



CITY COUNCIL AGENDA April 17, 2023

J. Lloyd Snook, III, Mayor
Juandiego Wade, Vice Mayor
Michael K. Payne, Councilor
Brian R. Pinkston, Councilor
Leah Puryear, Councilor
Kyna Thomas, Clerk

4:00 PM OPENING SESSION

Register at www.charlottesville.gov/zoom. The public may view this portion of the meeting electronically by registering in advance for the Zoom webinar or on the City's streaming platforms and local government Channel 10. 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. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

Call to Order/Roll Call

Agenda Approval

Reports

1. Presentation: CATEC presentation by Dr. Royal Gurley

5:30 PM CLOSED SESSION pursuant to Sections 2.2-3711 and 2.2-3712 of the Virginia Code (legal consultation)

6:30 PM BUSINESS SESSION

This portion of the meeting will accommodate a limited number of in-person public participants in City Council Chamber at City Hall as we employ a hybrid approach to public meetings. Registration is available for a lottery-based seating selection at www.charlottesville.gov/1543/Reserve-a-Seat-for-City-Council-Meeting. Reservation requests may also be made by contacting the Clerk of Council office at clerk@charlottesville.gov or 434-970-3113.

Moment of Silence

Announcements

Recognitions/Proclamations

Consent Agenda*

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. After the reading of the consent agenda, the mayor will open the floor for comments from the public on the items that were read. Speakers will have up to three minutes each to make comments before City Council votes on the consent agenda. Speakers must state their name and locality for the record.

2. Minutes: March 29 Joint work session with the Planning Commission, March 30 budget work session, April 6 budget work session, April 11 special meeting
3. Ordinance: Consideration of a Zoning Text Amendment – Planned Unit Developments – Development Size for Urban Corridor Mixed Use District (URB) (2nd reading)
4. Resolution: Appropriating funding for the Runaway Emergency Shelter Program Grant - \$209,444 (2nd reading)
5. Resolution: Appropriating funding from the Batten Family Fund Grant Award - \$40,000 (2nd reading)
6. Ordinance: Adopting a new fee schedule for building permits and related fees (2nd reading)
7. Resolution: Supplemental Appropriation of Federal Transit Operating and State and Federal Capital Grants - \$7,886,856 (2nd reading)
8. Resolution: 2023 City Climate Protection Program – Program Support Grant with LEAP - \$78,833 (1 of 2 readings)

9. Resolution: Ratifying Resolution #R-23-042 approved on April 3, 2023, to reflect funding appropriated from the Land and Water Conservation Fund for Moores Creek parkland acquisition, as the resolution included in the meeting materials was a duplicate of the Virginia Land Conservation Fund resolution. Accounting remains the same.

City Manager Report

- Report: Quarterly financial report

Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces at <https://www.charlottesville.gov/692/Request-to-Speak>; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Comments on Public Hearing items are heard during the public hearing only.

Action Items

10. Resolution: Resolution to appoint an Executive Director to the Police Civilian Oversight Board (1 reading)
11. Ordinance: ~~Resolution to approve the Thomas Jefferson Planning District Commission 2023 Regional Natural Hazard Mitigation Plan update (1 reading; deferred from April 3)~~ **ITEM PULLED to be presented at future meeting**
12. Resolution: Resolution to award FY23 Charlottesville Affordable Housing Funds (CAHF) (1 of 2 readings)
13. Resolution: Resolution to Rescind City's Procedures for Restricting Meeting Attendance and the Use of City Facilities in Response to the Coronavirus Pandemic (1 reading)
14. Resolution: Resolution to appropriate \$5,000,000 to Charlottesville Redevelopment and Housing Authority for acquisition of Dogwood Properties (2nd reading)

General Business

15. Written Report: Rivanna Authorities Quarterly Report

Other Business

Community Matters (2)

Adjournment

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



Agenda Date: April 17, 2023

Action Required:

Presenter: Dr. Royal Gurley, Superintendent

Staff Contacts: Michael Rogers, City Manager

Title: **CATEC presentation by Dr. Royal Gurley**

Background

Discussion

Alignment with City Council's Vision and Strategic Plan

Community Engagement

Budgetary Impact

Recommendation

Alternatives

Attachments

1. CATEC Transition Update_Presentation to City Council_April 17, 2023 City Council Meeting

Transition Update

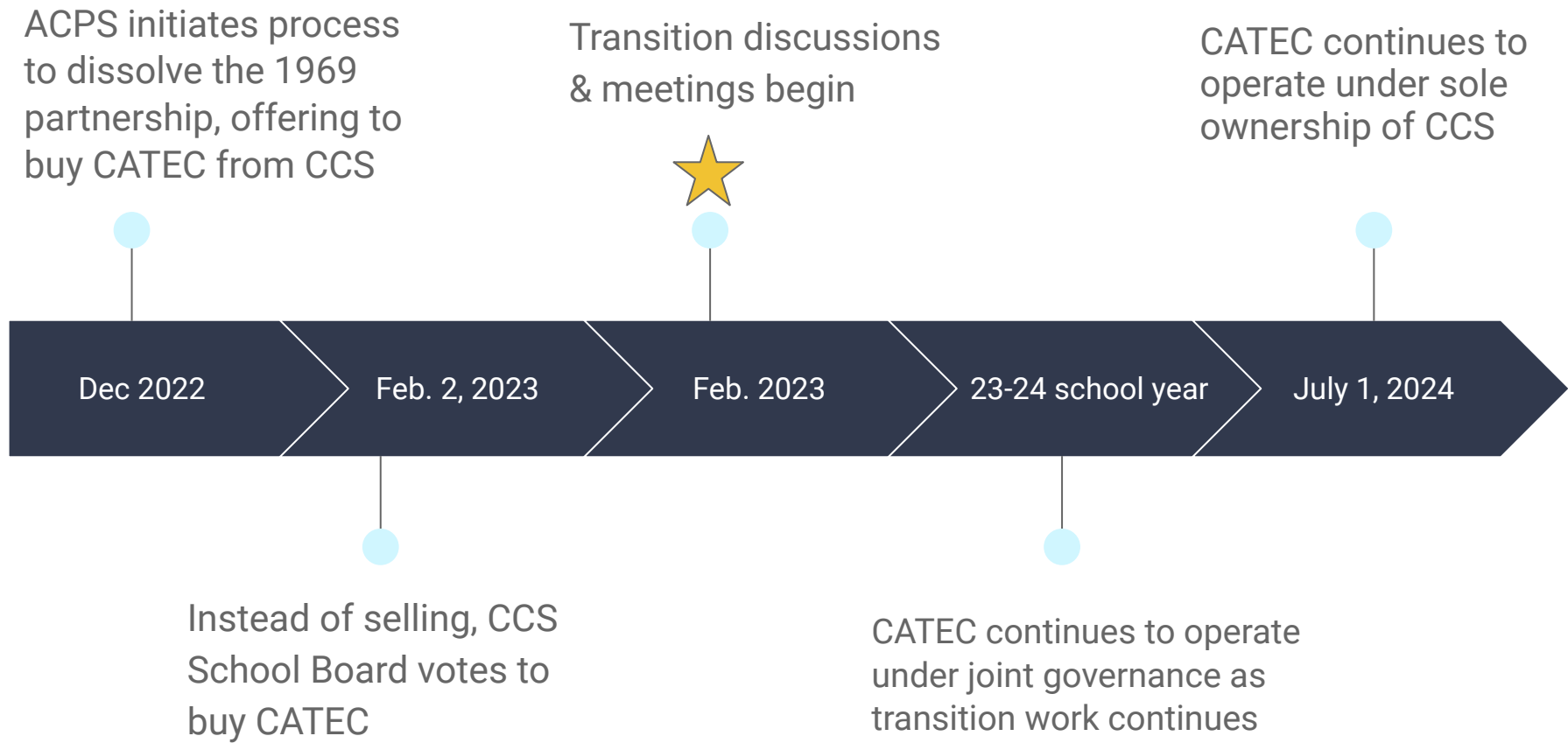
April 17, 2023



CATEC, Past and Present

- Founded in 1973 as a partnership between Charlottesville and Albemarle public schools
- Serves adults and 400 high schoolers to prepare them for the jobs they want
- 10 high school programs, most of which are 2-year commitments
- The premier example of our area's job development programs





Why acquire CATEC?

“Our choice was not whether to dissolve the partnership. Our choice was to sell or to buy, and the opportunity was too good to pass up.”

- CATEC is an incredibly valuable community resource that diversifies learning opportunities for students and adults
- The real estate value alone made the decision to buy compelling. The ACPS offer was more than \$1.2 million below independent valuations received by CCS
- While a June 2022 offer from ACPS offered CHS students the possibility to continue attending CATEC for a time, the letter did not address how operations would be maintained to ensure access for CCS students
- The final offer from ACPS in December 2022 did not address continued access for CCS students
- Since 75% of CATEC students are from ACPS, ACPS is not incentivized to meet the needs of CHS students. On the other hand, CCS is incentivized to operate the facility in a way that continues to meet the needs of both CCS and ACPS
- Even if ACPS one day does not use as many slots in CATEC, the center is a valuable component of the area's youth and adult workforce development strategy



CCS Goal

Working together to ensure continuity of operations and programming for staff and for adult and high school students in Charlottesville, Albemarle, and the area.

Planning for a Smooth Transition: Working Groups Formed

Finance

- Structure & Systems
- Slots & Tuition

Human Resources/Personnel

- Time & Attendance System
- Benefits

Instruction & Partnerships

Infrastructure/Facilities

- Security
- Maintenance

Technology

- Network
- Accounts

General (VDOE, etc.)

- Includes CCS/CATEC leadership team and a CCS/ACPS/CATEC joint leadership team



Transition Teams

- Central Leadership Team
 - Dr. Gurley, CCS Superintendent
 - Kim Powell, CCS Chief Operating Officer
 - Renee Hoover, CCS Director of Finance
 - Stephanie Carter, CATEC Director
 - Marlaine Hall, CATEC Finance Coordinator
 - Pat Cuomo, CCS IT Director (as needed)
- Joint Central Leadership Team
 - Dr. Gurley, CCS Superintendent
 - Dr. Haas, ACPS Superintendent
 - Stephanie Carter, CATEC Director
 - Jamie Gellner, ACPS Director of Special Projects, Program Evaluation, and Department Improvement
- Finance
 - Renee Hoover, CCS Director of Finance
 - Marlaine Hall, CATEC Finance Coordinator
- Human Resources
 - Maria Lewis, CCS Human Resources Director
 - Dan Redding, ACPS Human Resources Director
 - Stephanie Carter, CATEC Director
- Instruction/Partnerships
 - Katina Otey, Chief Academic Officer
 - Megan Fitzgerald, CTE Administrator
 - Stephanie Carter, CATEC Director
- IT
 - Pat Cuomo CCS Director of Technology
 - Cria Wood, ACPS Senior Infrastructure & Systems Engineer
 - Robert Rejonis, ACPS Assistant Director of Infrastructure and Support Services

What's Been Accomplished

- ✓ Plan transition teams
- ✓ Create planning document
- ✓ Establish meeting schedule
- ✓ Communicate with staff and community (ongoing)
- ✓ Analyze current CATEC budget
- ✓ Assessment of CATEC IT infrastructure
- ✓ Applied for funding for the wide-area network (WAN) project
- ✓ Decision to keep name CATEC (Charlottesville Area Technical Education Center)



Short-Term Plans in Motion



- ✓ On-board new staffing through CCS
- ✓ Transition to CCS pay tables
- ✓ Move CATEC staff to CCS email
- ✓ Conduct initial employment screenings with existing staff
- ✓ Transition CATEC staff to CCS TalentEd

- CATEC currently has 400 available seats in 10 high school programs
- Enrollment requests from CHS and ACPS high schools
 - 25% of total slots allotted to each local high school (Charlottesville, Albemarle, Monticello, and Western Albemarle)
 - Remaining seats are open to homeschool families and out-of-district students from Louisa or Fluvanna



Current Allocation of Student Slots at CATEC

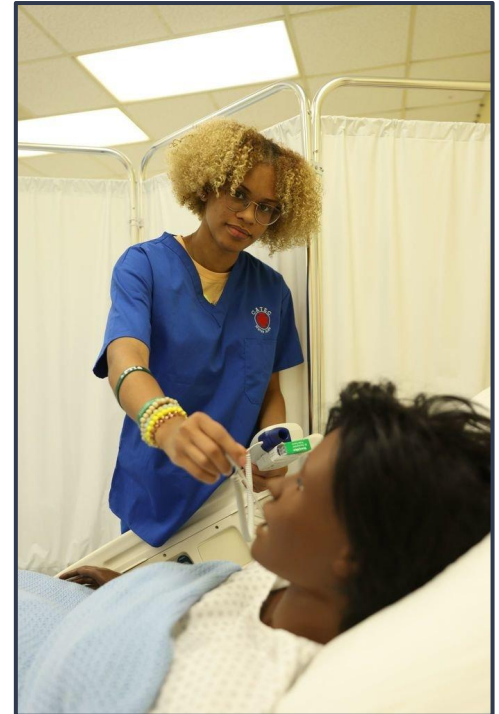
- CATEC's current 2023-24 budget is approximately \$3.8 million, including adult programs.
- The current funding formula was devised by the founding CATEC Board in 1969. At that time, there was only one high school in each locale.
- The funding formula uses 4-year averages:
 - half is based on each division's student enrollment (membership) in grades 9-12
 - the other half is based on each division's CATEC enrollment
- ACPS & CCS split capital (CIP) costs 50/50.

| Funding Calculation: SY 2023-2024 1/8/2023 for 1.17.2023 BOD Mtg | | | | |
|--|--------------------|--------------|------------|--------------|
| Local Funding Request | | | | |
| \$ | 2,893,788 | | | |
| Division ADM | 4YR Avg % of Total | Subtotal | Correction | Total |
| ACPS | 77.93% | \$ 2,255,265 | x 50% | \$ 1,127,632 |
| CCS | 22.07% | \$ 638,523 | | \$ 319,261 |
| CATEC ADM | 4YR Avg % of Total | Subtotal | Correction | Total |
| ACPS | 78.07% | \$ 2,259,214 | x 50% | \$ 1,129,607 |
| CCS | 21.93% | \$ 634,573 | | \$ 317,287 |
| Division ADM | | CATEC ADM | Total | |
| ACPS | \$ 1,127,632 | \$ 1,129,607 | \$ | 2,257,240 |
| CCS | \$ 319,261 | \$ 317,287 | \$ | 636,548 |
| | | Total | \$ | 2,893,788 |

Current Cost Allocation Structure

Moving Forward – Slots

- Slots will be offered to ACPS under rolling agreements for periods not less than 3 years
 - Many CTE programs are 2 years
 - If a student finishes year 1 at CATEC and remains in good standing, the student is guaranteed a slot for year 2 in each division's allocation of slots
 - Multi-year agreements will ensure no sudden changes that could cause undue fiscal or operational stress for all stakeholders
 - The initial percentage of slots offered to ACPS will approximate the current slot allocation



Example Timeline: Rolling 3-Year Slot Reservations

| | |
|--------------|--|
| October 2023 | Slot determination for 2024, 2025, 2026 |
| October 2024 | Slot determination for 2027 |
| October 2025 | Slot determination for 2028 |



Moving Forward – Tuition

- Tuition Calculation:
 - Total operating budget (excludes all capital expenses)
 - Less certain overhead costs (utilities, maintenance, non-instructional personnel)
 - Less any programs/resources that are exclusive to a division - charged directly to the appropriate division
 - Example: CATEC EMS instructor who teaches certain classes at WAHS
 - Divided by total number of slots
- The tuition rate will be set on a biennial basis, corresponding with the state biennial budget process, with the Consumer Price Index applied to year 1 tuition to determine the rate for year 2.
- This same slot tuition rate will be charged to any school district reserving student slots outside Charlottesville City
- For ACPS, this calculation will result in lower costs per slot than would have been incurred under continuation of the partnership due to capital and overhead costs now funded solely by the City.



CATEC Budget Projections

FY25 Projections based on FY24 Budget

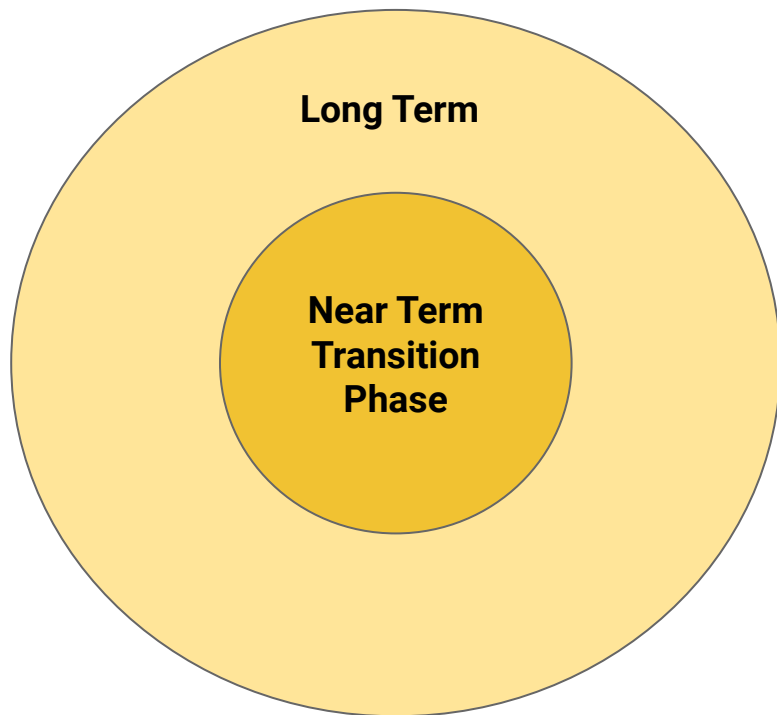
| | |
|--|------------------|
| Total Funding | \$3,453,748 |
| Instructional Direct & Indirect Costs | \$2,549,878 |
| Operational Overheads | \$903,870 |
| | |
| State Revenue | \$183,037 |
| | |
| FY25 Estimated Projected City Additional Appropriation for Overheads | \$720,833 |



Instructional cost allocations ultimately determined by program participation

In addition to operational overhead costs shifting to the City, 100% of CATEC CIP costs will shift to the City (currently CIP costs for CATEC are split 50/50 with ACPs under the joint ownership agreement).

Planning for the Future of CATEC



Transition Teams & Work Groups

Focus on smooth transition and minimizing disruption for ACPS & CCS students and the CATEC staff

City & Schools Task Force

Focus on maximizing CATEC as area resource for career readiness & workforce development

Key Components Moving Forward



- Transparency & Communication
- Charlottesville Schools & City Focus on Workforce Development
 - High school & adult students
 - Formation of City/Schools Task Force
- Rolling Slot Commitments Driving Future Resource Allocations
 - If ACPS uses fewer HS slots in the future, then Charlottesville City can shift more day programming to meet adult needs



Charlottesville City Council and Planning Commission
Joint Work Session
Wednesday, March 29, 2023, at 5:00 p.m.
CitySpace Main Conference Room (100 5th Street NE)

The Charlottesville Planning Commission held a joint work session with the Charlottesville City Council to review Modules 1 and 2 of the Zoning Ordinance Update.

The work session came to order with a quorum of Planning Commissioners. City Council did not have a quorum. In attendance were Vice Mayor Juandiego Wade and Councilor Michael Payne. Councilors Pinkston and Puryear gave advance notice of their absence due to travel and Mayor Snook indicated earlier in the day that he would arrive late.

Missy Creasy, Deputy Director of Neighborhood Development Services stated that public comment was being accepted in writing at the meeting or by emailing comments to her during the meeting.

James Freas, Director of Neighborhood Development Services, summarized the purpose of the meeting by noting that the public comment deadline was extended to April 30 for Module 1, which matches the deadline for public comment on Module 2. He stated that changes to Module 1 are planned based on feedback received to date. The presentation followed the agenda outline below:

1. Topics of Review in Association with Zoning Ordinance Update
 - a. Module Two and Inclusionary Zoning Manual (presentation)
 - b. Module One - overview of the objectives being addressed, plan for review of Map comments, and then discussion and questions

Module 1 of the draft Zoning Ordinance covers the proposed zoning district rules, the use table, and the zoning map.

Module 2 of the draft Zoning Ordinance covers Development Standards, including landscaping, parking, signs, lighting, etc.

Module 3 of the draft Zoning Ordinance covers Zoning Administration (review processes) and is expected to be released the week of April 3, 2023.

Regarding housing and affordability needs, Mr. Freas explained that “affordable” is being defined as a housing unit where monthly payments for housing (including utilities) do not exceed 30% of monthly income for someone whose income is at or below 60% of Area Median Income (AMI).

Mayor Lloyd Snook arrived at 5:38 p.m., establishing a quorum of City Council.

Christy Dodson, a consultant with Code Studio (leading the re-write of the Zoning Ordinance),

helped to answer questions for councilors and commissioners.

Public comments were received in writing during the meeting from the following individuals:

- Benjamin Heller
- Jim Brown
- Pattye Leggett
- Peter Gray
- Judith Shatin
- Clifford Fox
- Bill Emory
- Buie Fox
- John Hossack
- Clare Carter
- Pete Marshall
- Tracy Carlson
- Tim Paladino

The meeting adjourned at 7:58 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL

Budget Development Work Session

March 30, 2023, at 6:00 PM

In person: CitySpace, 100 5th Street NW

Electronic: Zoom, www.charlottesville.gov/zoom

The Charlottesville City Council met on Thursday, March 30, 2023, in a budget work session to discuss Fiscal Year 2024 Capital Improvement Program budget. The meeting was held in hybrid format with Council members and public seating in CitySpace and electronic participation on the Zoom webinar platform. Mayor Lloyd Snook called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following councilors physically present: Michael Payne, Lloyd Snook, and Juandiego Wade. Councilor Leah Puryear was absent on pre-planned travel.

Having established a physical quorum, Council considered a request that Councilor Pinkston made on March 22 to participate electronically pursuant to Council's adopted procedures in compliance with the Virginia Freedom of Information statute for meeting participation through electronic communication means.

Clerk Thomas verified that Mr. Pinkston was able to hear meeting participants and that participants in the meeting room were able to hear Mr. Pinkston. Mr. Pinkston noted in his request that he would be absent for a personal matter. For the record, he specified that the nature of the personal matter was a work conference related to his day job, and his remote location was Williamsburg, Virginia. Based on compliance with the policy, Council entertained a motion.

