



CITY COUNCIL AGENDA September 3, 2024

Juandiego R. Wade, Mayor
Brian R. Pinkston, Vice Mayor
Natalie Oschrein
Michael K. Payne
J. Lloyd Snook, III
Kyna Thomas, Clerk

4:00 PM OPENING SESSION

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed 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. Report: UVA Student Research: The Memory Project
2. Report: Downtown Mall Tree Management Plan

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

- Recognition: Charlottesville High School Varsity Boys Tennis and Soccer Teams and Elaina Pierce - State Champions
- Proclamation: International Day of Democracy - September 15
- Proclamation: Sister City Besancon - 80th anniversary of liberation

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.

Consent Agenda*

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. Individuals speaking during Community Matters may address items on the Consent Agenda.

3. Minutes: July 15 regular meeting, August 5 regular meeting, August 19 regular meeting, August 26 and 27 special meetings
4. Resolution: Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (2nd reading)
5. Resolution: CDBG and HOME Investment Partnerships Programs (2nd readings)
 - a. Resolution: Program Year 2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs (2nd reading)
 - b. Resolution: Establish Council Priorities for Program Year 2025-2026 (2nd reading)
6. Ordinance: Ordinance to repeal City Code Sections 18-24(b) and 18-25(f) pursuant to the Ragged Mountain Reservoir Settlement Agreement (2nd reading)

7. Resolution: Resolution appropriating funds from the 2024 Energy Efficiency and Conservation Block Grant (EECBG) - \$76,840 (1 of 2 readings)
8. Resolution: Resolution for State Pass-Thru Funding for Tonsler League - \$250,000 (1 of 2 readings)
9. Resolution: Resolution to appropriate Fiscal Year 2025 Fire Programs Aid to Locality Funding (Firefund) - \$238,581.00 (1 of 2 readings)
10. Resolution: Resolution to appropriate funds from the Department of Housing and Community Development- Virginia Homeless Solutions Program Grant \$470,805 (1 of 2 readings).
11. Ordinance: Ordinance for Stonehenge Avenue Encroachment Agreement (1 of 2 readings)

City Manager Report

- Report: City Manager Report

Action Items

12. Ordinance/Resolution: Ranked Choice Voting
 - a. Ordinance: Ordinance to Adopt Ranked Choice Voting ("RCV") as the Voting Method for the June 2025 City Council Primary election (2nd reading)
 - b. Resolution: Resolution to appropriate \$26,460 for Ranked Choice Voting (2nd reading)
13. Ordinance: Ordinance amending the City Code to extend the Public Safety Supplement Retirement Benefit to EMS-only Employees Enrolled in the Defined Benefit plan (1 of 2 readings)
14. Resolution: Resolution to approve the Seventh Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (1 of 2 readings)
15. Resolution: Resolution considering a Sidewalk Waiver Request for 2117 Ivy Road

General Business

Community Matters (2)

Adjournment

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



Agenda Date:	September 3, 2024
Action Required:	None
Presenter:	Jalane Schmidt
Staff Contacts:	Jeffrey Werner, Historic Preservation and Design Planner
Title:	UVa Student Research: The Memory Project

Background

Report on UVA Democracy Initiative's *Memory Project*.

"Research on the Traffick of Enslaved People in Albemarle County Court Square."

<https://memoryproject.virginia.edu/>

Presentation by Jalane Schmidt, Director of the UVA Democracy Initiative, and Associate Professor of Religious Studies.

Discussion

Between 2021 and 2024, a team of researchers working on behalf of the University of Virginia's Memory Project researched the antebellum history of Court Square and the Albemarle County Courthouse in an effort to uncover the site's significance as a place of enslavement and the commodification of human beings. The Memory Project research team's efforts involved reading through all Chancery Orders of the Albemarle County Court between the years 1830 and 1865, documenting every mention of enslaved people. Researchers compiled each mention, alongside the relevant contextual information, into an index. Over the course of this research, the documents revealed that the Court directly involved itself in the auctioning and sale of hundreds of enslaved people, especially in relation to the arbitration of estate disputes. These enslaved people were sold in Court Square, very likely on an auction block, though Chancery records rarely mention a specific place of sale. Nonetheless, these sales were ordered, advertised, and administered directly by court commissioners and on the grounds of Court Square.

This research has deep implications for further research. We anticipate that genealogists and historians can use the hundreds of names recovered in these documents to make connections and enhance their research into the history of slavery in Central Virginia. This research also holds implications for ongoing interpretation of public spaces like Court Square as it illustrates the culpability of the County of Albemarle in perpetuating and buttressing the institution of slavery throughout the antebellum period.

Alignment with City Council's Vision and Strategic Plan

N/A

Community Engagement

N/A

Budgetary Impact

N/A

Recommendation

N/A

Alternatives

N/A

Attachments

1. Memory Project (UVa) Research Summary May 2024

Research on the Traffick of Enslaved People in Albemarle County Court Square
Summary Report
May 2024

Bethany Bell, Cassondra Hanna, MaDeja Leverett, Jake Calhoun, Katie Wu

Research Supervised By:
Gillet Rosenblith, Ph.D., Jalane Schmidt, Ph.D.

Between 2021 and 2024, a team of researchers working on behalf of the University of Virginia's Memory Project researched the antebellum history of Court Square and the Albemarle County Courthouse in an effort to uncover the site's significance as a place of enslavement and the commodification of human beings. In doing so, these researchers engaged primarily with Chancery Order Books, court orders pertaining to cases involving disputes over wills, estates, and debts due to the Court. Enslaved women, men, and children featured prominently in many of these cases as they regularly factored into the "estate" of wealthy white Virginians. In adjudicating the allocation of estate capital to various beneficiaries, the Court found that enslaved Americans posed a unique problem as people, unlike property, could not be evenly divided.

At times, enslaved persons might be granted to the deceased person's next of kin as happened in May of 1835 when the Albemarle County Court decreed that Ann Eliza and Emily, two women enslaved by Christopher Hudson, were to be bequeathed to Hudson's grandchildren after his passing. All too often, however, in order to distribute the "shares" of the deceased in a manner that the Court deemed appropriate, the Court would appoint one or more commissioners to sell the enslaved persons, essentially "liquidating" them as an asset in order to distribute their monetary value evenly among the claimants.

The Memory Project research team's efforts involved reading through all Chancery Orders of the Albemarle County Court between the years 1830 and 1865, documenting every mention of enslaved people. Researchers compiled each mention, alongside the relevant contextual information, into an index. Over the course of this research, the documents revealed that the Court directly involved itself in the auctioning and sale of hundreds of enslaved people, especially in relation to the arbitration of estate disputes. These enslaved people were sold in Court Square, very likely on an auction block, though Chancery records rarely mention a specific place of sale. Nonetheless, these sales were ordered, advertised, and administered directly by court commissioners and on the grounds of Court Square. Researchers discovered hundreds of named enslaved people whose fate was determined not by their enslavers or professional human traffickers, but by the Albemarle County Court commissioners, clerks, and judges. These names have all been recorded in an Index titled *Enslavement By the Book: An Index to the Albemarle*

County Chancery Court Cases with Mentions of Enslaved People, 1831-1865. This index is being turned over to the Descendants of Enslaved Communities at UVA.

This research has deep implications for further research. We anticipate that genealogists and historians can use the hundreds of names recovered in these documents to make connections and enhance their research into the history of slavery in Central Virginia. This research also holds implications for ongoing interpretation of public spaces like Court Square as it illustrates the culpability of the County of Albemarle in perpetuating and buttressing the institution of slavery throughout the antebellum period. Hundreds of enslaved people, many of whose names still reside on the record books in the Albemarle County Courthouse were enslaved and trafficked not just by planters and “slave traders” but by their own County government. This research illustrates how Court Square served as an important node of the extensive system of human trafficking that pervaded the landscape of Albemarle County during the antebellum period. In summation, this report argues that any effort to commemorate and memorialize enslaved people at Court Square must take into account that the County Court of Albemarle adopted an active role in enslaving and trafficking people of African descent.

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



Agenda Date:	September 3, 2024
Action Required:	Presentation - No Action Required
Presenter:	Paul Josey (Wolf/Josey Landscape Architects)
Staff Contacts:	Steven Gaines, Urban Forester Robert Mathes, Management Specialist II Landscape Riaan Anthony, Director of Parks & Recreation
Title:	Downtown Mall Tree Management Plan

Background

The City of Charlottesville hired Wolf/Josey Landscape Architects to create a plan outlining future management of the trees along the Downtown Mall. The plan has been completed and is ready for presentation to City Council.

Discussion

Report will include a PowerPoint presentation. Presentation details will include: History of the Downtown Mall trees, the original intentions of the landscape architect that designed the Downtown Mall, relative health of the trees occupying the mall, suggestions regarding how mall trees will be removed and replaced over time, and suggestions regarding how utilities and services will be maintained throughout the span of the project.

Alignment with City Council's Vision and Strategic Plan

Applications suggested via Comprehensive Management Plan

Community Engagement

Wolf/Josey has been in regular contact with city staff regarding the progress of the plan's creation, as well as regular meetings with a community based steering committee. Presentations have already been relayed to the BAR, staff, and steering committees.

Budgetary Impact

Report only - no budget impacts

Recommendation

Observe Presentation

Alternatives

None

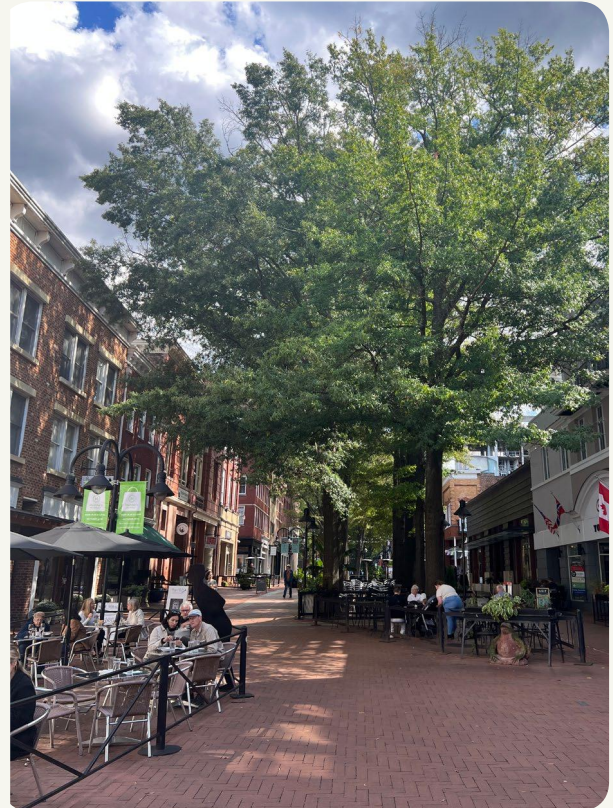
Attachments

1. 240903_Mall-Tree-Mgmt-Plan_Council-Mtg-Clean (PDF)

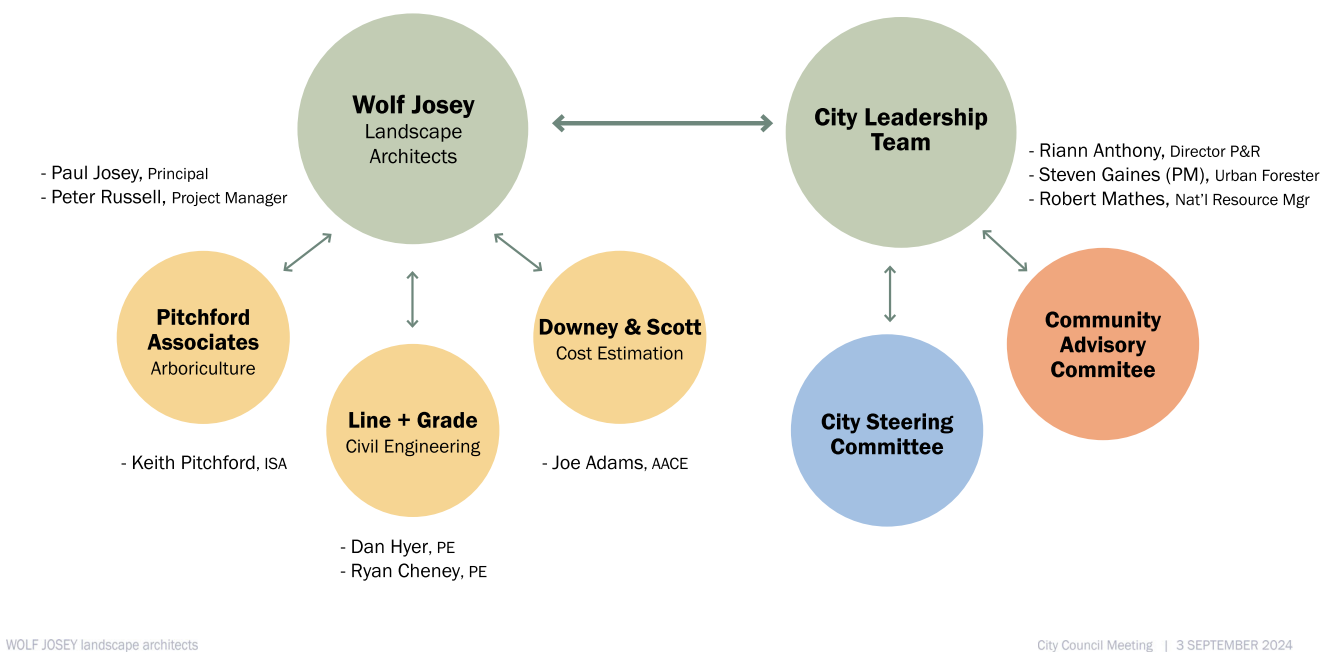


Agenda

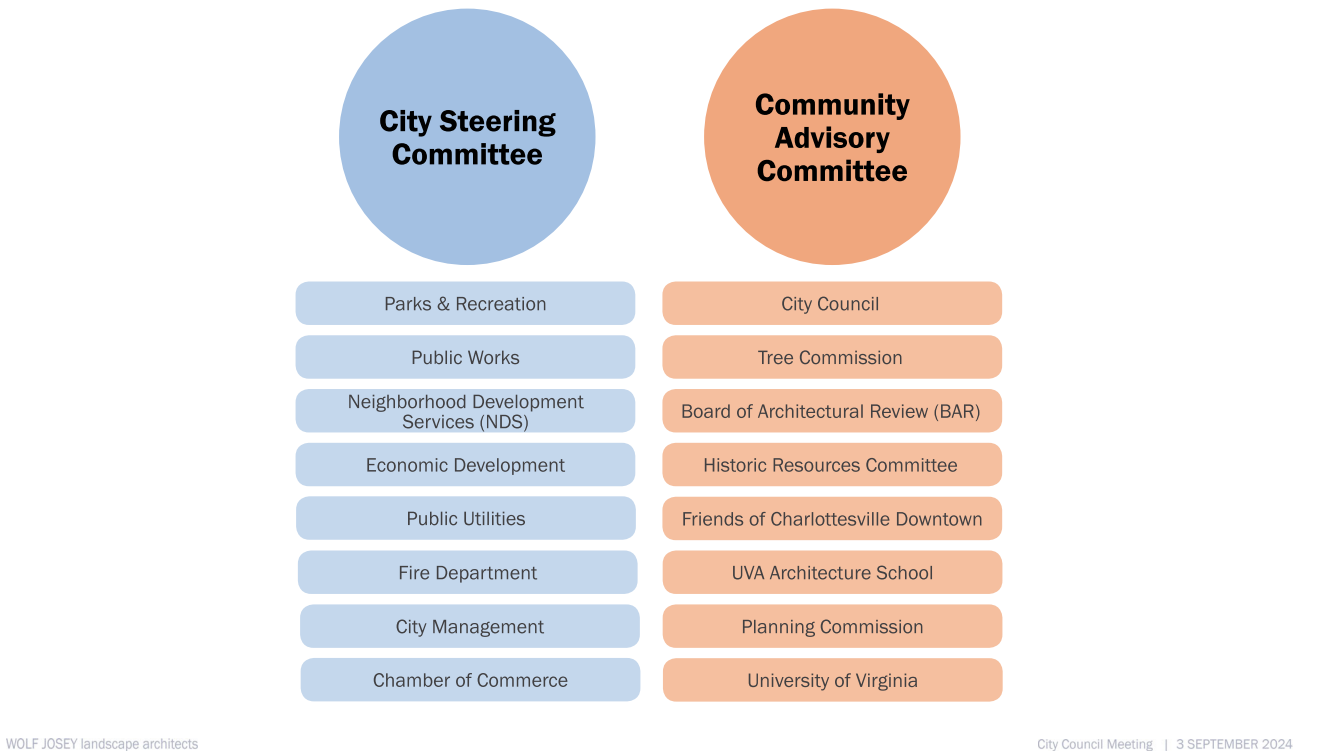
1. Schedule & Project Scope
Historical Context
2. Phase 1 Recommendations
Long Term Recommendations & Phasing



Project Team

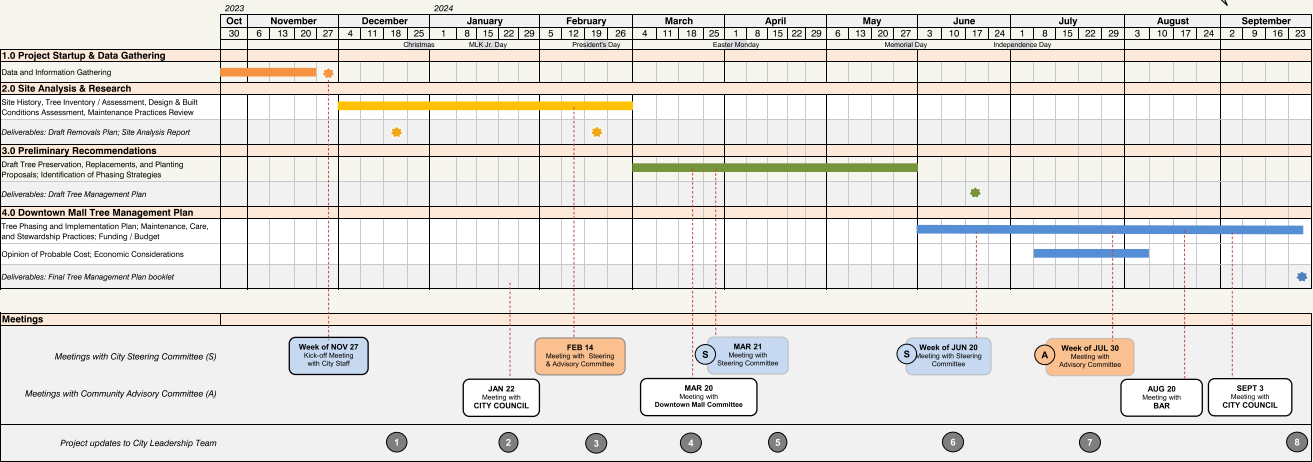


Consensus Building | Committees



Project Schedule

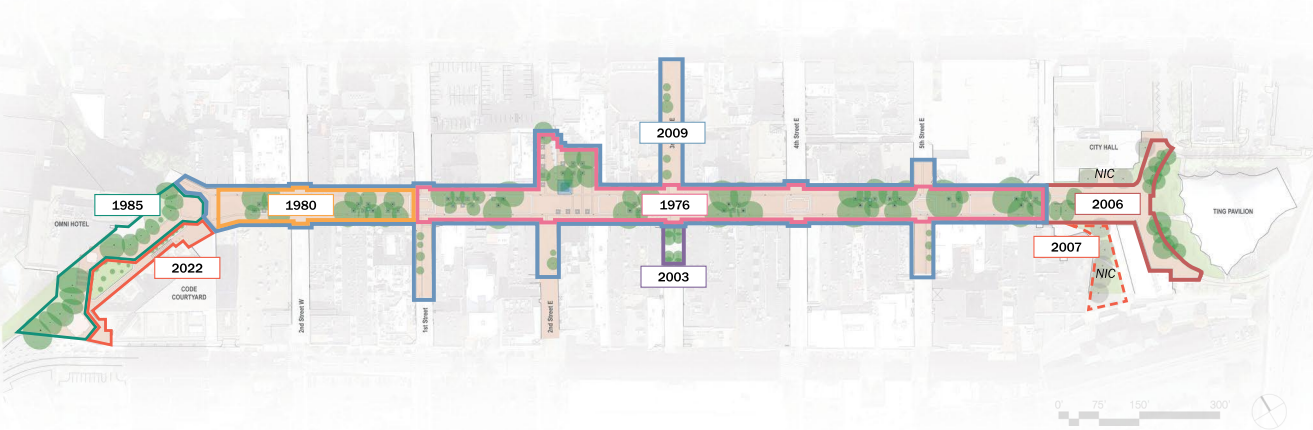
WE ARE HERE!



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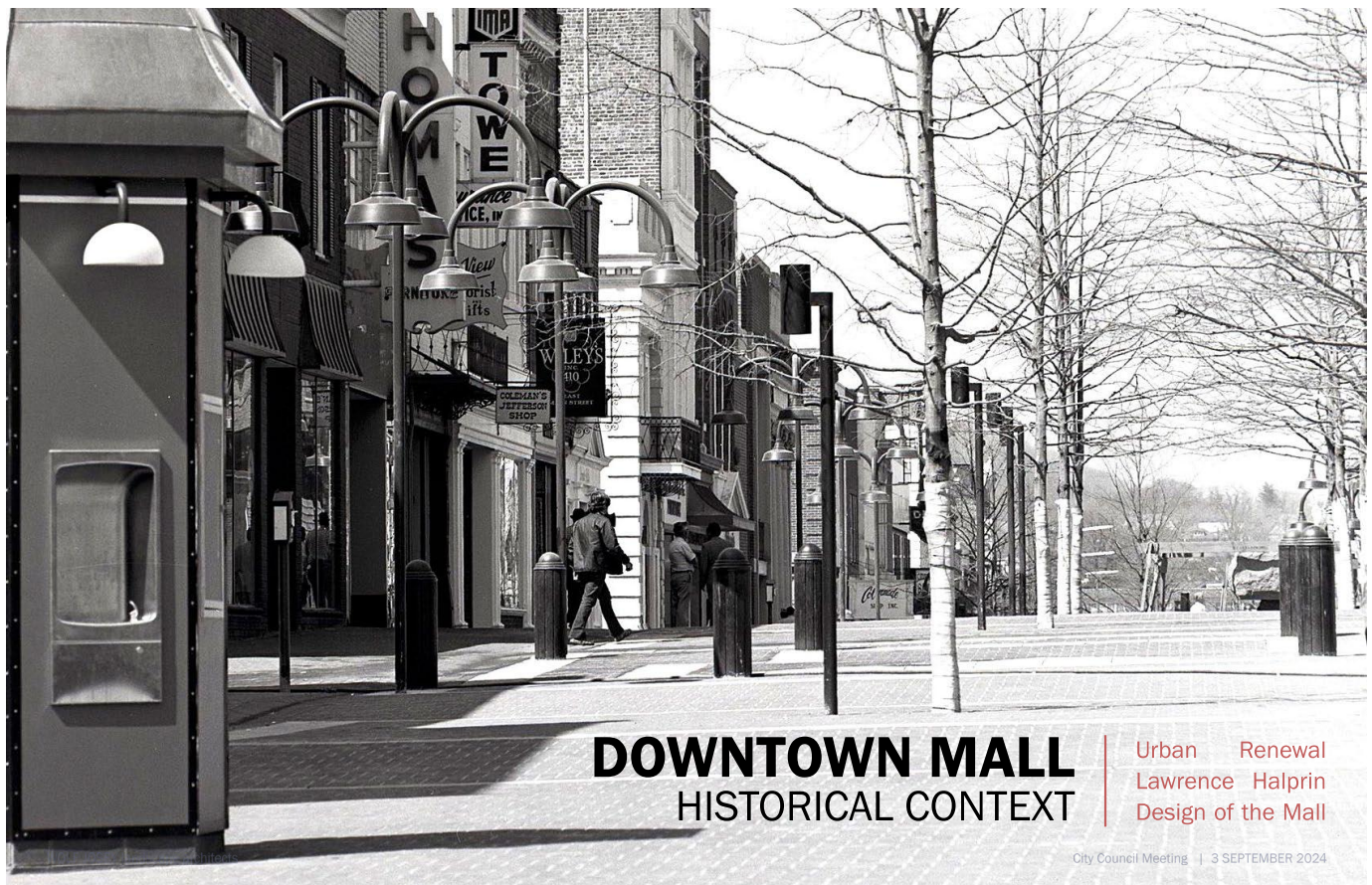
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Site Plan | Historic Tree Planting Context



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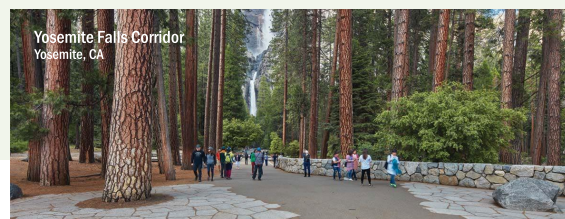
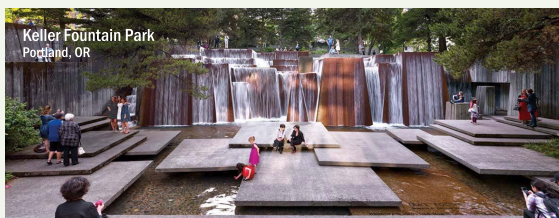
DOWNTOWN MALL HISTORICAL CONTEXT

Urban Renewal
Lawrence Halprin
Design of the Mall

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2

Lawrence Halprin (b.1916-d.2009) and the work of a master



Halprin pioneered participatory design and mastered the ability to integrate the needs and experiences of people with artful, environmentally sensitive, and ecologically associative design. He built consensus in urban public environments in the 1960s and 70s when communities struggled for civil rights.

2 Lawrence Halprin and the significance of the Mall



The Downtown Mall is on the National Register of Historic Places for its design innovation and high artistic value.

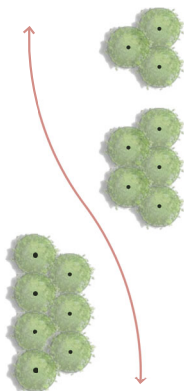
The Downtown Mall represents Halprin's only remaining work in Virginia and his only existing pedestrian mall.

Of the 132 pedestrian malls constructed in U.S. cities between 1959 and 1974, only 43 remain.

Charlottesville's downtown mall is 8-blocks long, making it the longest in the country

3 The character-defining features of the Design of the Mall

The Choreography of Space



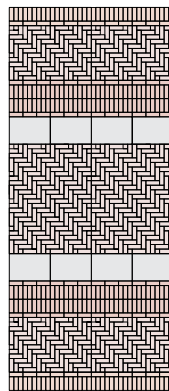
Layout

The Tree Bosques



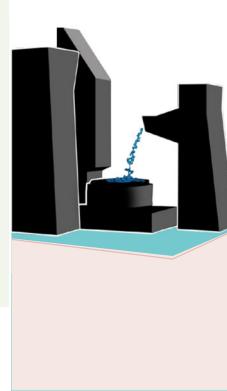
Vegetation

The Urban Floor



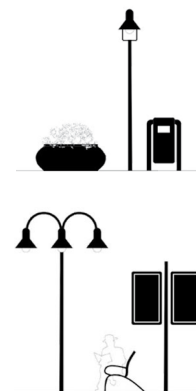
Paving

Water



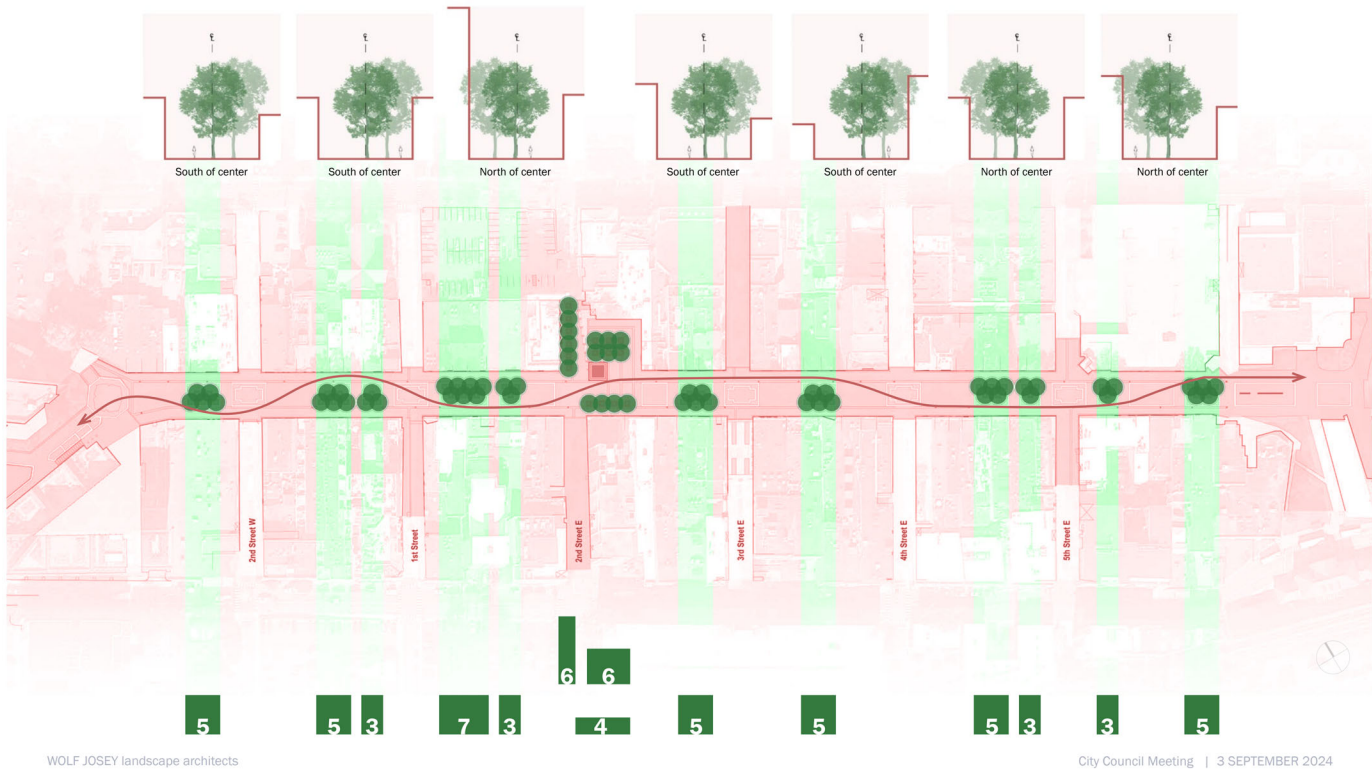
Fountains

Small-Scale Elements



Furnishings

The Choreography of Space



Recommendations: Phase 1

Recommendations

Phase 1: Protect & Restore Existing Trees

A. Replace Central Place & Nearby Trees

- Reinvest in the neglected and declining areas

B. Grates & Paving at Base of Trees

- Grate Modification
- Grate Replacement

C. Side Street Improvements

- Tree replacements and unique conditions

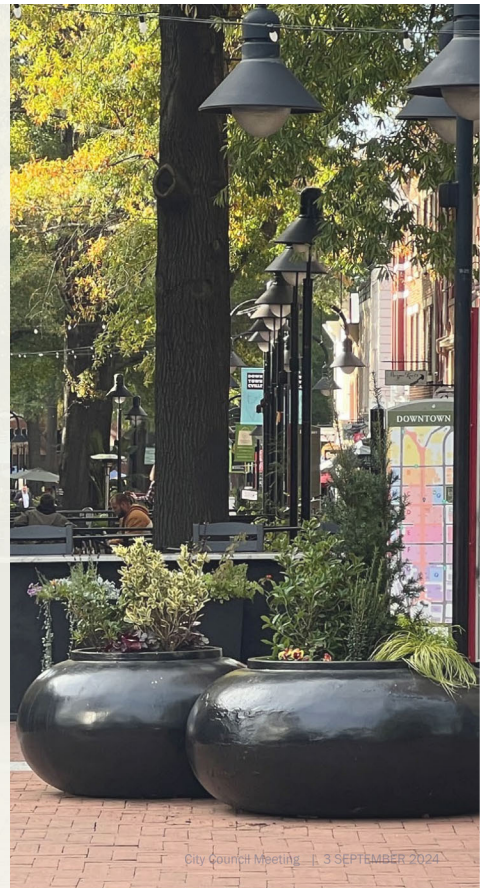
D. Fencing & Fountain Improvements

- Improve café fencing for visibility and access to trees/fountains
- Fountain access

E. Tree Maintenance & BMP Recommendations

- Existing tree maintenance
- BMP documents to limit disturbance of mature trees
- Building height recommendations for tree health

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Existing Trees | Inventory

- 109 trees
(not including 15 removed trees)

OMNI HOTEL

CODE
COURTYARD

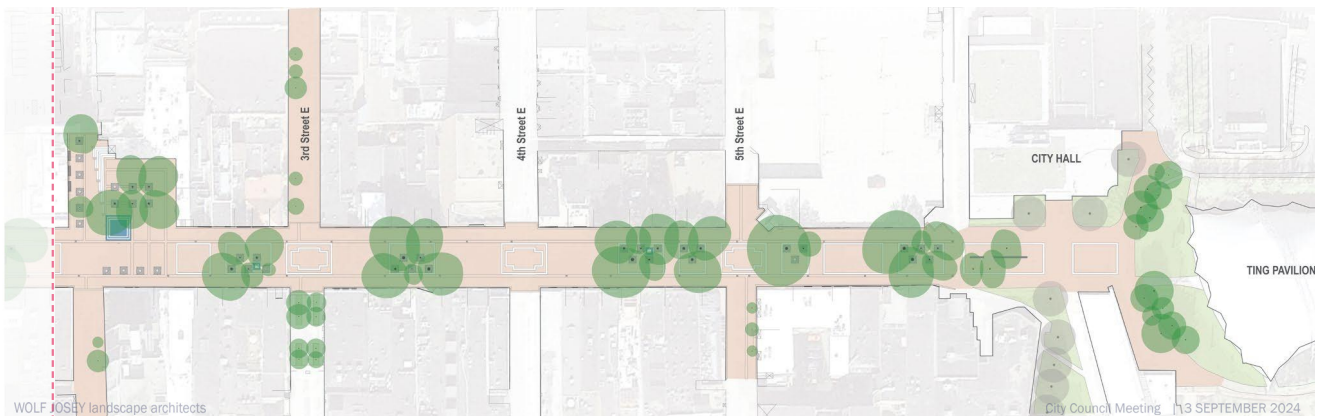
2nd Street W

1st Street

2nd Street E

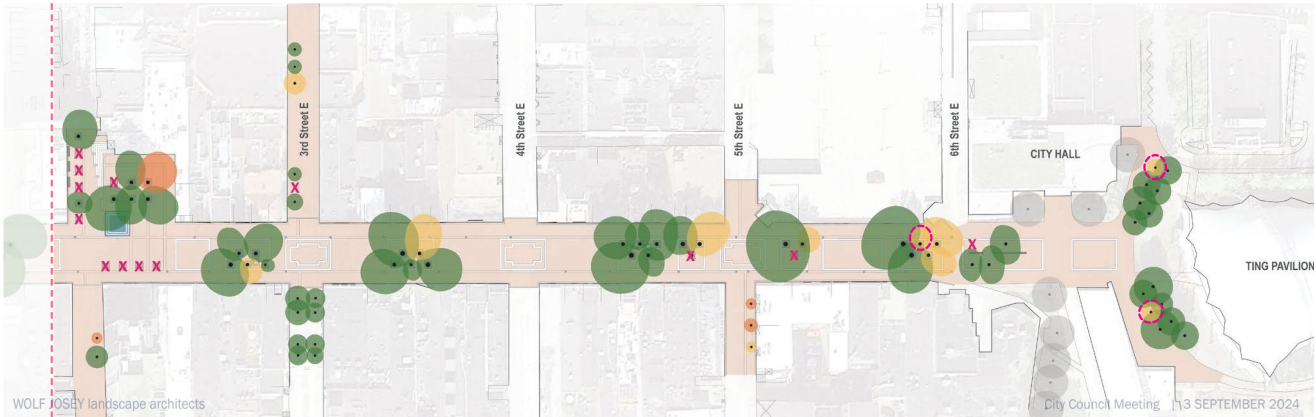
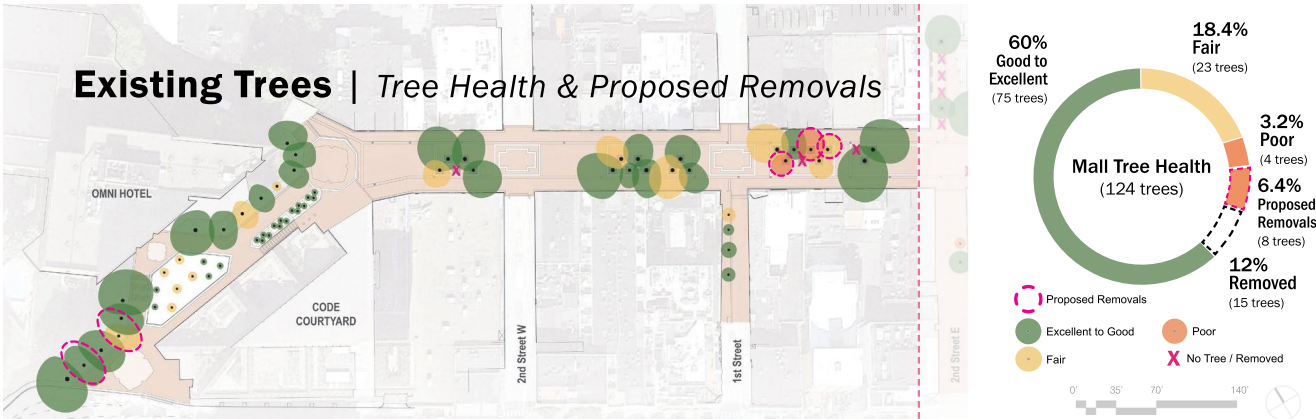
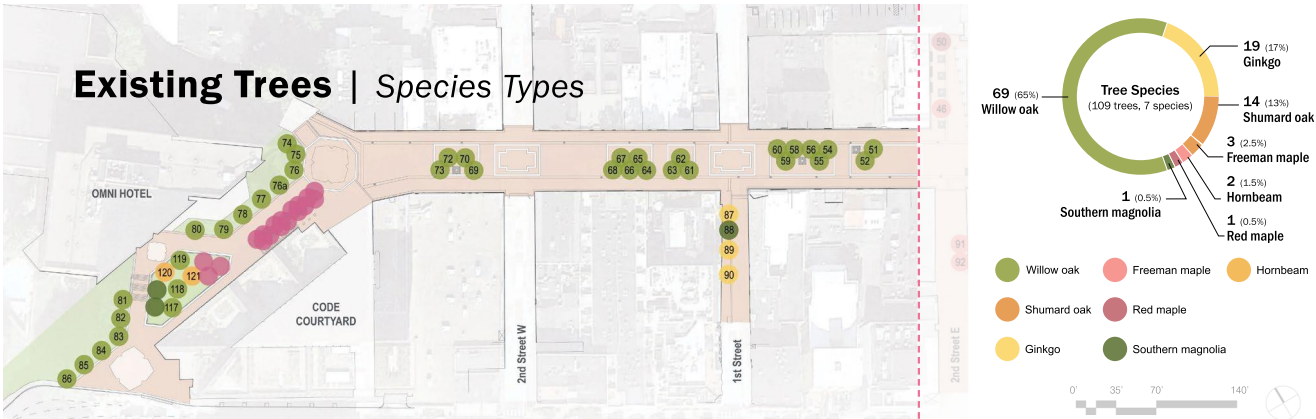
- Existing trees
- Adjacent trees not in study area

0' 35' 70' 140'



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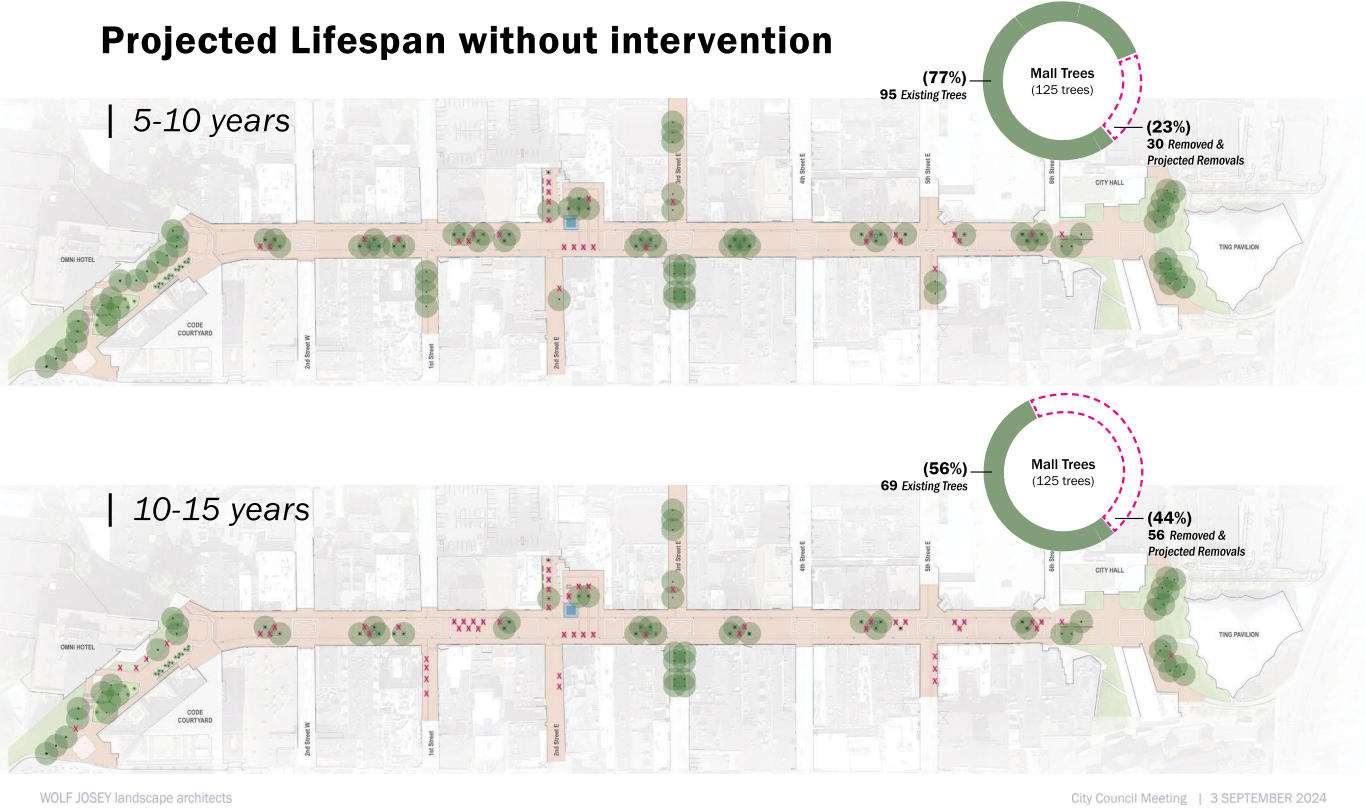
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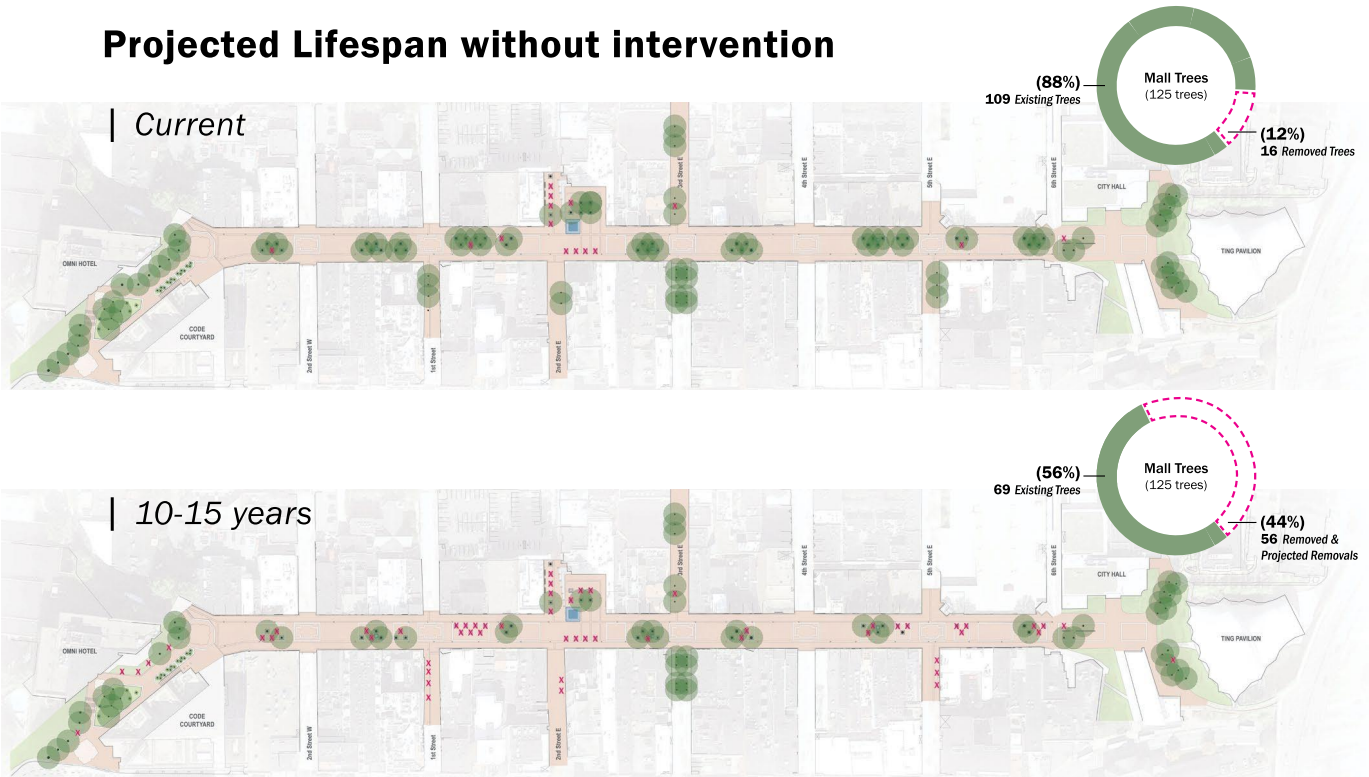
Current & Proposed Tree Removals



