experience with Home to Hope helping her to bring her vision to fruition, the difficulties that people face when transitioning back into society, and the importance of transitional housing.

Cherry Henley spoke about her program Lending Hands and why grassroots programs are necessary. She shared the benefits of helping people first-hand to navigate a difficult criminal justice system and treating them as humans, not data.

In closing comments Martize Tolbert spoke about mentoring youth. He spoke about the lack of programs and outlets for youth in Charlottesville. Raylaja Waller spoke about the need for rehabilitation versus incarceration, and the negative impacts of incarceration on children.

The Imagine a Just Cville presentation ended at 7:47 p.m.

## **2. Marcus Alert group presentation**

Vice Mayor Magill made opening remarks and introduced workgroup participants: Sena Magill, Lloyd Snook, Myra Anderson, Lisa Beitz, Devin Coles, Brian Henderson, Emily Pelliccia, Joe Powers, Sonny Saxton, Dr. Hezedeon A. Smith, Tom von Hemert, Ashley Marshall, James Mooney, Dr. RaShall Brackney, Kaki Dimock, Myron Johnson; and guest speakers/consultants Dr. Lisa Jobe Shields and Daryl Washington.

Councilor Lloyd Snook provided a brief history of how the group came to be.

Myra Anderson, mental health advocate, native of Charlottesville and member of the statewide

Marcus Alert Stakeholder Group, shared a personal testament to the intersection of policing and mental health in our community in minority communities. She has delivered and received mental health services in the community and had interactions with police while in crisis. She shared photos and stories of Black men and women who had negative outcomes with police encounters during moments of mental health crisis, including the namesake of the initiative Marcus-David Peters, a young, Black Biology teacher who was shot and killed by Richmond Police in 2018 in the midst of a mental health crisis. The Marcus Alert aims to ensure that the emergency response to a behavioral health crisis is a behavioral health response.

Dr. Lisa Beitz, Executive Director of Region 10 provided an overview of the Marcus Alert Act, which aims to ensure that the emergency response to a behavioral health crisis is a behavioral health response. She reviewed required components for local implementation of the Marcus Alert, deadlines and deliverables:

- July 1, 2021: voluntary database developed for locality
- July 1, 2021: state guidance released
- ~August 1, 2021: discuss “area” and form stakeholder group
- Conduct planning at local level using state guidance
- Submit application for 3 protocols
- Implement 3 protocols by July 1, 2022
- Continue planning for Community Coverage for Statewide Implementation by July 1, 2026

From the perspective of the Region Ten Community Services Board, Dr. Beitz shared emergency response data, how the Marcus Alert affects the local Mental Health (MH) system, and the current mental health crisis landscape, including:

- Early pandemic impacts on the system
- Executive Order 70
- Decrease in State psychiatric hospital beds
- Workforce challenges
- Inadequate community infrastructure
- Individual and community impacts
- Need for collaborative community solutions

Police Lieutenant Larry Jones discussed how the Marcus Alert benefits local emergency response (Emergency Communications Center, Police and Fire).

- Reduction in police involvement by limiting response to high level MH calls (Levels 3 and 4)
- A more well-trained police officer based on required training through the Department of Criminal Justice Services
- Need for higher percentage of Crisis Intervention Team (CIT) trained officers.

- Specialized training or doctrine when dealing with combative MH patients
- Likely need for specialized youth-based training

He advised that there are still unanswered questions being explored.

Pastor Devin Coles read a statement for group member Myron Johnson regarding the local issues identified and he provided the following workgroup recommendations:

- 1) Make an official task force and then the task force is recommended to do the following.
- 2) Engage the community, focus on people who have historically had poor interactions with policing and mental health.
- 3) Recommendations for the makeup of the official work group members and leaders of the group (see below). Additionally, we recommend that the chair of this group be a member of our minority community.
- 4) Design a survey and enlist groups already engaged in the community to help get it out, this needs to be active not passive.
- 5) Whoever gives surveys must be trained in motivational interviewing, the survey should be short 5-10 questions with a mix of open ended and definitive answers.
- 6) Beyond Marcus Alert Plan think about how we could have a 24/7 crisis center that is not jail or hospital.
- 7) Because we are regional, we recommend that we also try and work with the county and UVA.
- 8) Coming at the beginning of the budget season, where should it live, who has ownership? The city needs to decide the most appropriate department for this to live as it will need staff support and continual support.

We recommend the members to include:

- (1) Region Ten
- (1) Charlottesville Police Department
- (1) Charlottesville Fire Department
- (1) ECC
- (1) Crisis Intervention Team
- (1) Charlottesville Department of social services or human services or human rights
- (1) University of Virginia
- (1) Local Clergy
- (1) Member who resides or works in the city and who represents a mental health organization that seeks racial or social justice on behalf of historically disadvantaged communities;
- (1) Family members or close friends of someone with a mental health diagnosis
- (1) Family members or close friends someone with a mental health diagnosis who comes from historically disadvantaged communities that have traditionally experienced mental health disparities

(2) Members who identify as having/had lived experience with mental health challenges (including peer support specialists) and/or individuals who have engaged with police before during a mental health crisis.

## **PUBLIC COMMENT and DISCUSSION**

Mayor Walker opened the floor for comments from the public and panelists.

- Tanesha Hudson thanked the groups for the presentations. She spoke about the historical use of medicines to control children, eventually turning into substance abuse. She also spoke about the lack of activities for local young people. She suggested that the Just Cville data should have spoken about policy changes that impacted crime data.
- A'Lelia Henry spoke in support of the work of the committees and shared concerns about the direction that the police department is going without the work of Dr. RaShall Brackney as Police Chief.
- Myra Anderson asked a question directed to the police department regarding calls for service. Mr. Jones provided a response to explain response to calls based on dispatch.
- Jeff Fogel spoke about compensation for victims of police abuse.
- Councilor Snook shared that he was impressed with the work of the Imagining a JustCville workgroup and looked forward to reviewing the recommendations.
- Councilor Hill shared that she would need more clarity on how to vet and pursue the recommendations.
- Joe Platania advised that members of the workgroup are vision and value-aligned.
- Mayor Walker advised that the information provided gives a starting point and the issues are vast.
- Cherry Henley commented on the dedication of the workgroup members and the need to move forward with the work.
- Dr. Brackney recommended that someone from police (likely the same person) participate in both workgroups as they intersect.
- City Manager Chip Boyles spoke about the need to figure out how to move the priority recommendations forward.

## **Adjournment**

Mayor Walker adjourned the meeting at 9:34 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

## CHARLOTTESVILLE CITY COUNCIL MEETING

October 4, 2021

Virtual/electronic meeting via Zoom

### 4:00 PM CLOSED MEETING

The Charlottesville City Council met in an electronic meeting on Monday, October 4, 2021, 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 Nikuyah Walker called the meeting to order at 4:06 p.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 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 the purpose of discussion, consideration, and interviews of individuals being considered for appointment by City Council to serve on the governing board of the Charlottesville Redevelopment and Housing Authority

On motion by Councilor Hill, seconded by Councilor Snook, 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 6:30 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

### 6:30 PM REGULAR MEETING

The Charlottesville City Council met in an electronic meeting on Monday, October 4, 2021, 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 pandemic.

Mayor Walker called the meeting to order at 6:31 p.m. and City Council observed a moment of silence.

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.

### **AGENDA APPROVAL**

On motion by Vice Mayor Magill, seconded by Councilor Hill, Council unanimously approved the meeting agenda.

### **ANNOUNCEMENTS**

Vice Mayor Magill announced that the Community Climate Collaborative (C3) would be hosting energy clinics at various parks and city locations.

Councilor Snook shared that he met with Hansel Aguilar, new Executive Director of the Police Civilian Review Board (PCRB); and that the Greenbrier Neighborhood Association wanted to thank Alex Ikefuna and Missy Creasy for providing helpful information during a recent meeting.

Dr. Denise Bonds, Blue Ridge Health District Director, provided an update on Coronavirus and advised of upcoming vaccination events.

### **CONSENT AGENDA\***

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

1. RESOLUTION: Appropriating VDOT funds for VDOT Highway Safety Improvement (HSIP) Grant for Washington Park to Madison Avenue Trail - \$88,350 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS for  
VDOT Highway Safety Improvement (HSIP) Grant for  
Washington Park to Madison Avenue Trail - \$88,350**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$74,900 from the Virginia Department of Transportation to construct a bicycle and pedestrian ramp to connect Madison Avenue; and at Washington Park

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$88,350 is hereby appropriated in the following manner:

**Revenue**

\$74,900      Fund: 426                      WBS: P-01052                      G/L Account: 430120

**Expenditures**

\$74,900      Fund: 426                      WBS: P-01052                      G/L Account: 599999

**Transfer From**

\$13,450      Fund: 426                      WBS: PR-001                      G/L Account: 599999

**Transfer To**

\$13,450      Fund 426                      WBS: P-01052                      G/L Account: 599999

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$74,900 from the Virginia Department of Transportation.

- 2. RESOLUTION: Appropriating funds for Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (TANF) Grants - \$257,479.76 (2nd reading)

**RESOLUTION**

**Appropriating funds for Virginia Department of Social Services (V.D.S.S.)  
Temporary Aid to Needy Families (T.A.N.F.) Grants - \$257,479.76**

**WHEREAS**, the City of Charlottesville has received a fourth renewal of grant funds from the Virginia Department of Social Services in the amount of \$50,000 requiring a \$7,500 local in-kind match provided by the Office of Economic Development through the Workforce Investment Fund; and

**WHEREAS**, the City of Charlottesville has received a third renewal of grant funds from the Virginia Department of Social Services in the amount of \$33,800 requiring a \$5,070 local in-kind match provided by the Office of Economic Development through the Workforce Investment Fund; and

**WHEREAS**, the City of Charlottesville has received a third renewal of grant funds from the Virginia Department of Social Services in the amount of \$173,679.76; and

**WHEREAS**, the funds will be used to support workforce and business development training programs, supportive services, and staffing provided by the Office of Economic Development; and



WHEREAS, the grant award covers the period from July 1, 2021 and June 30, 2022;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$257,479.76 is hereby appropriated in the following manner:

**Revenue - \$57,500**

\$50,000	Fund: 209	IO: 1900426	G/L: 430120 State/Fed pass thru
\$7,500	Fund: 209	IO: 1900426	G/L: 498010

**Expenditures - \$57,500**

\$57,500	Fund: 209	IO: 1900426	G/L: 599999 Lump Sum
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**Transfer - \$7,500**

\$7,500	Fund: 425	WBS P-00385	G/L: 561209 Transfer to State Grants Fund
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**Revenue - \$38,870**

\$33,800	Fund: 209	Cost Center: 1621003000	G/L: 430120 State/Fed pass thru
\$5,070	Fund: 209	Cost Center: 1621003000	G/L: 498010

**Expenditures - \$38,870**

\$38,870	Fund: 209	Cost Center: 1621003000	G/L: 599999 Lump Sum
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**Transfer - \$5,070**

\$5,070	Fund: 425	WBS: P-00385	G/L: 561209 Transfer to State Grants
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**Revenue - \$173,679.76**

\$173,679.76	Fund: 209	IO: 1900425	G/L: 430120 State/Fed pass thru
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**Expenditures - \$173,679.76**

\$173,679.76	Fund: 209	IO: 1900425	G/L: 599999 Lump Sum
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BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$257,479.76 from the Virginia Department of Social Services.

3. ORDINANCE: Amending and reenacting the Transient Occupancy Tax of the Code of the City of Charlottesville (1990), to conform the City's process for collection and reporting of Transient Occupancy Tax with Changes in State Enabling Legislation (2nd reading)

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 30 (TAXATION), ARTICLE IX. (TRANSIENT OCCUPANCY TAX) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990) AS AMENDED, TO CONFORM THE CITY'S PROCESS FOR COLLECTION AND REPORTING OF TRANSIENT OCCUPANCY TAX WITH CHANGES IN STATE ENABLING LEGISLATION**

4. ORDINANCE: Amending and reenacting the Meals Tax to Clarify that Meals Tax Reports are Due from the Sellers to the City Every Month (2nd reading)

**ORDINANCE TO AMEND AND REENACT CHAPTER 30 (TAXATION), ARTICLE X. (MEALS TAX) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, TO CLARIFY THAT MEALS TAX REPORTS ARE DUE FROM SELLERS TO THE CITY EVERY MONTH**

5. RESOLUTION: Considering an off-cycle budget request from the BUCK Squad - \$50,000 (2nd reading)

**RESOLUTION**

**ALLOCATING CITY COUNCIL STRATEGIC INITIATIVES FUNDING TO SUPPORT A "COMMUNITY CIVILIAN POLICING" PROGRAM PROVIDED TO CITY RESIDENTS BY THE BUCK SQUAD, A CHARITABLE ORGANIZATION**

**BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, pursuant to authority set forth within Virginia Code §15.2-953, **THAT** a charitable donation is hereby approved to be made to The Brothers United to Cease the Killing (BUCK) Squad, a charitable institution or organization that provides services to residents of the City of Charlottesville, in the amount of **\$50,000.00**, said donation of funds to be used exclusively for and in support of the "Community Civilian Policing" services to be provided by The BUCK Squad for residents of the City of Charlottesville to reduce the cycle of gun related crimes by implementing a program that will provide assistance of crisis management in conflict mediation, mentorship, and economic development through proactive civilian patrols within the City of Charlottesville.

**BE IT FURTHER RESOLVED** that the aforesaid amount shall be paid to The BUCK Squad from currently-appropriated funds in the City Council Strategic Initiatives account in the General Fund, in support of the local Community Civilian Policing Program, as follows:

\$50,000.00    Fund: 105    Cost Center: 1011001000

6. RESOLUTION: Appropriating funds for the Charlottesville Victim Witness Assistance Grant - \$257,024 (carried)
7. RESOLUTION: Appropriating funding award for the Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) - \$112,708 (carried)

8. ORDINANCE: Approving CitySpace as Central Absentee Precinct for the November 2, 2021 General Election (enacted on 1 reading with at least four-fifths vote)

**ORDINANCE APPROVING CITY SPACE AS CENTRAL ABSENTEE PRECINCT FOR NOVEMBER 2, 2021 GENERAL ELECTION**

9. RESOLUTION: Approving the appointment of an ADA (Americans with Disabilities Act) Coordinator

**RESOLUTION  
Hiring and Appointment of the ADA Coordinator**

**WHEREAS**, the City Manager wishes to hire Mr. Paul Rudacille as the ADA Coordinator for the City of Charlottesville; and

**WHEREAS**, Mr. Rudacille has agreed to accept hiring and appointment as the ADA Coordinator, upon certain terms and conditions set forth in writing and accepted by Mr. Rudacille on September 24, 2021,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, Mr. Paul Rudacille's appointment to the position of ADA Coordinator is hereby approved.

10. RESOLUTION: Ratifying the employment contract for the Clerk of Council and amending the contract to provide 120 days' advance notice of termination

**RESOLUTION  
RATIFYING THE EMPLOYMENT CONTRACT FOR THE CLERK OF COUNCIL  
AND AMENDING THE CONTRACT TO PROVIDE 120 DAYS' ADVANCE  
NOTICE OF TERMINATION**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE** that the contract for employment of Kyna Thomas to serve as Chief of Staff/ Clerk of City Council, made January 10, 2019 is hereby ratified, with the following amendment:

The City Council or the Employee may terminate Employee's employment at any time after giving one hundred twenty (120) calendar days' advance written notice to the other party. However, the City Council reserves the right, at its sole discretion and determination, not to provide one hundred twenty (120) calendar days' advance written notice to the Employee if the Employee commits a crime other than a traffic violation or an act of serious misconduct.

And, with the foregoing amendment, said contract and all of its provisions shall be and remain in full force and effect.

The Mayor is hereby authorized to execute the amended contract on behalf of City Council.

11. ORDINANCE: To approve the formation of a joint entity known as the Blue Ridge Cigarette Tax Board et seq.

**ORDINANCE APPROVING THE FORMATION OF A JOINT ENTITY TO BE KNOWN AS THE BLUE RIDGE CIGARETTE TAX BOARD AND BESTOWING ON SUCH ENTITY ALL POWERS NECESSARY AND PROPER FOR THE PERFORMANCE OF ITS DUTIES AS PROVIDED BY LAW**

Mayor Walker opened the floor for public comment on the Consent Agenda:

- Tanesha Hudson advised Council to consider everything involved with The BUCK Squad. She advised that the community members are not in support. She suggested using the funding to provide more positive programs for children.
- Mike and Katie Fox, with Moms Demand Action, spoke in support of funding for The BUCK Squad.

Councilor Hill made comments regarding meetings with The BUCK Squad and asked clarifying questions about financial reporting accountability. City Attorney Robertson provided clarifying information about the resolution related to The BUCK Squad.

Mayor Walker invited Ms. Kimberley Hayes with The BUCK Squad to provide additional information. She shared that The BUCK Squad is prepared to be transparent about funding usage and that the group has developed grievance and accountability policies.

- Joy Johnson advised of a meeting held between The BUCK Squad, Charlottesville Redevelopment and Housing Authority (CRHA) and Public Housing Association of Residents (PHAR), and said that she hoped the issues raised were being addressed.

Mayor Walker requested to pull Items 5 and 11 for a separate vote.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the Consent Agenda, minus Items 5 and 11 for a separate vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED Item 5 on the Consent Agenda: 3-2 (Ayes: Hill, Magill, Snook; Noes: Payne, Walker).

On motion by Councilor Hill, seconded by Councilor Snook, and following discussion and clarification provided by Commissioner of the Revenue Todd Divers and Legislative Liaison David Blount, Council by the following vote APPROVED Item 11: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

## **CITY MANAGER RESPONSE TO COMMUNITY MATTERS and to COUNCILORS**

City Manager Chip Boyles provided a response to the following:

1. Police Chief item being discussed tonight
2. Regarding CRHA, he advised that he is working to schedule Executive Director John Sales for future Council meeting to make a presentation on the voucher program.
3. A request to change a roadway name (not honorary).

Mayor Walker advised that Mr. John Sales gave a recent report and she allowed an opportunity for Mr. Sales to provide a response to citizen questions raised at a previous meeting.

## **COMMUNITY MATTERS**

Mayor Walker opened the floor for public comment.

1. Shana Larkin, parent of a UVA student, voiced concerns about safety in the city related to gun violence and asked for cooperation between City and University police.
2. Conor O'Donnell, university student, spoke about plans for intersection changes at Barracks Road and Emmet Street. He shared suggestions for improvements.
3. Emily Little, city resident, spoke in support of a zero-energy design for Buford Middle School reconfiguration.
4. Peter Gray spoke about the Planning Commission approach to the Comprehensive Plan/FLUM (Future Land Use Map) process
5. Chris Meyer, city resident, welcomed new Superintendent Royal Gurley and spoke in support of school reconfiguration and the need to raise revenue to fund it.
6. Martha Smythe, city resident, spoke in support of the development of affordable housing, and shared concerns about local efforts in development of the Future Land Use Map.
7. Mary Bauer, speaking as Chair of the Human Rights Commission, shared recommended legislative priorities related to rent control and right to legal counsel in eviction proceedings.
8. James Groves, city resident, spoke about the city's natural gas system as related to future land use and the city's carbon reduction goals.
9. Tanesha Hudson made remarks in response to comments from Shana Larkin. She addressed the Human Rights Commission and asked whether there was an effort to look into treatment of Black leaders.
10. Lauri Shirck, city resident and parent of a UVA student, voiced concerns about safety in the city related to gun violence and asked for cooperation between City and University police.
11. Susan Kruse, city resident and Executive Director of the Community Climate Collaborative, spoke about the need for a Climate Action Plan, achieving carbon neutrality with investments in Schools and the transit system.
12. Gregory Weaver, city resident, spoke about the need to address transit issues to reach

greenhouse gas benchmarks, and increasing safety at bus stops.

13. Nancy Carpenter responded to comments from parents speaking in support of local police. She advised that UVA should use endowment funds to develop housing for students. She spoke about giving the Office of Human Rights the capacity to weigh in on fair housing hearings.
14. Thomas Penny, President of Donahoe Hospitality Services which is the operator and one of the owners of The Draftsman hotel, spoke about the negative optics of the recent termination of the Police Chief.
15. Janice Redinger, city resident, requested transparency in the discussion of the termination of the police chief later in the meeting. She also shared reasons why Bellamy Brown should be removed from the Police Civilian Review Board.
16. Tish Tablan read a letter from local organizations in support of zero-energy design for school reconfiguration to meet equity and climate goals simultaneously.

Councilor Hill asked for an update from Mr. Boyles related to comments from Mary Bauer.

Councilor Snook made remarks about up-zoning in response to comments.

Mayor Walker made remarks in response to UVA parent comments regarding the university police chief and past policing in Charlottesville.

The meeting recessed at 8:47 p.m. and reconvened at 9:04 p.m.

## **ACTION ITEMS**

### **12. PUBLIC HEARING/ORDINANCE: Approving a long-term lease of a portion of McIntire Park to the Botanical Garden of the Piedmont (Public hearing and 2nd reading)**

City Manager Boyles provided a brief overview to introduce the second reading of the proposal.

Jill Trischman-Marks added comments about the Botanical Garden fundraising efforts, upcoming programming and overall objectives.

Mayor Walker opened the public hearing.

- Aaron Eichorst, city resident and fine arts coordinator, spoke in support of the resolution.
- Nathan Walton, city resident and a local non-profit director, spoke in support of the resolution.

Mayor Walker closed the public hearing.

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

**ORDINANCE APPROVING A LONG -TERM LEASE OF A PORTION OF MCINTIRE PARK TO THE BOTANICAL GARDEN OF THE PIEDMONT**

Kristin Davis of the Botanical Garden of the Piedmont noted that she would correct clerical errors in the submitted ordinance for final certification.

**13. ORDINANCE \*: Continuity of Governance Ordinance (enacted on 1 reading with at least four-fifths vote)**

City Manager Boyles provided a brief summary.

Mayor Walker stated concerns about in-person school and meetings and spoke in support of more restrictions on businesses.