On motion by Payne, seconded by Wade, Council by the following vote APPROVED participation by electronic means for Councilor Pinkston: 3-0 (Ayes: Payne, Snook, Wade; Noes: none; Absent: Puryear)

City Council had one action item for consideration in order to meet an application deadline.

RESOLUTION: City Council Support of Charlottesville City Schools Application for School Construction Assistance Program (SCAP) Grant

Interim City Manager Michael C. Rogers and Budget Director Krisy Hammill, summarized the item, which was a request from City schools for a letter of support to include with their application for School Construction Assistance Program grant funds.

On motion by Wade, seconded by Payne, Council by the following vote APPROVED the resolution, authorizing the mayor to sign the letter of support as was read aloud: 4-0 (Ayes: Payne, Pinkston, Snook, Wade; Noes: none; Absent: Puryear)

FY 2024 Budget Development – Capital Improvement Program (CIP)

Mr. Rogers summarized the item and Krisy Hammill, Budget Director made a presentation on the Proposed FY 2024-2028 5-Year CIP Plan. She and Deputy City Manager Sam Sanders answered questions from councilors.

Kristel Riddervold, Environmental Sustainability Manager presented the LED Streetlight Conversion Project, with proposal of funding from the CIP Contingency account in the amount of \$600,000. Council was supportive of the project.

Ms. Hammill provided an overview of the CIP Contingency Account.

Michael Goddard, Facilities Development Division Manager, gave an update on the Buford Middle School Reconfiguration Project. The bids came in about two weeks prior. He reviewed multiple bid options and values from the low bidder, which presented a higher base bid amount than the funds that Council approved in 2022. He also reviewed alternate bids from the contractor for additional features. A majority of Council members indicated support of funding Option 4, which included the base bid plus parking area improvements, the outdoor classroom project, and the fine arts building, contingent on the receipt of additional funding from grants.

Mayor Snook invited School Board members Emily Dooley and Lisa Torres to speak. Ms. Dooley thanked Council for moving forward with the project. Ms. Torres shared ideas about project and funding options.

Regarding projected annual debt service, Ms. Hammill stated that as the General Fund budget continues to grow, so has the ratio of Debt Service to Total General Fund Expenditures.

Ms. Hammill provided an update on FY 2024 revenue adjustments and FY 2023 projected revenue results.

The next first reading of the Budget Ordinance will be at the April 3 City Council meeting; budget work session on April 6 where Council will come to agreement on line-item adjustments; and the second reading and vote on the FY2024 City Budget will be on April 11.

Mayor Snook stated for the record that he thinks the Therapeutic Docket should be funded at 100% of their request, as other localities have done.

Public Comment

Mayor Snook opened the floor for public comment.

- Chris Meyer, city resident, spoke about the projected surplus and the need for investment

in infrastructure. He suggested taking action to fund all options presented for the Buford School Renovation Project.

- Asia Green, city resident, PHA (Piedmont Housing Alliance) Youth Coordinator, requested funding for the PHAR (Public Housing Association of Residents) Youth Program.
- Lisa Torres, city resident and School Board member, thanked city staff and Council for working to fund the middle school reconfiguration. She encouraged Council to include the fine arts building in approved funding.
- Vicki Metcalf, city resident, member of the Tree Commission, requested approval of \$75,000 for removal of invasive vegetation.
- Karin Little, city resident and participant with Charlottesville United for Public Education, requested full funding of all options for the middle school renovation project.
- Sandra Aviles-Poe, Community Organizer for Charlottesville United for Public Education, requested full funding of all options for the middle school renovation project.
- Brandon Ertel, city resident, spoke in support of the PHAR Youth Program.

With no additional speakers coming forward, Mayor Snook closed the public comment period and stated that the public can send additional comments to Council by email.

Councilors provided guidance to staff regarding items to include in the upcoming budget discussions.

Mr. Goddard stated that he would begin structuring the Buford Middle School renovation contract to include the auditorium improvements, as budget discussions continue.

Mayor Snook adjourned the meeting at 8:29 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL
Budget Development Work Session
April 6, 2023, at 6:00 PM
In person: CitySpace, 100 5th Street NW
Electronic: Zoom, www.charlottesville.gov/zoom

The Charlottesville City Council met on Thursday, April 6, 2023, in a budget work session to discuss the Fiscal Year 2024 City Budget. The meeting was held in hybrid format with Council members and public seating in CitySpace and electronic participation on the Zoom webinar platform. Mayor Lloyd Snook called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Brian Pinkston, Leah Puryear, Lloyd Snook, and Juandiego Wade.

FY 2024 Budget Development Wrap-up

Mayor Snook turned the meeting over to Interim City Manager Michael C. Rogers, who summarized the purpose of the meeting, which was to work through final decisions regarding the FY 2024 City Budget.

Krisy Hammill, Budget Director, presented a chart as a work product for Council decision making.

Councilor Michael Payne joined the meeting at 6:03 p.m.

Council discussed several items including Capital Improvement Program considerations, funding for certain non-profit organizations, and some operational costs.

During discussion of funding to the Jefferson School African American Heritage Center, Councilor Puryear disclosed that she is a volunteer board member for the Heritage Center's Board of Directors.

During the discussion about Child Health Partnership, Vice Mayor Wade disclosed that his wife is a volunteer member of their board, and that will not impact his participation in the discussion.

The remainder of funding after allocations were specified was set aside for the employee compensation study findings implementation.

Public Comment

Mayor Snook opened the floor for public comment.

- Gregg Winston, board member for the Free Clinic, requested additional funding based on

changing circumstances regarding Medicaid roll-back.

- Elizabeth Stark, city resident, spoke in support of Council's decision to add funding to the Pathways program. She added that she supports additional funding for the Free Clinic.
- Ang Conn, city resident, cautioned against referring to programs as "rewards".

With no additional speakers coming forward, Mayor Snook closed the public comment period.

Mayor Snook adjourned the meeting at 8:26 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT

CHARLOTTESVILLE CITY COUNCIL
Special Meeting
April 11, 2023 at 5:30 PM
In person: Council Chamber, 605 E. Main Street
Electronic: Zoom, www.charlottesville.gov/zoom

The Charlottesville City Council held a special meeting on Tuesday, April 11, 2023, to establish the annual tax levy for FY2023, to approve a budget and annual appropriation for the FY2024 City Budget, and to establish the 2023 Tax Year personal property tax relief percentage. The meeting was held in Council Chamber, with options for electronic participation by the public.

Mayor Lloyd Snook called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

Agenda Approval

On motion by Payne, seconded by Pinkston, Council unanimously approved the meeting agenda.

Action Items

1. ORDINANCE: FY2024 City Budget and Annual Tax Levy for Tax Year 2023

Krisy Hammill, Budget Director, provided a summary of the budget process, including proposals and adjustments.

a. ORDINANCE: Establishing the Annual Tax Levy for Tax Year 2023 (2nd reading)

On motion by Payne, seconded by Pinkston, Council by the following vote ADOPTED the ORDINANCE TO ESTABLISH THE ANNUAL TAX LEVY FOR TAX YEAR 2023: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

b. ORDINANCE: Approving a budget and annual appropriation of funding for the City of Charlottesville for the Fiscal Year ending June 30, 2024 (2nd reading)

Mayor Snook disclosed that his wife worked for the city years ago and receives a small pension from the city, which will be increasing slightly this year, and that he would not be required to recuse himself.

Vice Mayor Wade disclosed that his wife serves as a volunteer on the Child Health Partnership board, but he has no conflict in voting on the city budget.

Councilor Puryear disclosed that she is a volunteer member of the Jefferson School African American Heritage Center Board.

On motion by Payne, seconded by Pinkston, Council by the following vote ADOPTED the ORDINANCE APPROVING A BUDGET AND ANNUAL APPROPRIATION OF

FUNDING FOR THE CITY OF CHARLOTTESVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2024: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

2. RESOLUTION: Establishing 2023 Tax Year Personal Property Tax Relief Percentage

Todd Divers, Commissioner of the Revenue, summarized the resolution.

On motion by Payne, seconded by Pinkston, Council by the following vote Approved the resolution: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

RESOLUTION

Establishing the Personal Property Tax Relief Percentage for Tax Year 2023

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, THAT pursuant to the requirements of Virginia Code §58.1-3524, that personal property tax relief at the rate of thirty-three percent (33%) shall be applied to the first \$20,000 of value of each qualifying vehicle having a value of more than \$1,000 and

BE IT FURTHER RESOLVED THAT personal property tax relief at the rate of one hundred percent (100%) shall be applied to each qualifying vehicle having a value of \$1,000 or less.

Adjournment

Mayor Snook adjourned the meeting at 5:39 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



| | |
|------------------|--|
| Agenda Date: | April 17, 2023 |
| Action Required: | Consideration of a Zoning Text Amendment |
| Presenter: | Dannan OConnell, Planner |
| Staff Contacts: | Dannan OConnell, Planner |
| Title: | Consideration of a Zoning Text Amendment – Planned Unit Developments – Development Size for Urban Corridor Mixed Use District (URB) (2nd reading) |

Background

At their January 3, 2023 regular session, City Council moved to initiate a Zoning Text Amendment to modify the required development size for Planned Unit Development Districts (PUDs) for properties currently zoned Urban Corridor Mixed Use District (URB). City Code Sec. 34-492 currently requires PUD sites to contain two or more acres of land. The proposed amendment would remove this acreage requirement for parcels currently zoned Urban Corridor Mixed Use District, making lots or parcels less than two acres within that district eligible for rezoning to Planned Unit Developments.

Discussion

The Planning Commission held a hybrid virtual and in-person joint Public Hearing with City Council on March 14, 2023 on this matter. The Planning Commission and City Council had the following comments and concerns:

- Questions on the additional number of PUDs expected if this Ordinance was approved
- Noting that the PUD rezoning process requires public hearings and review by the Planning Commission and City Council
- Allowing private PUD development on Ivy Road could benefit the City

The Planning Commission generally agreed that the change could be accommodated in the short term, pending the adoption of a new Zoning Ordinance which could eliminate the PUD rezoning process.

Staff note: A recording of the meeting can be found at the following link. Discussion starts at the 38:00 mark.

[Link to Recording of Public Hearing](#)

Staff note: The full application for this project can be found at the following link. Materials start on

Alignment with City Council's Vision and Strategic Plan

If City Council approves this Zoning Text Amendment, the Ordinance could align with Goal 3: A Beautiful and Sustainable Natural and Built Environment; 3.1: Engage in robust and context sensitive urban planning and implementation

Community Engagement

On March 14, 2023 the Planning Commission and City Council held a joint Public Hearing. The Public Hearing was a hybrid meeting with the public able to join online and in person. During the Public Hearing one member of the public participated and voiced opposition to this Zoning Text Amendment.

Budgetary Impact

This has no impact on the General Fund.

Recommendation

The Planning Commission voted 6-0 to recommend the application be approved.

Alternatives

City Council may deny the proposed Zoning Text Amendment.

Attachments

1. PUD Acreage Change Proposed Ordinance

AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, TO REMOVE A MINIMUM ACREAGE REQUIREMENT FOR PLANNED UNIT DEVELOPMENTS WITHIN PARCELS ZONED URBAN CORRIDOR.

WHEREAS, upon the recommendation of City staff, the City Council initiated a zoning text amendment proposing an amendment to the City’s zoning ordinance, to remove the minimum acreage requirement for Planned Unit Development rezonings, for properties currently zoned Urban Corridor Mixed-Use District (“Proposed Zoning Text Amendment”); and

WHEREAS, a Joint public hearing on the Proposed Zoning Text Amendment was held by the Planning Commission and City Council on March 14, 2023, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend approval of the Proposed Zoning Text Amendment of Sec. 34-492 of the City’s Zoning Ordinance, to remove the minimum acreage requirement for Planned Unit Developments within parcels zoned Urban Corridor; and

WHEREAS, After consideration of the Planning Commission’s recommendation, and the recommendations given by staff, this Council is of the opinion that that the Proposed Zoning Text Amendment, as recommended by the Planning Commission, has been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, general welfare and good zoning practice require the Proposed Zoning Text Amendment, as recommended by the Planning Commission, and (ii) the Proposed Zoning Text Amendment, as recommended by the Planning Commission, is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 34 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and re-enacted as follows:

1. Amend the provisions of Sec. 34-492, as follows:

Sec. 34-492. Configuration.

A PUD shall contain two (2) or more acres of land, **except for parcels zoned Urban Corridor (URB) which shall have no minimum acreage requirement.** A PUD may be comprised of one (1) or more lots or parcels of land. The lots or parcels proposed for a PUD, and all acreage(s) contained therein, shall either be contiguous, or shall be within close proximity to one another and integrated by means of pedestrian walkways or trails, bicycle paths, and/or streets internal to the development. City council may vary or modify the proximity requirement.

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



| | |
|-------------------------|--|
| Agenda Date: | April 17, 2023 |
| Action Required: | Appropriation |
| Presenter: | Misty Graves, Director of Human Services |
| Staff Contacts: | Hunter Smith, Human Services Planner |
| Title: | Appropriating funding for the Runaway Emergency Shelter Program Grant - \$209,444 (2nd reading) |

Background

In FY2020 the Human Services Department, in partnership with ReadyKids, applied for and received a 3 year grant from the Department of Health and Human Services Administration for Children and Families in the amount of \$200,000 in federal funds and \$22,222 in local matching funds. In FY2023, the third and final year of the grant, the local match will be met with a transfer of \$9,444 from the Human Services Department for a total appropriation of \$209,444. An in-kind match of \$12,778 from ReadyKids, to provide Runaway Emergency Shelter Program (RESP) services, will be applied to the grant as well.

Discussion

The funds support services that provide emergency shelter, counseling and after care services for youth in crisis for the purpose of keeping them safe and off the streets, with a goal of reunification with family. Funded services will include: emergency shelter available 24 hours per day, 7 days a week; individual and family counseling to help resolve conflict and develop new communication skills to facilitate reunification with the family; and additional support services that help youth build meaningful connections with their community and encourage positive youth development.

Alignment with City Council's Vision and Strategic Plan

The Runaway Emergency Services Program 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.

The Human Service Department's programs, including the Runaway Emergency Shelter Program, provide residential and community based services that prevent delinquency and promote the healthy development of youth.

Community Engagement

In order to increase prevention services, (RESP), staff conduct extensive outreach efforts, particularly in area schools reaching out to youth through a variety of activities including presentations to health classes and at tables during lunch.

Budgetary Impact

There is no impact to the General Fund. There is a local match that the Human Service's Department and ReadyKids will provide (cash match of \$9,444 – Human Services Fund and in-kind match \$12,778 – ReadyKids). This grant will be appropriated into a grants fund.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

If the funds are not appropriated, the grant would not be received and the Runaway Emergency Shelter Program services would not be provided.

Attachments

1. Resolution_FY23 RHY Appropriation

**RESOLUTION APPROPRIATING FUNDS for
Runaway Emergency Shelter Program
\$209,444**

WHEREAS, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$9,444 provided by the Human Services Fund and in-kind match of \$12,778 provided by ReadyKids;

WHEREAS, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between the Human Services Department and ReadyKids. The grant award covers the period from September 30, 2022 through September 29, 2023;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$209,444 is hereby appropriated in the following manner:

Revenue – \$209,444

| | | | |
|-----------|-----------|-------------------------|---------------------|
| \$200,000 | Fund: 211 | Internal Order: 1900447 | G/L Account: 431110 |
| \$ 9,444 | Fund: 211 | Internal Order: 1900447 | G/L Account: 498010 |

Expenditures - \$209,444

| | | | |
|-----------|-----------|-------------------------|---------------------|
| \$ 69,948 | Fund: 211 | Internal Order: 1900447 | G/L Account: 519999 |
| \$125,000 | Fund: 211 | Internal Order: 1900447 | G/L Account: 530010 |
| \$ 14,496 | Fund: 211 | Internal Order: 1900447 | G/L Account: 599999 |

Transfer - \$9,444

| | | | |
|----------|-----------|-------------------------|---------------------|
| \$ 9,444 | Fund: 213 | Cost Center: 3413003000 | G/L Account: 561211 |
|----------|-----------|-------------------------|---------------------|

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

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



| | |
|------------------|---|
| Agenda Date: | April 17, 2023 |
| Action Required: | Appropriation |
| Presenter: | Misty Graves, Director of Human Services |
| Staff Contacts: | Hunter Smith, Human Services Planner |
| Title: | Appropriating funding from the Batten Family Fund Grant Award - \$40,000 (2nd reading) |

Background

The Department of Human Services applied for and received a grant from the Batten Family Fund in the amount of \$40,000. This grant is designated to support C.A.Y.I.P. (Community Attention Youth Internship Program), a program that offers local youth the opportunity to apply for and participate in a paid internship with local businesses, organizations and city departments.

Discussion

The funds support stipends that interns receive from participating in the program and meeting basic program goals and objectives. Funds have been received and deposited.

Alignment with City Council's Vision and Strategic Plan

C.A.Y.I.P. aligns with the City of Charlottesville's Strategic Plan Goal 1: An Inclusive Community of Self-sufficient Residents; Objective 1.1: Prepare students for academic and vocational success.

Community Engagement

In order to successfully operate C.A.Y.I.P., staff conduct extensive outreach efforts in the community to develop internship sites and also conduct extensive outreach into schools to promote and educate students about the opportunity.

Budgetary Impact

There is no impact to the General Fund. This grant will be appropriated into a grants fund.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

If the funds are not appropriated, the grant would not be received and C.A.Y.I.P. would provide services to fewer students.

Attachments

1. Resolution_FY23 Batten Appropriation

**RESOLUTION APPROPRIATING FUNDS for
Batten Family Fund Award
\$40,000**

WHEREAS, the City of Charlottesville has been awarded \$40,000 from the Batten Family Fund;

WHEREAS, the funds will be used to support C.A.Y.I.P., a program operated by the Department of Human Services. The grant award covers the period from November 1st, 2022 through October 31st, 2023;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$40,000 is hereby appropriated in the following manner:

Revenue – \$40,000

Fund: 213 CostCenter: 3413003000 G/L Account: 451020

Expenditures - \$40,000

Fund: 213 CostCenter: 3413003000 G/L Account: 530450

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$40,000 from the Batten Family Fund.

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



| | |
|------------------|--|
| Agenda Date: | April 17, 2023 |
| Action Required: | Approve new Building Permit fee schedule. |
| Presenter: | Chuck Miller |
| Staff Contacts: | Chuck Miller James Freas, Director of NDS |
| Title: | Adopting a new fee schedule for building permits and related fees (2nd reading) |

Background

- The city last updated the building permit fee schedule in 2008.
- The existing building permit fee schedule relies on multiple fee calculation methodologies and is confusing as presented. The result is that applicants often submit incorrect fee amounts leading to delays in permit processing.
- The city's current fees are generally low when compared to a sampling of peer communities within the State.
- Enforcement of the Virginia Uniform Statewide Building Code is delegated from the State to the local jurisdiction's building code official. The Virginia Administrative Code (13VAC5-63-70. Section 107) authorizes localities to charge fees to defray the cost of enforcing the Building Code.

Discussion

The Building Permitting and Inspections division of NDS has seen a remarkable improvement over the last six months. After a low point during which building permit plan review was taking as long as 80 days and inspections were being scheduled as much as two weeks in advance, we are now delivering building permits within two weeks of application and scheduling inspections for the very next day (See Attachment #1). Credit here goes to our new Building Code Official, Chuck Miller, who started with the City in August, after the City had experienced more than two years with this position vacant, and the addition of a third building inspector in the FY23 budget. The division is now fully staffed and performance has improved accordingly. From here, our focus is now moving to training and retention so that we can build on and maintain the success we have achieved thus far.

The requested changes to the Building Permit Fee Schedule are intended to do two things. First, the new fee schedule (Attachment #2) is greatly simplified when compared to the current one (Attachment #3) with a single standardized fee calculation methodology and consolidation in the fee categories. This change is an essential part of improving customer service and reducing delays

associated with inaccurate fee submissions.

Second, the proposed fee schedule increases the building permit fees, moving Charlottesville from the low end of peer communities, with a fee structure of .3% of project value, to the higher end, with a proposed .7% of project value. Notably, this change will increase building permit fees, but will mostly lower electric permit fees, which were previously unusually high at 1% of project value. Attachment #4 shows how Charlottesville would compare to other communities based on different possible fee rates using a sample project.

After experiencing a significant low-point in the building permit program, NDS has the goal of being a model building permit agency, offering timely permit review and inspections by qualified staff ensuring the quality of construction in the city and the safety of residents. The new permitting software will launch April 30th, allowing building permits to be submitted from home and for their status to be tracked online. Our objective is for the new permit schedule to go into effect at the same time.

Alignment with City Council's Vision and Strategic Plan

The proposed action aligns most closely with Goal 5: A Well-Managed and Responsive Organization, particularly 5.1: Integrate Effective Business Practices and Strong Fiscal Policies; and 5.3: Provide Responsive Customer Service. It is also important to recognize that the City's building permit review and inspections program strongly promotes Goal 2: A Healthy and Safe City.

Community Engagement

Through flyers posted at the NDS front desk and handed out to contractors, staff have been getting the word out to the construction community. Notice was also sent to organizations representing the development and builder communities.

Budgetary Impact

The proposed new fee schedule will provide additional funding offsetting the cost of enforcing the building code, including plan review and inspections.