Projected Lifespan without intervention

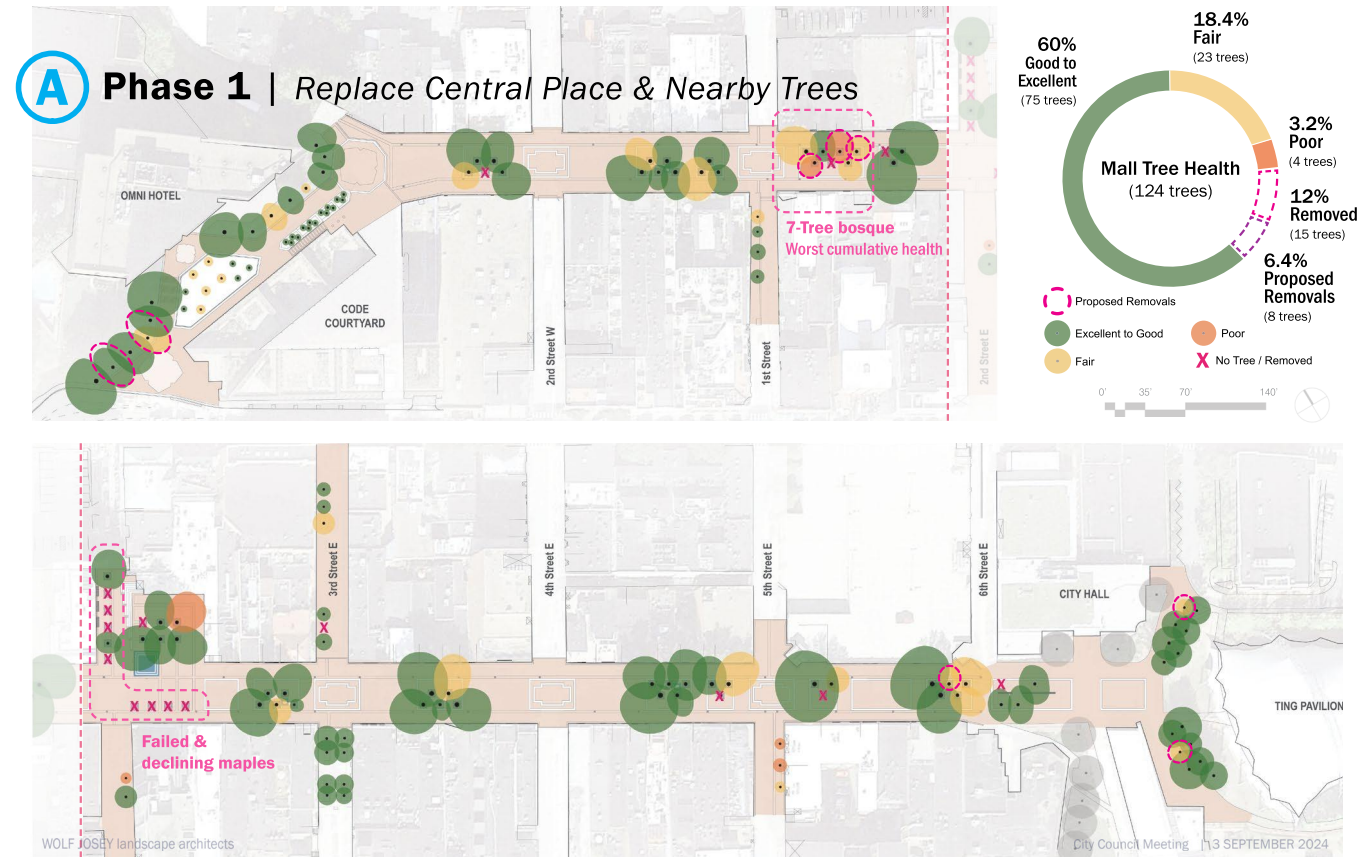


Projected Lifespan without intervention



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Phase 1 | *Replace Central Place & Nearby Trees*



LIMITED SOIL VOLUME

- Minimal soil volume between building foundation soils and step footers
- Planted maples have limited urban adaptability and lead to high mortality



SATURATED SOILS

- No drainage infrastructure and location has lead to higher saturated soil levels

A **Phase 1** | *Replace Central Place & Nearby Trees*

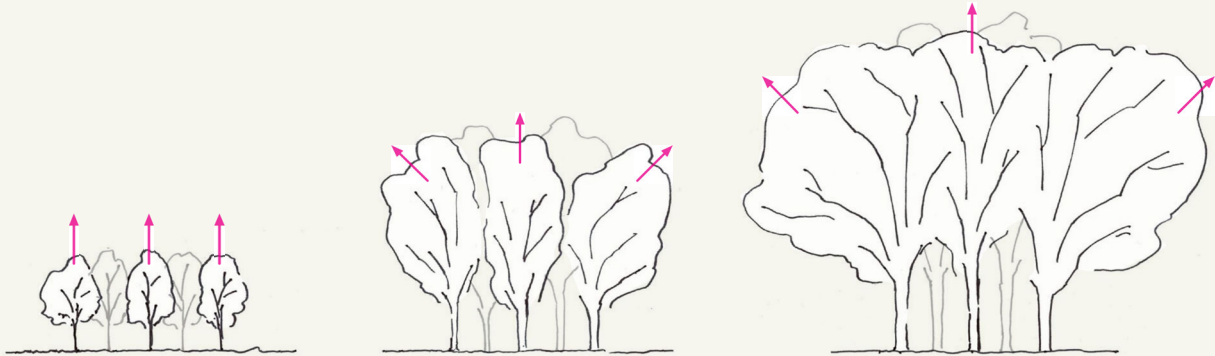


Phase 1: Partial Replacement of Central Place & Jefferson Theater Groves



Replacement Trees | Uniform Grove Replacement *(proposed)*

- Trees planted at the same time grow together as a single form



- As the trees mature, the perimeter trees are pruned allowing more light to interior trees

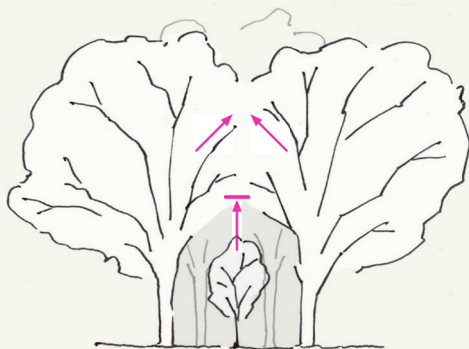
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Replacement Trees | Single Tree Replacement *(not proposed)*

- Young trees struggle to develop in the shade of other trees for irregular growth rates



- Mature trees and new trees compete to fill light gaps from removed trees



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A Grove Cost Alternatives | Planter Replacement A1

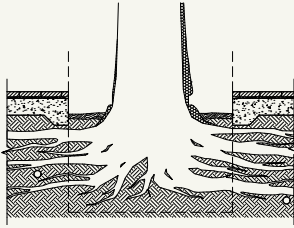
Planter Replacement (250 cu ft/tree)

8'x8' soil box + trees replaced

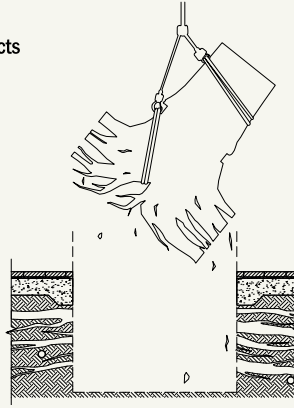
- Cost effective
- Minimal disturbance of existing soils, paving

Constraints

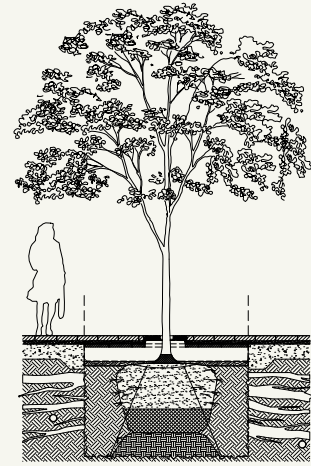
- Limited lifespan / less soil (~50-60 years)
- Slower growth rate
- Future utility conflicts



- ① • Remove grates
• Remove soil with air tools



- ② • Saw cut roots
• Crane out root ball



- ③ • New tree planting
• New grate & brick pavers

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A Grove Cost Alternatives | Slab & Soil Replacement A2

Soil & Slab Replacement (800 cu ft/tree)

- Longer tree lifespan / greater soil volume (80+ years)
- Utility improvements

Constraints

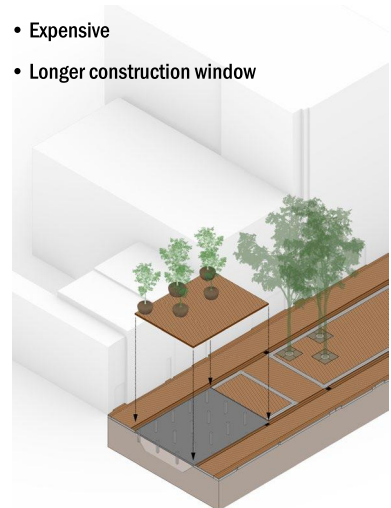
- Expensive
- Longer construction window



- ① Demo trees/pavements & remove existing soil for possible reuse



- ② Update water and gas laterals, install structural columns and planting soil



- ③ Install hidden paver grate, pavers, irrigation and trees

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B Grate Modification | Grate Impacts Overview



Halprin Design: Hidden Paver Grate

- Benefits:
 - Continuous paving to trunk creates uniform ground plane and contiguous appearance

Preferred approach



2009 Design Modification: Surface Grate

- Benefits:
 - Girdling by surface grate is more visually apparent.
 - Removes brick masonry modification

B Grate Modification | Grate Impacts



Tree #13

- Tree girdled by grate support beam



Tree #14

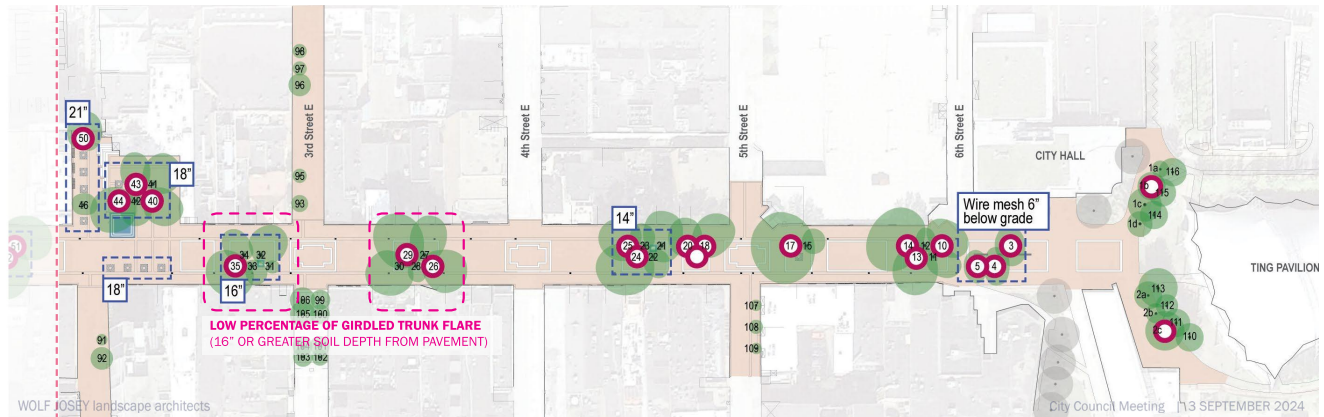
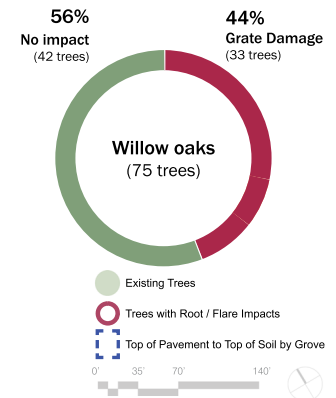
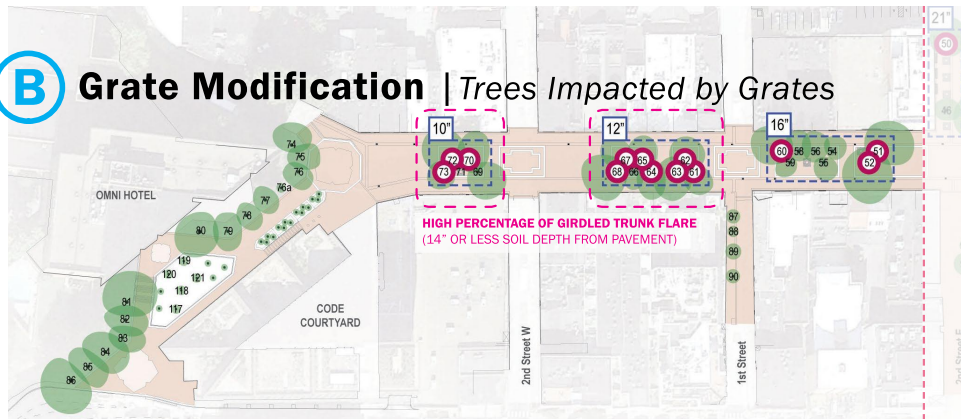
- Visible damage to trunk from grate
- Root flare girdled by both surface grate and structural grate support
- Grate not designed for expansion



Tree #66

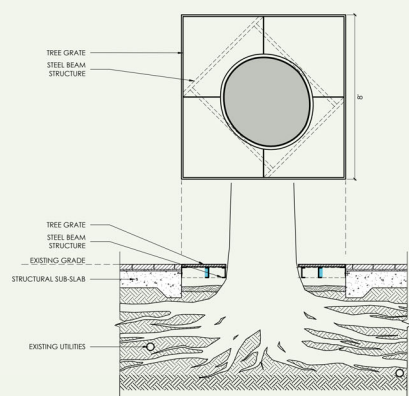
- Tree girdled by grate support beam
- Future light fixture conflict visible at left of image

B Grate Modification | Trees Impacted by Grates

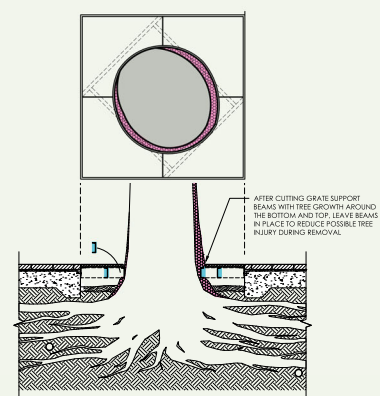


B Grate Modification | Grate Frame Expansion

Existing Condition

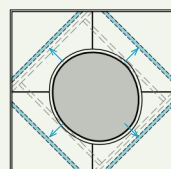


- Trunk flare without girdling by grate beam supports

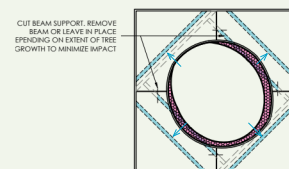


- Tree trunk growing over grate beam support

Proposed Modification



- Modify grate beams to reduce future conflict

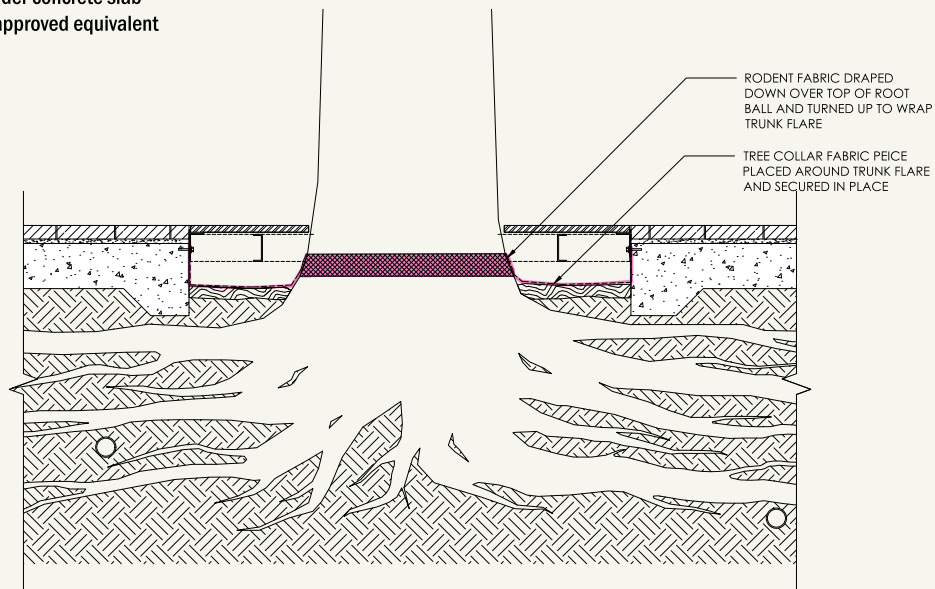


- Modify grate beams as needed to reduce future conflict

Grate Modification | Rodent Barrier

Rodent Barrier

- Prevent rats and other rodents from using tree wells to travel under concrete slab
- Xcluder GEO or approved equivalent



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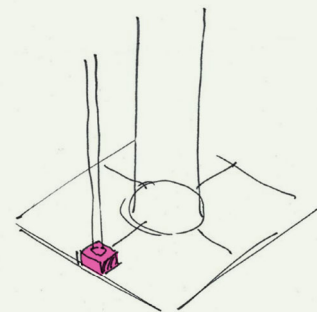
Grate Modification | Light Relocation

Modify light and driver relocation

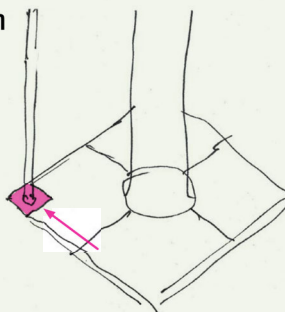
- Locate Fixture in corner for greatest distance from tree trunk
- Fixture footing to be flush with grate to reduce trip hazard



Existing Condition



Proposed Modification



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B Brick Replacement | Brick paving replaces grate

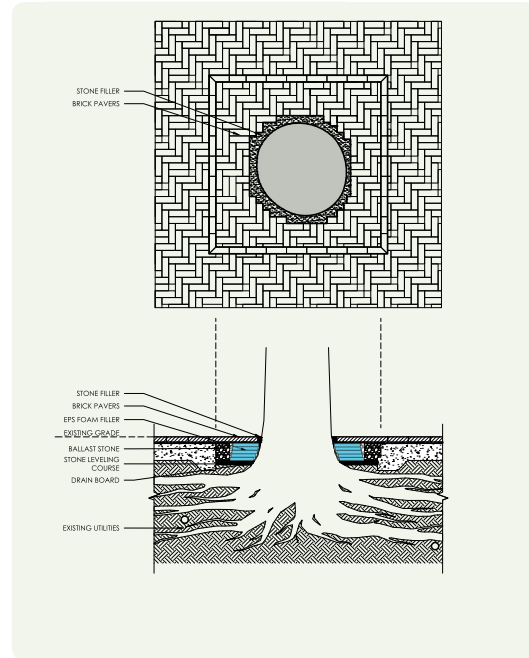
Replace grates with pavement and foam support structure

- Restore original design intent
- Transition detail to be applied to proposed trees replacements when grates are outgrown
- Paver grates from new tree planting to be replaced with foam support after 30 years



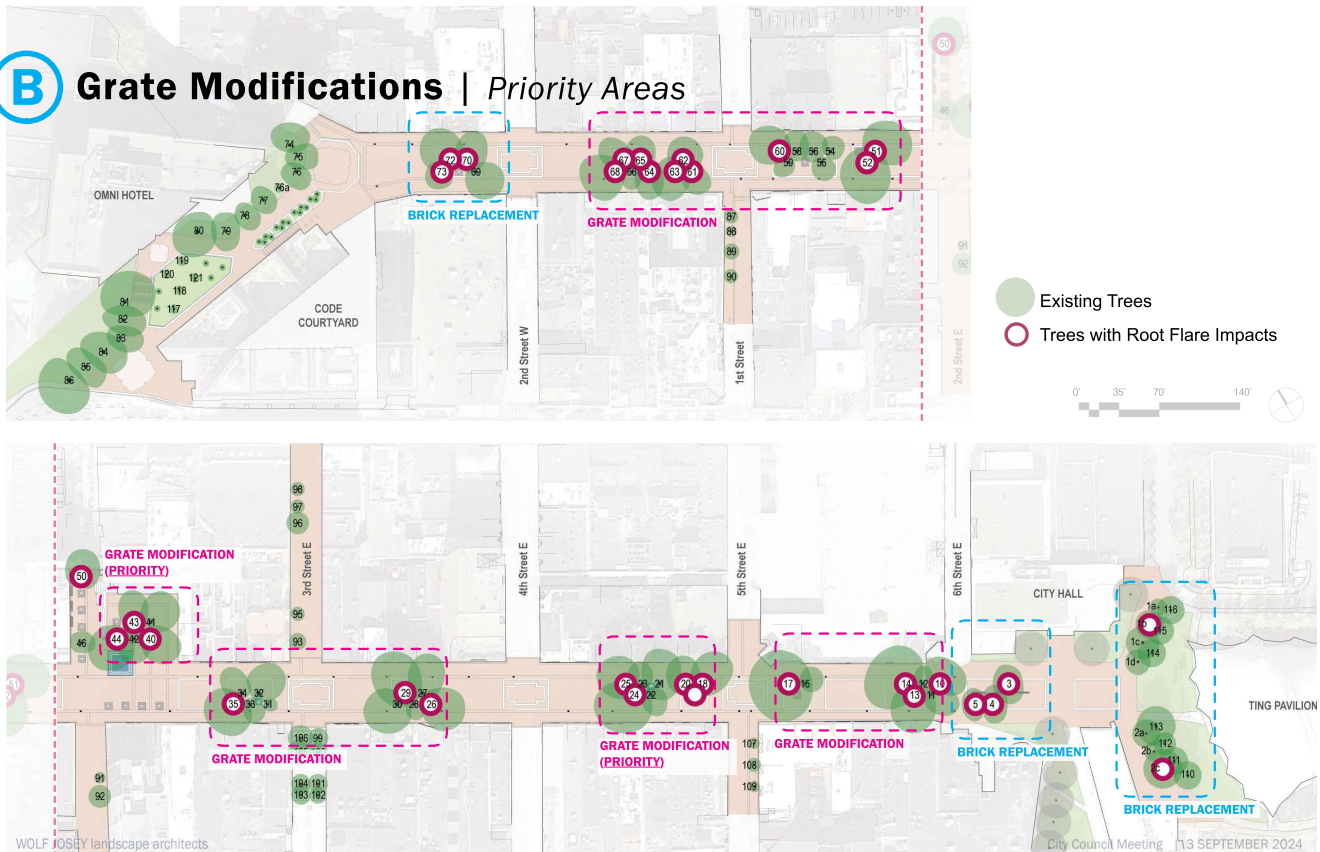
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Proposed Replacement Detail



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B Grate Modifications | Priority Areas



C Unique Conditions & Side Streets

1st Street

- Redesign opportunity
- No proposed changes

3rd Street E

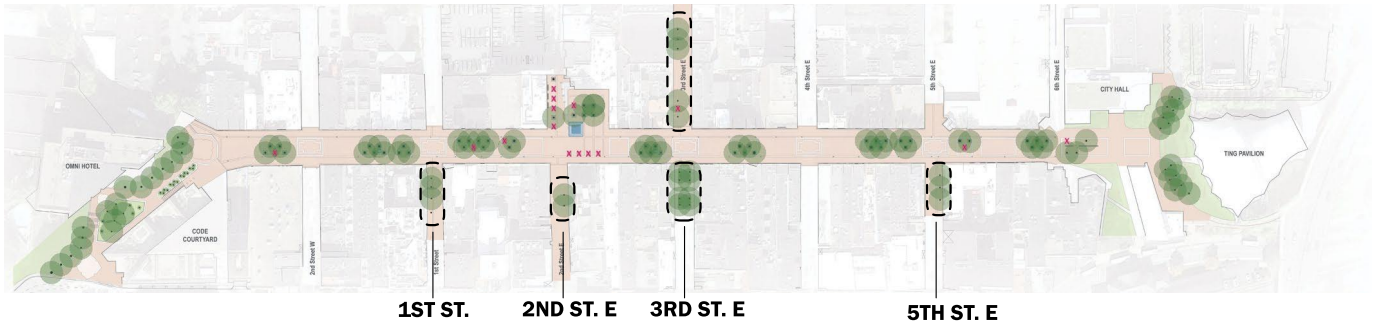
- Northern gingkos to have grate modified
- Southern gingkos to have soil remediation and ground cover replacement

2nd Street E

- Add structural slab
- Tree replacement

5th Street E

- Tree replacement
- Redesign opportunity



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C Unique Conditions & Side Streets

OAKS AT OMNI HOTEL

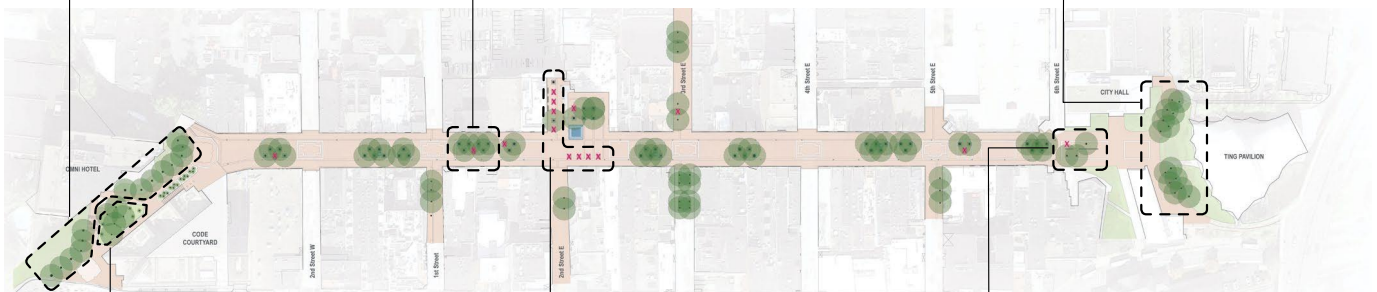
- Poor soil conditions
- Canopy crowding

7 TREE GROVE

- High canopy competition

OAKS AT TING PAVILION

- Severely compacted soils
- Low nutrient holding capacity
- Canopy competition



CODE BUILDING PLANTER

- Poor soils / Saturated soils
- Poor drainage

CENTRAL PLACE TREES

- Limited soil volume
- Saturated soils (minor)

OAKS AT FREEDOM OF SPEECH WALL

- Pavement grate structure failing
- Surface roots buckling pavement

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Unique Conditions | Oaks at Omni Hotel



CANOPY CROWDING

- Selectively prune and thin trees to reduce crown competition and building conflicts
- Trees are generally healthy



POOR SOIL CONDITIONS

- Apply mulch or chips to exposed soils reducing compaction / improve nutrient holding

Unique Conditions | Freedom of Speech Wall Oaks



OVERALL CONDITIONS

- Trees are generally healthy



GRATE CONFLICTS

- Surface roots between slab and pavers leading to trip hazards
- Hidden steel paver grate girdling trees

Short Term: Modify Grates

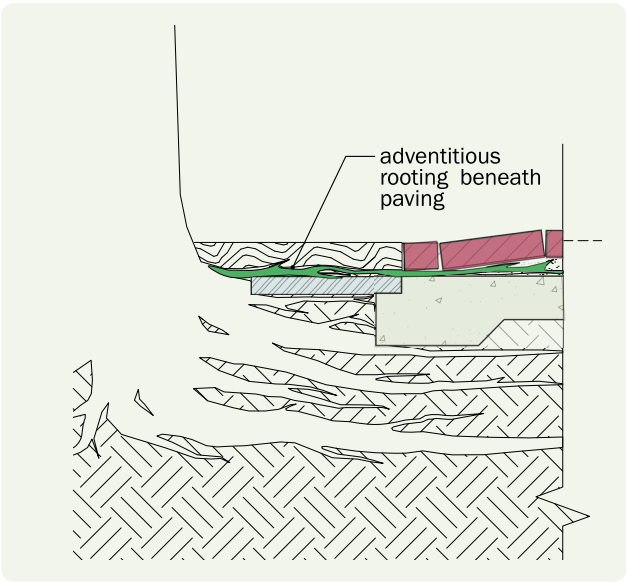
- Replace hidden paver grates
- Prune adventitious roots beneath pavers and reset pavers on slab

Unique Conditions | Freedom of Speech Wall Oaks

Tree Paver Grate Modification

Existing tree grate conditions below grade at the Freedom of Speech Wall are unknown and based on suspected conditions.

A structural steel hidden paver grate appears to be girdling the tree with adventitious roots growing between the grate and pavement, causing pavers to raise and buckle

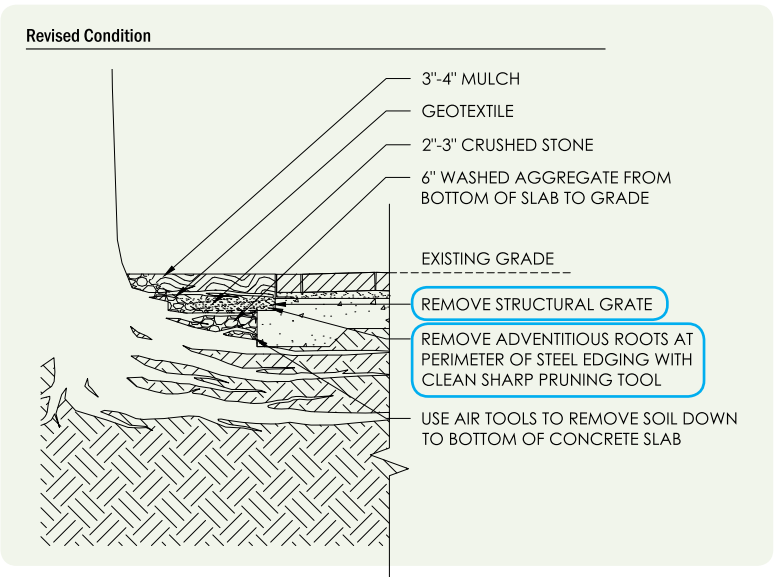


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Unique Conditions | Freedom of Speech Wall Oaks

Tree Paver Grate Modification



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Unique Conditions | Oaks at Ting Pavilion



POOR SOILS

- Heavy compaction from events
- Poor nutrient holding



PAVER GRATE CONFLICTS

- Steel frame of hidden paver grates girdling trees

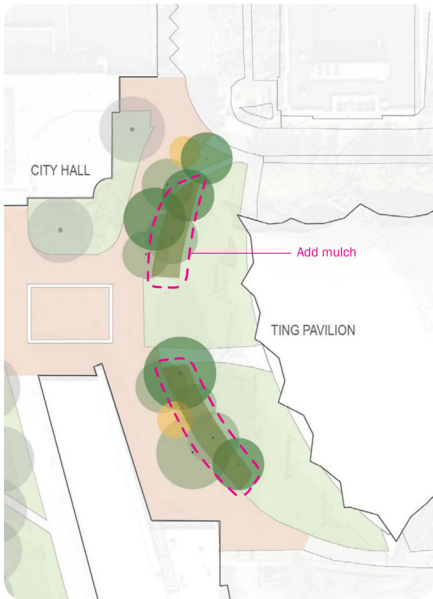


CANOPY CROWDING

- Selectively prune & remove trees to reduce crown competition.
- Trees are generally healthy

Unique Conditions | Ting Pavilion Soil Remediation

Short Term: Mulching
Add much around trees to reduce compaction and moisture retention

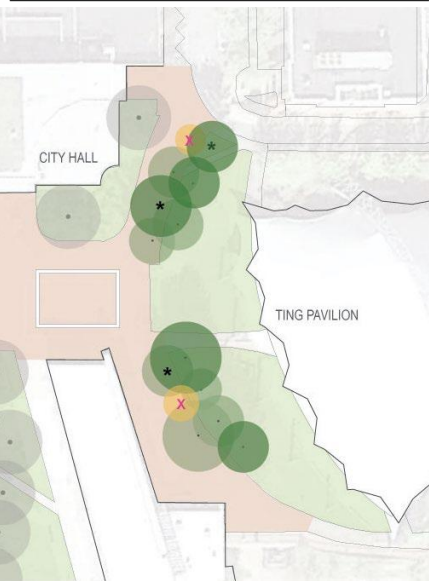


Unique Conditions | Ting Pavilion Tree Thinning

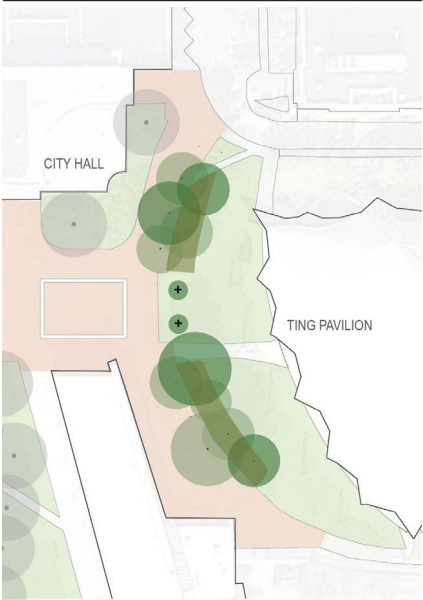
Short Term: Thinning/Planting

- Thin the groves by removing select trees, to reduce competition and improve long term health of the existing healthy trees
- Plant two new canopy trees to provide additional summer shade on the lawn from the west

Existing



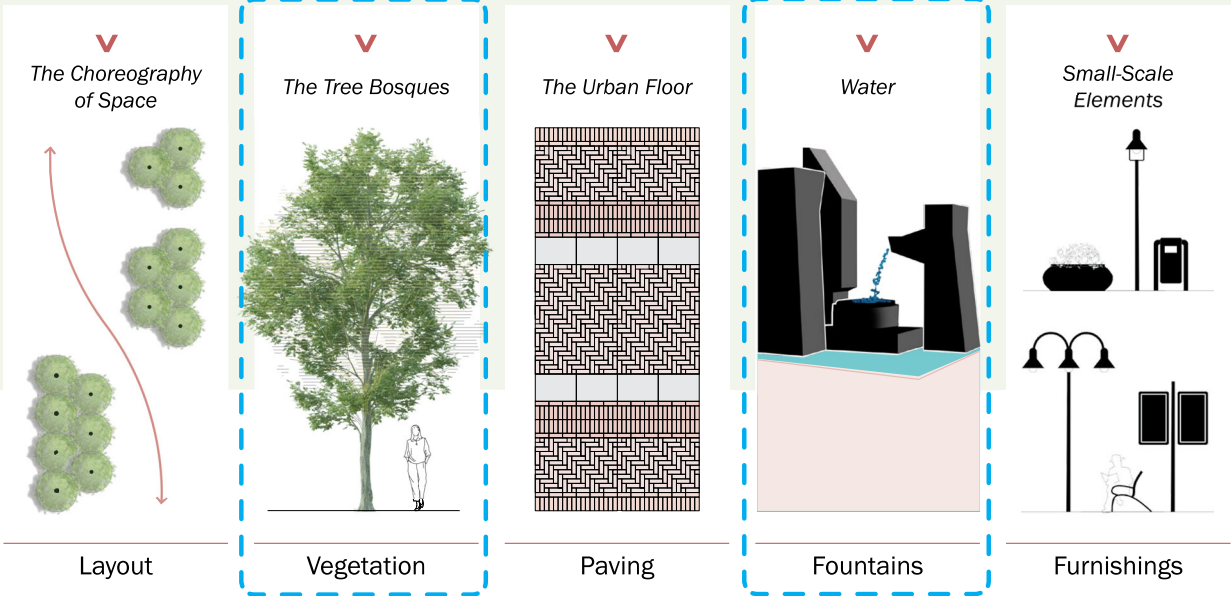
Proposed



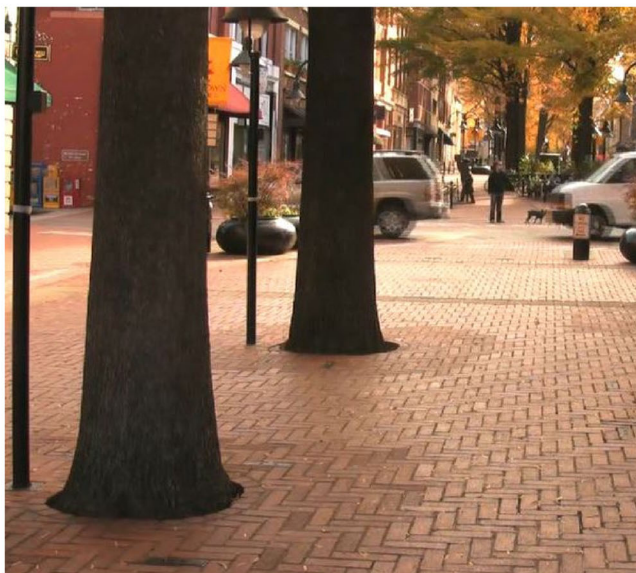
*Monitor trees as they develop, consider removal

D Restore Historic Design Intent

The character-defining design elements of the Design of the Mall



Restore Historic Design Intent | *Tree Visibility & Café Fencing*



Clear views of the trunks emphasize the public nature of trees

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Cafe zones generate economic revenue but declare the trees as private

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Restore Historic Design Intent | *Trunk/Paving Interface Obscured*



Potted Trees

- Tall vegetation (small trees) enclose and obscure base of trees
- Extensive use of pots obscures base of trees

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Cafe Fencing / Counters

- Solid fencing obscures base of trees
- Solid counters obscure base of trees

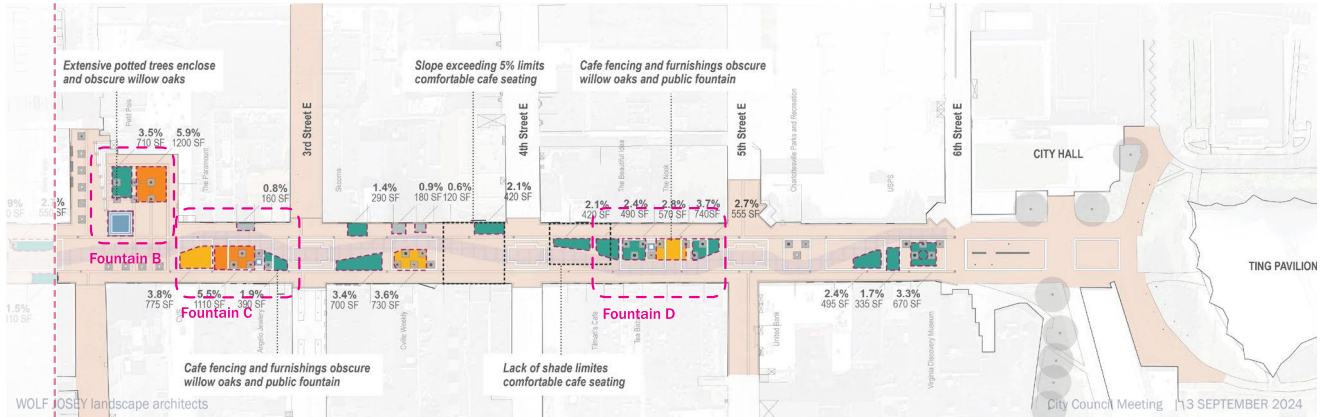
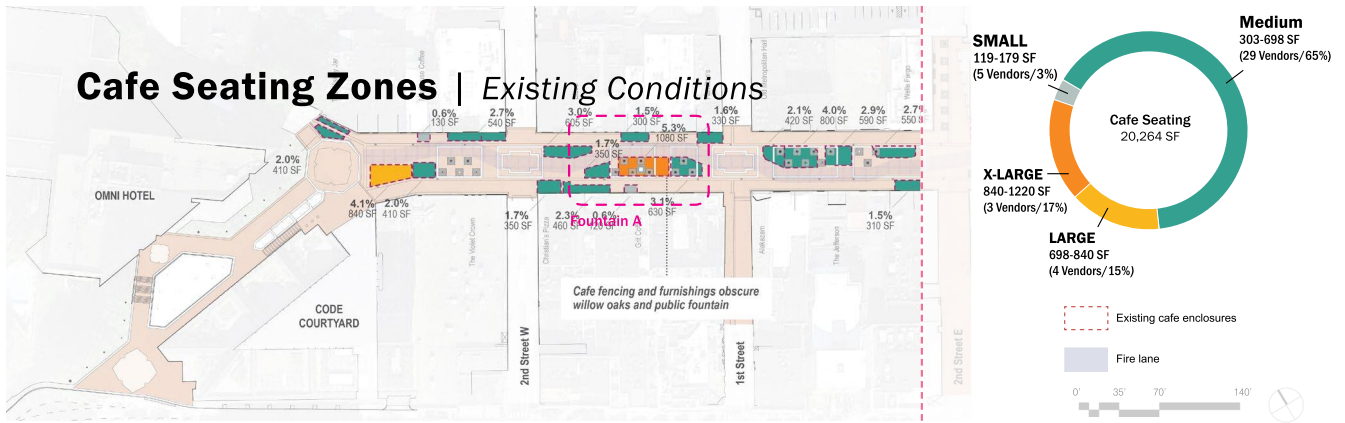


Cafe Furnishings

- Tall cafe furnishings such as metal racks obscure base of trees

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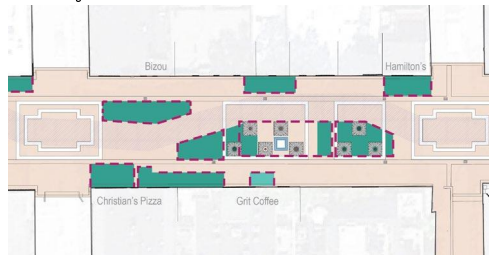
Cafe Seating Zones | Existing Conditions



Cafe Seating Zones | Recommended Conditions

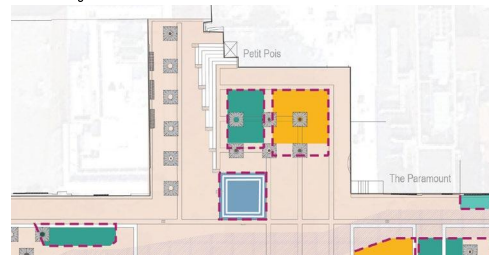
Fountain A

- Reveal fountain and trunks within grove of willow oaks
- Net change: -595 SF



Fountain B

- Reveal first row of willow oaks, increase public area
- Net change: -273 SF



Fountain C

- Reveal fountain and willow oaks from east
- Net change: -927 SF



Fountain D

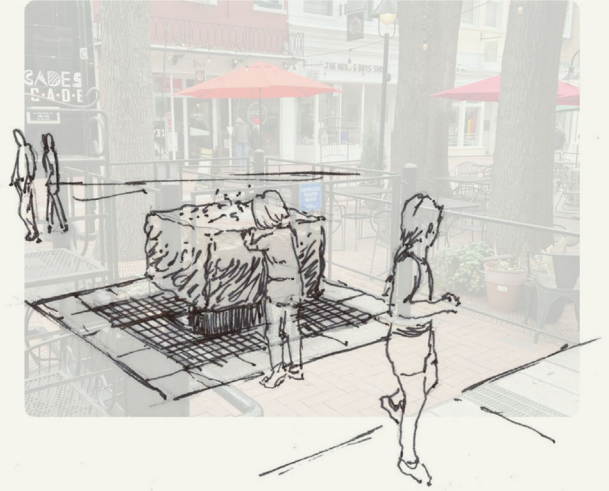
- Reveal fountain and trunks within grove of willow oaks
- Net change: -690 SF



Restore Historic Design Intent | *Access & Visibility of Fountains*

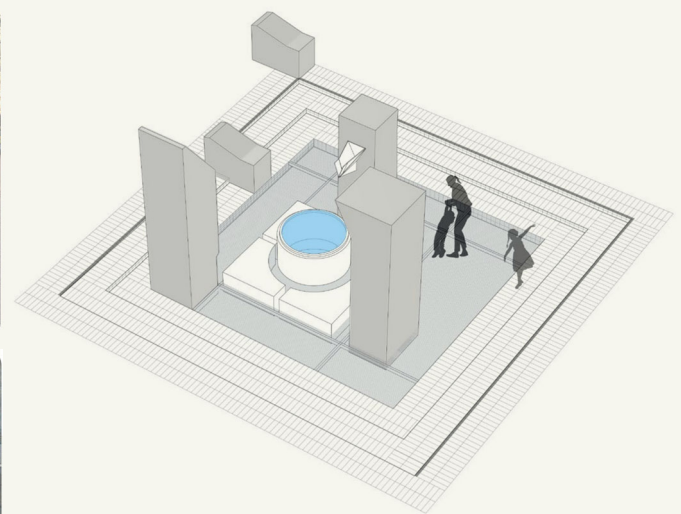
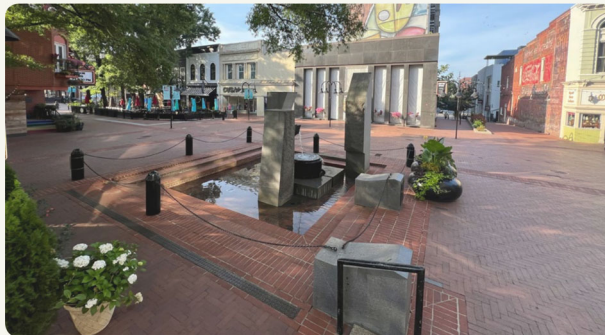


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Restore Historic Design Intent | *Access & Visibility of Fountains*



Recommendation:

- Add level and accessible stainless grate over basin
- Add safety nosing at stairs (remove bollards)
- Add nearby seating for visitors/families

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Preserve Existing Trees | Tree Maintenance

OMNI HOTEL
CODE COURTYARD
2nd Street W
1st Street
2nd Street E

No Pruning !
60 Trees

Tree Maintenance
100 Trees

Consider Cabling
3 Trees

Structural Pruning
8 Trees

Pruning
14 Trees

Consider Removal
15 Trees

● No Pruning ● Consider Removal
● Structural Pruning ● Consider Cabling
● Pruning (Dead Wood, Crossing/Overextended Limbs, Elevation Pruning)

0' 35' 70' 140'

• No retrenchment pruning
• No balance pruning
• No minor tip dieback pruning
• No pruning reduction pruning greater than 3" diameter (cable as an alternative)

CITY HALL
TING PAVILION
3rd Street E
4th Street E
5th Street E
6th Street E

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Recommendations

Takeaways



Every tree needs specific and individualized care

Four essential age classes of trees on the downtown mall

Pruning should be by life stage

STAGE: Young-to medium-aged trees

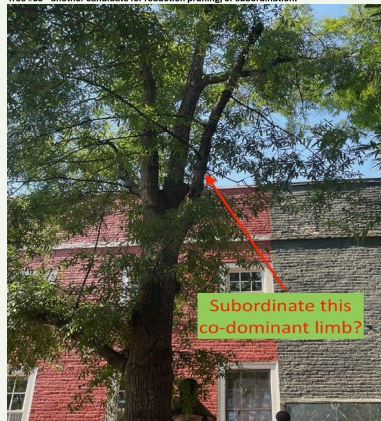
- STAGE: Mature - to over mature trees**

- | CHALOTTEVILLE CONDOMINIUM
TREE CARE RECOMMENDATIONS - June 2024 | | CHALOTTEVILLE CONDOMINIUM
TREE CARE RECOMMENDATIONS - June 2024 | | | |
|-------------------------------------------------------------------------------------|----------------------|-------------------------------------------------------------------------------------|-------------------------|------------|--------------------------------------------|
|  | |  | | | |
| Tree # | Common name | Pruning recommendations | Pruning recommendations | | |
| 1a | Shumard oak | Consider removal for poor form | 72 | Willow oak | No pruning required |
| 1b | Shumard oak | No pruning required | 73 | Willow oak | No pruning required |
| 1c | Willow oak | Crown cleaned to remove deadwood (d/w) | 74 | Willow oak | No pruning required |
| 2a | Shumard oak | Crown cleaned to remove deadwood (d/w) | 75 | Willow oak | No pruning required |
| 2b | Shumard oak | Consider removal for poor form | 76 | Willow oak | No pruning required |
| 2c | Shumard oak | Crown clean for structure. Remove crossing limbs | 77 | Willow oak | No pruning required |
| 3 | Willow oak | Structural pruning for crossing limbs | 78 | Willow oak | No pruning required |
| 4 | Willow oak | Structural pruning for crossing limbs | 79 | Willow oak | No pruning required |
| 5 | Willow oak | Structural pruning for crossing limbs | 80 | Willow oak | No pruning required |
| 10 | Willow oak | No pruning required | 81 | Willow oak | No pruning required |
| 11 | Willow oak | Dark inclusion. Consider cabling. No pruning. | 82 | Willow oak | No pruning required |
| 12 | Willow oak | Consider removal for poor form | 83 | Willow oak | Consider removal for poor form |
| 13 | Willow oak | No pruning required | 84 | Willow oak | No pruning required |
| 14 | Willow oak | Elements of snuff. Overextended limbs | 85 | Willow oak | Consider removal for poor form |
| 15 | Willow oak | No pruning required | 86 | Willow oak | No pruning required |
| 17 | Willow oak | Elements of snuff. Overextended limbs | 87 | Willow oak | Consider removal for poor form |
| 18 | Willow oak | No pruning required | 88 | Willow oak | No pruning required |
| 20 | Willow oak | Elements of snuff. Overextended limbs | 89 | Willow oak | No pruning required |
| 21 | Willow oak | No pruning required | 90 | Willow oak | No pruning required |
| 22 | Willow oak | No pruning required | 91 | Willow oak | No pruning required |
| 23 | Willow oak | Consider removal for poor form | 92 | Willow oak | No pruning required |
| 24 | Willow oak | Dark inclusion. Consider cabling. No pruning. | 93 | Willow oak | No pruning required |
| 25 | Willow oak | No pruning required | 94 | Willow oak | No pruning required |
| 26 | Willow oak | No pruning required | 95 | Willow oak | No pruning required |
| 27 | Willow oak | Overextended limbs | 96 | Willow oak | No pruning required |
| 106 | Ginkgo | No pruning required | 28 | Willow oak | Consider removal for poor form |
| 106 | Ginkgo | No pruning required | 29 | Willow oak | Overextended limbs |
| 108 | Ginkgo | Consider removal for poor form | 30 | Willow oak | No pruning required |
| 109 | Ginkgo | Consider removal for poor form | 31 | Willow oak | No pruning required |
| 110 | Shumard oak | Consider removal for poor form | 32 | Willow oak | No pruning required |
| 111 | Shumard oak | No pruning required | 33 | Willow oak | Prune one lower limb back to branch crotch |
| 112 | Shumard oak | Crown cleaned to remove minor d/w | 34 | Willow oak | No pruning required |
| 113 | Shumard oak | Structural pruning | 35 | Willow oak | No pruning required |
| 114 | Shumard oak | Structural pruning | 36 | Willow oak | No pruning required |
| 115 | Shumard oak | No pruning required | 37 | Willow oak | Branching pruning to correct hazard |
| 116 | Shumard oak | No pruning required | 38 | Willow oak | No pruning required |
| 117 | Shumard oak | No pruning required | 39 | Willow oak | No pruning required |
| 118 | Shumard oak | No pruning required | 40 | Willow oak | No pruning required |
| 119 | Shumard oak | No pruning required | 41 | Willow oak | No pruning required |
| 120 | American hornbeam | Structural pruning | 42 | Willow oak | No pruning required |
| 121 | American hornbeam | Structural pruning | 43 | Willow oak | No pruning required |
| 122 | Swallowtail magnolia | No pruning required | 44 | Willow oak | No pruning required |
| 123 | Swallowtail magnolia | No pruning required | 45 | Willow oak | No pruning required |
| 124 | Servicberry | Structural pruning | 46 | Willow oak | No pruning required |
| 125 | Servicberry | Structural pruning | 47 | Willow oak | No pruning required |
| 126 | Servicberry | Structural pruning | 48 | Willow oak | No pruning required |
| 127 | Servicberry | Structural pruning | 49 | Willow oak | No pruning required |
| 128 | Servicberry | Structural pruning | 50 | Willow oak | No pruning required |
| 129 | Servicberry | Structural pruning | 51 | Willow oak | No pruning required |
| 130 | Servicberry | Structural pruning | 52 | Willow oak | No pruning required |
| 131 | Servicberry | Structural pruning | 53 | Willow oak | No pruning required |
| 132 | Servicberry | Structural pruning | 54 | Willow oak | No pruning required |
| 133 | Servicberry | Structural pruning | 55 | Willow oak | No pruning required |
| 134 | Servicberry | Structural pruning | 56 | Willow oak | No pruning required |
| 135 | Servicberry | Structural pruning | 57 | Willow oak | No pruning required |
| 136 | Servicberry | Structural pruning | 58 | Willow oak | No pruning required |
| 137 | Servicberry | Structural pruning | 59 | Willow oak | No pruning required |
| | | | 60 | Willow oak | No pruning required |
| | | | 61 | Willow oak | No pruning required |
| | | | 62 | Willow oak | No pruning required |
| | | | 63 | Willow oak | No pruning required |
| | | | 64 | Willow oak | No pruning required |
| | | | 65 | Willow oak | No pruning required |
| | | | 66 | Willow oak | No pruning required |
| | | | 67 | Willow oak | No pruning required |
| | | | 68 | Willow oak | No pruning required |
| | | | 69 | Willow oak | |

* For further details, see separate report

Preserve Existing Trees | Tree Maintenance

Tree #33 – another candidate for reduction pruning, or subordination.