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

**ORDINANCE TO ENACT TEMPORARY CHANGES IN CERTAIN DEADLINES, AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES, AND TO ADDRESS CONTINUITY OF CITY GOVERNMENT OPERATIONS ASSOCIATED WITH THE COVID-19 PANDEMIC DISASTER, FOR A SIX-MONTH PERIOD EXTENDING THROUGH MARCH 18, 2022**

**14. RESOLUTION: Approving the Charlottesville City School Board to proceed with a design concept process for a School Reconfiguration Project (1 reading)**

Lisa Larson-Torres, Chair of the City School Board, introduced the resolution which was approved unanimously by the School Board. She introduced new School Superintendent Dr. Royal Gurley.

Dr. Gurley shared that this was his first day on the job and he introduced VMDO consultant Wyck Knox who made the presentation.

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

**RESOLUTION  
TO EXPRESS APPROVAL FOR THE CHARLOTTESVILLE CITY  
SCHOOL BOARD TO PROCEED WITH A DESIGN CONCEPT  
PROCESS FOR A SCHOOL RECONFIGURATION PROJECT  
(Projected Cost: \$75,000,000)**

**BE IT RESOLVED**, that the City of Charlottesville’s Five-Year Capital Improvement Plan (CIP) currently includes a funding placeholder in FY 2025 in the amount of only \$50 million for a School Reconfiguration project, to include the following schools: Walker Upper Elementary and Buford Middle School;

**BE IT FURTHER RESOLVED**, that through a public engagement and evaluation of several design options, design option 3.1 has been selected as the option that best meets the objectives of the project and is estimated to cost \$75 million dollars;

**NOW, THEREFORE, BE IT RESOLVED**, the Charlottesville City School Board is hereby authorized to proceed with obtaining conceptual design plans for a school configuration project, with the design to contemplate a projected cost of not more than \$75 million (inclusive of design, engineering, and construction costs, and standard contingencies). While the City awaits the results of the conceptual design process, the City’s CIP shall be updated for FY 2023 to reflect the \$75 million projected cost.

**GENERAL BUSINESS**

**15. REPORT: Albemarle Charlottesville Regional Jail Authority update**

Martin Kumer, Superintendent of the Albemarle Charlottesville Regional Jail (ACRJ), and Tony Bell of Moseley Architects, made a presentation about proposed renovations to the jail, and a needs assessment to determine the appropriate number of beds to accommodate the jail.

Mayor Walker made comments as the liaison to the ACRJ Board.

Councilor Payne asked about project costs and the portion that would be attributed to the City. Mr. Kumer advised that the City's portion would be 38% of the remainder after State funds are factored in.

Vice Mayor Magill made additional comments about physical conditions of the jail and about state funding.

Responding to Councilor Snook, Mr. Bell forecasted that the project would move forward with design in summer of 2023, with construction potentially starting in 2025.

The meeting recessed at 10:37 p.m. and reconvened at 10:42 p.m.



## **16. DISCUSSION: Police Chief termination**

Mayor Walker turned the meeting over to Mr. Boyles to begin the discussion.

Mr. Boyles gave an explanation of factors that influenced his decision to exercise a no-cause termination of Chief Brackney's employment contract. He advised that while strides were made in bringing the Charlottesville Police Department into 21<sup>st</sup> Century policing, it became evident to him that an immediate change in leadership was needed based on implementation and other factors. He provided answers to questions asked at previous Council meetings.

Council discussion ensued and included concerns about the influence of the Police Benevolent Association, about avoiding a return to older models of policing, the need to be aware that desired reform will involve employment turnover, and support for many of the policy and disciplinary decisions enacted by Chief RaShall Brackney.

Mayor Walker asked additional questions of Mr. Boyles and read several responses to police department survey questions.

## **17. DISCUSSION: Police Civilian Review Board Chair**

Councilor Payne shared that he met with Executive Director Hansel Aguilar. Mr. Payne advised that the behavior of the Chair of the PCRB was not appropriate and that community trust in the ability of the PCRB to show impartiality and neutrality has been harmed by Mr. Bellamy's actions. He voiced a concern that with the removal of Bellamy Brown, other board members would likely leave. He suggested implementing a Code of Conduct and a Code of Ethics for the PCRB.

Vice Mayor Magill suggested that a Code of Ethics be implemented for all boards and commissions.

Councilor Snook agreed that Mr. Brown's statement was inappropriate and stated that the parameters around the First Amendment are unclear.

Councilor Payne expressed concern about the need for the PCRB to adopt its ordinance, bylaws and hearing procedures, then consider reconstitution. Councilor Hill agreed.

Mayor Walker shared concerns about the fuel behind the comments made by Bellamy Brown and the platform which he used as a Board Chair to make the statements.

## **OTHER BUSINESS and QUESTIONS FOR CITY MANAGER FOLLOW-UP**

There were no other business items or follow-up questions for the City Manager.

## **MATTERS BY THE PUBLIC**

Mayor Walker opened the floor for comments from the public.

- Don Gathers spoke about PCRB Chair concerns and the possibility of building new schools versus reconfiguration.
- Myra Anderson spoke about comments from Councilors and the City Manager regarding the termination of the employment contract of the police chief, the lack of transparency, and the loss of trust from the most vulnerable members of the community.
- Tanesha Hudson spoke about selective collaboration, and councilor and city manager actions related to the termination of Chief Brackney.
- Harold Folley on behalf of the People's Coalition spoke about the need to have a strong PCRB and hold members accountable.
- Marcia Geyer suggested hiring a dedicated staff member for energy grants.
- Katrina Turner spoke about the experience of being a Black person in Charlottesville.
- Jeffrey Fogel shared concerns about Mr. Boyles's approach to searching for an Interim Police Chief. He referenced Bellamy Brown's attempt to talk to his client who has an active complaint with the PCRB.
- Nancy Carpenter, spoke as a person appointed to the PCRB, about inappropriate actions by the PCRB Chair Bellamy Brown.
- Ang Conn shared concerns about the City Manager and PCRB Chair as related to the Police Benevolent Association. She also shared concerns about the usage of police cameras and requested that the public be allowed to view the SWAT video referenced in several meetings.
- Abby Guskind asked who authorized an MOU between UVA police and Charlottesville Police Department, and the need to value local Black children who experience community violence. She asked for removal of Bellamy Brown from the PCRB.
- Gloria Beard spoke about the process to terminate the police chief, and the departures of several Black leaders.
- Zyahna Bryant addressed a comment from Marcia Geyer. She also spoke about the turnover of Black leadership, and the effects of a "dragnet" led by former Charlottesville Chief of Police Longo, who is now Chief of University Police at UVA. She asked Council to consider the marginalized community in their decisions.

Mayor Walker played two recordings of City Manager Boyles in a discussion about Chief Brackney's termination and she made closing remarks.

The meeting adjourned at 1:33 a.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CHARLOTTESVILLE CITY COUNCIL**  
**October 12, 2021**  
**Virtual/electronic meeting via Zoom**

**3:00 PM SPECIAL MEETING**

The Charlottesville City Council met electronically on Tuesday, October 12, 2021, at 3:00 p.m. in accordance with a local ordinance amended and re-enacted on October 4, 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 3:02 p.m. and Clerk of Council Kyna Thomas called the roll, noting all 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 the purpose of discussion and consideration of the resignation of the City Manager, performance of the duties of the City Manager upon following resignation, and actions performed by the City Manager to deal with the departure of the Assistant Chief of Police October 8, 2021.

On motion by Councilor Hill, seconded by Councilor Snook, 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.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote accepted the resignation of City Manager Chip Boyles, effective October 29, 2021, per the letter that he sent to City Council: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: none),

The meeting adjourned at 4:12 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CHARLOTTESVILLE CITY COUNCIL**  
**October 22, 2021**  
**Virtual/electronic meeting via Zoom**

**9:00 AM SPECIAL MEETING**

The Charlottesville City Council met electronically on Friday, October 22, 2021, at 9:00 a.m. in accordance with a local ordinance amended and re-enacted on October 4, 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 3:02 p.m. and Clerk of Council Kyna Thomas called the roll, noting all 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 the purpose of discussion, consideration, and interviews of individuals being considered for the position of deputy city manager or for appointment by City Council to serve as city manager.

On motion by Councilor Hill, seconded by Councilor Snook, 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 12:53 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CITY COUNCIL JOINT MEETING**  
**with POLICE CIVILIAN REVIEW BOARD**  
**October 26, 2021**  
**Virtual/electronic meeting via ZOOM**

**5:00 PM JOINT WORK SESSION**

The Charlottesville City Council met electronically on Tuesday, October 26, 2021, at 5:00 p.m. in accordance with a local ordinance amended and re-enacted on October 4, 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 5:04 p.m. Clerk of Council Kyna Thomas called the roll, noting the following members in attendance: Mayor Walker, Vice Mayor Magill, Councilor Hill and Councilor Payne. Mayor Walker advised that Councilor Snook would join the meeting shortly.

Police Civilian Review Board (PCRB) Chair Bellamy Brown called the PCRB to order with the following members present: Bellamy Brown, Nancy Carpenter, Jeffrey Fracher, William Mendez and James Watson. Ms. Deirdre Gilmore was not present due to family emergency.

Mayor Walker opened the floor for public comment.

- Tanesha Hudson expressed that she wanted to see the meeting address current events in Charlottesville including the recent termination of the police chief, actions by PCRB Chair Brown, involvement of the Police Benevolence Association.

Mayor Walker turned the meeting over to the PCRB. Mr. William Mendez summarized the proposed agenda:

1. PCRB Interim Operating Procedures
2. PCRB Proposed Ordinance

He added that Executive Director Hansel Aguilar has been reviewing tracking software for complaints.

Councilor Snook joined the meeting at 5:13 p.m.

Councilor Hill suggested that Council could vote at this meeting.

PCRB Executive Director Hansel Aguilar advised that in consultation with City Attorney Lisa

Robertson, she suggested an existing process for hearing officer procedures, and Ms. Robertson shared that the Supreme Court of Virginia manages a list of hearing officers.

Further discussion involved the potential budget, selection of hearing officers, the use of the term examiner versus officer, steps in the hearing process, and the opportunity for cross-examination.

PCRB legal consultant Cynthia Hudson provided clarification about the provision of the written record from the Police Department to the PCRB as a continuation of an investigation and also subject to confidentiality. She also advised that the records would most likely be a personnel record and accessible to an extent to the individual. Ms. Hudson explained the various ways that a complaint could come before the PCRB and the procedures related to the PCRB investigation under the current ordinance versus the proposed ordinance.

Mr. Aguilar answered several questions regarding procedures in Fairfax and Washington, D.C. He shared that as disposition letters became more transparent, review requests decreased.

Council agreed to include the hearing procedures as amended on the November 1, 2021 City Council meeting Consent Agenda. The procedures would apply under the current ordinance. Ms. Robertson advised that she would work with Ms. Hudson and Mr. Aguilar to finalize wording.

Regarding the proposed ordinance, Mr. Mendez provided a summary and opened the floor for Council to ask questions.

Discussion included:

- Procedures and conditions under which the Board would do investigations
- Who gets to see complaints
- Who has access to disciplinary records
- Who has standing to file a complaint
- What constitutes a serious allegation
- Parameters for filling vacant seats on the PCRB
- Parameters for inclusion of university police

Chair Brown recognized Delegate Sally Hudson, who affirmed that it was the intent of the legislature to consider campus police in this process and that she would work to clarify that language in the upcoming General Assembly.

Mr. Snook addressed Delegate Hudson, expressing that the Virginia Freedom of Information Act would need to address oversight body deliberations to confirm which parts of the process would be handled publicly versus in closed meetings.

Ms. Robertson emphasized the need to have a good working relationship between parties, as the

custodian of records has the opportunity to exercise discretion with Freedom of Information Act exemptions.

Mr. Aguilar shared the benefits of having open and transparent deliberations and expressed concerns about having a city employee involved in deliberations.

The Council-PCRB Workgroup agreed to move forward with making draft revisions. Mayor Walker suggested that the marked-up documents be made available to the public as well as an opportunity for public input.

Mr. Fracher requested that Council move quickly to approve the ordinance. Chair Brown turned the meeting back over to Mayor Walker.

### **PUBLIC COMMENT**

Mayor Walker opened the floor for public comment and the following people spoke:

- Delegate Sally Hudson
- Tanesha Hudson
- Katrina Turner
- Rosia Parker
- Abby Guskind
- Ang Conn
- Teresa Hepler

### **CLOSING REMARKS**

Mayor Walker responded to public comments regarding Chair Brown's recent comments and actions which have caused concern regarding public perception of PCRB fairness.

Councilor Hill summarized next steps. Mayor Walker expressed that she is not certain that those who would have authority to exercise power in investigations have a full understanding of their role.

The meeting adjourned at 8:23 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 1, 2022
Action Required:	Appropriation
Presenter:	Riaan Anthony, Park and Recreation Management Specialist II
Staff Contacts:	Riaan Anthony, Park and Recreation Management Specialist II Vic Garber, Interim Director, Parks and Recreation
Title:	<b>Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$50,000</b>

**Background:**

The City of Charlottesville, through Parks and Recreation, has received approval for a reimbursement of up to \$50,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children 18 and under attending our drop-in afterschool programs through their Child and Adult Care Food Program.

**Discussion:**

Charlottesville Parks and Recreation will operate an afterschool meals program for 36 weeks, during the course of the regular school year. There are currently 4 locations, Friendship Court, Greenstone on 5th, South First Street, and Westhaven Community Centers that serve children 18 years and under. The reimbursement will cover the costs of a nutritious dinner at these locations, which also have an educational/enrichment component. Dinner will be served from 4-8 pm at the various community centers. Most of the children served receive free or reduced meals during the school year. Over 400 children will be served each week during the school year.

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

**Alignment with City Council's Vision and Strategic Plan:**

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



**Community Engagement:**

N/A

**Budgetary Impact:**

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

**Recommendation:**

Staff recommends approval and appropriation of funds,

**Alternatives:**

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

**Attachments:**

Resolution

**RESOLUTION APPROPRIATING FUNDS for  
Virginia Department of Education Special Nutrition Program  
Child and Adult Care Food Program  
\$50,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$50,000 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, 2021 through September 30, 2022;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$50,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

**Revenue – \$ 50,000**

Fund: 209                      Internal Order: 1900436                      G/L Account: 430120

**Expenditures - \$50,000**

Fund: 209                      Internal Order: 1900436                      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$50,000 from the Virginia Department of Education Special Nutrition Program.

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



<b>Agenda Date:</b>	November 1, 2021
<b>Action Required:</b>	Appropriation of Grant Funds
<b>Presenter:</b>	Amanda Poncy, Bicycle and Pedestrian Coordinator
<b>Staff Contacts:</b>	Amanda Poncy, Bicycle and Pedestrian Coordinator; Kyle Rodland, Safe Routes to School Coordinator
<b>Title:</b>	<b>Safe Routes to School Non-Infrastructure Grant Award - \$39,000</b>

**Background:**

This is the 6<sup>th</sup> year that the Virginia Department of Transportation (VDOT) has awarded the City of Charlottesville with a Safe Routes to School (SRTS) Non-Infrastructure (Activities and Programs) Grant. This \$23,600 grant will be used to fund education, encouragement, evaluation and enforcement programs related to Safe Routes to School. The Non-Infrastructure Grant will also be used to fund a SRTS coordinator who works within the school division to promote and facilitate Safe Routes to School activities.

Last year, the city received a non-infrastructure grant in the amount of \$76,000 to fund a full-time coordinator and associated program budget to manage, train, and expand Safe Routes to School programming city-wide. The grant provides for a dedicated champion to work within schools to provide education, encouragement and evaluation activities needed to support active transportation for K-8 students.

**Discussion:**

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

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

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

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

The grant requires a 20% match. The city has already budgeted \$15,400 from the Public Works Engineering Operating Budget for benefits. We anticipate receiving in-kind donations from the Charlottesville Area Mountain Bike Club for bicycle fleet maintenance.

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

Due to the impacts of COVID, VDOT is allowing localities to carryover unused funds from the previous grant cycle. VDOT will carryover \$ 24,119.85 in addition to the 2021-2022 grant award. The City also has carryover funds in the amount of \$11,318.93 (from the previous unused local match) that will be applied to the overall program budget.

Below is a breakdown of the funding that will be applied to the budget for FY 22:

VDOT share - \$24,119.85 (20/21 carryover\*) + \$23,600 (FY 22 grant award) = \$47,719.85

City match - \$11,318.93 (20/21 carryover\*) + \$15,400 (FY22 contributions) = \$26,718.93

In-Kind donations = \$5,900

Total Project Cost = \$80,338.78

\*Note Carryover funds were previously appropriated.

### **Alignment with City Council’s Vision and Strategic Plan:**

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

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

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

### **Community Engagement:**

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

### **Budgetary Impact:**

There is no impact to the General Fund. The total appropriation is \$ 39,000, which will be recorded and expensed from a grant fund, with \$23,600 coming from VDOT and \$15,400 from funds previously appropriated as part of the FY 2022 PW Operating Budget. Funds remaining from last year’s grant appropriation will carryover to FY 22. This includes \$ 24,119.85 from VDOT and \$11,318.93 from the City’s previous local contribution.

The grant requires a 20% match (cash or in-kind donations are acceptable). Staff anticipates in-kind donations for bicycle maintenance.

### **Recommendation:**

Staff recommends approval and appropriation of the grant funds.

**Alternatives:**

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

**Attachments:**

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

Appropriation Resolution

**RESOLUTION APPROPRIATING FUNDS for  
Safe Routes to School Program (SRTS) Non-Infrastructure Grants  
\$ 39,000**

**WHEREAS**, the Safe Routes to School Program (SRTS) non-infrastructure grant, providing Federal payments for **education, encouragement, evaluation and enforcement** programs to promote safe walking and bicycling to school has been awarded the City of Charlottesville, in the amount of \$23,600;

**WHEREAS**, the SRTS program is a 80% reimbursement program requiring a 20% match from the City, of which \$5,900 will come from in-kind contributions;

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

**REVENUE**

\$23,600	Fund: 209	Cost Center: 3901008000	G/L Account: 430120
\$15,400	Fund: 209	Cost Center: 3901008000	G/L Account: 498010

**EXPENDITURES**

\$39,000	Fund: 209	Cost Center: 3901008000	G/L Account: 519999
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**TRANSFER FROM**

\$15,400	Fund: 105	Cost Center: 2401003000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$23,600 from the Virginia Department of Transportation.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Approve Resolution
Presenter:	Kristel Riddervold, Environmental Sustainability and Facilities Development Divisions Manager
Staff Contacts:	Harold Young, Fleet Manager Chris Cullinan, Director of Finance Scott Hendrix, Senior Project Manager, Facilities Development Division
Title:	<b>Capital Funding Transfer from previously approved CIP Projects to Avon Fuel Station Replacement - \$523,048.95</b>

**Background:**

Per the Petroleum Underground Storage Tank Financial Responsibility Requirements Regulation, specific annual insurance coverage is required. The City has faced increased challenges and costs associated with obtaining required insurance coverage for the 4<sup>th</sup> Street Fueling Station (now closed) and the Avon Street Fueling Station. The adopted FY 2018 and 2019 Capital Improvement Programs (CIP) included funding for two fuel station related projects: the 4<sup>th</sup> Street Fuel Station (P-00940) was funded at \$581,500 and the Avon Fuel Station (P-00980) was funded at \$520,000.

In FY19, it was determined that the 4<sup>th</sup> Street Fuel station would be formally closed (versus replaced) and that an upgrade of the Avon Fuel station (versus full replacement) was appropriate. Given a projected surplus in the Avon Street project, a fund transfers to support the 4<sup>th</sup> Street Fuel station closure costs as well as performance of some time-sensitive deficiencies in Fleet facilities and its operations were done.

Below is the current status of each of the various projects mentioned above:

- 4<sup>th</sup> Street Fuel Station (P-00940) – Completed; remaining balance is \$137,900.85
- Fleet Shop Improvements (P-01001) – Completed; remaining balance is \$133,853.89
- Avon Fuel Station (P-00980) – Incomplete. The strategy to pursue basic upgrades at the Avon Fuel facility had to be revised due to updated insurability challenges and now consists of a time-sensitive facility replacement; remaining balance is \$198,547.05



**Discussion:**

The project for the Avon Fuel Station now involves full replacement of the underground fuel storage system with an aboveground fuel storage system that provides for reduced compliance risk. Design work is complete. Plans were submitted to Albemarle County Department of Community Development and are undergoing site plan review/approval. This project is planned to be bid out for construction in the winter with construction planned for Spring/Summer 2022.

We recently received final construction cost data from the engineering design firm and have completed a revised overall project budget requirement of \$721,596. This presents a funding deficit for the project of \$523,048.95

It is our recommendation that this funding deficit be addressed by a transfer of the fund balances from the 2 previously approved and now-completed projects (P-00940, 4<sup>th</sup> Street Fuel Station; and P-01001, Fleet Shop Improvements). In addition, we recommend a transfer of \$251,294.21 in existing funds programmed for a 3<sup>rd</sup> project (P-00948-09, Avon Salt Barn Replacement). While this will result in a funding gap for the salt barn replacement project, this project continues to be challenged by affordability issues, COVID-related delays and can be postponed. There are also efforts underway to review potential alternatives to the current project scope.

**Alignment with City Council's Vision and Strategic Plan:**

This proposal supports the City Council's "Green City" vision. It contributes to Goal 3 and 5 of the Strategic Plan, a beautiful and sustainable natural and built environment and a well-managed and responsive organization, and objectives 3.2 provide reliable and high quality infrastructure, 3.4 be responsible stewards of natural resources, 5.1 integrate effective business practices and strong fiscal policies.

**Community Engagement:**

N/A

**Budgetary Impact:**

No additional funding is required. All funds to be transferred have been previously appropriated as part of adopted Capital Improvement Programs.

**Recommendation:**

Staff recommends approval of this recommendation to use previously appropriated fund balances.

