



# **CITY COUNCIL AGENDA**

## **November 4, 2024**

### **City Hall Council Chamber**

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](http://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](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

#### **Call to Order/Roll Call**

#### **Agenda Approval**

#### **Reports**

1. Report: Charlottesville Area Alliance Annual Report
2. Report: VDOT Portfolio Update

#### **5:30 PM CLOSED MEETING (if called)**

#### **6:30 PM BUSINESS SESSION**

#### **Moment of Silence**

#### **Announcements**

#### **Recognitions/Proclamations**

- Proclamation: Lung Cancer Awareness Month

#### **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: October 21 regular meeting
4. Resolution: Resolution to Appropriate Community Development Block Grant COVID Relief Funds (CDBG-CV) from HUD, in the Amount of \$90,321.98 (2nd reading)
5. Resolution: Resolution to appropriate funds from the Virginia Department of Housing and Community Development - Virginia Homeless Solutions Program Grant amendment - \$93,564 (2nd reading)
6. Resolution: Resolution to appropriate funding from the Supreme Court of Virginia Behavioral Health Docket Grant - \$115,400.58 (2nd reading)
7. Resolution: Resolution for the *2024 ReadyKids Youth Services* Proposal, a Major Amendment to the Program Year 2024-25 Annual Action Plan in the amount of \$50,000 (CDBG-CV) (2nd reading)
8. Resolution: Resolution for donation of antique fire engine to Old Dominion Historical Fire Society, Inc.

9. Resolution: Resolution for Compromise of Claim: Water and Wastewater Leak Credit of \$10,887.26 for University of Virginia Foundation
10. Ordinance: Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.) Grants – \$69,312.67 (1 of 2 readings)
11. Resolution: Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,000 (1 of 2 readings)
12. Resolution: Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$20,000 (1 of 2 readings)

#### **City Manager Report**

- Report: City Manager Report
- Report: Quarterly Financial Report

#### **Action Items**

13. Public Hearing/Res.: Public Hearing and Resolution for the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project, a Minor Amendment to the Program Year 2024-25 Annual Action Plan, in the amount of \$55,527.91 (CDBG) (1 of 2 readings)
14. Ordinance: Ordinance for Mas Canopy Footer Encroachment Agreement (2nd reading)
15. Resolution: Resolution authorizing Charlottesville Redevelopment and Housing Authority (CRHA) to create a Corporation and/or Limited Liability Corporation (LLC)

#### **General Business**

16. By Motion: Thomas Jefferson Planning District Commission Proposed Legislative Positions for 2025
17. By Motion: City of Charlottesville Legislative Priorities for 2025

#### **Community Matters (2)**

#### **Adjournment**

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



<b>Agenda Date:</b>	November 4, 2024
<b>Action Required:</b>	None
<b>Presenter:</b>	Sue Friedman and Kris Miller; Co-Chairs of CAA Steering Committee
<b>Staff Contacts:</b>	Misty Graves, Director of Human Services
<b>Title:</b>	<b>Charlottesville Area Alliance Annual Report</b>

**Background**

The Charlottesville Area Alliance (CAA) is a regional organization whose primary purpose is to provide leadership and development for an age-friendly community through education, advocacy, engagement, planning and evaluation. The City of Charlottesville is a charter member of the CAA. Partnering member organizations create an age-friendly community by developing a common understanding of the needs and issues, developing policy recommendations, and joining together to encourage implementation by government, nonprofit organizations, the public and businesses. The Charlottesville Area Alliance (CAA) is a coalition made up of non-profits, government agencies, housing, and health care institutions that aim to lead the advancement of an age-friendly community in the Thomas Jefferson Area continuum of care. An age-friendly community is defined as one that, "enables people of all ages to actively participate in community activities and treats everyone with respect, regardless of their age. It is a place that makes it easy for older people to stay connected to people that are important to them," (World Health Organization). Additionally, the American Association of Retired Persons (AARP) Livable Community domains of an age-friendly community guides the principles and work of CAA.

**Discussion**

Over the last nine years, the City of Charlottesville has designated staff to serve on the Steering Committee for the CAA. The presentation will include an overview of the 2023 Annual Report which includes a summary of 2022 and a preview of the work ongoing in 2024. The CAA Co-Chairs welcome questions and feedback to provide an opportunity for input by the public and Council.

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

Council's vision to be a place where everyone thrives includes aging residents to whom the City of Charlottesville serves. The work of the Charlottesville Area Alliance is aligned with the strategic outcome area: Partnerships.

**Community Engagement**

The CAA maintains a partner agency roster of over 40 non-profits, businesses, and agencies dedicated to collaborative efforts to improve the livability of our region. These partners meet bi-monthly.

**Budgetary Impact**

N/A

**Recommendation**

Staff recommends continued support of the CAA via City representation on the Steering Committee and Partner Network.