This limb in tree #33 has been poorly pruned. This is a heading cut that is detrimental to the tree. It is probably best to prune the limb back to the branch collar at the trunk and accept that there would be a wound larger than is desired but understand that we are eliminating a co-dominant stem.

Some trees are in such an advanced stage of decline that trying to retain them seems futile. They may also represent an unacceptable level of risk. Trees #54 and 59 are in this condition now and should be considered for removal.

Tree #59 - a candidate for removal due to dieback and dangerous branch unions.



This tree is declining in vigor rapidly as evidenced by the extensive amounts of dead wood. What is most concerning is the occurrence of two areas of bark inclusion. Due to the lean of this tree, the weight of the limbs and bark inclusions, this tree could fail in multiple locations at any time.

For tree #113, a decision must be made regarding which limbs to retain, and how best to undertake restoration pruning with the least amount of damage. It might be possible to improve the branching structure, but it might involve 10 years of incremental pruning. Early structural pruning would have produced a better tree and saved thousands of dollars of pruning costs.

A similar example is found in tree #2C near the pavilion where two limbs are growing in close proximity. Poor pruning in the nursery led to this defect. Exaggerated weight loading on the trunk from these two limbs makes it more likely that limb failure will occur. Therefore, the upper limb of these two should be incrementally subordinated and removed.

Tree 2C



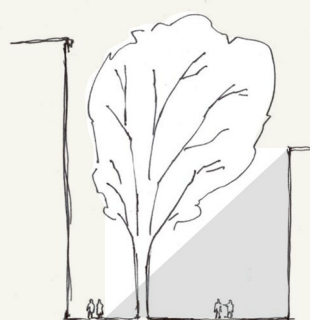
* For further details, see separate report

Preserve Existing Trees | Zoning & Light Preservation

Zoning: Building Height

Zoning changes allow for increased height and density along the downtown mall. Increased building heights could have unintended consequences for existing and proposed trees.

Existing Condition

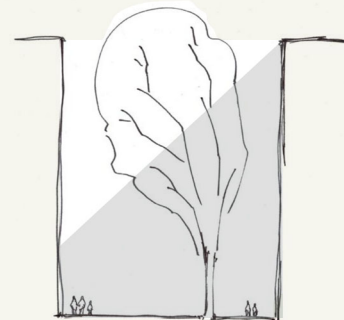


Currently, tree canopies grow above buildings for sunlight

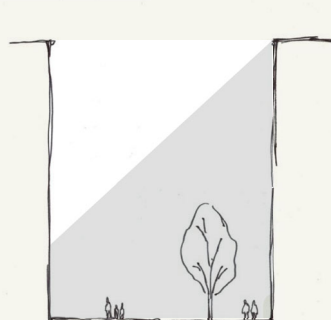
*Charlottesville Development Code (Adopted 12/18/2023)

- Allowable building height for Downtown Mixed Use (DX) see section 2.5.6
- Building transitions and step-backs see Section 2.10.7 & Div. 4.7

Allowable Condition (See next page for specific heights)



Existing large trees may still access sunlight depending on size of trees and building height increases



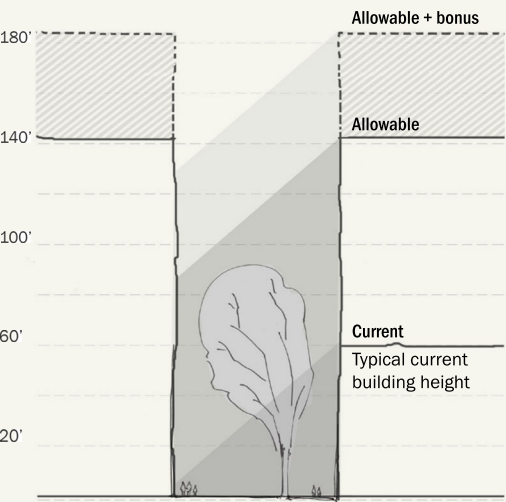
With building height increases, new trees will be challenged to grow in full shade

*Willow oaks do not grow in shade

Preserve Existing Trees | Zoning & Light Preservation

Allowable Condition

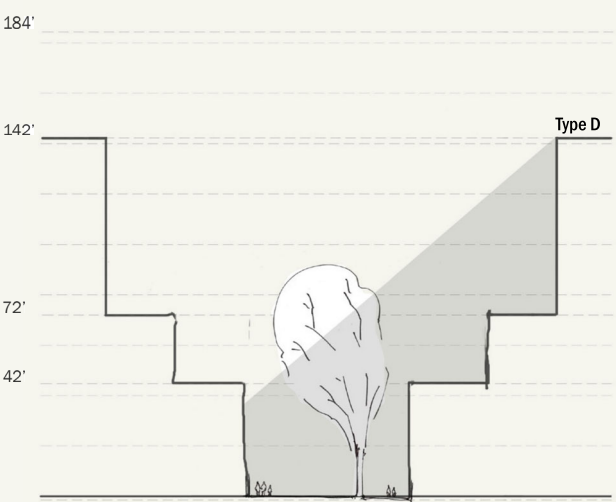
Existing large trees may still access sunlight depending on size of trees and building height increases



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Recommended code modification

Add transition type D for Downtown Mall corridor. Required step-back will allow light into corridor for trees and pedestrians.



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Preserve Existing Trees | Zoning & Light Preservation

Existing Precedent: CODE Building



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Recommendations: Long Term

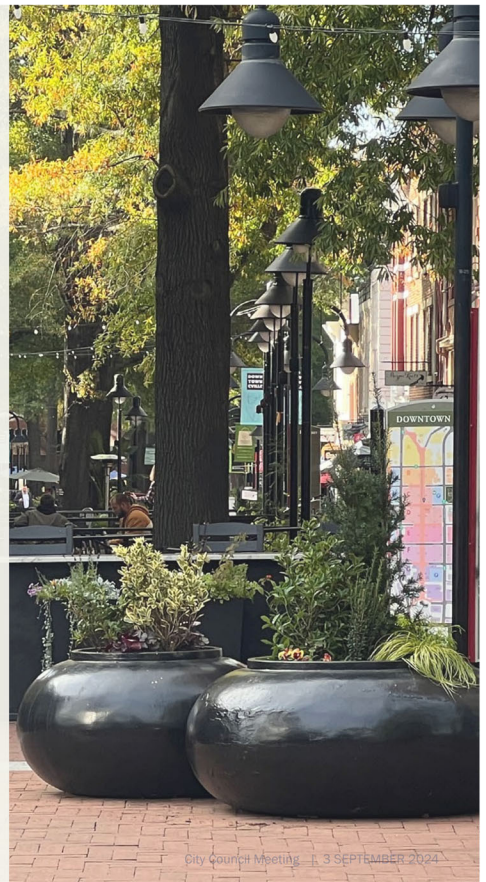
Recommendations Long-Term: Phases 2, 3 & 4

A. Tree Selection

- Size, form, urban resilience, climate, growth rate, fruit and color

B. Phasing

- Tree replacement phasing along mall
- Interim suggestions for newly installed trees



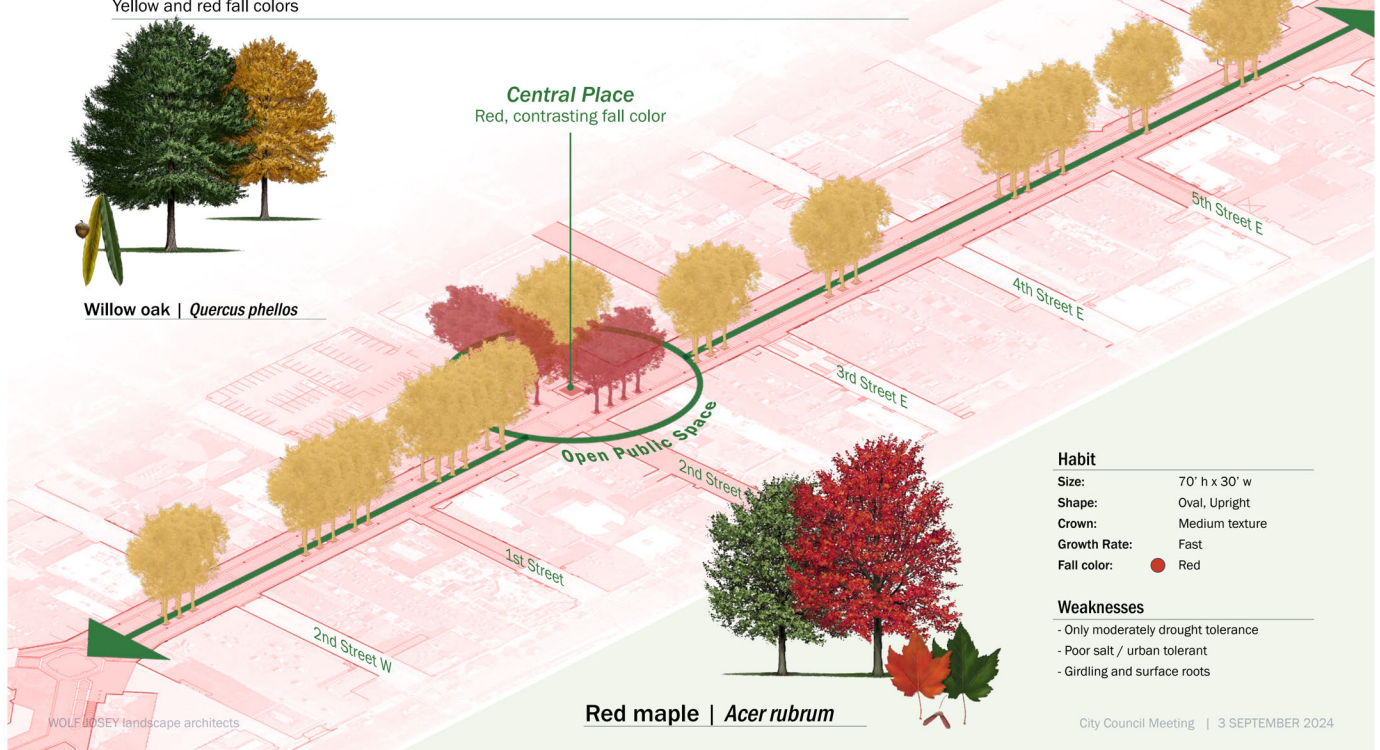
Next Generation | Existing Tree Species

Yellow and red fall colors



Willow oak | *Quercus phellos*

Central Place
Red, contrasting fall color



Red maple | *Acer rubrum*

Habit

Size:	70' h x 30' w
Shape:	Oval, Upright
Crown:	Medium texture
Growth Rate:	Fast
Fall color:	Red

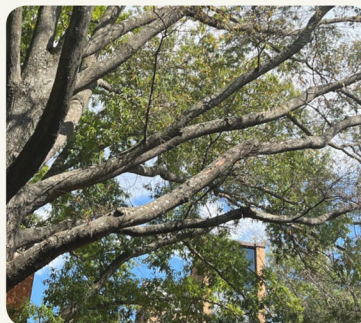
Weaknesses

- Only moderately drought tolerance
- Poor salt / urban tolerant
- Girdling and surface roots

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Next Generation | Criteria for Tree Selection



HEALTH

- Drought Tolerance*
- Climate Change Resilience
- Diseases & Pests
- Urban / Disturbance Tolerance
- Structural Vulnerability

PHYSICAL ATTRIBUTES

- Form & Habit*
- Average lifespan*
- Fruit size / drop hazard*
- Growth Rate
- Leaf Size
- Fall Color

LOCALITY

- Regionally Native
- Pollinator & Habitat

* critical trait multiplier applied

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Next Generation | Recommended Tree Selection

DOWNTOWN MALL


WILLOW OAK
Quercus phellos



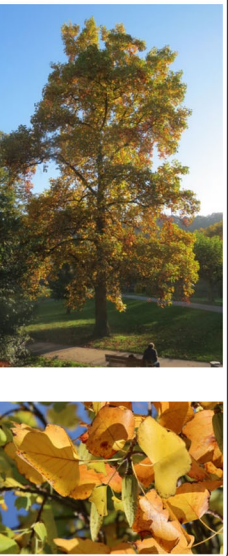
SWAMP WHITE OAK
Quercus bicolor



JEFFERSON ELM
Ulmus americana 'Jefferson'

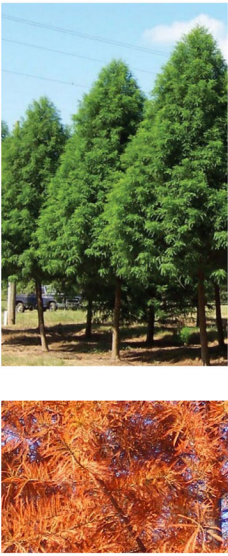


TULIP POPLAR
Liriodendron tulipifera



CENTRAL PLACE

BALD CYPRESS
Taxodium distichum
'Autumn Gold'

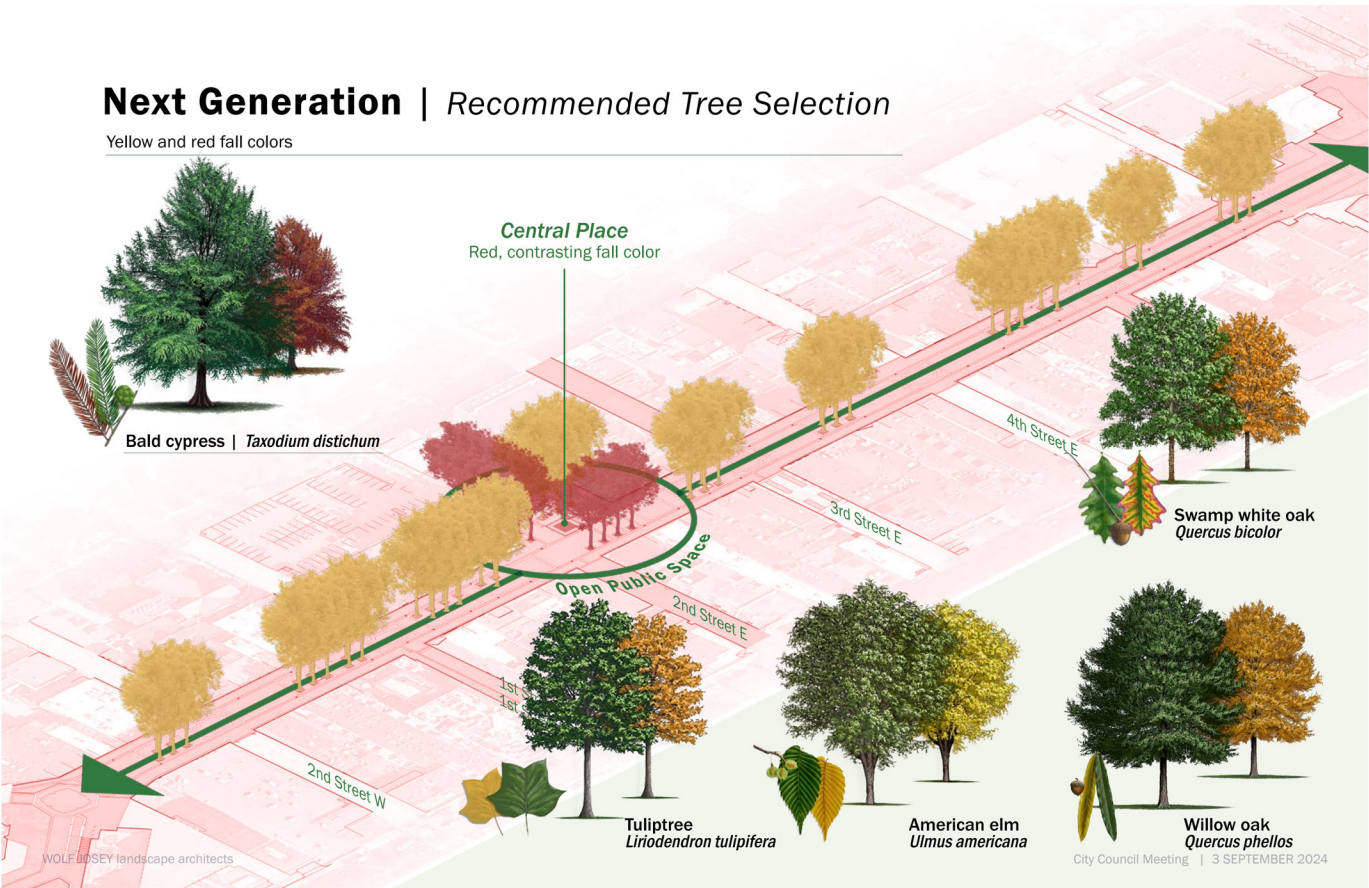


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Next Generation | Recommended Tree Selection

Yellow and red fall colors



Phasing Plan Strategy

1) Current Tree Health

- Protect the healthy trees
- Prioritize replacing unhealthy bosques

2) Stepped Approach (not all at once)

- 4 phase plan over 20 years to keep the mall shaded and active through the duration of the replacement
- Strategically replace bosques to reduce negative impacts to businesses

3) Location

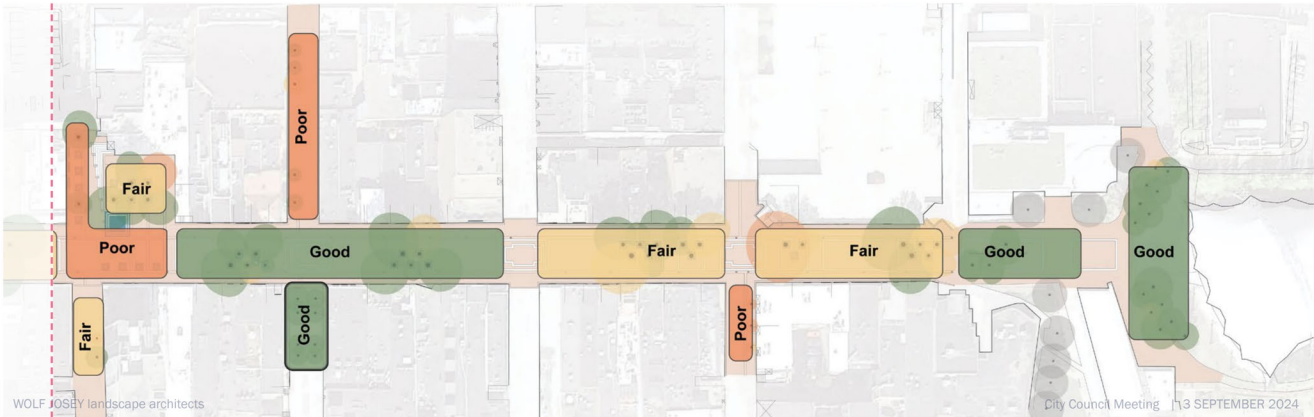
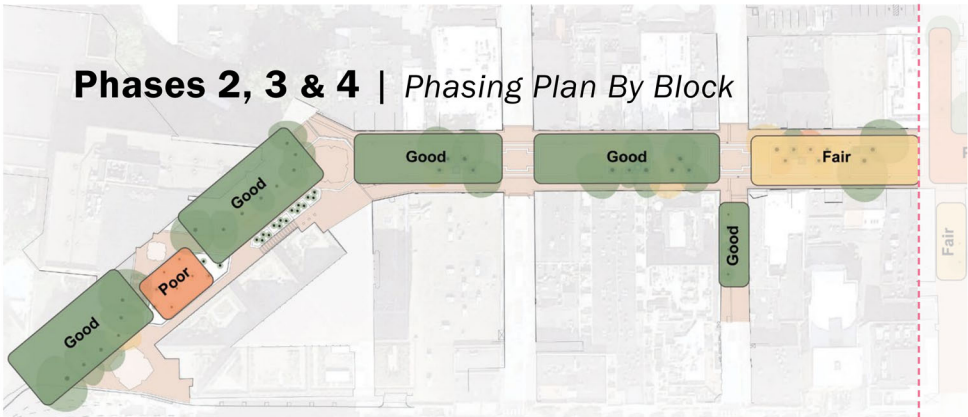
- Begin with Central Place maple replacement and least healthy bosque to introduce project and inform public of the process

Phases 2, 3 & 4 | Staggered Phasing Plan

Phase 1 Year 5 Phase 2 Year 10 Phase 3 Year 15 Phase 4 Year 20



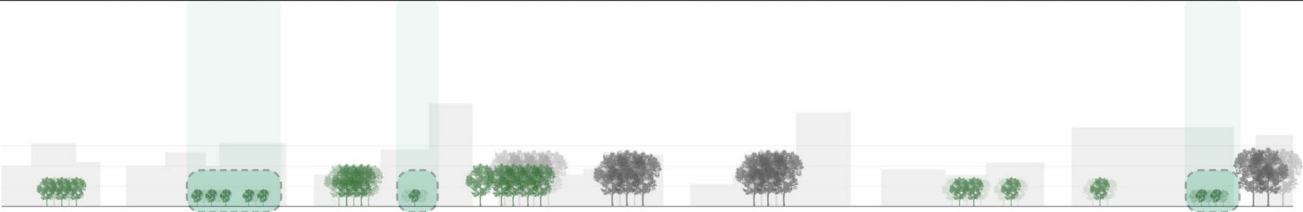
Phases 2, 3 & 4 | Phasing Plan By Block



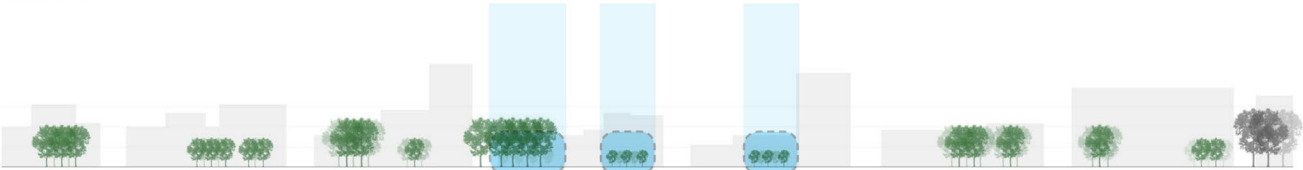
Next Generation | Phasing Plan



Next Generation | Phasing Plan



Phase 3: **Year 15**



Phase 4: **Year 20**

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Next Generation | Phasing Plan



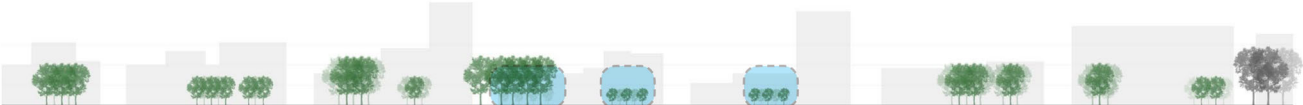
Year 5
Phase 1



Year 10
Phase 2



Year 15
Phase 3



Year 20
Phase 4



Year 50+

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Next Generation | Transitioning Spaces



Janet Echelman
Current
2023

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Claude Cormier
18 Shades of Gay
2011

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Projected Lifespan without intervention

| Today



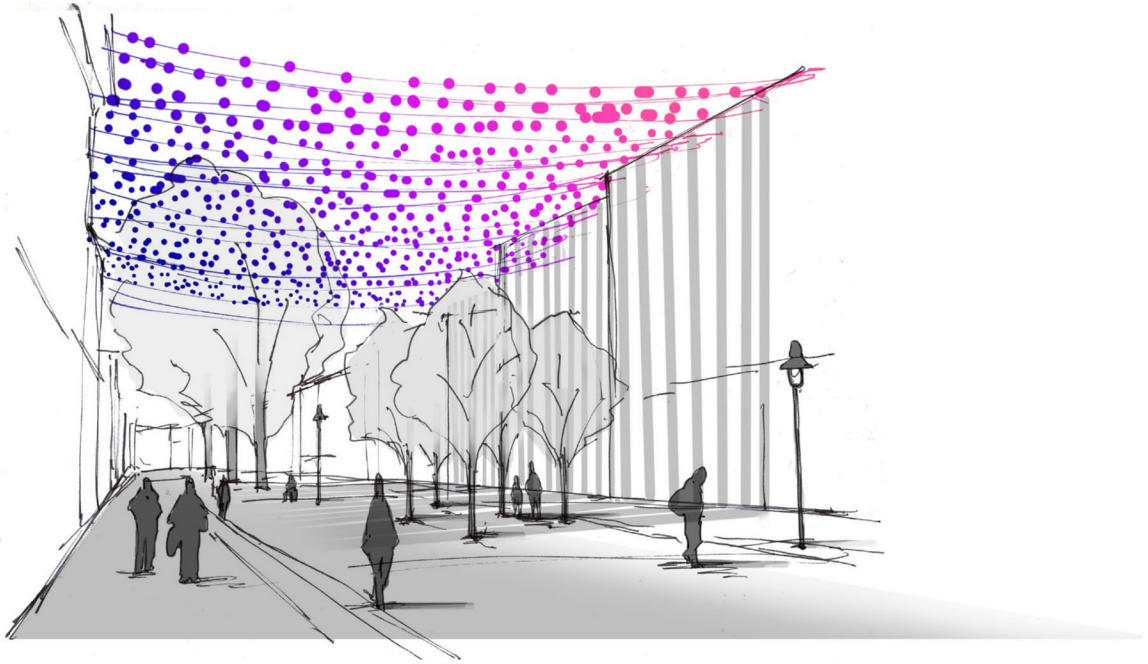
| 10-15 years



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Investing in the Next Generation | Charlottesville Downtown Mall



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Questions?

CITY OF CHARLOTTESVILLE



PROCLAMATION

International Day of Democracy September 15, 2024

WHEREAS the United Nations observes the 15th of September as the International Day of Democracy with the purpose of promoting the principles of democracy and commemorating the day in a manner that contributes to raising public awareness of universal human rights; and

WHEREAS the Universal Declaration of Human Rights emphasizes that the will of the people is the basis for the authority of government; and

WHEREAS political and public participation rights are crucial to the advancement of all human rights and are essential for democratic governance, the rule of law, social inclusion, economic development and the empowerment of individuals and groups to eliminate discrimination and marginalization, peaceful assembly and association, freedom of opinion and expression, and access to information and education; and

WHEREAS the International Day of Democracy provides an opportunity to review the state of our democracy, to promote its principles for the protection and effective realization of human rights, and to create an environment for greater citizen participation, equality, security and development;

NOW, THEREFORE, BE IT PROCLAIMED that the Charlottesville City Council recognizes and celebrates the 15th day of September 2024, as International Day of Democracy to remind us of, and exhort our continuing protection of the governing principles by which the freely expressed will of the people is exercised and respected in this great country.

Signed this 3rd day of September 2024.

CITY OF CHARLOTTESVILLE



PROCLAMATION

Continued Friendship, Respect and Solidarity on the 80th Anniversary of the Liberation of Besançon

WHEREAS September 8, 2024, marks the 80th anniversary of the Liberation of Besançon, France, by the combined *Forces françaises de l'intérieur* and the United States Army 3rd Infantry Division; and

WHEREAS the French and American residents of Besançon and Charlottesville have continued to combine forces to enthusiastically cultivate solid, durable and enjoyable ties over the years; and

WHEREAS these ties have been cemented by a Proclamation of Friendship signed on September 8, 2004, followed by the establishment of a formal Sister City relationship in October 2006; and

WHEREAS our lives have been significantly enhanced by the cultural, educational and economic exchanges between residents of Besançon and Charlottesville;

NOW, THEREFORE, BE IT RESOLVED that the Charlottesville City Council send warm greetings to our Sister City citizens on this 80th anniversary of the Liberation of Besançon; and

BE IT FURTHER RESOLVED that as we celebrate and expand our common pursuits of friendship and respect for diversity and inclusion, we pledge to continue to wholeheartedly nurture and innovate even more exchanges between citizens of Besançon and Charlottesville.

Signed and sealed this 3rd day of September 2024.



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

July 15, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council met on July 15, 2024. Mayor Juandiego Wade called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrin, and Michael Payne. Councilor Lloyd Snook arrived during agenda approval.

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

REPORTS

1. REPORT: 2024 Climate Action Report

Kristel Riddervold, Director of the Office of Sustainability, and Emily Irvine, Climate Program Manager, presented the inaugural Climate Action Report. The City of Charlottesville has a long history of environmental stewardship and climate action. The City joined the U.S. Mayors' Climate Protection Agreement in 2006 and established the Climate Protection Program in 2008. In 2019, the City adopted emissions reduction goals of 45% reduction (from 2011 baseline) by 2030 and carbon neutrality by 2050, and directed staff to write a plan for reaching those targets. In January 2023, Charlottesville City Council adopted the City's first Community Climate Action Plan as an addendum to the City's Comprehensive Plan. This report is the first update to City Council and to the public on progress made towards implementation of the Climate Action Plan.

The Climate Action Plan (CAP) includes a commitment to annual progress reports. After the adoption of the CAP last year, the City Manager directed Climate Program (CP) staff to compile and publish a Climate Action Workplan consisting of actions being taken both within the City organization and in the broader community to make progress towards implementation of the CAP. CP staff worked with internal and external partners to build the first Climate Action Workplan, which was published in July 2023. In December 2023, CP staff were directed to align the workplan with the fiscal year, and thus with the City's budget cycle. The Office of Sustainability is launching a Climate Action and Sustainability dashboard tool to help make their work more transparent and accessible to the community: www.climateaction.charlottesville.gov.

Ms. Irvine announced the Climate Resilience Cohort as a component of the Resilient Together Project:

- Seeking up to ten community-based organizations that serve disadvantaged or underserved community members
- Selected organizations will receive \$15,000 to engage in planning process and \$25,000 to implement a community-led resilience project
- Designed to center vulnerable community members centered in the climate adaptation and resilience plan
- Funded through the EPA EJG2G grant

Other Upcoming Initiatives:

- Sustainability in the Workplace Program
- C-PACE
- Municipal Green Building Standards
- Power Purchase Agreements
- School Bus Electrification Planning
- E-bike Subsidy Program
- 24/7 Compost Program Expansion
- Landscape Equipment Electrification Pilot

Staff answered questions from councilors.

2. REPORT: Vibrant Community Fund Update

Hunter Smith, Human Services Planner, presented the update and Misty Graves, Director of Human Services, helped to answer questions for Council.

The Vibrant Community Fund (VCF) panel is tasked by the City of Charlottesville with reviewing community agency program funding requests to the City and providing ratings recommendations to the Charlottesville City Manager and City Council. City staff serve as the grant managers for the Vibrant Community Fund process, including issuing the application, facilitating orientation and training, providing technical assistance to applicant agencies, organizing and staffing panel meetings, and preparing the final report. City Council makes the final budget approvals. This report included an overview of the Vibrant Community Fund process and upcoming changes for consideration. Orientations for potential applicants take place in August and the application launches in early September.

Per suggestions from the report, Council agreed to cap funding requests at either \$150,000 or \$200,000 based on staff calculations and discretion using prior years' experience.

Mayor Wade requested a presentation from CNE (the Center for Nonprofit Excellence) and other nonprofit organizations during a Council work session. Councilors agreed.

CLOSED MEETING

On motion by Pinkston, seconded by Payne, Council voted unanimously to close the open meeting and convene in closed session pursuant to Section 2.2-3712 of the Virginia Code, as authorized by the Virginia Freedom of Information Act, as follows:

- 1) Section 2.2-3711(A)(1) for discussion and consideration of assignment, appointment, performance, demotion, salary, discipline, and/or resignation of a specific named employee of the public body; and
- 2) Section 2.2-3711(A)(3) for discussion and consideration of the acquisition of specific real property to mitigate displacement of residents and/or their property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and

- 3) Under Virginia Code Section 2.2-3711(A)(6) for discussion and consideration of the investment of public funds related to the Water Street Garage, where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected.

On motion by Pinkston, seconded by Payne, Council certified by a recorded vote that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed, or considered in the closed session (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

BUSINESS SESSION

Council began the business session with a moment of silence.

Councilor Oschrin made a statement about Independence Day fireworks safety.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Elizabeth McKenney spoke in opposition to the impending sale of the Carlton Views Mobile Home Park. She asked the Council to collaborate with Habitat for Humanity to purchase the property.
2. Marta Keane, JABA CEO, provided an update on JABA programs, and she shared testimonials from participants. Mayor Wade congratulated Ms. Keane on her upcoming retirement.
3. Joan Fenton, business owner, and Greer Achenbach, Friends of the downtown mall, spoke about business struggles on the downtown mall, with a million fewer visitors in the last year. They want to partner with the city for solutions.
4. Elizabeth Stark, city resident, spoke about the impending sale of the Carlton Views Mobile Home Park, and in opposition to it becoming a private development.
5. Bill Emory, city resident, requested that Council include in its legislative packet a request for canopy credit, establishing a fee for landowners based on ratio of tree canopy to impervious surface.
6. Ayda Mengistie, city resident and housing intern at the Legal Aid Justice Center, spoke about the impending sale of the Carlton Views Mobile Home Park, requesting that Council collaborate with Habitat for Humanity to purchase the property on behalf of residents.
7. Heidi Berthoud, city resident, spoke about a proposal to name the park at Court Square to the Lorraine and Eugene Williams Memorial Park at Court Square, as presented by the Court Square Enslavement Memorial citizen group.
8. Joan Kovatch, Dillwyn resident and downtown mall business owner, spoke about the positive impact of community aid efforts on the downtown mall.
9. Blair Williamson, Albemarle county resident with two businesses on the downtown mall,

spoke about a city ordinance regarding panhandling, and holding everyone accountable for their actions.

10. Richard H. "Freeman" Allan, member of the Court Square Enslavement Memorial citizen group, made a recommendation for creating the Lorraine and Eugene Williams Memorial Park at Court Square. He gave language for a memorial plaque.
11. Laura Goldblatt, city resident, spoke about the impending sale of the Carlton Views Mobile Home Park, and in opposition to it becoming a private development. She spoke about racial profiling on an ad for another home being sold by the developer (Be Still Properties) proposing to purchase the property.
12. Gloria Beard, city resident, spoke about high rent rates and the condition of the homeless population downtown.
13. Sinlan Means, city resident and co-owner of a business on the downtown mall, spoke about respect and dignity for the unhoused community, welcoming their presence on the downtown mall until a housing solution is found, and in opposition to increasing police presence.
14. Susan Bashline, co-owner of a business on the downtown mall, spoke about the recent unattractiveness of the downtown mall. She requested city help with to make the mall more safe and secure from trip hazards and the unhoused people. She expressed concern about unleashed dogs on the downtown mall and asked for ordinance enforcement.
15. Michael Kaplan, Friends of Cville Downtown, spoke about having an intentional park where the unhoused people can go, moving them away from the downtown mall where businesses say they are negatively impacted. He requested that the city take action to ensure that the bricks do not become an unregulated pop-up campground.

CONSENT AGENDA*

Clerk Thomas read the following items into the record, and on motion by Payne, seconded by Pinkston, Council by the following vote approved the Consent Agenda: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

3. MINUTES: April 1 regular meeting
4. RESOLUTION to appropriate funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000 (2nd reading)

RESOLUTION APPROPRIATING FUNDS FOR Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000

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

WHEREAS, the grant award covers the period from period June 17, 2024 through October 31, 2024.

Revenue – \$100,000

Fund: 209

Internal Order: 1900562

G/L Account: 430120

Expenditures - \$100,000

Internal Order: 1900562

G/L Account: 530670

Fund: 209

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

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$250,000 from the Virginia Department of Education Special Nutrition Program.

5. ORDINANCE authorizing a grant of public funding to subsidize the South First Street Phase Two Redevelopment Project of Charlottesville Redevelopment and Housing Authority (2nd reading)

ORDINANCE AUTHORIZING A GRANT OF PUBLIC FUNDING TO THE CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY FOR THE CONSTRUCTION OF AFFORDABLE FOR-RENT HOUSING UNITS AT 900 FIRST STREET SOUTH, CHARLOTTESVILLE, VIRGINIA IN A NOT-TO-EXCEED AMOUNT OF SIX MILLION DOLLARS (\$6,000,000.00) FOR HOUSEHOLDS OF LOW AND MODERATE AREA MEDIAN INCOME LEVELS

6. RESOLUTION of the Charlottesville City Council approving the City's participation in the Proposed Settlement of Opioid-Related Claims Against Kroger

A RESOLUTION OF THE CHARLOTTESVILLE CITY COUNCIL APPROVING OF THE CITY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES AND DIRECTING THE CITY MANAGER OR THEIR DESIGNEE TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S PARTICIPATION IN THE SETTLEMENT

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the City of Charlottesville, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health, and substance abuse services, and other services by Charlottesville's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including the City of Charlottesville, have been required to allocate substantial taxpayer dollars, resources, staff energy, and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Charlottesville, and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the City has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that this pending settlement with Kroger shall be considered a “Settlement” that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the City’s outside counsel, Sands Anderson, has reviewed the available information about the proposed settlement and has recommended that the City participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED that the Charlottesville City Council, this 15th day of July 2024, approves of the City’s participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the City Manager or their Designee to execute the documents necessary to effectuate the City’s participation in the settlement, including the required release of claims against Kroger.

This resolution shall be effective immediately.

7. RESOLUTION to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,614 (carried)

CITY MANAGER REPORT

At the request of City Manager Sam Sanders, Misty Graves, Director of Human Services, presented Youth – LEAD (Law Enforcement Assisted Diversion), a program to support youth through accessing programs, services and activities that build protective factors and provide positive, healthy outlets so youth avoid juvenile justice involvement.

Mr. Sanders presented the 4th Quarter City Manager Work Plan update, summarizing FY2024 accomplishments.

ACTION ITEMS

8. **PUBLIC HEARING and ORDINANCE to amend Chapter 19 of the Charlottesville City Code - Definition of Actuarial Equivalent in Defined Benefit Plan**

Jason Vandever, City Treasurer, presented the request.

The Defined Benefit Plan pays participants a pension upon retirement payable for the participant's lifetime. However, participants have the option to elect a contingent beneficiary (or survivor). If a participant elects a contingent beneficiary, the participant's monthly pension is reduced and upon the participant's death, the beneficiary continues to receive the pension payment. The amount that the participant's pension is reduced is determined by a mortality table. According to current City Code language, the City is required to use the UP-84 Mortality Table. Since 1984, mortality experience has improved. The proposed ordinance will update the definition of actuarial equivalence in the City Code to allow the Retirement Commission to use updated mortality tables as they become available.

Mayor Wade opened public hearing. With no speakers, the mayor closed the public hearing.

Councilor Snook disclosed that his wife is a former city employee who receives a small pension, but that he has no conflict of interest.

On motion by Snook, seconded by Payne, Council by the following vote adopted the ORDINANCE TO AMEND CITY CODE CHAPTER 19 SECTION 19.91 – DEFINITIONS: 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: None).

9. ORDINANCE to Correct Ordinance #O-21-172: Amending the Agreement to Operate a Joint Convention and Visitors Bureau

Chris Engel, Director of Economic Development and member of the Charlottesville-Albemarle Convention and Visitors Bureau (CACVB) explained the need for correction was based on the incorrect version of the Agreement having been submitted when Council previously considered it. The content of the Agreement remained the same.

Mayor Wade opened public hearing. With no speakers, the mayor closed the public hearing.

On motion by Pinkston, seconded by Snook, Council by the following vote adopted the ORDINANCE TO CORRECT ORDINANCE #O-21-172 TITLED: AN ORDINANCE TO AMEND THE AGREEMENT TO OPERATE A JOINT CONVENTION AND VISITORS BUREAU: 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: None).

10. ORDINANCE: Amend and re-enact city ordinance(s) enabling the Emergency Medical Services Agreement with the Charlottesville Albemarle Rescue Squad (C.A.R.S.) (carried)

Fire Chief Michael Thomas presented the item. In 2017 the City of Charlottesville and Charlottesville Albemarle Rescue Squad (CARS) collaborated to establish emergency medical services for the City with the Charlottesville Fire Department (CFD) as the designated emergency services agency. The City Attorney's office noticed the need for a well-defined funding relationship that aligns with current billing laws and practices; therefore, a new agreement was established allowing CARS to continue providing emergency medical services

for the City of Charlottesville as a designated component of CFD. The volunteer Charlottesville Fire Company will also come under the umbrella of CFD, and CFD will remain responsible for emergency operations and EMS billing.

The City and CARS recently updated their agreement for citywide service delivery parameters. The new agreement designates certain CARS units as part of CFD and allowances for the operating costs of these services. The City Code section is being updated to better reflect the current response model and deployment of EMS services within the City.

After discussion, Council unanimously agreed to carry the ordinance to the August 5 consent agenda for second reading and vote.

11. ORDINANCE: Proposed amendments to the Charlottesville Human Rights Ordinance - Code of the City of Charlottesville, Chapter 2, Article XV (carried)

Todd Niemeier, Director of the Human Rights Commission, presented proposed amendments to the Charlottesville Human Rights Ordinance - Code of the City of Charlottesville, Chapter 2, Article XV. The purpose of these proposed amendments was three-fold:

1. To meet the requirements to enter a Fair Housing Assistance Program (FHAP) workshop with the Department of Housing and Urban Development (HUD) Fair Housing Office.
2. To make the sections relating to the roles and responsibilities of the Human Rights Commission (HRC) more understandable and straightforward to implement.
3. To update key components of the investigation process to reflect what has been learned from experience in the Office of Human Rights (OHR).

Council agreed to carry the ordinance to the Action Items agenda for August 5.

12. ORDINANCE authorizing a grant of public funding to subsidize the Sixth Street Redevelopment Project of the Charlottesville Redevelopment and Housing Authority (carried)

Alex Ikefuna, Director of the Office of Community Solutions summarized the request.