Recommendation

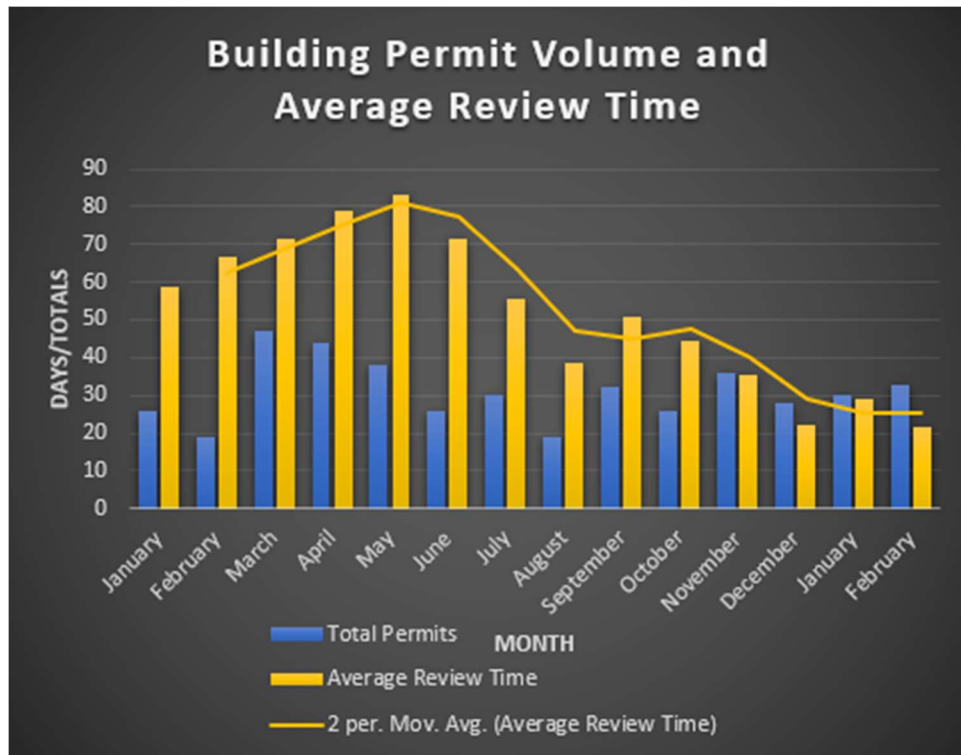
Staff recommends approval of the new building permit fee schedule.

Alternatives

Council could not approve the new building permit fee schedule or could propose modifications.

Attachments

1. Attachment 1_Review Time Tracking
2. Attachment 3_Current Fee Schedule
3. Attachment 4_Cost Comparison
4. Attachment 2_Building Inspection Fee Proposal
5. Ordinance_Building Permit Fees



Our target is all building permits reviewed in under two weeks. We have effectively reached this target for the last three months. The average review time above does not account for lost review time when plans are sent back to the applicant for revision.

This is the original fee schedule that we use. It was last fully reviewed and approved in 2006/2008 for most of the building permits in the Building Inspection Department. The chart matrix is very hard to follow and to verify that the fee to be charged is correct. There are many redundant fees and also there are fees that have no explanation as to what they are for. Our goal is to minimize this schedule and make it simple and efficient for all.

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|---|------------------|--|----------------------------|
| BUILDING REGS (CHAPTER 5) | | | |
| BLDING., ELECT., MECH., PLUMB., FIRE PROTECTION PERMIT FEES | | * In addition to the fees below, a surcharge of 2.00% of the total fee shall be imposed on all permits as required under state law | June 5, 2006/June 16, 2008 |
| Certificate of Occupancy not required by USBC Single Family/Other | \$60/\$125 | | June 5, 2006/June 16, 2008 |
| Non-refundable Administrative Fee on \$1 to \$2,000 residential additions/renovations/new | \$25 | Reviews underway. No inspections scheduled or completed | June 5, 2006/June 16, 2008 |
| Amendment to Permit Fee on \$1 to \$2,000 residential additions/renovations/new | \$25 | | June 5, 2006/June 16, 2008 |
| Non-refundable Administrative Fee on all commercial and residential additions/renovations/new greater than \$2000 | \$75 | Reviews underway. No inspections scheduled or completed | June 5, 2006/June 16, 2008 |
| Amendment Fee on all commercial and residential additions/renovations/new greater than \$2000 | \$75 | | June 5, 2006/June 16, 2008 |
| Building Permit Fee \$ 2,001 to \$50,000 | \$64 | | June 5, 2006/June 16, 2008 |
| Building Permit Fee \$50,001 to \$100,000 | \$255 | + \$3/ each additional \$1,000 up to \$100,000 | June 5, 2006/June 16, 2008 |
| Building Permit Fee over \$100,000 | \$402 | + \$3/ each additional \$1,000 | June 5, 2006/June 16, 2008 |

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|---|------------------|---|--|
| Trailer Change-out | \$150 | | June 5, 2006 /February 1, 2016 |
| Tent | \$50 | | 5-Jun-06 |
| Voided Permit | \$0 | | 5-Jun-06 |
| Blasting Permit | \$50 | | 5-Jun-06 |
| Delivery Riser | \$10 | | 5-Jun-06 |
| Temporary Closure of Tank | \$10 | | 5-Jun-06 |
| Reinspection for New Construction | \$100 | | 5-Jun-06 |
| Demolition Sheds over 150 s.f. and 1&2 Family Garages | \$50 | | June 5, 2006/June 16, 2008 |
| Demolition 1&2 Family residential | \$150 | | June 5, 2006/June 16, 2008 |
| Demolition Commercial | \$250 | | June 5, 2006/June 16, 2008 |
| Amusement Rides; | | per the Virginia Amusement Device Regulations (VADR) 2012 | |
| Small mechanical ride or inflatable covered by permit (Kiddie Ride) | \$35 | | June 5, 2006/June 16, 2008 /February 1, 2016 |
| Each Circular Ride or Flat Ride less than 20 ft in height | \$25 | | June 5, 2006/June 16, 2008 |

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|--|------------------|---|---|
| Each Spectacular Ride | \$75 | All rides which cannot be inspected as a Circular or Flat Ride as above due to complexity or height | June 5, 2006/June 16, 2008/February 1, 2016 |
| Coasters which exceed 30 ft in height | \$200 | | June 5, 2006/June 16, 2008/February 1, 2016 |
| Temporary Office Trailer (1 Year Maximum Use) | \$150 | | June 5, 2006/June 16, 2008/February 1, 2016 |
| Occupant Load Signs; | | | 16-Jun-08 |
| Single Exit Required Spaces/All Others | \$50/\$150 | | 16-Jun-08 |
| Replacement Signs on file | \$25 | Engineer/Architect calculated occupancy loads under sealed plan review – no fee | 16-Jun-08 |
| | | | |
| Electrical Permit Fees; | | | |
| \$1 - \$50 construction value | \$50 | Base Fee + \$4/\$50 up to \$300 value | 5-Jun-06 |
| \$51 - \$100 construction value | \$64 | | 5-Jun-06 |
| \$101 - \$150 construction value | \$68 | | 5-Jun-06 |
| \$151 - \$200 construction value | \$72 | | 5-Jun-06 |
| \$201 - \$250 construction value | \$76 | | 5-Jun-06 |
| \$251 - \$300 construction value | \$80 | | 5-Jun-06 |
| \$301-\$400 construction value | \$90 | | 5-Jun-06 |
| \$401-\$500 construction value | \$100 | | 5-Jun-06 |
| \$501-\$600 construction value | \$125 | | 5-Jun-06 |
| \$1001-\$2000 construction value | \$140 | | 5-Jun-06 |
| \$2001-\$3000 construction value | \$155 | | 5-Jun-06 |
| \$3001-\$4000 construction value | \$175 | | 5-Jun-06 |
| \$4001-\$5000 construction value | \$200 | | 5-Jun-06 |
| Electrical Permits over \$5,000 add \$10/1,000 | \$200 | Add \$10 per each \$1000 value | June 5, 2006/June 16, 2008 |

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|---|------------------|---|----------------------------|
| Residential Electrical Repairs less than \$1000 | \$50 | Flat fee; All residential repairs over \$1000, new construction residential, or commercial work follow other electrical fee scale. | 15-Sep-08 |
| Electric/Plug-In Vehicle Charger | \$50 | Flat fee: may only be installed in 1 or 2 family residential dwellings | 1-Nov-10 |
| Mechanical Permit Fees; | | | |
| Mechanical Base Fee | \$75 | | 5-Jun-06 |
| Furnace (100,001 to 500,000 BTU) | \$31 | | June 5, 2006/June 16, 2008 |
| Furnace 500,000 BTU + \$2/100,000 | \$26 | | June 5, 2006/June 16, 2008 |
| Gas Boiler over 100,000 BTU | \$31 | | June 5, 2006/June 16, 2008 |
| \$2/100,000 BTU over 500,000 | \$3 | | June 5, 2006/June 16, 2008 |
| Condensing Unit \$2 over 5 tons | \$3 | | June 5, 2006/June 16, 2008 |
| Rooftop Unit (over 5 tons) | \$31 | | June 5, 2006/June 16, 2008 |
| Air Handler (over 5 tons) | \$31 | | June 5, 2006/June 16, 2008 |
| Other Mechanical add on | varies | Charge base fee and use building permit valuation table to determine add on cost. Current schedule has itemized list of fixtures, appliances and materials. | February 1, 2016 |
| Plumbing Permit Fees; | | | |
| Plumbing Base Fee | \$75 | | 5-Jun-06 |
| Gas Line | \$11 | | June 5, 2006/June 16, 2008 |

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|--|------------------|---|--------------------------------|
| Gas Water Heater | \$11 | | June 5, 2006/June 16, 2008 |
| Sewer Lateral | \$11 | | June 5, 2006/June 16, 2008 |
| Supply Lines | \$11 | | June 5, 2006/June 16, 2008 |
| Plumbing Vents | \$11 | | June 5, 2006/June 16, 2008 |
| Water Lateral | \$11 | | June 5, 2006/June 16, 2008 |
| Waste Line | \$11 | | June 5, 2006/June 16, 2008 |
| Backflow Prevention Device | \$11 | | June 5, 2006/June 16, 2008 |
| Other Plumbing add on | varies | Charge base fee and use building permit valuation table to determine add on cost. Current schedule has itemized list of fixtures, appliances and materials. | February 1, 2016 |
| Fire Protection Permit Fees: | | | |
| Fire Protection Permit \$1- \$2,000 | \$60 | | June 5, 2006/June 16, 2008 |
| Fire Protection Permit \$2,001 to \$50,000 | \$64 | + \$4/ each additional \$1,000 up to \$50,000 | June 5, 2006/June 16, 2008 |
| Fire Protection Permit \$50,001 to \$100,000 | \$255 | + \$3/ each additional \$1,000 up to \$100,000 | June 5, 2006/June 16, 2008 |
| Fire Protection Permit over \$100,000 | \$402 | + \$3/ each additional \$1,000 | June 5, 2006/June 16, 2008 |
| Fire Line to Building | varies | Use Fire Protection Permit fee Schedule | June 5, 2006 /February 1, 2016 |
| Tank (Removal or Installation) | \$50 | | 5-Jun-06 |
| Miscellaneous Fee | \$1 | | 5-Jun-06 |

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|--|---------------------|---|--------------------------------|
| Suppression System -Commercial Kitchen Hood | \$50 | | June 5, 2006 /February 1, 2016 |
| Waived | \$0 | | 5-Jun-06 |
| | | | |
| Building Code Board of Appeals Application Fee | \$100 | | 16-Aug-10 |
| Temporary Certificate of Occupancy Fee | | Was \$400 per 30 days until 10/20/14. the break down by use is indicated below. | 16-Aug-10 |
| Residential | \$50/unit per month | | 20-Oct-14 |
| Non-Residential | \$1/sq ft per month | | 20-Oct-14 |
| Landscape Only | \$500 per month | | 20-Oct-14 |
| Single Family Res. | \$250 per unit | | 20-Oct-14 |
| Working Without a Permit Fee | Permit Fee X 2 | Inapplicable to homeowner's primary residence | 16-Aug-10 |
| Revisions to Approved Building Plan Fee | \$30 | | 16-Aug-10 |
| Code Modification Application Fees: | | | |
| Residential Code Modification | \$75 | | 19-Dec-11 |
| All other Code Modifications | \$150 | | 19-Dec-11 |
| Special Event Building Inspection Fees: | | | |
| Up to 50 Person Occupancy | \$50 | | 19-Dec-11 |
| 51-299 Person Occupancy | \$100 | | 19-Dec-11 |
| 300-500 Person Occupancy | \$200 | | 19-Dec-11 |
| Over 500 person Occupancy | \$300 | | 19-Dec-11 |
| Elevator Administrative Fee | \$45 | | 19-Dec-11 |
| Permit System Maintenance Fees: | | | |
| Permits under \$200 | \$10 | | 19-Dec-11 |
| Permits \$200-\$499.99 | \$20 | | 19-Dec-11 |

NDS Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|--|------------------|---|--------------------------------|
| Permits \$500-\$1000 | \$35 | | 19-Dec-11 |
| Permits over \$1000 | \$50 | | 19-Dec-11 |
| WATER PROTECTION (CHAPTER 10) | | | |
| E&S Plan Application fee (for sites with land disturbance equal to or greater than 6000sf) | \$500 + \$125AC | | June 5, 2006 /February 1, 2016 |
| E&S Plan Amendment (for sites with land disturbance equal to or greater than 6000sf) | \$200 | | June 5, 2006 /February 1, 2016 |
| Erosion and Sediment Control Agreement in Lieu of Plan (Single Family Detached) | \$150 | | 5-Jun-06 |
| Stormwater Management Plan Application Fee (for sites with land disturbance between 6000sf and 1 AC) | \$500 | Includes fees for inspections pursuant to City Code 10-58 | June 5, 2006 /February 1, 2016 |
| Stormwater Management Plan Amendment (for sites with land disturbance between 6000sf and 1 AC) | \$200 | | June 5, 2006 /February 1, 2016 |

- This chart shows where Charlottesville permit fees are in relation to other jurisdictions of similar size, or population, or density around the state
- The fees shown are all based on a test house of 3500 SF with a value of \$450,000. Some jurisdictions use the square foot (SF) method and some use project value to determine their fee.
- Currently, Charlottesville has one of the lowest fee structures in the area and we base the value on .3% of the project that is put on the permit application.
- We are proposing to raise the Base Rate from .3% to .7%.
- The permit values for each of the jurisdictions are based on the actual fees and add-ons that they charge for each permit. Example- Fredricksburg has a base SF rate of only .36% but they have an add of \$646 for each residential permit which makes them look higher than if we only looked at the per square foot rate.

| | 2023 Population | Density (mi²) | Area (mi²) | by square foot | by cost or value | by individual items | Test house 3500 square ft \$450,000 base permit fee Commercial based on IA construction | Type | Base Rate (BR) |
|---------------------------|-----------------|---------------|------------|-------------------|---------------------|------------------------|--|----------|----------------------------|
| Albemarle commercial | | | | \$ | 0.350 | | \$ | 1,275.00 | |
| Charlottesville | 47,477 | 4,634 | 10.24 | | \$ | 0.003 | \$ | 1,452.00 | \$ 1,452.00 0.003 |
| Lynchburg | 80,041 | * | 1,634 | 48.97 | | | \$ | 1,510.00 | |
| Herndon-commercial | | * | | \$ | 0.391 | | \$ | 1,618.50 | |
| Manassas | 44,257 | * | 4,494 | 9.85 | \$ | 0.450 | \$ | 1,645.00 | |
| Greene | | * | | \$ | 0.480 | | \$ | 1,680.00 | |
| Hampton | 137,061 | * | 2,664 | 51.46 | | \$ | 0.0039 | \$ | 1,755.00 \$ 1,802.00 0.004 |
| Roanoke | 100,905 | | 2,373 | 42.52 | | | \$ | 1,831.50 | |
| Fredericksburg | 29,092 | * | 2,784 | 10.45 | \$ | 0.360 | \$ | 1,906.00 | |
| Greene-commercial | | | | \$ | 0.500 | | \$ | 2,000.00 | \$ 2,152.00 0.005 |
| Fredericksburg-commercial | | | | \$ | 0.390 | | \$ | 2,240.00 | |
| nelson | 14,790 | | 31.2 | 474 | | \$ | 0.005 | \$ | 2,250.00 \$ 2,502.00 0.006 |
| Albemarle | | * | | \$ | 0.720 | | \$ | 2,530.08 | |
| Alexandria | 165,317 | * | 11,070 | 14.93 | \$ | 0.750 | | \$ | 2,719.50 |
| Harrisonburg | 52,684 | * | 3,038 | 17.34 | | \$ | 0.00600 | \$ | 2,748.00 |
| Richmond | | | | | | \$ | 0.00607 | \$ | 2,794.50 \$ 2,852.00 0.007 |
| Alexandria-commercial | | | | | | \$ | 0.00730 | \$ | 3,285.00 |
| Richmond-commercial | | | | | | \$ | 0.00805 | \$ | 3,685.50 |
| Loudoun-commercial | | * | | \$ | 0.620 | | \$ | 4,969.95 | |
| | | | | Average | | | \$ | 2,310.29 | |
| Charlottesville | base rate (BR) | | 0.003 | \$ | 1,452.00 | | | | |
| | | | 0.004 | \$ | 1,802.00 | | | | |
| | | | 0.005 | \$ | 2,152.00 | | | | |
| | | | 0.006 | \$ | 2,502.00 | | | | |
| | | | 0.007 | \$ | 2,852.00 | | | | |

This is the new Fee Schedule matrix that we would like approved. We have taken the current Fee Schedule, condensed it down, incorporated better descriptions for each fee, and adjusted the current fees to be more consistent. The current Base Rate that the city uses for Building, Mechanical, and Plumbing permits is .3% and Electrical permits is 1.0%. This is one of the reasons that raising the three lower permit Base Rates and lowering the Electrical permit Base Rate will make the Fees consistent and fair for all trades. We have a minimum fee of \$75 for the basic four trade permits up to \$1500 and then it increases by the new Base Rate of .7%. As you can see from the first graph, our permit review time has gone down from 80+ days to 2 weeks or less. The onsite inspections have gone from over two weeks away to next day now. The quality of our inspections have increased dramatically with the addition of the new building inspector position and having filled all other inspector positions. We are also going from 4-5 inspections a day to at least 25-30 inspections everyday.

Building Inspection Fee Schedule

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|--|---------------------|---|----------------|
| BUILDING REGS (CHAPTER 5) | | | |
| Building Inspections Base Rate (BR) | .7% or BR | Rate that permit fees are based on | Mar-23 |
| State Levy fee or ALL permits of all types | | * In addition to the permit fees below, a surcharge of 2.00% of the total fee shall be imposed as required under state law | Mar-23 |
| Permit System Maintenance Fees: | | Fee Applies to ALL Permits | Mar-23 |
| Permits under \$200 | \$10 | | Mar-23 |
| Permits \$200-\$499.99 | \$20 | | Mar-23 |
| Permits \$500-\$1000 | \$35 | | Mar-23 |
| Permits over \$1000 | \$50 | | Mar-23 |
| Amendment Fee on all residential and commercial permits | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on additional project value up to \$1,500. Over \$1,500 of additional project value is \$75 plus project value multiplied by BR | Mar-23 |
| Non-refundable portion of ALL Permit fees with Project Value up to \$2000 | \$25 | Flat Fee. Where reviews underway. No inspections scheduled or completed | Mar-23 |
| Non-refundable portion of ALL permits with Project Value over \$2000 | \$75 | Flat Fee. Where reviews underway. No inspections scheduled or completed | Mar-23 |
| Not Ready Fee | \$100 | inspection can not be done because they are still working on it or work is not fully done yet | Mar-23 |
| Reinspection Fee | \$100 | Fee starts after 2nd inspection of same violation | Mar-23 |
| Working Without a Permit Fee Commercial & Residential | Permit Fee X 2 | Work being performed where no valid building permit has been issued | Mar-23 |
| Stop Work Order Fee | \$150 | Fee applies each day until work has stopped | Mar-23 |
| Code Modification Application Fees: Residential / Commercial & Others | \$75/\$150 | | Mar-23 |
| Issue Certificate of Occupancy not required by USBC Single Family/Other | \$60/\$125 | Typically where no work has been done and new tenant needs a CO for VDH or Insurance. | Mar-23 |
| Voided/Waived Permit | \$0 | Administrative procedure in writing | Mar-23 |
| Building Code Board of Appeals Application Fee | \$250 | Per each Appeals Application | Mar-23 |
| Temporary Certificate of Occupancy Fee | | | Mar-23 |
| Residential - R1, R2, R3, R4, R5 USES | \$75/month | For all R-USES with fee based on each bedroom for each month or partial month | Mar-23 |
| Non-Residential | \$1/sq ft per month | All other USES, based on Gross Square Feet for each month or partial month | Mar-23 |
| Amusement Ride Fees; | | Per the Virginia Amusement Device Regulations (VADR) current year adoption | Mar-23 |
| Each Circular Ride or Flat Ride less than 20 ft in height | \$25 | Each | Mar-23 |
| Small mechanical ride or inflatable (Kiddie Ride) | \$35 | Each | Mar-23 |
| Each Spectacular Ride | \$75 | All rides which cannot be inspected as a Circular or Flat Ride as above due to complexity or height. Per Each | Mar-23 |
| Coasters which exceed 30 ft in height | \$200 | Each | Mar-23 |
| Special Event Inspection Fee | \$50 + \$.25/person | Based on number of persons listed on application | Mar-23 |
| Tent Fee - Temporary | \$50 | Per each tent | Mar-23 |
| Manufactured Trailer Change-out Single or Double wide Fee | \$150 | Each | Mar-23 |
| Temporary Construction Office Trailer (1 Year Maximum Use) | \$150 | Each | Mar-23 |
| Occupant Load Signs; Single Exit Spaces/All Others | \$50/\$150 | | Mar-23 |
| Blasting Permit Fee | \$75 | Special Use Permit Required | Mar-23 |
| Demolition permit Fee | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Tank (Removal or Installation): (UST) Underground Storage Tank OR (AGST) Above Ground Storage Tank | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |

| Type of Fee | Current Fee (\$) | Additional Costs/Comments | Approval Dates |
|--|------------------|--|----------------|
| Commercial Kitchen Hood - Type 1 only | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Residential Electrical Repairs less than \$1000 | \$75 | Repair work on <u>Existing</u> residential electrical system - NOT for adding new work, only repairing or replacing existing outlets & switches. | Mar-23 |
| Electric/Plug-In Vehicle Charger | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Building Permit Fees | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Electrical Permit Fees | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Mechanical Permit Fees | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Plumbing Permit Fees | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Gas Permit Fees | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Fire Protection Permit Fees - Does not include Fire Line to Building or Utility Department Tap Fee | \$75 Min | Fee - \$75 minimum. \$75 Fee Based on project value up to \$1,500. Over \$1,500 of project value, Fee is \$75 plus project value multiplied by BR | Mar-23 |
| Fire Line to Building - Does not include Utility Department Tap Fee | varies | Use Fire Protection Permit fee plus contact Utility Department for their Tap Fee | Mar-23 |
| Other Fee not described above | TBD | Requires approval of Building Official, Director and Deputy Director of NDS. This fee may be challenged by the LBBCA only. | Mar-23 |

**AN ORDINANCE APPROVING AND ADOPTING A NEW FEE SCHEDULE FOR
BUILDING PERMIT AND RELATED FEES ASSOCIATED WITH PERMITS ISSUED
UNDER THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE**

WHEREAS, Virginia Code sections 15.2-2241 and 15.2-2286 of the Code of Virginia, as amended, provides for the collection of fees to cover the cost of making inspections, issuing permits, advertising, of notices and other expenses incident to the administration and processing of a subdivision or zoning ordinance; and

WHEREAS, Virginia Code § 36-105 establishes that fees may be levied by the local governing body to be paid by applicants for the issuance of a building permit; and

WHEREAS, the Virginia Administrative Code (13VAC5-63-70. Section 107) authorizes localities to charge fees to defray the cost of enforcing the Virginia Uniform Statewide Building Code; and

WHEREAS, Section 14, Subsection Twenty of the Charlottesville City Charter authorizes the passage of ordinances, not repugnant to the Constitution and laws of the State, deemed necessary for the good order and government of the city, the management of its property, and the conduct of its affairs; and

WHEREAS, the Code of the City of Charlottesville, as amended, provides in various places for the City Council's approval from time to time of a schedule of fees associated with other types of applications, petitions, inspections, permits, and approvals administered by the City's Department of Neighborhood Development Services (NDS); and

WHEREAS, the Charlottesville building permit fee schedule has not been updated since 2008; and

WHEREAS, the cost of enforcing the Statewide Building Code has increased generally and specifically with the addition of a new building inspector position and new permit application software; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, the Charlottesville fee schedule for permits issued under the Virginia Uniform Statewide Building Code is hereby adopted as shown on the attached fee schedule document.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: April 17, 2023

Action Required: Approval of Appropriation

Presenter: Garland Williams, Director of Transit

Staff Contacts: Garland Williams, Director of Transit

Title: Supplemental Appropriation of Federal Transit Operating and State and Federal Capital Grants - \$7,886,856 (2nd reading)

Background

Total Appropriation of \$7,886,856 to be utilized as follows:

Increased State Operating Assistance Award - \$656,581 The Virginia Department of Rail and Public Transportation award for Charlottesville Area Transit (CAT) is greater than the adopted FY2023 budget by \$656,581.