**Alternatives:**

City Council could decline this recommendation. There will be insufficient funds to address the Avon Street Fuel Station replacement project and the insurance requirements may not be met.

**Attachments:**

Resolution

# RESOLUTION

## Capital Funding Transfer from completed Fuel Station Project and Fleet Shop Improvements Project and incomplete Avon Salt Barn Project to Avon Fuel Station Project \$523,048.95

WHEREAS, the City of Charlottesville, conducted a closure of the 4<sup>th</sup> Street Fuel Station and the entire amount of the previously appropriated funding was not required; and

WHEREAS, the City of Charlottesville completed Fleet facility and operation improvement projects and the entire amount of the previously appropriated funding was not required; and

WHEREAS, the City of Charlottesville has previously appropriated funding for the replacement of the Avon Street Salt Barn Project that is postponed;

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

### **Transfer From**

\$137,900.85	Fund: 426	WBS: P-00940	G/L Account: 599999
\$133,853.89	Fund: 426	WBS: P-01001	G/L Account: 599999
\$251,294.21	Fund: CP-018	WBS: P-00948-09	G/L Account: 599999

### **Transfer To**

\$523,048.95	Fund: 426	WBS: P-00980	G/L Account: 599999
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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 1, 2021 (Public Hearing and First Reading)
Action Requested:	Approval of Ordinance (City Council, November 15, 2021 (second reading))
Presenter:	Lisa Robertson, City Attorney
Staff Contacts:	Lauren Hildebrand, Director of Public Utilities Missy Creasy, NDS Planner Chris Sibold, Assistant City Engineer
<b>Title:</b>	<b>Vacation of a Small portion (0.038 acre) of Seminole Court</b>

**Background and Discussion:** The Seminole Square Redevelopment project is moving forward and includes ROW construction. The purpose of the ROW Vacation is to modify the existing ROW line on Seminole Court to coincide with the ROW line work on the Hillsdale Drive Improvements.

**Discussion:**

**Alignment with City Council's Vision and Strategic Plan:**

N/A

**Community Engagement:**

Notice of this vacation has been published in a newspaper per Va. Code §15.2-2006, and a public hearing is scheduled per Va. Code §15.2-1800(B)

**Budgetary Impact:** none.

**Recommendations:**

Staff recommends approval of the street vacation.

**Alternatives:**

Council may amend the proposed Ordinance, or Council may, by motion, deny the request for ROW vacation

**Attachments:**

Plat, prep. By Meridian Planning Group, LLC (2/5/2020, rev. 9/15/2021)  
Proposed Ordinance

**AN ORDINANCE  
CLOSING, VACATING AND DISCONTINUING  
A PORTION (0.038 ACRE) OF THE PUBLIC STREET RIGHT OF WAY FOR  
SEMINOLE COURT**

**WHEREAS**, as permitted by Virginia Code Sec. 15.2-2006, Giant Sequel Investors, LLC (“Petitioner”) has requested the City Council to vacate a portion of the public street right-of-way for Seminole Court, identified as “Area A, a Portion of Right-of-Way to be Vacated 0.038 acre” on a plat dated February 5, 2020, rev. September 15, 2021, prepared by Meridian Planning Group, LLC (the “Subject Right-of-Way”); and,

**WHEREAS**, the Petitioner is the only landowner who owns property adjacent to the Subject Right-of-Way; and,

**WHEREAS**, following notice to the public pursuant to Virginia Code §15.2-2006, a public hearing was conducted by the City Council as required by Virginia Code §15.2-1800(B); and,

**WHEREAS**, this Council finds and determines that the Petition should be granted;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the City hereby closes, vacates and discontinues the above-described Subject Right-of-Way. Upon approval of this Ordinance, the City Attorney shall prepare a Deed of Vacation for recordation in the land records of the Circuit Court for the City of Charlottesville.

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



<b>Agenda Date:</b>	November 15, 2021
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Chris Gensic, Parks and Recreation
<b>Staff Contacts:</b>	Chris Gensic, Parks and Recreation Krisy Hammill, Budget and Management Analyst
<b>Title:</b>	<b>Department of Conservation and Recreation Recreational Trail Grant for Construction of Meadow Creek Bridges - \$222,511.21</b>

**Background:**

The City of Charlottesville, through Parks and Recreation, has received an additional funding allotment from the Virginia Department of Conservation and Recreation (DCR) in the amount of \$178,008.97 to assist with efforts to construct a bicycle and pedestrian bridge over Meadow Creek. In order to accept the additional funding, The City will need to add additional 20% match this project in the amount of \$44,502.24 from the Trail CIP Fund for a total additional appropriation of \$222,511.21.

**Discussion:**

The City of Charlottesville has completed a bicycle, pedestrian and trail master plan that includes a bike/pedestrian commuter trail along Meadow Creek between Greenbrier Park and Meadow Creek Gardens. The portion near Brandywine Drive and the Senior Center requires construction of two bridges. The City applied for and was awarded funding from DCR to assist with design and construction of one of the bridges. The design work is now nearly complete and ready for construction. DCR has extra funding in the same grant year that the original grant was awarded out of and has offered it to Charlottesville. The current bridge and trail construction cost estimate is \$350,000, which requires additional funding. Acceptance of the additional funding from DCR will provide the needed funding and require the City to only fund 20% of the cost rather than 100%.

**Alignment with City Council's Vision and Strategic Plan:**

Construction of this trail bridge will further council goals of being a Connected City and a Green City by providing a critical bicycle and pedestrian trail portion of the developing greenway system, which will reduce dependence on automotive travel and associated pollution. Additionally, this project supports Strategic Plan Goal 2: Be a safe, equitable, thriving and beautiful community.

**Community Engagement:**

The bicycle, pedestrian and trail master plan and the Meadow Creek Valley Park Master Plan were developed with multiple public meetings and were both approved by City Council.

**Budgetary Impact:**

There is no impact on the General Fund. The required local match of \$44,502.24 will come previously appropriated funds in the City's Capital Projects Fund (PR-001 – Trails Lump Sum).

**Recommendation:**

Staff recommends appropriation of grant funds.

**Alternatives:**

The project could be postponed or funded with 100% local funds.

**Attachments:**

Resolution of Appropriation  
Grant award letter from Virginia Department of Conservation and Recreation

**RESOLUTION APPROPRIATING**  
**Department of Conservation and Recreation Recreational Trails Grant for Construction of**  
**Trail bridges over Meadow Creek - \$222,511.21**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded an additional \$178,008.97 from the Virginia Department of Conservation and Recreation to construct a bicycle and pedestrian bridge along Meadow Creek; and

**WHEREAS**, the City will fund the required local match to this grant in the amount of \$44,502.24 using previously appropriated fund in the Trails CIP fund (PR-001) account.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$222,511.21 is hereby appropriated in the following manner:

**Revenue**

\$178,008.97    Fund: 426                      WBS: P-00905                      G/L Account: 430120

**Transfer From**

\$44,502.24    Fund: 426                      WBS: PR-001                      G/L Account: 599999

**Expenditure**

\$222,511.21    Fund: 426                      WBS: P-00905                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$178,008.97 from the Virginia Department of Conservation and Recreation.

Molly Joseph Ward  
Secretary of Natural Resources

Clyde E. Cristman  
Director



Rochelle Altholz  
Deputy Director of  
Administration and Finance

David C. Dowling  
Deputy Director of  
Soil and Water Conservation  
and Dam Safety

Thomas L. Smith  
Deputy Director of Operations

**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

**Recreational Trails Program**  
**Federal Highway Administration - CFDA 20.219**  
**Project Agreement (Amended)**

**Recipient:** City of Charlottesville

**Project Title:** Meadow Creek Trail Bridge

**State Project Number:** NRT-15FY(001)-VRT-302

**Project Period:** 02/12/2018 to 12/31/2021 12/31/2023 (\$51,697.78 of unexpended RTP funding as of 10/1/21 must be expended by 12/31/21)

**Project Scope:** Construction of a bridge over Meadow Creek to connect trail segments. Project costs include costs associated with the trail approaches and bridge construction and installation.

**\$397,511.21**

**Total Project Cost:** ~~\$175,000.00~~ (minimum amount to claim authorized RTP funding assistance)

**Authorized RTP Funding Amount:** ~~\$140,000.00~~ **\$318,008.97** (\$51,697.78 of unexpended RTP funding as of 10/1/21 must be expended by 12/31/21)

Upon signature of both parties below, the **Virginia Department of Conservation and Recreation (DCR)** and the **City of Charlottesville** hereinafter referred to as the "Recipient" mutually agree to perform this agreement in accordance with the Recreational Trails Program as codified at 23 U.S.C. 206, the provisions and conditions of the FHWA Interim Guidance dated April 1, 1999, as amended, and Title 2, 23 and 49 CFR.

In accepting this agreement, as evidenced by the signature below, the Recipient agrees to comply, adhere and abide with the following conditions of this agreement:

**Project Execution:**

1. All applicable state, federal and local laws, regulations and ordinances including but not limited to compliance with the Virginia Erosion & Sediment Control and Virginia Stormwater Management Laws & Regulations. The Recipient agrees to contact both the appropriate state and/or federal agency and DCR if any unexpected environmental or other concerns are encountered during project construction.
2. Submission of Quarterly Progress Reports on status of grant implementation. First report due no later than **06/30/2018**. All correspondence pertaining to this project must reference State Project Number **NRT-15FY(001)-VRT-302**.

600 East Main Street, 24<sup>th</sup> Floor | Richmond, Virginia 23219 | 804-786-6124

*State Parks • Soil and Water Conservation • Outdoor Recreation Planning  
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation*



3. The recipient agrees to comply with the Virginia Seed Law to ensure no noxious weed seeds are introduced into the project area.
4. The project period shall begin with the date of approval and shall terminate at the end of the stated or amended project period unless the project is completed or terminated sooner; in which event, the project shall end on the date of completion or termination.
5. The Recipient will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities, pursuant to 40 CFR, Part 15.20 and that it will notify DCR of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.
6. The Recipient will comply with the terms of Title II and Title III, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646), 94 Stat. 1894 (1970), and the applicable regulations and procedures implementing such Act for all real property acquisitions and where applicable shall assure that the Act has been complied with for property to be developed with assistance under the project agreement.
7. The Recipient will comply with the provisions of: Executive Order 11988, relating to evaluation of flood hazards; Executive Order 11288, relating to the prevention, control, and abatement of water pollution, and Executive Order 11990 relating to the protection of wetlands.
8. The Recipient will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976. Section 102(a) requires the purchase of flood insurance in communities where such insurance is available, as a condition for the receipt of any federal financial assistance for construction or acquisition purposes, for use in any area that has been identified as an area having special flood hazards by the Flood Insurance Administration of the Federal Emergency Management Agency. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
9. The Recipient shall secure completion of the work in accordance with approved plans (construction, erosion and sediment control, stormwater management, etc.) and specifications and shall secure compliance with all applicable Federal, State, and local laws and regulations.
10. The Recipient will take necessary actions to ensure compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archaeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in

or eligible for inclusion in the National Register of Historic Places that are subject to effects (see CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

11. The Recipient will comply with Executive Order 12432, "Minority Business Enterprise Development and the DBE Policy and Procedure as outlined in the attached DBE Policy. DCR and the Federal Highway Administration are committed to the objectives of this policy and encourage all Recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. The Recipient must provide documentation to support compliance with the DBE policy before any reimbursement can be authorized.
12. The Recipient must adhere to 23 U. S.C. 206; 2 CFR 200; the Commonwealth of Virginia's construction procurement requirements; the Buy America Act; Presidential Executive Order: Buy American and Hire American and the federal requirements outlined in form FHWA 1273. If contradictions occur the Recipient must communicate them to DCR for consultation with FHWA for instructions on how to proceed.
13. The Recipient understands that the Buy America Act (23 U.S.C. 313; 23 CFR 635.410) applies to all iron and steel products permanently incorporated into Federal-aid funded projects regardless of how they were procured or if the costs will not be requested for Federal reimbursement. The entire project as defined in the NEPA document is required to comply with Buy America. The Recipient has the following options for complying with Buy America:
  - Option 1: FHWA would accept any obvious branding on the beams (i.e. Heat number) that demonstrate they were manufactured in the USA and date back to the original casting.
  - Option 2: The city could use the "Minimal Use" clause; FHWA's regulations permit a minimal use of foreign steel and iron in the amount of \$2,500 or one-tenth of one percent, whichever is greater, to be used in a Federal-aid project. For a \$175,000.00 project the beams cost could not exceed \$2,500 (which is greater than 1/10th of 1% of \$175,000= \$175) and no additional foreign steel could be used on the project.
  - Option 3: The city could track down the Material Certificates for the beams that demonstrates they were manufactured in the US.
  - Option 4: Under 23 CFR 635.410 (c)(1)(i), the city could be granted a waiver of Buy America requirements. This waiver may be granted on a project-by-project basis if:
    - The application of Buy America provisions would be inconsistent with the public interest.

14. Bid documentation must contain notice that partial funding for the project is being provided by the Recreational Trails Program of the Federal Highway Administration administered in Virginia by DCR and must be undertaken in accordance with the Recreational Trails Program guidance of the FHWA and the with 2, 23 and 49 CFR.
15. Invitation for Bids must physically incorporate form FHWA 1273 and the Buy America Act provisions. Invitation for Bids must outline the documentation requirements needed by the Recipient for obtaining reimbursement through the Recreational Trails Program including a provision for retaining all documents associated with the project for up to 3 years after completion of the job.
16. Plans and bid documentation must be administratively reviewed by DCR prior to the start of work on the project. Administrative review is defined as a review of bidding documents, construction plans, specifications and/or contractual documents to determine consistency with the approved Recreational Trail Program project agreement. DCR's administrative review and permission to proceed shall not be considered a professional architectural, engineering or legal review, or an endorsement of design practices and standards.
17. Contracts must be awarded to the lowest responsive and responsible bidder. Project work shall not be awarded to any vendor which is debarred or suspended or is otherwise excluded for or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension." All vendors and contractors providing supplies, materials, goods, equipment, services, etc. for the project must be licensed in Virginia as required.
18. Federal procurement laws prohibit negotiation with the lowest bidder. If only one bid response is received then the project must be re-bid.
19. All contracts must include form FHWA-1273 and the Buy America Act.
20. Recipients are responsible for ensuring that all contracts are in compliance with federal and state laws concerning the solicitation of supplies, equipment and services.
21. In the event the project covered by the project agreement cannot be completed in accordance with the plans and specifications for the project, the Recipient shall contact DCR to discuss changes in scope of work that will bring the project to a point of recreational usefulness agreed upon by the Recipient, DCR and FHWA, or his designee.
22. Copies of all permits (land disturber, stormwater management, erosion and sediment control, Virginia Department of Transportation right of way permit for ingress/egress, use of ATVS across public road right of way, water quality, local building, etc.) issued for the project must be submitted to DCR for the grant file. Failure to submit these documents can result in the inability to receive any reimbursement on the project.

23. The Recipient agrees that DCR's waiver or failure to enforce or require performance of any term or conditions of this project agreement or DCR's waiver of any particular breach of this project agreement by the Recipient extends to that instance only. Such a waiver or failure to enforce is not and shall not be a waiver of any of the terms or condition of this project agreement or a waiver of any other breaches of the project agreement by the Recipient and does not bar DCR from asserting any and all rights and/or remedies it has or might have against the Recipient under this project agreement or by law.

24. The Recipient understands that the Recreational Trails Program is a federally funded program subject to actions by Congress and regulatory changes which may impact the execution of this project by the Recipient. DCR will work with the Recipient in adjusting to any changes that occur during the life of this project.

**Record Retention:**

1. Financial records, supporting documents, statistical records, and all other records pertinent to this grant shall be retained in accordance with 49 CFR for a period of three years; except the records shall be retained beyond the three-year period if audit findings have not been resolved. The retention period starts from the date of the final expenditure report for the project.
2. DCR retains the right to disallow costs and recover funds from the Recipient on the basis of later audit or other review within the record retention period.
3. The Federal Highway Administration, Comptroller of the United States of America, DCR or any of their authorized representatives shall have access to any books, documents, papers, and records of the recipient which are pertinent to this Recreational Trails Program grant project for the purpose of making audit, examination, excerpts and transcripts.

**Project Termination:**

1. DCR may terminate the project in whole, or in part, at any time before the date of completion, whenever it is determined that the Recipient has failed to comply with the conditions of the project agreement. DCR will promptly notify the Recipient in writing of the determination and the reasons for the termination, together with the effective date.
2. Termination by the Recipient either for cause or for convenience requires that the project in question be brought to a state of recreational usefulness agreed upon by DCR, the Recipient and the FHWA.

**Reimbursement Documentation:**

1. All funding associated with the Recreational Trails Program is federal funding made possible from the Federal Highway Administration. Reimbursements are paid on an 80% matching reimbursement basis not to exceed the actual out of pocket expense or the approved total grant award amount provided adequate documentation is submitted by the Recipient to justify expenditures incurred and paid.

2. The Recipient understands that no Commonwealth of Virginia funding is associated with this project and no Commonwealth of Virginia funding will be made available for this project under any circumstances.
3. Each reimbursement request must include:
  - a) Receipts, delivery tickets and packing slips for materials and supplies purchased. This is required for all projects including contractor performed work.
  - b) Invoices/Schedule of Values (SOV) itemizing charges. All invoices/SOV should reference the RTP project. Invoices/Schedule of Values must be detailed with an explanation for how the purchases relate to the RTP authorized work. Invoices/Schedule of Values with expenses for materials and supplies without corresponding delivery tickets, packing slips, etc. will not be honored and will be ineligible for reimbursement. When invoices contain other purchases not related to the RTP project, the purchases applying to the RTP project must be clearly identified.
  - c) All invoice/SOV expenditures must have an explanation for how the material, supply or service relates to the RTP authorized work.
  - d) Time cards signed by both the employee and supervisor are required. Time cards are needed for contract labor performed work, force account performed work and volunteer performed work. A description indicating how the work performed by the employee ties to the RTP authorized work is needed. "Trail work" is not acceptable. Unsigned timecards by either the employee or supervisor are ineligible for seeking reimbursement. Incomplete timecards are ineligible for seeking reimbursement. Unsigned and/or incomplete volunteer time cards and/or logs are ineligible for seeking reimbursement.
  - e) All expenditures must have an accompanying proof of payment in the form of image of cleared check (front and back of check), credit card receipt, payroll ledger or pay stub copies, etc. Internal source documents are not sufficient to prove an outlay of funds.
  - f) Holiday, Annual, Sick leave and Overtime may not be charged to the RTP project.
  - g) Work logs indicating daily tasks completed for the RTP project. Daily work logs are needed for force account, volunteer and contract built projects.
  - h) Equipment records must clearly identify machinery, date, time, name of operator, rate of the equipment and description how the equipment was used in accordance with the authorized RTP scope of work. If discrepancies exist between the hours on the operator's time sheets and the equipment records explanations are required to determine eligibility for reimbursement purposes.
  - i) Buy America documentation to support iron or steel products used in the RTP project.
  - j) Documentation describing a summary of the procurement on the RTP project including the

Recipient's effort to including DBEs in the project. This documentation includes but is not limited to the final Invitation For Bid, Project Manual, bid spreadsheet showing lowest, responsive and responsible bidder and executed contract.

4. The Recipient understands that both DCR and the FHWA verify reimbursement requests before FHWA authorizes payment. DCR verifies first, then the FHWA. Due to the volume of information required the Recipient may be requested to submit 2 paper copies (one for DCR files and one for FHWA files) to help expedite processing. Electronic reimbursement request sent via email is acceptable when feasible.
5. The Recipient understands that RTP program requires documentation to justify all expenditures associated with the project before reimbursement can be authorized. The Recipient understands that each project is situation specific and additional information to what is listed in this grant agreement may be requested to receive reimbursement. The Recipient understands that failure to provide suitable documentation for authorization from the FHWA for payment can result in the inability to be reimbursed for work performed, either in whole or in part.
6. The Recipient understands that if any ambiguity exists in determining how an expense relates to the RTP authorized work it may not be honored in which case no reimbursement will be made to the Recipient.
7. Request for reimbursement must be submitted no less than once per year during the grant life on completed work that has been incurred and paid for by the Recipient for the project.

### Special Conditions

1. Projects utilizing other federal funds in addition to the Recreational Trails Program funding must demonstrate adherence to the 95% rule which states that the total federal dollars on a project cannot exceed 95%. **Each reimbursement request must adhere to this rule.** Other federal funding added to the project after RTP approval will not be allowed as a match for the RTP project and expenditures associated with the other federal funding will be ineligible for reimbursement. Federal funds from other sources added after RTP approval could result in rescission of the RTP award when the programs rules and regulations would prohibit the multiple federal funding sources.
2. The Recipient understands that the project is to be undertaken in accordance with the recommendations from the Virginia Department of Game and Inland Fisheries by minimizing the amount of vegetation and tree clearing. If tree removal becomes necessary adherence to DGIF's standard tree removal – T&E bat guidance is to be followed. This involves coordination with USFWS and reviewing DGIF online bat tools:  
<http://www.dgif.virginia.gov/environmental-programs/>;  
<http://www.dgif.virginia.gov/wildlife/bats/northern-long-eared-bat-application/> ; and  
<http://www.dgif.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/>.

3. Twenty percent (20%) of the grant award amount is held in retainage until the work described in the scope of work is completed and satisfactorily inspected by DCR.
4. The Facility Life assigned to this project is 20 years beginning with the date of final reimbursement.

**Project Extensions**

Extensions of the grant expiration date will only be considered when there are documented circumstances beyond the control of the Recipient (severe weather events, etc.). Extensions are not a right and may be denied on the constraints of the grant program guidelines, source of funding, insufficient progress or poor project administration. Requests for extensions must be submitted in writing no less than 90 days prior to project expiration.

In witness whereof, the parties hereto have executed this agreement as of the date entered below.