Charlottesville Redevelopment and Housing Authority (CRHA) is proposing the Sixth Street Phase One Redevelopment Project at 707-713 Sixth Street. This phase includes the construction of 47 affordable rental units in a 4-story apartment building. The units will range from 0% AMI to 60% AMI, including 9 one-bedroom, 26 two-bedroom, and 12 three-bedroom units. The redevelopment will also involve demolishing six existing public housing townhouses to make space for the new building. The total development cost is estimated at \$31,000,000, with construction expected to start in December 2024 and complete by December 2026. CRHA has received Low-Income Housing Tax Credits (LIHTC) to finance the project, which is crucial for the development of deeply affordable housing. City Council approved a financial resolution on January 3, 2022, supporting this project and designating the site as a revitalization area.

After discussion, Council unanimously agreed to carry the ordinance to the August 5 consent

agenda for second reading and vote.

13. ORDINANCE to authorize a forgivable loan to Virginia Supportive Housing for Premier Circle PSH - \$750,000 for redeveloping 405 Premier Circle into 80 permanent affordable units (carried)

Alex Ikefuna, Director of the Office of Community Solutions summarized the request.

The Virginia Supportive Housing (VSH) is proposing to redevelop a property located at 405 Premier Circle, on Route 29, as a Low-Income Housing Tax Credit (LIHTC) project. The project is a mixed income project and would provide 80 permanent affordable housing units for very low-income households; 12 units at less than 40% Area Median Income (AMI), and 68 units at incomes between 40% and 50% AMI.

The project currently has funding shortfall of \$1.5 million. The City and Albemarle County have agreed to split the funding gap in half and staff is requesting the City Council to approve a resolution appropriating \$750,000 from the Capital Improvement Plan Contingency Account to the Virginia Supportive Housing (VSH) to enable the redevelopment of the Premier Circle. The Piedmont Housing Alliance (PHA) owns the land, but VSH is the developer. The project cost is estimated at approximately \$24 million. The City Council approved \$186,722 for this project in FY 2023 under the Charlottesville Affordable Housing Fund (CAHF) allocation process. Construction is scheduled to start in May 2024. The cost for this request is \$750,000, which was already budgeted in the CIP contingency account and appropriated by City Council on January 22, 2024.

Council unanimously agreed to carry the ordinance to the August 5 consent agenda for second reading and vote.

14. RESOLUTION of Financial Support for 501 Cherry Avenue Redevelopment Project

Chris Engel, Director of Economic Development, presented the request.

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

RESOLUTION

Financial Resolution Supporting 501-A Cherry Avenue and 501-B Cherry Avenue (501 Cherry Avenue site)

Parcel Numbers: 290177000, 290178000, 290178100, 290178200, 290179000

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Charlottesville, Virginia hereby commits to pursue a performance agreement or similar tool that shares a portion of the incremental increase in real estate tax created by the improvements contemplated for this site in the form of an annual grant for a specified period of years. The grant will support the redevelopment of the overall 501 Cherry

Avenue project site (includes 501-A Cherry Avenue and 501-B Cherry Avenue) and the commitment will specifically help to subsidize the creation of approximately 71 newly constructed affordable housing units at the 501 Cherry Avenue project, in the City of Charlottesville. The funding will be documented pursuant to the required forms and agreements of the City. This commitment will be made to Piedmont Housing Alliance.

15. RESOLUTION to enact a Memorandum of Agreement (MOA) between City of Charlottesville and Virginia Department of Transportation (VDOT)

Steven Hicks, Director of Public Works, presented the request.

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

RESOLUTION

A RESOLUTION OF THE CHARLOTTESVILLE CITY COUNCIL TO ENACT A MEMORANDUM OF AGREEMENT BETWEEN CITY OF CHARLOTTESVILLE AND VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the City of Charlottesville has been unable to advance development of transportation projects funded by Virginia Department of Transportation primarily due to lack of sufficient project management staff; and

WHEREAS, these transportation projects will improve health and safety and benefit the City's transportation system; and

WHEREAS, transportation projects can be turned over to the Virginia Department of Transportation for project management, subject to the terms of a Memorandum of Agreement and a Project Agreement specific to the individual transportation project;

NOW THEREFORE BE IT RESOLVED that the Charlottesville City Council, this 15th day of July, 2024, enacts the Memorandum of Agreement between the City of Charlottesville and the Virginia Department of Transportation.

This resolution shall be effective immediately.

16. RESOLUTION to accept Right of Way Acquisition and Eminent Domain/Quick Take Process and Procedures

Steven Hicks, Director of Public Works, presented the request.

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

RESOLUTION
A RESOLUTION OF THE CHARLOTTESVILLE CITY COUNCIL
TO ACCEPT RIGHT OF WAY ACQUISITION AND EMINENT DOMAIN/
QUICK TAKE PROCESS AND PROCEDURES

WHEREAS, timely processes to acquire the necessary Right of Way or easements for City transportation projects are an essential component of completing these projects within the desired timeframe and budget; and

WHEREAS, the process for acquiring necessary Right of Way must be fair, transparent, and consistent with State and Federal law and procedures; and

WHEREAS, a documented process and procedure will help to ensure that the City of Charlottesville acquires necessary Right of Way and easements in a timely manner that is also fair, transparent, and consistent with State and Federal law and procedures;

NOW THEREFORE BE IT RESOLVED that the Charlottesville City Council, this 15th day of July 2024, accepts the presented Acquisition Procedures and Policy Manual. Further, the Department of Public Works may, as necessary, update the Acquisition Procedures and Policy Manual consistent with State and Federal requirements and best practices in the field.

This resolution shall be effective immediately.

GENERAL BUSINESS

17. PUBLIC COMMENT: Accepting public comments on the Parks and Recreation Master Plan - Court Square and Market Street Parks

William Bassett, Parks and Recreation provided background on the project. The City of Charlottesville is developing a Comprehensive Parks & Recreation Master Plan for the first time in 20 years. The Plan will provide strategic direction and vision as the department strives to meet current and emerging public needs, as well as remain the primary steward of the significant natural, cultural, and historic resources. The City added additional site specific framework plans for Court Square Park and Market Street Park to develop appropriate or recommended usage of these parks since the removal of confederate statues. PROS Consulting and their partner Kimley-Horn, who was hired to develop the Master Plan, is utilizing a variety of community engagement tactics and this public comment session is an opportunity for the public to provide thoughts and comments on future usage of the parks.

Tristan Cleveland from Kimley-Horn consultants presented the Park Concept Framework Plans for Court Square and Market Street Parks. Some questions for members of the public to consider during this meeting's feedback session were:

- What are the community values that need to be reflected in the improvements for Court Square and/or Market Street Park?

- What are the experiences that need to be provided at Court Square and/or Market Street Park?

Mayor Wade opened the floor for public comment:

1. Dr. Andrea Douglas, Executive Director of the Jefferson School African American Heritage Center, provided information about the Swords into Plowshares project and stated that the intention is for the final report to be turned over to the City. She requested, based on Swords into Plowshares project survey feedback, that the park spaces be interactive, a representation of equity, and places where children can play.

With no additional speakers, the public hearing was closed.

Responding to the mayor, Chuck D'Aprix, Downtown Economics, and Cheryl Gross-Wright, Community Engagement and Charrette Associates, LLC, described the public engagement process with individuals and focus groups.

Councilor Payne recommended defining these public spaces with intentionality, engaging with history of local and national significance.

Councilor Oschrein requested that site-specific historical plaques be incorporated in the design of the spaces, ADA accessibility, more dedicated space for children, shade structures, and for Market Street Park to collaborate with Central Library for programming. She stated that she would be in favor of closing the street between the library and Market Street Park. She suggested that having the parks ready for use by the 250th anniversary of the signing of the Declaration of Independence.

Vice Mayor Pinkston spoke about honoring the pain and history of the parks, engaging with the Historic Resource Committee, Deputy City Manager Ashley Marshall and others to tell stories authentic to Charlottesville with intentionality, recognizing why the statues were there and why they are gone, and looking to the future.

Councilor Snook spoke about Court Square Park and asked consultants to think about how the space could be used to tell a larger story of Charlottesville's history that can be consumed within an hour for someone visiting.

Mayor Wade mentioned a recent community request to name a park for Lorraine and Eugene Williams, local civil rights leaders.

Riaan Anthony, Director of Parks and Recreation, encouraged the public to engage in public engagement sessions about the future of Parks and Recreation.

18. WRITTEN REPORT: Rivanna Authorities Quarterly Report

Mayor Wade acknowledged receipt of the written Rivanna Authorities Quarterly Report.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Don Gathers, city resident, spoke about including the homeless population in conversations about Market Street Park. He suggested another date and time for a parks and recreation meeting at Tonsler Park since it coincides with another event. He expressed concern about the condition of the Police Civilian Oversight Board and requested that a new attorney be selected to represent the board.

The meeting adjourned at 9:12 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

August 5, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council met on Monday, August 5, 2024. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrin, Michael Payne, and Lloyd Snook.

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

REPORTS

1. REPORT: ADA Transition Plan Update

Paul Rudacille, ADA Coordinator, made the presentation. Under the Americans with Disabilities Act (ADA) Title II, state and local governments must engage in self-evaluation and transition plan creation. In April 2023 the City of Charlottesville awarded a professional services contract to Precision Infrastructure Management (PIM) to engage in a self-evaluation and to deliver an updated ADA Transition Plan to move towards current and full ADA compliance by the City.

The ADA Transition Plan has several objectives: 1) to conduct a self-evaluation to identify potential barriers impeding the participation of individuals with disabilities in the city's programs, services and activities; and 2) to create the updated Transition Plan which is an actionable, trackable method for addressing those barriers. The Plan details any structural/programmatic changes that would be undertaken to achieve access and specifies a time frame for their completion. It functions as a master plan and shows that the city has identified and plans to work on issues in good faith. The public may notify the city about an access issue through the MyCville app or by emailing the ADA Coordinator at ada@charlottesville.gov.

The scope of the work to complete the self-evaluation and the transition plan includes:

- All facilities that are used or accessed by members of the public
- All public-facing programs and services
- City website
- Policies and standard operating procedures
- Public right-of-way and city-maintained roads

City Manager Sanders reiterated the findings and the great deal of work, time and money that will be required to make necessary improvements.

CLOSED MEETING

On motion by Pinkston, seconded by Snook, Council voted unanimously to close the open meeting and convene in closed session pursuant to Virginia Code 2.2-3712 as authorized by the Virginia Freedom of Information Act, as follows:

- Section 2.2-3711(A)(1) for discussion and consideration of assignment, appointment, performance, demotion, salary, discipline, and/or resignation of a specific named employee of the public body; and
- Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates to be interviewed for the Planning Commission; and
- Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates to be interviewed for the Police Civilian Oversight Board.

On motion by Pinkston, seconded by Snook, Council certified by a recorded vote that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed, or considered in the closed session (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

BUSINESS SESSION

Council began the business session with a moment of silence.

RECOGNITIONS/PROCLAMATIONS

- **PROCLAMATION: Farmers Market Week**

Councilor Pinkston presented the proclamation to Cecile Gorham, who accepted on behalf of the Ix Market and the City Market. She announced a Farmers Market public forum on August 6 at Central Library.

- **PROCLAMATION: Soul of Cville 2024**

Mayor Wade presented the proclamation to Khalilah Jones, who accepted with remarks on behalf of the event organizers.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Rory Stolzenberg, city resident, spoke about concerns with Water Street Parking Garage Lease Agreement, asking Council to delay a decision and take more time to consider the cost and benefits. on the Resolution to Appropriate funding to the Parking Fund.
2. Ian Baxter, city resident, spoke about the downtown mall and his concerns about recent language used by organizations to describe its conditions and criminalizing some who use the public space.
3. Kerry Rock, city resident, spoke about safety concerns in the Rose Hill neighborhood.
4. Don Gathers, city resident, spoke about the agenda item regarding City Council pay increases, requesting that Council reconsider and address community needs before giving themselves a raise.
5. Rebecca Walton McFalls, city resident, spoke about the need for public seating along the downtown mall.

6. John Via, city resident, spoke about letters he received regarding cutting the bushes at his home.
7. Greer Achenbach, Friends of Downtown Cville, spoke about solutions for issues on the Downtown Mall and a willingness to work with partners to address the issues.
8. Anna requested that 4th Street be blocked off on August 12th to protect those who wish to honor Heather Heyer. She requested that the area be made into a green space. She spoke in support of Habitat for Humanity buying Carlton Mobile Home Park and suggested that the root cause of homelessness be addressed.
9. Edward Gaynor, city resident, spoke about concerns with the original language in a petition by Friends of Downtown regarding addressing Downtown Mall conditions. He cautioned against listening to dog whistles and criminalizing unhoused people.
10. Josie, city resident, spoke about the displacement of families at Carlton Mobile Home Park, and the need to preserve deeply affordable housing.
11. Andrew Shelton, city resident, spoke about homelessness and the original language in a petition by Friends of Downtown regarding addressing Downtown Mall conditions, and he spoke against and criminalizing unhoused people.
12. Natasha Scott, city resident, spoke as a member of the homeless community and expressed a need for outreach and services for the homeless population.
13. Mike Parisi, city resident, spoke in support of the Carlton Mobile Home Park agenda item and asked Council to take time in making the decision about the Water Street Garage. He spoke in support of Council salary increases and requested that Council pay appointees to boards and commissions.
14. Jacqueline, Albemarle County resident, spoke about language used in a petition by Friends of Downtown regarding the homeless population on the Downtown Mall. She spoke about protecting rights of unhoused people and those at risk for becoming unhoused, including the preservation of Carlton Mobile Home Park.
15. Todd Divers, Commissioner of the Revenue, announced the Commissioners and Cans Food and Funds Drive.
16. Emily Dreyfus, city resident, thanked Council and community partners for working on a solution for Carlton Mobile Home Park. She made comments about affordable housing in general.

CONSENT AGENDA*

Clerk Thomas read the following items into the record, and on motion by Payne, seconded by Oschrein, Council by the following vote approved the Consent Agenda: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

2. MINUTES: April 15 regular meeting, May 6 regular meeting
3. RESOLUTION to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,614 (2nd reading)

**RESOLUTION APPROPRIATING FUNDING for
Charlottesville Student Victim Outreach Program Department of Criminal Justice
Services Victim of Crimes Act Grant - \$123,614**

WHEREAS, the City of Charlottesville has been awarded \$123,614 from the Department of Criminal Justice Services;

WHEREAS, the funds will be used to support Evergreen, a program operated by the Department of Human Services. The grant award covers the period from July 1st, 2023 through June 30th, 2024;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$123,614 is hereby appropriated in the following manner:

Revenue – \$123,614

Fund: 209 Cost Center: 3413018000 G/L Account: 430120

Expenditures - \$123,614

Fund: 209 Cost Center: 3413018000 G/L Account: 519999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$123,614 from the Department of Criminal Justice Services.

4. Amend and re-enact city ordinance(s) enabling the Emergency Medical Services Agreement with the Charlottesville Albemarle Rescue Squad (C.A.R.S.) (2nd reading)

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 12 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, VIRGINIA (1990), AS AMENDED, TO RECOGNIZE THE CHARLOTTESVILLE-ALBEMARLE RESCUE SQUAD AND CHARLOTTESVILLE FIRE COMPANY AS COMPONENT PARTS OF THE CITY'S FIRE DEPARTMENT

5. ORDINANCE authorizing a grant of public funding to subsidize the Sixth Street Redevelopment Project of the Charlottesville Redevelopment and Housing Authority (2nd reading)

ORDINANCE AUTHORIZING A GRANT OF PUBLIC FUNDING TO THE CHARLOTTESVILLE REDEVELOPMENT AND HOUSING AUTHORITY FOR THE CONSTRUCTION OF AFFORDABLE FOR-RENT HOUSING UNITS LOCATED AT 707-713 SIXTH STREET, CHARLOTTESVILLE, VIRGINIA IN A NOT-TO-EXCEED AMOUNT OF THREE MILLION DOLLARS (\$3,000,000.00) FOR HOUSEHOLDS OF LOW AND MODERATE AREA MEDIAN INCOME LEVELS.

6. ORDINANCE to authorize a forgivable loan to Virginia Supportive Housing for Premier

Circle PSH - \$750,000 for redeveloping 405 Premier Circle into 80 permanent affordable units (2nd reading)

ORDINANCE AUTHORIZING A FORGIVABLE LOAN TO VIRGINIA SUPPORTIVE HOUSING TO SUPPORT THE PREMIER CIRCLE PROJECT FOR THE PURPOSE OF PRODUCING NEW HOUSING UNITS FOR HOMELESS PERSONS AND VERY LOW- INCOME HOUSEHOLDS

7. RESOLUTION to appropriate EPA Clean School Bus Program rebates - \$420,000 (carried)
8. RESOLUTION to appropriate \$7,120,650.00 from the United States Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) Natural Gas Distribution Infrastructure & Safety Modernization (NGDISM) grant program (carried)

CITY MANAGER REPORT

City Manager Sanders congratulated the planners of Westhaven Days. He announced National Night Out on August 6 and the reopening of the City Hall lobby.

ACTION ITEMS

9. **PUBLIC HEARING and ORDINANCE to vacate gas and waterline easements – Garden Street and Former Walnut Street (requesting waiver of 2nd reading)**

Lauren Hildebrand, Director of Utilities, presented the ordinance.

Mayor Wade opened public hearing. With no speakers, the mayor closed the public hearing.

On motion by Pinkston, seconded by Payne, Council by the following vote adopted the ORDINANCE VACATING CERTAIN UTILITY EASEMENTS LOCATED AT TMP 57-20 IN THE CITY OF CHARLOTTESVILLE, VIRGINIA, waiving the second reading: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

10. **PUBLIC HEARING and ORDINANCE to increase the salaries of City Council Members pursuant to 15.2-1414.6 of the Virginia Code (carried)**

Eden Ratliff, Deputy City Manager for Administration, presented the ordinance proposal. The City Council proposed legislative positions for the 2024 General Assembly included a section regarding salaries for local governing bodies.

Delegate Catrina Callsen carried the bill and during the 2024 Legislative Session, the General Assembly amended Virginia Code § 15.2-1414.6 to allow for an increase to the salaries paid to members of City Council based on the population of the locality. Charlottesville is authorized to increase the Mayor's annual salary from \$20,000 to \$37,000. City Councilor salaries may be increased from the current annual salary of \$18,000 to a maximum of \$34,000. In addition, City

Council may, by ordinance, adjust the annual salary in any year or years by an inflation factor not to exceed five percent. This salary increase may not take effect until July 1 after the next regularly scheduled general election of council members, which would make the effective date July 1, 2026.

Council engaged in discussion. Councilor Snook did not agree with taking full advantage of what the General Assembly has allowed, and he suggested increasing Council salaries to \$22,500 and Mayor to \$25,000. Councilor Pinkston supported the full increase and setting a marker to increase salaries periodically for inflation. Councilor Payne stated that County governments can set their salaries and the restriction was just on city councils. He supported the full increase and stated that it will make the seats more attainable for a wider variety of people who want to participate. Councilor Oschrein echoed statements from Pinkston and Payne. Mayor Wade spoke in support of the increase as an opportunity to increase diversity on city council and encourage a wider range of people to run for Council seats. He requested keeping it on the action agenda for discussion at the next meeting.

Mayor Wade opened the public hearing.

- Andrew Shelton, city resident, spoke in support of the salary increase and the opportunity for more people to afford to serve.
- Don Gathers, city resident, questioned City Council setting their own salaries. He suggested shifting the \$81,000 differential to pay appointees to boards and commissions.
- Maria spoke in support of the salary increase and the opportunity for more people to afford to serve. She stated that salary is only one barrier to serving, and that campaign financing is another barrier.

Mayor Wade closed the public hearing.

Council unanimously agreed to carry the ordinance to the August 19, 2024, meeting for second reading and vote on the Action Agenda.

11. ORDINANCE: Proposed amendments to the Charlottesville Human Rights Ordinance - Code of the City of Charlottesville, Chapter 2, Article XV (2nd reading)

Todd Niemeier, Director of the Office of Human Rights, reviewed the ordinance amendments at the July 15 City Council meeting and was available to answer questions for Council. There were no additional questions.

On motion by Pinkston, seconded by Payne, Council by the following vote adopted the proposed amendments to the Charlottesville Human Rights Ordinance: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

AN ORDINANCE AMENDING AND REENACTING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, ARTICLE XV (HUMAN RIGHTS) TO UPDATE THE ORDINANCE TO EXPAND THE

COMMISSION'S DUTIES AS AUTHORIZED BY THE VIRGINIA HUMAN RIGHTS ACT (VIRGINIA CODE TITLE 2.2, CHAPTER 39), THE VIRGINIA FAIR HOUSING LAW (VIRGINIA CODE TITLE 36, CHAPTER 5.1), and VIRGINIA CODE, TITLE 15.2, CHAPTER 9, §15.2-965, AS AMENDED.

12. ORDINANCE: Approving Financial Assistance to Support Residential Rental Housing at Carlton Mobile Home Park for Persons of Low and Moderate Income and Authorizing the City Manager to Execute and Deliver a Support Agreement in Connection with the Same.

Eden Ratliff, Deputy City Manager for Administration, briefed Council about a partnership opportunity for the purchase of Carlton Mobile Home Park. Owners of the Carlton Mobile Home Park ("the Park"), a 6-acre mobile home park located in the City of Charlottesville serving 67 units, provided notice to the tenants of the Park that an offer to purchase the Park was received.

Piedmont Housing Alliance ("PHA") and the Greater Charlottesville Habitat for Humanity, Inc. ("GCHH") asked the City to provide financial support to assist their efforts to secure financing for the purpose of purchasing and redeveloping the Park. The sale of the Park to another buyer would likely jeopardize the continued use of the property for low to moderate income housing. PHA and GCHH have until August 6, 2024, to make an offer to purchase the Park. The parties intend to obtain outside financing to purchase the Park and requested that the City provide annual support over the next five years for a total amount not to exceed \$8.7 Million, in the event that they effectively purchase and become bona fide owners of the Park.

Krisy Hammill, Director of Budget, presented financial options and stated that the FY 2025 City Budget would need to be amended.

Sunshine Mathon, PHA, stated that Council's contribution commitment upfront is intended to be the full City contribution; however, with the rapidly moving process, that could change.

Councilors spoke in support of staff and community efforts to arrive at a creative solution.

Dan Rosensweig, Habitat for Humanity of Greater Charlottesville, answered a question from Council regarding whether the homes would remain as mobile homes, and he recounted results of resident meetings, where an agreement was reached to keep the mobile home park for at least 3 years without raising rent rates, but the ultimate outcome would be redevelopment. The purchase contract includes a deed restriction to keep rents stabilized for three years.

On motion by Payne, seconded by Oschrein, Council by a vote of 5-0 adopted the ORDINANCE APPROVING FINANCIAL ASSISTANCE TO SUPPORT RESIDENTIAL RENTAL HOUSING AT CARLTON MOBILE HOME PARK FOR PERSONS OF LOW AND MODERATE INCOME AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER A SUPPORT AGREEMENT IN CONNECTION WITH THE SAME, waiving the second reading (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

13. RESOLUTION to confirm the selection of a preferred alternative design for access

control at Cedar Hill Drive as part of the Hydraulic Road/District Avenue roundabout project

Ben Chambers, Transportation Planning Manager, presented the alternative design options for access control at Cedar Hill Drive.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 approved the resolution to confirm the selection of Option B as the preferred alternative design for access control at Cedar Hill Drive as part of the Hydraulic Road/District Avenue roundabout project (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

**A RESOLUTION
TO CONFIRM THE SELECTION OF A PREFERRED ALTERNATIVE FOR
ACCESS CONTROL AT CEDAR HILL DRIVE AS PART OF THE DISTRICT
AVENUE ROUNDABOUT AT HYDRAULIC ROAD PROJECT**

WHEREAS, the City of Charlottesville (hereafter “City”) is a municipal corporation duly organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the City Council is the legislative body of the City; and

WHEREAS, the Charlottesville-Albemarle Metropolitan Planning Organization (CAMPO), in cooperation with the Virginia Department of Transportation (VDOT) and the Thomas Jefferson Planning District Commission (TJPDC) completed a comprehensive Long Range Transportation Plan (“2045 LRTP”) in May 2019; and

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

WHEREAS, the Council of the City of Charlottesville adopted a resolution endorsing the submission of the District Avenue Roundabout (at Hydraulic Road) project as a SMART SCALE application as part of a package of applications to be submitted by the Charlottesville Albemarle Metropolitan Planning Organization (CAMPO) in August 2022; and

WHEREAS, the Commonwealth Transportation Board unanimously agreed to the funding of selected SMART SCALE applications, including the District Avenue Roundabout project, in May 2023; and

WHEREAS, the existing conditions at the intersection of Cedar Hill Drive and Hydraulic Road control access from that intersection southbound into the Meadows neighborhood; and

WHEREAS, the Virginia Department of Transportation (VDOT) project management team has developed two design alternatives for consideration that treat the access to Cedar Hill Drive differently; and

WHEREAS, VDOT held a Citizen Information Meeting on June 4, 2024, at the Holiday Inn-University Area on Emmet Street to solicit feedback on the two design alternatives; and

WHEREAS, the majority of the feedback received on the two design alternatives was from residents in the Meadows neighborhood who would be most directly impacted by either alternative; and

WHEREAS, the majority of the feedback received on the two design alternatives was in favor of the alternative that would only allow northbound access from Cedar Hill Drive into the roundabout and remove the southbound access from the roundabout onto Cedar Hill Drive, creating a one-way connection, which is described as “Alternative B” by VDOT;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that the Council fully endorses the selection of Alternative B (One-way connection for Cedar Hill Road at Hydraulic Road) as the preferred alternative for the District Avenue Roundabout (at Hydraulic Road) project.

ADOPTED on this the 5th day of August 2024 by Charlottesville City Council.

14. RESOLUTION approving the acquisition of land near Grove Road and the western portion of McIntire Park and placement of an open space conservation easement of such park land - 0 Grove Road

Chris Gensic, Park and Trail Planner presented the request and answered questions for Council.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 approved the resolution for the acquisition of land near Grove Road and the western portion of McIntire Park and placement of an open space conservation easement of such park land at 0 Grove Road (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

**RESOLUTION
APPROVING THE ACQUISITION OF LAND NEAR GROVE ROAD
AND THE WESTERN PORTION OF McINTIRE PARK AND PLACEMENT OF
OPEN SPACE CONSERVATION EASEMENT ON SUCH PARK LAND**

WHEREAS, Susan R. Hoover and Angus Arrington (the “Owner”) are the owners of land designated on City Real Estate Tax Map 41A as Parcel 94, and have indicated a willingness to convey a portion of the subject land to the City of Charlottesville for creation of parkland; and

WHEREAS, the land to be conveyed, hereinafter the “Property”, is described as follows:

All that lot or parcel of land designated as City Real Estate Tax Map Parcel 41A094000, less and except a ten-foot (10’) wide strip of land at the northern boundary of Parcel 94, to be retained by Owner and combined with City Tax Map Parcel 41A093000, as shown on a plat dated June 12, 2024, made by TRC Engineers, Inc. (the “Plat”); and

WHEREAS, Owner has agreed to convey to the City the Property for the purchase price of \$55,000; and

WHEREAS, funds are available for the purchase and development of the Property through a Virginia Outdoors Foundation grant managed by the Parks and Recreation Department in the amount of \$50,000; and

WHEREAS, funds are available for the purchase and development of the Property through the Parks and Recreation Department Capital Improvement Plan (CIP) Trails and Land Acquisition funds in the amount of \$5,000; and

WHEREAS, the Department of Parks and Recreation seeks approval from City Council to proceed with the purchase of the above-described Property at a purchase price of \$55,000, with funding supplied by use of funds from the Virginia Outdoors Foundation and through the Parks and Recreation fund; and

WHEREAS, use of such funding shall require the recording of an open space conservation easement on the combined parcels referenced herein to the benefit of Virginia Outdoors Foundation; and

WHEREAS, the resulting open space easement shall trigger the collection of a three-dollar recording fee for all property conveyances from the date of the easement filed in Charlottesville Circuit Court to the benefit of Virginia Outdoors Foundation upon recording; and

WHEREAS, a public hearing to receive public input on the approval of the grant and the purchase of the property was held on May 16, 2022; and

WHEREAS, a draft sales Agreement has been approved as to form by the City Attorney's Office; and

WHEREAS, the City Manager, or their designee, is hereby authorized to sign the draft agreement, or other agreement provided it is in a substantially similar form, and to proceed with the steps necessary to acquire and convey said land; now, therefore,

BE IT RESOLVED, by the Council of the City of Charlottesville, that it hereby authorizes the purchase of the above-described Property for creation of parkland and the placement of an open space easement over the Property. The City Manager and City Attorney's Office shall take whatever actions are necessary to effect the acquisition of the above-described Property and required recordings, pursuant to the terms and conditions set forth herein.

15. RESOLUTION approving land acquisition for park and open space use - 0 Cedar Hill Road

Chris Gensic, Park and Trail Planner presented the request and answered questions for Council.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 approved the resolution approving land acquisition for park and open space use at 0 Cedar Hill Road (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION
APPROVING THE ACQUISITION OF LAND AT 0 CEDAR HILL ROAD

WHEREAS, the City of Charlottesville seeks to expand publicly available areas for park and open space purposes; and

WHEREAS, WEBER PROPERTY MANAGEMENT LLC (the “Owner”) is the owner of an approximately 0.22 acre parcel of vacant land designated as Parcel ID 40C102100, located on Cedar Hill Road (0 Cedar Hill Road), and has indicated a willingness to convey the subject land to the City of Charlottesville for creation of park and open space; and

WHEREAS, the land to be conveyed, hereinafter the “Property”, is described as follows:

ALL that certain lot or parcel of land, lying and being situate in the City of Charlottesville, Virginia, containing 0.22 acre, more or less, and being designated and described as Lot A, Block C, Section 2, of The Meadows Subdivision, as shown on plat made by Dominion Development Resources, LLC, dated August 9, 2006, and entitled “Plat Showing Subdivision of Tax Map 40C Parcel 103, The Meadows – Section 2, Lot 8, City of Charlottesville, Virginia”, a copy of which plat attached to Certificate of Plat recorded in the Clerk’s Office of the Circuit Court of Albemarle County, Virginia in Deed Book 1104, Pages 151 and 154.

BEING a part of the same real estate conveyed to Weber Property Management, LLC by Deed from Jeff A. Bialy and Nicola J. Bialy, husband and wife, dated June 8, 2005 in the Clerk’s Office, Circuit Court, City of Charlottesville, Virginia in Deed Book 1033, Page 782.

WHEREAS, Owner has agreed to convey to the City the Property for the purchase price of \$100,000; and

WHEREAS, funds are available for the purchase of the Property through existing property acquisition funds managed by the Parks and Recreation Department; and

WHEREAS, the Department of Parks and Recreation seeks approval from City Council to proceed with the purchase of the above-described Property at a purchase price of \$100,000, with funding supplied by existing property acquisition funds managed by the Parks and Recreation Department; and

WHEREAS, upon acquisition, the property at 0 Cedar Hill Road will be added into the public park system; and

WHEREAS, a draft sales Agreement has been approved as to form by the City Attorney’s Office; and

WHEREAS, the City Manager, or their designee, is hereby authorized to sign the draft agreement, or other agreement provided it is in a substantially similar form, and to proceed with the steps necessary to acquire and convey said land; now, therefore,

BE IT RESOLVED, by the Council of the City of Charlottesville, that it hereby authorizes the purchase of the above-described Property for creation of park and open space use. The City Manager and City Attorney's Office shall take whatever actions are necessary to effect the acquisition of the above-described Property and required recordings, pursuant to the terms and conditions set forth herein.

16. RESOLUTION approving land acquisition for trail and open space use - 0 Rialto Street

Chris Gensic, Park and Trail Planner presented the request and answered questions for Council.

On motion by Pinkston, seconded by Oschrein, Council by a vote of 5-0 approved the amended resolution approving land acquisition for trail and open space use at 0 Rialto Street, removing location references to Interstate 64 and State Route 780 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION APPROVING THE ACQUISITION OF LAND AT 0 RIALTO STREET

WHEREAS, the City of Charlottesville seeks to expand publicly available areas for park, and trail uses, recreational enjoyment, and forest and stream preservation and restoration purposes; and

WHEREAS, RIALTO BEACH LLC (the "Owner") is the owner of land designated as a portion of Parcel ID 590379000, located on Moores Creek, and has indicated a willingness to convey the subject land to the City of Charlottesville for creation of trail(s) and open space; and

WHEREAS, the land to be conveyed, hereinafter the "Property", is described as follows:

TAX MAP PARCEL NUMBER: Part of 590379000

ALL that parcel of tract of land located in the City of Charlottesville, Virginia on both sides of Moore's Creek shown as New Park Parcel containing 1.064 acres on a plat by Roudabush, Gale & Assoc., Inc. dated November 1, 2023, revised May 10, 2024 and recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia, as Instrument No. _____.

BEING a portion of the property conveyed to Rialto Beach, LLC, a Virginia limited liability company, be deed from Coleway Development, LLC, a Virginia limited liability company, dated May 22, 2008, recorded May 22, 2008, in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia, as Instrument No. 2008002402.

WHEREAS, Owner has agreed to convey to the City the Property for the purchase price of \$10,000; and

WHEREAS, funds are available for the purchase and development of the Property through existing property acquisition funds managed by the Parks and Recreation Department (Account Trail P-00662); and

WHEREAS, the Department of Parks and Recreation seeks approval from City Council to proceed with the purchase of the above-described Property at a purchase price of \$10,000, with funding supplied by existing property acquisition funds managed by the Parks and Recreation Department; and

WHEREAS, upon acquisition, the property at 0 Rialto Street will be added into the public park system; and

WHEREAS, a draft sales Agreement has been approved as to form by the City Attorney's Office; and

WHEREAS, the City Manager, or their designee, is hereby authorized to sign the draft agreement, or other agreement provided it is in a substantially similar form, and to proceed with the steps necessary to acquire and convey said land; now, therefore,

BE IT RESOLVED, by the Council of the City of Charlottesville, that it hereby authorizes the purchase of the above-described Property for creation of park and open space use. The City Manager and City Attorney's Office shall take whatever actions are necessary to effect the acquisition of the above-described Property and required recordings, pursuant to the terms and conditions set forth herein.

17. RESOLUTION approving amendments related to the City's interest in Water Street Parking Garage

Chris Engel, Director of Economic Development, presented the resolution and agreement and answered question for Council. The City by virtue of its membership in the Water Street Parking Garage Condominium Association (WSPGCA) entered into a 99-year ground lease for the land under the Water Street Parking Garage in 1991. At the time this enabled new structured parking to be built at a key location in an effort to support the growing downtown mall area. The ground rent during the early years of the lease was favorable to the WSPGCA and below market value. As of 2014, and every ten years thereafter, the rent resets based on the appraised value of the land as if unimproved. In 2014, the rent reset triggered litigation involving the property owner, the association, the City, and others. In 2018, the City entered into an agreement to lease the remaining 317 parking spaces so that the facility could be uniformly managed. In early 2024, the property owner presented an appraisal indicating a significant increase in the ground lease rent. In an effort to avoid litigation and make this increase more gradual the association and tenant sought to negotiate an alternative solution.

The amendments remove the opportunity for future appraisal disputes, provide known costs and allow current parking operations to continue uninterrupted. The option agreement provides the City a twenty-year timeframe to assess the need for and desirability of municipally owned and

operated parking facilities and determine if ownership is appropriate at that time. It also ends the City's rent obligation to the WSPGCA as of 2044.

On motion by Pinkston, seconded by Snook, Council by a vote of 5-0 approved the resolution approving amendments related to the City's interest in Water Street Parking Garage (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION

Approving the execution of several amendments related to the City's interest in the Water Street Parking Garage and the Water Street Parking Garage Condominium Association (WSPGCA)

WHEREAS, the City, by virtue of its membership in the Water Street Parking Garage Condominium Association ("WSPGCA"), entered into a 99-year ground lease for the land under the Water Street Parking Garage in 1994, which enabled the construction of a parking facility to support the growing Downtown Mall area; and

WHEREAS, the WSPGCA's governing documents provide that the base rent for the land underneath the Water Street Parking Garage (the "Garage") must be renegotiated every ten years, based on the appraised value of the land as if the land was unimproved; and

WHEREAS, in 2014, this renegotiation process led to significant litigation involving the City, the WSPGCA, the Charlottesville Parking Center ("the CPC" or "Landlord"), and other involved parties; and

WHEREAS, the WSPGCA is currently renegotiating the base rent for the land underneath the Garage, and this renegotiation is likely to result in a significant increase in the base rent, or litigation, or both; and

WHEREAS, the parties have currently negotiated a settlement agreement intended to prevent future disagreements between the parties which includes the following terms:

1. An amendment to the ground lease that sets the annual rent for the period from July 1, 2024 to June 30, 2044.
2. An amendment to the parking space lease that extends the term to June 30, 2044 and sets the annual rent for the period from July 1, 2024 to June 30, 2044.
3. An option for the City to purchase the land (subject to the ground lease mentioned above) and the parking spaces (subject to the above-mentioned lease) effective July 1, 2044. If the City does not exercise this option, then Charlottesville Parking Center will purchase the City's parking spaces.

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the terms of the settlement agreement between the City of Charlottesville, as part of the WSPGCA, and the

CPC are hereby approved, and the City Manager is authorized to execute any necessary documents, in form approved by the City Attorney's Office.

18. RESOLUTION to Appropriate funding to the Parking Fund - \$1,400,000 (carried)

Director Chris Engel presented the appropriation resolution, which is based upon Council's approval of the resolution authorizing amendments related to the City's interest in Water Street Parking Garage.

Council unanimously agreed to carry the item to the August 19, 2024, meeting for second reading and vote on the consent agenda.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Rory Stolzenberg, city resident, spoke in opposition to the decision made regarding the parking garage without asking further financial questions.

The meeting adjourned at 8:59 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

August 19, 2024 at 4:00 PM

Council Chamber

The Charlottesville City Council convened in a regular meeting on Monday, August 19, 2024. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrein, Michael Payne, and Lloyd Snook.

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

REPORTS

1. REPORT: Food Equity Initiative FY 24 Report

Cultivate Charlottesville staff presented the report - Aleen Carey, Co-executive Director; KJ Howard, Food Justice Network Associate; and Ryan Thayer, Co-executive Director. The presentation included: 1) a report on Food Equity Initiative FY24 goals, 2) the FY24 budget to current, and 3) FY25 initiatives and budget. FY25 Recommendations to City Council included:

1. Charlottesville City Council recommends dedicating land in Booker T. Washington Park for an Urban Agriculture Collective farm.
2. Charlottesville City Council asks Parks and Recreation to prioritize a community design for this farm site in the upcoming Parks & Recreation Strategic Plan.
3. Charlottesville City Council renews its commitment to making Charlottesville not only a foodie town, but also a food-E(quity) place where all residents have access to their preferred, culturally-relevant, fresh food and can truly thrive.

Mr. Sanders advised Council that the funding agreement for the Food Equity Initiative made years ago is coming to an end this fiscal year and Council will need to decide how to proceed.

2. REPORT: Parks & Recreation Master Plan Update

Riaan Anthony, Director, introduced Mike Svetz, PROS Consulting, who presented the Parks and Recreation Master Plan Needs Assessment Findings. The presentation reviewed:

- Community Engagement by the Numbers
- Focus Group Themes
- Public Meeting/Outreach Themes
- Statistically Valid Survey Results
- Site-specific Framework Plan Themes for Tonsler Park, Washington Park, Court Square, and Market Street, and
- Next Steps

CLOSED MEETING

On motion by Pinkston, seconded by Oschrein, Council voted unanimously to convene in closed session pursuant to section 2.2-3712 of the Virginia Code, as authorized by Section 2.2-

3711(A)(1), for discussion and consideration of assignment, appointment, performance, demotion, salary, discipline, and/or resignation of a specific named employee of the public body, and for discussion and consideration of prospective candidates for appointment to the following City boards and commissions: Charlottesville Affordable Housing Fund Committee; Charlottesville-Albemarle Airport Commission; Charlottesville-Albemarle Convention & Visitors Bureau Executive Board; Community Development Block Grant Task Force; Community Policy and Management Team; Housing Advisory Committee; Human Rights Commission; JAUNT Board of Directors; Jefferson Area Community Criminal Justice Board; Jefferson-Madison Regional Library Board; Local Board of Building Code Appeals; Minority Business Commission; Retirement Commission; Sister Cities Commission; Social Services Advisory Board; Towing Advisory Board; Vendor Appeals Board; and Youth Council.

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

BUSINESS SESSION

City Council observed a moment of silence.

ANNOUNCEMENTS

Councilor Payne announced the Commissioners and Cans food and funds drive.

Councilor Oschrein announced Loop De Ville on September 28. She announced the online Parks survey and encouraged participation.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Nicholas Co, city resident, spoke in support of Ranked Choice Voting.
2. Sally Hudson, city resident, spoke in support of Ranked Choice Voting.
3. Frank Bechter, city resident, spoke in support of Ranked Choice Voting. He suggested changing the names of the city's "half" streets. He commended the Department of Parks and Recreation for their community engagement efforts, and he recommended that Court Square and Market Street be pursued as living monuments.
4. Mr. Keintzschel shared handouts regarding rezoning at Willoughby Place Apartments.
5. Kathryn Laughon, city resident, spoke in support of Ranked Choice Voting and commended Council and the community for efforts toward affordable housing.
6. Edde Mendez spoke about safety concerns at Willoughby Place Apartments and concerns about proposed rezoning.
7. Fritz Knabe, city resident, spoke in support of Ranked Choice Voting.
8. Cindy Cartwright, city resident, spoke in support of Ranked Choice Voting.

9. Jen Fleischer, city resident, spoke in support of Ranked Choice Voting.
10. Don Gathers, city resident, spoke in support of Ranked Choice Voting. Regarding parks, he advised giving them time to heal and not rushing to do anything new with them. He spoke in opposition to salary increases for City Council.

CONSENT AGENDA

Clerk Thomas read the following Consent Agenda items into the record, and on motion by Pinkston, seconded by Payne, Council by a vote of 5-0 adopted the Consent Agenda (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

3. MINUTES: June 3 regular meeting, June 17 regular meeting, July 1 regular meeting
4. RESOLUTION to appropriate EPA Clean School Bus Program rebates - \$420,000 (2nd reading)

RESOLUTION

WHEREAS, The City of Charlottesville, through the Office of Sustainability, has been notified that it will be awarded rebates from the US Environmental Protection Agency (EPA) Clean School Bus Program to support the purchase of two electric school buses;

NOW, THEREFORE IT BE RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the awarded EPA rebates, said funding, anticipated in the sum of \$420,000 is hereby appropriated, in the following manner:

Revenues

\$420,000	Fund: 106	Funded Program: 2200076	G/L Account: 431010
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Expenditures

\$420,000	Fund: 106	Funded Program: 2200076	G/L Account: 541040
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$420,000 from the EPA Clean School Bus Program.

5. RESOLUTION to appropriate \$7,120,650.00 from the United States Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) Natural Gas Distribution Infrastructure & Safety Modernization (NGDISM) grant program (2nd reading)

RESOLUTION

Appropriating Funding in the Amount of \$7,120,650 To Be Received from United States Department of Transportation

WHEREAS, The City of Charlottesville, through the Utilities Department, has been notified that it will be awarded a grant from United States Department of Transportation (DOT)

Pipeline and Hazardous Materials Safety Administration (PHMSA) Natural Gas Distribution Infrastructure & Safety Modernization (NGDISM) grant, in the amount of \$7,120,650.00.

Revenues

\$7,120,650 Fund 631 Order 1900563 GL 431110 Federal grants

Expenditures

\$7,120,650 Fund 631 Order 1900563 GL 530300 Construction Contracts

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the PHMSA NGDISM funding from the Department of Transportation, said funding, anticipated in the sum of \$7,120,650, is hereby appropriated in the following manner:

BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of \$7,120,650 in funds from the Department of Transportation.

6. RESOLUTION to appropriate funding to the Parking Fund - \$1,400,000 (2nd reading)

RESOLUTION

To appropriate funding from the Capital Improvement Plan Contingency Account to the Parking Fund - \$1,400,000

WHEREAS, the City, by virtue of its membership in the Water Street Parking Garage Condominium Association (“WSPGCA”), entered into a 99-year ground lease for the land under the Water Street Parking Garage in 1994, which enabled the construction of a parking facility to support the growing Downtown Mall area; and

WHEREAS, the WSPGCA’s governing documents provide that the base rent for the land underneath the Water Street Parking Garage (the “Garage”) must be renegotiated every ten years, based on the appraised value of the land as if the land was unimproved; and

WHEREAS, the ground lease, pursuant to a negotiated settlement agreement includes an increase in the rent amount to be paid by the City for FY25;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$1,400,000 shall be transferred from the Capital Improvement Program Contingency Account to the City’s Parking Fund to fund the increase in the annual lease payment:

Transfer from:

\$ 1,400,000 Fund: 426 WBS: CP-080 G/L Account: 540100

Transfer to:

\$ 1,400,000 Fund: 650 Cost Center: 6511003000 G/L Account: 560160

7. RESOLUTION for approval of easement additions for the Bypass Fire Station

**A RESOLUTION
EXPANDING AN EASEMENT GRANTED TO DOMINION POWER TO ENABLE
ELECTRICAL POWER SERVICE TO THE NEW FIRE STATION**

WHEREAS, in 2013, the City of Charlottesville (“City”) granted a utility easement to Dominion Power for the purpose of providing underground electrical service to the Charlottesville Fire Department (“CFD”) Fire Station located on the 250 Bypass; and

WHEREAS, the City is currently constructing a new fire station on the 250 Bypass, which necessitates the expansion of the existing easement to enable the provision of electrical service to the new fire station; and

WHEREAS, City staff has worked with Dominion Power to verify the location, effectiveness, and practicality of the additions being proposed and has concluded that these modifications are legitimate and necessary additions to the easement to enable Dominion to provide electrical service to the new fire station; and

WHEREAS, the proposed expanded easement is depicted on Plat 81-24-0033, respectively, which has been enclosed for reference; and

WHEREAS, the new fire station will comport with City Council’s vision of a “Green City,” as the new facility will be LEED certified and will include on-site solar generation, among other featured;

NOW, THEREFORE, BE IT RESOLVED, that the City of Charlottesville approves expansion of the existing easement provided to Dominion Power for the provision of electrical power service to the new fire station, located on the 250 Bypass, as depicted in Plat 81-24-0033.

8. RESOLUTION to appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (carried)

BOARD and COMMISSION APPOINTMENTS

On motion by Snook, seconded by Payne, Council made the following appointments to boards and commissions by a vote of 5-0:

- Board of Architectural Review: Katherine Snider Tabony
- Charlottesville Affordable Housing Fund Committee: Jamaala Hamilton
- Charlottesville-Albemarle Airport Commission: Benjamin Chambers
- Community Policy and Management Team: Rebecca Schmidt
- Human Rights Commission: Jason Melendez, Elizabeth Stark, Dawn Lawson

- Jefferson Area United Transportation Board of Directors: Benjamin Chambers
- Jefferson-Madison Regional Library Board: Siri Russell
- Sister Cities Commission: Murray Susen
- Social Services Advisory Board: Maria Rincon, Rebecca Schmidt
- Youth Council: Joyce Brown, Lucia Clarens, Dylan Grist, Eshan Panicker

CITY MANAGER REPORT

Deputy City Manager Ashley Marshall announced that the City of Charlottesville has its first Youth Anti-bullying Policy, which includes a Youth Code of Conduct.