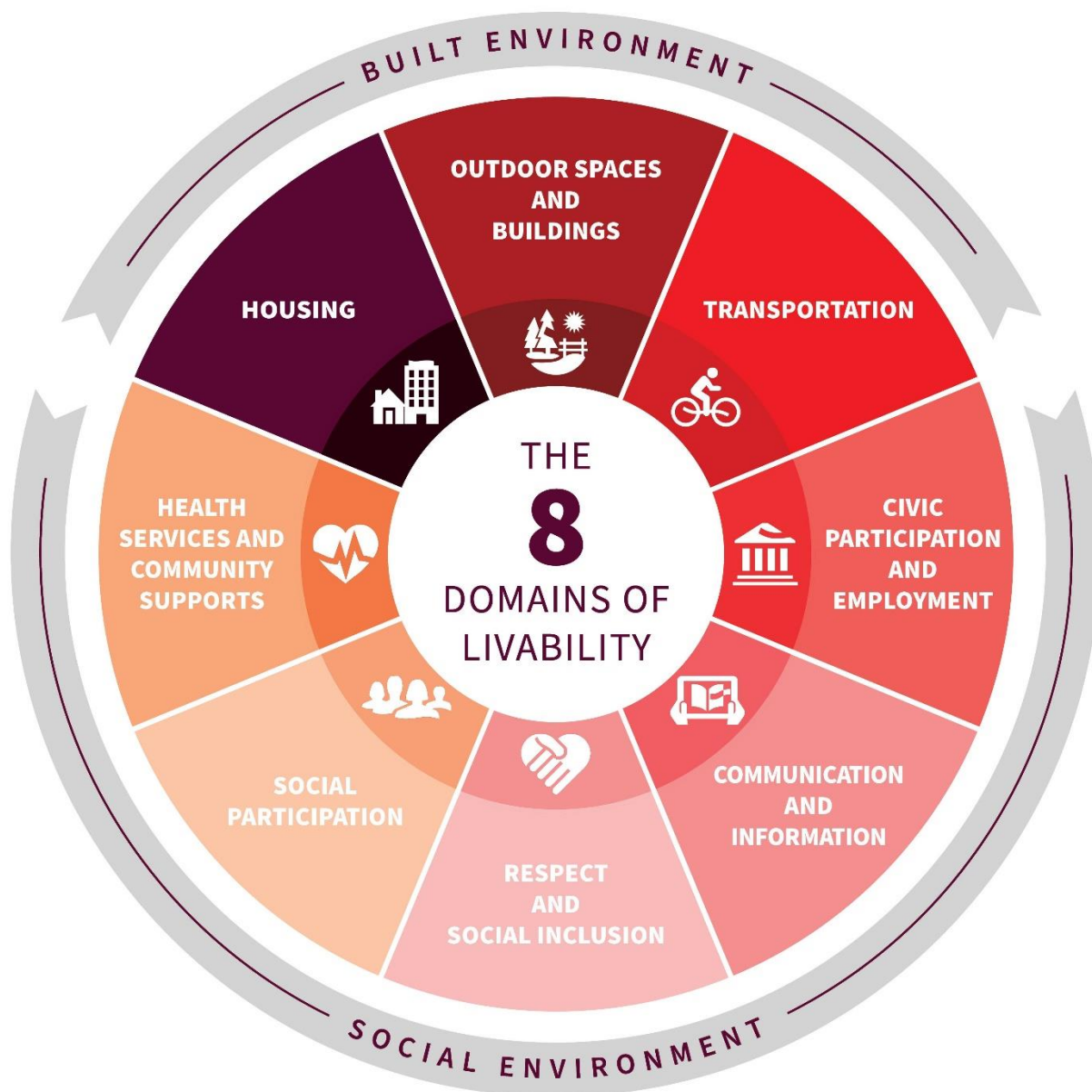
**Alternatives**

N/A

**Attachments**

1. CAA AARP Livability Domains





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



Agenda Date: November 4, 2024

Action Required:

Presenter: Steven Hicks, Director of Public Works

Staff Contacts:

**Title: VDOT Portfolio Update**

**Background**

**Discussion**

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

**Community Engagement**

**Budgetary Impact**

**Recommendation**

**Alternatives**

**Attachments**

None

# CITY OF CHARLOTTESVILLE



## PROCLAMATION

### LUNG CANCER AWARENESS MONTH

**WHEREAS** lung cancer is the leading cause of cancer death in the United States and Virginia, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined. The 5-year survival rate for localized lung cancer is approximately 60%, yet only about 24% of lung cancers are diagnosed at this stage. Screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing mortality by 20% when compared to screening by chest x-ray; and

**WHEREAS** funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and

**WHEREAS** lung cancer incidence is decreasing twice as fast in men as it is in women; each year more women die from lung cancer than breast cancer and by 2035, more women than men will die from lung cancer; and

**WHEREAS** African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among the African American population; and

**WHEREAS** lung cancer in individuals who never smoked is the 7th leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the US every year, 60-70% of individuals diagnosed with lung cancer who never smoked are women, and the proportion of lung cancers diagnosed in people who never smoked is increasing in the US. Radon is the leading cause of lung cancer among individuals who never smoked and the second leading cause of lung cancer overall; and

**WHEREAS** the stigma surrounding lung cancer creates barriers to early diagnosis, treatment, and funding for research, has a detrimental impact on the quality of life of people diagnosed with lung cancer, and hinders awareness of and research into lung cancer risk factors other than smoking; and

**WHEREAS** lung cancer research is leading to breakthroughs in the identification of genetic alterations associated with lung cancer and in the development of lung cancer treatments, including immunotherapies and targeted therapies. Organizations working in Virginia such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum, are committed to educating about lung cancer and working to increase lung cancer screening rates in Virginia;

**NOW, THEREFORE**, be it proclaimed that November 2024 is **Lung Cancer Awareness Month** in Charlottesville, Virginia, and I encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

**Signed and sealed this 4<sup>th</sup> day of November 2024.**

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Juandiego R. Wade, Mayor



## CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

### October 21, 2024 at 4:00 PM

### Council Chamber

The Charlottesville City Council met on Monday, October 21, 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 Michael Payne and Lloyd Snook. Councilor Oschrein arrived at 4:15 p.m. during the Community Interventions presentation.

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

## REPORTS

### 1. DISCUSSION: Community Interventions

City Manager Sam Sanders gave a presentation addressing a series of community matters. The purpose of the presentation was to acknowledge the request for action; respond to calls for specific interventions; allocate remaining American Rescue Plan fund balance; highlight additional funding needs; highlight issues and conflicts; resolve longstanding issues; improve outcomes in our community; define and take bold action; set new standards; and manage expectations.

Priority areas identified for interventions were 1) Community Safety, 2) Homeless Intervention, and 3) Quality of Life, and Mr. Sanders outlined a variety of proposals for addressing each component. He emphasized the need for the public to lock their car and home doors to improve city safety. He stated that discussions are being held about closing the Cherry Avenue Thrift Shop and building the Salvation Army Center of Hope as a low barrier shelter. He proposed a grant-funded street outreach team for two years, improved lighting, and the implementation of rapid shelter housing, and creating a Mall Manager position to improve the Downtown Mall experience.

Representatives from The Salvation Army answered questions from Council about their capital needs and plans for a low barrier shelter.

## CLOSED MEETING

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by as authorized by the Virginia Freedom of Information Act, as follows:

- (1) Under Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of performance of a specific named employee of the public body; and
- (2) Under Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates to be appointed to a Finance Committee.

On motion by Pinkston, seconded by Payne, Council certified by a 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: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none)

Mayor Wade announced the appointment of Councilors Oschrin and Payne to serve on the City's Finance Committee. They will serve along with the city manager.

## **BUSINESS SESSION**

City Council began the Business Session by observing a moment of silence.

## **ANNOUNCEMENTS**

Mayor Wade announced a community program "Telling Our Stories", highlighting African American involvement in the military. The event is scheduled for November 9 from 11:00 a.m. to 3:00 p.m. at Carver Recreation Center and sponsored by The Veterans Committee of Central Virginia.

Councilor Oschrin announced the 10<sup>th</sup> & Page Neighborhood walk November 10 at 2:00 p.m. She reminded the public about early voting hours.

Councilor Snook announced the 10<sup>th</sup> anniversary of the Network2Work program and the release of the Orange Dot Report 6.0, which is a resource that provides economic data on the income gap between families in the Charlottesville, Virginia region and what they need to be self-sufficient. He attended a ribbon cutting to open a new path in Greenbrier Park. He also announced an Expungement Clinic to be held October 31 from 10:00 a.m. to 3:00 p.m. at CitySpace.

## **RECOGNITIONS/PROCLAMATIONS**

- PROCLAMATION: Camp Holiday Trails Day - November 2, 2024

Councilor Oschrin read the proclamation for the 50<sup>th</sup> anniversary of Camp Holiday Trails.