Increased Federal Operating Funding - \$4,939,780. The FTA's award for CAT is greater than the adopted FY2023 budget by \$938,323. Additionally, CAT was awarded \$4,001,457 in American Recovery Plan Act funding to support the operations of daily fixed-route and maintenance support.

Appropriation of Funds: Jaunt - \$2,290,495. The FTA has awarded \$2,290,495 to Jaunt: \$956,676 represents 25% of the total federal allocation for the section 5307 funding and \$1,333,819 represents 25% of the American Recovery Plan Act (ARPA) funding. This funding is a pass-through and the City is the fiscal agent.

Discussion

Alignment with City Council's Vision and Strategic Plan

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

Community Engagement

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

was requested through those means. However, due to the amount of change to the Charlottesville Area Transit budget, a public hearing is required prior to appropriation.

Budgetary Impact

There is no impact to the General Fund. Local match requirements for the Operating Assistance is covered through the previously appropriated City contribution from the General Fund and Albemarle County's contribution. Additionally, the pass through of grant funds for JAUNT has no budget impact on the General Fund.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

City Council may choose not to appropriate the match funds. Without this appropriation, CAT will not be able accept the federal operating and capital funding. CAT will not be able to provide pass-through funding to Jaunt.

Attachments

1. FY2023 Supplemental Appropriation of Federal Funding 3-28-23

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



| | |
|-------------------------|---|
| Agenda Date: | April 3, 2023 |
| Action Required: | Public Hearing and Approve Supplemental Appropriation |
| Staff Contact: | Garland Williams, Director of Transit Division |
| Presenter: | Garland Williams, Director of Transit Division |
| Title: | Supplemental Appropriation of Federal Transit Operating and State and Federal Capital Grants - \$7,886,856 |

Background and Discussion:

Increased State Operating Assistance Award - \$656,581 The Virginia Department of Rail and Public Transportation award for Charlottesville Area Transit (CAT) is greater than the adopted FY2023 budget by \$656,581.

Increased Federal Operating Funding - \$4,939,780. The FTA's award for CAT is greater than the adopted FY2023 budget by \$938,323. Additionally, CAT was awarded \$4,001,457 in American Recovery Plan Act funding to support the operations of daily fixed-route and maintenance support.

Appropriation of Funds: Jaunt - \$2,290,495. The FTA has awarded \$2,290,495 to Jaunt: \$956,676 represents 25% of the total federal allocation for the section 5307 funding and \$1,333,819 represents 25% of the American Recovery Plan Act (ARPA) funding. This funding is a pass-through and the City is the fiscal agent.

| Transit Grant by Type | FY23 Budget | FY23 Award | Change to Appropriation |
|--|------------------|-------------------|-------------------------|
| State Operating Assistance | 2,574,484 | 3,231,065 | 656,581 |
| Federal Operating Assistance | 1,929,042 | 2,867,365 | 938,323 |
| American Recovery Plan Act (ARPA) | - | 4,001,457 | 4,001,457 |
| TOTAL OPERATING CHANGE | 4,503,526 | 10,099,887 | 5,596,361 |
| | | | |
| TOTAL JAUNT(Pass-through Funds) | - | 2,290,495 | 2,290,495 |
| | | | |
| TOTAL APPROPRIATION REQUEST | - | - | 7,886,856 |
| | | | |

Community Engagement:

Charlottesville Area Transit utilizes the Metropolitan Planning Organization's Public Participation Plan to fulfill its public engagement requirements. This includes an opportunity for members of the public to request a public hearing on Charlottesville Area Transit's Program of Projects. No public hearing was requested through those means. However, due to the amount of change to the Charlottesville Area Transit budget, a public hearing is required prior to appropriation.

Alignment with City Council's Vision and Priority Areas:

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

Budget Impact:

There is no impact to the General Fund. Local match requirements for the Operating Assistance is covered through the previously appropriated City contribution from the General Fund and Albemarle County's contribution. Additionally, the pass through of grant funds for Jaunt has no budget impact on the General Fund.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

City Council may choose not to appropriate the match funds. Without this appropriation, CAT will not be able accept the federal operating and capital funding. CAT will not be able to provide pass-through funding to Jaunt.

Attachments:

Resolution Appropriating Funds

**RESOLUTION APPROPRIATING FUNDS FOR
Federal Transit Operating Grants
\$7,886,856**

WHEREAS, State Operating Grant of **\$3,231,065**, which is **\$656,581** greater than the adopted FY23 for the City of Charlottesville; and

WHEREAS, Federal Operating Grant of **\$4,939,780**, which is **\$938,323** greater than the adopted FY23 for the City of Charlottesville; and

WHEREAS, The FY23 Federal Operating Grant has been awarded to Jaunt in the amount of **\$2,290,495**; these funds must pass through the City of Charlottesville as required; and

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

Revenue (Operating)

| | | | |
|-------------|-----------|-------------------------|------------------------------|
| \$ 656,581 | Fund: 245 | Cost Center: 2801003000 | G/L: 430080 State Assistance |
| \$ 938,323 | Fund: 245 | Cost Center: 2801003000 | G/L: 431010 Fed Assistance |
| \$4,001,457 | Fund: 245 | Internal Order: 2200073 | G/L: 431010 Federal Grants |

Expenditures (Operating)

| | | | |
|-------------|-----------|-------------------------|----------------------|
| \$1,574,904 | Fund: 245 | Cost Center: 2801003000 | G/L: 599999 Lump Sum |
| \$4,001,457 | Fund: 245 | Internal Order: 2200073 | G/L: 599999 Lump Sum |

Revenue (JAUNT)

| | | | |
|-------------|-----------|-------------------------|----------------------------|
| \$ 956,676 | Fund: 245 | Cost Center: 2821002000 | G/L: 431010 Federal Grants |
| \$1,333,819 | Fund: 245 | Internal Order: 2200074 | G/L: 431010 Federal Grants |

Expenditures (JAUNT)

| | | | |
|-------------|-----------|-------------------------|---------------------------|
| \$ 956,676 | Fund: 245 | Cost Center: 2821002000 | G/L: 540365 JAUNT Payment |
| \$1,333,819 | Fund:245 | Internal Order: 2200074 | G/L: 540365 JAUNT Payment |

BE IT FURTHER RESOLVED, that this appropriation is conditional upon the receipt of additional **\$7,230,275** from the Federal Transit Administration and additional **\$656,581** from the Virginia Department of Rail and Public Transportation.

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



| | |
|------------------|---|
| Agenda Date: | April 17, 2023 |
| Action Required: | Approvals |
| Presenter: | Kristel Riddervold, Environmental Sustainability Manager |
| Staff Contacts: | Emily Irvine Climate Program Specialist Kristel Riddervold, Environmental Sustainability Manager Stacey Smalls, Director of Public Works |
| Title: | 2023 City Climate Protection Program – Program Support Grant with LEAP - \$78,833 (1 of 2 readings) |

Background

The City of Charlottesville's Environmental Sustainability Division is proposing to provide already appropriated funds of \$78,833 to the Local Energy Alliance Program (LEAP) for support to the Climate Protection Program. The City has partnered with LEAP since its establishment, and this will be the ninth Program Support Grant.

Charlottesville has been involved with climate protection related efforts at the local level for over 15 years, beginning with the establishment of the Climate Protection Program following the City of Charlottesville's 2006 commitment through the US Mayors Climate Protection Agreement to reduce communitywide greenhouse gas (GHG) emissions. This focus and commitment were re-confirmed with the 2019 adoption of GHG emissions reduction goals and the approval of the Charlottesville Climate Action Plan in 2023.

Over 95% of Charlottesville's GHG emissions are associated with non-municipal activities (the three largest sectors are residential buildings, commercial buildings, and transportation), indicating that success and progress in reducing our community's emissions requires participation of the public and private sectors. Emissions-reducing actions are also associated with reduced energy usage, lower utility bills, greater comfort, and health benefits. As such, the Climate Protection Program has a focus on increasing the availability, accessibility, affordability, and awareness of programs and resources that support emission-reducing actions within the community. Successful efforts have routinely included an ongoing partnership with the Local Energy Alliance Program (LEAP) through a yearly program support agreement adjusted to the current needs of the City's Climate Protection Program and the Charlottesville community.

LEAP, a Charlottesville-based 501c3 nonprofit, delivers energy efficiency solutions in Virginia to make homes safer, healthier, and more affordable, while also reducing energy usage and mitigating climate change. LEAP's alliance model is a community-based, public-private partnership. LEAP's

2022 Annual Report is attached.

LEAP leverages funding from various sources, including utility programs (e.g., Dominion Energy and Charlottesville Gas' low-income weatherization programs), grant opportunities, and the City-funded Home Energy Conservation Grant program – and braids them, where possible, to expand the services available to City residents and businesses. LEAP also harnesses the support of local nonprofits and other key stakeholders to increase awareness of relevant programs and educate community members about energy efficiency and renewable energy.

In 2022, LEAP connected residents with funded energy efficiency service programs and renewable energy programs (including Solarize Charlottesville) and launched a program to bring solar to low-income households, leveraging funding from Dominion Energy. LEAP brought energy efficiency services to 60 income and age-qualified households in the City of Charlottesville and installed solar on 22 homes. Annual reports reflecting LEAP's impact and reach are available at <http://leap-va.org/about/annual-reports>.

The passage of the Inflation Reduction Act will bring even more change to the funding landscape in the Commonwealth for energy efficiency and renewable energy services. With additional federal and state incentives and rebates, there will be an even greater need to connect City residents with fully-funded services and new programs. This is reflected in the proposed 2023 Program Support Agreement with LEAP.

Discussion

The proposed grant to LEAP provides ongoing support to the Climate Protection Program and continues the strategy to reduce energy consumption and associated greenhouse gas (GHG) emissions, increase cost savings for residents, and contribute to the City's climate policy goals. As presented in the attached proposal, the ongoing partnership between LEAP and the City will continue a demonstrable, effective, and nimble model for delivering increased energy performance to the City's building sectors – in particular, its residential sector (owner-occupied and renter-occupied homes) at multiple income levels. LEAP continues to utilize City funds through these agreements to leverage and increase access for our residents to significant non-City funding sources to support increased levels of energy efficiency and renewable energy services implemented in Charlottesville.

City staff has closely coordinated with LEAP on the development of this proposal and appreciates the blend of activities aimed at engaging market-rate and low-income households, rental- and owner-occupied properties, new homeowners, and layering outreach on existing and trusted communication channels to reach target demographics. The proposed grant of \$78,833 to LEAP to implement the 2023 Climate Protection Program Support Agreement (attached) during the coming year will be used to support the City's Climate Action Plan and directly responds to various strategies and key action items in the Community Buildings and Energy sector, including:

- Strategy: Move New Construction closer to Net-Zero through increased levels of energy efficiency, incorporation of onsite renewable energy, and solar-ready building standards
 - Key Action: Develop recommended lists of solar-ready, EV-ready, and energy-efficiency design standards for residential new construction
- Strategy: Increase energy efficiency and onsite renewable energy use in existing buildings
 - Key Action: Education/Encouragement

- Key Action: Increase participation by low-income households in fully funded programs for energy efficiency improvements and solar energy systems
- Key Action: Develop and identify funding assistance programs designed for mid-income households
- Key Action: Develop and promote resource material specific to historic buildings

The attached Memorandum of Understanding provides a summary of the purposes of the funds, program parameters desired by the City, and reporting expectations.

Alignment with City Council's Vision and Strategic Plan

Approval of the Resolutions for the 2023 Climate Protection Program Support Grant aligns directly with Council's vision for Charlottesville to be A Green City with clean air and energy-efficient homes and buildings. It also contributes to the following goal/objective in the City's Strategic Plan:

Goal 3: A Beautiful and Sustainable Natural and Built Environment

Objective 3.4: Be responsible stewards of natural resources

Community Engagement

There have been and will continue to be numerous initiatives engaging various community audiences. Utilization of the resources offered through past support agreements and questions that City staff receive from community members seeking resources and information regarding improved energy use speak to community interest in these services. Additionally, public comments received during adoption of the new greenhouse gas reduction goals and development of the Climate Action Plan reflect the need for continued and increased levels of GHG emission reduction and climate adaptation actions.

Budgetary Impact

There is no additional budgetary impact to the City. Funding support for this program would come from funds that were previously appropriated as part of the Fiscal Year 2023 Gas Fund adopted budget within the Environmental Sustainability Division.

Recommendation

Staff recommends approval of the Resolutions.

Alternatives

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

Attachments

1. Annual Report 2022
2. 2023 CPP PSA Funding Resolution
3. 2023 CPP PSA Signature Resolution
4. 2023 CPP PSA MOU
5. 2023 LEAP PSA Proposal

Our Impact 2022



Empowering Virginians with energy efficiency and solar solutions since 2009.

As we reflect on 2022, it is gratifying to see how we have served and been supported by the community. Our impact numbers quantify our productivity in families served, efficiency improvements installed, and energy saved.

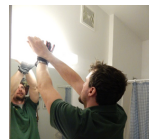
Our real impact, however, goes deeper than numbers, producing real life-enhancing improvements to homes that make individual lives and the overall health of our community better. Our partnerships with other non-profits and local governments further strengthen our community. We draw inspiration from this and hope you do too.

Thank you for a great 2022. We're excited to do even more in 2023!

Katie VanLangen & Wilson Ratliff
Co-Executive Directors

2,821 LED Lightbulbs

81,836 kWh saved annually =
yearly electrical usage of 11.3 homes



84 Heat Pumps

92,599 kWh saved annually =
72,606 pounds of coal not burned



61 Programmable Thermostats

24,845 kWh saved annually =
6.1 tons of waste recycled instead
of landfilled



254 Low-flow Fixtures

38,387 kWh saved annually =
carbon sequestered by 32.2
acres of forest



Families served

- 186 Income-qualifying single family homes
- 386 Multifamily units
- 20 Market-rate single family homes

2022 total energy savings

- 373,901 kWh = 33.4 homes' energy use for one year

299 Solar Install

Our biggest campaign yet!
2943.25 kW



572 Homes Insulated

125,426 kWh saved annually =
10,812,475 smartphones charged



leap-va.org



info@leap-va.org



(434) 227-4666



leapva



@leap_va



Page 62 of 121

LEAP Board

Louis O'Berry, Chair

Energy Services and Solutions Administrator
Rappahannock Electric Cooperative

Andy Lowe, Vice Chair

Environmental Compliance Manager
Albemarle County

Kristel Riddervold, Secretary

Environmental Sustainability Manager
City of Charlottesville

Chris Weatherford, Treasurer

Dir of Project Management, Apex Clean Energy

Will Cleveland

Staff Attorney

Southern Environmental Law Center

Bob Lazaro

Executive Director

Northern Virginia Regional Commission

Ann Mallek

Board of Supervisors Member
Albemarle County

Michael Payne

City Councilor, City of Charlottesville

Bill Prindle

Vice President, ICF International

Annie Suttle

Marketing Consultant

Kim Lundgren Associates

Narissa Turner

Policy & Campaigns Manager
Virginia Conservation Network

Jesse Warren

Sustainability Program Manager for
Buildings & Operations, University of Virginia



Partnership makes it possible. Thank you partners!

Utilities

Charlottesville Gas | Columbia Gas | Dominion Energy Virginia | Washington Gas

Municipalities

Albemarle County | Arlington County | City of Alexandria | City of Charlottesville
City of Falls Church | City of Roanoke | Fairfax City | Fairfax County | Northern
Virginia Regional Council | Town of Vienna

Non-profits

Albemarle Home Improvement Program | Building Goodness Foundation
Charlottesville Renewable Energy Alliance | Community Climate Collaborative
Community Housing Partners | Greater Charlottesville Habitat for Humanity |
Piedmont Environmental Council | Piedmont Housing Alliance

Program Partners

A&J Heating and Air | Advanced Energy Concepts | Charlottesville
Redevelopment and Housing Authority | Convert Solar | Fitch Services | Prospect
Solar | ReisingerGooch LLP | Secure Futures | Solar Connexion | Solar Energy
World | Think Little Home Energy | UVA Community Credit Union | UVA Facilities
Department | Virtue Solar

"LEAP is an incredible resource for anyone
looking to make their home energy efficient!

The assessor was knowledgeable and
friendly. Their recommendations have already
made a HUGE difference in our home.
Choosing LEAP is a no brainer!" —R.H.

"This is a fantastic resource that I
hope everyone in the community
takes advantage of. You can lower
your energy bill a lot." —R.S.

RESOLUTION
2023 Climate Protection Program Support Grant
\$78,833

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$78,833 is hereby paid to LEAP from previously appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:

| | | | |
|----------|-----------|-------------------------|---------------------|
| \$78,833 | Fund: 631 | Cost Center: 2711001000 | G/L Account: 599999 |
|----------|-----------|-------------------------|---------------------|

RESOLUTION

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

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

MEMORANDUM OF UNDERSTANDING
2023 CLIMATE PROTECTION PROGRAM SUPPORT

This Memorandum of Understanding (“MOU”) is made this ____ of _____, 2023, by and among the City of Charlottesville, Virginia and the Local Energy Alliance Program.

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

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

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

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

Now, Therefore, the City and LEAP jointly agree that upon execution of this MOU, LEAP will be granted an amount of Seventy Eight Thousand Eight Hundred and Thirty Three Dollars (\$78,833) the source of which is already appropriated funds in Fund 631, Cost Center 2711001000, for the purpose of providing 2023 Climate Protection Program support focused on providing access to expertise and action steps for improved energy performance and making the energy efficiency actions process streamlined, easy to understand, and financially attractive, affordable, and accessible. The parties agree to the terms and conditions of this MOU as set forth below:

1. Use of Funds: The parties agree that funds may be used only for the following purposes as covered in the 2023 Climate Protection Program Support proposal.
2. Program Parameters: Upon receipt of the grant, LEAP agrees to provide the proposed program support to promote energy performance improvements.
3. Program Progress Reports: LEAP acknowledges the City’s desire to receive progress reports regarding the accomplishments of the program at a minimum of three mutually established checkpoint dates. Both parties agree to the value of monthly meetings to ensure that pursuit of common goals is on track. Progress reports may be provided to those LEAP board members appointed to represent the City of Charlottesville and may contain the metrics outlined in the 2019 proposal.
4. Modification Terms
This MOU may be supplemented, modified, or amended by mutual agreement as set forth in writing.

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

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____

Title: _____

Date: _____

Approved as to Form:

Funds are Available:

City Attorney

Director of Finance, or designee

LOCAL ENERGY ALLIANCE PROGRAM

By: _____

Title: _____

Date: _____

2023 Climate Protection Program Proposal

The Local Energy Alliance Program (LEAP), a Virginia-based nonprofit, presents this proposal to the Climate Protection Program of the City of Charlottesville to deliver energy efficiency and renewable energy solutions to Charlottesville residents and businesses.

This proposal addresses the strategies and key actions noted within the City's Climate Action Plan (CAP). Delivery of this proposal will be done in collaboration with City Climate Protection Program staff.