**Commonwealth of Virginia  
Department of Conservation and Recreation**

Amended 10/6/21 (indicated in red)

By:   
Danette Poole  
Planning and Recreation Resources  
Division Director

 e-signature  
10/13/2021  
Kristal McKelvey  
Recreation Grants Manager

Date: 2/12/18  
  
City of Charlottesville

 10/14/21  
Kelly McClary  
Planning and Recreation Resources Division Director

By:   
Signature  
  
BRIAN DALY  
Printed Name

 10/14/21  
Rauslyn Smith  
DCR Finance Grant Fund Manager

DIRECTOR, PARKS & RECREATION, CITY OF CHARLOTTESVILLE, VIRGINIA  
Title

 10/15/2021  
Clyde Cristman  
Department of Conservation and Recreation Director

Date: APRIL 18, 2018

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



<b>Agenda Date:</b>	November 15, 2021
<b>Action Required:</b>	Approve Appropriation of Compensation
<b>Presenter:</b>	Krisy Hammill, Senior Budget & Management Analyst, Budget and Performance Management
<b>Staff Contacts:</b>	Scott Hendrix, Sr. Project Manager, Facilities Development Kristel Riddervold, Division Manager, Facilities Development
<b>Title:</b>	<b>Appropriation of Design Professional’s Compensation for the Circuit Court Renovation &amp; Addition Project– \$6,643.00</b>

**Background:** The City of Charlottesville Facilities Development Division has been overseeing a project to renovate and add onto the Charlottesville Circuit Courthouse. During the course of the project, one of the design professionals under contract to the City observed a deficiency in its design which requires re-work by the contractor. The design professional has agreed to compensate the City \$6,643.00 for its loss related to the deficiency. Those funds, \$6,643.00 have been received and need to be appropriated back into the project account (P-00918).

**Discussion:** Appropriation of these funds is necessary to replenish the Project Account (P-00918) for related expenses.

**Alignment with Council Vision Areas and Strategic Plan:** This request supports City Council’s “Smart, Citizen-Focused Government “vision. It contributes to Goal 4 of the Strategic Plan, to be a well-managed and successful organization.

**Community Engagement:** N/A

**Budgetary Impact:** Funds are being being expensed from the Projects Account (P-00918) as this work is being performed and the compensation is intended to replenish the project account for the portion of those expenses related to the deficiency.

**Recommendation:** Staff recommends approval and appropriation of the reimbursement funds.

**Alternatives:** If compensated funds are not appropriated, the Projects Account (P-00918) may reflect a deficient balance at project close out.

**Attachments:** Resolution



**RESOLUTION  
APPROPRIATING \$6,643.00 REIMBURSEMENT  
RECEIVED IN CONNECTION WITH THE CHARLOTTESVILLE CIRCUIT  
COURT RENOVATION AND ADDITION PROJECT**

WHEREAS, the City of Charlottesville has received a reimbursement payment from FPW Architects, a professional design professional consultant rendering services to the City for the Charlottesville Circuit Court Renovation and Addition Project (“Project”); and

WHEREAS, the reimbursement payment, in the amount of \$6,643.00, is requested to be returned to the account from which the expenses for the Project are being paid;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville THAT the amount of \$6,643.00 is hereby appropriated for Project expenditures, as follows:

**Revenues - \$6,643.00**

Fund: 426                      WBS Element: P-00918                      G/L Account: 451999

**Expenditures - \$6,643.00**

Fund: 426                      WBS Element: P-00918                      G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Actions Required:	Appropriation of Funding
Presenter:	Holly Bittle, Budget Analyst, Charlottesville Police Department
Staff Contacts:	Major Latroy Durette, Charlottesville Police Department Holly Bittle, Budget Analyst, Charlottesville Police Department
<b>Title:</b>	<b>Edward Byrne Memorial Justice Assistance Grant (JAG) - \$23,284</b>

**Background:**

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance' (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program furthers the Department's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence. The DOJ is committed to advancing work that promotes civil rights, increases access to justice, supports crime victims, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

**Discussion:**

The national discourse over the summer of 2020 emphasized the need to increase positive community engagement opportunities. The Charlottesville Police Department (CPD) requested funding to expand its ability to have more officers certified to patrol the city on bicycle which increases positive interactions between CPD officers, City residents and visitors. In addition, in Charlottesville's urban environment officers patrolling on bicycles can move more quickly through dense neighborhoods and crowds than officers in patrol cars.

These grant funds will allow CPD to train three officers to become International Police Mountain Bike Association (IPMBA) certified instructors, increasing the ability of CPD and other local area agencies to access this valuable training; increase the number of patrol vehicles that can transport bicycles; and outfit newly certified bicycle patrol officers with required equipment. Notification of award approval was received on October 13, 2021 for reimbursement up to \$23,284.

**Alignment with City Council's Vision and Strategic Plan:**

This project supports Goal 2 of the Strategic Plan, to be a Healthy and Safe City.

**Community Engagement:**

The increased the availability of certified bicycle patrol officers will allow for more participation by officers in community engagement activities like Safe Routes to School and at large scale events, such as the July 10, 2021 Confederate Statue removal.

**Budgetary Impact:**

This has no impact on the General Fund. No local match is required and the funds will be expensed and reimbursed to a Grants Fund.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

If grants funds are not appropriated, the Police Department will be unable to send three officers to become IPMBA certified instructors, and unable to increase the number of certified bicycle patrol officers and number of patrol vehicles able to carry bicycles while on patrol.

**Attachments:**

- Resolution Appropriating Funding
- U.S. Department of Justice, Office of Justice Programs’ Edward Byrne Justice Assistance Grant Program FY 2021 Local Solicitation’s “Certifications and Assurances by the Chief Executive of the Applicant Government”

**RESOLUTION APPROPRIATING FUNDS FOR  
Edward Byrne Memorial Justice Assistance Grant (JAG) Grant # 15PBJA-21-GG-01920-  
JAGX  
\$23,284**

**WHEREAS**, the Office for Civil Rights, Office of Justice Programs, Department of Justice Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2021 Local Formula awarded a grant to the Police Department, through the City of Charlottesville, to train three officers to become International Police Mountain Bike Association (IPMBA) certified instructors, to outfit additional patrol vehicles to transport bicycles, and outfit newly certified bicycle patrol officers with required equipment;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that a total of \$23,284.00 be appropriated in the following manner:

**Revenues – \$23,284.00**

\$23,284.00	Fund: 211	Internal Order: 1900444	G/L Account: 431110
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**Expenditures – \$23,284.00**

\$4,452.00	Fund: 211	Internal Order: 1900444	G/L Account: 510060
\$345.00	Fund: 211	Internal Order: 1900444	G/L Account: 511010
\$9,658.00	Fund: 211	Internal Order: 1900444	G/L Account: 525266
\$2,265.00	Fund: 211	Internal Order: 1900444	G/L Account: 530102
\$2,864.00	Fund: 211	Internal Order: 1900444	G/L Account: 530103
\$1,000.00	Fund: 211	Internal Order: 1900444	G/L Account: 530105
\$2,700.00	Fund: 211	Internal Order: 1900444	G/L Account: 530140

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the reimbursement of funds or goods as supplied from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Justice Edward Byrne Memorial Justice Assistance Grant Program.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Appropriation of Funding
Presenter:	Krisy Hammill, Senior Budget and Management Analyst
Staff Contacts:	Mike Goddard, Senior Project Manager Department of Public Works - Facilities Development Division
Title:	<b>Appropriation of additional \$250,000 contribution from Charlottesville City Schools to the School Small Cap Funded Program (SC-003) for School Security Projects</b>

**Background:**

The City of Charlottesville has received an additional contribution from Charlottesville City Schools to the Schools Small Cap Funded Program in the amount of \$250,000 to support School Security Projects.

**Discussion:**

Once appropriated, the funds will be expensed from the Schools Small Cap Program in Fund 426. Charlottesville City Schools may be reimbursed from the state grant program for related equipment but projects must be initiated in the summer and grant awards are not known until late fall. If grant funds are awarded, the additional \$250,000 contribution from Charlottesville City Schools to the Schools Small Cap Program satisfy the local match requirements and subsequent system maintenance/replacement.

**Alignment with City Council's Vision and Strategic Plan:**

This request supports City Council's "A Center for Lifelong Learning" vision. It contributes to Goal 2 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community, and objective 2.1, to reduce adverse impact from sudden injury and illness and the effects of chronic disease.

**Community Engagement:**

N/A

**Budgetary Impact:**

This has no impact on the General Fund.

**Recommendation:**

Staff recommends approval and appropriation of the additional funds.

**Alternatives:**

If funds are not appropriated, the related School Security projects may not move forward in a timely manner which would hinder the Schools' eligibility to receive the potential reimbursement from the state.

**Attachments:**

Resolution

**RESOLUTION**  
**APPROPRIATING \$250,000 CONTRIBUTION FROM CHARLOTTESVILLE CITY**  
**SCHOOLS TO THE SCHOOL SMALL CAP FUNDED PROGRAM FOR SCHOOL**  
**SECURITY PROJECTS**

**WHEREAS**, the City of Charlottesville has received \$250,000 from Charlottesville City Schools to support school security projects;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville that the amount of \$250,000 is hereby appropriated for Project expenditures, as follows:

**Revenues - \$250,000**

Fund: 426

WBS Element: SC-003

G/L Account: 498900

**Expenditures - \$250,000**

Fund: 426

WBS Element: SC-003

G/L Account: 599999

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



<b>Agenda Date:</b>	November 15, 2021
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Hunter Smith, Human Services Department
<b>Staff Contacts:</b>	Hunter Smith, Human Services Department Misty Graves, Human Services Department
<b>Title:</b>	<b>Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704</b>

**Background:**

In July 2010, the City of Charlottesville became the fiscal agent for the Virginia Juvenile Community Crime Control Act (VJCCCA) funds for both Charlottesville and Albemarle County. This funding stream was established by the 1995 Virginia General Assembly to create balanced, community-based systems of sanctions, programs and services for juvenile offenders. These funds are used to support the Community Attention programs. In Fiscal Year 2022, \$292,058 in VJCCCA funds will be received from the Virginia Department of Juvenile Justice with a required local maintenance of effort of \$52,231 from Albemarle County, and \$108,415 from the City for a total of \$452,704. The grant period is from July 1, 2021 through June 30, 2022.

**Discussion:**

The VJCCCA grant funds the delinquency prevention and youth development services provided by Community Attention for Charlottesville/Albemarle youth involved in the juvenile justice system. These services include the following programs: the Teens GIVE service learning program that provides community service opportunities during both the school year and the summer; the Community Supervision Program that provides pro-social skills training like anger management, individual and group counseling services and case management services for youth on electronic monitoring; the Community Attention Youth Internship Program (CAYIP) which provides paid internship opportunities; the Family Based Intervention Program which provides evidence-based, and family centered intervention programs.

**Alignment with City Council's Vision and Strategic Plan:**

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



Community Attention's VJCCCA funded programs provide community based services that prevent delinquency and promote the healthy development of youth. Expected outcomes include decreased delinquent behavior during and after program participation.

**Community Engagement:**

The VJCCCA funded programs engage local youth involved in the juvenile justice system and their families by providing delinquency prevention and youth development programs. The programs also engage and coordinate with other local agencies and organizations in the provision of services to the youth.

**Budgetary Impact:**

The funds will be expensed and reimbursed to the VJCCCA Fund. The required General Fund City contribution has already been appropriated as part of the Fiscal Year 2022 Council Adopted Budget so no new funds are required to cover the match.

**Recommendation:**

Staff recommends approval and appropriation of funds.

**Alternatives:**

If the VJCCCA funds are not appropriated, Community Attention would have to serve fewer youth and eliminate programs and staff.

**Attachments:**

Appropriation Resolution

**RESOLUTION APPROPRIATING FUNDS for  
Virginia Juvenile Community Crime Control Act Grant (VJCCCA)  
\$452,704**

**WHEREAS**, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice; and

**WHEREAS**, this grant requires local maintenance of effort funds in the amount of \$52,231 from Albemarle County and \$108,415 from the City; and

**WHEREAS**, the grant award covers the period from July 1, 2021 through June 30, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$452,704 is hereby appropriated in the following manner:

**Revenue – \$452,704**

\$292,058	Fund: 220	Cost Center: 3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center: 3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center: 3523001000	G/L Account: 498010

**Expenditures - \$452,704**

\$ 53,075	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$399,629	Fund: 220	Cost Center: 3523001000	G/L Account: 530010

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$292,058 from Virginia Department of Juvenile Justice, and \$52,231 from Albemarle County.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Approval of a Resolution to Convey a City Fire Truck to Winneba, Ghana (1 <sup>st</sup> of 2 readings)
Presenter:	Dr. Hezedeane Smith
Staff Contacts:	Dr. Hezedeane Smith; Sam Sanders and Ashley Marshall, Deputy City Managers
Title:	<b>Proposed Conveyance of City Fire Truck to Charlottesville Fire Company</b>

**Background and Discussion:**

Engine 2, a 2003 Pierce Quantum Fire Engine was an integral part of the Charlottesville Fire Department's fleet of equipment, providing our City with many years of fire protection. This truck served as Engine 7 and was located at the Ridge Street Fire Station for most of its career before moving to a reserve engine status. Engine 2 was the first CFD engine to have an electronic onboard foam/ firefighting agent proportioning system, and it was also the first unit that was modified with additional compartmentation to serve in the hazmat engine role until Engine 10 was placed in-service in 2012. Since becoming a reserve engine, Engine 2 filled in for many of the frontline units on a day to day basis while they were out of service. Engine 2 was removed from reserve status and taken out of service in the Fall of 2020. The value of the Fire Engine is estimated to be around \$25,000.

We would like to make a donation of Engine 2 to the Charlottesville Fire Company. The Charlottesville Fire Company does not plan to sell the Engine, but rather to donate it, in turn, to the City of Winneba, Ghana. Through the Sister Cities Commission, Winneba has indicated a desire and a need for this fire truck.

**Alignment with Council Vision Areas and Strategic Plan:**

Our community has world-class performing, visual, and literary arts reflective of the unique character, culture, and diversity of Charlottesville. Charlottesville cherishes and builds programming around the evolving research and interpretation of our historic heritage and resources. Through City partnerships and promotion of festivals, venues, and events, all have an opportunity to be a part of this thriving arts, cultural, and entertainment scene.

Protect historic and cultural resources. The historic and cultural resources in the city are economic development and tourism assets. They also represent a testament to the community's past. The preservation of these resources is critical to protect the character of the city. The strategies and policies to preserve and sustain these resources include education, urban design, resource

inventory, neighborhood conservation, resource protection, entrance corridor and other regulatory review, and technical assistance to property owners.

**Community Engagement:**

N/A. This conveyance would build upon and be a highly visible symbol of the Fire Safety Partnership with the fire departments of Charlottesville (which includes both CFD and CFC, reference City Code 12-15) and Winneba, Ghana.

**Budgetary Impact:**

This has no impact on the General Fund if donated as proposed.

**Legal Review:**

Section 15.2-953 of the Virginia Code authorizes a locality to make donations to charitable institutions or associations engaged in various activities/ missions, and also authorizes a locality to make donations to “another governmental entity located in our outside the Commonwealth, *within the United States*”, see 15.2-953(B). Neither Winneba itself, nor the Charlottesville-Winneba Foundation, appears to clearly fall within the categories of activities expressly referenced within Va. Code §15.2-953 (status as a charitable organization is not sufficient, in and of itself).

However, the City Attorney’s Office has indicated that City Council may consider a proposed conveyance of the Fire Engine to the Charlottesville Fire Company, which is willing to engage with both CFD and Winneba, in respect of the City’s long-standing sister city relationship directly with Winneba. (See the attached correspondence from CFC)

**Recommendation:**

The Fire Chief and Deputy City Managers recommend a donation of Engine 2 to the Charlottesville Fire Company, for ultimate transfer to Winneba, Ghana.

**Alternatives:**

If the request to convey Engine 2 to CFC is not approved, the Fire Chief recommends the engine be turned over to Purchasing for sale/disposal as surplus property.

**Attachments:**

- (1) Proposed Resolution
- (2) Correspondence from Charlottesville Fire Company

**RESOLUTION**  
**APPROVING A CONVEYANCE OF A 2003 PIERCE QUANTUM FIRE ENGINE**  
**TO THE CHARLOTTESVILLE-WINNEBA FOUNDATION**

**WHEREAS**, the Charlottesville-Winneba Foundation has requested the City to donate to it certain property, specifically a 2003 Pierce Quantum Fire truck (the “Fire Engine”), vehicle identification number 4P1CT02S73A003437; and

**WHEREAS**, the Fire Engine is currently in storage, and the City has no plans to use the Fire Engine for the provision of firefighting services in the future, and staff estimates the value of the Fire Engine to be around (\$25,000).

**WHEREAS**, pursuant to Virginia Code Sec. 15.2-953 City Council desires to convey the Fire Engine to the Charlottesville Fire Company, for eventual transfer to the City of Winneba, Ghana, through cooperative efforts between CFC and the Sister Cities Commission; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE** that the Charlottesville City Manager is hereby authorized to convey all of the City’s rights, title and ownership interest in the Fire Engine to the Charlottesville Fire Company, in order that the Charlottesville Fire Company, in cooperation with the Sister Cities Commission, may arrange for the transfer and transportation of the Fire Engine to the City of Winneba, Ghana for its public use.

**CHARLOTTESVILLE FIRE COMPANY**

P.O. Box 406  
Charlottesville, Virginia 22902



**Chief Hezedean Smith**  
2420 Fontaine Ave.  
Charlottesville, VA 22903

September 23, 2021

Chief Smith,

Having heard of the need for a fire engine for our sister city in Ghana, and, realizing that the city was wishing to dispose of the reserve engine known as Engine 2, the Charlottesville Volunteer Fire Company is requesting the Charlottesville Fire Department donate Engine 2 to our organization, with the understanding that we would then donate the engine to Ghana. This would be our way of participating in the partnership with a fire department outside of our own jurisdiction but doing the same work that we do. As a 501-c-3 organization, we understand that such a donation may be legally made. It should also be understood that the Charlottesville Volunteer Fire Company will not be responsible for any shipping costs associated with the donation and that the Charlottesville Fire Department will facilitate the transfer to Ghana.

Thank you for your consideration.

Sincerely,

Julian Taliaferro, Chief  
Charlottesville (Volunteer) Fire Company

JT/btm

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



<b>Agenda Date:</b>	November 15, 2021
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Chris Cullinan, Director of Finance
<b>Staff Contacts:</b>	Chris Cullinan, Director of Finance Richard Palumbo, Utility Billing Manager
<b>Title:</b>	<b>American Rescue Plan (ARP) Funds from the Commonwealth for Utility Bill Assistance - \$359,879.30</b>

**Background:**

The Commonwealth of Virginia received \$4.3 billion of American Rescue Plan Funds. During the Special Legislative Session in August 2021, \$120 million was dedicated toward residential utility bills that are more than 60 days overdue. The City of Charlottesville has received notice of the award of \$359,879.30 in funds to assist residential customers with arrearages greater than 60 days for the time period between March 12, 2020 and August 31, 2021.

**Discussion:**

The award letter provides guidance that utilities have to follow in dispersing the funds. First, the assistance is limited to residential customers. The funds must be distributed on a proportionate basis and are not intended to cover 100% of the arrearages. The City has approximately \$550,000 in residential arrearages, thus the utility assistance funds will cover approximately 65% of overdue balances.

Unlike the utility bill assistance funds received from the CARES Act, customers do not need to take any actions or provide information to receive relief funds from ARP. This will allow Utility Billing Office staff to begin distributing the funds as soon as they are received.

Once the utility assistance funds are distributed, Utility Billing Office staff will work with customers on establishing affordable, sustainable repayment plans to cover any remaining overdue balances.

**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:**

As noted above, these funds do not require customers to take any actions to receive the funds. Funds will be distributed to eligible residential accounts on a proportionate basis.

**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 ARP funding in the amount of \$359,879.30 to 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



**RESOLUTION APPROPRIATING  
American Rescue Plan (ARP) Funds from the Commonwealth for  
Utility Bill Assistance \$359,879.30**

**WHEREAS**, the City of Charlottesville has received award approval for \$359,879.30 from the American Rescue Plan from the Commonwealth of Virginia Department Housing and Development to use to assist utility customer bill arrearages of over 60 days owed between March 12, 2020 and August 31, 2021;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$359,879.30 is hereby appropriated in the following manner:

**Revenue-\$359,879.30**

Fund 207	I/O: 1900446	G/L Account: 430127
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**Expenditures - \$359,879.30**

Fund 207	I/O: 1900446	G/L Account: 599999
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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

October 29, 2021

**VIA EMAIL**

Chris Cullinan  
Director of Finance  
City of Charlottesville

Re: Award Letter, Guidance, and Required Certification and Comparison Analysis for COVID-19 ARPA SLFRF Municipal Utility Assistance Program

Dear Chris Cullinan:

On behalf of Governor Northam, it gives me great pleasure to inform you that City of Charlottesville has been awarded \$359,879.30 in federal State and Local Fiscal Recovery Funds (SLFRF) through the American Recovery Plan Act (ARPA) for the COVID-19 ARPA SLFRF Municipal Utility Assistance Program. Your award shall be used to directly assist residential municipal utility customers of City of Charlottesville with arrearages greater than 60 days for the time period between March 12, 2020, and August 31, 2021. This funding is being provided under CFDA 21.027 – Coronavirus State and Local Fiscal Recovery Funds (SLFRF).

Please read the additional program guidance included with this letter carefully before proceeding with additional steps. Given the tight timeline for utilization of these funds and to receiving funds in an expedited manner, you must return the attached forms through a web portal. You are required to partner with a city or county to act as the fiscal agent to receive the funds from the Department of Accounts (DOA). The city or county will then forward funds to the municipal utility to apply to eligible residential utility customer accounts. In order to pre-qualify your eligible residential utility customer accounts and apply relief automatically, you will need to complete the Utility Arrearage Analysis in Appendix A. Once the project is complete, DOA will follow up regarding project outcomes and compliance. It is incumbent on City of Charlottesville and the partnering city or county to ensure project expenses are properly documented and verified in case of audit.