## **COMMUNITY MATTERS**

Mayor Wade opened the floor for comments from the public.

1. Maria Rincon, city resident, spoke in opposition to the jail renovation project.
2. Kevin Cox, city resident, spoke about the desire for a marked crosswalk at 2<sup>nd</sup> Street and Elliot Avenue.
3. Renee Byrd, city resident, spoke about the desire for a marked crosswalk at 2nd Street and Elliot Avenue, and recent communications with the City Engineer. She has started a petition for adding a marked crosswalk.
4. Susan Kruse, Executive Director for the Community Climate Collaborative, spoke in support of the ordinance establishing the Commercial Property Assessed Clean Energy (C-PACE) financing program.
5. Don Gathers, city resident, invited Council to the 161<sup>st</sup> year celebration for First Baptist

Church, 632 West Main Street, on November 10 at 11:00 a.m. The church will welcome its new pastor elect.

### **CONSENT AGENDA\***

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

On motion by Pinkston, seconded by Oschrein, Council by the following vote adopted the Consent Agenda: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

2. MINUTES: October 7 regular meeting
3. RESOLUTION to appropriate Virginia State Police HEAT FY 25 Equipment Reimbursement Funding - \$12,500 (2<sup>nd</sup> reading)

### **RESOLUTION**

#### **Help Eliminate Auto Theft (HEAT) Equipment Reimbursement Program - \$12,500**

**WHEREAS**, the City of Charlottesville, through the Police Department, has received the Virginia Department of State Police, Help Eliminate Auto Theft (HEAT) Program a grant in the amount of \$12,500 to be used to send auto theft investigators and/or officers who investigate auto theft-related crimes to training for the Berla Toolkit and to pay for the Berla Toolkit FY 25 annual fees.

**WHEREAS**, the grant award covers the period of 7/1/2024 through 5/31/2025.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$12,500, received from the Virginia Department of State Police, is hereby appropriated in the following manner:

#### **Revenues - \$12,500**

Fund: 209    IO: 1900571    CC: 3101005000    \$12,500    GL: 430110    State Grant

#### **Expenditures- \$12,500**

Fund: 209    IO: 1900571    CC: 3101005000    \$8,000    GL: 530210    Education/Training

Fund: 209    IO: 1900571    CC: 3101005000    \$4,500    GL: 530260    Software Lic./Maint.

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$12,500 from the Virginia Department of State Police.

4. RESOLUTION for Golf Maintenance Equipment Replacement - \$350,000 (2<sup>nd</sup> reading)

#### **RESOLUTION TO APPROPRIATE FUNDS FOR THE PURCHASE OF MAINTENANCE EQUIPMENT FOR THE MEADOWCREEK GOLF COURSE \$350,000**

**WHEREAS**, the Meadowcreek Golf Course is currently in need of new maintenance equipment and proposes to repay the City’s debt service fund for the principal and interest costs related to financing \$350,000 for the purchase; and

**WHEREAS**, the debt service for the equipment would be paid back over a 5-year period at borrowing rate equivalent to that of the City’s bond financing rate from revenues generated from golf course activities;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that \$350,000 is hereby appropriated in the City’s Capital Improvements Fund for the purchase of the equipment.

**Revenues**

\$350,000      Fund: 426      Internal Order: 2600048      GL Code: 499010

**Expenditures**

\$350,000      Fund: 426      Internal Order: 2600048      GL Code: 541090

5. RESOLUTION appropriating funds for Carlton Mobile Home Park - \$379,000 (2<sup>nd</sup> reading)

**RESOLUTION TO APPROPRIATE FUNDING IN THE AMOUNT OF \$379,000 AS  
LOAN PROCEEDS FOR THE CARLTON MOBILE HOME PARK PROJECT**

**WHEREAS** the City of Charlottesville and Piedmont Housing Alliance (PHA) entered into a loan agreement on September 16, 2024, for the Carlton Mobile Home Park Project;

**AND WHEREAS** for FY 25, PHA has requested loan proceeds in an amount of \$379,000;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$379,000 is hereby appropriated to provide funding to PHA as follows:

**Transfer From:**

\$135,000	Fund: 426	Funded Program: 1000011	G/L Account: 540100
\$244,000	Fund: 426	Internal Order: CP -080	G/L Account: 540100

**Transfer To:**

\$379,000	Fund: 426	Funded Program: 1000049	G/L Account: 540100
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6. ORDINANCE establishing the Commercial Property Assessed Clean Energy (C-PACE) financing program (2<sup>nd</sup> reading)

**AN ORDINANCE ESTABLISHING A COMMERCIAL PROPERTY CLEAN  
ENERGY (C-PACE) FINANCING PROGRAM**

7. ORDINANCE for 240 Stribling Avenue Planned Unit Development Proffer Amendment (2<sup>nd</sup> reading)

**AN ORDINANCE AMENDING AND RE-ENACTING THE ZONING MAP FOR THE CITY OF CHARLOTTESVILLE, VIRGINIA, TO AMEND THE PROFFER STATEMENT FOR THE PLANNED UNIT DEVELOPMENT REFERRED TO AS 240 STRIBLING AVENUE PUD**

8. RESOLUTION for acceptance of UVA vehicle donation for Emergency Medical Services (EMS) Fellowship Program

**RESOLUTION**

**Donation of Car from University of Virginia Emergency Medical Services (EMS) Fellowship Program - \$50,000**

**WHEREAS**, the City of Charlottesville and the University of Virginia have partnered to develop the Emergency Medical Services (“EMS”) Fellowship Program, beginning in 2018; and such program provides the participant(s) with diverse exposure to EMS activities through the Charlottesville Fire Department (“CFD”); and

**WHEREAS**, the demands of participating in the EMS Fellowship Program requires participants to respond to medical and traumatic incidents; and

**WHEREAS**, the CFD has maintained a vehicle from its fleet for use by participants enrolled in the EMS Fellowship program for the past five years; and has reached an agreement with the Director of the EMS Fellowship Program by which the Fellowship Program will donate a new vehicle to be used as part of the program’s mission and working partnership, or will reimburse the City by making a donation to the City of \$50,000, or an amount equal to the purchase cost of the new vehicle, whichever is less; and the parties have signed an MOU to memorialize this agreement;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville that the Memorandum of Understanding between CFD and the University of Virginia is approved and the CFD is authorized to either purchase a new vehicle for use by the EMS Fellowship Program and accept reimbursement from the University or to accept the donation of a new vehicle from the University.