Strategies and Actions

1. Strategy: Move New Construction closer to Net-Zero through increased levels of energy efficiency, incorporation of onsite renewable energy, and solar-ready building standards
 - a. CAP Key Action: Develop recommended lists of solar-ready, EV-ready, and energy-efficiency design standards for residential new construction

LEAP ACTION(S):

- i. *Leverage LEAP expertise to develop and design best practices info sheet(s) for solar and energy efficiency*
- ii. *Review and develop a supplemental memo to "Recommendations for Building Code standards for Energy Efficient Affordable-Public Housing in Charlottesville" with code updates*

2. Strategy: Increase energy efficiency and onsite renewable energy use in existing buildings
 - a. CAP Key Action: Education/Encouragement

LEAP ACTION(S):

- i. *Develop and disseminate educational materials (i.e. Solar 101, basics of energy efficiency, how to prepare for summer, how to prepare for winter)*
 1. *LEAP will create, optimize, and post content, including press releases, newsletters, graphics, and social media. We will share customizable content and images that the City and nonprofit partners can also distribute, as appropriate.*
- ii. *Host webinars and other local in-person events*
 1. *LEAP will create presentation materials on both energy efficiency and Solarize and will present them through webinars. The City is encouraged to participate in webinars (co-host), promote, and provide relevant content, as desired.*
- iii. *Direct outreach to specific, program-eligible audiences to highlight benefits available*

1. *LEAP will draft a letter and coordinate printing and mailing to targeted addresses.*
 2. *Attend meetings or deliver presentations as requested.*
 - iv. *Radio (on-air ads and emails)*
 1. *LEAP will purchase radio ads (on-air and e-blast) to spread the word about relevant programs on local radio stations (i.e. WNRN, Charlottesville Radio Group, WMRA, WINA).*
- b. CAP Key Action: Increase participation by low-income households in fully funded programs for energy efficiency improvements and solar energy systems

LEAP ACTION(S):

- i. *Develop and promote a referral program (word-of-mouth)*
 - ii. *Coordinate targeted mailings from trusted partners*
 1. *Content will promote general assessments, as well as Dominion's Low-Income solar program.*
 - iii. *Customer support*
 1. *After individuals sign up for any of LEAP's programming, they will receive regular check-ins from our customer service team to answer questions, provide additional support, and connect with other services.*
- c. CAP Key Action: Develop and identify funding assistance programs designed for mid-income households

LEAP ACTION(S):

- i. *Create an overview of programs and benefits available for households of all income levels.*
 - ii. *Serve as a local resource for accessing federal and state rebates and incentives. This may involve developing web-based information, fielding questions from residents, supporting local staff and stakeholders in developing accurate and consistent messaging, and collaborating on potential state-wide strategies.*
- d. CAP Key Action: Develop and promote resource material specific to historic buildings

LEAP ACTION(S):

- i. *Update (as needed) and design info sheet using existing content*

Metrics

- Deliverables
 - Best practices info sheet for new construction
 - Educational materials (i.e. Solar 101, basics of energy efficiency, how to prepare for summer, how to prepare for winter)
 - Webinar presentation(s) (minimum one focused on energy efficiency and one focused on solar)
 - Letter to targeted City addresses
 - Summary of benefits available (one-pager)
 - Online resources to navigate benefits
 - Info sheet on energy efficiency and historic buildings
- Results
 - Number of households served
 - Work completed in each household
 - Estimated kWh reduction
 - Number of Solarize sign ups
 - Number of Solarize installations
 - Size and value of Solarize installations
 - Number of LI solar installations
 - Size of LI solar installations
 - Projected energy savings based

LEAP will invoice the City monthly. LEAP will coordinate with City CPP staff to make adjustments to the program and budget as needed throughout the duration of the agreement. LEAP will meet with the City monthly and provide updates on our progress; LEAP will also prepare an interim (six months) and a final report detailing the deliverables completed, as well as metrics and results noted above.

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



| | |
|------------------|---|
| Agenda Date: | April 17, 2023 |
| Action Required: | Approve ratification of resolution |
| Presenter: | Chris Gensic, Park and Trail Planner |
| Staff Contacts: | Chris Gensic, Park and Trail Planner |
| Title: | Ratifying Resolution #R-23-042 approved on April 3, 2023, to reflect funding appropriated from the Land and Water Conservation Fund for Moores Creek parkland acquisition, as the resolution included in the meeting materials was a duplicate of the Virginia Land Conservation Fund resolution. Accounting remains the same. |

Background

The City of Charlottesville, through Parks and Recreation, has been awarded funding from the federal Land and Water Conservation (LWCF) to assist with the acquisition of an 8.6 acre property along Moores Creek adjacent to Azalea Park. The property will be used for general park use, trail development, and to support urban agriculture and community gardens.

Discussion

This property is being funded with a matching grant from the Virginia Land Conservation Fund, so the purchase price is fully covered with grant funds. Local trail and land acquisition CIP funding has been used for the legal and appraisal work to date and will be used to record the deed. Acquisition will provide parks and recreation space as well as opportunities for stream and forest restoration work. Use of LWCF and VLCF funds will require the property to be placed in permanent open space public use status with deed language and easements. This property is located just across the city limit and is beneficial to the City as it eliminates the need for a bridge over Moores Creek to continue the Moores Creek Trail towards 5th Street, a bridge which would most likely cost more than the acquisition price of the property and would require regular maintenance.

Alignment with City Council's Vision and Strategic Plan

Acquisition of the property will further council goals of being a Green City by protecting the Moores Creek watershed and providing for urban forest and trail opportunities.

Community Engagement

The Bicycle, Pedestrian and Trail master plan and the Azalea Park Master Plans were developed through multiple public meetings and were approved by the City Council.

Budgetary Impact

Existing allocated CIP funds were used for legal and appraisal/title/survey fees.

Recommendation

Staff recommends appropriation of grant funds.

Alternatives

If grants funds are not appropriated, the property will not be purchased.

Attachments

1. Ratify Resolution_MooresCreek_20230403Apr03

#R-23-042

**RESOLUTION APPROPRIATING FUNDS from
~~Virginia Land Conservation~~ Land and Water Conservation Fund for
Moore's Creek Land Acquisition
\$175,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded funding from the ~~Virginia Land Conservation~~ Land and Water Conservation Fund to acquire land along Moore's Creek

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$175,000 is hereby appropriated in the following manner:

REVENUE

| | | | |
|-----------|-----------|-------------|---------------------|
| \$175,000 | Fund: 426 | WBS: PR-001 | G/L Account: 430080 |
|-----------|-----------|-------------|---------------------|

EXPENDITURES

| | | | |
|-----------|----------|-------------|---------------------|
| \$175,000 | Fund 426 | WBS: PR-001 | G/L Account: 599999 |
|-----------|----------|-------------|---------------------|

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$175,000 from the ~~Virginia Land Conservation~~ Land and Water Conservation Fund.

City of Charlottesville
City Manager's Office
MEMO



TO: Council
FROM: Michael C. Rogers, Interim City Manager
DATE: April 12, 2023
SUBJECT: Financial Report – FY 2023 through March 31, 2023

The online Budget Explorer which can be found at on the Budget Office webpage at www.charlottesville.gov/budget includes a quarterly report tab for both revenues and expenditures. These quarterly tabs are automatically updated at the end of each quarter and are available for public viewing. The 3rd quarter visualization contains financial information through March 31, 2023. Both a citywide view as well as the ability to drill down to the individual department level is available. The information presented in the visualization comes directly from the City's financial system and represents dollars that have been received and/or paid out as of the chosen date.

Revenue Budget Projections

As of March 31st, approximately 67% of the budgeted revenue for this fiscal year has been collected. The Adopted Revenue budget for FY 23 totals \$212,889,291. Current revised projections continue to indicate strong performance, and we are currently anticipating a revenue surplus of 4.89% or \$10.4M. The largest drivers of the anticipated surplus continue to be real estate and personal property tax revenues. 2023 property values increased by 12.33%. Property tax payments for the 2nd half of the year are due on June 5th. Real estate tax collections are projected to account for \$4.6M or 44.2% of the total revenue surplus anticipated for FY 2023. Additionally, meals, sales, and lodging taxes continue to perform strong and are projected to make up another \$2.8 million of the projected surplus. The revenue team continues to remain optimistic about the revenue performance and actively monitor collections and national trends. Please note that these projections are offered only as a reference and are highly subject to change.

The following FY 23 revenue budget revisions are projected:

| | FY 2023 Budget | FY 2023 Revised* | Change |
|---|-------------------|---------------------|---------------------|
| <u>Local Taxes</u> | | | |
| Real Estate Tax | \$ 89,487,993 | \$ 94,092,906 | \$ 4,604,913 |
| Personal Property Tax | 12,000,000 | 13,800,000 | 1,800,000 |
| Public Service Tax | 1,589,086 | 1,630,567 | 41,481 |
| Penalties and Interest | 415,000 | 650,000 | 235,000 |
| Utility Taxes | 4,600,000 | 4,600,000 | - |
| Virginia Communications Sales and Use Tax | 2,125,000 | 2,200,000 | 75,000 |
| Tax on Bank Stock | 1,200,000 | 1,157,411 | (42,589) |
| Tax on Wills & Deeds | 725,000 | 725,000 | - |
| Sales & Use Tax | 13,900,000 | 14,300,000 | 400,000 |
| Transient Room Tax | 7,000,000 | 8,100,000 | 1,100,000 |
| Meals Tax | 14,075,026 | 15,400,000 | 1,324,974 |
| Cigarette Tax | 550,000 | 550,000 | - |
| Vehicle Daily Rental | 82,500 | 170,000 | 87,500 |
| Plastic Bag Tax (<i>*implementation currently underway</i>) | - | 20,000 | 20,000 |
| <u>Licenses and Permits</u> | | | |
| Business & Professional Licenses | \$ 8,700,000 | \$ 9,400,000 | \$ 700,000 |
| Vehicle Licenses | 890,000 | 150,000 | (740,000) |
| <u>Intergovernmental Revenue</u> | | | |
| State Highway Assistance | \$ 4,263,654 | \$ 4,645,517 | \$ 381,863 |
| State Aid for Police Protection | 2,238,352 | 2,460,982 | 222,630 |
| <u>Miscellaneous Revenues</u> | | | |
| Interest Income | \$ 580,000 | \$ 1,050,000 | \$ 470,000 |
| Transfer from Parking Fund | 500,000 | - | (500,000) |
| <u>Designated Revenues</u> | | | |
| Meals Tax Designated for the Debt Service Fund | \$ 2,564,974 | \$ 2,800,000 | \$ 235,026 |
| Total Revenue Budget Surplus | | | \$10,415,798 |

**Projected as of March 30, 2023*

Surplus as a % of Total Budget 4.89%

Expenditure Budget Projections

Many City operations are seasonal and interfund transfers, which represent large expenditures in the General Fund (i.e., Debt Service Transfer, CIP transfer, Transfer to CAT, etc.), get posted as a lump sum later in the fiscal year. These factors lead to a more cyclical and irregular expenditure pattern that is harder to project. However, we continue to monitor expenditures and indicators suggest that expenses are tracking well with the budget.

Expenditure details can be viewed using the [Budget Explorer Tool](#) which can be found on the City's Budget webpage.

**Please note all the information presented in this memo and the Budget Explorer visualization is collected as of a specific point in time. All amounts are subject to change until the City's annual audit is complete and the books are officially closed for any given fiscal year.*



City of Charlottesville

TREASURER'S OFFICE

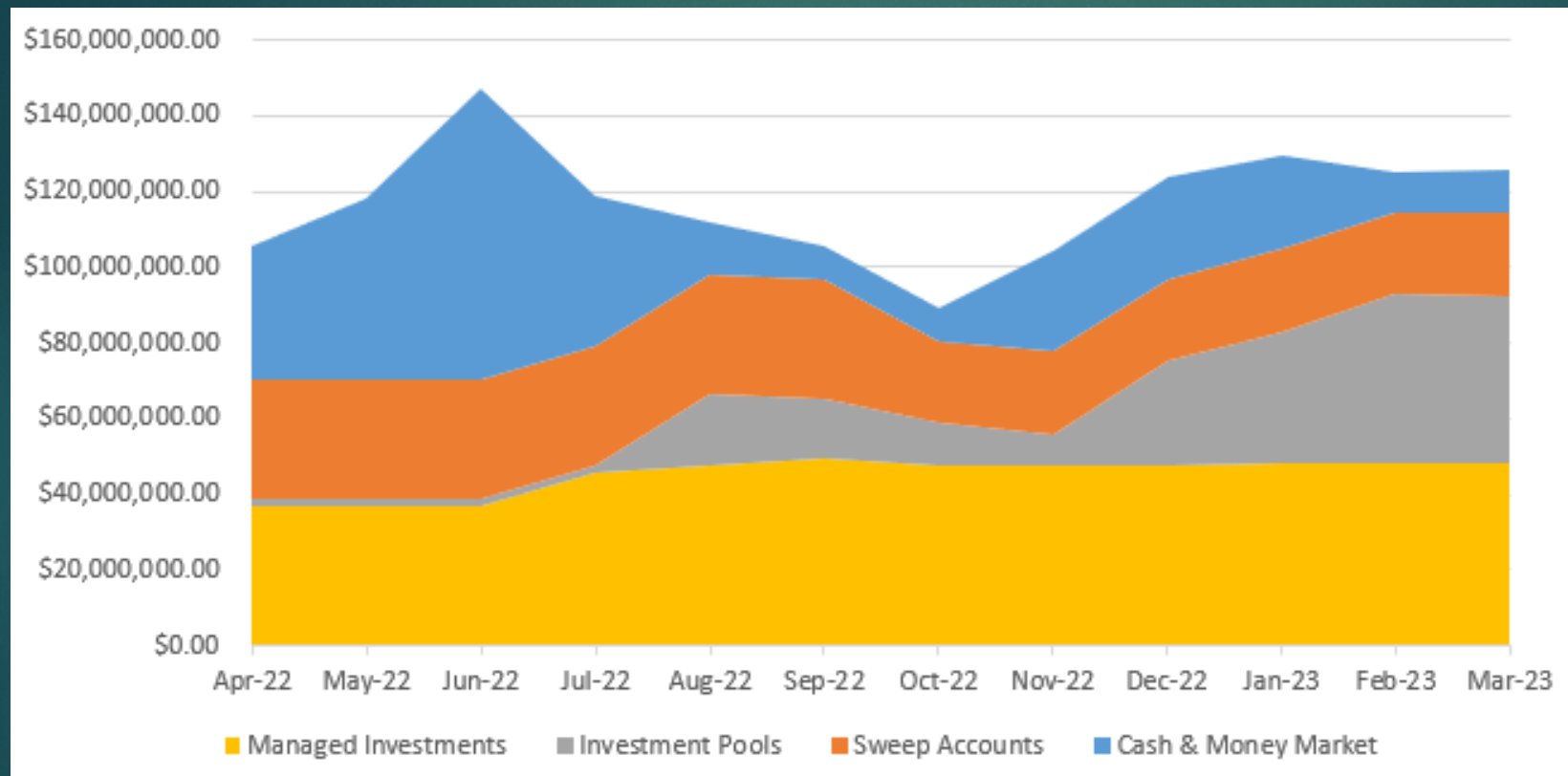
INVESTMENT PORTFOLIO UPDATE

APRIL 17, 2023

Investment Policy Guidelines

- ▶ The Investment Policy has been established by the Treasurer of the City of Charlottesville to ensure effective management of the day-to-day investment activity for the City, and is designed to increase non-tax revenues by investing funds when not needed for current obligations.
- ▶ The Treasurer of the City of Charlottesville is an elected office ("Constitutional Officer") charged with receiving, collecting, safeguarding and disbursing City funds with general custody of City funds from all sources. The general custody of all funds requires the investment of those funds within the confines of the Code of Virginia and a comprehensive Investment Policy developed and maintained by the Treasurer.
- ▶ All funds are managed to accomplish the fundamental goals of safety, liquidity, and yield.

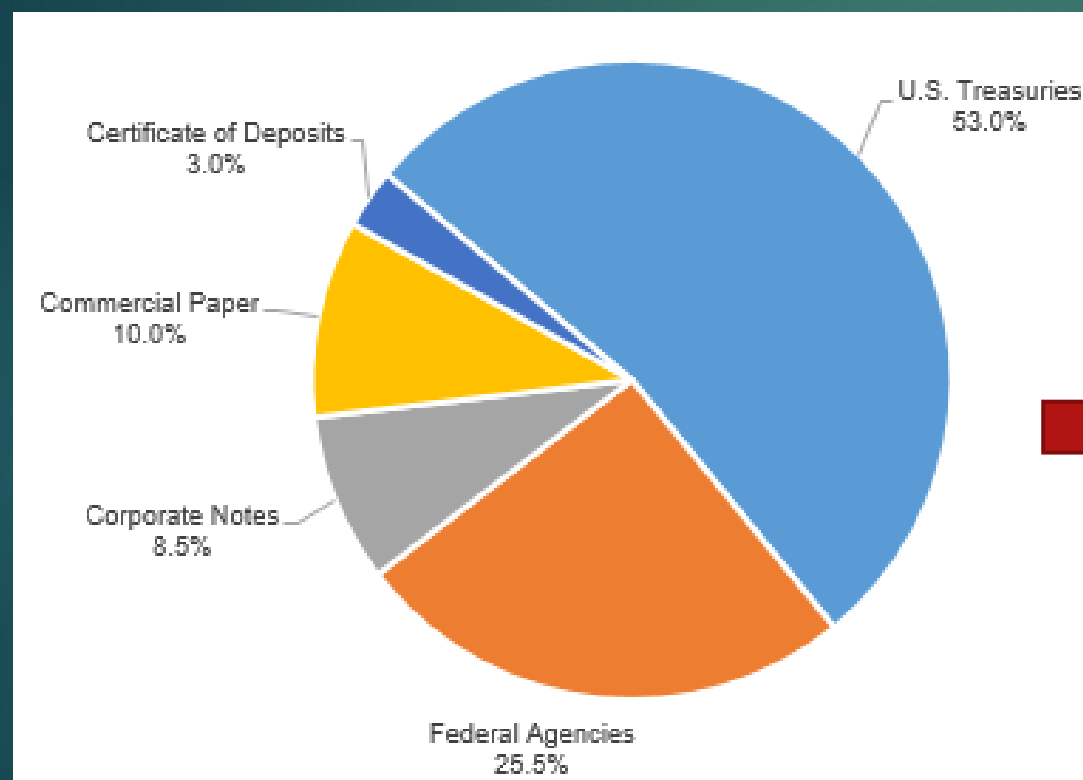
Monthly Cash Balance by Investment Type



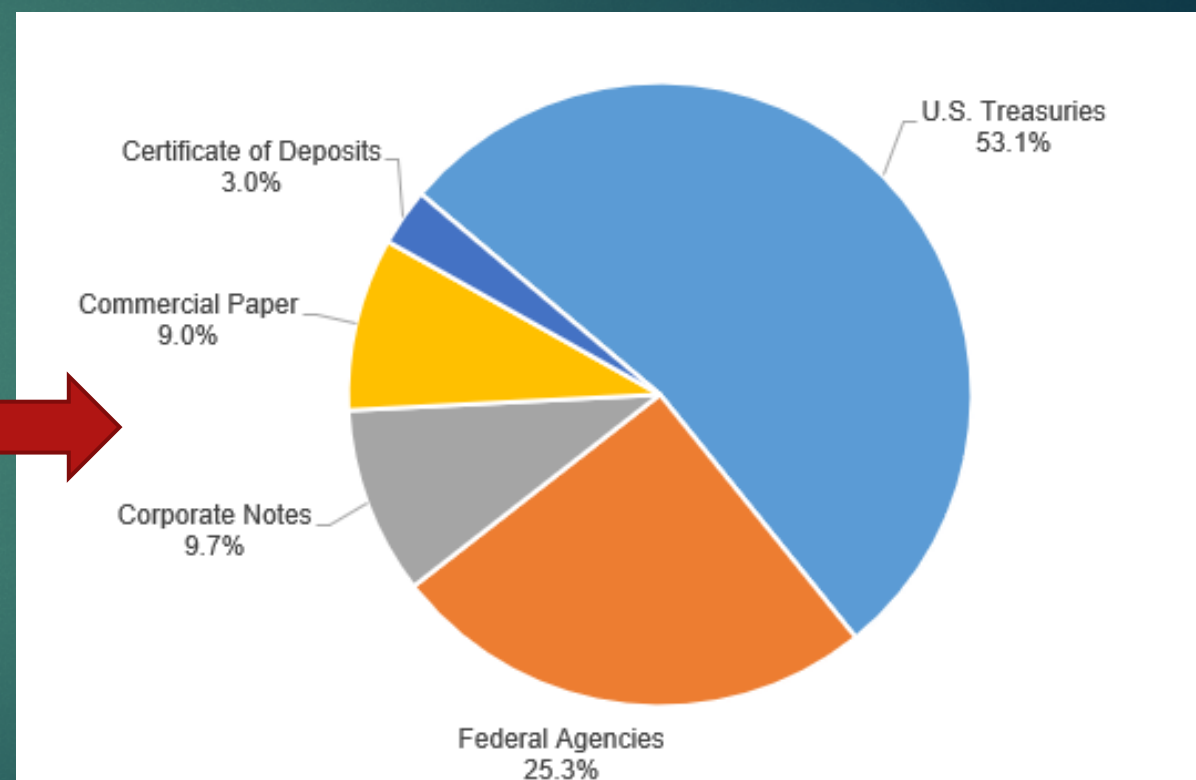
As investment rates have become more attractive relative to cash earnings, we have shifted more of the portfolio into longer term investments and investment pools and out of cash holdings.