City Manager Sanders provided an update on the Stribling Avenue sidewalk project. The Public Works team will present an update within 30 days. He announced that Rivanna Authorities renamed the Ivy Material Utilization Center to the Ivy Solid Waste Recycling Center and will host recycling activities in September and October.

The Office of Community Solutions released a notice of funding availability to for a variety of housing-related activities.

ACTION ITEMS

9. PUBLIC HEARING and RESOLUTION on the Program Year 2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs and to Establish Council Priorities for Program Year 2025-2026 (carried)

Anthony Warn, Grants Analyst, announced that the 15-day CAPER public comment period is open.

During the 2023-2024 Program Year, the city's CDBG program directly benefitted City residents by supporting activities that:

- Provided critical and emergency home repairs to income-qualified homeowners.
- Subsidized tuition for local entrepreneurs to participate in small business training and support programs through a local CDFI, graduates of which could become eligible for small-business startup grant funding.
- Supported outreach and intake programs serving the area's unhoused population to bring them into a coordinated system of care.
- Provided significant infrastructure enhancements to support the creation of the region's first large-scale shared-use commercial kitchen in heart of the Belmont neighborhood.
- Facilitated the creation of the City's newest ADA-compliant trail bridge to connect city residents to an emerging trail network and to the city's Jordan Park (note that only the bridge is currently ADA-compliant; an ADA-compliant pathway is currently pending).

- Addressed long-standing community concerns by funding the removal of significant physical barriers to access in two community playgrounds, including broken concrete pathways that impeded access for mobility-impaired visitors to those public spaces.
- Supported programs to train residents of publicly supported housing to help plan the redevelopment of historically underserved neighborhoods.
- Facilitated energy-efficiency upgrades and roof repairs to enable income-eligible homeowners to participate in a solar panel installation program offered by Dominion Energy.
- Facilitated significant infrastructure improvements for the Blue Ridge Area Food Bank, more than tripling their capacity to safely store and distribute fresh produce.

During the 2023-2024 Program Year, the city's HOME program directly benefitted City residents in multiple ways by supporting the following activities:

- Construction of new affordable rental and homeowner units to be made available to income-eligible households at or below 60% of area Median Family Income (MFI).
- Renovations to currently occupied affordable rental units and associated energy-efficiency upgrades (e.g., replace old appliances, etc.).

Mayor Wade opened the public hearing. There were no speakers. Agreement to carry the resolutions to the September 3rd meeting for 2nd reading and vote on the Consent Agenda

10. ORDINANCE to increase the salaries of City Council Members pursuant to 15.2-1414.6 of the Virginia Code (2nd reading)

Eden Ratliff, Deputy City Manager, summarized the ordinance, which was introduced at the August 5, 2024, City Council meeting with a public hearing. Councilors engaged in discussion, with Councilor Snook raising a question about providing compensation for members appointed to boards and commissions. Mr. Ratliff stated that the topic will be reviewed along with a larger project regarding boards and commissions.

Councilor Snook expressed concern about increasing Council salaries to the full extent allowed by law, given the recent need for Council to raise various tax rates to fund other city needs.

On motion by Pinkston, seconded by Oschrein, Council by the following vote adopted the Ordinance to increase the salaries of City Council Members pursuant to 15.2-1414.6 of the Virginia Code: 4-1 (Ayes: Oschrein, Payne, Pinkston, Wade4; Noes: Snook).

AN ORDINANCE INCREASING THE SALARIES OF MEMBERS OF CITY COUNCIL PURSUANT TO SECTION 15.2-1414.6 OF THE CODE OF VIRGINIA

WHEREAS, in July 2024, the Virginia General Assembly amended the Code of Virginia § 15.2-1414.6 to authorize localities to increase the salaries of members of City Council, with the City of Charlottesville receiving authorization to increase the salaries of City

Councilors from \$18,000 to \$34,000, and to increase the Mayor's salary from \$20,000 to \$37,000; and

WHEREAS, the statutory limits placed on City Councilor salaries by the General Assembly have not been adjusted for inflation since 1996; and

WHEREAS, the new maximum salaries reflect the impact of inflation between the years 1997 and 2024; and

WHEREAS, the current low salaries for City Council may prevent citizens of middle or lower levels of income from participating in local government, as these citizens may not be able to offset lost income from time spent away from work; and

WHEREAS, pursuant to the Code of Virginia the salary increases contemplated herein cannot come into effect until the July 1 following the next general election for members of City Council, which would be July 1, 2026.

NOW, THEREFORE, BE IT ORDAINED, that the City of Charlottesville, Virginia pursuant to Va Code § 15.2-1414.6, hereby increases the salaries of City Councilors to \$34,000, and the salary of the Mayor to \$37,000. This salary increase will take effect on July 1, 2026.

11. Ranked Choice Voting:

- a. ORDINANCE to Adopt Ranked Choice Voting ("RCV") as the Voting Method for the June 2025 City Council Primary election (carried)**
- b. RESOLUTION to appropriate \$26,460 for Ranked Choice Voting (carried)**

Eden Ratliff, Deputy City Manager, summarized the ordinance and resolution.

Robinson Hubbard, Deputy City Attorney, provided information about the authority for Ranked Choice Voting: "Va. Code Sec. 15.2-1411, which provides: § 15.2-1411. Appointment of advisory boards, committees and commissions; compensation and reimbursement of expenses. The governing body of any locality may appoint such advisory boards, committees, and commissions as it deems necessary to advise the governing body with regard to any matter of concern to the locality. Members shall be appointed to serve at the pleasure of the governing body. The governing body may provide for (i) reimbursement of the actual expenses incurred by members while serving on such advisory boards, committees, and commissions and (ii) compensation to members for their services for attendance at regularly scheduled meetings, and for training in an amount determined appropriate by the governing body from available funds."

Taylor Yowell, General Registrar, explained the Ranked Choice Voting process and use of tabulation software for instant runoffs.

Council unanimously agreed to carry the item to the September 3 meeting for second reading and vote on the Consent Agenda.

12. PUBLIC HEARING and ORDINANCE to repeal City Code Sec. 18-24(b) and 18- 25(f) pursuant to the Ragged Mountain Reservoir Settlement Agreement

Robinson Hubbard, Deputy City Attorney, presented the ordinance.

In April 2017, Albemarle County (“the County”) filed a legal action in Charlottesville Circuit Court (“Circuit Court”) against the City challenging permitted activities at the Ragged Mountain Reservoir (“the Reservoir”). While located in the County, the Reservoir is owned by the City, and supplies water to residents and businesses in both localities. The litigation involved determining which recreational activities are permitted at the Reservoir. The County sought to prohibit bicycling and permit horseback riding at the Reservoir, while corresponding provisions of the City Code permitted bicycling and prohibited horseback riding at the Reservoir. The Charlottesville Circuit Court found in favor of the County, and the City appealed this action to the Court of Appeals of Virginia. The two parties then entered into a Settlement Agreement which ended litigation on the matter. City Council approved this Settlement Agreement on March 4, 2024.

The Settlement Agreement contained the following terms:

- 1) The City would withdraw its appeal from the Court of Appeals of Virginia.
- 2) The City would repeal Charlottesville City Code Secs. 18-24(b) and 18-25(f).
- 3) The County would be allowed (but not required) to install signs at strategic locations on the Reservoir notifying visitors that bicycling and/or horseback riding is not permitted.
- 4) The County would maintain primary law enforcement responsibilities at the Reservoir.
- 5) The City maintains authority to exercise police property over the Reservoir or persons using the Reservoir, or to send law enforcement officers to the Reservoir to protect the property or enforce the laws of the Commonwealth.

The proposed ordinance strikes the portions of the City Code which allows bicycling and horseback riding at the Reservoir.

Mayor Wade opened the public hearing.

- Annette Dusenbury, city resident and board member of the Charlottesville Area Mountain Bike Club, stated that the county is considering revising their Code, and asked the City to add language to state "allow any activities allowed by the County" to avoid future conflict with the County Code.
- Dede Smith, city resident, spoke about protecting the Ragged Mountain Watershed and in support of the ordinance.

Mayor Wade closed the public hearing and Council unanimously agreed to carry the item to the September 3 meeting for second reading and vote on the Consent Agenda.

GENERAL BUSINESS

13. WRITTEN REPORT: Land Use and Environmental Planning Committee Semi-Annual Report

Mayor Wade acknowledged receipt of the written report.

Councilor Payne expressed concern that this report is the only information that the public receives about UVA's land purchases, and that there is no public body that discusses land use by UVA.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Sally Hudson provided clarifying information about Ranked Choice Voting.

The meeting adjourned at 8:01 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

August 26, 2024 at 4:30 PM

SPECIAL MEETING

Council Chamber

The Charlottesville City Council convened in a special meeting on Monday, August 26, 2024, for the purpose of interviewing applicants to fill vacancies on the Police Civilian Oversight Board. Vice Mayor Brian Pinkston called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Vice Mayor Brian Pinkston and Councilors Natalie Oschrein and Lloyd Snook. Mayor Juandiego Wade gave notice earlier in the day that he would not be able to attend the meeting, and Councilor Payne requested to join the meeting by electronic communication.

After establishing a physical quorum in Council Chamber, Clerk Thomas confirmed that Councilor Payne was visible and audible in Council Chamber. Mr. Payne stated that he was unable to attend because of illness and that he was participating from Charlottesville, Virginia.

Council by a vote of 3-0 affirmed Mr. Payne's participation in the Council meeting by electronic means (Ayes: Oschrein, Pinkston, Snook; Noes: none; Absent: Wade).

On motion by Snook, seconded by Oschrein, Council voted 4-0 to convene in closed meeting pursuant to section 2.2-3712 of the Virginia Code, specifically as authorized by the Virginia Freedom of Information Act Section 2.2-3711(A)(1) for interview, discussion, and consideration of prospective candidates for appointment to the Police Civilian Oversight Board (Ayes: Oschrein, Payne, Pinkston, Snook; Noes: none; Absent: Wade).

On motion by Pinkston, seconded by Snook, Council certified by a recorded vote of 4-0 that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed, or considered in the closed session (Ayes: Oschrein, Payne, Pinkston, Snook; Noes: none; Absent: Wade).

Vice Mayor Pinkston adjourned the meeting at 5:58 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

August 27, 2024 at 5:30 PM

SPECIAL MEETING

Council Chamber

The Charlottesville City Council convened in a special meeting on Monday, August 26, 2024, for the purpose of interviewing applicants to fill vacancies on the City of Charlottesville Planning Commission. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrein and Lloyd Snook. Councilor Payne requested to join the meeting by electronic means.

After establishing a physical quorum in Council Chamber, Clerk Thomas confirmed that Councilor Payne was visible and audible in Council Chamber. Mr. Payne stated that he was unable to attend because of illness and that he was participating from Charlottesville, Virginia.

Council by a vote of 4-0 affirmed Mr. Payne's participation in the Council meeting by electronic means (Ayes: Oschrein, Pinkston, Snook, Wade; Noes: none).

On motion by Pinkston, seconded by Snook, Council voted 5-0 to convene in closed meeting pursuant to section 2.2-3712 of the Virginia Code, specifically as authorized by the Virginia Freedom of Information Act Section 2.2-3711(A)(1) for interview, discussion, and consideration of prospective candidates for appointment to the Planning Commission (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

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

On motion by Pinkston, seconded by Snook, Council by a vote of 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none), appointed the following members to the Planning Commission: Betsy Roettger, Lyle Solla-Yates, and Danny Yoder.

Mayor Wade adjourned the meeting at 7:01 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date: September 3, 2024

Action Required: Appropriation

Presenter: Misty Graves, Director of Human Services

Staff Contacts: Hunter Smith, Human Services Planner
Reginald Allen, Human Services Planner

Title: Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (2nd reading)

Background

In July 2010, the City of Charlottesville became the fiscal agent for the Virginia Juvenile Community Crime Control Act (V.J.C.C.C.A.) funds for both Charlottesville and Albemarle County. This funding stream was established by the 1995 Virginia General Assembly to create balanced, community-based systems of sanctions, programs and services for juvenile offenders. These funds are used to support the Community Attention programs. In Fiscal Year 2025, \$292,058 in V.J.C.C.C.A. funds will be received from the Virginia Department of Juvenile Justice with a required local maintenance of effort of \$52,231 from Albemarle County, and \$108,415 from the City for a total of \$452,704. The grant period is from July 1, 2024 through June 30, 2025.

Discussion

The V.J.C.C.C.A. grant funds the delinquency prevention and youth development services provided by The Department of Human Services for Charlottesville/Albemarle youth involved in the juvenile justice system. These services include the following programs: the Teens GIVE service-learning program that provides community service opportunities during both the school year and the summer; Community Support Services which provide pro-social skills training like anger management, individual and group support services; parenting support services and services for youth on electronic monitoring (to be provided by an outside vendor for FY25). Some restorative justice programming will also be available through a partnership with the Central Virginia Community Justice organization. These funds may also be used to provide prevention programming for youth who qualify under guidelines set by the Department of Juvenile Justice.

Alignment with City Council's Vision and Strategic Plan

The VJCCCA grant aligns with the City of Charlottesville's Strategic Plan - Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources. Community Attention's VJCCCA funded programs provide community based services that prevent delinquency and promote the healthy development of youth. Expected outcomes include decreased delinquent behavior during and after program participation.

Community Engagement

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

Budgetary Impact

The funds will be expensed and reimbursed to the V.J.C.C.C.A. Fund. The required General Fund City contribution has already been appropriated as part of the Fiscal Year 2023 Council Adopted Budget so no new funds are required to cover the match.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

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

Attachments

1. FY25 VJCCCA Resolution (final)

RESOLUTION

Appropriating the sum of \$452,704 received from the Commonwealth as a Virginia Juvenile Community Crime Control Act Grant (V.J.C.C.C.A.)

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

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

WHEREAS, the grant award covers the period from July 1, 2024 through June 30, 2025.

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

Revenue – \$452,704

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

Expenditures - \$452,704

\$103,704	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$349,000	Fund: 220	Cost Center: 3523001000	G/L Account: 599991

All funds hereby appropriated shall be accounted for and expended only in accordance with requirements of the VJCCCA grant program.

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



Agenda Date:	September 3, 2024
Action Required:	Review and approval by Council of the program year 2023-2024 (PY24) CAPER report & establishment of Council's priorities for the program year 2025-2026 (PY25) CDBG & HOME Programs
Presenter:	Anthony Warn, Grants Analyst, Alexander Ikefuna, Director, Office of Community Solutions
Staff Contacts:	Anthony Warn, Grants Analyst Taylor Harvey-Ryan, Grants Program Manager
Title:	CDBG and HOME Investment Partnerships Programs (2nd readings)

Background

The City of Charlottesville participates in the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs of the U.S. Department of Housing & Urban Development (HUD) as an 'Entitlement Community' and as such is the recipient of federal funds to support a range of affordable housing and community development activities.

HUD requires that all localities operating HUD-funded programs develop strategic Consolidated Housing and Community Development Plans, as well as 1-Year Annual Plans that outline how the locality plans to achieve the goals it has set for its use of HUD funds. The City's current Consolidated Plan was reviewed by the Planning Commission and approved by Council at a public hearing held on May 1, 2023, and covers program years 2023-2027 (#R-23-065). Additionally, Council reviewed and approved the associated 1-Year Annual Action Plan for the 2023-2024 program year at a public hearing on June 5, 2023 (#R-23-084). Both of these locally approved plans were subsequently reviewed and approved by HUD.

HUD further requires that localities operating HUD-funded programs perform a self-evaluation of their progress towards their strategic goals and objectives and report publicly at the end of each program year on their progress towards meeting these goals through the Consolidated Annual Performance and Evaluation Report (CAPER).

Discussion

Through public review and discussion of the CAPER, the City of Charlottesville seeks to provide a meaningful forum for community engagement with the goals and activities of the CDBG and HOME programs to ensure that these programs are designed to address core needs within the community and continue to bring meaningful benefits to City residents.

Program Performance Highlights for PY23 CDBG Activities

During the 2023-2024 program year, the city's CDBG program directly benefitted City residents in multiple ways by supporting activities that:

- Provided critical and emergency home repairs to income-qualified homeowners

- Subsidized tuition for local entrepreneurs to participate in small business training and support programs through a local CDFI, graduates of which could become eligible for small-business startup grant funding
- Supported outreach and intake programs serving the area's unhoused population to bring them into a coordinated system of care
- Provided significant infrastructure enhancements to support the creation of the region's first large-scale shared-use commercial kitchen in heart of the Belmont neighborhood
- Facilitated the creation of the City's newest ADA-compliant trail bridge to connect city residents to an emerging trail network and to the city's Jordan Park (note that only the bridge is currently ADA-compliant; an ADA-compliant pathway is currently pending)
- Addressed long-standing community concerns by funding the removal of significant physical barriers to access in two community playgrounds, including broken concrete pathways that impeded access for mobility-impaired visitors to those public spaces
- Supported programs to train residents of publicly supported housing to help plan the redevelopment of historically underserved neighborhoods
- Facilitated energy-efficiency upgrades and roof repairs to enable income-eligible homeowners to participate in a solar panel installation program offered by Dominion Energy
- Facilitated significant infrastructure improvements for the Blue Ridge Area Food Bank, more than tripling their capacity to safely store and distribute fresh produce

*Table 1: CDBG Program Accomplishments PY23**

<i>Activity Type</i>	<i>Outcome Type(s)</i>	<i>Goal</i>	<i>Actual</i>
Economic Development	Employment Trainings/Startup Grants	15	19
	Employment Readiness (<i>Literacy</i>)	30	65
Affordable Housing	Homeowner Rehabs (<i>Critical</i>)	2	2
	Homeowner Rehabs (<i>Energy Efficiency</i>)	5	6
Public Facilities & Infrastructure Improvements	Infrastructure Improvements	2	2
	Parks & Recreational Facilities	2	3
Public Services	Coordinated Entry/Homelessness	100	258
	Jobs Retained	2	2

** These are preliminary counts and may change before final submission to HUD of the CAPER*

Several subrecipients were able to make significant progress throughout program year 2023-2024 in terms of catching up on delays in implementing their funded activities related to the COVID pandemic. For example, LEAP fully expended the unspent balance of the PY22 CDBG funds for which they were granted a 1-year extension.

Similarly, HOME-funded subrecipients were able to deliver many benefits to the greater Charlottesville area (note that accomplishments are reported for all members of the HOME Consortium as a result of the way the data is calculated by HUD):

Program Performance Highlights for PY23 HOME Activities

The City participates in HUD's HOME program through a long-standing cooperative partnership with the Thomas Jefferson Planning District Commission (TJPDC) and the counties of Albemarle, Fluvanna, Greene, Louisa & Nelson. The City is the formal Lead Agency for the Consortium and TJPDC serves as the Consortium's Managing Body, coordinating all HOME-funded activities and serving as the Consortium's primary point of contact with HUD. During the 2023-2024 program year, the city's HOME program directly benefitted City residents in multiple ways by supporting the following activities:

- Construction of new affordable rental and homeowner units to be made available to income-eligible households at or below 60% of area Median Family Income (MFI)
- Renovations to currently occupied affordable rental units and associated energy-efficiency upgrades (e.g., replace old appliances, etc.)

*Table 2: HOME Program Accomplishments PY23**

<i>Funded Programs</i>	<i>Goal</i>	<i>Actual</i>
PHA Permanent & Long-Term Homeownership	6-10	Pre-Construction
PHA 1025 Park Street Redevelopment	6-9	Pre-Construction
Community Services Housing Continued Rehabs & Repairs to Preserve Affordable Rental Housing	50	In Process

** These are preliminary counts and may change before final submission of the CAPER to HUD*

Alignment with City Council's Vision and Strategic Plan

This agenda item aligns directly with Council's vision for Charlottesville to be a place where everyone thrives, and Strategic Plan Framework and the following Strategic Outcome Areas: Economic Prosperity, Housing, Recreation, Arts and Culture, Partnerships, and Climate Action. This also addresses several of the provisions in the Affordable Housing Plan and the city's Comprehensive Plan.

Community Engagement

Consistent with the practices of the CDBG and HOME programs in prior years, community engagement throughout the development all CDBG & HOME programs will be supported through multiple best practices. Community notices will be issued announcing the anticipated availability of HUD funding. All received applications for both programs will be reviewed by a CDBG/HOME Taskforce consisting of a diverse group of city residents. Taskforce funding recommendations will be made available for public review and comment and will be advertised widely, including, among others: as a City News Alert through the city's Department of Communications; an email notice to an extensive list of groups and interested individuals; posting on both the website of the city's Office of Community Solutions as well as that of the Thomas Jefferson Planning District Commission; and through the local newspapers.

Additionally, Taskforce funding recommendations will be presented at multiple public hearings before both the city's Planning Commission and City Council, with final approval coming from City Council. (Additional information available online at <https://www.charlottesville.gov/675/Office-of-Community-Solutions> and <https://tjpd.org/our-work/thomas-jefferson-regional-home-consortium/>)

Budgetary Impact

Approval of the program year 2023-2024 CAPER and approval of Council's priorities for the 2025-2026 program year CDBG & HOME programs do not involve the receipt or appropriation of any funds, and so do not have any budgetary impact at the present time.

When Council does review and approve CDBG-funded programs in the future, subrecipients will be reimbursed for their approved activities using funds provided to the City by HUD and as such do not have a negative impact on the City's budget. These funds instead augment and extend the city's ability to support community benefit programs.

HUD does, however, require that localities expend on affordable housing programs local funds (referred to as local match funds) in the amount of a minimum of 25% of that locality's HOME allocation for that program year. As the Consortium's Lead Agency, the City of Charlottesville has historically provided the full amount of HOME match funds for Consortium members through the ongoing activities of the Charlottesville Affordable Housing Fund (CAHF) and through direct appropriations from the CAHF to cover the City's local match requirement.

In addition, the City's local match contributions are closely aligned to and accounted for in Council's ongoing commitment to invest up to \$10,000,000 or more per year to support affordable housing initiatives.

Recommendation

Staff recommends Council approve the program year 2023-2024 CAPER evaluation and similarly approve the related Council Priorities for the 2025-2026 program year CDBG and HOME programs, as presented before Council.

Suggested motion:

I move to APPROVE the resolution approving the CAPER for program year 2023-2024, as presented here today before Council.

Suggested motion:

I move to APPROVE the resolution establishing Council's Priorities for the program year 2025-2026 CDBG & HOME programs, as presented here today before Council.

Alternatives

Based on the comprehensive Needs Assessment process that informed the HUD-approved 5-Year Consolidated Plan for program years 2023-2027 and the requirement for local approval of the CAPER to maintain the city's eligibility to receive CDBG and HOME funds from HUD, no alternatives are recommended.

Attachments

1. Resolution to Approve CAPER PY23
2. Resolution to Establish Council Priorities CDBG & HOME for Program Year 2025-26
3. Council Priorities for CDBG & HOME PY23 (#R-22-115)
4. Draft CAPER PY23 (Placeholder)

Resolution to Approve the City of Charlottesville & Thomas Jefferson HOME Consortium Consolidated Annual Performance and Evaluation Report (CAPER) for the Program Year 2023-2024 (PY23) CDBG & HOME Programs

WHEREAS the City of Charlottesville has been designated as an Entitlement Community by the United States Department of Housing and Urban Development (HUD) and as such is a recipient of federal funds through the Community Development Block Grant (CDBG) & HOME Investment Partnerships (HOME) programs, and

WHEREAS the City is a contributing member of the Thomas Jefferson HOME Consortium (TJHC) in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program, and

WHEREAS City Council approved a 5-Year Consolidated Plan covering program years 2023-2027 at a public hearing held on May 1, 2023, and the associated 1-Year Annual Action Plan for program year 2023-2024 at a public hearing on June 5, 2023; and

WHEREAS HUD requires all localities receiving HUD funds to report on their annual accomplishments at the end of each program year through the CAPER; now

THEREFORE BE IT RESOLVED that the City Council of Charlottesville, Virginia, hereby approves the city's Program Year 2023-2024 CAPER report.

**Resolution to Establish Council Priorities for the Program Year 2025-2026
Community Development Block Grant (CDBG) & HOME Investment Partnerships
(HOME) Programs**

WHEREAS the City of Charlottesville has been designated as an Entitlement Community by the United States Department of Housing and Urban Development (HUD) and as such is a recipient of federal funds through the Community Development Block Grant (CDBG) & HOME Investment Partnerships (HOME) programs, and

WHEREAS the City is a contributing member of the Thomas Jefferson HOME Consortium (TJHC) in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program, and

WHEREAS in accordance with the City of Charlottesville's HUD-approved Citizen Participation Plan, the city's CDBG/HOME Task Force composed of residents and community representatives will be called on to review requests for funding of potential CDBG & HOME projects and to make recommendations for funding to Council in the Spring of 2025; now

THEREFORE BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the Program Year 2025-2026 CDBG & HOME programs (PY25) shall prioritize to the degree possible:

- A continued emphasis on expanding access to affordable housing opportunities, including but not limited to low-income housing redevelopment; workforce development, including but not limited to efforts to bolster Section 3 training opportunities other economic development activities; microenterprise assistance; access to quality childcare; homeowner rehabilitation and energy-efficiency upgrades; down payment assistance; and improvements to public infrastructure designed to eliminate or reduce barriers to access to public amenities for mobility-impaired residents
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Economic Development activities
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Public Facilities and Improvement activities, with a special emphasis on activities that will eliminate or reduce barriers to access for mobility-impaired residents
- The CDBG Admin and Planning budget shall be set at 20% of the City's CDBG allocation
- Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent

RESOLUTION
Establishing Council Priorities for
CDBG and HOME Funds FY 2023-2024

WHEREAS, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2023; and

WHEREAS, in accordance with the City of Charlottesville's Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2023;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2023-2024 shall be as follows:

- Council's priorities for the CDBG and HOME program for FY 2023-2024 shall be access to affordable housing (including but not limited to low income housing redevelopment), workforce development (including but not limited to efforts to bolster Section 3 training opportunities and partnerships with the City's GO programs), microenterprise assistance, access to quality childcare, homeowner rehabilitation, and down payment assistance.
- For FY 23-24, \$89,896.51 CDBG entitlement shall be set aside for Economic Development
- For FY 23-34 \$89,896.51 CDBG Entitlement shall be set aside for Public Facilities and Improvements.
- The CDBG Admin and Planning budget shall be set at 20% of the total CDBG entitlement.

Placeholder for the Draft CAPER PY23 pending completion by TJPDC, to be made available for 15-day public comment period

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



Agenda Date:	September 3, 2024
Action Required:	Approval of the Ordinance and Repeal of City Code Secs. 18-24(b) and 18-25(f), respectively
Presenter:	Eden Ratliff, Deputy City Manager
Staff Contacts:	Robinson Hubbard, Deputy City Attorney
Title:	Ordinance to repeal City Code Sections 18-24(b) and 18-25(f) pursuant to the Ragged Mountain Reservoir Settlement Agreement (2nd reading)

Background

In April 2017, Albemarle County (“the County”) filed a legal action in Charlottesville Circuit Court (“Circuit Court”) against the City challenging permitted activities at the Ragged Mountain Reservoir (“the Reservoir”). While located in the County, the Reservoir is owned by the City, and supplies water to residents and businesses in both localities. The litigation involved determining which recreational activities are permitted at the Reservoir. The County sought to prohibit bicycling and permit horseback riding at the Reservoir, while corresponding provisions of the City Code permitted bicycling and prohibited horseback riding at the Reservoir.

The Charlottesville Circuit Court found in favor of the County, and the City appealed this action to the Court of Appeals of Virginia. The two parties then entered into a Settlement Agreement which ended litigation on the matter.

City Council approved this Settlement Agreement on March 4, 2024.

Discussion

The Settlement Agreement contained the following terms:

1. The City would withdraw its appeal from the Court of Appeals of Virginia.
2. The City would repeal Charlottesville City Code Secs. 18-24(b) and 18-25(f).
3. The County would be allowed (but not required) to install signs at strategic locations on the Reservoir notifying visitors that bicycling and/or horseback riding is not permitted.
4. The County would maintain primary law enforcement responsibilities at the Reservoir.
5. The City maintains authority to exercise police property over the Reservoir or persons using the Reservoir, or to send law enforcement officers to the Reservoir to protect the property or enforce the laws of the Commonwealth.

The proposed ordinance simply strikes the portions of the City Code which allows bicycling and horseback riding at the Reservoir.

Alignment with City Council's Vision and Strategic Plan

Approval of this Ordinance is aligned with improving and/or maintaining a positive working relationship with the County.

Community Engagement

N/A

Budgetary Impact

N/A

Recommendation

Approval of the Ordinance

Alternatives

Council can elect not to take any action, putting the City in violation of the terms of the Settlement Agreement.

Attachments

1. Agreement between Charlottesville Albemarle ending RMNA litigation Fully Signed 20240311
2. ORD - Repeal Sec. 18-24(b) and 18-25(f) 2024 - 8.14.2024

**AGREEMENT BETWEEN THE CITY OF CHARLOTTESVILLE AND THE
COUNTY OF ALBEMARLE RESOLVING THE RAGGED MOUNTAIN
RESERVOIR LITIGATION**

This Agreement memorializes the City of Charlottesville's and the County of Albemarle's final resolution of the litigation pending between the localities in the Charlottesville Circuit Court (Case No. CL17-203) and subject to a Notice of Appeal to the Court of Appeals of Virginia.

WHEREAS, the City of Charlottesville ("City") and the County of Albemarle ("County") (each individually referred to as a "Party" and collectively referred to as the "Parties") desire to document their understanding regarding the end of litigation between the Parties in the noted matter and the implementation and maintenance of appropriate signage and law enforcement responsibilities at the Ragged Mountain Reservoir (Albemarle County Parcel Identification Number 07500-00-00-00100) (the "Reservoir").

NOW THEREFORE, the Parties hereto covenant and agree as follows:

1. Resolution of Pending Litigation

The City will withdraw its appeal to the Court of Appeals of Virginia of the Charlottesville Circuit Court's Final Order entered on September 30, 2022, in Case No. CL17-203. Consistent with that Final Order, the City will repeal Charlottesville City Code Section 18-24(b) and Charlottesville City Code Section 18-25(f) on or before the date which is six (6) months from the date of full execution of this Agreement.

2. Posting Signs at the Reservoir

After the City withdraws its appeal, the County will be allowed (but not required) to install signs at strategic locations on the Reservoir notifying visitors that bicycling is not permitted, amongst other activities prohibited by the Parties consistent with the Court's Final Order. The signs may also notify visitors of permitted activities (i.e., hiking on trails, nature watching, picnicking at designated locations, kayaking, and additional activities that may be permitted by amendment of the County Code in a manner consistent with the Court's Final Order). Any such signs will be designed in a format materially the same as signs depicted in the attached Exhibit A, reflecting such activities as are prohibited and permitted from time to time in accordance with this Agreement. The County will be responsible for the design, production, installation, and maintenance of such signs and related hardware (i.e., posts and fasteners) and the costs thereof.

3. Law Enforcement

Upon the City withdrawing its appeal, the County will maintain primary law enforcement responsibilities at the Reservoir consistent with its current level of responsiveness to calls for service at the Reservoir and may increase enforcement efforts and activities based upon the efficacy of the County's sign postings and public education outreach efforts. This Agreement in no manner restricts the City's authority to exercise police power over the Reservoir and over persons using the Reservoir and to send its law enforcement officers to the Reservoir for the purpose of protecting the property, keeping order therein, or otherwise enforcing the laws of the Commonwealth of Virginia and the City's ordinances as such laws and ordinances may relate to the operation and use of the Reservoir, provided the same are consistent with the Final Order. This Agreement has no effect on any other police power the Parties and their respective police departments have, consistent with the Final Order, under current and future federal, state, and local law or under any existing or future mutual aid agreement or other agreement, memorandum of agreement, or memorandum of understanding between the Parties. Neither does this Agreement limit the immunities from suit or liability, exemption from laws, ordinances and regulations, or any other benefit the Parties' law enforcement officers, agents, and other employees enjoy while performing law enforcement services on the Reservoir under this Agreement.

4. Sovereign Immunity

Nothing in the Agreement is to be interpreted to be an express or implied waiver of either Party's sovereign immunity or to be an assumption of risk or liability by a Party for the acts or omissions of the other Party's law enforcement officers, agents, or other employees causing harm to persons or property not party to this Agreement.

5. Public Rights

The Parties acknowledge this Agreement will benefit the public but agree nothing contained herein shall be construed to convey to the public a right of access to or use of the Reservoir contrary to the City's lawful regulations and agreements. This Agreement does not confer upon the public or permit any use of the Reservoir that is otherwise prohibited by federal, state, or local law or regulation. Nothing herein confers to the public or any third-party a right to enforce any term of this Agreement.

6. Acknowledgement of Cooperative Efforts

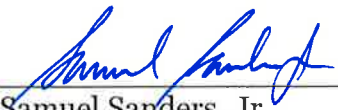
The Parties acknowledge and shall continue their cooperation and mutual efforts in ending the litigation and achieving a level of assistance that will most effectively allow the City and the County to preserve public safety and welfare at the Reservoir.

7. Duration and Amendment

This Agreement shall continue until modified or terminated in a writing approved by the Parties' governing bodies and executed on behalf of the Parties.

WHEREFORE, this Agreement has been authorized by the City Council of the City of Charlottesville, Virginia, in an open meeting on March 5, 2024, and by the Board of Supervisors of the County of Albemarle, Virginia, in an open meeting on March 6, 2024, and each governing body has authorized the execution of this Agreement by the City Manager and the County Executive, respectively, as attested by the Clerk of each governing body.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: 
Samuel Sanders, Jr.
City Manager

Date: 03/07/24

Approved as to Form:

By: 
Charlottesville City Attorney

COUNTY OF ALBEMARLE, VIRGINIA

By: 
Jeffrey W. Richardson
County Executive

Date: 3/11/24

Approved as to Form:

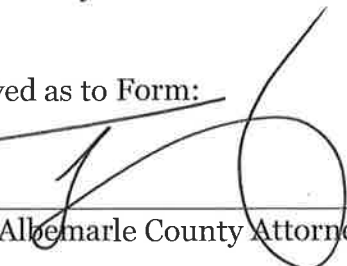
By: 
Albemarle County Attorney

EXHIBIT A



**AN ORDINANCE TO AMEND CITY CODE
CHAPTER 18, PARKS, AND RECREATION
SECTIONS 18-24(b) and 18-25(f)**

WHEREAS, the Ragged Mountain Reservoir (“the Reservoir”) is owned by the City of Charlottesville (“the City”), but located in Albemarle County (“the County”) and supplies water to residents and businesses in both localities; and

WHEREAS, in April 2017, the County filed a legal action against the City challenging permitted recreational activities at the Reservoir, as the County sought to prohibit bicycling and permit horseback riding at the Reservoir, while a corresponding provisions of the City Code permitted bicycling and prohibited horseback riding at the Reservoir, and the two parties eventually entered into a Settlement Agreement which ended litigation on the matter; and

WHEREAS, City Council approved the Settlement Agreement on March 4, 2024, and pursuant to this Settlement Agreement, the City agreed to repeal City Code Sections 18-24(b) and 18-25(f); and

WHEREAS, the required public hearings on the proposed amendment have been conducted; and

WHEREAS, this City Council has considered staff recommendations; and

WHEREAS, this Council finds that the proposed appeal of City Code Sections 18-24(b) and 18-25(f) herein are in accordance with the Settlement Agreement, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 18 Parks and Recreation, Sections 18-24(b) and 18-25(f) of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Sections 18-24(b) and 18-25(f)

Sec. 18-24. - Authorized activities.

The following activities are permitted in the Ragged Mountain Natural Area:

(a) Hiking and jogging on designated trails, picnicking, and birdwatching;

~~(b) Bicycling on designated trails;~~

(~~b~~) Kayaking, canoeing, and boating on the reservoir; the use of electric motors is permitted, but gasoline marine motors are prohibited, except when used by Rivanna Water and Sewer Authority employees, agents or contractors for purposes related to the maintenance or surveillance of the dam and the water supply; and

(~~d~~) Fishing that is conducted in compliance with all state regulations and licensing requirements.

(12-19-16(3))

Sec. 18-25. - Prohibited activities.

Any activity not expressly permitted by this article is prohibited within the Ragged Mountain Natural Area. These prohibited activities include, but are not limited to:

(a) Trapping, hunting, or the discharge of firearms;

(b) Camping or remaining in the natural area after sunset;

(c) Swimming or diving in the Ragged Mountain Reservoir;

(d) Setting, maintaining or allowing any fire;

(e) Consumption of alcoholic beverages;

~~(f) Horse riding, except when authorized by special permit issued through the city department of parks and recreation;~~

(~~g~~) Using motor vehicles except on roads paved or improved for vehicular traffic and in designated parking areas; provided that the prohibition of motor vehicles shall not apply to approved ADA mobility assistance devices;

(~~h~~) Accessing the reservoir's auxiliary spillway, except on designated trails;

(~~i~~) Storing boats or other personal property at the natural area; allowing motor vehicles to remain in the parking area after sunset; or mooring boats on the reservoir;

(~~j~~) Littering or leaving trash or refuse in the natural area;

(~~k~~) The transporting or releasing of wildlife or the disturbance of nests or nesting sites;

(~~h~~^k) Conducting organized running or bicycling races or competitions;
and(~~m~~)Bringing any dog, except for a service animal, into the natural area.

(12-19-16(3))

	<u>Aye</u>	<u>No</u>
Payne		
Pinkston		
Snook		
Wade		
Oschrin		

Approved by Council
July ____, 2024

Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that Chapter 18 Parks and Recreation, Sections 18-24(b) and 18-25(f), of the Code of the City of Charlottesville be amended.

Legend: Deleted language
New language

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



Agenda Date:	September 3, 2024
Action Required:	Appropriation
Presenter:	Tray Biasioli, Climate Program Specialist
Staff Contacts:	Kristel Riddervold, Director of the Office of Sustainability Tray Biasioli, Climate Program Specialist Taylor Harvey-Ryan, Grants Program Manager FOIA Account, FOIA Officer
Title:	Resolution appropriating funds from the 2024 Energy Efficiency and Conservation Block Grant (EECBG) - \$76,840 (1 of 2 readings)

Background

The City of Charlottesville has been notified of a \$76,840 Energy Efficiency and Conservation Block Grant (EECBG) award from the U. S. Department of Energy (DOE). Funding for this grant was appropriated through the Infrastructure Investment and Jobs Act of 2021. The City of Charlottesville was a formula recipient for these funds and was notified of funding approval in August 2024. This funding will be transferred to LEAP to fund energy audits for low- and moderate-income households in the City.

Discussion

The purpose of the EECBG Program is to provide funds to units of local and state government, Indian tribes, and territories to improve energy efficiency and reduce energy use and fossil fuel emissions in their communities. The City's application was written with the goal of leveraging additional federal funds to advance residential energy efficiency and electrification work within the community. EECBG funding will be used to provide LEAP energy audits to low- and moderate-income households, allowing these households to take advantage of income-limited federal rebates through the Inflation Reduction Act.

The grant funding will allow LEAP to perform approximately 160 in-depth residential energy audits. The grant period of performance is up to 2 years, requiring project close-out by August 2026. LEAP anticipates that the audits will be completed within 1 year.

Alignment with City Council's Vision and Strategic Plan

This action is in direct alignment with the City's Strategic Plan Framework's outcome areas of *Climate Action* and *Housing*. These audits will help households reduce energy consumption and associated carbon emissions, as well as improving building durability, indoor air quality, and energy affordability. Additionally, these audits are supported by the City's 2023 Climate Action Plan. Chapter 5 of the Climate Action Plan calls for the City to "increase participation by low-income households in

fully funded programs for energy efficiency improvements”, and “develop and identify funding assistance programs designed for mid-income households” (CAP, pg. 41).

Additionally, the funded audits are in alignment with City Council’s Green City Vision and the City’s Comprehensive Plan: Chapter 7 (Environment, Climate, and Food Equity).

Community Engagement

Through the development of the Climate Action Plan, the community provided comments and input supporting energy efficiency in homes to achieve cost savings and GHG emission reductions. As these funds are programmed to provide residential energy audits to identify these opportunities, there will be engagement efforts to connect eligible and interested community members with the audit services.

Budgetary Impact

There is no (\$0) impact on the General Fund. This is a 100% federal grant with no local match required.

Recommendation

Staff recommends City Council approval and appropriation of the funding in the amount of \$76,840 from the DOE EECBG Program.

Alternatives

If grant funds are not appropriated, this federal, formula funding will have to be forfeited.

Attachments

1. Council Memo_EECBG_Resolution

RESOLUTION

Appropriating Funding in the Amount of \$76,840 To Be Received from the Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) Program

WHEREAS, The City of Charlottesville, through the Office of Sustainability, has been notified that it will be awarded a \$76,840 grant from the US Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) Program to support the residential energy audits; and

WHEREAS, the funds will be used by the Local Energy Alliance Program (LEAP) to conduct home energy audits; and

WHEREAS, the City Manager is authorized to execute the DOE agreement and a subsequent sub-recipient agreement with LEAP at a later time as it pertains to completing the activities of this grant.

NOW, THEREFORE BE IT BE RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the awarded DOE grant, said funding, anticipated in the sum of \$76,840 is hereby appropriated, in the following manner:

Revenues

\$76,840	Fund: 211	Funded Program: 1900565	G/L Account: 431110
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Expenditures

\$76,840	Fund: 211	Funded Program: 1900565	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$76,840 from the DOE EECBG Program.

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



Agenda Date:	September 3, 2024
Action Required:	Approval of the Resolution
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Krisy Hammill, Director of Budget
Title:	Resolution for State Pass-Thru Funding for Tonsler League - \$250,000 (1 of 2 readings)

Background

The Tonsler League was originally established in 2010 by Damien “Snake” Banks, and formerly known as the Banks Collage Basketball Association (BCBA). In 2022, the league was taken over by Dr. Wes Bellamy, and renamed as the Tonsler League in honor of Benjamin Tonsler, the former principal for 30 years of the first Black school in Charlottesville, entrepreneur and community leader.

The Tonsler League is a summer basketball league that plays from June through August each summer at Tonsler Park in Charlottesville, Virginia. The league is known for its infectious family-like atmosphere. Arguably the largest and most consistent weekly gathering of African American community members in the area, the Tonsler League has played a pivotal role in promoting peace and positivity within the community through an array of different activities. Each summer, teams get together to compete at Tonsler Park (aka THE JUNGLE) in hopes of winning the championship title and bragging rights until the next season. While the Tonsler League is widely known for its weekly basketball match-ups, they pride themselves on their community engagement events. The league now has a Lady Tonsler League and Junior Tonsler League to help provide more opportunities for the community to participate. In addition to the basketball component, the Tonsler League also provides bikes at their annual bike giveaway, free food for families at our annual Thanksgiving turkey giveaway, a sneaker ball for the community, and scholarships and sponsorships for a variety of partner programs in the greater Charlottesville community.

Now in its third year as the Tonsler League, we are looking to expand our programming year round, and serve more portions of the region.

Discussion

The FY25/26 state budget under the Virginia Department of Social Services (VDSS) has appropriated \$250,000 for the state's general fund to be given to the City of Charlottesville in FY 25 to support the programming at the Tonsler League. Dr. Wes Bellamy and City Staff are working with VDSS staff to procure the funds. These funds will be received as pass-thru funds from the state to the City. Once received, the City will transfer the funds to the Tonsler League in accordance with the terms and conditions as set forth by VDSS..

Alignment with City Council's Vision and Strategic Plan

This item aligns with the Council's strategic outcome area of **Partnerships**.

Community Engagement

The Tonsler League is well attended and the community is looking forward to the expanded activities.

Budgetary Impact

The Virginia Department of Social Services is providing 100% of the funding. There is no local match required. Once received, the funds will be released to the Tonsler League in accordance with the terms and conditions as set forth by VDSS.

Recommendation

Staff recommend approval and appropriation of the funding.

Alternatives

N/A

Attachments

1. VDSS Funding for Tonsler League

RESOLUTION
Appropriating funds from the Virginia Department of Social Services
(VDSS) for the Tonsler League
\$250,000

WHEREAS, the City of Charlottesville through the Virginia Department of Social Services will receive a funding award of \$250,000 to support the Tonsler League;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$250,000 received from the Virginia Department of Social Services is hereby appropriated in the following manner:

Revenues - \$250,000

\$250,000 Fund: 209 Order: 1900564 G/L Code: 430110

Expenditures - \$250,000

\$250,000 Fund: 209 Order: 1900564 G/L Code: 540100

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$250,000 from the Virginia Department of Social Services.

Approved by Council

Kyna Thomas, CMC
Clerk of Council

Approved as to form:

City Attorney

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



Agenda Date:	September 3, 2024
Action Required:	Appropriation
Presenter:	Mike Rogers, Deputy Chief of Business Services
Staff Contacts:	Mike Rogers, Deputy Chief of Business Services
Title:	Resolution to appropriate Fiscal Year 2025 Fire Programs Aid to Locality Funding (Firefund) - \$238,581.00 (1 of 2 readings)

Background

The Code of Virginia provides for the collection of an annual levy each fiscal period from the insurance industry. Such a levy is collected by the State Corporation Commission, and the amounts collected are then transferred into the Fire Program Fund (Firefund). These aid to locality monies are then distributed to the jurisdictions to supplement the localities' funding for fire service based training, training supplies, training equipment, prevention activities, and some response equipment. This is an annual allotment of funding. All usage and any carryovers are reported out to the Department of Fire Programs at the end of the fiscal period before the next fiscal period monies are granted. The City of Charlottesville has been awarded \$238,581.00 in these funds for FY 2025.

Discussion

The Aid to Locality monies are distributed annually to aid departments in their training, prevention, and equipment efforts. While the monies cannot be used to directly/indirectly supplant or replace other locality funds, they help us to provide for additional firefighting training resources, logistics, courses, and equipment as outlined in the Department of Fire Programs Aid to Locality allowable uses chart.

Alignment with City Council's Vision and Strategic Plan

The Aid to Locality/Firefund allocation supports the City's Vision Statement and Strategic Outcome Area for Public Safety by providing supplemental training and equipment funding for fire prevention, firefighting, hazardous materials, and technical rescue. With this additional funding being put towards these purposes, we are better able to prepare our responders to deliver emergency services and/or information to the citizens, students, business community members, and guests of the City.

Community Engagement

N/A

Budgetary Impact

There is no impact on the General Fund, as these funds do not require a City match. The FY 2025 funds will be budgeted and expensed in the City's grant fund.

Recommendation

Staff recommends approval and appropriation of grant funds.

Alternatives

If Aid to Locality funding is not appropriated, the Fire Department will not be able to utilize this supplemental funding to help support its training, prevention, and equipment efforts.

Attachments

1. Firefund FY 2025 Resolution Attachment

APPROPRIATION
Fiscal Year 2025 Fire Programs Aid to Locality Funding (Firefund)
\$238,581.00

WHEREAS, the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$238,581.00 be appropriated in the following manner:

Revenues - \$238,581

\$238,581	Fund: 209	I/O: 1900010	G/L Account: 430110
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Expenditures - \$238,581

\$238,581	Fund: 209	I/O: 1900010	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$238,581.00 from the Virginia Department of Fire Programs.

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



Agenda Date:	September 3, 2024
Action Required:	Appropriation of DHCD VHSP Funds Approval for City Manager to execute Grant Agreement
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Department of Housing and Community Development- Virginia Homeless Solutions Program Grant \$470,805 (1 of 2 readings).