**Revenues**

\$50,000      Fund: 106      Cost Center: 3201001001      GL Code: 432155

**Expenditure**

\$50,000      Fund: 106      Cost Center: 3201001001      GL Code: 541040

9. RESOLUTION to Appropriate Community Development Block Grant COVID Relief Funds (CDBG-CV) from HUD, in the Amount of \$90,321.98 (Carried)
10. RESOLUTION to appropriate funds from the Virginia Department of Housing and Community Development - Virginia Homeless Solutions Program Grant amendment - \$93,564 (Carried)
11. RESOLUTION to appropriate funding from the Supreme Court of Virginia Behavioral



Health Docket Grant - \$115,400.58 (Carried)

12. ORDINANCE to Amend City Code Article XIV. Tax on Probate of Will or Grant of Administration, Sections 30-396 and 30-397 to conform with Va. Code Sec. 58.1-1717.1

**AN ORDINANCE TO AMEND THE CHARLOTTESVILLE CITY CODE ARTICLE XIV. TAX ON PROBATE OF WILL OR GRANT OF ADMINISTRATION SECTIONS 30-396 and 30-397 TO COMPLY WITH VIRGINIA CODE SEC. 58.1-1718**

13. ORDINANCE to Amend City Code Sec. 30-426. "Funding of courthouse security personnel" to Comply with Virginia Code Sec. 53.1-120

**AN ORDINANCE TO AMEND THE CHARLOTTESVILLE CITY CODE SECTION 30-426 TO COMPLY WITH VIRGINIA CODE SECS. 53.1-120 and 17.1-275.5**

**CITY MANAGER REPORT**

James Freas, Deputy City Manager for Operations, announced that at the December 2 City Council meeting staff will present a performance update on the Veo e-scooter contract during the City Manager's Report, and that the public may make comments during the Community Matters portion of the meeting. In January there will be a work session to discuss the project schedule for planning and zoning ordinance-related items that arose out of the Cville Plans Together process.

City Manager Sam Sanders announced the November 22 deadline for Charlottesville Affordable Housing Fund grant program applications. He also announced the availability of tickets for a Halloween masquerade party at Carver Recreation Center on Saturday, October 26. He mentioned two events that he attended – a Safe Halloween event on the Downtown Mall and an event at the Fry's Spring Beach Club.

**ACTION ITEMS**

- 14. PUBLIC HEARING and RESOLUTION for the 2024 ReadyKids Youth Services Proposal, a Major Amendment to the Program Year 2024-25 Annual Action Plan in the amount of \$50,000 (CDBG-CV) (Carried)**

Anthony Warn, Grants Analyst, introduced the resolution request. Amy Troyer, Grants and Relationships Manager at ReadyKids, introduced herself and shared information about services provided by the ReadyKids organization.

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

Council unanimously agreed to carry the item to the November 4 meeting for second reading and vote.

- 15. PUBLIC HEARING and RESOLUTION to authorize a lease at 1520 E. High Street**

Chris Engel, Director of Economic Development, introduced and summarized the request. Mr. Engel and Gabe Silver, Rivanna River Company, answered clarifying questions from Council.

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

On motion by Snook, seconded by Payne, Council approved the resolution authorizing a lease at 1520 E. High Street by a vote of 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

**RESOLUTION APPROVING A LEASE OF PROPERTY AT  
1520 EAST HIGH STREET TO THE RIVANNA RIVER COMPANY, LLC**

**WHEREAS**, in 2023 the City acquired 23.8 acres of land near and along the Rivanna River commonly referred to as 0 East High Street; and that these properties have remained largely vacant and undeveloped, with the exception of a single-family residence on Caroline Avenue and a business operating as the Rivanna River Company, LLC, located at 1520 East High Street; and

**WHEREAS**, the leases on both properties remain in effect and were transferred with the purchase of the property by the City; and

**WHEREAS**, the Rivanna River Company, LLC desires to lease certain City-owned property for a term of five (5) years, and City Council has considered the terms of the proposed lease, and has conducted a public hearing in accordance with the requirements of Virginia Code Sec. 15.2-1800(B);

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the lease of City-owned property located at 1520 E. High Street, Charlottesville, Virginia, to the Rivanna River Company, LLC, presented to Council this same date for consideration, is hereby approved and the City Manager is hereby authorized to execute the approved lease on behalf of City Council.

**16. ORDINANCE amending City Code Section 2-453(b.3-4) for Police Civilian Oversight Board composition (2nd reading)**

This item was introduced at the October 7, 2024, City Council meeting, where Council expressed a desire to hear feedback and recommendations from the Police Civilian Oversight Board (PCOB). Eden Ratliff, Deputy City Manager for Administration summarized discussion from the October 10 meeting of the PCOB. He stated that the board was not ready to make recommendations and needed more time to discuss and come to agreement. Councilor Payne who attended the October 10 PCOB meeting suggested giving the PCOB time to develop a recommendation to City Council regarding a tiered approach to appointing members.

On motion by Pinkston, seconded by Payne, Council deferred action on the ordinance until the November 18 meeting by a vote of 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

**17. ORDINANCE for Mas Canopy Footer Encroachment Agreement (Carried)**

Benjamin Koby, a City Planner, introduced a request for the Mas Canopy Footer Encroachment

Agreement. TRIMONT, LLC, owner of a property identified as 904-906 Monticello Road and Tax Map Parcel 570022000, requested a right-of-way encroachment to allow for a proposed canopy project that would have the footers of their canopy legs extend into the public right-of-way along with eaves protruding from the roof line. The legs of the canopy would be fully within their property lines; however, their below ground footers would extend into the public right-of-way. Staff recommended denial of the ordinance.

The applicant answered questions for Council. City Engineer Brennen Duncan added context for the staff recommendation, stating that there are alternative designs that do not require an encroachment.

After discussion Council unanimously agreed to carry the item to the November 4 meeting for second reading and vote on the Action Agenda.

## **GENERAL BUSINESS**

### **18. BY MOTION: Youth Council appointment**

On motion by Pinkston, seconded by Snook, Council appointed Olivia Zumbrunn to the Youth Council by a vote of 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

### **19. WRITTEN REPORT: Rivanna Authorities Quarterly Update**

Council acknowledged receipt of the written report from the Rivanna Solid Waste Authority and the Rivanna Water & Sewer Authority.

### **20. DISCUSSION: City of Charlottesville Legislative Priorities for 2025**

Councilor Snook explained the draft priorities document included in the packet and elicited feedback and additional priority ideas from other Council members.

Councilors will consider requests received and various issues previously discussed by Council and prepare to vote on the City's priorities at the November 4 meeting.

## **COMMUNITY MATTERS (2)**

Mayor Wade opened the floor for comments from the public. There were no speakers.