Managed Investments Portfolio Composition

December 2022

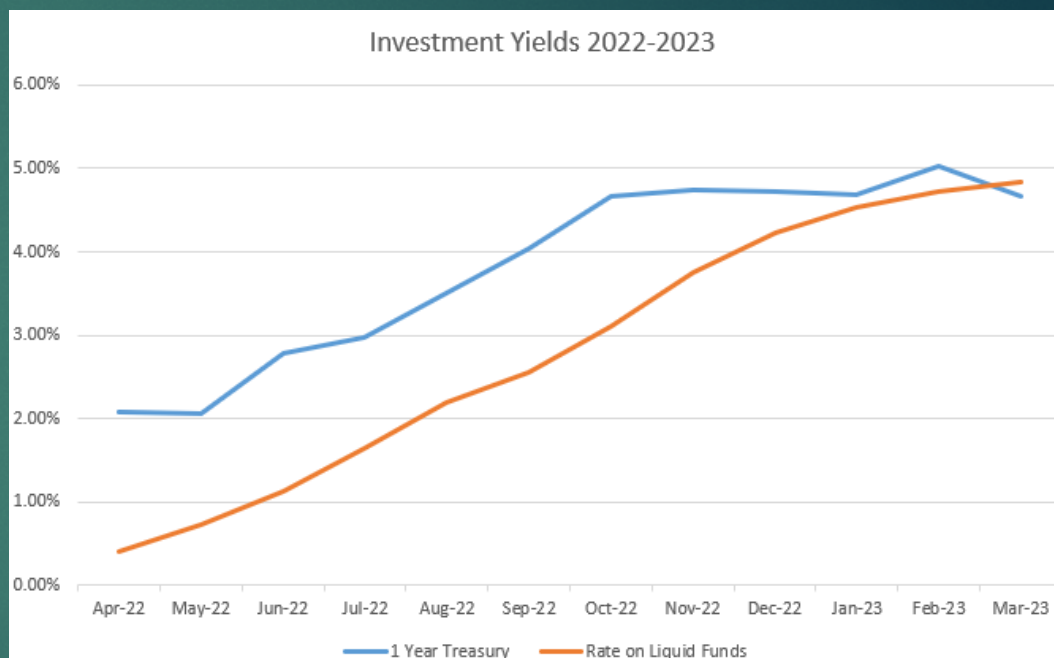
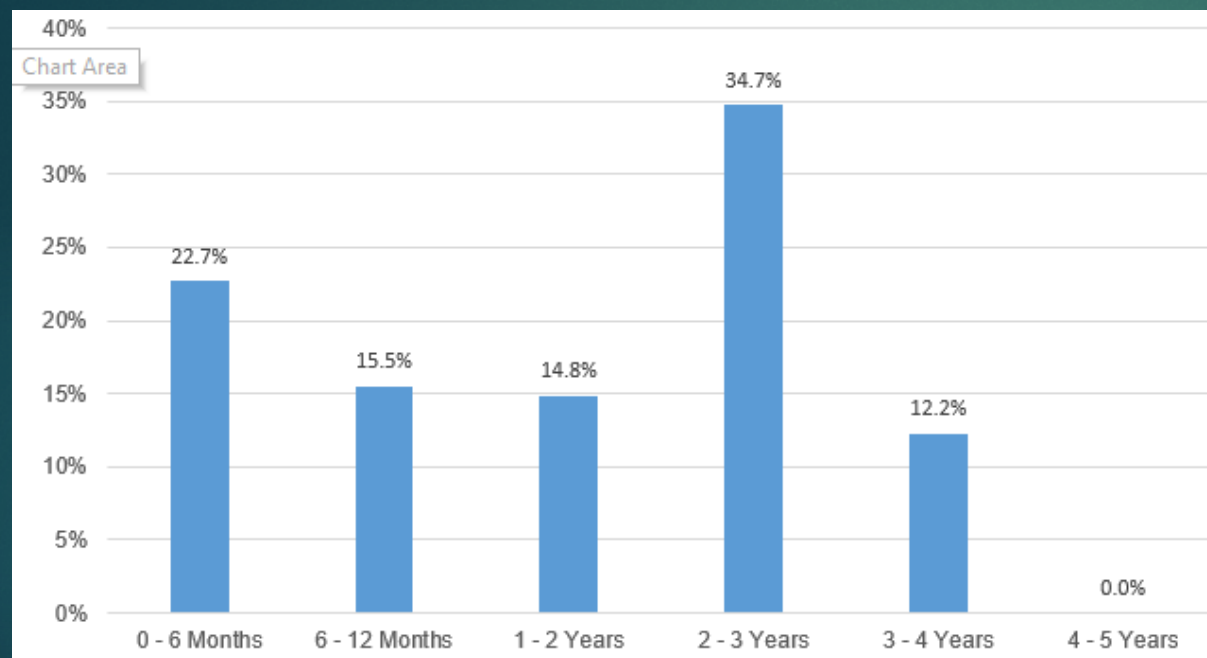


March 2023



There have been no significant changes in the asset allocation in the managed portfolio this quarter.

Managed Portfolio Maturity Distribution and Yields



Intermediate-term rates are stabilizing and more of the portfolio redemptions have been invested in the 2-3 year range to lock in higher rates.

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



| | |
|------------------|---|
| Agenda Date: | April 17, 2023 |
| Action Required: | The City Council will need to either approve the resolution of appointment or may elect to decline to approve the resolution. |
| Presenter: | Michael Rogers, City Manager, William Mendez |
| Staff Contacts: | Ashley Marshall, Deputy City Manager |
| Title: | Resolution to appoint an Executive Director to the Police Civilian Oversight Board (1 reading) |

Background

The City of Charlottesville City Council created a Police Civilian Review Board in November of 2019. The Board, now known as the Police Civilian Oversight Board, has the power to develop and administer a process for receiving complaints about the Charlottesville Police Department; review the Police Department's internal affairs investigations at the request of a civilian complainant; conduct hearings and make findings concerning the Police department's internal affairs investigations initiated by civilians; organize and conduct community outreach sessions, and provide policy recommendations to the City Council and Charlottesville Police Department. Under section 2-445 of the Ordinance approved in December 2021, the City Manager is tasked with appointing a Police Civilian Oversight Board Executive Director with the approval of a majority vote of the City Council.

Discussion

Upon the resignation of the PCOB's first Executive Director, the City Manager advertised for the Executive Director of the Police Civilian Oversight Board position and received twenty (20) applications. All applications were reviewed by the City Manager and his office, as well as the Chair of the PCOB. A proposed interview process was sent to two representatives of the PCOB in writing, and the Chair approved the proposal and certified that it abided by the ordinance. Seven (7) candidates were selected to move forward, as their professional experience or personal volunteerism matched the criteria created by the PCOB for their future Executive. Interviews were held virtually for the seven candidates, which included two members of the PCOB. Three (3) candidates were selected to move forward to the second round unanimously by the first panel via the individual scores that the panelists provided. The in-person interviews involved three panels made of staff and PCOB representatives.

Upon review of the scores, the two PCOB representatives provided the City Manager with their recommendation for hire per the ordinance. The City Manager accepted those recommendations in full. Contact was made by the City Manager's Office to Ms. Inez Gonzalez and a discussion was held. The discussion was followed by an offer of employment contingent on appointment by the City

Council, and a negotiated offer was accepted on February 28, 2023, with a contingent start date of May 1, 2023.

Alignment with City Council's Vision and Strategic Plan

The hiring of the Executive Director of the Police Civilian Oversight Board supports the fifth Goal in the current Strategic Plan, to have a well-managed and responsive organization, and objective 5.4, to foster effective community engagement.

Community Engagement

The City Manager ensured that, per the city ordinance, two representatives of the Police Civilian Oversight Board were involved in an interview process that was approved by the Board's Chairperson. Further, several staff members who have been impacted by the systemic racism present in the police department and judicial system were engaged in the first and second interview processes, including members of our Home to Hope program.

Budgetary Impact

This has no impact on the General Fund. Funding for the PCOB Executive Director was approved in the FY23 budget.

Recommendation

The City Manager, along with the two members of the Police Civilian Oversight Board, recommend the appointment of the selected hire – Ms. Inez Gonzalez – as the Executive Director of the Charlottesville Police Civilian Oversight Board

Alternatives

Attachments

1. Resolution_PCOPB Executive Director Approval 2023 (4)

RESOLUTION
Approving the City Manager Hiring Recommendation for the
Police Civilian Oversight Board Executive Director

WHEREAS, the City Manager wishes to hire Ms. Inez Gonzalez as the Charlottesville Police Civilian Oversight Board Executive Director, pursuant to Chapter 2 Section 2-445 of the Code of the City of Charlottesville (1990) as amended; and

WHEREAS, Ms. Gonzalez has agreed to accept hiring and appointment as Executive Director of the Police Civilian Oversight Board, upon certain terms and conditions set forth in writing and accepted by Ms. Gonzalez on February 28, 2023

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to Section 2-455 of the Code of the City of Charlottesville (1990), as amended, the City Manager's appointment of Ms. Inez Gonzalez as Executive Director of the City's Police Civilian Oversight Board is hereby approved.

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



Agenda Date: April 17, 2023

Action Required: Approve resolution

Presenter: Ian Baxter - TJPDC

Staff Contacts:

Title: ~~Resolution to approve the Thomas Jefferson Planning District Commission 2023 Regional Natural Hazard Mitigation Plan update (1 reading; deferred from April 3)~~ ITEM PULLED to be presented at future meeting

Background

TJPDC works with officials from the Federal Emergency Management Agency (FEMA), the Virginia Department of Emergency Management (VDEM), and local emergency managers to develop and maintain a regional Natural Hazard Mitigation Plan. These plans are updated every 5 years and provide details on how our communities can take action to prepare for natural disasters before they strike, thus reducing the potential for loss of life and property damage when disasters do occur. The hazard mitigation efforts are supported by the Hazard Mitigation Working Group, which consists of representatives from each locality in the planning district and other state and community stakeholders.

Hazard mitigation is any action taken to reduce or eliminate long-term risk to people and property from natural hazards. Mitigation planning is a key process used to break the cycle of disaster damage, reconstruction, and repeated damage.

Discussion

The 5-year update of the Natural Hazard Mitigation Plan was adopted by FEMA in January 2023 and subsequently must be adopted by each governing body in the region. The official adoption date is February 1, 2023, the date of the first Resolution of Adoption (Fluvanna County). The full 222-page PDF document and other planning information can be viewed online at: <https://tjpd.org/our-work/hazard-mitigation/>.

Alignment with City Council's Vision and Strategic Plan

Community Engagement

n/a

Budgetary Impact

n/a

Recommendation

n/a

Alternatives

Attachments

1. TJPDC-City of Charlottesville HMP Resolution

RESOLUTION
CITY OF CHARLOTTESVILLE ADOPTION OF THE
REGIONAL NATURAL HAZARD MITIGATION PLAN

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop, adopt and update natural hazard mitigation plans in order to receive certain federal assistance; and,

WHEREAS, the Thomas Jefferson Planning District's Regional Natural Hazard Mitigation Plan has been prepared in accordance with Federal Emergency Management Agency ("FEMA") requirements at 44C.F.R. 201.6; and,

WHEREAS, The City of Charlottesville has been involved in the preparation of the Regional Natural Hazard Mitigation Plan, with City staff representing the City on the Working Group and working with Thomas Jefferson Planning District Commission ("TJPDC") staff to identify mitigation actions for inclusion in the plan, and,

WHEREAS, VDEM and FEMA have approved the plan with no changes recommended; and,

WHEREAS, hazard mitigation is essential to protect life and property by reducing the potential for future damages and economic losses resulting from natural disasters;

NOW THEREFORE BE IT RESOLVED, that the City of Charlottesville City Council does hereby adopt the Regional Natural Hazard Mitigation Plan.

ADOPTED by the City of Charlottesville City Council on this ____ day of _____, 2023.

APPROVED

Lloyd Snook, Mayor

ATTEST

Kyna Thomas, Clerk of Council

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



| | |
|------------------|---|
| Agenda Date: | April 17, 2023 |
| Action Required: | Approve Resolutions |
| Presenter: | Alexander Ikefuna, Director of Community Solutions |
| Staff Contacts: | Alexander Ikefuna, Director of Community Solutions Brenda Kelley, Redevelopment Manager |
| Title: | Resolution to award FY23 Charlottesville Affordable Housing Funds (CAHF) (1 of 2 readings) |

Background

The City's FY22/23 budget included funding the Charlottesville Affordable Housing Fund (CAHF).

In November 2021, the City Council approved and adopted the 2021 Comprehensive Plan Amendment, of which the Charlottesville Affordable Housing Plan was a part. As part of the implementation process of this new plan, the City revised its approach towards allocation of funding for affordable housing and homelessness support initiatives. A Notice of Funding Availability (NOFA) was issued in October 2022 to advise the community of the new approach and proposed timelines of upcoming invitations for funding for affordable housing-related initiatives for CDBG/HOME, Housing Development Project Investments, Housing Operations & Program Support (HOPS) and the Charlottesville Affordable Housing Fund (CAHF). Following the issuance of the NOFA, a series of competitive invitations for applications were issued separately, for each of the four programs.

On January 2, 2023, a competitive invitation for applications was issued for the CAHF for a total funding amount of \$835,000, with applications due January 30, 2023.

Discussion

Staff received six (6) applications for CAHF funding by the submission deadline. A total of \$1,720,611 in funding was requested. A review of all the applications was done over several meetings of the CAHF Committee, recently appointed by City Council as recommended by the Affordable Housing Plan. A summary of the applications and the recommendations for FY23 CAHF allocations are presented below:

Project: Charlottesville Critical Emergency Repair Program
Applicant: Albemarle Housing Improvement Program (AHIP)
CAHF Request: \$250,000
Funds will enable AHIP to serve 30 Charlottesville households (with an anticipated investment of \$5,000 to \$10,000 in CAHF funds per project)

Project: Public Housing HVAC Equity Project
 Applicant: Charlottesville Redevelopment and Housing Authority (CRHA)
 CAHF Request: \$450,000
 The CRHA is proposing to install central air conditioning – to install the central air conditioning, we must also upgrade the electrical services in each unit. This project would preserve and modernize 57 deeply affordable housing units in the City.

Project: Rehabilitation Repairs to Preserve Community Services Housing Properties
 Applicant: Community Services Housing, Inc.
 CAHF Request: \$135,611
 Funds for urgent rehabilitation repairs at 3 of its properties (34 units).

Project: Transitions to Homeownership 2023
 Applicant: Habitat for Humanity of Greater Charlottesville
 CAHF Request: \$410,000
 Funds to provide tiered down payment assistance to 13 low- and very low-income families. Focus on supporting families with low AMI who are moving from CRHA public housing and local voucher assistance to homeownership.

Project: Anti-displacement through Prospect Homeownership
 Applicant: Piedmont Housing Alliance
 CAHF Request: \$225,000
 Funds will support the rehabilitation and resale of 5 homes in the Fifeville neighborhood (\$45,000 per home) in conjunction with the Piedmont Community Land Trust.

Project: Premier Circle PSH
 Applicant: Virginia Supportive Housing
 CAHF Request: \$250,000
 Funds will leverage the almost \$6 million of project funds that remain uncommitted. 85% of homeless individuals cite Charlottesville as their home, therefore 68 of 80 units @ +/- \$3,600 subsidy each resident.

The Charlottesville Affordable Housing Plan recommends that targeted funding awards should be allocated as follows:

| Level of Funding | Amount of Funding | Households Served |
|------------------|-------------------|---|
| Tier 1 | \$420,000 | serving households with incomes up to 30% of Area Median Income (AMI) |
| Tier 2 | \$250,000 | serving households with incomes up to 60% of Area Median Income (AMI) |
| Tier 3 | \$165,000 | serving households with incomes up to 80% of Area Median Income (AMI) |

However, if City Council approves the allocation as recommended by the CAHF Committee, funding by Tier level, as recommended, should be awarded as follows:

| Level of Funding | Amount of Funding | Households Served |
|------------------|-------------------|---|
| Tier 1 | \$480,306 | serving households with incomes up to 30% of Area Median Income (AMI) |
| Tier 2 | \$186,722 | serving households with incomes up to 60% of Area Median Income (AMI) |
| Tier 3 | \$167,972 | serving households with incomes up to 80% of Area Median Income (AMI) |

After careful consideration and discussion of all applications, the CAHF Committee recommended the following awards of CAHF funding:

- CRHA; Public Housing HVAC Equity Project; \$187,500
- Community Services Housing, Inc.; Rehabilitation Repairs to Preserve Community Services Housing Properties; \$67,806
- Habitat for Humanity of Greater Charlottesville; Transitions to Homeownership 2023; \$225,000
- Piedmont Housing Alliance; Anti-displacement through Prospect Homeownership; \$167,972
- Virginia Supportive Housing; Premier Circle PSH; \$186,722, with the condition that all funding be allocated to capital expenses only (no administrative/operating funding)

Alignment with City Council's Vision and Strategic Plan

The overall funding of affordable housing initiatives supports City Council's visions of Quality Housing Opportunities for All; A Green City; Community of Mutual Respect; and Smart, Citizen-Focused Government.

Approval of this request is also supported by the following:

Strategic Plan Goals:

- Goal 1.3: Increase affordable housing options
- Goal 1.4: Enhance financial health of residents
- Goal 1.5: Intentionally address issues of race and equity
- Goal 2.3: Improve community health and safety outcomes by connecting residents with effective resources

Comprehensive Plan Guiding Principles (2021):

- Equity & Opportunity – All people will be able to thrive in Charlottesville.
- Community Culture & Unity – Charlottesville's rich and diverse culture 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.

- (Numerous Goals in the Comprehensive Plan also support this request).

Community Engagement

This CAHF allocation is in keeping with the provisions in the Affordable Housing Plan and 2021 Comprehensive Plan that were recommended by the Planning Commission and approved by the City Council. Both documents went through an extensive public engagement process. Also, the application review was done by the CAHF Committee, which members are appointed by City Council.

Budgetary Impact

This request does not encumber any additional funding from the City budget. CAHF funding was allocated in the Capital Improvement Program (CIP) FY22/23 budget. This approval allocates this FY22/23 CIP funding.

Recommendation

Staff recommends City Council approve the attached Resolutions awarding FY23 CAHF funding. If approved, the funding will support various levels of affordable housing, as follows:

Level of funding: Tier 1 – serving households with incomes up to 30% AMI:

- CRHA; Public Housing HVAC Equity Project; \$187,500
- Community Services Housing, Inc.; Rehabilitation Repairs to Preserve Community Services Housing Properties; \$67,806
- Habitat for Humanity of Greater Charlottesville; Transitions to Homeownership 2023; \$225,000

Level of funding: Tier 2 – serving households with incomes up to 60% AMI:

- Virginia Supportive Housing; Premier Circle PSH; \$186,722, with the condition that all funding be allocated to capital expenses only (no administrative/operating funding)

Level of funding: Tier 3 – serving households with incomes up to 80% AMI:

- Piedmont Housing Alliance; Anti-displacement through Prospect Homeownership; \$167,972

Alternatives

City Council could decide to provide the recommended projects with different levels of funding than those recommended. Council could also decide to fund a different set of the projects outlined above, or choose to not award any funding for any of these projects at this time.

Attachments

1. Applications Summary CAHF Jan2023
2. Resolutions CAHF FY23 funding 041723

CAHF – FY23 Funds

January 2023

Applications Received

Funding Available: \$835,000

| Applicant | Program Name | Total Funding Requested | Funding Request by Tier | | | Program Description | CAHF Funding Amount approved FY22 |
|---|--|-------------------------|---------------------------------|---------------------------------|---------------------------------|---|-----------------------------------|
| | | | Tier 1 <30% AMI \$420,000 | Tier 2 <60% AMI \$250,000 | Tier 3 <80% AMI \$165,000 | | |
| AHIP | Charlottesville Critical Emergency Repair Program | \$250,000 | \$100,000 | \$100,000 | \$50,000 | Funds will enable AHIP to serve 30 Charlottesville households (with an anticipated investment of \$5,000 to \$10,000 in CAHF funds per project) | \$ 100,000 |
| Virginia Supportive Housing | Premier Circle PSH | \$250,000 | \$15,625 | \$234,375 | | Funds will leverage the almost \$6 million of project funds that remain uncommitted. 85% of homeless individuals cite Charlottesville as their home, therefore 68 of 80 units @ +/- \$3,600 subsidy each resident. | \$0 |
| Piedmont Housing Alliance and Piedmont Community Land Trust | Anti-displacement through Prospect Homeownership | \$225,000 | | \$225,000 | | Funds will support the rehabilitation and resale of 5 homes in the Fifeville neighborhood (\$45,000 per home) | \$0 |
| Community Services Housing, Inc. | Rehabilitation Repairs to Preserve Community Services Housing Properties | \$135,611 | \$135,611 | | | Funds for urgent rehabilitation repairs at 3 of its properties (34 units) | \$0 |
| Charlottesville Redevelopment and Housing Authority (CRHA) | Public Housing HVAC Equity Project | \$450,000 | \$375,000 | \$75,000 | | The CRHA is proposing to install central air conditioning – to install the central air conditioning, we must also upgrade the electrical services in each unit. This project would preserve and modernize 57 deeply affordable housing units in the City. | \$425,000 |
| Habitat for Humanity of Greater Charlottesville | Transitions to Homeownership 2023 | \$410,000 | \$250,000 | \$160,000 | | Funds to provide tiered down payment assistance to 13 low- and very low-income families. Focus on supporting families with low AMI who are moving from CRHA public housing and local voucher assistance to homeownership. | \$75,000 |
| Totals | | \$1,720,611 | \$876,236 | \$569,375 | \$275,000 | | |

Suggested motion: “I move the Resolution allocating CAHF funding for CRHA Public Housing HVAC Equity project, in the amount of \$187,500”

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Charlottesville
Redevelopment and Housing Authority (CRHA)
Public Housing HVAC Equity Project - - \$187,500**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$187,500 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Charlottesville Redevelopment and Housing Authority (CRHA) for the purpose of providing funds for the Public Housing HVAC Equity Project.

| | | |
|--|-----------------|---------------------|
| Fund: 426 | Project: CP-084 | G/L Account: 530670 |
| Charlottesville Redevelopment and Housing Authority (CRHA) | | \$187,500 |

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: “I move the Resolution allocating CAHF funding for Community Services Housing Rehabilitation Repairs to Preserve Community Services Housing Properties project, in the amount of \$67,806”

RESOLUTION

Allocation of Charlottesville Affordable Housing Fund (CAHF) for Community Services Housing, Inc.