Background

The Office of Community Solutions, in coordination with the Blue Ridge Area Coalition for the Homeless (B.R.A.C.H.) applied for and received a grant from the Virginia Department of Housing and Community Development (DHCD). The Virginia Housing Solutions Program award is \$470,805 and funds to be expended between July 1, 2024 and June 30, 2025.

Discussion

The City of Charlottesville has staff from the Office of Community Solutions and the Department of Human Services serving on the B.R.A.C.H. Board of Directors. The Virginia Homeless Solutions Program (V.H.S.P.) is an important resource in our community's effort to end homelessness. Included in the amount of \$470,805 in state general funds, of which \$120,286 is for State Rapid-Rehousing. The balance of the funds is split among the other eligible categories which provide service at various points along the local continuum of services:

1. Coordinated Assessment: The Haven serves as the physical front door to the homelessness system of care, using an evidence-based tool for determining priority access to available resources.
2. Emergency Low Barrier Shelter: P.A.C.E.M. provides low barrier shelter for adults using rotating local churches for support.
3. Rapid Re-housing & Housing Navigation: The Haven screens and administers rapid re-housing assistance and housing navigation to households experiencing homelessness.
4. Case Management: The Haven provides supportive services, including crisis intervention, case management and service referrals.
5. Targeted Prevention: The Haven administers the Targeted Prevention program which assists households who are 14 days or less to entering homelessness either locate housing or maintain their current housing.

6. Homeless Management Information System (H.M.I.S.): B.R.A.C.H. ensures that data is entered into the H.M.I.S. system, which is a well-populated database for individuals experiencing homelessness. H.M.I.S. collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among B.R.A.C.H. Continuum of Care Service Providers expedites communication and reduces the need to interface disparate documentation systems.
7. CoC Planning (Coalition Coordination): B.R.A.C.H. provides leadership and coordination for the required local homelessness continuum of care.
8. Administration: The City of Charlottesville, as the award recipient, is eligible for an administrative fee. Staff proposes that we pass these funds through to B.R.A.C.H. (as we have done in prior years) in recognition of staff time spent processing checks and managing this grant process.

Alignment with City Council's Vision and Strategic Plan

This grant advances the City of Charlottesville's Strategic Outcome Areas of:

1. Housing: Provides temporary housing for individuals experiencing homelessness; provides Rapid Re-housing services to individuals so that they may quickly exit homelessness into permanent housing; and Targeted Prevention which assists individuals in either maintaining or securing permanent housing so that they do not become homeless.
2. Partnerships: This grant provides opportunities for the City to partner with B.R.A.C.H. in the administration of the VHSP grant, as well as requires collaboration between community partners to ensure individuals experiencing homelessness are evaluated, prioritized, and receive services to end their housing crisis as quickly as possible.

Community Engagement

This grant is a product of extensive engagement of the service provider community for people experiencing homelessness. This partnership is reflective of the governance model for B.R.A.C.H. and the priority requests submitted by the service providers.

Budgetary Impact

There is no budgetary impact for the City of Charlottesville, as this grant consists of state funds from the Virginia Department of Housing and Community Development. The match requirement is made through previously appropriated CAHF funds awarded to B.R.A.C.H.

Recommendation

Staff recommends the appropriation of the \$407,805 from DHCD to support VHSP.
Staff recommend the approval for the City Manager to execute the VHSP grant agreement.

Alternatives

Council may elect not to accept the funds and the community will not have the capacity to administer the following services to people experiencing homelessness: emergency low-barrier shelter, coordinated entry/ assessment, Rapid Re-housing, Targeted Prevention, Continuum of Care Coordination, and services for the grant.

Attachments

1. VHSP FY 25 Resolution
2. City of Charlottesville FY25 VHSP Grant Agreement

RESOLUTION
Appropriating Funding in the Amount of \$470,805 To Be Received from Virginia Homeless Solutions Program

WHEREAS, The City of Charlottesville, through the Department of Human Services, has been notified that it will be awarded an additional grant from the Virginia Housing Solutions Program (V.H.S.P.) Fund of the Virginia Department of Housing and Community Development, in the amount of \$470,805.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the additional VHSP funding from the Commonwealth, said funding, anticipated in the sum of \$470,805, is hereby appropriated in the following manner:

Revenues		
\$470,805	Fund 209	Order 1900566 GL 430110 State Grant

Expenditures		
\$470,805	Fund 209	Order 1900566 GL 53550 Contracted Services

**GRANT AGREEMENT
VIRGINIA HOMELESS SOLUTIONS PROGRAM
Program Year 2024-2025**

25-VHSP-008

This Grant Agreement is made by and between the **Virginia Department of Housing and Community Development (“DHCD”)**, and **City of Charlottesville (“Grantee”)** for the period **July 1, 2024 to June 30, 2025** in the amount of **\$470,805**. Included in the amount is **\$470,805** in state general funds to be expended for outreach, emergency shelter operations, targeted prevention activities, rapid re-housing activities, centralized/coordinated entry, CoC planning, HMIS, and/or administration as indicated in the DHCD Continuum of Care (CoC) Year One Funding Request. Rapid re-housing activities are to be divided according to the chart below.

Rapid Re-housing	Allocation	Performance Period
State Rapid Re-housing	\$120,286	July 1, 2024 – June 30, 2025

The Grantee was identified as part of the community's emergency response system to homelessness in the 2024-2026 Homeless and Special Needs Housing (HSNH) Virginia Homeless Solutions Program (VHSP) application submitted by the lead agency (or designee) of the Continuum of Care (CoC) or Virginia Balance of State Local Planning Group (LPG). Activities funded through this grant will be provided at the Grantee location(s) identified in DHCD's Centralized Application Management System (CAMS).

DHCD administers the Commonwealth of Virginia's homeless services resources through the VHSP. The Grant, which is the subject of this Agreement, is comprised of state funds through State General Fund appropriations. The Grant is subject to the terms, guidelines and regulations set forth in the Homeless and Special Needs Housing 2024-2026 Guidelines document, any subsequent amendments, the CoC/LPG proposal as amended through negotiations with DHCD, the DHCD approved Grantee budget, HUD regulations 24 CFR Part 576, as amended, which are incorporated by reference as part of this Agreement, the laws of the Commonwealth of Virginia and federal law.

I. Scope of Services

The VHSP goals are to assist households experiencing homelessness to quickly regain stability in permanent housing and to prevent households from becoming homeless. This funding will support coordinated community-based activities that are designed to reduce the overall length of homelessness in the community, the number of households becoming homeless, and the overall rate of formerly homeless households returning to homelessness.

VHSP funds may be used for one or more of the following activities as detailed in the HSNH guidelines and must coincide with the year one request submitted by the CoC/LPG lead agency and approved by DHCD:

- Outreach
- Centralized or Coordinated Assessment/Entry System
- Targeted Prevention
- Emergency Shelter Operations

- Rapid Re-housing
- CoC Planning
- HMIS
- Administration

II. Conditions

A. Service Provision

The Grantee is responsible for coordination of VHSP activities with other CoC/LPG VHSP Grantees and mainstream resources. The Grantee must assure non-duplication of services with other VHSP Grantees.

B. Reimbursement

Funds are disbursed on a reimbursement basis. Grantees must submit remittances in DHCD's CAMS and be able to provide documentation that the work, services, or cost occurred within the grant period and the expenses were paid appropriately by the Grantee.

Grantees may elect to submit remittances on a monthly or bi-monthly basis. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

Payment Period	Remittance Submission Timeframe
July 1-31, 2024	August 1-31, 2024
August 1-31, 2024	September 1-30, 2024
September 1-30, 2024	October 1-31, 2024
October 1-31, 2024	November 1-30, 2024
November 1-30, 2024	December 1-31, 2024
December 1-31, 2024	January 1-31, 2025
January 1-31, 2025	February 1-28, 2025
February 1-28, 2025	March 1-31, 2025
March 1-31, 2025	April 1-30, 2025
April 1-30, 2025	May 1-31, 2025
May 1-31, 2025	By June 5, 2025
June 1-30, 2025 (projection)	By June 5, 2025

C. Reporting

Grantees must submit reports as required by DHCD. Such reports may include, but are not limited to, outcomes and performance reports. Any required reports and their due dates will be announced by DHCD along with any relevant instruction. Submission of reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the reports.

Year-End Report

The Grantee must submit a year-end report no later than the Tenth day of July 2025.

D. Continuum of Care Participation

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional Continuum of Care or Balance of State Local Planning Groups. In addition, Grantees must assure full participation in annual point-in-time and housing inventory counts.

E. Accounting

The Grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Grantee shall record in its accounting system all grant payments received pursuant to the grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

F. DHCD Notification

Grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, Grantee must notify DHCD should any other local, federal or state agency uncover evidence of any potentially illegal act.

Grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the Grantee, the de-obligation of current funding and the preclusion of future funding.

G. Audit

All grantees, sub-grantees, CHDOs, sub-recipients, localities, developers, or any other organizations that receive funding during a program year and/or have projects in progress are required to submit financial statements to DHCD. Required statements are as followed: Financial Statement(s)**; Reviewed Financial Statement(s) prepared by an Independent Certified Public Accountant (CPA), Financial Statement(s) that have been audited by an Independent CPA or an audit required by the Code of Federal Regulations (CFR), (2 CFR 200 Subpart F), audited by an independent CPA. Please see the table below to determine which documents your organization is required to submit.

The threshold requirements outlined below are the minimal standards required by DHCD. We strongly encourage all organizations receiving funds from DHCD to undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

Threshold Requirement	Document
Total annual expenditures <\$100,000 (Regardless of source)	Financial Statement(s) prepared by organization**

Total annual expenditure between \$100,001 and \$300,000 (Regardless of source)	Reviewed Financial Statement(s) prepared by an Independent Certified Public Accountant (CPA)
Total annual expenditures > \$300,000 (Regardless of source)	Financial Statement(s) that have been audited by an Independent CPA
Federal expenditures >\$750,000	2 CFR 200 Subpart F Audit – Audited by an Independent CPA

** Does not require preparation by a CPA

Required financial statements must be submitted yearly, within nine (9) months after the end of your fiscal year or 30 (thirty) days after it has been accepted (reviewed financial statement(s), audited financial statements, and 2 CFR 200 Subpart F audit only) - whichever comes first.

The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at:

<https://www.dhcd.virginia.gov/sites/default/files/Docx/audit-policy/dhcd-audit-policy.pdf>

H. **Suspension and Debarment**

Non-Federal entities are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, [2 CFR part 180](#). The regulations in [2 CFR part 180](#) restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

- (a) Independent Public Accountants (IPAs) debarred from providing audit services for all recipients are prohibited from soliciting or entering into any new contracts for audit services with recipients for the duration of the specified period of debarment. Recipients shall not knowingly award contracts to, extend or modify existing contracts with, or solicit proposals from, such IPAs. Debarred IPAs also are prohibited from providing audit services to recipients as agents or representatives of other IPAs.
- (b) IPAs debarred from providing audit services for one or more specific recipient(s) are prohibited from soliciting or entering into any new contracts for audit services with such recipient(s) for the duration of the period of debarment as determined pursuant to this part. The affected recipient(s) shall not knowingly award contracts to, extend or modify existing contracts with, or solicit proposals from, such IPAs. Debarred IPAs also are prohibited from providing audit services to the affected recipient(s) as agents or representatives of other IPAs, and are required to provide prior written notice to the debarring official before providing such services to other recipients. Debarred IPAs also must provide prior written notice of the debarment to any recipient for which the IPA provides audit

I. **Compliance**

Grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will

work with all interested parties toward the resolution of unresolved matters, where appropriate.

J. Maintenance of Records

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

K. Costs Incurred Prior To Grant Agreement Execution

No costs incurred prior to the start of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD.

L. Expenditure Review

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.

M. Termination, Suspension, Conditions

If through any cause, the Grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

N. Subsequent Contracts

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for which this assistance is being provided under this Agreement are carried out in accordance with the Grantee's Assurances and Certifications.

O. Default

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

- (1) direct the Grantee to submit progress schedules for completing approved activities;
- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including , but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

P. Conflict of Interest

Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

Q. Religious Influence

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under VHSP. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under VHSP and participation must be voluntary for program participants.

III. Additional Assurances

- A. Grantee will give the DHCD, the Virginia State Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B. In accordance with federal law, grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

IV. Additional Certifications:

The Grantee certifies that it will comply with the following:

- (a) Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;
- (b) Virginia Fair Employment Contracting Act;
- (c) Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
 - 24 CFR 100 (discriminatory conduct under Fair Housing Act);
 - Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);
 - 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
 - Title VIII of Civil Rights Act of 1968 as amended (prohibiting discrimination based on race, color, national origin, religion, sex, familial status [including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18], and disability)
- (e) Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:
 - 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
 - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- (f) 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);
- (g) 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);
- (h) Adhere to Executive Orders 11625, 12432, and 12138, that Grantee must make efforts to encourage participation of minority and women-owned business enterprises in connection with funded activities;
 - Encourage participation of locally-owned enterprises in connection with funded activities;
- (i) McKinney-Vento Homeless Assistance Program Regulations;
- (j) Anti-lobbying Certification;

(k) Drug Free Workplace.

If requested by DHCD:

1. A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.
2. All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

Virginia Department of Housing and Community Development

Sandra Powell, Sr. Deputy Director

Date

City of Charlottesville

Signature

Name (printed or typed)

Title

Date

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



Agenda Date:	September 3, 2024
Action Required:	Approval of Ordinance
Presenter:	Brian Haluska, Principal Planner
Staff Contacts:	Brian Haluska, Principal Planner
Title:	Ordinance for Stonehenge Avenue Encroachment Agreement (1 of 2 readings)

Background

Stonehenge Park, LLC (the "Owner") is the owner of property identified as Tax Map 60 Parcel 120 (PIN 600120000) with an address of 0 Stonehenge Ave. Ext. and shown as Open Space E (the "Property"). The Owner is responsible for a retaining wall located in the City and constructed partially on the Property, partially on property identified as Tax Map 60 parcel 120.022 (PIN 600120022) with an address of 1302 Stonehenge Ave. Ext., and partially in the right-of-way of Stonehenge Ave. Ext. (the "Retaining Wall"). Prior to release of development bonds for the development known as Belmont Point, it was discovered that a portion of the Retaining Wall encroached into the public street right-of-way for Stonehenge Ave. Ext.

The Owner has requested City Council to approve this encroachment, to facilitate release of their development bonds and to cure any issues that might affect property owners within Belmont Point from using the Property as common space, or a subsequent purchaser's ability to obtain title insurance/clear title. Attached is a copy of the recent survey plat of the property showing the area of Stonehenge Ave. Ext. affected by the Retaining Wall's encroachment.

Discussion

Sections 15.2-2009 and 15.2-2011 of the Virginia Code permit the City Council to authorize encroachments upon public rights-of-way, subject to requirements of those statutory sections and such other terms and conditions as City Council may prescribe.

Alignment with City Council's Vision and Strategic Plan

Approval of the Retaining Wall encroachment is consistent with the Strategic Plan goal for Transportation.

Community Engagement

Not applicable

Budgetary Impact

There is no budgetary Impact for approval of this agreement

Recommendation

Staff recommends approval of the Ordinance

Alternatives

If Council decides not to approve the Ordinance, the Owner will be required to relocate the retaining wall outside of the public right-of-way. Currently, the roads in the affected development have not been formally accepted for maintenance by the City, and the time required to move the wall will increase the amount of time that the residents of the development will be living on an unaccepted, privately maintained road.

Attachments

1. Draft Ordinance
2. Request
3. Plat

ORDINANCE
AUTHORIZING ENCROACHMENT OF A RETAINING WALL
CONSTRUCTED PARTIALLY ON PROPERTY IDENTIFIED ON CITY TAX MAP 60 AS
PARCEL 120 AND HAVING THE ADDRESS OF 0 STONEHENGE AVENUE EXT.

WHEREAS Stonehenge Park, LLC, the owner of certain property with an address of 0 Stonehenge Avenue Ext., identified on City Tax Map 60 as Parcel 120 (City Real Estate Parcel Identification No. 600120000) (the “Property”), has requested City Council to authorize the encroachment of a retaining wall constructed on and adjacent to the Property into the public right-of-way of Stonehenge Avenue Ext. (the “Retaining Wall”); and

WHEREAS the City Engineer has reviewed a physical survey plat prepared by Roger W. Ray & Assoc., Inc. entitled “PLAT SHOWING RETAINING WALL AND MAINTENANCE AREA LOCATED WITHIN THE PUBLIC R/W OF STONEHENGE AVENUE EXTENDED, BELMONT POINT, CITY OF CHARLOTTESVILLE, VIRGINIA,” dated May 26, 2023 and revised July 1, 2024 (the “Plat”), which shows the encroachment of the Retaining Wall identified as “APPROXIMATE LOCATION OF RETAINING WALL (LINEWORK PROVIDED BY SHIMP ENGINEERING, P.C.)” (the “Encroachment”). Seeing no apparent detrimental effect of City Council agreeing to the Encroachment, the City Engineer has confirmed that he has no objection to the request; and

WHEREAS Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950), in effect as of the date this Ordinance is approved, permit the City Council to authorize encroachments upon public rights-of-way, subject to the requirement that the Property owner shall not be relieved of negligence on account of the Encroachment, and further subject to other terms and conditions as City Council may prescribe.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute a deed or other instrument, in a form approved by the City Attorney and suitable for recording among the land records of the City of Charlottesville, to authorize and license the Encroachment within the Stonehenge Avenue Extended right-of-way as shown on the Plat, subject to the provisions of Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950) in effect as of the date this Ordinance is approved.

BE IT FURTHER ORDAINED by the Council of the City of Charlottesville, Virginia, that a term and condition of such approval be that any maintenance on the Retaining Wall shall be conducted within the area on the Plat identified as “RETAINING WALL MAINTENANCE AREA.”

From: Justin Shimp <justin@shimp-engineering.com>

Subject: ROW Encroachment Agreement, Stonehenge Ave. Extended

Date: July 11, 2022 at 3:04:00 PM EDT

To: "Robertson, Lisa" <robertsonl@charlottesville.gov>

Cc: Michael Chandler <michael@shimp-engineering.com>

Hi Lisa,

Hope all is well, a quick request for you. On the Stonehenge Ave project the approved plans showed a retaining wall encroaching into city ROW. The plans were approved and the wall constructed but it has been pointed out by public utilities that an encroachment agreement is necessary for the wall. I assume that is a document that comes from your office with a plat prepared by us? Please let me know what we need to do. Thanks!

-Justin



City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials*

9-3-2024

City Manager – Sam Sanders (he/him)

- Recently announced the internal realignment of workflow in the City Manager's Office:
 - In addition to the three Deputy City Managers, direct reports to the City Manager now include: Budget and Performance Management, Communications & Public Engagement, Economic Development, and Police.
 - Deputy City Manager for Administration (Eden Ratliff) will now support: City Attorney's Office, Emergency Management, Finance, Fire, Human Resources, and IT.
- Joined Chris Cullinan, director of finance, and Krisy Hamill, budget director in the execution of the necessary documents for the City's largest bond sale that will provide the financial resources to address the significant list of community investment, enhancement, and development projects across the city.
- Working on a review of the city's allocation of ARPA funding as we approach the federal government deadline to have all awarded funds encumbered by December 31, 2024 with a requirement to spend funds by December 31, 2026. These next few months will consist of finagling our plans, to include any recapture and redistributions to ensure we do not have to return any funds as unexpended.
- Attended the Housing Advisory Committee (HAC) Meeting on Wednesday, August 21st to review work on a proposed Land Bank Ordinance; there was a hearty conversation on matters that will shape the formation of such an entity that now moves into a legal review before being offered to Council for consideration.
- Attended Rivanna Water & Sewer Authority Board Meeting on August 27 where we received the Annual Reservoir Update and presentations on water protection permitting, water treatment facilities, and water supply planning. August is Water Quality Awareness Month and the staff at Rivanna Authorities want all of its customers to know that water quality and safety is a top priority.
- Attended a Regional Executive's Gathering in Fluvanna County for our quarterly check in with peers to discuss regional matters that know no geographic boundary.
- Community Conversations are moments I am now arranging to meet with representatives across the community. These are opportunities for me to gain perspective and to ask questions and to answer others. This month, I have engaged the following:
 - 08/16 – Courtney Cacatian, CACVB

- 08/20 - Price Thomas, City of Promise
- 08/21 – Harold Folley, The People’s Coalition
- 08/26 – Shayla Washington, Blue Ridge Area Coalition on Homelessness (BRACH)
- 08/29 – Ben Allen, UVA Equity Center

Deputy City Manager for Administration – Eden Ratliff (he/him)

- Hosted the City of Charlottesville Job Fair on Thursday, 8/29 at Carver Recreation Center.

Office of Communications and Public Engagement – Director Afton Schneider (she/her)

- Reminder: The City’s public affairs tv program, Inside Charlottesville, airs every Friday and Sunday at 7:00 PM and every Saturday and Monday at 9:00 AM on Charlottesville TV10 – Comcast Channel 10 in the City of Charlottesville and surrounding counties. We also have a free Roku app for TV10 which folks can find by searching for "Charlottesville TV10" on Roku.

Budget Office – Director Krisy Hammill (she/her)

- The Budget Office has received the Government Finance Officer Association's (GFOA's) Distinguished Budget Presentation Award for the FY 2025 Budget. The award represents a significant achievement by the City. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as: a policy document, a financial plan, an operations guide, and a communications device. Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

Office of Human Rights – Director Todd Niemeier (he/him)

- The Office of Human Rights is currently in the hiring process for an Intake Specialist. The Office expects to fill the position by early September.
- On August 8th, the Director of the Human Rights Commission submitted the Charlottesville Human Rights Ordinance to HUD for potential interim certification

for a Fair Housing Assistance Program work share. The Ordinance is currently under review by HUD, and decisions will be made in October 2024.

- On August 15th, the Human Rights Commission held its regular monthly meeting during which Commissioners began to finalize a draft letter of legislative recommendations for presentation to Council during the first week of September.

Office of Community Solutions – Director Alex Ikefuna (he/him)

- Bridge for Connectivity over Pollocks Branch Creek at CRHA on First Street: Office of Community Solutions (OCS), in collaboration with Parks & Recreation, submitted a grant application to the Virginia Department of Conservation & Recreation and was preliminarily awarded \$307,639.51 to fund the construction of a trail bridge over the Pollocks Branch creek that will connect the Pollocks Branch Trail at 1st Street South at the CRHA community with Rockland Avenue across the creek. OCS staff continues to seek additional grants for this project.
- Funding Planned Amenities for the Pollocks Branch Bridge: This overall project includes plans for cultural wayfinding/signage and native plant restoration. To fund these amenities, OCS is planning to submit a grant to the T-Mobile Foundation requesting \$48,276 to complete these amenities in addition to the bridge construction.
- Blue Ridge Area Food Bank: Now that work has been completed, BRAFB has reported that even though they lost the use of an onsite cooler for about a month (between the tear down of the old cooler, site prep and construction of the new cooler), BRAFB has been able to provide their partners 50,000 lbs. more during construction (we utilized cooler and freezer space from Loaves and Fishes) than last year during the same time frame. Additionally, since the new cooler came online in July of 2024, BRAFB has already increased their produce distribution to 53,000 lbs. compared to 32,000 lbs. during July of last year representing a 53.6% increase.
- Pollocks Branch Trail Bridge at Jordan Park: OCS is exploring funding opportunities through CDBG to complete additional ADA components of the pathway from the parking lot to the bridge, playground, and basketball court to enhance this projects accessibility for those with mobility impairments wishing to enjoy the bridge and surrounding amenities.
- Virginia Supportive Housing Premier Circle Agreement: OCS is working with VSH to finalize the agreement dedicating \$750,000 from the city to support the Premier Circle development project.
- Carlton Mobile Home Park: OCS staff is coordinating the agreement process related to this property acquisition for affordable housing development and will be working with various departments and Piedmont Housing Alliance and

Greater Charlottesville Habitat for Humanity to process the necessary documents to support this project.

- Notice of Funding Availability (NOFA) for Housing-Related Activities (fiscal Year 2025-2026): OCS has issued a notice of Funding Availability to inform community organizations, developers, and other stakeholders about the availability of funds for housing-related projects and activities. For more information visit: <https://www.charlottesville.gov/CivicAlerts.aspx?AID=1905>.
 - The application process timeline and key dates are:
 - CAHF Application Period: October 21, 2024 - November 22, 2024
 - HOPS Application Period: September 18, 2024 - October 18, 2024
 - CDBG/HOME Application Period: January 6, 2025 – February 7, 2025
- Land Bank Program: The City Manager, along with the Deputy City Manager of Operations, met with Housing Advisory Committee (HAC) on August 21, to facilitate discussion on HAC's Landbank recommendations before discussion with the City Attorney, and subsequent briefing with the City Council.

Office of Sustainability – Director Kristel Riddervold (she/her)

- The Climate Program Manager participated in a Career Panel discussion as part of UVA's Summer Decarbonization Academy.
- Climate Program staff participated an Electric Vehicle Expo hosted by C3 and Generation180 "It's Electric: Community Transportation Expo & Party", one of their monthly events aimed at learning about EVs and exploring alternate electric transportation options in a fun, educational atmosphere. A variety of electric vehicles, including the Office of Sustainability's Nissan Leaf was on display with owners available to answer questions.
- Along with representatives from CAT, Sustainability staff attended the Zero-Emissions Bus Conference in Philadelphia. They were able to visit depots servicing both electric and hydrogen-fueled buses and learned from other transit agencies about best practices in deploying zero-emissions transit fleets.
- The City received notification of a \$76,840 Energy Efficiency and Conservation Block Grant (EECBG) award from the U. S. Department of Energy (DOE). This funding is proposed for transfer to LEAP to fund energy audits for low- and moderate-income households in the City.
- Published a City-wide LED Streetlights Upgrade [project webpage](#).
- The City of Charlottesville is partnering with the Rivanna Stormwater Education Partnership and James River Association to provide a Fall Rain Barrel Workshop to the community on Thursday, September 19th at 6pm at the Starr Hill Downtown location in Dairy Market. The workshop registration fee is \$50 and gets you a 55-gallon drum and RainRecycle rain barrel kit. City utility customers

can apply for a \$30 rebate as part of the City's Rain Barrel Rebate Program. You can register for the workshop [here](#).

ADA – Coordinator Paul Rudacille (he/him)

- ROW (Right-of-Way) Report:
 - The team has made good progress on the ROW report. We have successfully completed the facility data collection portion of the project for the time being.
 - The focus is now on the final edits and in-depth data analysis for the ROW report. The data is being thoroughly QAQCed (Quality Assurance/Quality Control) to ensure accuracy and completeness.
 - We anticipate having the ROW report in a final draft form by the end of this month, at which point we can present the findings to key stakeholders.
- The Web assessment project has begun.
 - The goal of this project is to evaluate the accessibility and user experience of our organization's public-facing website.
 - We will be conducting testing, gathering user feedback, and making recommendations for improvements to enhance the website's accessibility and overall usability.

Office of Economic Development – Director Chris Engel (he/him)

- The Future of Talent Series is returning! The Office of Economic Development and the Charlottesville Regional Chamber of Commerce are excited to present this three-part series focused on the evolving world of work. The series, titled "Maximizing Your People Power," will equip employers with innovative strategies to attract top talent and build strong teams.
 - The first event kicks off on September 12 from 9-11am with a presentation by Lesa Hanlin, EdD, Executive Director of Strategic Initiatives and Corporate Relations at the University of Virginia School of Continuing and Professional Studies. She will discuss "Understanding Gen Z and Leveraging the Multi-Generational Workforce."
 - The second event, "Tapping into Specialized Workforce Populations: Military, Prisoner Re-entry, and Visa and H1B Sponsorships," will take place on October 23 from Noon – 2pm. Panelists will share resources and best practices for recruiting candidates from these specialized workforce niches.
 - The final event, "Cultivating Your Workforce: Apprenticeships & Internships," is scheduled for November 14 from Noon – 2pm. Speakers include Katie Dulaney, Talent Director and V-TOP Coordinator with the

Central Virginia Partnership for Economic Development, Nedra Fleming, Experiential Learning Coordinator with the UVA Career Center, and Jennifer Hynson, Registered Apprentice Consultant with Virginia Works. They will guide businesses on building their talent pipeline through apprenticeships and internships, offering valuable resources to start or expand these programs.

- All events will be held at City Space, and refreshments will be provided. For more information and to register, [click here](#).
- This initiative seeks to address Goal 3 of the recently adopted Economic Development Strategic Plan by creating pathways of opportunity for Charlottesville residents and businesses.
- OED's GO Start-Up program relaunches on September 4, 2024. GO Start-Up is a four-week program designed to provide basic knowledge and information necessary to start converting a business idea into reality. The program allows participants to learn from other entrepreneurs and business experts as they set a course for success. This program will be led by OED's Entrepreneurship Program Specialist, Keith Groomes, and business consultant Kaye Monroe.
 - This initiative seeks to address Goal 1 of OED's Economic Development Strategic Plan by investing in equitable entrepreneurship.

Office of the Treasurer – City Treasurer, Jason Vandever (he/him)

- The Treasurer's Office has been working on several office initiatives this month. Our new City Hall Ambassador placed individual reminder phone calls to every homeowner who qualified for the Charlottesville Housing Affordability Grant in the last two years who had not yet applied for the grant in 2024, our customer service staff has been busy fulfilling requests for the new zone parking permit season which begins September 1st, and our DMV Select staff have been preparing for a September 16th reopening of the DMV Select Office in the Lobby of City Hall. Additionally we have completed our office move back to the lobby and first floor of City Hall.

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



Agenda Date:	September 3, 2024
Action Required:	Consideration of ordinance and resolution adoption
Presenter:	Taylor Yowell, Voter Registrar
Staff Contacts:	Eden Ratliff, Deputy City Manager Robinson Hubbard, Deputy City Attorney
Title:	Ordinance to Adopt Ranked Choice Voting ("RCV") as the Voting Method for the June 2025 City Council Primary election (2nd reading)

Background

In July 2021, the Virginia General Assembly passed a bill to amend the Code of Virginia § 24.2-673.1 to authorize localities to implement Ranked Choice Voting in elections of members of a county board of supervisors or a city council. The Electoral Board and Registrar of the City of Charlottesville have studied the potential benefits of Ranked Choice Voting, including review of the successful conduct of a Ranked Choice Voting election in June 2023 for the nomination of members of the Arlington, Virginia Board of Supervisors, and determined that there are no technical barriers to conducting the 2025 Charlottesville City Council primary using the same Ranked Choice Voting process.

Discussion

Ranked Choice Voting is an election method which allows voters the option to rank candidates in order of preference (first, second, third choice, etc.), though they are not required to do so. If a candidate receives more than half of the first choices, that candidate wins, as in other elections.

If there is no majority winner after counting the first choices, the race is decided by an instant runoff. The candidate with the fewest votes is eliminated, and voters who ranked that candidate as their first choice will have their votes counted towards their second choice. This process continues until a candidate receives more than one half of the vote count, winning the election.

Ranked Choice Voting has been successfully adopted in various localities and states across the nation and has been shown by research to support more diverse candidate pools and improved civility in campaigns and elections. The use of Ranked Choice Voting in the June 2025 primary election allows for the introduction of this new method to our community.

We propose that the Ordinance is passed to allow implementation of Ranked Choice Voting.

Alignment with City Council's Vision and Strategic Plan

This change aligns with the City's commitment to encourage civility in politics, more diverse candidates for office, and broader participation in elections.

Community Engagement

If this Ordinance is passed, then City Council, with the assistance of the General Registrar and Board of Elections, must engage in community engagement to educate the public on the change to Ranked Choice Voting and its perceived advantages. Pursuant to VA Administrative Code 1VAC20-100-80, the local governing body must develop and distribute an educational/outreach program.

Budgetary Impact

If this Ordinance is passed, then there will be additional expenditures needed for new hardware/software for RCV tabulation, a mailing to all registered voters, publication of notice in the local newspaper(s), and other changes necessary to implement this new voting method. The estimated cost for these upgrades is \$26,460.

Recommendation

Adopt the Ordinance and subsequent appropriation resolution.

Alternatives

Leave the current voting format as it is.

Attachments

1. ranked choice voting ordinance 8.1.2024

**AN ORDINANCE
ESTABLISHING RANKED CHOICE VOTING AS
THE ELECTION METHOD FOR
THE JUNE 2025 PRIMARY ELECTION**

WHEREAS, ranked choice voting (“RCV”) means the method of casting and tabulating votes in which voters rank candidates in order of preference, tabulation proceeds in sequential rounds in which last-place candidates are defeated and the candidates with the most votes in the final round are nominated; and

WHEREAS, in July 2021, the Virginia General Assembly amended the Code of Virginia § 24.2-673.1 to authorize localities to implement RCV in elections of members of a county board of supervisors or a city council, and the decision to conduct an election by ranked choice voting shall be made, in consultation with the local electoral board and general registrar, by a majority vote of the board of supervisors or city council that the office being elected serves; and

WHEREAS, the Electoral Board and Registrar of the City of Charlottesville, Virginia having reviewed the successful conduct of a RCV primary election in June 2023 for the nomination of members of the County of Arlington, Virginia, Board of Supervisors and determined that there are no technical barriers to conducting the 2025 Charlottesville City Council primary using the same RCV process; and

WHEREAS, the method of RCV empowers voters to express their full preferences on their ballots and has been successfully adopted in various localities and states across the nation, and has been shown in research to support more diverse candidate pools and improved civility in campaigns and elections. The use of RCV in the June 2025 primary elections for the Charlottesville City Council will allow for the introduction of this new method to our community; and

WHEREAS, state law provides that any changes to an election shall occur at least 90 days prior to such election, and adoption of this resolution more than nine months before the primary election provides sufficient time for City Council to educate and engage the community on the changes, as well as prepare the new ballots and tabulation system;

NOW, THEREFORE, BE IT ORDAINED, that the City of Charlottesville, Virginia hereby establishes RCV as the election method in the June 2025 City Council primary election.

Approved by Council
August ____, 2024

Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move to pass this ordinance and establish Ranked Choice Voting as the election method for the June 2025 City Council Primary Election.

RESOLUTION
Appropriating Funding for Ranked Choice Voting
\$26,460

WHEREAS the City Council has approved an ordinance to adopt Ranked Choice Voting as the voting method for the June 2025 City Council Primary election; and

WHEREAS pursuant to Virginia State Administrative Code 1VAC20-100-80, the local governing body must develop and distribute an educational/outreach program and purchase new hardware/software for ranked choice voting tabulation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, that the sum of \$26,460 is hereby appropriated to be transferred from the Council Strategic Initiatives account in the General Fund to the Voter Registrar's budget for this purpose.

Transfer From:

\$26,460 Fund: 105 Cost Center: 1011001000 G/L Code: 599999

Transfer To:

\$26,460 Fund: 105 Cost Center: 2301001000 G/L Code: 599999

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



Agenda Date:	September 3, 2024
Action Required:	Consideration of Ordinance to Amend City Code
Presenter:	Scott Carpenter, Deputy Chief of Operations
Staff Contacts:	Lisa Burch, Human Resources Benefits Coordinator, Retirement Michael Thomas, Fire Chief
Title:	Ordinance amending the City Code to extend the Public Safety Supplement Retirement Benefit to EMS-only Employees Enrolled in the Defined Benefit plan (1 of 2 readings)

Background

Currently, members of the Charlottesville Fire Department (“CFD”) that are classified as firefighters/EMT’s and enrolled in the Defined Benefit (pension) plan receive a public safety supplement if they retire with at least twenty (20) years of service. The CFD intends to hire EMS-only employees and would like to extend the same public safety pension supplement under the same provisions.

Discussion

A number of localities across the Commonwealth have begun hiring “single-role” or “EMS-only” personnel to meet service and staffing demands. Fire and emergency services in Roanoke City, Augusta County, Fluvanna County, Greene County, Buckingham County, Nelson/Wintergreen, Madison, Newport News, and Norfolk all utilize varying levels of full-time and part-time EMS staff. Additionally, Albemarle County Fire and Rescue is reportedly considering hiring part-time EMS-only personnel to supplement its EMS delivery in the northern part of the county due to high service demand.

CFD made a presentation to the Retirement Commission on May 22, 2024. During that meeting, CFD determined that providing the public safety pension supplement to EMS-only employees is consistent with the intent of the retirement benefit and is necessary to maintain competitive recruitment and retention practices. The CFD has faced challenges with recruiting due to the nationwide shortage of firefighters and EMS providers. Current job qualifications require that all employees, at a minimum, be trained as both firefighters and EMTs. This dual requirement may deter potential applicants who are passionate about emergency medical services but have little interest in firefighting. By extending the ability for EMS-only employees to participate in the public safety pension, the department aims to open up recruiting to a broader pool of candidates who are focused solely on EMS roles, thereby allowing flexibility to address CFD’s staffing needs more effectively.

City Code Sec. 19-150 currently defines a “public safety employee” as a “police officer, firefighter,

sheriff, or deputy sheriff.” This definition would be updated to include “Emergency Medical Service (“EMS”) employee”. City Code Sec. 19-96 would be updated to include “EMS employee” in the class of workers who receive the public safety supplement. Every sentence that currently reads “police officer, firefighter, sheriff or deputy sheriff” would be updated to read “police officer, firefighter, EMS staff, sheriff or deputy sheriff.” The City Code would also be updated to define an “EMS employee” as “any employee whose primary function is to provide emergency medical services, including but not limited to: a medic; paramedic; or a basic, intermediate or advanced Emergency Medical Technician. This change is consistent with Federal policy, as the IRS defines a Public Safety Officer as an employee of a state, county, or city who is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew. This language is consistent with federal legislation such as the Pension Protection Act of 2006 and the Public Safety Employees Act of 2016.

In the Commonwealth, the Virginia Retirement System (VRS), Hazardous Duty Supplement includes language speaking to enhanced hazardous duty benefit availability for ported service if the period of time ported to VRS represents service as a sworn law enforcement officer comparably hazardous to that of a state police officer, firefighter, emergency medical technician (EMT) or deputy sheriff.

Alignment with City Council's Vision and Strategic Plan

The proposed amendments directly align with several aspects of City Council's vision and strategic plans:

- **Public Safety:** Hiring single-role EMS providers enhances Charlottesville's ability to deliver comprehensive, trusted public safety services. This move will improve the quality and reliability of emergency medical services provided to the community.
- **Organizational Excellence:** The City is dedicated to maintaining a well-trained and committed workforce. Extending access to the public safety retirement plan to EMS-only employees helps attract and retain highly skilled EMS professionals, thereby enhancing the overall excellence of the City's public safety services. This ensures that the community continues to receive top-tier emergency medical care from dedicated and experienced staff.
- **Commitment to Justice, Equity, Diversity, and Inclusion:** In addition, the amendment provides the department with greater flexibility in recruitment and hiring, opening opportunities to a more diverse applicant pool. By offering roles specifically for EMS-only positions, the department can attract candidates from varied backgrounds, enhancing access to employment and career advancement. This flexibility not only aligns with the City's goals of diversity, equity, and inclusion but also strengthens the overall effectiveness of our public safety services.

Community Engagement

Department administration has engaged with stakeholders, including current employees, union representatives, to gather input on this proposed amendment. Feedback has been supportive, particularly among current staff who see this as a step toward progressing the department into the future.

Budgetary Impact

The department plans to utilize current vacancies to fill these roles. The overall impact is uncertain due to ongoing negotiations with the union that are parallel to this process. However, since this is not

a request for new full-time employees, but rather allowing the department the flexibility to hire for both firefighter/EMT and EMS-only roles, we anticipate that the outcome of negotiations will result in a budget impact that is equal to or less than our current budget.

Recommendation

Approval of Ordinance, waiving second reading

Alternatives

Decline to approve the amendment.

Attachments

1. ORD - Amend Chapter 19 - EMS public safety benefit - 8.21.24 (2)

**AN ORDINANCE TO AMEND CITY CODE
CHAPTER 19, PERSONNEL
SECTIONS 19-96 and 19-150**

WHEREAS, current members of the Charlottesville Fire Department (“CFD”) classified as firefighters/emergency medical services (EMS) providers and enrolled in the Defined Benefit (pension) plan receive a public safety supplement if they retire with at least twenty (20) years of service; and

WHEREAS the CFD intends to hire EMS-only employees and would like to extend the same public safety pension supplement under the same provisions to those employees; and

WHEREAS, several localities across the Commonwealth have begun hiring “single-role” or “EMS-only” personnel to meet service and staffing demands; and

WHEREAS, the CFD made a presentation to the Retirement Commission on May 22, 2024, and the Commission determined that providing the public safety pension supplement to EMS-only employees is consistent with the intent of the retirement benefit and necessary to maintain competitive recruitment and retention practices; and

WHEREAS, the CFD has faced challenges with recruiting due to a shortage of firefighters and EMS providers, and current standards that require all CFD employees to be trained as firefighters and EMS providers may deter potential applicants, and providing an EMS-only position may attract a broader pool of candidates focused on EMS roles;

THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 19 Personnel, Sections 19-96 and 19-150 of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Sec. 19-96. - Same—Allowance.

(a) Upon service retirement on or after July 1, 2000, a member with creditable service which commenced prior to July 1, 2000, shall receive an annual retirement allowance payable monthly to them for life commencing on the first day of the month coinciding with or next following their date of retirement, in an amount computed as the larger of (1) and (2) following:

(1) The excess, if any, of two (2) percent of such member's average final compensation multiplied by the number of years of their creditable service, over two and one-half (2.5) percent of such member's annual primary social security benefit, multiplied by the number of years of their creditable service up to a maximum of twenty (20) years.

(2) One and six-tenths (1.60) percent of such member's average final compensation multiplied by the total number of years of their creditable service.

(b) Upon service retirement after July 1, 2000, a member whose employment commenced after June 30, 2000, shall receive an annual retirement allowance payable monthly to them for life commencing on the first day of the month coinciding with or next following their date of retirement, in an amount computed as follows:

(1) One and six-tenths (1.60) percent of such member's average final compensation multiplied by the total number of years of their creditable service.

(c) In addition to the retirement allowance to which a member is entitled under the provisions of subsections (a) and (b) of this section, a retired member who at the date of their retirement was in service as a police officer, firefighter, EMS employee sheriff or sheriff's deputy and who has completed twenty (20) years or more of creditable service shall receive an additional annual allowance, payable monthly, during the period after the member's date of retirement and until their attainment of full retirement age, as in effect on July 1, 2005, for purposes of qualifying for unreduced social security benefits, equal to one (1) percent of average final compensation multiplied by the number of years of their creditable service. In no event shall a police officer, firefighter, EMS employee, sheriff or sheriff's deputy receive both the supplement under this section and social security benefits. Effective for service retirements after June 30, 2017, the additional annual allowance shall be limited to a period of time that does not exceed seventeen (17) years prior to social security eligibility and effective for service retirements after June 30, 2020, this additional annual allowance shall be limited to the estimated unreduced primary social security benefit determined under [section 19-97](#).

Notwithstanding the foregoing, a person who becomes a member after June 30, 2012, shall be entitled to this additional, supplemental annual allowance only if such person has completed at least twenty (20) years of creditable service in a position of a police officer, firefighter, EMS employee, sheriff or sheriff's deputy and such person shall not be entitled to a supplement for a period of time that exceeds seventeen (17) years prior to social security eligibility. This additional annual allowance shall be limited in the case of a person who becomes a member after June 30, 2012, to their estimated unreduced primary social security benefit determined under [section 19-97](#).

(d) The provisions of subsections (a) and (b) of this section to the contrary notwithstanding, if the retirement date of a member with less than thirty (30) years of creditable service precedes their normal retirement date, the retirement allowance amount as computed in accordance with subsections (a) and (b) of this section, as appropriate, shall be reduced by one-half (0.5) percent for each complete month in the period between the member's retirement date and the earlier of their normal retirement date or the date on which the member would have completed thirty (30) years of creditable service had they remained an employee continuously until such date.

(e) The provisions of subsections (a) and (b) of this section to the contrary notwithstanding, if the retirement date of a member who is a police officer, firefighter, EMS employee, or sheriff's deputy with less than twenty-five (25) years of creditable service precedes their normal retirement date, the retirement allowance amount as computed in accordance with subsections (a) and (b) of this section, as appropriate, shall be reduced by one-half (0.5) percent for each complete month in the period between the member's retirement date and the earlier of their normal retirement date or

the date on which the member would have completed twenty-five (25) years of creditable service had they remained an employee continuously until such date.

Sec. 19-150. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Disability means a physical or mental illness or injury that incapacitates an employee from performing one (1) or more of the usual and customary duties of the employee's own job on a full-time basis, where such incapacity is likely to be permanent.

EMS employee means any employee whose primary function is to provide emergency medical services, including but not limited to: a medic; paramedic; or a basic, intermediate or advanced Emergency Medical Technician.

Primary Social Security benefit means the primary insurance amount to which the employee is entitled, for age or disability, pursuant to the provisions of the federal Social Security Act as in effect at the employee's date of retirement.

Public safety employee means any police officer, firefighter, EMS employee, sheriff, or deputy sheriff.

Salary means an employee's approved base pay at the time the employee becomes disabled, without career development pay, overtime compensation, or any other additional amount above the amount of base pay.

Work related disability means any disability, as defined herein, incurred by a public safety employee for which benefits are payable under the Virginia Workers' Compensation Act, where the City is the employer.

Suggested Motion: I move that Chapter 19 Personnel, Sections 19-96 and 19-150, of the Code of the City of Charlottesville be amended and reenacted.

Legend: ~~Deleted language~~
New language

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



Agenda Date:	September 3, 2024
Action Required:	Resolution
Presenter:	Antoine Williams, Housing Program Manager
Staff Contacts:	Alexander Ikefuna, Director, Office of Community Solutions Antoine Williams, Housing Program Manager
Title:	Resolution to approve the Seventh Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (1 of 2 readings)

Background

On June 19, 2017, the City Council approved the creation of the Charlottesville Supplemental Rental Assistance Program (CSRAP). The Grant Agreement between the City and the Charlottesville Redevelopment and Housing Authority (CRHA) was executed in January 2018, with the first voucher issued in April 2018.

To date, the City Council has approved a total funding of \$5,295,000 for CSRAP, distributed across various fiscal years. This includes a contribution of \$900,000 for FY23-24. Additionally, the City Council has committed \$900,000 annually from FY25 through FY29, totaling \$4,500,000 from the Capital Improvement Program (CIP).

As part of the City's CIP housing investment portfolio, this ongoing commitment ensures that the program can scale and adjust to meet the community's needs, with specific funding allocations reviewed and adjusted each year, generally between July and August. For this current iteration of CSRAP, there are no substantial changes as part of the CSRAP seventh amendment.

Discussion

The Charlottesville Supplemental Rental Assistance Program (CSRAP) continues to play a critical role in providing housing assistance to the city's most vulnerable residents. Since its inception in 2017, CSRAP has helped hundreds of households secure stable housing, operating in tandem with the federal Housing Choice Voucher Program but funded and managed locally by the City of Charlottesville through the Charlottesville Redevelopment and Housing Authority (CRHA).

Program Performance and Impact

From FY19 through FY24, the program has demonstrated consistent growth in participant numbers and effectiveness. The most recent analysis indicates that, despite a slight decrease in the total number of participants in FY24 due to the successful transition of several households to self-

sufficiency, the program has overall achieved its goals of stabilizing housing for low-income residents (CRHA, 2024).