The meeting adjourned at 7:56 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	November 4, 2024
Action Required:	Approval for the appropriation of previously unappropriated Community Development Block Grant COVID Relief Funds (CDBG-CV) from HUD, in the amount of \$90,321.98
Presenter:	Anthony Warn, Grants Analyst
Staff Contacts:	Anthony Warn, Grants Analyst Taylor Harvey-Ryan, Grants Program Manager
Title:	<b>Resolution to Appropriate Community Development Block Grant COVID Relief Funds (CDBG-CV) from HUD, in the Amount of \$90,321.98 (2nd reading)</b>

**Background**

The City of Charlottesville is an Entitlement Community (EC) as designated by the U.S. Department of Housing & Urban Development (HUD) and, as such, is the recipient of annual allocations of federal funds through the Community Development Block Grants (CDBG) program. For these funds to be available to the city to support community development activities, they must first be appropriated by the locality's duly elected governing body. This proposal seeks to make full the appropriation of Community Development Block Grant COVID Relief funds awarded in prior years.

**Discussion**

To support communities struggling to respond to the COVID pandemic, Congress made available to HUD through the Coronavirus Aid, Relief, and Economic Security (CARES) Act several tranches of funds to be distributed among officially designated Entitlement Communities like Charlottesville. These COVID relief funds were awarded to localities in several rounds as new funds became available to HUD from Congress. While providing the potential for meaningful relief for struggling communities, the fast pace of these awards made it challenging for many HUD-funded localities to keep pace with new awards while also managing their regular HUD-funded programs and their own local COVID responses.

A recent review of the City's CDBG-CV accounts by the Department of Finance indicates that a balance of funds awarded previously by HUD but not fully appropriated within local accounts exists, in the amount of \$90,321.98. By approving this proposal, Council will make the remaining balance of previously unappropriated COVID relief funds available to support new high impact community development activities.

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

The work of this proposal is closely aligned to Council's vision of the City of Charlottesville as a community in which everyone thrives in that it will make available to the city an additional pool of funds to support meaningful high impact community development activities.

### **Community Engagement**

This proposal benefits from a high degree of community engagement. Specifically, the City has a longstanding set of community development priorities that are reviewed, modified and approved by Council on an annual basis. Additionally, all new activities to be supported by the funds made available here will undergo a period of public engagement and review, culminating in public hearings before Council and a recorded vote of the duly elected members thereof.

### **Budgetary Impact**

As the funds proposed here are federal funds allocated to the City by HUD to support community-benefit activities, and, as such, do not draw from the city's General Fund, no adverse impacts to the City's budget are anticipated. Rather, appropriation of these funds as recommended here will instead serve to make possible new activities directly related to the ongoing COVID pandemic.

### **Recommendation**

Based on the anticipated benefits of community benefit activities that may be made possible through these funds, staff recommends that Council approve the appropriation of CDBG-CV COVID relief funds as presented here:

**I move that Council APPROPRIATE the remaining balance of previously unappropriated CDBG-CV COVID relief funds as presented here today.**

### **Alternatives**

Given that these funds are provided by the U.S. Department of Housing & Urban Development to the City of Charlottesville to support meaningful community-benefit activities and, as such, are not drawn from the city's General Fund, no alternative courses of action are considered here.

### **Attachments**

1. Resolution to Appropriate CDBG-CV Funds, in the amount of \$90,321.98

## RESOLUTION TO APPROPRIATE FUNDS

### Resolution to Appropriate CDBG-CV Covid Relief Funds from HUD, in the amount of \$90,321.98

**WHEREAS** the City of Charlottesville has been recognized as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) and, as such, City Council has previously approved certain sums of federal grant receipts to support the city's Community Development Block Grant (CDBG) Fund; and

**WHEREAS** the City now has a balance of previously awarded CDBG-CV COVID relief funds from HUD that have not yet been appropriated within the city's local accounts; and

**WHEREAS** appropriating these funds will constitute an important step in making these funds available to support meaningful and high impact community development activities through the city's CDBG program, as approved by HUD;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the proposed appropriation of previously unappropriated CDBG-CV funds from HUD be approved and that the Office of Community Solutions is hereby authorized to work to identify worthy programs to be brought before Council for consideration.

**BE IT FURTHER RESOLVED** that, in support of this proposal, a new appropriation be made within the CDBG Fund by the respective amount shown below:

<i>Source</i>	<i>Revenue Account</i>	<i>Fund</i>	<i>GL</i>	<i>Amount</i>
CDBG-CV	3914004000	218	431110 Federal Grants	\$90,321.98

<i>Source</i>	<i>Expenditure Account</i>	<i>Fund</i>	<i>GL</i>	<i>Amount</i>
CDBG-CV	3914004000	218	55999 Lump Sum Appropriation	\$90,321.98

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon receipt of not less than \$90,321.98 in funds from the U.S. Department of Housing & Urban Development.

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



Agenda Date: November 4, 2024

Action Required:

- Appropriation of DHCD VHSP Funds
- Approval for City Manager to execute Grant Amendment

Presenter: Taylor Harvey-Ryan, Grants Program Manager

Staff Contacts: Taylor Harvey-Ryan, Grants Program Manager

**Title: Resolution to appropriate funds from the Virginia Department of Housing and Community Development - Virginia Homeless Solutions Program Grant amendment - \$93,564 (2nd reading)**

**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). Previously, the City of Charlottesville received a grant agreement in the amount of \$470,805 in state funds to support our efforts in preventing and ending homelessness for individuals in our Continuum of Care. The City has now received additional funds (federal pass-through funds) in the amount of \$93,564 to support Rapid Re-housing and Administrative costs. The additional federal funds brings the total grant award to \$564,369.

**Discussion**

These funds are an additional \$93,564 to be used for Rapid Rehousing and Administrative support.

1. Rapid Re-housing & Housing Navigation: The Haven screens and administers rapid re-housing assistance and housing navigation to households experiencing homelessness. \$93,314 of these funds will be utilized for Rapid Re-housing services.
2. 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. \$250.00 of this award is being allocated to Administrative support for B.R.A.C.H.

**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 federal funds passed through 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 \$93,564 from DHCD to support VHSP. Staff recommend the approval for the City Manager to execute the VHSP grant amendment and any subsequent amendments that do not impact the total funding awarded.

### **Alternatives**

Council may elect not to accept the funds and the community will not have the capacity to administer the Rapid Re-housing program and related services to people experiencing homelessness.

### **Attachments**

1. FY25 VHSP Grant Amendment
2. Resolution- VHSP FY25 Federal Funds Appropriation



**AMENDMENT**  
**Version 1**  
**to**  
**GRANT AGREEMENT**  
**VIRGINIA HOMELESS SOLUTIONS PROGRAM**  
**Program Year 2024-2025**

**25-VHSP-008**

**Original Language**

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.

<b>Rapid Re-housing</b>	<b>Allocation</b>	<b>Performance Period</b>
State Rapid Re-housing	<b>\$124,695</b>	<b>July 1, 2024 – June 30, 2025</b>

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.