Rehabilitation Repairs to Preserve Community Services Housing Properties - - \$67,806

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$67,806 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Community Services Housing, Inc. for the purpose of providing funds for the Rehabilitation Repairs to Preserve Community Services Housing Properties program.

| | | |
|----------------------------------|-----------------|---------------------|
| Fund: 426 | Project: CP-084 | G/L Account: 530670 |
| Community Services Housing, Inc. | | \$67,806 |

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: “I move the Resolution allocating CAHF funding for Habitat for Humanity of Greater Charlottesville Transitions to Homeownership 2023 project, in the amount of \$225,000”

RESOLUTION

Allocation of Charlottesville Affordable Housing Fund (CAHF) for Habitat for Humanity of Greater Charlottesville Transitions to Homeownership 2023 - - 225,000

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$225,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Habitat for Humanity of Greater Charlottesville for the purpose of providing funds for the Transitions to Homeownership 2023 project.

| | | |
|---|-----------------|---------------------|
| Fund: 426 | Project: CP-084 | G/L Account: 530670 |
| Habitat for Humanity of Greater Charlottesville | \$225,000 | |

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: “I move the Resolution allocating CAHF funding for Piedmont Housing Alliance Anti-displacement through Prospect Homeownership project, in the amount of \$167,972”

RESOLUTION

**Allocation of Charlottesville Affordable Housing Fund (CAHF) for Piedmont Housing Alliance
Anti-displacement through Prospect Homeownership - - \$167,972**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$167,972 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Piedmont Housing Alliance for the purpose of providing funds for the Anti-displacement through Prospect Homeownership program.

| | | |
|---------------------------|-----------------|---------------------|
| Fund: 426 | Project: CP-084 | G/L Account: 530670 |
| Piedmont Housing Alliance | | \$167,972 |

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

Suggested motion: “I move the Resolution allocating CAHF funding for Virginia Supportive Housing Premier Circle PSH project, in the amount of \$186,722, with conditions”

RESOLUTION

Allocation of Charlottesville Affordable Housing Fund (CAHF) for Virginia Supportive Housing Premier Circle PSH - - \$186,722

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$186,722 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to Virginia Supportive Housing for the purpose of providing funds for the Premier Circle PSH project, with the condition that all funding be used for capital expenses only.

| | | |
|-----------------------------|-----------------|---------------------|
| Fund: 426 | Project: CP-084 | G/L Account: 530670 |
| Virginia Supportive Housing | | \$186,722 |

Approved by Council
April 17, 2023

Kyna Thomas, CMC
Clerk of Council

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



| | |
|------------------|--|
| Agenda Date: | April 17, 2023 |
| Action Required: | Rescind Resolution (1 Reading Only) |
| Presenter: | Michael Rogers, City Manager |
| Staff Contacts: | Samuel Sanders, Jr., Deputy City Manager Allyson Davies, Senior Deputy City Attorney |
| Title: | Resolution to Rescind City's Procedures for Restricting Meeting Attendance and the Use of City Facilities in Response to the Coronavirus Pandemic (1 reading) |

Background

1. 2020 Local Declaration of COVID Emergency. On March 12, 2020 City Council, by Resolution (#R-20-035, attached), authorized the City Manager to declare a local state of emergency related to the COVID-19 virus. On that same date, the City Manager issued a Public Safety Order, declaring the local state of emergency. Together, these documents are referred to in this Memo as the "Local Declaration". A declaration of local emergency has the effect of notifying the public of a serious situation, makes the City eligible for state or federal disaster funding in certain situations, and confers extended fiscal and procurement powers upon the City Manager. A Local Declaration does not alter FOIA requirements, or otherwise modify or enhance any of the normal roles, responsibilities or legal authority of the City Manager or members of City Council.

2. Measures to Address the Local Declaration. Separate and apart from the Local Declaration, City Council enacted two ordinances to implement emergency actions necessary to address COVID-19:

a. Continuity of government operations—on March 25, 2020 (#O-20-049) City Council enacted an "Ordinance to Modify Deadlines, Modify Public Meeting and Public Hearing Practices", to implement actions needed to address the COVID emergency and ensure the continued provision of government services, ("Continuity of Government Ordinance"), as authorized by Va. Code §15.2-1413. This state statute specifies that "a local government may, by ordinance, provide a method to assure continuity in government in the event of a disaster, notwithstanding any contrary provision of law, general or special." . Many localities, like Charlottesville, used this enabling legislation to justify holding electronic public meetings, because—at the outset of the COVID-19 pandemic—FOIA did not allow local public bodies to conduct meetings without there being a quorum of members physically assembled together in the same room. Charlottesville's COG Ordinance was enacted for a 6-month period of time, and has been extended for additional 6-month periods. The most recent COG Ordinance in effect (#O-22-029, attached) expires September 8, 2022.

b. Regulation of public actions—Council enacted an “Ordinance to Prevent the Spread of the Novel Coronavirus” (#O-20-093, enacted July 27, 2020, repealed April 2021), which included restrictions on the size of certain gatherings, and required individuals to wear masks in specified public places. This local ordinance was enacted in addition to the restrictions imposed by the Virginia Governor through issuance of various Executive Orders.

Discussion

In April 2022 Council and staff began a transition to normal FOIA meetings and procedures, and the new FOIA provisions will allow all-virtual meetings to continue for most boards and commissions. Furthermore, the manner in which in-person meetings have resumed for Council, the Planning Commission, the Board of Architectural Review, etc., is now expressly authorized by FOIA, and City Council also has broad general authority to continue restrictions within City-owned premises to reduce the spread of COVID-19 during in-person meetings (for example: pursuant to the fifth enumerated power within Section 14 of the City Charter: City Council has general authority “to make regulations to...prevent the...spreading of contagious or infectious diseases...”). Also, by ordinance, Council has designated the City Manager as the public official charged with general supervision and control of City-owned premises and property, per City Code Sec. 2-157. As a result of the foregoing provisions of law, there are no measures currently being implemented--either by City Council or the City Manager’s Office--which could not continue if City Council adopts the attached resolution.

The City Manager will direct staff to support the continued provision of hybrid participation for the public to engage in meetings of City Council, Planning Commission, and the Board of Architectural Review. All other boards, committees, and task forces will be expected to resume in-person meetings in spaces that are available in city premises under the direction of the City Manager.

Alignment with City Council's Vision and Strategic Plan

N/A

Community Engagement

In light of the COVID-19 pandemic shifting to endemic status by the World Health Organization, the city would be in alignment with municipalities across the country resuming in person meetings for all meetings of the City government.

Budgetary Impact

There is no budgetary impact on approval of this Resolution.

Recommendation

Approve the Resolution to rescind the meeting and facility restrictions required under the September 6, 2022 Resolution #R-22-110.

Alternatives

Do not adopt the proposed Resolution and leave Resolution #R-22-110 in tact.

Attachments

1. RESOLUTION-Ending the Citys Procedures for Restricting Meeting Attendance (004)
2. O 22 029

3. R 20 035
4. Resolution Ending State of Emergency

RESOLUTION
Ending the City’s Procedures for Restricting Meeting Attendance and the Use of City Facilities in Response to the Coronavirus Pandemic

WHEREAS on March 12, 2020, with the consent of City Council, the City Manager declared a local state of emergency, based on the threat presented by the Coronavirus pandemic (“COVID-19”) to the public health and safety of residents in the City of Charlottesville; and

WHEREAS on September 6, 2022, with the consent of the City Council, the City Manager ended the March 12, 2020, local state of emergency and established by Resolution #R-22-110 that normal governmental authority was resumed in accordance with the provisions of subparagraph C of Virginia Code §2.2-3708.3; and

WHEREAS by Resolution #R-22-110, City Council directed the City Manager to prepare and adopt standard operating procedure(“SOP”), setting forth protocols to govern how virtual and hybrid meetings would be handled to mitigate the potential spread of COVID-19; and

WHEREAS the City adopted “COVID-19 Meeting Space Policies” for City Council Chambers and City Space directing the use of such facilities; and

WHEREAS the Center for Disease Control indicates that the Covid-19 community levels in Charlottesville and Albemarle are considered low and it is proper to remove the Covid-19 meeting polices previously adopted and for City Council meetings and other Boards and Commission to return to in-person meetings with hybrid citizen participation as authorized by the City Manager; and

WHEREAS in the judgment of City Council that the previous emergency actions concerning meeting spaces are no longer required and it is right and proper to hold in person meetings in accordance with applicable federal, state and local laws and regulations; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT EFFECTIVE MAY 1, 2023:

1. The City Manager is authorized to repeal and/or remove all procedures and protocols adopted to limit in person meetings and the use of City facilities in response to the COVID-19 pandemic; and
2. The City’s various Boards and Commission are directed to return to in person meetings which are open to the public in accordance with federal, state and local laws and regulations; and
3. The City Manager is hereby directed and authorized to develop a list of City Public Meetings which are allowed to offer “hybrid” citizen participation both in person and electronically in accordance with City staff capacity and resources.

ORDINANCE
AMENDING AND RE-ENACTING CITY COUNCIL'S CONTINUITY OF
GOVERNMENT ORDINANCE, FOR A SIX-MONTH PERIOD
BEGINNING MARCH 8, 2022

WHEREAS on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

WHEREAS the Governor's Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster, as defined by Virginia Code § 44-146.16, arising from the public health threat presented by a communicable disease anticipated to spread, and this public health emergency continues to be recognized as an emergency and a disaster through the Governor's Fourth Amended Executive Order Seventy Two and Order of Public Health Emergency Nine (March 23, 2021, made effective April 1, 2021); and

WHEREAS the Governor's Executive Orders order implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate; and

WHEREAS on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS by Public Safety Order dated March 12, 2020, the City Manager/ Director of Emergency Management declared a state of local emergency based a threat to the public health and safety of the residents of Charlottesville resulting from the communicable and infectious COVID-19 virus, which threat was and continues to be an emergency as defined in Virginia Code § 44-146.16; and

WHEREAS this Council finds that the COVID-19 virus constitutes a real, substantial and continuing threat to public health and safety and constitutes a "disaster" as defined by Virginia Code §44-146.16, said virus being a "communicable disease of public health threat";

this finding is evidenced by statistics which show that on February 8, 2022 the City's "new cases" numbered 4,689 and 7-day average was 5,319; and

WHEREAS by Ordinance # O-20-135 City Council amended and extended its continuity of government ordinance previously enacted by Council on March 25, 2020, as amended and re-enacted on September 8, 2020, October 19, 2020, and April 19, 2021, and City Council now desires to amend and re-enact its continuity of government ordinance to address the needs of City government operations as anticipated during the next six months during the ongoing public health disaster relating to COVID-19 and its variant(s);

WHEREAS Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of City Council may convene solely by electronic means to address the emergency; and

WHEREAS the open public meeting requirements of the Virginia Freedom of Information Act ("FOIA") allow properly claimed exemptions provided under either under that Act or any other statute; and

WHEREAS the Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

WHEREAS this Ordinance is enacted in response to the disaster caused by the COVID-19 pandemic and the continuing catastrophic nature of the COVID-19 virus and its current variants; further, this ordinance promotes public health, safety and welfare and is consistent with the laws of the Commonwealth of Virginia, the Charter of the City of Charlottesville, the Constitution of Virginia and the Constitution of the United States of America.

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

1. **THAT** the catastrophic nature of the continuing COVID-19 pandemic makes it unsafe for the City's public bodies to conduct their meetings in the same spaces, and accordance with normal practices and procedures that were used prior to March 2020, which require the physical presence of members of a public body and members of the public within the same room

and the City's meeting facilities may not allow adequate measures to be taken in accordance with recommended public health requirements and guidelines. For the purposes of this Ordinance the term "public body" means the City Council, and every board, commission, or agency of the City of Charlottesville, including any committee, subcommittee, or other entity, however designated, created by City Council to perform delegated functions of City Council or to advise the City Council (each, individually, a "Public Body"); and

2. **THAT** in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of the City government during the continuing COVID-19 emergency and disaster:

- a. Any meeting which normally would require the physical presence of a quorum of members of a Public Body may be held only through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location, and
- b. The City Manager is hereby authorized to restrict the number of electronic meetings each Public Body may conduct each calendar month, based on the capacity and availability of the City staff who are capable and qualified to support the meeting to ensure compliance with this Ordinance, and
- c. Prior to holding any such electronic meeting, the Public Body shall provide public notice of at least 3 days in advance of the electronic meeting (or reasonable notice of special, emergency or continued meetings) identifying how the public may participate or otherwise offer comment, and
- d. Any such electronic meeting of a Public Body shall state on its agenda the location at which members of the public can obtain information as to the means by which the public may access and participate in such electronic meeting, and
- e. Any such electronic meeting of a Public Body shall be open to electronic participation by the public and closed to in-person participation by the public, and each electronic meeting shall be conducted in a manner designed to maximize public participation, and
- f. A video recording of all electronic meetings shall be made available on the City's website within 3 business days following each electronic meeting, and

- g. With respect to any matter which requires a public hearing, the public hearing may be conducted by an open public comment period called for during an electronic meeting, as well as by submission of written comments to the Clerk of City Council prior to, during and for five (5) business days after the electronic meeting. Notice of the public hearing shall be posted on the City's website at least 5 business days prior to the date of the public hearing.
- h. The minutes of all electronic meetings shall conform to the requirements of law, shall identify how the meeting was conducted, the identity of the members participating, and shall specify what actions were taken at the meeting. A Public Body may approve minutes of an electronic meeting at a subsequent electronic meeting; and
- i. Any provision of Va. Code §2.2-3708.2 requiring the Public Body's approval of electronic participation due to a member's personal matter or medical condition shall not apply for the duration of the local emergency declaration.

And,

3. Notwithstanding the provisions of Paragraph 2, above, City Council may itself physically assemble for a meeting, or by motion Council may authorize another public body to physically assemble for a meeting in a specific location, subject to a Safety Plan approved by the Mayor and the City Manager in advance of the meeting. A Safety Plan shall include reasonable regulations for the conduct of the meeting within a specific meeting room, as deemed necessary to reduce the spreading of COVID-19 and its variants. A Safety Plan shall be specific to a type of meeting, a particular meeting room, and to the total number of attendees who will be physically present together (inclusive of staff, public body members, and members of the public), and if there will be any restriction on the number of members of the public who can be in attendance during the meeting, the Safety Plan shall address how the attendance restrictions will be monitored and enforced by persons other than law enforcement officers. The Safety Plan shall also identify the specific measures required to be adhered to by members of the public body and members of the public, during times when they are all physically assembled together in the meeting room. In the event any such meeting takes place, it shall be advertised and conducted in accordance with the open meeting requirements of FOIA. City staff may be authorized to participate electronically in any meeting. Subject to the availability and capacity of necessary staff participating either

remotely or in person, any meeting may be conducted as “hybrid” meeting, allowing electronic participation by the public in addition to an opportunity for some in-person attendees at the meeting itself; however, hybrid meetings shall not be required.

4. **THAT** the following fees relating to use of City property are adjusted:
 - a. The rental fee assessed pursuant to Charlottesville City Code Sec. 28-5 and City Council’s approved fee schedule (fees for City parking spaces used for outdoor dining) shall be reduced by fifty percent (50%) for the months of May through December of 2020 and January 2021 through September of 2022.

IT IS FURTHER ORDAINED THAT, notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Body or any City officers (including Constitutional Officers) or City employees, within a period of 60 or fewer days, shall be suspended during this emergency and disaster. The Public Bodies, and the City’s officers and employees, are encouraged to take all such action as is practical and appropriate to meet those deadlines; however, failure to meet any such deadlines shall not constitute or be deemed to be a default, violation, approval, official recommendation or other action.

IT IS FURTHER ORDAINED THAT any scheduled non-emergency public hearings and action items of a Public Body may be postponed to a date certain if, in the judgment of the Public Body, it would be in the best interests of the public to do so, provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED THAT this Ordinance shall not operate to preclude any authority whose governing board is appointed by this City Council from making its own decisions and rules regarding the conduct of its meetings either electronically or by means of having a quorum physically assembled, so long as those meetings are in compliance with applicable Executive Orders of the Governor of Virginia and any local ordinance which may be enacted by this Council to impose restrictions necessary to prevent the spreading of the COVID-19 virus within the City of Charlottesville; however, any such authority may also elect to conduct its meetings electronically as a Public Body within the purview of this Ordinance.

IT IS FURTHER ORDAINED THAT actions authorized by this Council within Resolution # R-20-045 (special zoning accommodations for The Haven), or within any ordinance(s) provided to facilitate the safe conduct of elections within the City of Charlottesville, are hereby ratified and continued, in accordance with the terms set forth in said Resolution or

ordinances.

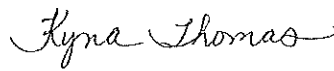
IT IS FURTHER ORDAINED THAT the continuity of government ordinance adopted on March 25, 2020, as amended and re-enacted on September 8, 2020, October 19, 2020, April 19, 2021, and October 4, 2021 is hereby repealed.

IT IS FURTHER ORDAINED THAT a continuing emergency exists, and the City Manager's Declaration of a local emergency, authorized by resolution of this City Council on March 12, 2020 (#R-20-035) remains in effect; the various actions referred to within this Ordinance are necessary to be taken to address the continuing emergency, and this Ordinance shall be effective immediately upon its adoption.

IT IS FURTHER ORDAINED THAT pursuant to Charlottesville City Code §2-96, by a four-fifths vote of City Council, this Ordinance is enacted on the date of its introduction, and this Ordinance shall remain in full force and effect for a period of six months beginning March 8, 2022, unless City Council sooner: (i) adopts an ordinance to repeal this Ordinance and to end the locally-declared emergency, or (ii) adopts an ordinance to amend and re-enact this Ordinance, as may be necessary to authorize actions necessary to address the continuing state of emergency.

| | <u>Aye</u> | <u>No</u> |
|----------|------------|-----------|
| Magill | <u>x</u> | _____ |
| Payne | <u>x</u> | _____ |
| Pinkston | <u>x</u> | _____ |
| Snook | <u>x</u> | _____ |
| Wade | <u>x</u> | _____ |

Approved by Council
March 7, 2022



Kyna Thomas, MMC
Clerk of Council

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO DECLARE A LOCAL EMERGENCY**

WHEREAS, the City Managers is designated as the Director of Emergency Management for the City of Charlottesville; and

WHEREAS, the World Health Organization declared the COVID-19 virus a “public health emergency of international concern” on January 30, 2020, and characterized the spread of the COVID-19 virus as a pandemic on March 11, 2020; and

WHEREAS, the Governor of Virginia declared a State of Emergency on March 12, 2020 to prepare and coordinate Virginia’s response to the potential spread of COVID-19; and


WHEREAS, the COVID-19 virus and its continued spread pose an imminent threat to the public health and safety of the residents of the City of Charlottesville and the Commonwealth; and

WHEREAS, the COVID-19 virus and its consequences are of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate any potential damage, hardship, suffering, or possible loss of life.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Charlottesville, Virginia authorizes the City Manager, acting as the Director of Emergency Management, to declare a local emergency related to the COVID-19 virus on March 12, 2020; and

BE IT FURTHER RESOLVED that, during the declared local emergency, the City Manager is authorized to exercise the powers conferred to him as the Director of Emergency Management by Virginia Code § 44-146.21 and any other provision of the Code of Virginia.

Approved by Council
March 12, 2020



Kyna Thomas, CMC
Clerk of Council

PUBLIC SAFETY ORDER

Date: March 12, 2020

DECLARATION OF A LOCAL EMERGENCY
IN RESPONSE TO CORONAVIRUS 2019 (COVID-19)

WHEREAS, the World Health Organization has declared Coronavirus 2019 (COVID-19) a Public Health Emergency of International Concern; and

WHEREAS, the World Health Organization declared the spread of COVID-19 a pandemic on March 11, 2020; and

WHEREAS, the Governor of Virginia declared a State of Emergency on March 12, 2020 to prepare and coordinate Virginia's response to the potential spread of COVID-19; and

WHEREAS, the threat to public health and safety to the residents of the City of Charlottesville, Virginia posed by and resulting from the COVID-19 virus is of sufficient severity and magnitude to be an emergency as defined by Virginia Code Section 44-146.16.

NOW, THEREFORE, BE IT RESOLVED pursuant to the authority vested in me by Virginia Code Section 44-146.21, as City Manager and as the City's Director of Emergency Management, I hereby declare that a local emergency exists within the City of Charlottesville. This declaration shall activate the City's local emergency operations plan and authorize the furnishing of aid and assistance thereunder.

BE IT FURTHER RESOLVED pursuant to Virginia Code Section 44-146.21, this Declaration shall authorize the Director of Emergency Management to control, restrict, allocate or regulate the use, sale, production and distribution of food, fuel, clothing and other commodities, materials, goods, services and resource systems which fall only within the boundaries of that jurisdiction and which do not impact systems affecting adjoining or other political subdivisions, enter into contracts and incur obligations necessary to combat such threatened or actual disaster, protect the health and safety of persons and property and provide emergency assistance to the victims of such disaster, and proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and other expenditures of public funds (provided that, to the extent, if any that necessary expenditures exceed appropriations in the current approved budget, the City's Director of Finance must verify that unobligated funds are available therefor).

This Declaration is effective upon my signature and shall remain in full force and effect until the Charlottesville City Council considers the confirmation of this Declaration at its next regularly scheduled meeting or at a special meeting within forty-five days of this Declaration, whichever occurs first.

If the Charlottesville City Council confirms this Declaration, it shall remain in full force and effect until the Charlottesville City Council determines that all necessary emergency actions have been taken and takes appropriate action to end the declared emergency by a majority vote taken at an open meeting, in accordance with the provisions of Virginia Code Section 44-146.21(A).

Given under my hand, this 12th day of March, 2020.

Charlottesville Director of Emergency Management:
Dr. Tarron J. Richardson, City Manager

A handwritten signature in black ink, appearing to read 'T. Richardson', is written above a horizontal line.

Dr. Tarron J. Richardson

RESOLUTION

Ending the Local Emergency Declared by the City Manager on March 12, 2020 in response to the Coronavirus 2019

WHEREAS on March 12, 2020, with the consent of City Council, the City Manager declared a local state of emergency, based on the threat presented by the Coronavirus 2019 pandemic (“COVID-19”) to the public health and safety of residents of the City of Charlottesville; and

WHEREAS in the judgment of City Council all necessary emergency actions have been taken; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT the emergency previously declared by the City Manager on March 12, 2020 in response to COVID-19 is hereby ended, and normal governmental authority (i.e., governmental authority not reliant on any emergency powers) shall resume in accordance with the following:

1. In accordance with the provisions of subparagraph C of Virginia Code §2.2-3708.3, all of the city’s various boards and commissions (with the exception of those specifically excepted within the statute) may hold all-virtual meetings, and they are encouraged to do so. Boards and commissions which are eligible to hold all-virtual meetings may hold in-person meetings, or “hybrid” meetings, but may do so only with approval by the City Manager based on findings that:

- (i) an appropriate space is available on City premises,
- (ii) sufficient staff is available to support the meeting and to manage necessary protocols for the meeting, and
- (iii) appropriate measures can be implemented to minimize the potential spread of COVID-19 within any in-person meeting(s) (such as the wearing of masks, the spacing of seats, special cleaning procedures, etc.).

2. The City Manager, in consultation with the Clerk of Council and the City Attorney, is hereby directed to prepare a standard operating procedure(“SOP”), setting forth a uniform policy for all-virtual meetings of all city boards and commissions (other than those which are legal entities separate from the City of Charlottesville), as required by subparagraph C of Virginia Code §2.2-3708.3. All such boards and commissions shall follow this SOP when conducting all-virtual meetings.