For questions contact DHCD staff member David Conmy at [utility@dhcd.virginia.gov](mailto:utility@dhcd.virginia.gov).

Sincerely,

Erik Johnston  
Director, Virginia Department of Housing and Community Development

CC: David Von Moll, Comptroller, Department of Accounts  
Encl: COVID-19 ARPA SLFRF Municipal Utility Assistance Program: Guidance and Required Certification; Appendix A: Utility Arrearage Analysis to Substantiate Residential Customer Pre- Qualification; and Frequently Asked Questions

**COVID-19 ARPA SLFRF MUNICIPAL UTILITY ASSISTANCE PROGRAM:**

### Guidance and Required Certification

Based on the response that the Virginia State Corporation Commission (SCC) received from your utility system in the Application for Utility Assistance Funds (Municipal Utilities), the SCC has determined your award amount which is reflected in your award letter. Accordingly, the award letter, guidance, and required certification will serve as the next steps in facilitating this program.

### Pre-Qualification & Eligibility

This program is funded through the State and Local Fiscal Recovery Funds (SLFRF) of the American Rescue Plan Act (ARPA). One of the most important elements of ARPA federal guidance as it relates to this new Utility Assistance program is the ability to pre-qualify certain populations for eligibility rather than requiring individual customer applications/attestations. It is a best practice to pre-qualify groups and populations with relief programs as the customers with the lowest incomes and largest impacts from COVID-19 are least likely to provide customer attestations to any utility with which they have debt. This policy decision that is authorized in the federal guidelines is critical to ensure quick and equitable access to relief for residential customers negatively impacted by the pandemic.

This guidance supports the Commonwealth's determination as a recipient that for this SLFRF utility relief program that the population group of residential customers with arrearages over 60 days as of August 31, 2021, are households that experienced a negative economic impact due to COVID-19, which is determined by these households having an unpaid arrearage greater than 60 days during the pandemic. Unpaid utility arrearages demonstrate housing insecurity for this population group which [Treasury's 7-19-2021 FAQ](#) demonstrates negative economic impacts from the pandemic (see question 2.17, Pages 9 through 11). **Accordingly, the Commonwealth has determined that individual customer attestations are not required for this program once a utility analysis is provided.**

Only residential customers are eligible for this utility assistance. Municipal utilities shall pay the full amount of arrearages owed by eligible residential customers; however, funding may be limited and may not fully address the eligible arrearages for which your utility system applied. Therefore, utility systems are required to proportionately distribute their award to the population/group of all residential utility customers that are 60+ days in arrears as of August 31, 2021.

Because this program does not require customer attestation, 100% of your award amount must be directed to assisting eligible residential utility customers. Utilization of your award amount for direct administrative costs is prohibited. **Utilities must ensure residential customers eligible for this relief have the funding credited to their account as soon as possible and must reflect this relief on the soonest billing statement possible given the specific billing system utilized by the utility. Should the application of any assistance render a customer due a balance necessitating a cash refund payable to the customer, such assistance shall be proportionally reduced as to achieve a zero balance.**

### Management of Award Funds

Upon receipt of any funds, utilities shall maintain separate ARPA COVID-19 Utility Assistance Funds and record direct assistance payments to residential customers on their books in accordance with applicable accounting standards. Utilities may not direct any funds provided in this paragraph to new deposits, down payments, fees, late fees, interest charges, or penalties.

Your award amount must be disbursed through a partnering county or city that will serve as the fiscal

agent with the Department of Accounts (DOA) disbursing funds and having responsibility for sub-recipient monitoring. Consequently, municipal utility systems, especially those that are not directly managed by a city or a county, will need to partner with a city or county to serve as the fiscal agent for this program. Cities and counties may serve as the fiscal agent for more than one municipal utility system. In order to receive your funding for this program, the chief administrative officer for the partnering city or county and the authorized official representing the municipal utility will be required to certify their respective organization's participation in this program and its adherence to all associated federal ARPA SLFRF guidance and regulations. A standard certification for this program requiring signatures from both officials on behalf of their respective organizations has been included near the end of this document.

### **Program Certification & Compliance**

The SCC has calculated the proportional share of available funding for each municipal utility system that applied by the SCC's application deadline. This information was forwarded to DHCD, which is facilitating the award letter and certification process for municipal utilities and their partnering city or county.

In order to receive the ARPA SLFRF funding amount calculated by SCC, each city and county and their partner municipal utility system(s) must complete a certification form (at the end of this document). The certification form must be signed by the chief administrative officer for the city or county and the authorized official representing the municipal utility partner. In the event more than one municipal utility partners with a city or county, a separate certification will be needed for each partnership.

These certifications will be accepted by DHCD bi-weekly based on the following pre-determined schedule:

- November 5, 2021
- November 19, 2021
- December 3, 2021
- December 17, 2021
- January 7, 2022
- **\*COB Friday, January 21, 2022 – Certification Final Deadline**

**\*January 21, 2022, will be the last date DHCD will accept certifications from awarded utilities. Any municipal utility that does not submit their certification by this date will forfeit their award and the funds will be used by the Commonwealth for other purposes in alignment with ARPA.**

Upon receipt of bi-weekly certifications from DHCD, DOA will process distributions to cities and counties – including those serving as fiscal agents on behalf of towns, authorities, and other regional level utilities – on a monthly basis.

The certification establishes that the awarded municipal utility and their city or county fiscal agent will abide by U.S. Treasury guidance and other regulatory matters concerning the use of ARPA SLFRF. The intent is for this allocation to pass through the county or city directly to the municipal utility to serve eligible municipal utility customers. The municipal utility as the customer utility relief program operator should develop a sub-agreement with the county or city fiscal agent assuring the city or county fiscal agent that the municipal utility will be responsible for compliance with state and federal law.

Upon receipt by DHCD of a complete and accurate certification form from the county/city and municipal utility, the Department of Accounts (DOA) will then distribute funds directly to cities and counties, which will serve as the fiscal agent on behalf of their partner municipal utility(ies). DOA will also be the lead state agency working with the city or county and their partnered utility system(s) on monitoring to ensure compliance with the program and federal guidelines.

**Please note that approval of an allocation for purposes of this utility assistance program does not represent any assurance, legal or otherwise, that the approved project complies with all federal guidelines related to the use of these funds. Cities and counties in addition to their partner municipal utility(ies) are strongly encouraged to consult their legal counsel prior to expending the federal ARPA Fiscal Recovery Funds that have been awarded through this program. Applicants are recommended to read and understand the federal guidance and the frequently asked questions can be obtained at the following links:**

<https://www.govinfo.gov/content/pkg/FR-2021-05-17/pdf/2021-10283.pdf>

<https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>

**This information is routinely updated, so guidance may have changed since you last consulted it.**

Compliance with the federal guidance is the responsibility of the city or county submitting the application on behalf of a municipal utility and failure to do so could result in disallowed expenses requiring repayment of the associated funds to the federal government. If the city or county fails to repay any funds spent for non-qualifying expenses on behalf of a municipal utility as required by the federal government, the State Comptroller will recover such amounts from future state payments to the locality via the State Aid Intercept Program. Consequently, cities and counties are encouraged to develop agreements or memorandums of understanding (MOU) with their partner municipal utility system(s) to indemnify cities and counties in the event the municipal utility system does not adhere to U.S. Treasury guidelines and consequently subjects the city or county to such State Aid Intercept action(s).

Further, the State Comptroller's office (DOA) has subrecipient monitoring responsibilities that will necessitate evaluation and additional correspondence with cities and counties regarding the use of funds. Cities and counties are encouraged to develop MOUs that will help establish clarity concerning responsibility and accountability among all parties regarding this requirement.

Please note that the certification statement includes an acknowledgment that recipients may not receive reimbursement or recipients may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. It is important to understand that the burden of ensuring that all ARPA Fiscal Recovery Funds are spent for qualifying purposes falls to the city or county working on behalf of the municipal utility. Again, cities and counties are encouraged to develop MOUs that will help establish clarity concerning responsibility and accountability among all parties regarding this requirement.

Awardees are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements. The State Comptroller is responsible for all sub-recipient monitoring and may require additional information in the future from each city or county and/or their partner municipal utility system(s) to address that responsibility.

The certification form contains more specific details on the responsibilities of the city/county and partnered municipal utility. The signed certification form should be submitted to DHCD through the following web portal according to the aforementioned pre-determined schedule:

<http://s.alchemer.com/s3/COVID-19-ARPA-SLFRF-Municipal-Utility-Relief-Program>

If you have any questions regarding the appropriate use of ARPA SLFRF, please refer to the U.S. Treasury Website and guidance linked above. For questions about this process or technical questions about the

certification form or the distribution of the funds, please first refer to the FAQ documents provided and then send unresolved inquiries to: [utility@dhcd.virginia.gov](mailto:utility@dhcd.virginia.gov)





CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Appropriation of Funds
Presenter:	Riaan Anthony, Parks and Recreation Management Specialist II
Staff Contacts:	Riaan Anthony, Parks and Recreation Management Specialist II Vic Garber, Interim Director, Parks and Recreation
Title:	<b>BAMA Matching</b> Skate Park Lighting Donations - \$100,000

**Background:**

Following an aggressive community engagement process for a new lit skate park, the conceptual design for the East Side of McIntire Park was approved by City Council in 2015. At that time, available funds for the skate park were less than the lowest competitive bid. Following lengthy negotiations, skate park lighting was removed from project construction, and the park was built. The Charlottesville Skate Park opened to the public in March 2018 and is heavily used by skateboarders, bikes, and scooters from the city, county, and region.

**Discussion:**

Lighting the skate park is an important investment for the safety of our patrons. It will allow residents and visitors to maximize daily use of the skate park, after work and school, especially during the fall, winter, and spring months. The cost for skate park lighting is approximately \$285,000. \$109,315 has been raised so far through several fundraising events conducted by skate park advocates and staff members. These funds are presently in a CIP account specifically for skate park lighting (P-01034). BAMA Works pledged to match the first \$100,000 funds received to help complete the skate park lighting. With all the donations and fundraising, the department has exceeded the \$100,000 match and with the additional \$100,000 awards we will be \$46,685 from our goal. Future donations will be added to this CIP account until we reach the amount needed to install the lights.

**Alignment with Council Vision Areas and Strategic Plan:**

This project aligns with City Council’s “Green City” vision and contributes to Goal 2 of the Strategic Plan: Be a safe, equitable, thriving, and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.; 5.2. Build collaborative partnerships; 5.3. Promote community engagement.

**Community Engagement:**

Extensive community engagement took place as part of the fundraiser for lights.

**Budgetary Impact:**

There is no budgetary impact at this time. Once the estimated amount necessary to complete the project has been received and the project begins, additional funding may be needed to complete the skate park lighting installation. At which time additional appropriations/resolutions for funding may come to Council for consideration.

**Recommendation:**

Staff recommends the appropriation of these funds.

**Alternatives:**

N/A

**Attachments:**

Appropriation Resolution

**RESOLUTION APPROPRIATING funding for  
Skate Park Lighting - \$100,000**

**WHEREAS**, the City of Charlottesville, through the through Parks and Recreation, has received match donations of 100,000 from BAMA Works to offset costs for Skate Park lighting.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, receive \$100,000 match funds from BAMA Works is hereby appropriated in the following manner:

**Revenue**

\$100,000	Fund: 426	WBS-P1034	G/L Account: 451020
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**Expenditures**

\$100,000	Fund: 426	WBS-P1034	G/L Account: 599999
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**BE IT FURTHER RESOLVED** by the Council of Charlottesville, that any future donations for Skate Park Lighting shall be added to increase the budget of this appropriation. This appropriation shall not be deemed to expire at the end of the fiscal year, but is hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. Should the full amount necessary to install the Skate Park Lighting not be fully secured, then the donations received for the project will be returned to those individuals or organizations who made the donations, in the amount of the original donation.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Resolution Adoption
Presenter:	James Freas, Director, Neighborhood Development Services
Staff Contacts:	James Freas, Director, Neighborhood Development Services Missy Creasy, Deputy Director, Neighborhood Development Services
<b>Title:</b>	<b>Charlottesville Comprehensive Plan Update</b>

**Background/Discussion:**

The Charlottesville Comprehensive Plan is an important component of the City’s overall policy framework, serving to express a vision and set goals for the future development of the City and a guide for implementation of the City’s subdivision ordinance, zoning ordinance and capital improvements plan. The Cville Plans Together 2021 update to this Plan has come at a critical time as the community has prioritized addressing concerns around equity and the availability of affordable housing. This work has been informed by a wide range of community engagement opportunities as well as the experience and expertise of the Cville Plans Together team including the consultants at Rhodeside & Harwell (RHI) and City staff.

There are two critical components to the Comprehensive Plan Update: (1) the five Guiding Principles, which overarch the entire plan and will guide how strategies are proposed to be implemented, and (2) the six Priority Areas that serve to focus the initial implementation efforts of the plan.

Five Guiding Principles

- **Equity & Opportunity:** All people will be able to thrive in Charlottesville.
- **Community Culture & Unity:** Charlottesville’s rich and diverse culture, history, and form will be celebrated, and the entire community will feel welcomed, valued, and respected.
- **Local & Regional Collaboration:** From the neighborhood to the region, open conversations and partnerships will make the city stronger.
- **Environmental Stewardship & Sustainability:** The Charlottesville community will demonstrate environmental and climate leadership.
- **Connections & Access:** The City will consider land use and transportation in complementary ways, creating more accessible and safer mobility options for all.

Six Priority Areas

- Support the development of more housing throughout the city, with a focus on creation of more housing that is affordable to more people, especially those with the greatest need.

- Make sure all people have access to job opportunities, shelter, healthy food, and other resources they need to thrive and have a high quality of life.
- Work to both mitigate and prepare for the impacts of climate change.
- Make it safer, easier, and more desirable to walk, ride a bicycle, or use other non-vehicle transportation options.
- Keep Charlottesville green, make it greener, and protect the natural environment and the many benefits it provides.
- Continue to evolve and improve communications and collaboration.

### Process

The Code of Virginia sets out a statutory process for adoption and review of a locality's Comprehensive Plan. The Code requires the Comprehensive Plan to be reviewed at least once every five years to determine if amendments are needed (§ 15.2-2230). The current review began in May 2017. The Planning Commission was in agreement that the City would grow, and that this review should focus on putting a framework in place to guide that growth in accordance with key priorities. Staff and the Planning Commission led three phases of community outreach and performed extensive work on a draft future land use map, until the effort was paused in January 2019 to obtain consultant assistance to navigate the continuation of the plan in the context of the community changes including further examination of equity, especially related to housing affordability. To support the City's Comprehensive Plan update, the City hired a consultant team led by Rhodeside & Harwell (RHI) in late 2019 to first develop an affordable housing plan that could provide needed information for the Comprehensive Plan, then complete Comprehensive Plan revisions, and conclude with production of a new Zoning Ordinance, which will provide for implementation of the vision of the plans. Once on board, the RHI team gathered community input and established the visions for the Charlottesville Affordable Housing Plan (March 2021) and Comprehensive Plan and proceeded through development of the plans. Work on the Comprehensive Plan Update continued as the Affordable Housing Plan was completed and endorsed by Council in March 2021. Using information gained through the Affordable Housing Plan, the consultants continued Comprehensive Plan chapter updates and focused on development and presentation of an updated Future Land Use Map. The Planning Commission has recommended that Council adopt the results of the update to the Comprehensive Plan.

### **Community Engagement:**

Community member participation is an important element in the Comprehensive Planning Process. In order to prepare a plan that is fully responsive to the needs of community residents, the Planning Commission, RHI team, and City staff carried out an extensive program of community review and participation. The objectives in encouraging community participation were to assist local residents in understanding the planning process, to allow community members to discuss the future of their community, to incorporate public input into the formation of policies for the future, and to transmit these comments to members of the Planning Commission and the City Council. Emphasis was also placed on open and free distribution of information and encouraging public involvement in the formulation of goals, policies, and implementation strategies.

The following processes and outreach efforts demonstrate the City's efforts to engage in effective community participation:

### **City Outreach 2017 -2018**

During Phase I of the Planning Commission and staff effort, a series of workshops were held to gather feedback from the community on how the update to the Comprehensive Plan should be shaped. The goal of Phase II of the Comprehensive Plan update was to gather more specific public input for informing the plan's land use chapter. During Phase III, a series of workshops were held to gather feedback from the community on their reactions to the recommended updates to the Comprehensive Plan. Details of these efforts are documented here:

[Booklet UPDATE 10 2018.pdf - Google Drive](#)

### **Cville Plans Together Steering Committee**

The Steering Committee was established to serve an advisory role to the City and consultant team throughout the Cville Plans Together process (which included creation of the Affordable Housing Strategy and updates to the Comprehensive Plan, and will include a rewrite of the zoning code). The group, made up of a diverse membership, met regularly to provide input on a variety of project elements, including helping to ensure that earlier efforts and input were considered in this process. While not a voting or decision-making group, the City and consultant team has weighed the input of the Steering Committee in development of plans, policies, and other recommendations. Their feedback was provided throughout the process and noted in the documentation. Detailed information on their membership and meetings is located here:

<https://cvilleplanstogether.com/document-media-center/>

### **Cville Plans Together – May - June 2020 Engagement**

The goal of the May-June 2020 community engagement efforts was to share information about the Cville Plans Together process led by RHI, begin creating a network and connections in the Charlottesville community and develop partnerships in order to bring people into the process, and receive initial input related to the Comprehensive Plan and Affordable Housing Strategy. Due to COVID-19, the planned community kick-off was not only pushed back from late March to May, 2020, but the City and consultant team were required to adapt the process to utilize safe, socially distanced methods of community engagement. While original plans called for a focus on in-person engagement, including several events and activities in neighborhoods, virtual methods had to be employed instead. To further increase engagement during the ongoing COVID-19 situation, the original survey period was extended to June 27 and the original set of five scheduled open discussions was expanded to ten. Details and outcomes of these efforts can be reviewed here: Full document [here](#).

### **Cville Plans Together – November - December 2020 Engagement**

The goal of the November 2020 community engagement efforts was to share the draft Affordable Housing Strategy and draft initial revisions of the Comprehensive Plan. The team also wanted to continue building a network of connections in the Charlottesville community and bring people into the process. Due to COVID-19, the City and consultant team were required to continue adapting the process to utilize safe, physically-distanced methods of community engagement. Details and outcomes of these efforts can be reviewed here: Full draft document [here](#) (PDF), with links to appendices.

### **Cville Plans Together – Spring 2021 Community Engagement**

The goal of the May-June 2021 community engagement efforts was to gather community input on draft updates to the Comprehensive Plan chapters and Future Land Use Map. This process included virtual components as well as in-person pop-up events at various community locations. Details and outcomes of these efforts can be reviewed here: [available here](#).

## **Planning Commission Work Sessions and Meetings**

The Planning Commission spent many hours in review of elements of the Comprehensive Plan during 2017-2018. In addition to attending many community events in support of the plan and to gather community input, Commissioners participated in multiple work sessions to provide staff with guidance. The Commission remained engaged once the Cville Plans Together project started and participated at various stages. The process looked different due to COVID-19 but allowed for continued engagement throughout the process. All meetings and work sessions were open to the public and additional public input was provided at a majority of these events. Materials were available online and provided by other means to those without computer access.

There were 51 speakers at the joint public hearing held on October 12, 2021.

### **Budgetary Impact:**

No direct impacts. The Comprehensive Plan is supposed to be used as one tool to guide development and priorities within the Capital Improvement Program and should be referenced in that process, which is upcoming, and used as a reference point in establishing priorities for funding within the CIP.

**Recommendation:** Following a public hearing on October 12, 2021, the Planning Commission adopted a Resolution, recommended approval of the proposed Comprehensive Plan, with the following changes:

1. In the LAND USE chapter, add the following sub-strategy to Strategy 1.2 following bullet two (“...preserve and enhance natural resources...”): “Require that zoning changes preserve and enhance historic cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control (ADC) Districts, Historic Conservation (CV) Districts, or Individually Protected Property (IPP) maintain the National Register’s “contributing resource” designation.”
2. In the LAND USE CATEGORY DESCRIPTION: SENSITIVE AREA: Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.
3. Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible".
4. Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)

All seven commissioners voted in favor of the motion. Subsequent to the Planning Commission’s vote, the Secretary of the Commission has prepared a certified copy of the proposed Comp Plan, reflecting the changes voted upon by the Commission, which can be accessed by you electronically at the link set out at the end of this Memo.

It is recommended that City Council adopt the attached resolution.