**Amended language**

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 **\$564,369**. 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. Also included is **\$93,564** in federal funds to be expended for rapid re-housing and/or administration expenses incurred July 1, 2024 – March 31, 2025. Rapid re-housing activities are to be divided according to the chart below.

<b>Rapid Re-housing</b>	<b>Allocation</b>	<b>Performance Period</b>
Federal Rapid Re-housing	<b>\$93,314</b>	<b>July 1, 2024 – March 31, 2025</b>
State Rapid Re-housing	<b>\$124,695</b>	<b>July 1, 2024 – June 30, 2025</b>

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 and an allocation from the United States Department of Housing and Urban Development (HUD) authorized under the Emergency Solutions Grant for federal fiscal year 2024; the federal grant number is E24DC510001 and the Catalog of Federal Domestic Assistance (CFDA) number is 14.231. 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.

All of the terms and conditions of the original 2024-25 Virginia Housing Solutions Program agreement made between the **Virginia Department of Housing and Community Development** and **City of Charlottesville** are applicable.

**Virginia Department of Housing and Community Development**

\_\_\_\_\_  
Sandra Powell, Sr. Deputy Director

\_\_\_\_\_  
Date

**City of Charlottesville**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**APPROPRIATION**  
**Appropriating Funding in the Amount of \$93,564 To Be Received from the Virginia Homeless Solutions Program**

**WHEREAS**, The City of Charlottesville, through the Office of Community Solutions, has been notified that it will be awarded a grant from the Virginia Department of Housing and Community Development for the Virginia Homeless Solutions Program (V.H.S.P.) in the amount of \$93,564,

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that upon receipt of the funding from VHSP from the Virginia Department of Housing and Community Development, said funding, anticipated in the sum of \$93,564, is hereby appropriated in the following manner:

**Revenues**

\$93,564	Fund: 209	I/O: #1900566	G/L: 430120 State (Federal Pass-thru)
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**Expenditures**

\$93,564	Fund: 209	I/O: #1900566	G/L Account: 530670
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$93,564 from the Virginia Department of Housing and Community Development.

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



Agenda Date: November 4, 2024

**Action Required:**

- Appropriate funding from the Virginia Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$115,400.58
- Execute the Statement of Grant Award/Acceptance

Presenter: Susan Marrow

Staff Contacts: Taylor Harvey-Ryan, Grants Program Manager

**Title: Resolution to appropriate funding from the Supreme Court of Virginia Behavioral Health Docket Grant - \$115,400.58 (2nd reading)**

**Background**

The City of Charlottesville, on behalf of the Albemarle-Charlottesville Therapeutic Docket program, has received a Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$115,400.58 for operations of the therapeutic docket program, which is operated by Offender Aid and Restoration (O.A.R.). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Behavioral Health Docket Grant.

**Discussion**

In its fifth year of operation, the Albemarle-Charlottesville Therapeutic Docket program is a supervised 9 to 12 month treatment program that serves as an alternative to incarceration for offenders. The Therapeutic Docket is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving adult misdemeanor offenders who suffer from serious mental illness. The program uses the power of the court to assist offenders to achieve wellness and recovery through a combined system of intensive supervision, medication management, mental health treatment, and regular court appearances.

The total program budget is **\$301,938.58** and includes three funding sources:

Supreme Court of VA:	\$115,400.58
City of Charlottesville:	\$127,050, (previously appropriated)
Albemarle County:	\$59,488, (previously appropriated)

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

This relates to the City of Charlottesville's priority area of safety/criminal justice. The Therapeutic Docket is a valuable, less expensive alternative to incarceration for certain criminal offenders with serious mental illness which utilizes a blend of court-ordered supervision, mental health treatment

services, court appearances, and behavioral sanctions and incentives to reduce recidivism and enhance personal accountability and mental health and wellness among participants.

### **Community Engagement**

The Therapeutic Docket is a direct service provider and is engaged daily with non-violent criminal offenders with serious mental illness who are at a high level of risk for reoffending and have a high level of need due to mental illness. By collaborating with the Court system, Region Ten Community Services Board and Partner for Mental Health, the Therapeutic Docket provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Therapeutic Docket through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the General District Court. If they successfully complete the program which takes a minimum of 9 months, participants may have their pending charges dismissed or receive an all-suspended sentence. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Therapeutic Docket participants return the community's investment in them by improving their mental health status, maintaining compliance with treatment regimens, including medications, and reducing their criminal behaviors in the community.

### **Budgetary Impact**

No additional City funding is required as the City's match for this grant, \$127,050, was appropriated within the FY 2025 Council Approved Budget as part of the City's contribution to Offender Aid and Restoration.

### **Recommendation**

- Staff recommends the appropriation of \$115,400.58 from the Virginia Supreme Court Behavioral Health Docket Grant.
- Staff recommends approval for the City Manager to execute the Statement of Grant Award/Acceptance.

### **Alternatives**

Council may elect not to accept the funds from the Virginia Supreme Court Behavioral Health Docket Grant which will significant impact the services O.A.R. can provide to offenders as an alternative for incarceration.

### **Attachments**

1. Resolution- Virginia Supreme Court Behavioral Health Docket Grant- Therapeutic Docket FY 25 Appropriation
2. Statement of Grant Award/ Acceptance

**APPROPRIATION**  
**Albemarle-Charlottesville Therapeutic Docket Grant Award**  
**\$115,400.58**

**WHEREAS**, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$115,400.58 for the Albemarle-Charlottesville Therapeutic Docket in order to fund salaries, benefits, and operating expenses; and

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

**WHEREAS**, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$186,538; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$115,400.58, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$115,400.58   Fund: Internal Order: #1900569   G/L Account: 430110 (State Grant)

**Expenditures**

\$115,400.58   Fund: Internal Order: #1900569   G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$114,500.58 from the Supreme Court of Virginia.

**Supreme Court of Virginia**  
**Office of the Executive Secretary**

100 North Ninth Street Richmond, VA 23219

**Statement of Grant Award/Acceptance**

**Subrecipient--**  
City of Charlottesville

**Date: August 15, 2024**

**Grant Period--**

**From: July 1, 2024**

**Through: June 30, 2025**

Project Director	Project Administrator	Finance Officer
Susan Morrow Assistant Director Charlottesville/Albemarle Therapeutic Docket 750 Harris Street Charlottesville, VA 22903  <b>Phone No:</b> 434-296-2441 ext.106 <b>Email:</b> <a href="mailto:smorrow@oar-jacc.org">smorrow@oar-jacc.org</a>	Samuel Sanders City Manager P.O. Box 911 Charlottesville, VA 22903  <b>Phone No:</b> 434-970-3106 <b>Email:</b> <a href="mailto:samuelss@charlottesville.gov">samuelss@charlottesville.gov</a>	Chris Cullinan Director of Finance P.O. Box 911 Charlottesville, VA 22903  <b>Phone:</b> 434-970-3200 <b>Email:</b> <a href="mailto:cullinan@charlottesvilele.org">cullinan@charlottesvilele.org</a>

**GRANT AWARD BUDGET**

Budget Categories	Program Funds TOTALS
A. Personnel	\$ 73,800.58
B. Consultants	\$ 41,600
C. Travel	\$ -0-
D. Equipment	\$ -0-
E. Indirect Expenses	\$ -0-
F. Supplies & Other Expenses	\$ -0-
<b>TOTALS</b>	\$ 115,400.58

This grant is subject to all rules, regulations, and criteria included in the grant application and the special conditions attached thereto.