3. Upon the expiration of the current Continuity of Government Ordinance on September 8, 2022 (#O-22-029), the governmental processes, procedures and meetings referenced in said ordinance shall be of no further effect; thereafter, all such processes, procedures and meetings shall be conducted in accordance with applicable federal and state laws and regulations, local ordinances, and deadlines stated therein.

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



| | |
|------------------|---|
| Agenda Date: | April 17, 2023 |
| Action Required: | Approve Resolution |
| Presenter: | Samuel Sanders, Jr., Deputy City Manager |
| Staff Contacts: | Samuel Sanders, Jr., Deputy City Manager Michael Rogers, City Manager |
| Title: | Resolution to appropriate \$5,000,000 to Charlottesville Redevelopment and Housing Authority for acquisition of Dogwood Properties (2nd reading) |

Background

CRHA has an opportunity to acquire multiple units of naturally occurring affordable housing that were on the market and will likely no longer be affordable after a sale to any owner who may not operate as exclusively affordable. The portfolio includes a total of 84 units within 26 individual parcels. In late 2022 CRHA began discussing the acquisition of the Dogwood Properties portfolio from Woodard Properties. The Dogwood Properties is currently available for \$10 million dollars. The CRHA is requesting the City of Charlottesville invest \$5 million dollars into ensuring the affordability in perpetuity of Dogwood Properties. The CRHA will ensure this by adding the City of Charlottesville to the deed with 1/2 interest. The CRHA has been in discussions with a philanthropic donor on providing a 10-year- interest-free loan which will allow CRHA to continue to keep the homes deeply affordable. If the portfolio is acquired, the CRHA would add the properties to the CRP and remove the housing barriers that exist in other federal programs and in the housing market.

It is a very strong likelihood that this portfolio will exit affordability if sold on the open market due to the current property values and increased land speculation around the rezoning plan. A few of the parcels are in proposed high-density zones which will drastically inflate their values on the open market.

Discussion

The City of Charlottesville is being asked to make a \$5 million capital investment to acquire the 74-unit Dogwood Properties Portfolio from Woodard Properties. CRHA will record a 1/2 interest conveyance for the City of Charlottesville, making the city a partner in the development. The agreement will include a first right of refusal to acquire CRHA's 1/2 interest before any sale of any unit in the portfolio to another potential owner.

CRHA has confirmed its ability to secure a \$5 million loan with a commitment to repay over a 10-year period. The first three months will be payment free to allow for the savings of a reserve account to address any immediate maintenance issues that arise post closing. The Tax Assessor has confirmed

that the portfolio will be tax exempt as it will be jointly owned by the city and CRHA, which will positively impact the operating costs of the portfolio.

CRHA is committed to prioritizing occupancy of the units at or below 60% AMI to be achieved through lease attrition as no current tenant will be displaced by this acquisition. CRHA has further indicated a commitment to using Housing Choice Vouchers within this portfolio as often as possible and to ensure the highest revenue potential absent rent increases, which are also available on an annual basis.

CRHA will provide an annual report to Council by the last day of January of each calendar year. CRHA will partition the financials of the portfolio, separating it from other assets held by the organization (included in this partition will also be the Montrose and Coleman properties acquired by CRHA last Fall. CRHA will hire two maintenance staff and include them as an expense charged to the portfolio. CRHA will also charge a monthly 10% management fee of rents collected to cover leasing, finance, audit, and administration services provided by existing CRHA staff. The portfolio will be charged monthly for water, sewer, and trash for all units.

Alignment with City Council's Vision and Strategic Plan

Affordable Housing Plan Guiding principles: Racial equity, regional collaboration and comprehensive approach

Comprehensive Plan Guiding Principles:

- Equity & Opportunity - All people will be able to thrive in Charlottesville.
- Community Culture and Unity - Charlottesville's rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued and respected.

Strategic Plan (2018-2020) Goals: Goal 1.3 to increase affordable housing options, Goal 1.5 to intentionally address issues of race and equity; and Goal 5.4 to foster effective community engagement.

Community Engagement

There have been several community engagement meetings and activities conducted as part of the comprehensive plan update and affordable housing planning process. City staff has also been engaged with CRHA on a regular basis regarding redevelopment activities, including exploring proactive ways to spur affordable housing one of which is this proposal to acquire naturally occurring affordable housing and sustaining that opportunity for residents.

Budgetary Impact

The requested \$5,000,000 will be added to the City's Capital Improvement Fund as a bondable project under the affordable housing category.

Recommendation

The City manager and staff recommend that the City Council approve the proposed request to use funding to acquire the Dogwood Properties Portfolio to be deed-restricted permanently, as units of affordable housing.

Alternatives

Council may elect not to approve the recommendations, which would forego the opportunity to ensure that these affordable units could be permanently dedicated as unit of affordable housing.

Attachments

1. Dogwood Resolution (2)

RESOLUTION

Appropriating \$5,000,000 to CRHA to support the acquisition of the Dogwood Properties Portfolio as permanent units of affordable housing:

WHEREAS pursuant to Virginia Code §36-19 (2) and (4) the Charlottesville Redevelopment and Housing Authority has the power and authority to acquire real estate for residential use, and to operate buildings for residential occupancy; and

WHEREAS pursuant to Virginia Code §36-6 and §36-7 the City of Charlottesville is authorized to acquire property in partnership with CRHA that enables CRHA to carry out its purposes; and

WHEREAS CRHA is requesting the City Council to provide the amount of \$5,000,000 to fund the acquisition of residential properties within a scattered site portfolio referred to as Dogwood Properties; and

WHEREAS City Council requires the recording of ½ interest in each unit of the portfolio with the funding to be used with other private funding to acquire all the dwelling units that will be permanently reserved for use as affordable dwelling units; and

WHEREAS City Council requires the first right of refusal to acquire the CRHA's half interest in the Dogwood Properties Portfolio before conveyance of any unit to another potential owner; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT the amount of \$5,000,000 is hereby appropriated to the Charlottesville Redevelopment and Housing Authority ("CRHA") for use in acquiring the land and buildings (together, "Real Estate") for the Dogwood Properties Portfolio from Woodard Properties. It shall be a condition of this capital investment that, the City of Charlottesville and the CRHA be equal co-owners of the Real Estate and that the CRHA and the City shall designate the Real Estate exclusively for affordable dwelling units and other contributing residential uses. The City Manager is hereby authorized to develop and execute an agreement with the CRHA, including a first right of refusal to purchase CRHA's interest, if necessary, and to acquire title to the Real Estate for the purposes herein.

Revenues

| | | | |
|-------------|-----------|-----------------|---------------------|
| \$5,000,000 | Fund: 426 | Project P-00937 | G/L Account: 499010 |
|-------------|-----------|-----------------|---------------------|

Expenditures

| | | | |
|-------------|-----------|------------------|---------------------|
| \$5,000,000 | Fund: 426 | Project: P-00937 | G/L Account: 499010 |
|-------------|-----------|------------------|---------------------|

April 7, 2023

The Honorable Charlottesville City Council
P.O. Box 911
Charlottesville, VA 22902

Re: Quarterly Update – April 2023

Councilors:

This quarterly update is to provide general information on the drinking water supply and treatment, wastewater collection and treatment, and solid waste disposal and recycling programs managed by the Rivanna Authorities for the benefit of the Charlottesville/Albemarle community, as follows:

1. Drinking Water Supply as of April 7, 2023:

A. We are at optimum storage levels going into the warm summer months as the Urban reservoirs (Sugar Hollow, South Rivanna, Ragged Mountain) are 100% full and overflowing.
2. Drought Monitoring as of April 6, 2023:

A. U.S. Drought Monitoring Report:

- Identifies central Virginia as being in a “Moderate Drought” status.

B. VDEQ Drought Status Report:

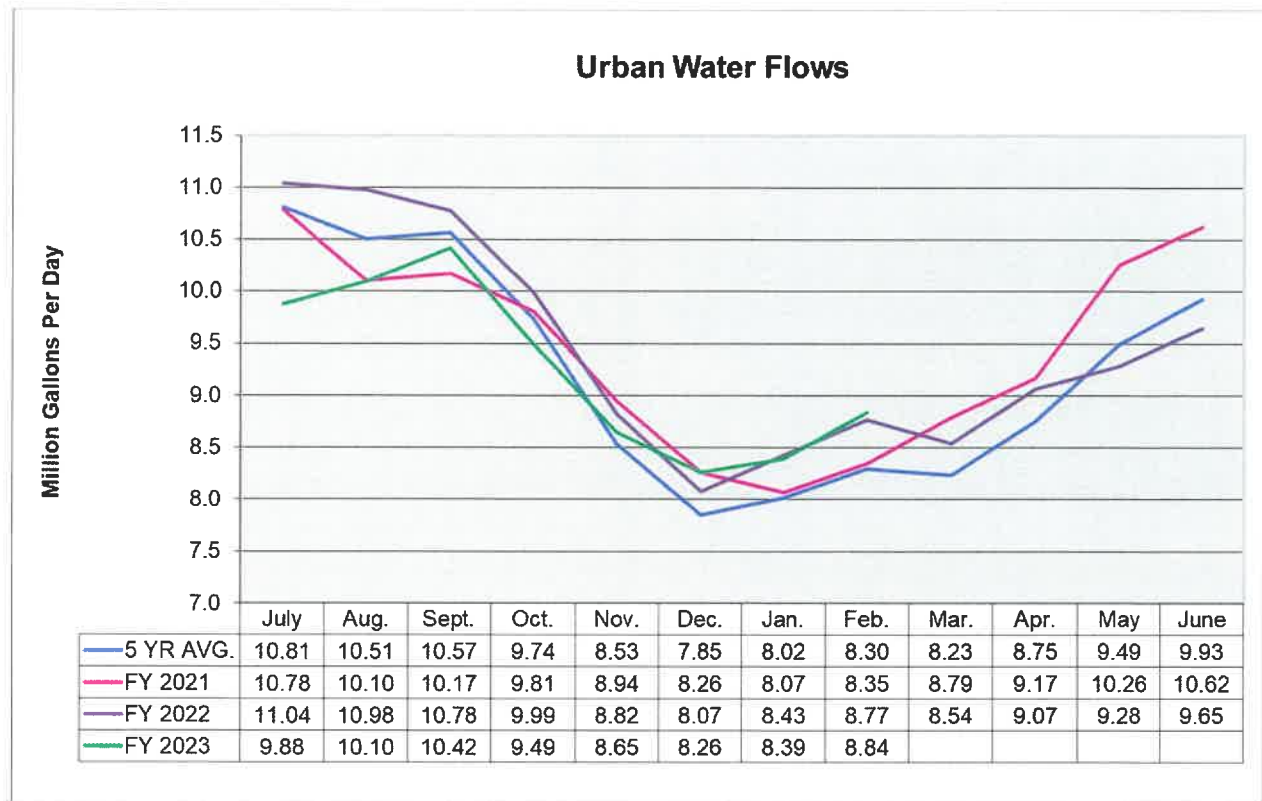
- Our region is in a “Warning” status for groundwater levels, and a “Watch” status for streamflows. Levels of severity increase from “Watch” to “Warning” to “Emergency”.

Precipitation

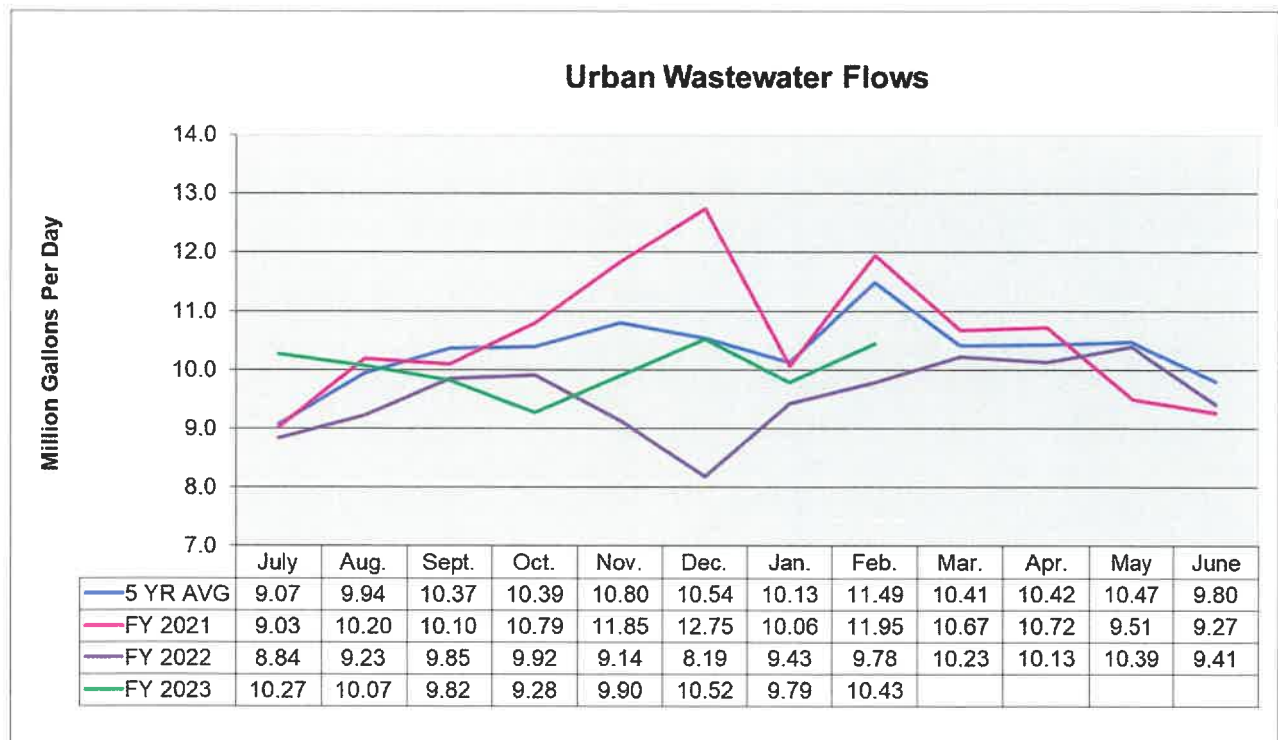
| Charlottesville Precipitation | | | | |
|-------------------------------|------------------|----------------|--------------|-----------------|
| Year | Month | Observed (in.) | Normal (in.) | Departure (in.) |
| 2021 | Total: Jan - Dec | 33.82 | 41.61 | -7.79 |
| 2022 | Total: Jan - Dec | 43.53 | 41.61 | +1.92 |
| 2023 | Total: Jan - Mar | 4.59 | 8.73 | -4.14 |

Source: National Weather Service, National Climatic Data Center.

3. The production of drinking water for the Urban area (Charlottesville and adjacent developed areas of Albemarle, not including Crozet) averaged 8.8 million gallons per day (MGD) in February 2023 (FY 2023), which was above the five-year average for February (8.3 MGD), as shown by the following graph:



4. Urban wastewater flow for February 2023 (10.4 MGD), including flows from Crozet, was below the five-year average for February (11.5 MGD), as shown by the following graph:



5. A general overview of significant current and future drinking water, wastewater and solid waste Capital Improvement Projects is provided below. Cost allocations, typically between the Charlottesville Department of Utilities and the Albemarle County Service Authority (ACSA), are identified for each project.

A. Water Treatment Plant Renovations

Scope: Replace equipment which has reached end-of-service life at the South Rivanna and Observatory Water Treatment Plants. Increase water treatment capacity from 7.7 to 10 million gallons per day at the Observatory Water Treatment Plant.

Completion: May 2020 – October 2023

Cost: \$43 million; 52% ACSA / 48% City

B. Airport Road Water Pumping Station and Piping

Scope: Provide a drinking water pumping station and piping to improve reliability in the northern area of the Urban Water System.

Completion: January 2022 – September 2024

Cost: \$10 million: 100% ACSA

C. Electrical System Replacement, Moores Creek Wastewater Treatment Facility

Scope: Replace major electrical cabling and equipment installed around 1980 which have reached the end of their service lives.

Completion: May 2022 – December 2024

Cost: \$5 million; 52% ACSA / 48% City

D. South Rivanna River Crossing

Scope: Install a second pipe (24") to convey treated drinking water under the river using trenchless technology to provide a redundant water supply to serve the northern area of the Urban Water System.

Completion: December 2023 – September 2025

Cost: \$7 million: 100% ACSA

E. Urban Area "Central Water Line"

Scope: Piping improvements to more efficiently convey drinking water and strengthen the Urban Area Drinking Water System for the benefit of the City and the County. This five-mile-long piping project will extend from the Stadium Road area to the Long Street / E. High Street bridge and follow a route which includes: Stadium Road, Piedmont Avenue, Price Avenue, Lewis Street, Jefferson Park Avenue, Cleveland Avenue, Cherry Avenue, Elliott Avenue, 6th Street SE, Avon Street, 10th Street NE, Little High Street, 11th Street NE, E. High Street, and a connection near Roosevelt Brown Boulevard. Detailed engineering surveys and design are underway.

Completion: April 2024 – December 2028

Cost: \$41 M; 52% ACSA / 48% City

F. Water Pipe and Pump Stations Replacement, Ragged Mountain Reservoir to Observatory Water Treatment Plant

Scope: Replace water pipes and pump stations which convey untreated water from the Ragged Mtn Reservoir to the Observatory WTP. These facilities have reached the end of their service lives or will require significant upgrades to adequately support the increased treatment capacity (from 7.7 to 10 mgd) of the upgraded Observatory WTP.

Completion: August 2024 – December 2028

Cost: \$44 million; 52% ACSA / 48% City

G. Upper Schenks Branch Wastewater Piping Replacement, Phase II

Scope: Replace sewer piping installed in the mid 1950's in conjunction with the City's sewer upgrade program to increase system capacity. The new piping will be located along McIntire Road between the McIntire Recycling Center and Preston Avenue.

Completion: TBD

Cost: \$5 million: 100% City

H. South Rivanna Reservoir to Ragged Mountain Reservoir Pipe

Scope: Construct a pipe to transfer untreated water between the South Rivanna and Ragged Mountain Reservoirs to increase water storage capacity, as required by the community's drinking water supply plan completed in 2012.

Completion: 2026 - 2030

Cost: \$80 million: 80% ACSA / 20% City

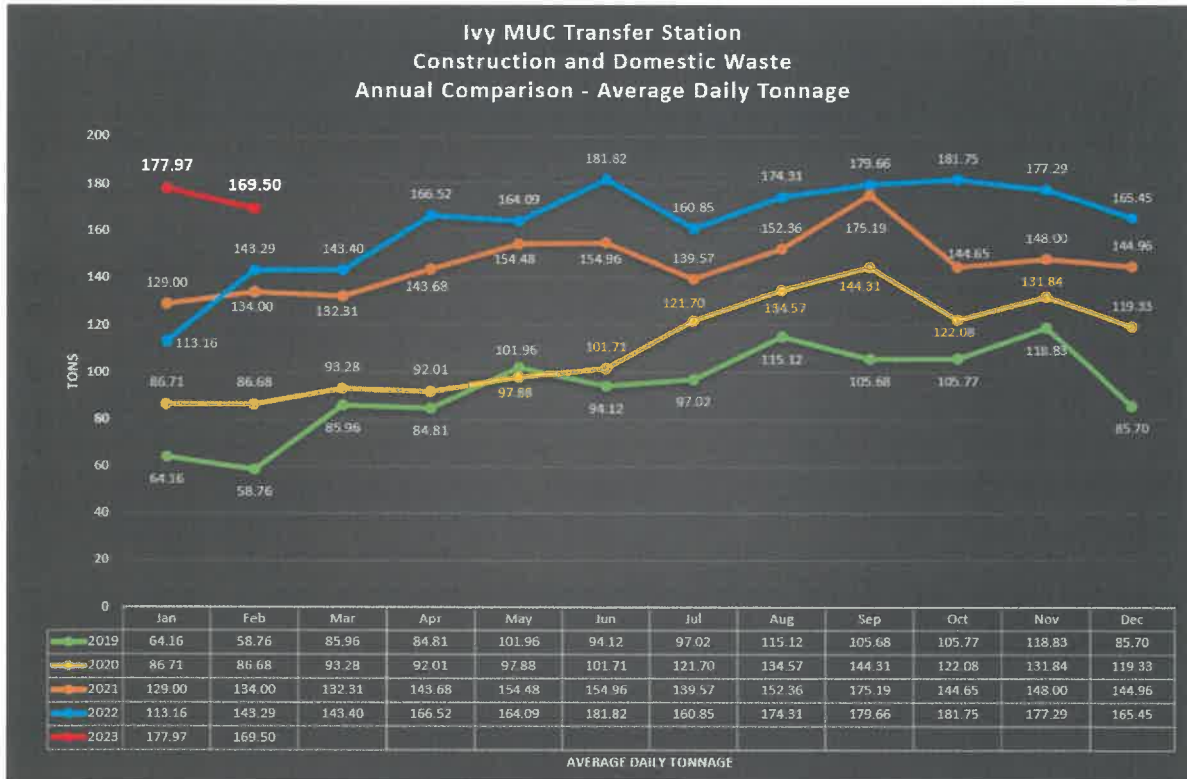
I. Recycling Baling Facility, Ivy Material Utilization Center

Scope: Replace the existing recycling materials baling facility which is located on leased property and has exceeded its service life. A new facility is essential to have an effective recycling program. The new facility will include equipment to compress cardboard, mixed paper, and plastic products into separate bales before shipment to a receiving vendor.

Completion: June 2024 - December 2025

Cost: \$6.4 million; 70% Albemarle County / 30% City

6. Average daily refuse volume at the Ivy Transfer Station has increased from 59 tons per day in February 2019 to 170 tons per day in February 2023, as shown below:



Spring Refuse Amnesty Days

The Ivy MUC will be the site for Spring 2023 eWaste, Household Hazardous Waste, and Bulky Waste free disposal days on the following dates:

eWaste Collection – free disposal of electronic waste

- Saturday, April 15
- Reservations Required. Please visit: <https://www.rivanna.org/ewaste/> to register after 10AM on March 15

Registrations fill up so we encourage you to register early.



Residential Household Hazardous Waste Collection

- Friday and Saturday, April 21 and April 22

Bulky Waste Amnesty Days

- Furniture/Mattresses: April 29
- Appliances: May 6
- Tires: May 13



Please let me know if you have any questions.

Sincerely,

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

cc: RSWA Board of Directors
RWSA Board of Directors