The Comprehensive Plan may be accessed here: (note that items 1-4 above have been addressed in the current document) <https://cvilleplanstogether.com/document-media-center/>

**Attachments:**

- Proposed City Council Resolution
- Link to October 12, 2021 Planning Commission meeting materials (starting on page 5):  
<https://charlottesvilleva.civicclerk.com/Web/Player.aspx?id=1235&key=-1&mod=-1&mk=-1&nov=0>
- Link to Certified copy:  
<https://drive.google.com/drive/folders/1RgFVKBqegYLfTvLGkkiwXaLpl-K7A7PP?usp=sharing>



**RESOLUTION  
TO APPROVE AMENDMENTS TO THE COMPREHENSIVE PLAN FOR THE CITY  
OF CHARLOTTESVILLE**

**WHEREAS**, in 2013 City Council adopted a Comprehensive Plan for the City of Charlottesville, and it has been amended from time to time thereafter (“2013 Comprehensive Plan”);

**WHEREAS**, the Code of Virginia §15.2-2230 requires such plan be reviewed every five years, and commencing in May 2017 the Charlottesville Planning Commission ("Planning Commission") with the assistance of the City's Department of Neighborhood Development Services, and has undertaken a review of the City's 2013 Comprehensive Plan, and has determined that it would be advisable to update and amend such plan;

**WHEREAS**, the Planning Commission made careful and comprehensive surveys and studies of existing conditions and trends of growth within the City, and of the probable future requirements of the City's territory and inhabitants, including surveys and studies, such as those contemplated within Code of Virginia §15.2-2224;

**WHEREAS**, on October 12, 2021, following notice given in accordance with Code of Virginia §15.2-2204, a joint public hearing was conducted by the Planning Commission and the City Council on the proposed amendments to the 2013 Comprehensive Plan;

**WHEREAS**, on October 12, 2021, the Planning Commission unanimously recommended approval of the 2021 Comprehensive Plan and directed that the 2021 Comprehensive Plan be transmitted to City Council for consideration (“2021 Certified Comprehensive Plan”); and

**WHEREAS**, as required by Code of Virginia §15.2-2225 a link to the proposed 2021 Certified Comprehensive Plan has/have been posted on the City’s website on which the Planning Commission generally posts information, and that is available to the public;

**WHEREAS**, the 2021 Certified Comprehensive Plan transportation element was submitted to the Virginia Department of Transportation (“VDOT”) for review and comment in accordance with Code of Virginia §15.2-2223(B)(4), and VDOT has approved the proposed transportation element;

**WHEREAS**, City Council desires that certain amendments to the 2021 Comprehensive Plan certified by the Planning Commission be made, to-wit:

1. In the LAND USE chapter, add the following sub-strategy to Strategy 1.2 following bullet two (“...preserve and enhance natural resources...”): “Require that zoning changes preserve and enhance historic cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control (ADC) Districts, Historic Conservation (CV) Districts, or Individually Protected Property (IPP) maintain the National Register’s “contributing resource” designation.”
2. In the LAND USE CATEGORY DESCRIPTION: SENSITIVE AREA: Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.
3. Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible".

4. Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)

**WHEREAS**, this Council finds and determines that, with the amendments desired by City Council, the 2021 Certified Plan has been made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory within the City which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the city's inhabitants;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, that the aforesaid 2021 Comprehensive Plan certified by the City Planning Commission, amended to include the four (4) amendments made by City Council as noted above within this Resolution, is hereby approved and adopted as the official Comprehensive Plan of the City pursuant to Code of Virginia §15.2-2226, and shall hereafter be known as the City's "Comprehensive Plan (2021)".

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



**Agenda Date:** November, 15 2021

**Action Required:** Approval of Ordinance reauthorizing the Technology Zone

**Presenter:** Chris Engel, Director of Economic Development

**Staff Contacts:** Chris Engel, Director of Economic Development  
Todd Divers, Commissioner of Revenue  
Jason Ness, Business Development Manager

**Title:** Ordinance reauthorizing the Technology Zone

**Background & Discussion:** The Charlottesville technology zone ordinance allows qualifying businesses a reduction in their Business Professional and Occupational License or BPOL tax. The reduction is based on the amount of annual gross receipts and is set to a sliding scale. Charlottesville was the first Virginia City to offer the incentive and has done so since first enabled in 2001. Its purpose is to help early stage businesses survive their initial years and scale their growth while creating local job opportunities. In the past 5 years over 270 businesses have benefited from the technology zone. City Council has reauthorized this ordinance in 2006, 2011, and 2016. The current ordinance expires December 31, 2021 unless reauthorized.

**Community Engagement:** The Commissioner of Revenue's Office notifies all eligible businesses regarding the technology zone. Economic Development staff have engaged with business owners to discuss the positive impacts of the technology zone credit.

**Alignment with City Council's Vision and Priority Areas:** This agenda item aligns with Council's vision for Economic Sustainability. It also addresses one of the goals in the City's Strategic Plan that were recently adopted by Council: Goal 3: Have a Strong, Diversified Economy.

**Budgetary Impact:** This program impacts the general fund. Over the past ten years the credits have resulted in an average reduction of \$120,000 in revenue to the Business Professional and Occupational License. Total BPOL revenue generally ranges from \$7.2 - \$8.6 million annually.

**Recommendation:** An amended ordinance reauthorizing the technology zone for another five years is included herein. Staff recommends approval.

**Attachments:** Proposed ordinance.

**AN ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 14  
(LICENSES), SECTION 14-24 (TAX INCENTIVES FOR TECHNOLOGY  
BUSINESSES) TO EXTEND ELIGIBILITY PERIOD FOR FIVE YEARS TO  
DECEMBER 31, ~~2021~~ 2026**

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Section 14-24 of Chapter 14 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

**Sec. 14-24. Tax incentives for technology businesses.**

(a) A "qualified technology business" is a business which meets each of the following criteria:

- (1) The business must constitute a "technology business," as that term is defined within City Code Chapter 2, Article XIV;
- (2) The business must not be operating under a certificate of public convenience issued by the Virginia State Corporation Commission;
- (3) The business must not be engaged in the provision of a "utility service" as that term is defined within section 30-221 of the City Code;
- (4) The business must certify that it expects to be engaged in a technology business throughout the tax year for which a reduction is sought (or, for new technology businesses which had not commenced doing business as of January 1 of the tax year for which application is made, for the balance of the tax year); and
- (5) The business must have submitted an application for qualification to the commissioner of revenue, on or before March 1st of the tax year for which a reduction of taxes is sought under this section. A separate application shall be required for each tax year. A business seeking to obtain a reduction of taxes under this section shall have the burden of demonstrating, to the satisfaction of the commissioner, that it meets the definition of a technology business and that it meets all applicable criteria for a reduction.

(b) The following incentives, in the form of reduction of taxes owed, shall be available to qualified technology businesses:

- (1) For a qualified technology business whose gross receipts from a technology business subject to licensure are one hundred thousand dollars (\$100,000.00) or less, any license fee which would otherwise be required

by this chapter shall be reduced by one hundred (100) percent for no more than seven (7).

- (2) A qualified technology business whose gross receipts from a technology business subject to licensure are more than \$100,000 shall receive a fifty (50) percent reduction of any taxes owed pursuant to this chapter for no more than seven (7).

Where a qualified technology business' license tax is determined pursuant to section 14-13(c) of this chapter, the commissioner shall determine the appropriate reduction based on the actual tax owed by the business for a tax year, as may be corrected by the commissioner.

(c) Except as otherwise specifically provided, nothing set forth within this section shall affect a technology business's status or classification for tax purposes, its obligation to report gross receipts and to file tax returns, or to pay any license issuance fees or local taxes under this chapter. Nothing contained in this section shall relieve any technology business from its obligation to comply with the requirements of section 14-11, or any other section, of this chapter.

(d) The tax incentives provided by this section shall be available to qualified technology businesses through the tax year ending on December 31, ~~2021~~ 2026. A qualified technology business shall receive the applicable tax reduction for no more than seven (7) tax years.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Consideration of an application for a Critical Slope Waiver
Presenter:	Brian Haluska, Principal Planner, Neighborhood Development Services
Staff Contacts:	Brian Haluska, Principal Planner, Neighborhood Development Services
Title:	<b>P20-00008 – Lyman Street Residences, request for a Critical Slope Waiver</b>

**Background:**

Kurt Keesecker of BKKW, LLC, owners of Tax Map 59 Parcels 289.2 and 358E (“Subject Property”) has requested a Critical Slope Waiver for the Subject Property to permit construction of a development of three single-family residential units and associated improvements. The Subject Property is currently zoned R-2 Residential and is subject to a Special Use Permit.

Existing critical slope areas located on this Property include 2,415 square feet or 28% percent of the project site. The applicable definition of “critical slope” is as follows:

Any slope whose grade is 25% or greater, and (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, and (b) a portion of the slope is within 200 feet of a waterway. See Section 34-1120(b)(2).

**Discussion:**

The Planning Commission considered this application on the consent agenda at their meeting on October 21, 2021.

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

The City Council Vision of *Quality Housing Opportunities for All* states that “Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers. We have revitalized public housing neighborhoods that include a mixture of income and housing types with enhanced community amenities. Our housing stock is connected with recreation facilities, parks, trails, and services.” The applicant proposes new residential units in close proximity to the Downtown Mall, downtown amenities, and Tonsler Park.

**Community Engagement:**

In line with Section 34-1120(b)(6)(b), property owners and occupants within 500-feet of the subject property, as well as neighborhood association leaders, were notified of the Planning Commission’s meeting. No members of the public spoke at the meeting.

One (1) community member provided comments to the Planning Commission and City Council via email in opposition to the entire development project.

**Budgetary Impact:**

No direct budgetary impact is anticipated as a direct result of this Critical Slope Waiver.

**Recommendation:**

Staff recommends the application be approved with conditions. The Planning Commission voted unanimously to recommend the application be approved with conditions as proposed by staff.

**Alternatives:**

City Council has several alternatives:

- (1) by motion, approve the requested Critical Slope Waiver as recommended by the Planning Commission with the following suggested motion;

“I move the adoption of the Resolution included in our agenda materials, granting this Critical Slope Waiver within P20-00008, based on a finding that due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii).”

- (2) by motion, request changes to the attached resolution, and then approve the Critical Slope Waiver;
- (3) by motion, take action to deny the Critical Slope Waiver;

Or

- (4) by motion, defer action on the Critical Slope Waiver.

**Attachment:**

- A. Proposed Resolution
- B. The staff report and supporting documentation presented to the Planning Commission can be found starting at page 122 at the following link:  
<https://civicclerk.blob.core.windows.net/stream/CHARLOTTESVILLEVA/88308af0-9131-4142-890e-fe1aeafce85f.pdf?sv=2015-12-11&sr=b&sig=sgbVE4YocpAXU6x6XErPjN83ZsjTvpYoZ2G38RHap80%3D&st=2021-11-02T18%3A09%3A26Z&se=2022-11-02T18%3A14%3A26Z&sp=r&rsc=cache&rsct=application%2Fpdf>

**RESOLUTION APPROVING THE REQUEST TO WAIVE  
THE CRITICAL SLOPE REQUIREMENTS  
OF CITY CODE SECTION 34-1120(b) FOR THE DEVELOPMENT PROJECT  
IDENTIFIED AS “LYMAN STREET RESIDENCES”**

**WHEREAS** BKKW, LLC, as the owner of City Real Estate Tax Map 59, Parcels 289.2 and 358E (the “Property”) requested a Waiver of the Critical Slopes requirements of City Code Sec. 34-1120(b)(6)(b) in connection with construction of a development of three single-family dwelling units and public street improvements on Lyman Street (the “Lyman Street Residences Project”); and

**WHEREAS** the Planning Commission considered and unanimously approved this application at their October 21, 2021 meeting, subject to conditions set forth within the staff report;

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, hereby approves a Waiver of the Critical Slopes requirements for the Lyman Street Residences Project, subject to the following two (2) conditions:

- (1) the Site Plan for the Lyman Street Residences Project (VESCP Plan component) shall include, at a minimum, four (4) stages/phases of erosion and sediment control, the first of which shall be “Initial/Preliminary Controls” and outfall construction and the second of which (if required) shall include the establishment of a sediment trap and associated conveyances; and
- (2) “Super Silt Fence” (chain linked backing) shall be installed where perimeter silt fence is specified within the Site Plan (VESCP component).



# CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



<b>Agenda Date:</b>	November 15, 2021
<b>Action Required:</b>	Approval of Ordinance
<b>Presenter:</b>	Chris Engel, Director of Economic Development and CACVB Board member Councilor Hill, City Councilor and CACVB Board member Mayor Walker, Mayor and CACVB Board member
<b>Staff Contacts:</b>	Chris Engel, Director of Economic Development and CACVB Board member Lisa Robertson, City Attorney
<b>Title:</b>	<b>Second Amendment to Charlottesville-Albemarle Convention and Visitors' Bureau Operating Agreement</b>

## **Background:**

The City of Charlottesville and the County of Albemarle have jointly funded and undertaken the operation of a convention and visitors' bureau for many years and, mostly recently, pursuant to the agreement approved by the parties and effective as of July 1, 2018.

## **Discussion:**

Following consistent feedback from the hospitality community that the board lacked sufficient representation from the hospitality industry and a CACVB board task force analysis, the current board membership unanimously recommends that additional changes to the composition of the board would be beneficial. These changes are indicated in the highlighted version of the agreement herein.

In summary, as proposed, the voting members of the CACVB board would total 15 members and include two elected officials, two local government staff, a representative from the University of Virginia, a representative of the Thomas Jefferson Foundation, a representative from the Chamber of Commerce, two accommodations representatives, two representatives from the local tourism industry, two representatives from the local food and beverage industry, a representative from the arts community and a representative from the recreation community. The Executive Director of the organization would remain a non-voting member of the board.

The County Board of Supervisors is also considering approval of this amendment to the agreement.

## **Community Engagement:**

Members of the public as well as state and local organizations associated with tourism and hospitality have provided significant input on this matter. The CACVB board itself, which in part represents the community, has discussed at length and is fully supportive of the recommended changes.

## **Budgetary Impact:**

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

**Recommendation:**

Approval of the ordinance.

**Alternatives:**

No recommendation.

**Attachments:**

Draft of Amended Agreement  
Ordinance

## SECOND AMENDED AGREEMENT TO OPERATE A JOINT CONVENTION AND VISITORS' BUREAU

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

### RECITALS

- R-1** The County and the City are each enabled by Virginia Code § 15.2-940 to "expend funds from the locally derived revenues of the locality for the purpose of promoting the resources and advantages of the locality"; and
- R-2** The County is enabled by Virginia Code § 58.1-3819 to expend Transient Occupancy Taxes collected by it (amounts in excess of two percent of the total five percent authorized to be collected) solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with tourism industry organizations, including representatives of lodging properties located in Albemarle County, attract travelers to the County, increase occupancy at lodging properties, and generate tourism revenues within the County; and
- R-3** The County and the City are each enabled by Virginia Code § 15.2-1300 to jointly exercise the authority granted to them pursuant to Virginia Code § 15.2-940, and they desire to enter into an agreement with one another to continue to jointly fund and operate the local convention and visitors' bureau; and
- R-4** The County and the City desire to promote the resources and advantages of the County and the City, and to do so through the Charlottesville-Albemarle Convention and Visitors' Bureau as provided in this Agreement.
- R-5** The County and the City value the importance of diversity, equity, inclusion, and fostering a welcoming place of belonging through the Charlottesville Albemarle Convention and Visitors' Bureau.

### STATEMENT OF AGREEMENT

The County and the City agree to the following:

**1. Convention and Visitors' Bureau Established and Authorized.**

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

**2. Purpose of the CACVB.**

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

**3. Organization of the CACVB.**

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

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

**1. Composition.** The Executive Board shall be composed of the following fifteen voting members:

**a. One member of the County Board of Supervisors.**

- b. One member of the Charlottesville City Council.
  - c. One accommodations representative appointed by the County Board of Supervisors as provided in Section 3(A)(2)(b).
  - d. One accommodations representative appointed by the Charlottesville City Council as provided in Section 3(A)(2)(b).
  - e. The County Director of Economic Development or designee.
  - f. The City Director of Economic Development or designee.
  - g. The Executive Vice President and Chief Executive Officer of the University of Virginia or designee.
  - h. One tourism industry organization representative appointed by the County Board of Supervisors as provided in Section 3(A)(2)(b).
  - i. One tourism industry organization representative appointed by the Charlottesville City Council as provided in Section 3(A)(2)(b).
  - j. One food or beverage representative appointed by the County Board of Supervisors as provided in Section 3(A)(2)(b).
  - k. One food or beverage representative appointed by the Charlottesville City Council as provided in Section 3(A)(2)(b).
  - l. One representative of the arts community jointly appointed by designated members of the County Board of Supervisors and the Charlottesville City Council as provided in Section 3(A)(2)(c).
  - m. One representative of the recreation community jointly appointed by designated members of the County Board of Supervisors and the Charlottesville City Council as provided in Section 3(A)(2)(c).
  - n. The President or Chief Executive Officer of the Charlottesville Regional Chamber of Commerce or designee.
  - o. The President or Chief Executive Officer of the Thomas Jefferson Foundation or designee.
2. **Appointments to the Executive Board.** Appointments to the Executive Board shall be made as follows:
- a. **Appointment of Members of the County Board of Supervisors and the Charlottesville City Council: Alternates.** The members of the County Board of Supervisors and the Charlottesville City Council who serve on the Executive Board shall be appointed by their respective governing bodies for terms determined by the respective governing bodies. The County Board of Supervisors and the Charlottesville City Council may appoint alternates to attend any meeting(s) that the regular appointees cannot attend. An alternate attending a meeting in place of the regular member may vote on behalf of the Board or Council at any such meeting.
  - b. **Appointment of Representatives of Accommodations, Food or Beverage and Tourism Industry Organizations: Term.** The tourism industry representatives identified in Sections 3(A)(1) shall be appointed by a majority vote of the members of the County Board of Supervisors or the Charlottesville City Council, respectively, present and voting. Each appointment shall be for a two-year term beginning January 1; no person serving under this appointment may be appointed to more than four consecutive two-year terms, exclusive of time served in the unexpired term of another.
  - c. **Appointment of Representatives of the Arts and Recreation Communities: Term.** The arts and recreation community representatives identified in Sections 3(A)(1) shall be made by a majority of the four members of the County Board of Supervisors and the Charlottesville City Council appointed to the Executive Board. Each appointment shall be for a two-year term beginning January 1; no person serving under this appointment may be appointed to more than four

consecutive two-year terms, exclusive of time served in the unexpired term of another.

3. **Powers and Duties of the Executive Board.** The Executive Board shall:

- a. **Adopt a Strategic Plan.** Adopt a strategic plan for the CACVB that is consistent with the purposes of the CACVB.
  - b. **Adopt By-Laws.** Adopt by-laws, which shall include procedures and rules for electing a chair, a vice-chair, the conduct of its meetings, and regulating the business of the Executive Board.
  - c. **Adopt Policies and Plans.** Adopt any policies or plans consistent with the purposes of the CACVB and that may provide direction to the CACVB.
  - d. **Marketing Strategies, Performance Measures, and Indicators.** Approve general marketing strategies and programs and establish performance measures and indicators.
  - e. **Hold Meetings: Quorum: Voting.** Hold a regular meeting at least once every two months. Each meeting shall be conducted in compliance with the Virginia Freedom of Information Act (Virginia Code § 2.2-3700 *et seq.*). Eight voting members of the Executive Board physically present at the meeting constitute a quorum. The Executive Board shall act only by a majority vote of those voting members present and voting at a lawfully held meeting.
  - f. **Adopt a Budget.** Adopt a budget for the CACVB's operations and activities each fiscal year.
  - g. **Contracts.** Acting through its Executive Director, arrange or contract for (in the name of the CACVB) the furnishing by any person or company, public or private, of goods, services, privileges, works or facilities for and in connection with the scope of Section 2 of this Agreement and the administrative operations of the CACVB and its offices. The contracts may include any contracts for consulting services related to tourism marketing and to promoting the County, the City, and the region.
  - h. **Appoint the Executive Director: Performance: Termination.** Appoint the Executive Director, who shall serve at the pleasure of the Executive Board and evaluate the Executive Director's performance each year.
  - i. **Offices.** Provide regular staffed visitor services at one location within the City of Charlottesville and one location within the County of Albemarle. Additional locations may be approved by the Executive Board. The Executive Board shall approve the location and terms and conditions for purchasing or leasing any CACVB office(s), and may, by recorded vote or resolution, authorize the Executive Director to execute any required instrument pertaining thereto.
  - j. **Official Seal.** Establish and maintain an official seal, which may be altered at will, and to use it, or a facsimile of it, by impressing or affixing it, or in any other manner reproducing it.
4. **Attendance.** Members of the Executive Board or their designees are expected to attend all regular meetings of the Executive Board. The Executive Board may request the County Board of Supervisors or the Charlottesville City Council, as the case may be, to replace any Executive Board Member appointed by that body, or the designated members thereof, to replace any Member who is absent, or whose designee is absent, from more than three regular meetings during a calendar year.

B. **Executive Director.** The position of Executive Director is hereby established. The powers and duties of the Executive Director are as follows:

1. **Promotion.** Promote the resources and advantages of the County, the City, and the region pursuant to the terms and conditions of this Agreement, the Strategic Plan, and other policies and plans adopted by the Executive Board within the scope of Section 2 of this Agreement, subject to the following:

- a. **Services Provided Until Executive Board Directs Otherwise.** Beginning July 1, 2018, and until the Executive Board directs otherwise, the Executive Director and the persons hired to provide services for the CACVB shall provide the services identified in **Attachment A.** incorporated by reference herein.
  - b. **Services Identified by the Executive Board to be Provided.** When the Executive Board identifies different or additional services to be provided by the CACVB, the Executive Director and the persons hired to provide services for the CACVB shall provide those services. The different or additional services may include, but are not limited to, expanding destination packages focusing on the arts, wineries, breweries, and distilleries; promoting heritage and cultural tourism and including this area's African American heritage; promoting agritourism; promoting outdoor recreational tourism for activities such as hiking, bicycling, kayaking, and canoeing; and developing and promoting events and activities related to the arts, local resources, and local businesses.
2. **Budgeting.** Recommend an annual budget to the Executive Board.
  3. **Contracting.** Execute contracts on behalf of the CACVB; perform the duties of purchasing officer on behalf of the Executive Board, subject to compliance with Albemarle County procurement ordinances and procedures. The Executive Director shall procure all goods and services in compliance with the County's procurement laws and procedures or may delegate procurement responsibilities to the County's purchasing agent. As an exception to the County's procurement laws and procedures, the Executive Director or the County's purchasing agent, if delegated procurement responsibilities under this section, may contract for or purchase alcoholic beverages for tourism-related promotional and appreciation events and familiarization tours with the advance written approval of (i) the Executive Board or (ii) the County Executive or (iii) the County Director of Finance/Chief Financial Officer.
  4. **Reports.** The Executive Director shall provide to the Executive Board any reports required by this Agreement or requested by the Executive Board.
  5. **Distribute the Budget and Provide a Balance Sheet.** The Executive Director shall provide the CACVB's adopted annual budget to the County and the City and a balance sheet showing the CACVB's revenues and expenditures for the prior fiscal year and the fund balance, if any, from the prior fiscal year. The budget and the balance sheet shall be provided by December 31 each year.
  6. **Employees.** The Executive Director shall recruit, hire, and manage persons to be employed to perform services for the CACVB, subject to Section 8 of this Agreement.
4. **Funding the CACVB.**

The CACVB shall be funded as follows:

- A. **Funding Cycle.** The County and the City agree to fund the activities and responsibilities of the CACVB during each Fiscal Year (July 1 through June 30 of each calendar year) in which this Agreement remains in effect, beginning with the Parties' Fiscal Year 2019.
- B. **Funding Levels.** Subject to Subsection 4(F), the County and the City shall provide funding for the CACVB in each Fiscal Year in an amount equal to 30 percent of its Transient Occupancy Tax revenues collected by it in the most recent Fiscal Year ("Actuals"). This specified percentage and obligation is based on, and specifically limited to, a Transient Occupancy Tax of five percent in each locality. If either the County or the City enacts a Transient Occupancy Tax greater than five percent, that Party's funding obligation under the formula in this subsection is not changed by the increase in

the tax rate for the Transient Occupancy Tax.