Paul F. DeLosh, Director of Judicial Services

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this 15<sup>th</sup> day of August 2024.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



## GENERAL GRANT CONDITIONS AND ASSURANCES

The applicant, for state funds administered by the Office of the Executive Secretary (OES), gives assurances and certifies with respect to the grant that it will comply with the following requirements:

1. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the OES shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
2. **REPORTS:** Each applicant shall submit such reports as the OES shall reasonably request. Financial and progress reports shall be submitted to the OES on the **15th working day** following the close of each quarter. Late reports will be charged 10% of one quarter of the full grant award amount.
3. **INSPECTION AND AUDIT:** The applicant agrees to comply with the organizational audit requirements of OMB Circular A-128, "Audits of State and Local Governments." In conjunction with the beginning date of the award, the audit report period of the local government entity to be audited under the single audit requirement is the start-date of the project through the end-date of the project as noted on the Statement of Grant Award/Acceptance. The audit report shall be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. A copy of all audits must be forwarded to the OES.
4. The applicant will comply, where applicable, with the following:
  - The Fair Labor Standards Act, if applicable.
5. **POLITICAL ACTIVITY:** The restrictions of the Hatch Act, Pub. L. 93-433, 5 USC Chapter III, (as amended), concerning the political activity of government employees are applicable to applicant staff members and other state and local government employees whose principal employment is because of activities financed, in whole or in part, by grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns except they may not be candidates for office.
6. **DISCRIMINATION PROHIBITED:** No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits or be otherwise subjected to discrimination under or denied employment because of, grants awarded pursuant to the Justice Assistance Act of 1984, and the implementing regulations 28 CFR Part 42, Subparts C, D, E, and G, or any project, program, activity, or sub-recipient supported or benefiting from the grant. The applicant must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations 28 CFR 41.101 et. seq.. The applicant must further comply with Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations; the Age Discrimination Act of 1973, as amended, and its implementing regulations and Title IX of the Education Amendments of 1972; Title 11 of the Americans with Disabilities Act (ADA)(1990); (42 USC. 12131-12134 & 28 CFR 35)
7. **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:** Each applicant certifies, that it has executed and has on file, an Equal Employment Opportunity Program which

conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulation, no Equal Employment Opportunity Program is required. For continuation grant funding that exceed \$500,000 in any fiscal year the applicant must submit a statistical update from the previous year's plan.

8. The applicant assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the OES.

9. RELEASE OF INFORMATION: All records, papers and other documents kept by recipients of OES funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the OES. These records and other documents submitted to OES and its applicants pursuant to other provisions of the Act, including plans and application for funds, are required to be made available to OES under the terms and conditions of the Federal Freedom of Information Act, 5 USC 552.

10. INFORMATION SYSTEMS: With respect to programs related to criminal justice information systems, the applicant agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of the integrity and accuracy of data collection.

COV §18.2-154.1.N. requires the Office of the Executive Secretary to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local drug treatment courts. A report of these evaluations shall be submitted to the General Assembly by December 1 of each year. Each local drug treatment court advisory committee shall submit evaluative reports to the Office of the Executive Secretary as requested. To support this mandate the applicant further agrees:

- To comply with Drug Treatment Court Standard X, Practice 4, the drug treatment court must use and maintain current data in an information technology system as prescribed by the Office of the Executive Secretary.
- That all computer programs (software) developed with funds provided by this grant will be made available to the OES for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
- To provide a complete copy of the computer programs and documentation, upon request, to the OES. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
- That whenever possible all application programs will be written in standardized programming languages for use on general operating systems that can be utilized on at least three different manufacturers computers of similar size and configuration.
- To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Office of the Executive Secretary should be contacted to determine availability of software prior to any development effort.

11. CONFIDENTIALITY OF RESEARCH INFORMATION - Research information identifiable to an individual, which was obtained through a project funded wholly or in part with OES grant funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

12. CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES: The applicant agrees to be in compliance with all policies as expressed under the Code of Federal Regulations, 28 CFR 23, concerning the operation of criminal intelligence systems funded with OES funds.

13. COPYRIGHT: Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a OES supported project. Any such copyright materials shall be subject to the OES's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by the OES project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use. State employees who develop copyrights during work hours, or within the scope of their employment, or when using state-owned or state-controlled facilities, the copyrights vest in the Commonwealth.

14. PATENTS: If any discovery or invention arises or is developed in course of or as a result of work performed under this grant, the applicant shall refer the discovery or invention to OES. The applicant hereby agrees that determination of rights to inventions made under this grant shall be made by the OES or its duly authorized official representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title which may issue thereon. The determination of the OES, or its duly authorized representative shall be accepted as final. In addition, the applicant hereby agrees and otherwise recognizes that the OES shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant. The grant shall include provisions appropriate of effectuating the purpose of this condition in all contract of employment, consultant's agreements, or contracts.

15. The applicant assures that funds made available under this grant will not be used to supplant other state or local funds, but will be used to increase the amounts of such funds that would be, in the absence of these funds, made available for these activities.

16. Confidential expenditures for services, evidence and/or information must comply with the requirements stated in the Administrative Guide and Application Procedures Manual.

17. BIO MEDICAL EXPERIMENTATION: The applicant assures that no grant funds will be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.

18. The applicant must state the percentage of the total cost of this program supported by federal funds and the dollar amount of federal funds for this program. This statement shall be on all quarterly grant reports, requests for proposals, bid solicitation and other documents describing the program whether funded in-whole or in-part with state or federal funds.

20. The grantee agrees that any publication (written, visual, or sound, but excluding press releases newsletters, and issue analyses) issued by the grantee or by any Applicant describing programs or projects funded in-whole or in-part with these Funds, shall contain the following statement:

This project was supported by Office of the Executive Secretary (OES) with funds made available to Virginia Drug Treatment Court Programs from Virginia General Funds.

Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of OES or the Commonwealth of Virginia.

The applicant also agrees that one copy of any such publication will be submitted to the OES to be placed on file and distributed as appropriate to other potential applicants or interested parties. OES may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

#### CERTIFICATION

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of all other federal and state laws and rules and regulations that apply to this award.