- **Participant Growth:** Over the evaluation period, the program supported a diverse range of participants, with notable increases in the number of referrals and successful housing outcomes. FY24 saw a total of 61 participants, reflecting a natural exit of individuals who have achieved self-sufficiency (CRHA, 2024).
 - **FY21:** 67 participants
 - **FY22:** 69 participants (3% increase from FY21)
 - **FY23:** 75 participants (8.7% increase from FY22)
 - **FY24:** 61 participants (reflecting successful exits due to self-sufficiency)
- **Referral and Engagement:** The program's referral network includes key partners such as the Department of Social Services, CRHA's Housing Choice Voucher (HCV) Wait List, and local self-sufficiency programs. These partnerships have been instrumental in identifying and supporting eligible households, with the referral process showing increased efficiency and reach over the years (CRHA, 2024).
 - **CRHA HCV Wait List:** Referrals increased from 120 in FY21 to 250 in FY23.
 - **Department of Social Services:** Consistently provided 63-73 referrals each year.
 - **PVCC Self-Sufficiency Program:** Maintained a steady referral rate of 17-20 participants annually.
- **Focus on Self-Sufficiency:** CSRAP has been successful in moving participants towards long-term self-sufficiency. Data indicates that the number of participants achieving self-sufficiency increased steadily from FY21 to FY23, underscoring the program's effectiveness in fostering independence (CRHA, 2024).
 - **PVCC Self-Sufficiency Program:** Helped 20 participants achieve self-sufficiency each year from FY21 to FY23.
 - **Department of Social Services:** Maintained 7 participants achieving self-sufficiency annually.
 - **CRHA HCV Wait List:** Improved from 1 self-sufficient participant in FY21 to 8 in FY23.
 - **Overall:** Total self-sufficient participants grew from 32 in FY21 to 37 in FY23.

Proposed Changes Under Evaluation

These changes are not yet finalized but are being carefully considered based on the program's performance data from FY19 to FY24:

1. **Self-Sufficiency Emphasis:** One area under evaluation is the continued focus on helping participants achieve long-term self-sufficiency. This includes targeted support for previously homeless individuals, aiming to increase successful program exits (CRHA, 2024).
2. **Strengthening Referral Networks:** The program is also considering ways to enhance partnerships with key referral sources, such as the CRHA HCV Wait List and the Department of Social Services. These enhancements aim to ensure that the program can identify and assist more eligible households (CRHA, 2024).

3. **Enhanced Use of Technology:** Another potential change under review involves expanding the use of Yardi Voyager. This system could further improve program management by streamlining reporting, communication, and decision-making processes (CRHA, 2024).
4. **Program Adaptation and Expansion:** The program is evaluating strategies for expanding its reach and adapting to the needs of underserved populations. Although FY24 saw a slight decrease in participants due to successful exits, there is ongoing consideration of how to broaden the program's impact (CRHA, 2024).

Alignment with City Council's Vision and Strategic Plan

The Charlottesville Supplemental Rental Assistance Program (CSRAP) directly supports the City's Strategic Outcome Areas of Housing and Partnerships. This program is integral to the City's efforts to provide safe, affordable housing options to its most vulnerable families. Furthermore, the program aligns with the objectives outlined in the City's Affordable Housing Plan (2021) and the Comprehensive Plan (2018 Update), both of which emphasize the importance of housing equity and collaborative partnerships in addressing community needs.

Community Engagement

The CRHA staff has reviewed the amendments to the Grant Agreement, ensuring alignment with community goals and feedback received from program participants and partners.

Budgetary Impact

This request does not require additional funding from the City budget. As part of the CIP, these funds are already planned and accounted for in the City's budget process. Each year, the planned amount for CSRAP is typically approved as part of the overall budget process, with specific allocations reviewed and adjusted between July and August of the applicable budget year.

Recommendation

Staff recommends that the City Council approve the attached Resolution for the Seventh Amended Grant Agreement.

Alternatives

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

Attachments

1. Resolution
2. CRHA 2024 CSRAP Program Analysis
3. Seventh Amendedment to CSRAP Grant Agreement
4. Executed First Agreement FY2018-2019

RESOLUTION TO APPROVE THE FIFTH AMENDED GRANT AGREEMENT FOR THE CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE PROGRAM, AND TO APPROPRIATE THE NOT-TO-EXCEED AMOUNT OF NINE-HUNDRED-THOUSAND DOLLARS (\$900,000.00) FROM THE FY2024-2025 BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024

WHEREAS on June 19, 2017, the City of Charlottesville approved the creation of the city-funded Charlottesville Supplemental Rental Assistance Program (“CSRAP”), and on April 9, 2024, City Council approved an allocation of \$900,000 from the Capital Improvement Program funds to be used for the CSRAP program, which will be administered by CRHA; and

WHEREAS, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority (“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2024, which has been reviewed by City Council this same date;

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

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2024, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

Approved by Council
September 16, 2024

Kyna Thomas, CMC
Clerk of Council



CSRAP Program Analysis: FY 2019-2024

This presentation analyzes participant data for a self-sufficiency program from fiscal years 2019 through 2024. We'll examine referral sources, participant demographics, and program outcomes to gain insights into the program's effectiveness and reach within the community. The data showcases the various organizations involved in referring participants and the program's impact on helping individuals achieve self-sufficiency.

Charlottesville Redevelopment & Housing Authority



Referral Sources Overview

1 Primary Referral Sources

The main referral sources include CRHA HCV Wait List, Department of Social Services, PVCC Self Sufficiency Program, and Thomas Jefferson Area Coalition for the Homeless.

2 Consistent Contributors

Other consistent referral sources are DSS Self Sufficiency Program, Haven/Human Rights Referrals, Region Ten Referrals, and CHIP Referrals.

3 Varying Contributions

The number of referrals from each source varies year to year, with some sources showing significant changes in their referral numbers over time.



Participant Distribution by AMI Percentage

AMI %	FY 2021	FY 2022	FY 2023
0-30%	54	59	65
31-50%	9	8	7
51-80%	4	2	3
Total	67	69	75

Participant Distribution by Locality

City Residents	County Residents	Total Participants
FY 2021: 37	FY 2021: 30	FY 2021: 67
FY 2022: 37	FY 2022: 32	FY 2022: 69
FY 2023: 39	FY 2023: 36	FY 2023: 75



Recertification Schedule

1

Peak Months

November consistently has the highest number of recertifications across all years, with 11-12 participants.

2

Steady Months

February, April, June, and September show consistent recertification numbers, ranging from 7-10 participants.

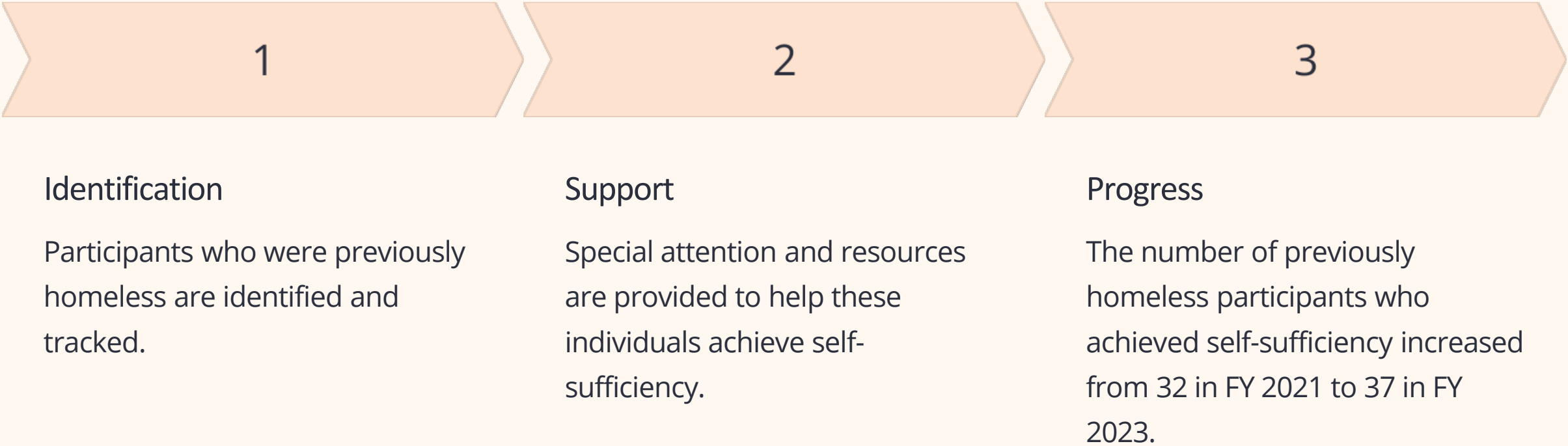
3

Low Activity Months

March and August typically have the lowest number of recertifications, with only 2-5 participants each month.



Previously Homeless Participants



Top Referral Sources Performance



CRHA HCV Wait List

Referrals increased from 120 in FY 2021 to 250 in FY 2023, showing significant growth.



Department of Social Services

Consistently provided 63-73 referrals each year, demonstrating stable contribution.



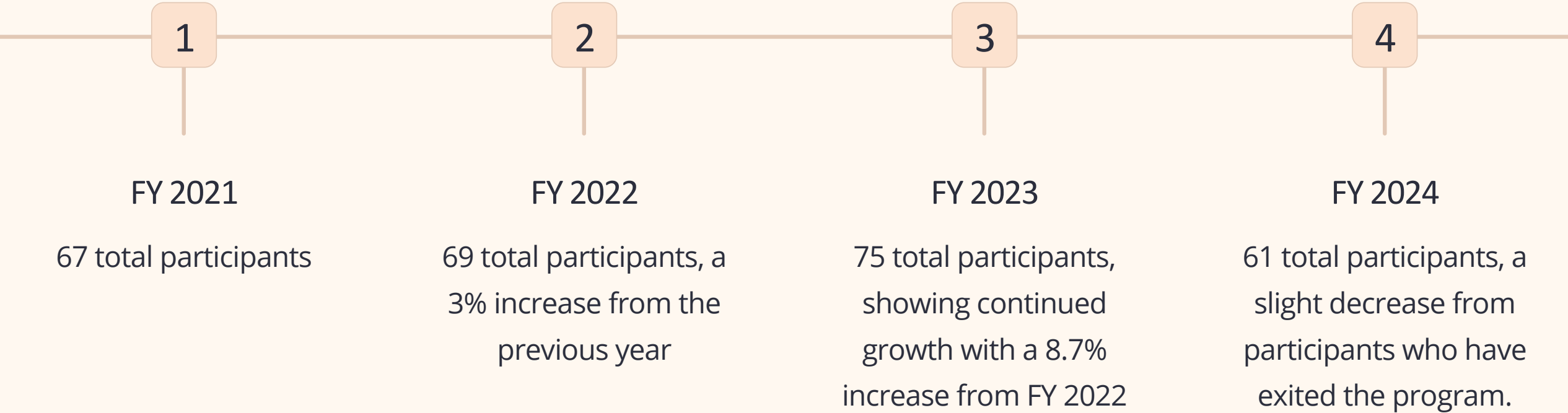
PVCC Self Sufficiency Program

Maintained a steady referral rate of 17-20 participants annually.





Program Growth and Participant Increase





Self-Sufficiency Achievement

PVCC Self Sufficiency Program

Consistently helped 20 participants achieve self-sufficiency each year from FY 2021 to FY 2023.

Department of Social Services

Maintained a steady rate of 7 participants achieving self-sufficiency annually.

CRHA HCV Wait List

Showed improvement, with self-sufficient participants increasing from 1 in FY 2021 to 8 in FY 2023.

Overall Progress

Total self-sufficient participants grew from 32 in FY 2021 to 37 in FY 2023, indicating program effectiveness.



- 1 Exit Strategy**
The program will streamline a clear strategy for limiting participation time and guiding participants towards self-sufficiency.
- 2 Graduation Indicators**
Key milestones and achievements indicate when a participant is ready to graduate and exit the program.
- 3 Future Considerations**
The program is continuously evaluated for opportunities to expand, improve, and better serve the community.

► Call System Updates

Proposed Changes Under Evaluation
The program is exploring new initiatives and adjustments to better meet participant needs.

Self-Sufficiency Focus
A key priority is empowering participants to achieve long-term self-sufficiency before exiting the program.

Leveraging Yardi Voyager

1

Improved Reporting

Utilizing the robust reporting capabilities of the Yardi Voyager system to generate detailed, data-driven insights on program performance.

2

Enhanced Communication

Streamlining communication with landlords and participants through Yardi Voyager's integrated communication tools and dashboards.

3

Data-Driven Decisions

Leveraging Yardi Voyager's analytical capabilities to make more informed and data-driven decisions to improve the program.

Landlord Engagement

Yardi Voyager's landlord portal allows for seamless communication, payment processing, and real-time status updates, fostering stronger relationships with participating landlords.

Participant Tracking

The system's comprehensive participant management tools enable efficient monitoring of progress, milestones, and overall program engagement for each individual.

Conclusion and Future Outlook

The CSRAP program has shown consistent growth and positive outcomes from FY 2019 to FY 2024. With increasing participant numbers, diverse referral sources, and improving self-sufficiency rates, the program demonstrates its effectiveness in supporting community members. Moving forward, focusing on strengthening partnerships with top referral sources and addressing the needs of previously homeless participants could further enhance the program's impact and reach within the community.



Seventh Amendment to Grant Agreement Charlottesville Supplemental Rental Assistance Program (CSRAP)

This amendment to grant agreement provides the terms and conditions upon which the City of Charlottesville ("City") will provide funding to the Charlottesville Redevelopment and Housing Authority ("CRHA") for the purpose of administering the "Charlottesville Supplemental Rental Assistance Program" ("CSRAP"). The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. Approval of the program to support CRHA's administration of the CSRAP was provided by City Council on October 16, 2017.

Section 1. Time for Performance: July 1, 2024, through June 30, 2025.

Section 2. City Funding Amount: \$900,000 (FY24/25)

Section 3. Conditions of City Funding:

I. PURPOSE OF THE PROGRAM

- A. The City has authorized the transfer of carry forward program funding, if any, and FY24/25 funding, to the Charlottesville Redevelopment and Housing Authority (CRHA) for use within the Fiscal Year ending June 30, 2022, upon the following conditions: (i) the funding shall be used exclusively by CRHA to provide rental assistance subsidies to individuals who are part of Extremely Low-Income to Low-Income Households, defined as those households earning less than 60% of Area Median Income (Area Median Income) as determined by the US Department of Housing and Urban Development (HUD) annually within the City of Charlottesville, including, but not limited to, those who are homeless, elderly and/or disabled individuals, or those enrolled in a self-sufficiency program; and (ii) the administration of this funding by CRHA shall be in accordance with the terms of this document.
- B. The City is authorized by Va. Code §36-7 to provide money to a housing authority, to enable or assist the authority to carry out its purposes.

II. FUNDING

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

III. ADMINISTRATION

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

**City of Charlottesville –
Supplemental Rental Assistance Program (CSRAP)**

CRHA agrees to administer the CSRAP in a manner similar to the federal Housing Choice Voucher Program (HCVP) rules and regulations, as amended, and the City of Charlottesville's Housing Policy 1, as amended (attached hereto as Appendix A). Exceptions to the administration of the program will be permitted to allow:

- (i) for single-room housing that might not otherwise meet HUD rules and regulations, in limited circumstances.
- (ii) for rent rates up to 125% of the federally designated HUD fair market rents for units in the City of Charlottesville; and up to 110% of the federally-designated HUD fair market rents for units located in Albemarle County.

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

IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

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

**City of Charlottesville –
Supplemental Rental Assistance Program (CSRAP)**

- (iv) In the administration and issuance of CSRAP-funded rental assistance subsidies described in Section IV.B(iii) above, CRHA will ensure that vouchers will be issued to households with incomes less than 60% AMI.
- E. Households on the CRHA's HCVP waiting list who accept CSRAP voucher(s) shall remain on the HCVP waiting list and shall retain their ranking on that list. If an individual or household on the HCVP waiting list is selected by CRHA for the HCVP program, CRHA shall offer that Household the opportunity to replace any CSRAP subsidy being received with an HCVP.

V. TENANT-BASED HOUSING ASSISTANCE

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

**City of Charlottesville –
Supplemental Rental Assistance Program (CSRAP)**

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

VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

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

VII. PROGRAM FUNDING

- A. The City's Office of Community Solutions has verified that funding in the amount of \$900,000 is available and has been appropriated by the City Council to support the CSRAP. CSRAP will continue so long as funds from the initial funding allocation of \$900,000 plus carry forward program funds, if any, for support of the CSRAP remain unencumbered or additional funding has been appropriated by City Council in amounts sufficient to support the continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year.

CRHA will be afforded at least 30 days within which to prepare and submit such annual funding estimates. This CSRAP Agreement may be renewed for succeeding fiscal years by written agreement of the parties, subject to the availability and appropriation of public funds.

- C. The City shall retain the existing program funding reserve of \$292,500 as a program reserve fund to ensure funding is available to cover any increases in rental assistance payments due to decreases in participant household income or increases in rent. All unused reserve funds shall be carried over into the next year's program funding total.
- D. When the unencumbered funding balance within the Initial Operational Allocation reaches an amount equal to approximately one month of maximum program rental expenses (or not to exceed \$80,000),

**City of Charlottesville –
Supplemental Rental Assistance Program (CSRAP)**

CRHA shall request and the City shall immediately disperse, from the funds appropriated to CSRAP in the City's Capital Improvement Program an additional amount equal to approximately three months of maximum rental expenses (or not to exceed \$240,000) to CRHA to provide ongoing support for the program. In so doing, at all times during the tenure of the CSRAP, CRHA will maintain an unencumbered program Operational Allocation balance of no less than \$80,000 and no more than \$240,000.

- E. CRHA may retain a portion of the program funding to be used for the administration of the program. Administrative costs shall be equal to 10% of the annual program funding allocated by the City, or direct costs of administering the program if those costs exceed 10%.

CRHA shall request and the City shall disperse an amount equal to one-fourth of administrative costs submitted with the rental expenses identified in paragraph (D) above, or on a quarterly basis. Administrative costs shall also be included in the quarterly report.

F. Initial Reporting Requirements:

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

G. Ongoing Reporting Requirements.

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

**City of Charlottesville –
Supplemental Rental Assistance Program (CSRAP)**

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

- Date voucher issued
 - Date voucher extended (if applicable)
 - Date unit leased
 - Name (head of household)
 - Unit Address
 - Total Monthly Rent
 - Amount of Monthly Rental Assistance Provided
 - Household Income
 - %AMI
 - Employment Status
 - Number of Wage Earners
 - Household Composition
 - Number of Adults
 - Number of Children
 - Number of Children Under 5 years
 - Number of Elderly (65 years+)
 - Number of Disabled
 - Race/Ethnicity
 - Refugee status (if applicable)
 - Compliance with admissions preference priorities as defined in Section IV.B.
 - Administrative costs
- (i) Following the Initial Operational Allocation, no funds will be released to CRHA, unless and until all required reporting pursuant to Section (E), Section (F), and Section (G) have been properly completed and submitted to the Office of Community Solutions, Housing Program Manager and/or designee.
- (ii) The Office of Community Solutions shall have 14 days from the date of report submittal to review and certify to CRHA that the reports provided meet the CSRAP reporting standards defined in Section (E), Section (F), & Section (G) above. After 14 days following report submittal (unless otherwise notified), CRHA and the Office of Community Solutions will consider all reports submitted to be complete, proper, and certified.
- (iii) All reports shall be submitted to the City of Charlottesville's Director of the Office of Community Solutions.

**City of Charlottesville –
Supplemental Rental Assistance Program (CSRAP)**

CITY OF CHARLOTTESVILLE:

City Manager (Printed)

City Manager (Signature)

Date: _____

ACCEPTED/ AGREED BY RECIPIENT:

Recipient Representative (Printed)

Recipient Representative (Signed)

Date: _____

LEGAL REVIEW AND CONFORMANCE:

City Attorney's Office (Printed)

City Attorney's Office (Signature)

Date: _____

FINANCE REVIEW

Dept. of Finance (Printed)

Dept. of Finance (Signature)

Date: _____

GRANT AGREEMENT

Charlottesville Supplemental Rental Assistance Program (CSRAP)

This grant agreement provides the terms and conditions upon which the City of Charlottesville ("City") will provide funding to the Charlottesville Redevelopment and Housing Authority ("CRHA") for the purpose of administering the "Charlottesville Supplemental Rental Assistance Program" ("CSRAP"). The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. In order to facilitate expedient housing of those in need and to insure that funding resources are provided directly to housing clients, CRHA has proposed to administer the CSRAP at no cost to the City or the CSRAP. Therefore, the City and CRHA recognize that it is critical that the administrative burden associated with the program be kept to an absolute minimum. Funding approval in the amount of \$900,000 to support CRHA's administration of the CSRAP was provided by City Council on October 16, 2017.

Section 1. Time for Performance: February 1, 2018 through June 30, 2019.

Section 2. City Funding Amount: \$900,000

Section 3. Conditions of City Funding:

I. PURPOSE OF THE PROGRAM

- A. The City of Charlottesville has authorized the transfer of up to \$900,000.00 from Charlottesville Affordable Housing Fund (CAHF) to the Charlottesville Redevelopment and Housing Authority (CRHA) for use within the Fiscal Year ending June 30, 2018, upon the following conditions: (i) the funding shall be used exclusively by CRHA to provide rental assistance subsidies to individuals who are part of Extremely Low-Income to Low-Income Households, defined as those households earning less than 60% of Area Median Income (Area Median Income) as determined by the US Department of Housing and Urban Development annually within the City of Charlottesville, including, but not limited to, those who are homeless, elderly and/or disabled individuals, or those enrolled in a self-sufficiency program; and (ii) the administration of this funding by CRHA shall be in accordance with the terms of this document.
- B. The City is authorized by Va. Code §36-7 to provide money to a housing authority, to enable or assist the authority to carry out its purposes.

II. PROGRAM FUNDING

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

III. ADMINISTRATION

The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. In order to facilitate expedient housing of those in need and to insure that funding resources are provided directly to housing clients, CRHA has proposed to administer the CSRAP at no cost to the City or the CSRAP. Therefore, the City and CRHA recognize that it is critical that the administrative burden associated with the program be kept to an absolute minimum. CRHA agrees to administer the CSRAP in a manner similar to the federal Housing Choice Voucher Program (HCVP) rules and regulations, as amended, and the City of Charlottesville's Housing Policy I, as amended (attached hereto as Appendix A).

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

IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

- A. Eligible Households shall be selected and admitted from the CRHA's existing HCVP waiting list in accordance with the HCVP rules and regulations established by the CRHA for selection and admission for tenant-based housing assistance through the CSRAP unless specified otherwise in this agreement. Only Households with incomes less than 60% AMI shall be issued CSRAP rental assistance subsidies. A Household can apply to participate in the CSRAP Program if individual(s) within the Household live or work within the City of Charlottesville at the time of the application; however, CSRAP rental assistance shall be issued only to subsidize rental payments owed by a Household for rental of a dwelling unit located within the City of Charlottesville, except as per the provision in Section V.B.iii.
- B. The CHRA shall issue the CSRAP rental assistance according to the following priorities:
 - (i) Ten (10) CSRAP rental assistance subsidies will be issued to Households who are homeless. (These recipients may or may not be enrolled in the CRHA HCV waiting list.)
 - (ii) Twenty (20) CSRAP rental assistance subsidies will be issued to Households enrolled in a local self-sufficiency program. (These recipients may or may not be enrolled in the CRHA HCV waiting list.)
 - (iii) The remainder of the CSRAP funded rental assistance subsidies (i.e., those not issued in accordance with Sections IV.B(i) or IV.B(ii), above) shall be issued to HCVP eligible households, if the individual(s) within those Households live or work in the City of Charlottesville, and if the

Household(s) is or are on the CRHA's HCVP waiting list at the time of the issuance of a CSRAP voucher.

- (iv) In the administration and issuance of CSRAP funded rental assistance subsidies described in Section IV.B(iii) above, CRHA will endeavor to achieve the following income tier objectives: Fifty percent (50%) of all CSRAP rental assistance subsidies shall be issued to Extremely Low-Income Households, defined as households with incomes less than 30% AMI; 25% of CSRAP rental assistance subsidies shall be issued to Households with incomes between 30% and 50% of AMI; with the remaining 25% of CSRAP rental assistance subsidies reserved for Households with incomes between 50% and 60% of AMI.
- C. Households on the CRHA's HCVP waiting list who accept CSRAP voucher(s) shall remain on the HCVP waiting list, and shall retain their ranking on that list. If an individual or household on the HCVP waiting list is selected by CRHA for the HCVP program, CRHA shall offer that Household the opportunity to replace any CSRAP subsidy being received with an HCV.

V. TENANT-BASED HOUSING ASSISTANCE

- A. CSRAP rental assistance subsidies shall be administered as tenant-based housing assistance in a manner similar to CRHA's HCVP rules and regulations.
- B. Notwithstanding any CRHA HCVP rule or regulation to the contrary, (see Section V.A, above), the following rules apply specifically to the CSRAP:
- (i) Rental assistance subsidies shall not be eligible for portability as such term is defined and utilized in 24 C.F.R. §§ 982.351 and 982.353, as amended.
 - (ii) Households receiving a CSRAP voucher shall have 90 days to locate, and lease, a rental housing unit within the City of Charlottesville.
 - (iii) Should a Household be unable to locate a rental unit that it can afford (based on the 30% required contribution referenced in subparagraph (iv), following below) within the City of Charlottesville within the initial 90-day CSRAP voucher term, the CRHA may grant one 90-day extension, or may allow recipient household to search for rental housing within Albemarle County.
 - (iv) Households receiving a CSRAP voucher shall be required to contribute 30% of the monthly gross income of that Household toward rent each month. The Household's required rent contribution shall be determined at the time the Household is accepted into the CSRAP, and thereafter shall not be increased more than once every 24 months; regardless of whether or not the rent contribution is increased during any 24 month period.

CRHA shall continue to verify and keep records as to the Household income, report income to the City, and comply with the requirements within this Grant Agreement.

- (v) CSRAP rental assistance shall be provided monthly. The monthly housing assistance payment shall be equal to the applicable HCVP payment standard for bedroom size for the Charlottesville area, as established annually by the Virginia Housing and Development Authority, minus the tenant's portion of the rent.
- (vi) The CRHA shall reexamine the income and family composition of each Household receiving CSRAP rental assistance, at least once every 24 months. Any Household that experiences a decrease in income may request a reexamination and adjustment of the requirement for 30% monthly income participation (see subparagraph (iv), above) at any time.

VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

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

VII. PROGRAM FUNDING

- A. The City's Housing Program Coordinator has verified that funding in the amount of \$900,000 is available and has been appropriated by City Council to the CAHF to support the CSRAP. CSRAP will continue so long as funds from the initial funding allocation of \$900,000 to CAHF for support of the CSRAP remain unencumbered or additional funding has been appropriated by City Council in amounts sufficient to support continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year. CRHA will be afforded at least 30 days within which to prepare and submit such annual funding estimate.

**City of Charlottesville- Charlottesville Affordable Housing Fund (CAHF)
Charlottesville Supplemental Rental Assistance Program- City Account P-0952**

- C. The City shall retain ten percent (10%) of each year's program funding allocation as a program reserve fund to ensure funding is available to cover any increases in rental assistance payments due to decreases in participant household incomes. The City shall also retain an additional twenty-five percent (25%) of remaining program funds as a rent reserve fund equal to four months housing assistance payments per household. All unused reserve funds shall be carried over in to the next year's program funding total.
- D. Upon execution of this agreement, CAHF funds in the amount of 25% of the total available program funds (the total program allocation minus the program reserve funds and the rent reserve funds), or \$150,000 will be disbursed to CHRA for implementation of the CSRAP ("Initial Operational Allocation"). When the unencumbered funding balance within the Initial Operational Allocation reaches ten percent (10%) of the Initial Operational Allocation funding (or \$15,000), CRHA shall request and the City shall immediately disperse an additional \$150,000 to CRHA to provide ongoing support for the program. In so doing, at all times during the term of the CSRAP, CRHA will maintain an unencumbered program Operational Allocation balance of no less than \$15,000 and no more than \$165,000.
- E. Initial Reporting Requirements:
 - (i) Upon determining that a Household is eligible to participate in the CSRA Program, CRHA shall transmit to the City's Housing Program Coordinator the following:
 - (a) A copy of the Household's rental assistance subsidy agreement, lease approval form, rent portions notice, rental unit information (including address and monthly rent), unit inspection report, and Household information (including income, size, composition), and
 - (b) a copy of an invoice or other statement of rent from the Household's landlord, identifying the monthly rental amount for that Household, at time of initial lease-up.
- (F) Ongoing Reporting Requirements.
 - (i) 30 days prior to the end of each calendar year quarter (specifically: on November 30, February 28, May 31, and August 31 each calendar year), the CRHA will submit to the City of Charlottesville, an itemized Quarterly Report, listing each recipient Household participating in the CSRA Program as of the date of such Report, and specifying the amount of monthly rent required for each Household (both household rent portion and rental assistance


amount) for the calendar year quarter next succeeding the date of the Quarterly Report. Each such Quarterly Report shall add up each of the amounts required for the CSRA Program for the upcoming quarter, and shall give a total amount necessary to satisfy the Program commitments for that upcoming calendar year quarter.

- (G) Each itemized Quarterly Report referenced in Paragraph (F)(i), above, shall be accompanied by the following information (in addition to the information required by paragraph (D), above) and this information shall be presented in an Excel Spreadsheet or other format mutually acceptable to both CRHA and the City's Housing Program Coordinator. Each Quarterly Report shall providing program and household statistics, including but not necessarily limited to:
- Date voucher issued
 - Date voucher extended (if applicable)
 - Date unit leased
 - Name (head of household)
 - Unit Address
 - Total Monthly Rent
 - Amount of Monthly Rental Assistance Provided
 - Household Income
 - %AMI
 - Employment Status
 - Number of Wage Earners
 - Household Composition
 - Number of Adults
 - Number of Children
 - Number of Children Under 5-years
 - Number of Elderly (65 years+)
 - Number of Disabled
 - Race/Ethnicity
- (i) Following the Initial Operational Allocation, no funds will be released to CRHA, unless and until all required reporting pursuant to Section (E), Section (F) and Section (G) have been properly completed and submitted to the Housing Coordinator.
- (ii) The Housing Coordinator shall have 14 days from the date of report submittal to review and certify to CRHA that the reports provided meet the CSRAP reporting standards defined in Section (E), Section (F), & Section (G) above. After 14 days following report submittal (unless otherwise notified), CRHA and the Housing Coordinator will consider all reports submitted to be complete, proper and certified.

City of Charlottesville- Charlottesville Affordable Housing Fund (CAHF)
Charlottesville Supplemental Rental Assistance Program- City Account P-0952

- (iii) All reports shall be submitted to the City of Charlottesville's Housing Program Coordinator.


OFFERED BY: City of Charlottesville

By: 


Date: 1-23-2018

Christopher V. Cullinan
Director of Finance

FUNDS ARE AVAILABLE

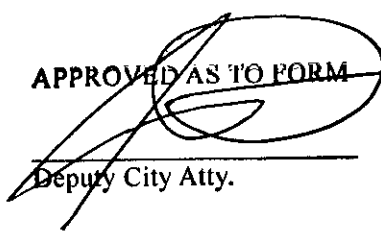
BY 
Director of Finance/Designee
1/18/18

ACCEPTED BY: Charlottesville Redevelopment and Housing Authority

By: 

Date: 12 - January - 2018

APPROVED AS TO FORM


Deputy City Atty.

APPENDIX A

City of Charlottesville Housing Policy 1

City of Charlottesville
Objectives for Use of Charlottesville Affordable Housing Fund (CAHF)
and Criteria/Priorities for Award of Funds
Housing Policy 1 - as recommended by HAC on 9/17/14
ADOPTED BY CITY COUNCIL ON OCTOBER 20, 2014

General Information

There are three housing policies that comprise the recommendations of the Housing Advisory Committee (HAC). Policy 1, written to address appropriate usage of the Charlottesville Affordable Housing Fund (CAHF), was originally adopted by City Council on November 3, 2008, with a focus on the following topics: 1) funding categories, 2) target populations, 3) criteria for review of applications, and 4) affordability definition. The revised policy, as contained herein, has refined the text to include: 1) general information; 2) consideration of other City efforts; 3) definitions of all pertinent terms, 4) guidelines for use of CAHF; 5) accountability and tracking; and 6) how to apply for CAHF and potential use of funds.

Policy 2 involves "Incentives the City can provide to Encourage Development with Affordable Housing Units" and Policy 3 covers "Criteria for Awarding Multi-Family Incentive Funds/Strategic Investment Funds Revolving Loan Fund. Both policies were adopted at the same time as Policy 1, but neither is included herein as these are separate documents.

More than five years have passed since the policy was first adopted and the national and local housing markets have undergone significant changes during this time. Accordingly, the HAC has identified an update of this housing policy as essential to ensuring that City housing policies are current and relevant to help inform CAHF funding decisions.

The City of Charlottesville currently utilizes the annual Capital Improvement Program (CIP) budget process to fund its affordable housing efforts through the CAHF. This process is initiated on an annual basis through the submittal of a request from the City's Housing Development Specialist (Neighborhood Development Services) to the Budget Office. The amount of the annual request is based on the funding recommendations contained in Table 8 of the report entitled "City of Charlottesville 2025 Goals for Affordable Housing" (2025 Housing Goal - as adopted on February 1, 2010).

In addition to CIP funds, the City also has an Affordable Dwelling Unit ordinance (codified at City Code §34-12) that provides for payments in lieu of providing actual affordable units when rezoning or special use permits of a specified level of density are required. While the City would prefer that developers provide actual units either on or off site, the State enabling legislation for this ordinance is written such that it is unlikely that units will be built, because the CAHF contribution level is generally less expensive and does not require a 30 year compliance period after funds are provided.

Lastly, the final source of CAHF funds is voluntary contributions made through proffers. As the frequency and amounts are highly unpredictable, there is no way to quantify the impact of proffered contributions; however, this is also a source of funds for the CAHF.

This policy is applicable to all funds appropriated into the CAHF, regardless of their source (unless otherwise specified herein or by directive from City Council).

Consideration of Other City Efforts

City Council Vision for Housing: Quality Housing Opportunities for All - Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit oriented housing at employment and cultural centers. We have revitalized

public housing neighborhoods that include a mixture of income and housing types with enhanced community amenities. Our housing stock is connected with recreation facilities, parks, trails, and services.

Comprehensive Plan: The current City of Charlottesville Comprehensive Plan (as adopted on August 13, 2013) provides the legal basis for all land use and policy decisions related to housing in the City. The goals and objectives included in the Comprehensive Plan must therefore be taken into consideration with any and all CAHF decisions, realizing that each project will differ and that competing values will have to be analyzed on a case by case basis.

2025 Housing Goal Report: According to the subject report, the City has adopted the following as its goal for supported affordable housing in the City:

"Increase the ratio of supported affordable units to 15% of total housing units by 2025."

The 2025 report states that CAHF dollars should be leveraged to the maximum extent feasible. Table 8 of the 2025 Housing Goal (which establishes yearly funding levels necessary to reach the 2025 goal) is based on the assumption that the City will contribute 8.4% of the funds needed to preserve or create supported affordable housing, while the remaining 91.6% will be provided by other sources.

Definitions¹

Affordable and/or Affordable Housing²: Housing for occupant(s) at or below 80% of **Area Median Income** who are paying no more than 30 percent of income for Gross Housing Costs, including utilities.³ Income calculations should be based on 24 CFR Part 5, unless otherwise required by another funder.

Applicant: An organization seeking financial assistance from the Charlottesville Affordable Housing Fund.

Area Median Income (AMI): Median family income limits as adjusted by the U.S. Department of Housing and Urban Development (HUD) annually by family size.

Asset-Based Community Development: A methodology that seeks to identify and use the strengths within communities as a means for sustainable development (i.e., development that meets the needs of the present without compromising the ability of future generations to meet their own needs).

Beneficiary: Persons, households or families who benefit from funding received by a **Recipient**.

Comparable Substitution: Housing unit committed as a **Supported Affordable Unit** in lieu of another **Supported Affordable Unit** lost due to any event resulting in a loss of **Supported Affordable Unit** status.

Gross Housing Costs: For renters, the sum of contract rent and utility costs. For homeowners, the sum of mortgage, utilities, home insurance (including flood if required), private mortgage insurance, property taxes, and home owner association dues.

Levels of Affordability: Tiers of Affordable Housing defined in terms of **AMI**. Families earning: between 120 and 80 percent AMI are considered "moderate-income"; between 80 and 50 percent AMI, "low-income"; between 50 and 30 percent AMI, "very low-income" and below 30 percent AMI, "extremely low-income."

¹ Words and terms included within the definitions section are capitalized throughout this document for ease of reference. Within the definitions section, defined words/terms are also bolded.

² The City of Charlottesville has a variety of programs (other than CAHF) that support affordable and Supported Affordable Unit efforts; however, affordable and/or Supported Affordable Unit are defined specifically within each program based on the target Level of Affordability.

³ In the case of rental units and compliance with Code of VA 58.1-3295, properties financed with 26 USC §42, 26 USC §142(d) 24 CFR §983, 24 CFR §236, 24 CFR §241(t), 24 CFR §221(d)(3) or any successors thereof meet the local definition of affordable rental as noted herein.

People-Based Financial Supports: Funds provided to **Recipients** for use by income qualified beneficiaries that allow them to secure a Supported Affordable Unit (e.g., Housing Choice Vouchers or down payment/mortgage assistance).

Project-Based Financial Supports: Funds provided to **Recipients** that produce or rehabilitate a **Supported Affordable Unit** at a specific location to achieve **Levels of Affordability** (e.g., Low Income Housing Tax Credit projects, Project Based Vouchers and land trusts).

Project-Based Legal Supports: Legal controls that limit the income of **Beneficiaries**, the amount of rent charged, or resale price of a home (e.g., deed restrictions, regulatory compliance/affordability period, liens, or other).

Recipient: An organization receiving financial assistance from the Charlottesville Affordable Housing Fund.⁴

Residency: Having a physical presence in the City of Charlottesville, with the intent to remain in the City either temporarily or permanently. Qualification is not based on a length of stay or time requirement.⁵

Special Needs Population: Person(s) with a physical or mental impairment that substantially limits one or more major life activities, to include elderly, abused/battered spouses and/or children, children aging out of foster care, homeless persons, and chronic homeless persons.

Supported Affordable Unit (SAU): Housing unit that achieves one or more **Levels of Affordability** using various sources of public funding and mechanisms including, but not limited to: HUD, VHDA, the City of Charlottesville, Housing Choice Vouchers (Section 8), and/or deed restrictions. **SAUs** can be rental properties or owner-occupied dwellings. **Levels of Affordability** can be achieved through multiple mechanisms, such as **People-Based Financial Supports**, **Project-Based Financial Supports** and **Project-Based Legal Supports**, which can be combined.

Guidelines for Use of CAHF

The City's intent for CAHF funding is to: (1) create incentives and opportunities to provide new Supported Affordable Units⁶ that would not otherwise exist and (2) to preserve existing Affordable Housing and to help maintain affordable units at a risk of being lost without the provision of such funds. To this end, the City realizes that flexibility is important. The following shall inform the use of limited funding, with respect to both preferences for awarding and general requirements for use of CAHF.

- Preference is for projects that either preserve or provide additional Supported Affordable Units toward the City's 2025 Housing Goal.
- Applicants must clearly achieve one or more goals/objectives of the current Comprehensive Plan (or future updated versions).
- Additional consideration will be given to projects that support the City Council Vision for Housing and achieve objectives/goals of the Strategic Action Team (SAT) Growing Opportunities Report, the Strategic Investment Area (SIA) Report, or various Small Area Plans /other reports as developed by or on behalf of the City of Charlottesville.
- To the maximum extent feasible, CAHF should be paired with other City programs to maximize financial viability of projects. Current programs include: reduced water/sewer connection fee; tax

⁴ A Recipient could be a direct Beneficiary in some cases if funding is provided directly. This will only be allowed when provided by the Code of Virginia and incorporated into the City of Charlottesville Code of Ordinances.

⁵ Residency definition is based on program requirements for SNAP (i.e., Supplemental Nutritional Assistance Program, a.k.a. food stamps).

⁶ New supported affordable refers to either physically new or newly supported affordable (existing) units.

exemptions for housing improvements; free paint program; special tax rate for certain energy efficient buildings; and Design for Life C'ville.

- Efficient use of resources must be considered relative to the amount of CAHF provided. Leverage as provided by the Applicant and CAHF cost per Supported Affordable Unit will be taken into consideration. Priority will be given to those programs / projects that leverage the most funds and require the least subsidy.
- Funding can be used for mixed income Project-Based Financial Supports and People-Based Financial Supports ⁷; however, strong preference is for applications that benefit the lowest level of AMI, as defined herein to include extremely low income (30% AMI or less) and very low income (between 50 and 30 percent AMI), and low income (up to 60 percent AMI).
- In order to realize the City's vision of offering housing that is affordable and attainable for people of all income levels, preference is for approaches that address the Levels of Affordability that are in the shortest supply based on the demonstrated need. To the maximum extent feasible, the City should have housing stock sufficient to meet the needs of people across the income spectrum.
- Applicants are encouraged to provide opportunities for meaningful neighborhood participation and use Asset-Based Community Development strategies.
- Applicants must demonstrate their own financial viability as well as the financial feasibility of the project.
- Each project will be evaluated with respect to its readiness to proceed based on status of site control, zoning, financial commitments, construction drawings, and other commonly used indicators, with preference given to those projects most likely to commence in a timely manner or to those projects where CAHF funding will expedite the process.
- Funding requests will be evaluated with respect to the leverage the CAHF investment creates, and/or any proposed legal mechanisms requiring compliance and/or repayments that will be used to achieve continuing Levels of Affordability.
- Project-Based approaches will conform to the City policy for energy efficiency and incorporation of Universal Design features, as adopted on April 21, 2008 (updated on April 21, 2014).
- Funding can only be provided to non-profit organizations which have been designated as such by the U.S. Internal Revenue Service or to the Charlottesville Redevelopment and Housing Authority (CRHA). Only exceptions explicitly allowed by Code of Virginia and incorporated into the City of Charlottesville Code of Ordinances will be otherwise allowed.
- Recipients must be in compliance with all federal, state, and local laws/regulations.
- Beneficiaries of funds should primarily be City residents and/or be employed in the City.⁸ Recipients will be required to track and report on previous Residency to ensure compliance.
- CAHF assistance must be used to support projects located within the City limits of Charlottesville, unless approved by City Council.

⁷ 100% AMI is defined as the current median family income for a family of four for the City of Charlottesville as adjusted by HUD. Percentage adjustments for family size are 70% for one person, 80% for two persons, 90% for three persons, 108% for five persons, 116% for six persons, 124% for seven person and 132% for eight persons. For each person in excess of eight, the four-person income limit should be multiplied by an additional eight percent (e.g., for 9 persons multiply by 140%). Income limits are rounded to the nearest \$50. This is consistent with the methodology used for calculation of HUD income limits.

⁸ Exceptions to preferences are 1) the homeless, 2) persons who lived in the City during the previous 2 years, and 3) conflicting funding requirements that have no Residency preferences.

- Funding will be primarily reserved for access to or the creation, preservation, and development of Supported Affordable Units.
- Since market forces and demographics are subject to change, CAHF assistance may also be used on a limited basis to explore and encourage new models that are intended to enable affordable and/or Supported Affordable Units in the City.

Accountability and Tracking

Assistance for Rental Housing and Housing Rehabilitation

The purpose of CAHF support for rental housing or housing rehabilitation is to increase the availability of Supported Affordable Unit rental options and also to allow qualified owners⁹ to make essential repairs to maintain existing Affordable Housing and expand the City's base of Supported Affordable Units.

Accountability Measures

Project-Based: Projects should have a supported mechanism in place to ensure affordability. The affordability period will vary depending upon the amount of CAHF assistance provided and the type of project, as shown below.

TYPE OF PROJECT	CAHF ASSISTANCE ¹⁰	AFFORDABILITY PERIOD*
Housing Rehabilitation	<\$5,000 (per unit)	1 year
	\$5,001 - \$10,000	3 years
	\$10,001 - \$15,000	5 years
	\$15,001 - \$25,000	10 years
	\$25,001 - \$40,000	15 years
	\$40,001 - \$55,000	20 years
	\$55,001 - \$70,000	25 years
	\$70,001 and over	30 years
Rental Housing*		
	New Construction of Rental Housing	20 years
	Rehabilitation / Refinancing of Rental Housing	15 years

* Period of Affordability is further subject to Federal and/or other funding requirements. If the period required by other funding is shorter than required by CAHF or if foreclosure or other provisions exclude the use of an affordability period, then CAHF will subordinate accordingly. It will be the responsibility of the Recipient to request subordination. If the period is longer than required by CAHF, then the longer term will be used.

**Rental Housing affordability periods are consistent with the HUD HOME program guidelines.

Affordability Period: The CAHF Recipient (or current owner should the property sell) of Project-Based Financial Supports for rental housing will be responsible for ensuring the affordability of assisted projects

⁹ Qualified owners can refer to either an owner occupied unit where the household meets specified income limits or to owners of rental units where assistance is provided for the benefit of income qualified tenants.

¹⁰ CAHF assistance amounts will be revisited to ensure reasonableness. Housing rehabilitation amounts will be reviewed and updated every 5 years. Changes shall be indexed to annual percentage changes in the Consumer Price Index for Housing in the South Urban Region as published by the Bureau of Labor Statistics, using the month/year of adoption of this policy as a start date. Rental Housing figures will be revised based on changes to the HOME regulations as promulgated by HUD.

during the required affordability period, as shown in the above table. The affordability period may be reduced by the City for a rental housing project that will significantly increase the number of Supported Affordable Units. In no event shall the affordability period be less than 10 years. Should affordability be lost during this period, the Recipient or current owner will be responsible for repayment of funds. . The amount of repayment will be reduced for each year of compliance. The annual reduction will be equal to the amount of assistance divided by the number of years in the affordability period (e.g., \$300,000/20 = \$15,000). For CAHF assistance of \$300,000 for a new construction of rental housing project that remains supported affordable for 10 years, the amount of repayment would be \$150,000. Alternatively, the Owner and/or Recipient may commit comparable other units to be SAUs for the remainder of the term (i.e., Comparable Substitution).

People-Based: The CAHF Recipient of People-Based Financial Supports shall only use funds for income qualified Beneficiaries, as determined and agreed to by the City .

CAHF Tracking Measures¹¹

Project-Based: Within 30 days of receiving a certificate of occupancy for the project, the Recipient shall submit to the City an initial report which indicates the address of each Supported Affordable Unit within the project. On June 30 of every year thereafter during the applicable affordability period, the Recipient (or current owner should the property sell) will submit an annual report that indicates the address of all Supported Affordable Units, including those designated as a Comparable Substitution.

People-Based: The CAHF Recipient of People-Based Financial Supports for rentals shall report to the City on an annual basis the addresses of Supported Affordable Units occupied by Beneficiaries who received CAHF support (or support through recycling of CAHF funds).