- C. **Payments to the Fiscal Agent.** Annual funding provided pursuant to Subsection 4(B) shall be delivered by the Party that is not the Fiscal Agent to the Party that is the Fiscal Agent in equal quarterly payments, payable on July 1, October 1, January 1, and April 1 each year, due upon receipt of an invoice from the Fiscal Agent.
- D. **Budget.** The budget prepared and recommended by the Executive Director shall be presented to the Executive Board, and the recommended budget shall use the Actuals provided by the County and the City and referenced in Subsection 4(B), and any other revenue sources. Following receipt of a recommended budget from the Executive Director, the Executive Board shall take action to approve an annual budget, no later than May 1 each calendar year.
- E. **Fund Balance.** The CACVB may retain a year-end fund balance not to exceed 25% of the CACVB's annual operating budget, calculated as an average of the past five years' operating budgets. The Executive Board will, after each fiscal year audit, return to each Participant its share of the fund balance in excess of that 25%. The return of excess funds to each Participant will be prorated using the allocation formula. The Executive Board may vote to request alternative uses for the excess fund balance, subject to the approval of the Participants.
- F. **Documenting Costs.** All costs incurred and expenditures made by the CACVB in the performance of its obligations under this Agreement shall be supported by payrolls, time records, invoices, purchase orders, contracts, or vouchers, and other documentation satisfactory to the County and the City, evidencing in proper detail the nature and propriety of the costs. Records shall be maintained in accordance with Virginia law. Upon request by either the County or the City, the Executive Director shall allow City or County officials to inspect the documentation and records pertaining in whole or in part to this Agreement, or the Executive Director may, if acceptable to the requesting party, provide reports summarizing information within CACVB's records.
- G. **Appropriations.** Notwithstanding any other provisions of this Agreement, the County's and the City's obligation to fund the CACVB is expressly contingent upon the availability of public funds derived from Transient Occupancy Tax revenues and the annual appropriations of those funds thereof by the Parties. The City's appropriations of funds for the promotion and advertisement of the City are and shall be further subject to the provisions of Section 21 of the City's Charter.

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

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

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

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

This Agreement shall be effective as of October 2, 2019, and remain in effect until it is terminated by the Parties, or either of them, as follows:

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

Agreement shall automatically terminate at the end of the then-current fiscal year.



7. **Performance.**

The performance of the CACVB shall be measured as follows:

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

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

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

- A. **Fiscal Agent.** The County shall serve as Fiscal Agent for the CACVB. The Fiscal Agent shall be entitled to a fee of two percent of the Actuals referenced in Section 4(B) as compensation for acting as Fiscal Agent. This fee may be deducted from the Fiscal Agent's funding contribution pursuant to Section 4 each year.
- B. **Insurance.** The County will provide liability insurance coverage to the CACVB.
- C. **Legal Services.** The County Attorney shall provide legal services to the CACVB, provided that representation does not create a conflict of interest under any rules of professional responsibility or other ethical rules of conduct. In the event any such conflict arises, the County Attorney shall so advise the Executive Board, so that the Executive Board may make necessary arrangements to obtain legal services.
- D. **Other Services.** The County shall act as the CACVB's accounting and disbursing office; provide personnel administration services; maintain personnel and payroll records; provide information technology services; provide procurement services and maintain purchasing accounts and monthly statements; and contract for annual audits. Personnel administration shall include the matters referenced in paragraph E, following below.
- E. **Personnel Administration.** The employment of the Executive Director and any other persons hired to perform services for the CACVB are subject to the following:
1. **County Employees.** Any Executive Director or other person hired on or after July 1, 2018 to perform services for the CACVB shall be hired as an employee within the County's personnel and payroll systems.

a.

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

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

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

10. **Liability.**

Any liability for damages to third parties arising out of or in connection with the operations and activities of the CACVB and any persons employed to provide services for the CACVB shall be shared jointly by the County and the City, to the extent that any liability is not covered by funding within the CACVB's budget or liability insurance proceeds, and only to the extent that the County and the City may be held liable for damages under the laws of the Commonwealth of Virginia.

11. **Miscellaneous.**

- A. **Ownership of Materials; Copyright; Use.** Any materials, in any format, produced in whole or in part pursuant to this Agreement are subject to the following:

1. **Ownership.** The materials are jointly owned by the County and the City.
2. **Copyright.** The materials are copyrightable only by the County and the City. Neither the CACVB, the Executive Board, nor any of its members, the Executive Director, any CACVB employee, nor any other person or entity, within the United States or elsewhere, may copyright any materials, in any format, produced in whole or in part pursuant to this Agreement.
3. **Use.** The County and the City shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data or other materials prepared by or for the CACVB pursuant to this Agreement.

- B. **Amendments.** This Agreement may be amended in writing as mutually agreed by the County and the City.

- C. **Assignment.** The CACVB shall not assign any interest in this Agreement and shall not transfer any interest in this Agreement, whether by assignment or novation, without the prior written consent of the County and the City.

- D. **Severability** If any part of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect the validity or enforceability of any other part of this Agreement.

- E. **Entire Agreement.** This Agreement contains the entire agreement of the County and the City and supersedes any and all other prior or contemporaneous agreements or understandings, whether verbal or written, with respect to the matters that are the subject of this Agreement.

F. **Applicable Law.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the Commonwealth of Virginia.

G. **Approval Required.** This Agreement shall not become effective or binding upon the County and the City until it is approved by ordinances of the Charlottesville City Council and the Albemarle County Board of Supervisors.

**IN WITNESS WHEREOF**, and as authorized by duly adopted ordinances of the Albemarle County Board of Supervisors and the Charlottesville City Council, the County and the City each hereby execute this Agreement as of the date first above written, by and through their respective authorized agents or officials:

## **Attachment A**

### **A. Services**

The CACVB shall perform the following services for the benefit of the County and the City in a satisfactory and proper manner, as they determine:

1. **Meeting Booking and Sales.** The CACVB shall respond to inquiries, provide information to the public, and as part of its convention marketing efforts, shall aggressively promote the bookings and sales of sites within the City and the County for regional, national, and international conventions, trade shows, and corporate meetings.
2. **Convention Services.** The CACVB shall provide customary convention services to those clients who have booked their convention or meeting through the CACVB. All other conventions or meetings will be serviced on an availability basis. The particular services to be provided depend upon the agreement between the CACVB and the meeting planner at the time of booking and other requests, which may be made in the course of servicing the convention or meeting. Customary convention services may include but are not limited to the following:
  - a. Assistance in promoting attendance.
  - b. Visitors guides and appropriate literature.
  - c. Shuttle bus coordination.
  - d. Attraction and itinerary scheduling.
  - e. Dining and restaurant scheduling.
  - f. Bonded registration.
  - g. Tourism information tables.
3. **Tourism.** The CACVB shall promote tourism within the County and the City. Strategies may include but are not limited to: visitor information services; attendance at industry and travel / trade, consumer, planner, hotel and attraction conferences and meetings; and responses to phone inquiries, advertising, public relations, promotions, and packaging. The CACVB will oversee the operation and maintenance of at least one visitor center within the City and at least one visitor center in the County.
4. **Reports.** The CACVB shall advise the County and the City advised of its activities and accomplishments, and shall deliver the following reports:
  - a. The CACVB shall provide to the Parties an annual marketing/ operational plan ("Marketing Plan") submitted annually on or before December 31 each year, which includes at a minimum: situation analysis, measurable expected outcomes, data driven rationale for strategies, and budget reflecting strategies.
  - b. The CACVB shall provide to the Parties quarterly reports of the following: (i) program performance, including a comparison of the CACVB's performance during the quarter with the performance goals set forth in sections B, C and D; and (ii) tracking report of the performance measures listed in section C; and (iii) an expenditures report, accounting for dollars spent for marketing, promotion, publicity, and advertisement, shown by category. The quarterly performance reports shall be submitted to the Parties within 30 days after the end of each quarter that this Agreement is in effect.
  - c. On or before September 1 each year, the CACVB shall provide to the Parties an annual report of the outcome of the contract performance measures for the previous year. The Parties will review the annual

report no later than October 1 and determine compliance with the return on investment. The Parties will provide these findings to the CACVB.

- d. When requested by either or both Parties, the CACVB shall provide statements, records, reports, data, and any other information, pertaining to matters covered by this Agreement.

**B. Calculating "Direct Visitor Expenditures"**

The term "direct visitor expenditures" shall refer to the following sum:

**Group Room Revenue**

*[(Group Room Nights Booked) x (ADR\*)]*

plus

*[(# of delegates/visitors) x (# days spent in City/ County) x (ADE\*\*)]*

**\$**

**Leisure Inquiries (consumer and trade)**

*[(room nights generated) x (ADR\*)]*

plus

*(# of visitors) x (# days spent in City/County) x (ADE\*\*)]*

\$ \_\_\_\_\_

**Direct Visitor Expenditures**

\$ \_\_\_\_\_

**Off Season Adjustment**

Add 20% to direct expenditures in off-season (off-season shall be November, December, January and February of each year).

\$ \_\_\_\_\_

**Total Direct Visitor Expenditures**

\$ \_\_\_\_\_

\***ADR** = Average Daily Rate (calculated annually by CACVB based on research)

\*\***ADE**= Average Daily Expenditure (excluding room rate) (calculated annually by CACVB, based on research, excluding room rate)

## C. Performance Measures

Performance Measures shall be utilized to indicate the performance of the CACVB. These measures will be used to calculate the total economic expenditure for inclusion in the formula set forth within paragraph A, above:

<b>Performance Measures</b>	<b>Tracking Mechanisms</b>	<b>Target</b>
1. ROI (total direct expenditures ÷ \$ invested)	ROI Formula	7:1
2. Room nights booked for meeting groups	CACVB tracking, Through Sales Department Software programs	Determined by CACVB via marketing plan  Supported by research/rationale
3. Group tour definite bookings	CACVB tracking	Determined by CACVB via marketing plan
4. Leisure inquiries converted (consumer and trade)	Conversion Analysis	Supported by research/rationale
5. Destination awareness (trade and consumer)	Contract with outside resource	
6. Coop Resources Raised (in kind, marketing, alliances)	CACVB tracking	Equal to 25% of total marketing budget
7. Media Coverage (scope, demographics, reach)	Clipping Service	Determined by CACVB
8. Overhead expenditures*	CACVB budget	Reduce by 5% annually toward goal of <30% of total budget

*\*calculations include Finance and Administration divisions plus support costs for the Executive division*

## D. Performance Indicators

CACVB will track certain performance indicators to monitor the performance of the local tourism industry, using the method described below.

### **Performance Indicators**

### **Tracking Mechanisms**

1. Economic Impact of Tourism (Annual basis)	Visitor Profile and VTC Statistics
2. Transient Occupancy Tax Collections	City and County Records
3. Occupancy	Smith Travel Research Reports
4. ADR	Smith Travel Research Reports
5. Length of Stay (Annual basis)	Visitor Profile
6. Per-Person expenditure (Annual basis)	Visitor Profile
7. Attraction Attendance	Compilation from Industry Records

**AN ORDINANCE TO AMEND THE AGREEMENT  
TO OPERATE A JOINT CONVENTION AND VISITORS'  
BUREAU**

**WHEREAS**, the City of Charlottesville (hereinafter “City”) and Albemarle County (hereinafter “County”) adopted, by ordinance, an Agreement to Operate a Joint Convention and Visitors’ Bureau (hereinafter “Agreement”) on June 18, 2018; and

**WHEREAS**, the City and County desire to amend the Agreement by adjusting the composition of the Charlottesville-Albemarle Convention and Visitors’ Bureau (hereinafter “CACVB”) Executive Board; and

**WHEREAS**, the City and County further desire to amend the Agreement by placing a limitation on the amount of the end-of-year fund balance that may be maintained.

**NOW, THEREFORE, BE IT ORDAINED THAT** pursuant to Virginia Code Section 15.2-1300, the Agreement is amended as described above and as further detailed in the amendments attached hereto as Exhibit A; and

**BE IT FURTHER ORDAINED THAT** the City Manager is hereby authorized to execute the Agreement on behalf of the City, after the City Attorney approves the Agreement as to form.

This ordinance shall be effective immediately.

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	Report
Presenter:	Annie Sechrist, Senior Family Specialist, Department of Human Services
Staff Contacts:	Misty Graves, Interim Director, Department of Human Services
Title:	<b>End of Summer 2021 Community Attention Youth Internship Program Report</b>

**Background:**

The Community Attention Youth Internship Program (CAYIP) began in 2007 as a pilot program initiative through City Council with the intention to support the summer enrichment and work readiness opportunities for youth ages 14 – 21 years old. The Community Attention Youth Internship Program works together with public, private, and non-profit partners to host youth interns in variety of job and career areas that match the interns’ interests. Interns earn a stipend for meeting program expectations that in turn supports the local economy and their individual financial stability. Program goals include:

- To teach workplace readiness skills.
- To assist youth in career exploration.
- To help youth identify their strengths and build resiliency.
- To connect youth to positive adults and to resources in the community.

In late April 2021, it was determined that the health and safety risk of providing an in-person internship program model during COVID-19 was too high for the summer 2021 session of CAYIP. In response, Community Attention staff worked update the school year model of the program and announced that a 100% virtual model of the program, The CAYIP Virtual Learning Academy, would be offered for the summer session.

The attached report encompasses the activities, accomplishments, and progress for Summer 2021 of the Community Attention Youth Internship Program.

**Discussion:**

Well-structured internship programs benefit both interns and employers. By participating in these valuable learning opportunities, interns augment their work experience, hone important work skills, develop their career goals, and establish connections that may prove useful throughout the span of their careers.



Jobless teens in low-income families and those who live in local labor markets like Charlottesville with fewer legitimate job opportunities for teens are more likely to engage in delinquent behavior and become involved with the criminal justice system. Additionally, teens who work in high school are less likely to drop out of high school before graduation and those who participate in work-based learning programs, like the Community Attention Youth Internship Program (CAYIP), are more likely to see the connection between school, work and their career goals. (*Risky Behavior Among Youth: An Economic Analysis*, Jonathan Gruber (Editor), University of Chicago Press, Chicago, 2001).

Applying principals of trauma-informed care, interns meet face-to-face on a weekly basis with their assigned CAYIP Counselor to process the strengths and challenges of their experience. Best-practice suggests that maintaining connections to one positive caring adult increases resiliency factors. CAYIP Counselors serve as mentors, problem-solvers, evaluators, motivators, and coaches. Best-practice indicates that one of the foundations to positive youth development requires blending action with reflection. CAYIP Counselors pair the experience with intentional debriefing so that all participants maximize the impact socially, emotionally, and cognitively.

### **Alignment with City Council’s Vision and Strategic Plan:**

The Community Attention Youth Internship Program supports City Council’s “Center for Life Long Learning” vision. It contributes to Goal 1 of the Strategic Plan: an inclusive community of self-sufficient residents specifically objective 1.1 prepare students for academic and vocational success and 1.2 prepare students for the workforce.

### **Community Engagement:**

Since Community Attention’s creation in 1971, the organization has a long-standing history serving high need and underserved populations including opportunity youth. CAYIP has three social media account to increase populations with youth and residents. Additionally, CAYIP utilizes an online application to diversify access points. Due to COVID-19 closures, CAYIP was unable to hold in-person informational booths for the summer 2021 session. The CAYIP promotional video with footage and interviews from youth participants, parents, and site hosts was shared on the website along with a CAYIP participant and host site slide show. CAYIP staff continued to send updates to several community partners and citizens with updates throughout May and June. Youth voice is uplifted and utilized in the end of program satisfaction survey. This tool is used to improve site selections, garner ideas for new sites or careers that are of interest to youth, and identify sessions, speakers, or activities that need reworking.

### **Budgetary Impact:**

Funding for the Community Attention Youth Internship Program was included in the Department of Human Services General Fund request that was adopted by Council as part of the FY 2022 budget. The program operating costs are approximately \$451,000.

### **Recommendation:**

Staff recommends continued support of this experience for youth in this community.

### **Alternatives:**

N/A

**Attachments:**

- Community Attention Youth Internship Program End of Summer 2021 Report



**Community Attention  
Youth Internship Program**

**CAYIP**

**Summer 2021**



Sp Adobe Spark

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# COMMUNITY ATTENTION YOUTH INTERNSHIP PROGRAM (CAYIP) SUMMER 2021 SESSION OVERVIEW

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*Empowered Youth. Engaged Community.*

## I. Program Goals:

- To teach workplace readiness skills.
- To assist youth in career exploration.
- To help youth identify their strengths and build resiliency.
- To connect youth to positive adults and to resources in the community.

## II. Program Components:

### Recruitment & Applications

In late April 2021, it was determined that the health and safety risk of providing an in-person internship program model was too high for summer 2021 session of CAYIP. In response, Community Attention staff worked update the school year model of the program and announced that a 100% virtual model of the program, The CAYIP Virtual Learning Academy, would be offered again for the summer session.

Beginning April 30, 2021, Community Attention actively and intentionally recruited teens to apply to the summer program. CAYIP utilized social media accounts on Twitter, Facebook, and Instagram. CAYIP also utilized the CivicPlus platform with the City of Charlottesville to update the program website, online application and submission process, and to advertise the program. Additionally,

information about the program was shared with community partners such as the Boys and Girls Club, Computers4Kids, Abundant Life, CANDYD, Music Resource Center, Live Arts, and Charlottesville City Schools via email, phone, and other remote means such as community Zoom Meetings.

Due to COVID-19 closures, CAYIP was unable to hold in-person informational booths for the summer 2021 session. The CAYIP promotional video with footage and interviews from youth participants, parents, and site hosts was shared on the website along with a CAYIP participant and host site slide show. CAYIP staff continued to send updates to several community partners and citizens with updates throughout May and June.

Eligible candidates completed an admission packet, an interest survey, and an essay about why they wanted an internship via an online application packet located on the City of Charlottesville website. When requested, a paper copy of the application packet was mailed to the home of the interested applicant.

Approximately 87 youth applied to the virtual internship program by the May 28, 2021 deadline. CAYIP staff scheduled virtual interviews with all eligible applicants via Zoom. Applicants were emailed instructions on how to access Zoom links, virtual interview tips and expectations, and staff contact information once interview times were confirmed with internship staff. The majority of the youth were on time, dressed appropriately, and performed well in the interview. Youth received points based on their interview performance, essay, and availability in the summer. Some applicants were not provided opportunities based on funding limitations (county residents) or because they did not meet the minimum age requirement.

## Intern Selection & Matching

Due to limited staffing capacity due to COVID-19 and programmatic limitations with a virtual model, CAYIP operated at a reduced capacity from the previous summer. CAYIP was able to provide opportunities to 53 youth in the

summer program. Priority was given to first time program participants. Ninety-four percent of interns completed the program successfully!

## Site Supervisors & Partners

Twenty-one community representatives and partners agreed to participate this summer. Each week, a community member would present to the youth in a virtual Zoom meeting on topics such as public speaking, money management, conflict resolution, phone call and conference call etiquette, interviewing skills and social engagement, creating an inclusive workplace, and career exploration.

Youth were also expected to complete a final project that included interviewing a current practitioner in a career field of interest. Program participants completed individual and small group interviews with twelve community partners who reflected career paths such as environmental science, information technology, digital marketing, animal care, medicine (including a physician, doula, and pharmacist), child and family therapy, higher education, armed services, small business, culinary arts, cosmetology, and childcare. These interviews were recorded and uploaded to the Google Classroom platform for all youth participants to view. Youth also had access to recordings from previous sessions which included careers paths in the performing arts, music production, local government, emergency services, science (astrophysicist), education, and law.

To help reduce technology barriers, CAYIP partnered with Charlottesville City Schools. They provided Chromebooks for youth who attend Charlottesville City Schools who would otherwise have difficulty participating in the internship experience this summer.

### III. CAYIP Virtual Learning Academy:



## Orientation and Curriculum

All interns participated in a virtual Zoom orientation meeting the first day of the program on July 6, 2021. Orientation activities for the interns focused on team building, learning program policies and expectations, and getting familiar with the Google Classroom platform. At this time, youth were introduced to their CAYIP counselor.

Starting on Wednesday, July 7, 2021, youth participated in their first of five weekly large group meetings. These meetings were held every Wednesday on Zoom. These meetings incorporated the subject content the youth were learning in the Google Classroom modules on Monday and Tuesday. Special topic guest speakers and were where interns were introduced to special topic guest speakers and presentations. Examples of these guest speakers include: UVA Community Credit Union who facilitated a role-play game to teach budgeting skills; The Department of Human Service's Youth Opportunity Coordinator who facilitated a session on Diversity and Cultural Awareness; and a group from UVA Youth Action Lab lead by Dr. Kimalee Cottrell Dickerson who facilitated a training on interviewing skills and social engagement.

Youth completed additional learning modules in the Google Classroom on Thursday and then met in individual and small groups with their CAYIP Counselors on Fridays. In these meetings, youth had the opportunity to learn more about content, ask questions, discuss expectations, aspirations, and goals for the session.

## Intern Expectations

Interns were expected to complete coursework in the Google Classroom platform and attend two virtual meetings per week for five weeks. Interns met virtually on a weekly basis with their assigned CAYIP Counselor to process the strengths and challenges of their experience. CAYIP Counselors served as mentors, problem-solvers, evaluators, motivators, and coaches. CAYIP Counselors updated referring agents and families at two intervals during the program. Best-practice

indicates that one of the foundations to positive youth developments is blending action with reflection. CAYIP Counselors paired the Google Classroom and large group meeting experiences with intentional debriefing so that all participants maximize the impact socially, emotionally, and cognitively. Each intern developed SMART goals, created a personal career-planning guide, wrote and practiced their elevator speeches, created a budget, developed a resume and cover letter, and completed a final project during the five week program.

## Earning

Interns received a weekly performance evaluation that correlated to their stipend amount. This year, a decision was made to increase the intern stipend from previous sessions. As a base, interns could earn up to \$120 per week for the five-week program (maximum of \$600). Evaluations were based on two main categories: assignment completion and meeting attendance. Deductions most frequently included not attending meetings or not turning in materials. Interns described utilizing their stipends for savings as well as purchasing items such as clothing, school supplies, and needs.

## Banking

Community Attention collaborated with the UVA Community Credit Union in order to reduce barriers for youth to open a savings account. UVA Community Credit Union provided a budgeting and financial management presentation for participants and provided additional financial literacy resources. Additionally, youth who were interested in opening an account were able to connect and complete paperwork virtually through this partnership that reduced barriers to opening an account during COVID-19.



## Celebration

The internship program concluded with a virtual celebration event on August 6, 2021. The celebration provided an opportunity to reflect and appreciate the success of the teens and program. Presenters included Misty Graves- Interim Director of Human Services; Tamarius Washington- Charlottesville High School graduate and creator of the “Tamarius Talks Finance” podcast, and Logan Means- Monticello High School graduate and Masters of Counseling Education student from Longwood University. Youth received a commemorative t-shirt and CAYIP certificate of completion after the ceremony.

## IV. Looking Ahead:

The health and safety of our program participants, partners, and community as a whole is top priority. To this end, CAYIP adapted our programmatic structure to provide youth an opportunity to engage in meaningful and supportive activities during the summer. Council’s generous support of this program allowed us to provide this experience at no cost to city participants.

Staffing limitations due to COVID-19 and concerns about potential programmatic issues with the virtual impacted the number of youth we were able to accept in the program over the summer. However, Community Attention will continue to offer the virtual session format to community youth throughout the 2021-2022 school year which will allow us to serve those youth were not accepted due to capacity issues in the initial summer session.

Several youth withdrew from the program prior to its start or did not attend their interview. This affected the overall number of youth who participated. We believe some factors contributing to withdrawing from the process was uncertainty about summer planning/needs for families during COVID and youth opting out of virtual format after completing virtual school year 2021.

Staff will continue explore the interview process with regard to communication and notification steps. Staff did note a decrease in missed interviews from previous years with the virtual format. We believe this may be due to removing barriers such as transportation to the interview location. We will continue to evaluate if virtual interviews will be something the program can offer after community health and safety measures are lifted.

In preparation for next summer, the Department of Human Services is exploring outside funding options to allow county youth to participate.

## V. Outcome Summary (CAYIP):

- 53 interns were accepted in the CAYIP Virtual Learning Academy.
- 94% of youth successfully completed CAYIP!
- 36 City youth; 17 youth from surrounding area.
- 35 youth were funded by the City of Charlottesville.
- 6 youth were funded by the Children’s Services Act (CSA), Victims of Crime Act (VOCA), or private pay contribution.
- 9 youth were funded by an internal scholarship.
- Age:

40% - 14 yo	~25% - 15 yo	15% - 16 yo	15% - 17 yo	~5% - 18+ yo
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- Race and Ethnicity:

15% Asian	4% Bi-racial	34% Black	8% Multi-racial	9% Other	2% Prefer not to answer	28% White	Ethnicity: 8% of participants identify as Hispanic or Latino.
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- Gender:

53% Female	40% Male	~7% Non-Binary
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- 51% of interns reported receiving free and reduced lunch.

- 94% of youth tested scored a B or higher on the workplace readiness post-test with an average score of 92 and median of 93. The range was 45-100.
- 100% of youth surveyed (37/37) enjoyed their program experience.
- 95% (35/37) would recommend CAYIP to other youth. 5% (2/37) noted they “maybe” would recommend a friend.
- 100% of youth surveyed (37/37) found the guest speakers informative and engaging.
- 68% of youth surveyed (25/37) youth report having a bank account with nine new accounts being opened during CAYIP.

## VI. Intern Evaluation Survey (CAYIP):

( 37 of 53 youth completed survey)

1. Overall, did you enjoy your internship program?	Yes: 37/37 = 100%	No: 0	Unanswered: 0	Undecided: 0
2. What part of the internship did you find challenging? *	Remembering the meetings/getting to the meetings on time.	Completing the work/ getting work done on time/ assignments were challenging.	Networking and interviews because it was new/ I am shy/ no experience in this area.	It wasn't particularly challenging.
3. Do you think and feel that completing internship at CAYIP had helped you learn new information? Your answer should be at least two sentences.*	Yes: I learned a lot about budgeting , banking, credit/debit cards and scams.	Yes: I learned about networking and communication.	Yes: I learned about applying for jobs and job interviews.	Yes: I learned skills that will help me in the workplace and how to resolve conflict.

4. Did you learn and practice workplace readiness in this program? Name three workplace readiness skills you used while in CAYIP.*	Communication skills	Team work	Problem solving/ conflict resolution skills.	Helped prepare me for the future and increased my understanding of the workplace.
5. Do you have a bank account?	Yes: 25/37 = 68%	No: 12/37 = 32%	Unanswered: 0	
6. If so, did you open an account this session?	Yes: 9/37 = 24%	No: 24/37 = 65%	N/A: 4/37 = 11%	
7. Did you think that quest speakers and professionals who have been interviewed were informative and engaging?	Yes: 37/37= 100%	No: 0	Unanswered: 0	
8 What guest speaker (including the professionals who you interviewed) or topic you felt was particularly helpful and/or meaningful to you? *	Banking and budgeting presentation facilitated by UVA Community Credit Union representative Cassandra Riggin	Identity, diversity, and inclusion in the workplace presentation facilitated by City of Charlottesville Youth Opportunity Coordinator Daniel Fairley.	Participants identified many guests who were interviewed during their final project like child and family therapist Marissa Kent-White and university professor Dr. Paul Harris.	“I think they all did a great job and think they all have their own personalities and way to explain things that they can plug everybody that I talk to with their own way to express themselves about where they loved to do.” – youth participant
9. If so, please share the name or topic	<b>Banking and Budgeting:</b>	<b>Identity, Diversity, and Inclusion:</b>	<b>Final Projects:</b>	<b>All:</b>

discussed. *	<p>“Cassandra, she helped me understand budgeting really well.” – youth participant</p> <p>“This was helpful because it's good for future and it's good to know how expensive it is to have a child.” – youth participant</p>	<p>“When we were talking about everyone's well being and how they felt, that felt meaningful” – youth participant</p>	<p>“The interview I did was helpful and interesting to me because I got to learn more about a job I am very interested in. I got to understand a day in the life and challenges she faced and also things she enjoys about the job.” – Youth participant</p>	<p>“Like I say I don't have a specific one but I think they all impact on their own way.” – youth participant</p>
10. Was your CAYIP counselor helpful during this CAYIP session?	Yes: 23/37 = 62%	No: 0	Sometimes: 1/37 = 3%	No response: 13/37 = 35%
11. What are the areas where the CAYIP program exceeded your expectations?*	<p><b>Overall program:</b></p> <p>“I didn't expect to learn so much and be so benefited by what I learned about work place skills as I did.” – youth participant</p>	<p><b>Work/material:</b></p> <p>“We did things I didn't even expect to do” – youth participant</p> <p>“The difficulty of the assignments and how engaging they were.” - youth participant</p>	<p><b>Meetings/ Interviews:</b></p> <p>“I think the best part was when we get to interview the professionals . . . it was just so enjoyable.” –Youth participant</p>	<p><b>Support from CAYIP Counselor:</b></p> <p>“The counselors and other people helped and gave guidance more than I thought they would” – youth participant</p> <p>“I thought the communication with your counselor was really good because I felt like if I needed help I could reach out and hear back very quickly.” – youth participant</p>
12. What are the areas where the	<b>Assignments/</b>	<b>No suggestions at</b>	<b>Meetings:</b>	<b>More information on personal finance</b>

<p>CAYIP program could grow or improve?*</p>	<p><b>workload</b></p> <p>“The workload was more than I expected.” – youth participant</p>	<p><b>this time:</b></p> <p>“I think the CAYIP program is perfect the way it is.” – youth participant</p> <p>“ I don't think there is a part because everything we did and everything we learned was great and I think you guys should keep it up.” – youth participant</p>	<p>“Better meeting times” – youth participant</p> <p>“More group zooms are needed” – Youth participant</p>	<p><b>and banking:</b></p> <p>“I think they should have provided more information when it comes to personal finance.” – youth participant</p>
<p>13. What are your feelings about virtual learning? *</p>	<p><b>I like virtual:</b></p> <p>“I like virtual I get to stay home. “ – youth participant</p> <p>“I think it was great and helpful because not everybody have a way to get to the person meetings” – youth participant</p>	<p><b>It is okay, but I would prefer to be in person:</b></p> <p>“I am personally someone who works better in person and one on one but the internship virtual was good. “ Youth participant</p>	<p><b>It was hard:</b></p> <p>“It's easy to get off track.” – youth participant</p> <p>“I am personally someone who works better in person and one on one but the internship virtual was good” – youth participant</p>	
<p>14. If CAYIP returned to an in-person internship program, would you be interested in participating?</p>	<p>Yes: 18/37 = 49%</p> <p>“Yes of course. I would be super interested” – youth participant.</p> <p>“Yes, sure because they teach us so many different</p>	<p>No: 1/37 = 3%</p> <p>“No, because I have a job and its already hard enough trying to plan around zoom meetings” – youth participant</p>	<p>Undecided: 9/37 = 24%</p> <p>“Maybe I like virtual better” – youth participant</p> <p>“Maybe so but depending on covid.” – youth participant.</p>	<p>No response: 9/37 = 24%</p>

	things.” – youth participant			
15. How do you plan to use your CAYIP stipend? *	<b>Necessities:</b> Back to school items, bills, work uniforms, baby supplies.	<b>Save for an unknown purchase:</b> “Save 70%/80% and spend the rest when I want to.” – youth participant.  “Save it and buy some things I need.” – youth participant.	<b>Save for a big purchase:</b> School/college, car, an unknown purchase, a Nintendo Switch	<b>Not sure yet.</b>  “Not yet known. Most likely something I really want in the future.” – youth participant
16. Would you recommend CAYIP to another youth?	Yes: 35/37 = 95%	No- 0	Maybe: 2/37: 5%	
17. Do you have questions, comments, suggestions, or concerns?*	NO	“I want to thank the CAYIP counselors especially Jim for giving me the opportunity to take part in this amazing program.” – youth participant	“I don’t think there is a part because everything we did and everything we learned was great and I think you guys should keep it up.” – youth participant	“I want to say thanks for the opportunity to participate in this program.” – youth participant

\*most popular answers

Other General Comments:

- “Yes [CAYIP] helped a lot, before I didn’t really know anything about how banking and maintaining money worked. But with CAYIP I learned a lot, like how to fill out a resume, things to do and what not to do in an interview!”
- “Yes [CAYIP] has helped me greatly because I feel like this will help me have a better chance for applying for a job in the future. Also I feel like I have

learned a lot of good communication skills that will help me make friends in the future.”

- I think the amount of information you conveyed in just 5 weeks is astounding.”
- “Yes. CAYIP helped me in learning more info on a variety of topics including budgeting, building a resume and applying for jobs, and networking.”
- “[It was meaningful to me] when we were talking about people who come from different backgrounds and diversity in the workplace. It helped me realize that you're gonna come across many different people when you're working and in life.”
- “[The program exceeded by expectations] because I didn't expect to learn so much and be so benefited by what I learned about work place skills as I did.
- “I don’t think I have any other concerns or suggestions I think the [program] is great and really helpful. [I] hope you guys can continue doing this, [it] will impact other peoples life....”
- “[No suggestions] just have a blessed life and you are all wonderful amazing people.”
- “Are there any other CAYIP programs in the future, and if so when?”



CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 15, 2021
Action Required:	No Council Action Required
Presenter:	Lauren Hildebrand, Director of Utilities
Staff Contacts:	Lauren Hildebrand, Director of Utilities James Freas, Neighborhood Development Services Director
Title:	<b>Land Use and Environmental Planning Committee 2021 Semi-annual Report</b>

**Background:**

In 1986, the Planning and Coordination Council (PACC) was established with the purpose of promoting cooperation in planning and community development among the City of Charlottesville, Albemarle County and the University of Virginia (UVA). As an advisory body, PACC fostered cooperative planning and provided guidance and recommendations for decisions made by the City, the County and UVA.

In November 2019, City Council, Albemarle County Board of Supervisors and UVA approved dissolution of the PACC and established the Land Use and Environmental Planning Committee (LUEPC) in order to broaden PACC's collaboration beyond land use and to include environmental topics and sustainability. Also, LUEPC would allow professional staff to develop solutions on a continuous basis with regularly scheduled reports to leadership of all three entities. LUEPC is intended to be a vehicle to collaborate and coordinate land use and development plans and projects and to consider environmental and infrastructure issues facing the community.

**Discussion:**

LUEPC met virtually for the first half of 2021. Last year, the focus of the committee was to establish the charge and order of the committee. This year, the committee has concentrated on project discussion and coordination. The agendas for the monthly meeting are developed around themes – either geographical areas or specific topics such as sustainability. LUEPC's semi-annual 2021 Report (attached) has been compiled and includes the highlights of the meetings.

**Alignment with City Council's Vision and Strategic Plan:**

This contributes to Goal 3 of the Strategic Plan: A Beautiful and Sustainable Natural and Built Environment.

**Community Engagement:**

The agenda and action items for the LUEPC's meetings are published on the Thomas Jefferson Planning District Commission's website for the community to review.

**Budgetary Impact:**

There are no budget impacts.

**Recommendation:**

There are no staff recommendations and the report is intended to inform City Council of the LUEPC's meetings.

**Attachments:**

Semi-Annual 2021 Report



## Land Use and Environmental Planning Committee Semi-Annual 2021 Report

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The Land Use and Environmental Planning Committee (LUEPC) was established to replace the Planning and Coordination Council (PACC) by the County of Albemarle, the City of Charlottesville, and the University of Virginia in 2019. The Committee is intended as a vehicle to share and coordinate land use and development plans and projects; consider environmental and infrastructure issues facing the community; and, from time to time, advance ideas and solutions that support the mutual advantage of these entities. As part of its charge, the Committee shall, not less than twice each year, submit a report summarizing the group's work.

The County, City and the University face similar environmental planning and project challenges. The committee, by its nature, creates opportunities to address these shared challenges by coordinating community messaging and institutional practices. While the focus of the committee last year was establishing the charge and order of business, this year has been focused on project discussions and coordination. The agendas for the monthly meeting are formed around themes – either geographical areas or specific topics such as sustainability. This report will focus on some of the key themes under discussion. The Committee's meeting agendas, minutes and presentations are posted on the LUEPC website which is hosted by the Thomas Jefferson Planning District Commission (TJPDC): <https://vapacc.org/>.

### Charge Statement

The Land Use and Environmental Planning Committee is established as a vehicle to share and coordinate land use and development plans and projects; consider environmental and infrastructure issues facing the community; and, from time to time, advance ideas and solutions that support our mutual advantage. The LUEPC may also serve as an advisory committee to the City, County, and UVA. The Committee will meet regularly to discuss timely issues from each entity and share that information with the public and each entity's senior leadership at biannual updates of all three entities. Through its work, the Committee further seeks to ensure that the actions, policies, and processes of the Committee are reflective of an ongoing commitment by the entities to support an equitable and inclusive community. The Committee defines equity as all community members having access to community benefits and opportunities needed to reach their full potential and to experience optimal well-being and quality of life; inclusion means that all peoples shall be respected and valued as members of this community. The Three-Party Agreement dated May 5, 1986, remains in effect as to land use planning between the City, County and UVA.

### Meetings

#### January 15, 2021: Fontaine Context Projects

- UVA: Elisa Langille, <https://virginia.box.com/s/9l2fg95ef1rtjk4rm7vtelm3h6i04gpn>

Ms. Langille shared the University's proposed plan for Fontaine Park. The uses for the park would generally remain the same, albeit with increased density and amenities added. The realization of this plan is contingent on further programming decisions and funding availability.

- City of Charlottesville: Kyle Kling, <https://virginia.box.com/s/o97n9liy923ffhguzwh6pr2rowsoxcc6>

Mr. Kling shared the City's plan to improve the streetscape along Fontaine Avenue. The goals of this project are to improve pedestrian, bicycle and transit opportunities and beautify the corridor entering the City.



- Albemarle County: Jodie Filardo/Kevin McDermott <https://virginia.box.com/s/59xnrgwg7txa3xcez6rpnvj17gtzi2a>  
Mr. McDermott discussed the Smart Scale project for the Fontaine Avenue interchange. This project would include improvements to the traffic flow at the intersection of the US 29 Bypass and Fontaine Avenue. This project has been accepted by the CTB for funding, and further information will be announced soon.

- Rivanna Water & Sewer Authority: Jennifer Whitaker  
<https://virginia.box.com/s/p4zt5xnrvd9nar11g1rysy5h7fv0sd86>  
<https://virginia.box.com/s/bd9fvrwc5jttncj88wcu5ujtimzq7bzw>

Ms. Whitaker shared RWSA's plans to run a new water line from the Ragged Mountain reservoir to the Observatory Water Treatment Plant along Fontaine Avenue. Maps included provide further details. This project would be constructed 2023 – 2027.

### **February 19, 2021: The Future of Affordable Housing in the Charlottesville/Albemarle County Area**

- UVA: Consultant Gina Merritt from Northern Real Estate Urban Ventures (based in Washington, DC)  
Presentation Link: <https://virginia.box.com/s/f9a98cuupcqrn95gacznptfvrxfmfoa2>

Ms. Merritt, who has been hired as a consultant by the University, presented an overview of UVA's work to date to support the development of affordable housing in the community.

- Albemarle County: Stacy Pethia (Housing Principal Planner for the County)  
Presentation Link: <https://virginia.box.com/s/t6o2qj1th23u16njin3ptr9wy0orvprox>  
Ms. Pethia shared the County's recommendations for the new housing policy.

- City of Charlottesville: Jeanette Janiczek (Urban Construction Initiative Program Manager)  
Presentation Link: <https://virginia.box.com/s/i3c2sfvdne9sky3yc8zlsicyqtccx5by>  
Ms. Janiczek shared the plans for the Belmont Bridge replacement.

### **April 16, 2021: Ivy Road and Context** (No March meeting due to multiple conflicts)

- UVA: Alice Raucher/Mary Hughes (OAU) <https://virginia.box.com/s/2rywr0wosbc1n607bx6v0mqadjky7e8v>

Ms. Raucher and Ms. Hughes presented the University's proposed Ivy Corridor project at Emmet Street and Ivy Road.

- City of Charlottesville: Kyle Kling  
<https://virginia.box.com/s/sxjg2h3dcmy8d8mbccz700gf513nuwo6>

Mr. Kling presented the City of Charlottesville's proposed improvements to Emmet Street & Barracks Road.

- Rivanna Water & Sewer Authority - Rivanna Waterline: Bill Mawyer  
<https://virginia.box.com/s/p3hc98k6kp7yldcduseoxmf97otsuyt4>

Mr. Mawyer presented on the proposed updates to the Rivanna waterline from the South Rivanna Reservoir to the Ragged Mountain Reservoir.

### **June 25, 2021: City of Charlottesville Housing update** (no May meeting due to UVA graduation)

- City of Charlottesville: Alex Ikefuna/Brenda Kelley  
Presentation Link: <https://virginia.box.com/s/o2d9hhykkuseyjh0gtt3if7yp3qabt5p>

Mr. Ikefuna & Ms. Kelley provided updates on the City's Housing Plan.

- Albemarle County: Blake Abplanalp  
<https://virginia.box.com/s/3koxzbl367v7ijzrzgzzz8ftdmg2khdg>

Ms. Abplanalp presented on the County's sidewalk/streetscape project for Ivy Road.



## July 23, 2021: Community Sustainability Projects

- UVA: Andrea Trimble (Director for UVA Office of Sustainability)

<https://virginia.box.com/s/ageol6ppylk8xe26s8lh7ibz5fdnpzy2>

Ms. Trimble presented on the Governor's Executive Order 77 (reduction in single use plastics) and the impact it will have for UVA.

- RSWA Recycling Updates: Phil McKalips (RSWA Solid Waste Manager)

<https://virginia.box.com/s/xjbs6evfw5n2tnfkqzft1mbjqxw1y75v>

Mr. McKalips presented on recycling updates for the RSWA.

- UVA: Urban Strategies Consultant Team

<https://virginia.box.com/s/3b52cv3evz6h06wxxjiks5olhpgunhic>

USI (Urban Strategies Inc.), who have been hired as consultants by the University, presented goals and an overview of the process of the development of the University's new Grounds Framework Plan.

## LUPEC Membership

### City of Charlottesville

Neighborhood Development Services Director

Director of Public Works

Director of Public Utilities

Representative from the City Planning Commission

### Albemarle County

Community Development Director

Facility and Environmental Services Director

Representative from the County Planning Commission

### University of Virginia

Architect for the University

Director of Facilities Management Operations

Director of Real Estate and Leasing Services

### University of Virginia Foundation

Director of Design and Development

Director of Real Estate Asset Management

### Rivanna Water and Sewer Authority

Executive Director

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