Assistance for Homeownership

The purpose and intent of CAHF support for projects including supported affordable homeownership is to create opportunities to help bolster the inventory of Supported Affordable Units and/or help low-income residents earn equity.

In reviewing applications for CAHF funds to assist with homeownership, the City will consider, among other factors:

- Applicant's demonstrated history of providing Affordable Housing and/or Supported Affordable units
- Applicant's plan for continuing to provide additional Affordable Housing and Supported Affordable Units in the future
- Any mechanisms for maintaining affordability periods of the unit over time
- Any mechanisms for helping families earn savings through mortgage payments and appreciated value
- Any mechanisms for sharing appreciation upon resale with the non-profit agency
- Any mechanisms for sharing appreciation upon resale with the City
- Any mechanisms for recycling funds back into future Supported Affordable Units via reinvestment, return of funds to the CAHF or to another affordable housing fund (as agreed to by the City)
- Other creative mechanisms that help promote equity earning among low-income homeowners and/or leverage funding for future low-income housing opportunities

Accountability Measures

¹¹ There is no specified reporting format; therefore, any report providing the requested information may be used as long as the Supported Affordable Units are identified by address.

Project-Based: Funds received by the Recipient upon the sale of a designated Supported Affordable Unit shall be used by the Recipient to create access to additional Supported Affordable Units according to the Recipient's Form 990 or shall be returned to the City as part of an appreciation-sharing agreement, unless otherwise authorized by the City. The Recipient shall notify the City following the sale of a designated Supported Affordable Unit and shall designate the fund into which the proceeds (or portion thereof) have been placed.

People-Based: Funds received by the Recipient upon the sale of a designated unit shall be used by the Recipient to create access to additional Supported Affordable Units according to the Recipient's Form 990 or shall be returned to the City as part of an appreciation-sharing agreement, unless otherwise authorized by the City. The Recipient shall notify the City following the sale of a designated unit and shall designate the fund into which the proceeds (or portion thereof) have been placed.

CAHF Tracking Measures¹²

Project-Based: Within 30 days of closing on a Supported Affordable Unit that received Project-Based Financial Supports from CAHF, the Recipient will identify the unit as a Supported Affordable Unit in a notification submitted to the City that contains the address of the designated unit. On June 30 of every year thereafter, the Recipient shall submit a report that indicates the addresses of all Supported Affordable Units, including those that have secured Supported Affordable Unit status from the fund designated by the Recipient to receive proceeds from the sale of another Supported Affordable Unit(s) within the project or that are subject to Project-Based Legal Supports.

People-Based: Within 30 days of closing on a Supported Affordable Unit where the Beneficiary received People-Based Financial Supports from CAHF, the Recipient will identify the unit as a Supported Affordable Unit in a notification submitted to the City that contains the address of the designated unit. On June 30 of every year thereafter, the Recipient will submit a report that indicates the addresses of all Supported Affordable Units, including newly designated units that have secured Supported Affordable Unit status from the fund designated by the Recipient to receive proceeds from the sale of another Supported Affordable Unit(s).

How to Apply for CAHF & Potential Use of Funds¹³

Applications for CAHF will be accepted on a continual basis, with no set deadline. Applicants are strongly urged to communicate with City staff in advance to discuss their proposed project. If demand for funds exceeds available funds, then Applicants will be advised and preferences contained herein will help determine funding recommendations to City Council. The following is a list of potential uses for the CAHF; however, this list is not meant to be exclusive.

- Redevelopment of CRHA Properties
- Rental Housing
- Homeownership
- Down Payment & Closing Cost Assistance or Foreclosure Assistance
- Homeowner and/or Rental Rehabilitation
- Loan Program and/or Revolving Loan Fund

¹² There is no specified reporting format; therefore, any report providing the requested information may be used as long as the Supported Affordable Units are identified by address.

¹³ All potential uses of funds are subject to the Code of Virginia and the City of Charlottesville Code of Ordinances.

- Single Room Occupancy or Boarding House
- Energy Efficiency Upgrades
- Rental Subsidies
- Land Acquisition and Assembly in support of Supported Affordable Units and/or mixed income housing
- Land Development in support of Supported Affordable Units and/or mixed income housing
- Predevelopment Expenses when in support of a Supported Affordable Units project (e.g., feasibility analyses, market studies, A&E fees, environmental and/or geotechnical studies, relocation payments, appraisal costs, legal fees, permits, etc.)¹⁴
- Efforts involving the use of Low Income Housing Tax Credits, shared equity, community land trust and deed restrictions are encouraged to ensure long term affordability
- Initiatives that preserve and/or expand housing opportunities for the Special Needs Population.
- Preservation of existing Affordable Housing to provide Supported Affordable Units
- Other projects as allowable under Virginia Code.

Other Uses of CAHF Funds

- Funding exceptions are possible; however, use of funds for programmatic purposes should only be allowed when a determination has been made that 2025 housing goal progress is on track or ahead of schedule. Even in these instances, programmatic uses should be limited to one time expenses that are provided through ADU payments or proffers.
- Funding can be used for data collection to better understand housing issues/needs and to study Affordable Housing stock and Supported Affordable Unit issues as they relate to accomplishment of the 2025 housing goal. Funding should be limited to no more than 10% of the annual amount awarded to CAHF through the CIP process.
- Funding may also be used for administration purposes related to HAC meetings, educational purposes, public outreach, staff training, and other minor expenses related to furthering Supported Affordable Unit efforts. This amount should be limited to 1% of the annual amount appropriated to the CAHF.

¹⁴ A cost share of 50% will be required for predevelopment initiatives unless these are City directed/requested. Repayment of funds will not be required if a project is deemed infeasible as a result of predevelopment efforts; however, the Recipient will be required to share/disclose all findings with the City.

EXHIBIT 1
SECTION 3 POLICY

I. PURPOSE

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as amended 12 U.S.C. 1701u (hereinafter Section 3), is to "ensure that employment and other economic opportunities generated by certain HUD financial funding shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be directed toward low and very low-income persons, particularly those who are recipients of government funding for housing, and to business concerns which provide economic opportunities to low- and very low-income persons."

Consistent with 24 CFR Part 135, as a recipient of HUD funding, the City of Charlottesville (hereafter "City") and the Charlottesville Redevelopment Housing Authority (hereafter "CRHA") require fulfillment of Section 3 requirements on all contracts that are covered by that assistance. The City and the CRHA work to ensure the provision of employment, training, contracting, and other economic opportunities to its low-income persons (as defined herein). In doing so, the City and the CRHA utilize Section 3 as a means of promoting stability and self-sufficiency to Section 3 Residents. Implementation procedures may be amended periodically by the City and the CRHA to ensure that the policy requirements are met and/or to enhance the efficiencies of compliance.

Because of the potential value to be realized through implementation of Section 3 efforts, the City Council of the City of Charlottesville has also directed that Section 3 be applied to proceeds from the Charlottesville Housing Fund.

II. APPLICABILITY

Section 3, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing including Public and Indian Housing and Community Development Programs shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

Section 3 requirements apply to projects and activities partially or wholly funded by: 1) development assistance provided pursuant to section 5 of the U.S. Housing Act of 1937, 2) operating assistance provided pursuant to section 9 of the 1937 Act, 3) modernization assistance provided pursuant to section 14 of the 1937 Act, 4) Community Development Block Grant (CDBG), 5) the HOME Investment Partnership (HOME), 6) Charlottesville Housing Fund (CHF).

The City's Section 3 requirements apply to all contractors and subcontractors performing work in connection with HUD funded projects for which the amount of total federal assistance exceeds \$200,000; and/or the amount of the contract or subcontract exceeds \$100,000.¹ The City's Section 3 requirements also apply to all recipients, sub recipients, contractors and subcontractors performing work in connection with CHF funded projects for which the amount of the contract or subcontract exceeds \$100,000.

The CRHA's Section 3 requirements apply to all contractors and subcontractors performing work in connection with projects and activities funded by public housing assistance covered by Section 3, regardless of the amount of the contract or subcontract.²

The City also desires that contracts, which are not covered by Section 3 requirements, benefit Section 3 businesses and low and very low income individuals. The City greatly encourages businesses to

¹ 24 CFR 135.3

² 24 CFR 135.3(3)(i)

demonstrate compliance with the "greatest extent feasible" requirement as set forth at 24 CFR 135 to further Section 3 training, employment, contracting and other economic opportunities.

III. GOALS OF THE SECTION 3 REGULATIONS

The City and the CRHA and their sub recipients, contractors and subcontractors will demonstrate compliance with Section 3 by providing opportunities to Section 3 residents and Section 3 business concerns for section 3 covered programs to the greatest extent feasible in three ways, listed in order of preference; however, it should be noted that if there is a triggering event, hiring and contracting compliance is mandatory.

A. Hiring low- and very low-income workers

On Section 3 covered projects, at least 30% of the aggregate number of full-time new hires by the City, the CRHA, and its recipients, sub recipients and contractors on covered projects must be Section 3 eligible participants, with a preference for residents at the development where the work is being performed or in the area where the work is being performed. It should be noted that if all qualifications are met and remain equal, Section 3 residents will be given priority for hiring.

B. Awarding contracts to Section 3 business concerns

Award at least 10% of the total dollar amount of all Section 3 covered contracts for building trades work for maintenance, repair, modernization or development of Public or Indian Housing, or for building trades work arising in connection with housing rehabilitation, housing construction, and other public construction to Section 3 business concerns. Award at least 3% of the total dollar amount of all other Section 3 covered contracts to Section 3 business concerns.

C. Providing other economic opportunities

If the two goals above cannot be met by the City, the CRHA, and its recipients, sub recipients, or its contractors, other training and employment opportunities can be provided to substitute for goals A and B. Firms may provide other economic opportunities and will be responsible for soliciting and contracting a qualified firm experienced in providing a Department of Labor Approved curriculum consistent with Section 3 requirements [135.11] in the area of resident training in the following areas:

- Employment Readiness and Professional Development
- Section 3 Small Business Concern Development Training
- Building Construction Trades Classroom Training
- Other direct skills trainings unrelated to public housing solicited commodities³

IV. CITY AND CRHA RESPONSIBILITIES

The City and the CRHA, as the recipients of HUD funding, accept the responsibility of not only enforcing the Section 3 requirements, but also pro-actively facilitating compliance with Section 3. The City and the CRHA will fulfill this responsibility by following the procedures as outlined in the Section 3 Standard Operating Procedures. The City, through its decision to extend Section 3 to applicable CHF covered projects, also accepts the responsibility of pro-actively facilitating compliance to the greatest extent feasible, where applicable, with Section 3 on CHF covered projects. Through the City's decision to extend non-covered opportunities to Section 3 residents, the City's Department of Human Resources will be required to notify Section 3 staff of all City employment opportunities.

³ 24 CFR 135.11(d)

V. CONTRACTOR RESPONSIBILITIES

All contractors who enter into a Section 3 covered contract with the City and/or the CRHA must agree to comply with HUD's regulations in 24 CFR Part 135. The Section 3 contract clause specifies the requirements for contractors hired for Section 3 covered projects. These requirements must be included in all such contracts. All covered contracts shall include in full the following clause (referred to as the Section 3 Clause⁴):

HUD Section 3 Clause

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing and business concerns that provide economic opportunities for low and very low income persons.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the regulations of 24 CFR Part 135.
- C. The contractor agrees to send to each labor organization representative, workers with which the contractor has a collective bargaining agreement, or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each, the name and location of the person(s) taking applications for each of the positions, and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.
- E. The Contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR Part 135.
- F. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future contracts.⁵

CHF Section 3 Clause

⁴ 24 CFR 135.38

⁵ 24 CFR 135.38; 24 CFR 135.76(g)

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All recipients, sub recipients, contractors and subcontractors who enter into a CHF covered contract with the City must agree to comply with the City's Section 3 Policy. The CHF Section 3 contract clause specifies the requirements for grantees and contractors hired for CHF covered projects. These requirements must be included in all such contracts. All CHF covered contracts shall include in full the following clause (as referenced from the Section 3 Clause⁶):

- A. The work to be performed under this contract has been selected to be subjected to the requirements of the City's Section 3 Policy. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing and business concerns that provide economic opportunities for low and very low income persons. The City of Charlottesville requires that all CHF covered contracts target training, employment and contracting opportunities to Section 3 businesses as well as low and very low income individuals in order to demonstrate compliance with the greatest extent feasible requirements set forth in the City's Section 3 Policy.
- B. The parties to this contract agree to comply with the City's Section 3 Policy. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the regulations of the City's Section 3 Policy.
- C. The contractor agrees to send to each labor organization representative, workers with which the contractor has a collective bargaining agreement, or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this CHF Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice should describe the Section 3 preference, set forth minimum number of job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each, the name and location of the person(s) taking applications for each of the positions, and the anticipated date the work shall begin.
- D. The contractor agrees to include this CHF Section 3 clause in every subcontract subject to compliance with the City's Section 3 Policy, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this CHF Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in the City's Section 3 Policy. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the City's Section 3 Policy.
- E. Once a contractor has committed to comply with Section 3, the City will expect applicable HUD regulations found at 24 CFR Part 135 to be adhered to, just as if Federal funding had triggered the same.
- F. The Contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of the City's Section 3 Policy require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under the City's Section 3 Policy.

⁶ 24 CFR 135.38

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G. Noncompliance with the City's Section 3 Policy may result in sanctions, termination of this contract for default, and debarment or suspension from future contracts.⁷

Examples of activities to demonstrate compliance with these efforts include distributing or posting flyers advertising positions to be filled, posting opportunities in a timely manner on the City's and the CRHA's website (if applicable), contacting the City and the CRHA for a list of residents that may have expressed interest in Section 3 employment, notifying the City and the CRHA about open positions, holding job informational meeting for residents, etc. Contractors will be responsible for submitting regular payrolls and documenting compliance efforts. The contractor shall maintain on file all records related to employment and job training of low-income and very low-income residents or other such records, advertisements, legal notices, brochures, flyers, publications, Section 3 forms from subcontractors, etc. in connection with covered contracts. If there is a report that is needed as part of the submission the contractor agrees to provide it timely. The contractor shall, upon request, provide such records or copies of records to the City and/or the CRHA and will maintain this information on file in conformance with record retention requirements as specified within the contract with the City / CRHA.

VI. PREFERENCES AND ELIGIBILITY

Note: All persons that are recipients of housing assistance by the government are Section 3 Residents and Public Housing Residents are top priority Section 3 Residents. The businesses owned by public housing residents are top priority business concerns. In Section 3 covered projects and/or contracts, when employment or contracting opportunities are offered as a result of Section 3 and all requirements are met and remain equal, public housing and/or Housing Choice Voucher residents/businesses within the City shall be provided preference over other Section 3 residents/business concerns and non-section 3 residents/business concerns. The City, the CRHA, recipients, sub-recipients, contractors and subcontractors are to apply the following preferences as described in Parts A through B.

- A) Regarding the hiring of Section 3 residents, Preference shall be given to those residents who live at the project site where the Section 3 covered assistance is expended.

Tier I Section 3 Residents shall be as prescribed below:

- I. Persons assisted with housing by the federal government in the neighborhood within the target area where the project is located.
- II. Other persons who are residents of Charlottesville Redevelopment and Housing Authority properties and or recipients of Section 8 Vouchers issues by the City of Charlottesville.
- III. Other persons who are participants of HUD programs being carried out in the City of Charlottesville.

Tier II Section 3 Residents shall be as prescribed below:

- IV. Low and very low income persons (as defined herein) within the City of Charlottesville.
- V. Low and very low income persons within the Charlottesville metropolitan statistical area.

- B) Regarding the contracting opportunities for Section 3 business concerns, preference shall be given in the following order:

⁷ 24 CFR 135.38
24 CFR 135.76

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- I. Section 3 business concerns owned at least 51 percent by any Section 3 residents of where the project is located and where the covered assistance is expended.
 - II. Section 3 business concerns that are owned at least 51 percent by Section 3 residents of the City.
 - III. Section 3 business concerns that provide economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located (at least 30 percent of full-time staff are Section 3 residents from the project site).
 - IV. Section 3 business concerns within the Metropolitan Statistical Area.
 - V. Other Section 3 business concerns.
- C) Regarding eligibility, a Section 3 resident seeking a preference must fulfill the requirements of the sought position and, if asked, must provide evidence of their Section 3 status. A Section 3 business concern seeking to qualify for a Section 3 contracting preference shall certify or submit evidence that the entity qualifies as a Section 3 business concern. The Section 3 business must also be qualified and be able to demonstrate its ability to complete the contract. The ability to perform successfully under the terms and conditions of the proposed contract is required of all contractors and subcontractors subject to federal procurement standards.⁸

VII. OTHER ECONOMIC OPPORTUNITIES

For all contracts where Section 3 requirements are applicable, other economic opportunities may only be used where a contractor or sub-recipient cannot comply with the hiring or subcontracting goals set forth in the Preference Tier structure in paragraph VI. Whenever the other economic opportunities are employed on Section 3 covered contracts (as defined herein), other economic opportunities must equal or exceed 3% of the total contract value including any change orders. Whenever the other economic opportunities are employed on contracts that are not covered by HUD assistance, then the value of other economic opportunities is to be determined between the City and the Contractor on a mutually agreed basis.

VIII. COMPLAINTS AND COMPLIANCE

Any Section 3 resident or business concern that feels that the Section 3 regulations were not complied with on Section 3 covered contracts are encouraged to first refer to the City or CRHA's complaint process. Section 3 residents or business concerns that feel that the Section 3 regulations were not complied with are also encouraged to contact the Section 3 Coordinator before filing a complaint directly to HUD. Any Section 3 resident or Section 3 Business (or authorized representative) may file a complaint directly to the Assistant Secretary for Fair Housing and Equal Opportunity at the following address (or as otherwise directed by HUD):

⁸ 24 CFR 85.36, 24 CFR 85.36b(8)

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**Assistant Secretary for Fair Housing and Equal Opportunity
Department of Housing and Urban Development
Philadelphia Regional Office of FHEO
U.S. Department of Housing and Urban Development
The Wanamaker Building
100 Penn Square East, 12th Floor
Philadelphia, Pennsylvania 19107-3380
(215) 861-7646 or 1-888-799-2085 or TTY (215) 656-3450**

The complaint must be in writing and be received within 180 days from the date of the action upon which the complaint is based. It should include the complainant's name and address, the City or contractor's name and address, and a description of the acts in question. The complainant will receive a response from HUD within 10 days in which further investigation will be explained.

IX. DEFINITIONS

Please refer to the 24 CFR 135.5 for a full list of prevailing definitions found in the regulation.

The City of Charlottesville and the Charlottesville Redevelopment and Housing Authority incorporate into this policy the definitions contained in 135.5 of 24 CFR Part 135 and any changes or updates to these definitions as may from time to time be incorporated into 24 CFR Part 135.

The City of Charlottesville and the Charlottesville Redevelopment and Housing Authority make no representation concerning interpretation and meaning of Section 3 of the Housing Act of 1968, as amended, and of 24 CFR part 135 beyond this policy. It is recommended that interested parties refer directly to the law and regulations for a complete understanding of their meaning.

CHARLOTTESVILLE HOUSING FUND (CHF) COVERED CONTRACT: A contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of CHF covered funding or for work arising in connection with a CHF covered project. "CHF Contracts" do not include contracts for the purchase of supplies and materials except, whenever a contract for materials includes the installation of the materials.

CHARLOTTESVILLE HOUSING FUND (CHF) COVERED PROJECT: The construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes buildings or improvements (regardless of ownership) assisted with CHF funding.

EMPLOYMENT OPPORTUNITIES GENERATED BY SECTION 3 COVERED ASSISTANCE: All employment opportunities generated by the expenditure of Section 3 covered funding (i.e. operating funding, development funding, and modernization funding) and with respect to Section 3 covered housing and community development funding, all employment opportunities arising in connection with Section 3 covered projects, including management and administrative jobs (including architectural, engineering, or related professional services and jobs directly related to administrative support of these activities) connected with the Section 3 covered project.

FULL-TIME EMPLOYEE: A permanent worker who is employed on a year-round basis and who works a full workweek, generally 30 to 40 hours per week.

LOW INCOME PERSON: Families (including single persons) whose incomes do not exceed 80% of the median income for the project area.

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NEW HIRES: New position and or vacant position filled with full-time employees for permanent, temporary or seasonal employment opportunities for any specific City or CRHA related contract.

ON THE JOB TRAINING (OJT): Planned and organized training, conducted at the employer's worksite. The trainee uses the actual tools, equipment, documents or materials that employees will use when fully trained. OJT aims to broaden and develop the employee's knowledge, skills, and abilities that are unique to a job.

RECIPIENT: Any recipient which receives Section 3 covered funding, directly from HUD or from another recipient and includes, but is not limited to, any State, unit of local government, PHA, IHA, Indian Tribe, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee, or transferee of any such recipient, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include Section 3 contractors.

RESIDENT OWNED BUSINESS (ROB): A ROB is a Business Concern owned or controlled by Public Housing Residents, or low income residents that are: (a) at least fifty-one (51%) percent owned and operated by one or more public housing residents; and (b) whose management and daily business operations are controlled by one or more such individuals. For purposes of Section 3 compliance, a ROB must also meet the definition of a Section 3 Business Concern as described below.

SECTION 3: Section 3 of the Housing and Urban Development Act of 1968, as amended (12U.S.C.1701u).

SECTION 3 BUSINESS CONCERN: As defined by HUD, a Section 3 Business Concern is one:

- A. That is fifty-one (51%) percent or more owned by Section 3 Residents; or
- B. Whose permanent, full-time employees includes persons, at least thirty percent (30%) of whom are current Section 3 Residents, or were Section 3 Residents within three (3) years of the date of first employment with the Business Concern if the contractor is working on a redeveloped or replacement asset; or
- C. That provides evidence of a commitment to subcontract a minimum of twenty-five percent (25%) of the total contract award amount (including any modifications) to a Section 3 Business Concern(s) as defined in A or B. Example: If the Contract amount is \$1,000,000, contractor must subcontract at least 25% or \$250,000 to a Section 3 Business Concern(s) as defined in A or B in this part.

SECTION 3 CLAUSE: The contract provisions and sanction set forth in 24 CFR 135.38

CHF SECTION 3 CLAUSE: The contract provisions set forth in the City's Section 3 Policy as it pertains to covered CHF funding.

SECTION 3 COVERED ACTIVITY: Any activity that is funded by Section 3 covered funding.

SECTION 3 COVERED ASSISTANCE: Section 3 applies to the following HUD assistance (Section 3 covered assistance):

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(1) Public and Indian housing assistance. Section 3 applies to training, employment, contracting and other economic opportunities arising from the expenditure of the following public and Indian housing assistance:

- (i) Development assistance provided pursuant to section 5 of the U.S. Housing Act of 1937 (1937 Act);
- (ii) Operating assistance provided pursuant to section 9 of the 1937 Act; and
- (iii) Modernization assistance provided pursuant to section 14 of the 1937 Act;

The requirements of part 135 apply to recipients of covered section 3 housing and community development assistance for which the amount of the assistance exceeds \$200,000; and these requirements apply to contractors and subcontractors performing work on projects funded by housing and community development assistance for which the recipient's award exceeds \$200,000, and the contract or subcontract exceeds \$100,000. If the recipient's award of assistance exceeds \$200,000, but the contracts and subcontracts do not exceed \$100,000, then only the recipient is subject to the Section 3 requirements. The recipient's responsibility includes awarding contracts, to the greatest extent feasible, to Section 3 business concerns.

SECTION 3 COVERED CONTRACT: A contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered funding or for work arising in connection with a Section 3 covered project. "Section 3 Covered Contracts" do not include contracts for the purchase of supplies and materials except, whenever a contract for materials includes the installation of the materials.

SECTION 3 COVERED PROJECT: The construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes buildings or improvements (regardless of ownership) assisted with housing or community development funding.

SECTION 3 JOINT VENTURE: An association of business concerns, one of which qualifies as a Section 3 Business Concern, formed by written joint venture agreement to engage in and carry out a specific business venture for which purpose the business concerns combine their efforts, resources, and skills for joint profit, but not necessarily on a continuing or permanent basis for conducting business generally, and for which the Section 3 Business Concern:

- Is responsible for a clearly defined portion of the work to be performed and holds management responsibilities in the joint venture; and
- Performs at least 25% of the work and is contractually entitled to compensation proportional to its work.

VERY LOW INCOME PERSON: Families (including single persons) whose incomes do not exceed 50% of the median family income for the project area.

Please refer to www.huduser.org/portal/datasets/il.html for current, local Income Limit information.

- ❖ Select current year.
- ❖ Select "Access Individual Income Limit area"
- ❖ Select "click here for FY XXXX IL Documentation" (where XXXX is the current fiscal year)
- ❖ Select State & County

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

This grant agreement provides the terms and conditions upon which the City of Charlottesville ("City") will provide funding to the Charlottesville Redevelopment and Housing Authority ("CRHA") for the purpose of administering the "Charlottesville Supplemental Rental Assistance Program" ("CSRAP"). The CSRAP represents a partnership between the City of Charlottesville and the Charlottesville Redevelopment and Housing Authority. In order to facilitate expedient housing of those in need and to insure that funding resources are provided directly to housing clients, CRHA has proposed to administer the CSRAP at no cost to the City or the CSRAP. Therefore, the City and CRHA recognize that it is critical that the administrative burden associated with the program be kept to an absolute minimum. Funding approval in the amount of \$900,000 to support CRHA's administration of the CSRAP was provided by City Council on October 16, 2017.

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

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

Section 3. Conditions of City Funding:

I. PURPOSE OF THE PROGRAM

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

II. FUNDING

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

III. ADMINISTRATION

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

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

IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

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

Household(s) is or are on the CRHA's HCVP waiting list at the time of the issuance of a CSRAP voucher.

- (iv) In the administration and issuance of CSRAP funded rental assistance subsidies described in Section IV.B(iii) above, CRHA will insure that vouchers will be issued to households with incomes less than 60% AMI.
- C. Households on the CRHA's HCVP waiting list who accept CSRAP voucher(s) shall remain on the HCVP waiting list, and shall retain their ranking on that list. If an individual or household on the HCVP waiting list is selected by CRHA for the HCVP program, CRHA shall offer that Household the opportunity to replace any CSRAP subsidy being received with an HCV.

V. TENANT-BASED HOUSING ASSISTANCE

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

Virginia Housing and Development Authority, minus the tenant's portion of the rent.

- (vi) The CRHA shall reexamine the income and family composition of each Household receiving CSRAP rental assistance, at least once every twelve (12) months. Any Household that experiences a decrease in income may request a reexamination and adjustment of the requirement for 30% monthly income participation (see subparagraph (iv), above) at any time.

VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

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

VII. PROGRAM FUNDING

- A. The City's Housing Program Coordinator has verified that funding in the amount of \$945,000 is available and has been appropriated by City Council to the CAHF to support the CSRAP. CSRAP will continue so long as funds from the initial funding allocation of \$945,000 plus carryforward program funding, if any, to CAHF for support of the CSRAP remain unencumbered or additional funding has been appropriated by City Council in amounts sufficient to support continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year. CRHA will be afforded at least 30 days within which to prepare and submit such annual funding estimate. This CSRAP Agreement may be renewed for succeeding fiscal years by written agreement of the parties, subject to the availability and appropriation of public funds.
- C. The City shall retain the existing program funding reserve of \$292,500 as a program reserve fund to ensure funding is available to cover any increases in rental assistance payments due to decreases in participant household income or increases in rent. All unused reserve funds shall be carried over in to the next year's program funding total.


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- D. When the unencumbered funding balance within the Initial Operational Allocation reaches an amount equal to approximately one month of maximum program rental expenses (or not to exceed \$80,000), CRHA shall request and the City shall immediately disperse an additional amount equal to approximately three months of maximum rental expenses (or not to exceed \$240,000) to CRHA to provide ongoing support for the program. In so doing, at all times during the term of the CSRAP, CRHA will maintain an unencumbered program Operational Allocation balance of no less than \$80,000 and no more than \$240,000.
- E. Initial Reporting Requirements:
- (i) Upon determining that a Household is eligible to participate in the CSRA Program, CRHA shall transmit to the City's Housing Program Coordinator the following:
 - (a) A copy of the Household's rental assistance subsidy agreement, lease approval form, rent portions notice, rental unit information (including address and monthly rent), unit inspection report, and Household information (including income, size, composition), and
 - (b) A copy of an invoice or other statement of rent from the Household's landlord, identifying the monthly rental amount for that Household, at time of initial lease-up.
- F. Ongoing Reporting Requirements.
- (i) 30 days following the end of each calendar year quarter (specifically: on October 31, January 31, April 30, and July 31 each calendar year), the CRHA will submit to the City of Charlottesville, an itemized Quarterly Report, listing each recipient Household participating in the CSRA Program as of the date of such Report, and specifying the amount of monthly rent required for each Household (both household rent portion and rental assistance amount) for the calendar year quarter next succeeding the date of the Quarterly Report. Each such Quarterly Report shall add up each of the amounts required for the CSRA Program for the upcoming quarter, and shall give a total amount necessary to satisfy the Program commitments for that upcoming calendar year quarter.
- G. Each itemized Quarterly Report referenced in Paragraph (F)(i), above, shall be accompanied by the following information (in addition to the information required by paragraph (D), above) and this information shall be presented in an Excel Spreadsheet or other format mutually acceptable to both CRHA and the City's Housing Program Coordinator. Each Quarterly Report shall provide program and household statistics, including but not necessarily limited to:

City of Charlottesville- Charlottesville Affordable Housing Fund (CAHF)
Charlottesville Supplemental Rental Assistance Program- City Account P-0952

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

OFFERED BY:
City of Charlottesville

By: 
Christopher V. Cullinan
Director of Finance

Date: 6.20.2019

ACCEPTED BY:
Charlottesville Redevelopment and
Housing Authority

By: 

Date: 21-June-2019

FUNDS ARE AVAILABLE

BY: 
Director of Finance/Designee

Approved As To
Form: 6/19/19
L. Robertson
Chief Dep City
Attorney

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



Agenda Date:	September 3, 2024
Action Required:	Resolution Approval
Presenter:	Dannan OConnell, Planner
Staff Contacts:	Dannan OConnell, Planner
Title:	Resolution considering a Sidewalk Waiver Request for 2117 Ivy Road

Background

Timmons Group ("Applicant"), on behalf of Up Campus Student Living ("Owner"), requests a waiver from the requirement of Section 29-182(j)(3) of the City Code for construction of sidewalks to connect to existing sidewalk on adjacent properties. The request seeks to waive the sidewalk requirement for a portion of Copeley Road as part of the 2117 Ivy Road Planned Unit Development (PUD) final site plan. This development was subject to a PUD rezoning and development plan with proffers, which was approved by City Council on January 24, 2024. The approved PUD Development Plan does not show sidewalk along this stretch of Copeley Road, and the submitted site plan matches this layout. However, approval of the PUD Development Plan does not constitute a waiver for subdivision or engineering streetscape design standards, and an approved waiver is still required to permit the proposed sidewalk layout.

Previously, it was the practice for the Planning Commission to approve sidewalk waiver requests, as referenced within Section 29-182(j) of the subdivision ordinance; however, in 2013 the Virginia Supreme Court determined that only the legislative body (City Council) may grant this type of waiver. Existing practice for sidewalk waiver requests presented by developers pursuant to Section 29-182 is for the approval of the requested waivers to be presented to City Council for review and decision. The City's new Development Code no longer requires City Council approval to waive or modify sidewalk standards for new development projects. However, the 2117 Ivy Road PUD is considered vested in the City's previously approved zoning and subdivision regulations, and therefore the previous practice remains applicable to the project.

Discussion

Per Section 29-182(j)(5), the authority granting the waiver shall consider not only the factors set forth within Section 29-182(j)(5) but also Section 29-36. The applicant's analysis of these factors is included in the attached Application Materials.

Per Section 29-36, the authority granting any waiver shall consider whether due to the unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or

serve the public interest. Public Works-Engineering has reviewed this waiver request and confirmed that no hardships due to the physical site conditions exist for the area adjacent to Copeley Road within this development.

Per Section 29-182(j)(5), the authority shall also consider the following factors:

Whether a surface other than concrete is more appropriate for the subdivision because of the character of the proposed subdivision and the surrounding neighborhood. Alternative surfaces are not under consideration in this application.

Whether sidewalks on only one (1) side of the street may be appropriate due to environmental constraints such as streams, stream buffers, critical slopes, floodplain, tree cover, or wetlands, or because lots are provided on only one (1) side of the street. There are no environmental constraints limiting sidewalk installation on the subject property. However, Copeley Road extends over a railroad bridge immediately adjacent to the subject property. The road is currently developed with sidewalk along one side, opposite the subject property, including along this bridge. All adjacent parcels along Copeley Road are owned by the University of Virginia and currently developed with academic or athletic field uses. Copeley Road itself is owned and maintained by the University of Virginia, although the City of Charlottesville has a deeded right to regulate access.

Whether the sidewalks reasonably can connect into an existing or future pedestrian system in the area. Sidewalks will be installed on the subject property's frontage with Ivy Road, along with most of its western frontage along Copeley Road. This sidewalk channels pedestrians towards the Ivy Road/Copeley Road/Alderman Road intersection, per the subject property's approved PUD Development Plan. Pedestrian crosswalks at this intersection provide connectivity to the existing sidewalk along the eastern side of Copeley Road. Providing connectivity for sidewalk along the remaining road frontage would require either reconstruction of the Copeley Road bridge, or an additional crosswalk that may require relocation of street trees and utility infrastructure.

Whether the length of the street is so short and the density of the development is so low that it is unlikely that the sidewalk would be used to an extent that it would provide a public benefit. The applicant is proposing to construct sidewalk along most of the subject property's Copeley Road frontage, channeling pedestrian traffic to the Ivy Road/Copeley Road/Alderman Road intersection and crosswalks. The subject property's PUD rezoning included proffered conditions for restriping and bicycle boxes that would improve pedestrian and bicycle accessibility at this intersection. The remaining road frontage is relatively short, and terminates adjacent to a bridge which does not have pedestrian sidewalks along its western side. Therefore, staff believes there is only marginal public benefit to extend sidewalk along the entire length of Copeley Road given its current layout.

Whether an alternate pedestrian system including an alternative pavement could provide more appropriate access throughout the subdivision and to adjoining lands, based on a proposed alternative profile submitted by the subdivider. No proposed alternative is under consideration.

Whether the sidewalks would be publicly or privately maintained. Section 29-182(j)(3) states that when land being developed fronts on an existing street, and adjacent property on either side has an existing sidewalk, land shall be dedicated to the public and sidewalk shall be constructed to connect to the existing sidewalk. Therefore, sidewalks would be constructed in the public right-of-way and, after approved and accepted by the City, the sidewalk improvements would be maintained by the

City.

Whether the waiver promotes the goals of the comprehensive plan, including the applicable neighborhood plan; and (viii) whether waiving the requirement would enable a different principle of the neighborhood plan to be more fully achieved. The requested waiver will not promote the goals and objectives of the 2021 Comprehensive Plan, in particular Chapter 6 (Transportation), Strategy 2.2: “Through development processes, implement and incentivize improved facilities and amenities for non-motorized travelers, including those needed to support multimodal travel by residents, workers, and visitors.”

Alignment with City Council's Vision and Strategic Plan

Public Sidewalks contribute to the Transportation Outcome Area of the City's Strategic Plan Framework: *Charlottesville provides a regional transportation system that increases mobility options and is reliable and affordable for all.*

Community Engagement

A Sidewalk Waiver Application does not require a Public Hearing or community engagement meeting. However, a community meeting and notification was conducted as part of the PUD Rezoning for this development (ZM23-00003), approved in January of 2024. A public site plan conference for the associated site plan was also held on May 18, 2023.

Budgetary Impact

If City Council grants a sidewalk waiver to an applicant in connection with the proposed development of a new subdivision/ city street, and if the City later wishes to establish a sidewalk adjacent to the developed street, the City will be required to pay for and complete that construction in accordance with its approved Capital Improvements Plan. If City Council does not grant this waiver, and a new sidewalk is established on both sides of the new city street, then the City's long-term maintenance costs will be slightly higher than if no sidewalk is constructed.

Recommendation

Although Public Works-Engineering has confirmed there are no hardships per Section 29-36 preventing the installation of a new sidewalk for the location in question, staff finds other factors could warrant waving the construction of a sidewalk in this location and recommends approval of this waiver.

Alternatives

City Council has several alternatives: (1) by motion, take action to deny the sidewalk waiver; (2) by motion, take action to approve the attached Resolution granting the requested sidewalk waiver; (3) by motion, defer action on the sidewalk waiver.

Attachments

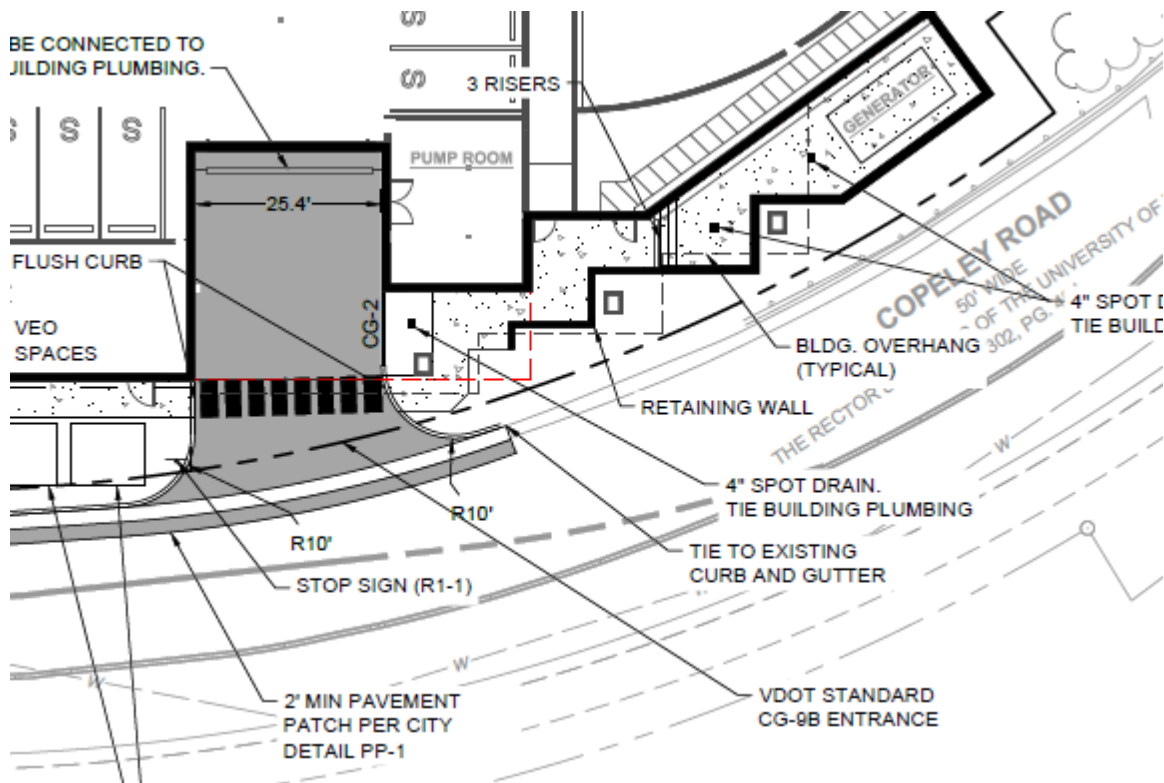
1. 2117 Ivy Road Sidewalk Waiver RESOLUTION
2. 2117 Ivy Road Sidewalk Waiver Application
3. 2117 Ivy Road Sidewalk Waiver Narrative

RESOLUTION
SIDEWALK WAIVER REQUEST FOR A RESIDENTIAL DEVELOPMENT
REFERRED TO AS “2117 IVY ROAD PUD”

WHEREAS, Timmons Group (“Applicant”), on behalf of Up Campus Student Living, (“Owner”) the owner of certain land fronting on Ivy Road and Copeley Road, designated on the City Tax Map and Parcel (TMP) as Parcel 070001200 (the “Subject Property”), has submitted an application seeking a waiver of the requirement of City Code Section 29-182(j)(3) that sidewalks shall be constructed and land dedicated to the public for developments along existing streets to connect them to existing sidewalks. This application is submitted in connection with the Applicant/Owner’s proposed development of ZM23-00003 (Planned Unit Development), and

WHEREAS, City staff has submitted to City Council a staff report providing information and staff’s recommendation regarding the sidewalk waiver request, and City Council has reviewed the application and the staff report and has considered the factors set forth within the City’s Subdivision Ordinance, Sections 29-36 and 29-182(j)(5); now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the sidewalk waiver request presented to this Council by the Applicant/Developer is hereby granted along approximately one hundred thirty (130) feet along the west side of Copeley Road abutting City Lots currently identified as Real Estate Parcel Identification Number 070001200 as depicted below.





Application for a Sidewalk Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

Tax Map and Parcel Number(s) 070001200

Address(es) 2117 Ivy Road, Charlottesville, VA 22903

Note: This application is only for a "waiver" to the City's sidewalks, curbs and gutters regulations. Applicants wishing to contribute funds to a sidewalk improvement fund in an amount equivalent to the cost of dedication of land for and construction of the required sidewalk, curb and gutter must use the Funds In Lieu of Sidewalk Application.

Applicant Contact Information

Name UP CHARLOTTESVILLE 2117 IVY OWNER, LLC

Company UP CAMPUS STUDENT LIVING

Phone 312-590-9700

Email sbus@upcampusproperties.com

Owner Contact Information

Name UP CHARLOTTESVILLE 2117 IVY OWNER, LLC

Address UP CAMPUS STUDENT LIVING

Phone 312-590-9700

Email sbus@upcampusproperties.com ;

Owner's Signature:

Owner

7/16/2024

Date

Required application materials and fee:

- All required materials. Contact City Planner for more information.
- Correct application fee. Checks payable to "City of Charlottesville".

Note: Incomplete applications will not be processed.

Date Received: _____	Received by: _____
Fee: _____	Cash/Check # _____

Revision Date: May 19, 2022

July 16, 2024

Dannan O'Connell
City of Charlottesville
Neighborhood Development Services
PO Box 911
610 East Market Street
Charlottesville, VA 22901

RE: 2117 Ivy Road - Sidewalk Waiver

This letter is to request a sidewalk waiver for the sidewalk along Copeley Road, specifically along the northeast end of the 2117 Ivy Road project.

The sidewalk is required by subdivision ordinance section 29-182(j)(3), which requires sidewalks to be provided along the adjacent existing street. The proposed site configuration and partial sidewalk placement along Copeley Road is consistent with the approved PUD for this site.

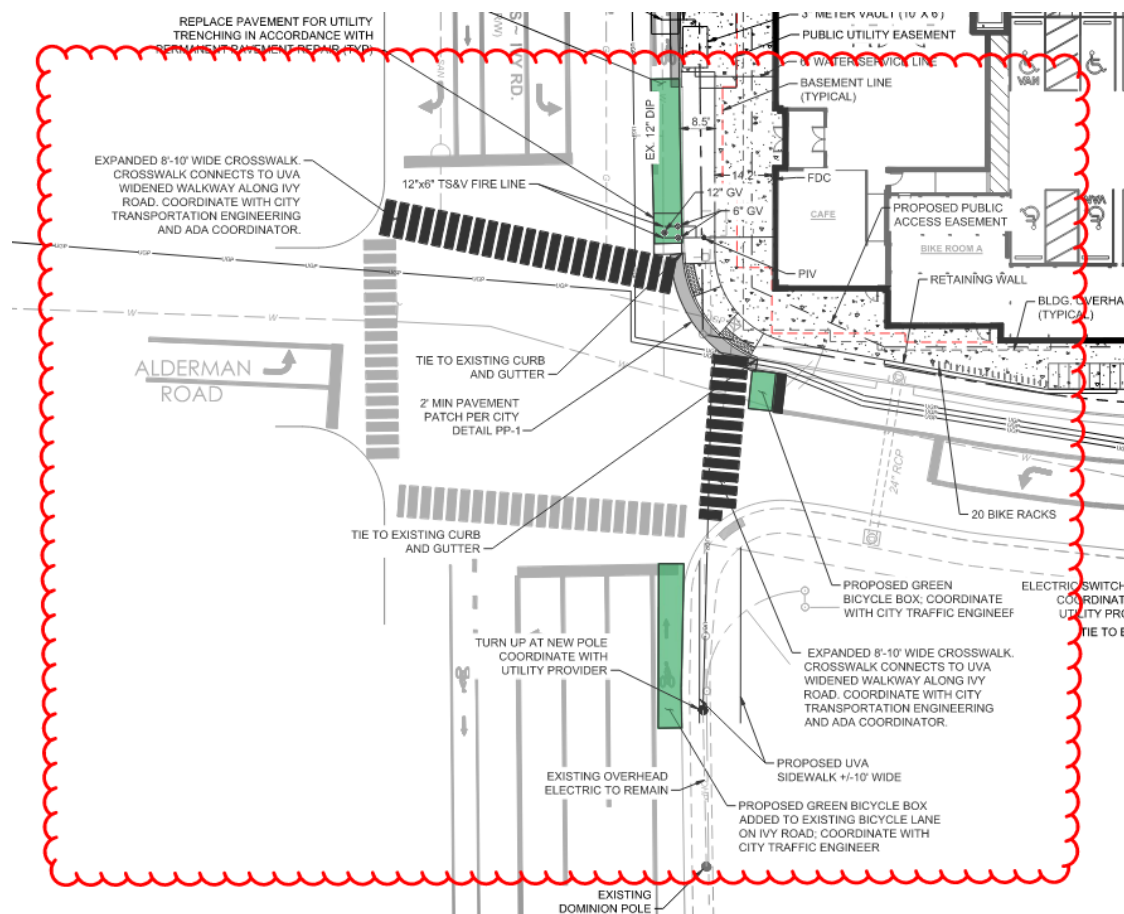
This waiver request is consistent with the justification stated in the subdivision ordinance section 29-182(j)(5)(iii) which reads "whether the sidewalks reasonably can connect into an existing or future pedestrian system in the area." Additional sidewalk installation along Copeley Road is not advisable or consistent with good engineering practice due to the lack of current or future sidewalk connectivity. The Copeley Road vehicular overpass bridge begins at the northern end of the site and as the following Google Street View image indicates, the west side of the bridge has no shoulder, no pedestrian walkways, and is bound directly off the curb line by vehicular guard railing.



Adding a sidewalk to the north along Copley Road would create an unsafe condition as it would direct pedestrians towards vehicular traffic traveling southbound on the Copley Road bridge.

As indicated in the Site Plan Submission, pedestrian and bicycle upgrades have been provided to the fullest extent possible and include the following:

- Upgraded curb ramps located on the northeast corner of the Copley Rd./Ivy Rd. intersection.
- Re-striped crosswalks, directing pedestrians safely to existing sidewalks to the west on Alderman Road, and to the south to cross to the east end of Copley Road. Note, this side of Copley road is equipped with sidewalk for safe travel to the north across the adjacent bridge and towards UVA athletic facilities.
- Proposed green bicycle box striping north, south, and east of the Copley Rd/Ivy Rd. intersection.
- Intersection striping will be coordinated with City Transportation Engineer and ADA Coordinator as noted on the Site Plan.



We appreciate your review and consideration. Please let us know if you need any additional information on this requested waiver.

Sincerely,

Clint Shifflett, PE
Sr. Project Manager