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Authorized Official  
(Project Administrator)

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Date

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



Agenda Date:	November 4, 2024
Action Required:	Approval of the <i>2024 ReadyKids Youth Services Project</i> and the appropriation of associated CDBG-CV COVID relief funds, in the amount of \$50,000
Presenter:	Anthony Warn, Grants Analyst
Staff Contacts:	Anthony Warn, Grants Analyst Taylor Harvey-Ryan, Grants Program Manager
Title:	<b>Resolution for the <i>2024 ReadyKids Youth Services Proposal</i>, a Major Amendment to the Program Year 2024-25 Annual Action Plan in the amount of \$50,000 (CDBG-CV) (2nd reading)</b>

**Background**

The City of Charlottesville is an Entitlement Community (EC) as designated by the U.S. Department of Housing & Urban Development (HUD) and, as such, is the recipient of annual allocations of federal funds through the Community Development Block Grants (CDBG) program. This proposal seeks to continue the city's proud tradition of using CDBG funds to support meaningful high impact community development activities by supporting the preservation and strengthening of the services ReadyKids is able to provide to area youth and families who have been severely impacted by the COVID pandemic.

**Discussion**

ReadyKids is one of the oldest nonprofit organizations in Charlottesville and has been providing valuable supports to area families and children in need for over 100 years, having first opened their doors in 1921 as the Children's Home, a residence for children orphaned by the Spanish flu epidemic. ReadyKids provides a wide range of critical supports to area children and families in the city of Charlottesville through counseling programs, family supports and early learning opportunities, all in support of a vision of 'a world where every child is learning, healthy and safe.'

Over its long history of service here in Charlottesville, ReadyKids has built its programs on a commitment to community engagement and cultural responsiveness to drive the evolution and adaptation of our programs that meet the current needs of children and their families. The most pressing area of need they encounter is a dramatic increase in requests for mental health supports, maternal and infant supports, and early learning opportunities growing out of the COVID-19 pandemic.

**Community Needs**

ReadyKids continues to refine their understanding of the profound impacts of the COVID pandemic on the mental health and school readiness of area children and youth. Research and data indicate

that as a direct result of the pandemic youth are experiencing higher rates of isolation, depression, and anxiety. According to 2024 Kids Count Data Book, following COVID, 20% of American families have concerns about their child's developmental progress. Compounding this is the fact that households with children 0-4, up to 58% of those households had childcare that was disrupted due to COVID.

In 2021, the American Academy of Pediatrics (AAP) declared a National Emergency in Child and Adolescent Mental Health. Rates of childhood mental health concerns and suicide rose steadily from 2010-2020, and by 2018, suicide was the second leading cause of death for youth ages 10-24. AAP concludes that the pandemic has intensified this crisis, as evidenced by dramatic increases nationwide in Emergency Department visits for all mental health emergencies, included attempted suicides.

This matches the steady increase year over year for referrals that ReadyKids has seen across all of their program areas. ReadyKids, for example, tracks the referrals for services it receives and in 2023, 408 referrals were left unfilled, demonstrating a significant need within the Charlottesville area that far surpasses their current capacity. In regard to early learning opportunities, for families with incomes under 200% of the federal poverty level, there is one (1) publicly funded slot available for every seven (7) infants and toddlers. Similarly, Kindergarten readiness is a reliable predictor of later positive outcomes. In the state of Virginia, the lack of access to high-quality early learning opportunities following the pandemic as 68% of fourth graders are not proficient in reading, and 69% of eighth graders are not proficient in math.

In fiscal year 2024, ReadyKids provided services to over 5,000 kids, parents, and caregivers across their seven programs areas.

### Proposal

ReadyKids operates within an environment of ever-increasing need for its services combined with an ever-changing landscape of state and federal funding. The organization has faced significant funding loss due to these changes, both in terms of the amounts its traditional funders are able to provide through grants and donations but also through a diminishment of the buying power of the funding they do receive. ReadyKids received approximately \$145,000 from ARPA to sustain critical programs through the COVID-19 pandemic. Despite the fact that these funds will soon be fully expended, the need for services persists and grows and ReadyKids remains committed to maintaining the stability and capacity of all of their program areas .

This challenging operating environment provides the City with an opportunity to draw on a portion of the unspent CDBG-CV COVID relief funds made available by HUD to help communities prevent, prepare for, and respond to the COVID-19 pandemic.

Additionally, the funds proposed to be reprogrammed here constitute a portion of the COVID relief funds available to the city by HUD and have not previously been appropriated by Council, and, therefore, no current Council-approved activities will be impacted by approval of this this proposal.

### Beneficiaries

The primary beneficiaries of this funding include infants, children, and youth in the city of Charlottesville from ages 0-17 who are low-income, uninsured or underinsured, and who need access to the counseling, family support, and early learning opportunities in which ReadyKids

specializes. Beneficiaries of Inside Out counseling, for example, must be the victim of a crime or have experienced discrimination. Similarly, beneficiaries of the Teen Counseling program are teens in need of short-term crisis support for mental health needs and risk of family disruption. Beneficiaries of the Healthy Families program include those who are pregnant and/or families with children aged 0-5 who have high-risk factors in areas of: housing, employment, family disruption, adverse childhood experiences, and isolation. Beneficiaries of their Early Learning programs are children aged 0-5 and their caregivers. (Caregivers can include family members and early childcare providers.)

An ancillary benefit of this funding stems from the fact that while ReadyKids services are primarily directed at the children and youth they serve, the families of these youth and children also benefit in direct and indirect ways.

### **Conclusion**

In the end, ReadyKids celebrated their centennial in the midst of the COVID-19 pandemic, and in spite of the challenges the pandemic presented, ReadyKids remained committed to its goal of ensuring that children and families in need were still safely receiving the services they needed during unprecedented times.

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

The work of this proposal is closely aligned to City Council's vision of the City of Charlottesville as a community in which everyone can thrive. This alignment stems in part from its strengthening of Partnerships between the City and its youth services partners like ReadyKids. Additionally, Council has envisioned Charlottesville as a city committed to Education and supportive of broad and well-integrated educational opportunities ReadyKids provides.

This proposal also directly supports the City's Organizational Mission by reinforcing Charlottesville as a diverse and a compassionate organization dedicated to providing excellence in public service for a resilient and sustainable community.

### **Community Engagement**

This proposal benefits from a high degree of community engagement, specifically related to the many forums and conversations the city has hosted about the need for supporting youth service programs. In addition, Council has long reviewed the goals & objectives of the city's CDBG program and renewed them on an annual basis at public hearings in which the community is invited to provide comment and the approved resolutions consistently prioritize supporting childcare services.

Additionally, two public hearings are scheduled for discussion of this proposal during which time members of the public are invited to provide comment prior to consideration and final approval by recorded vote of the duly elected City Council.

### **Budgetary Impact**

As the funds proposed here are federal funds allocated to the City by HUD to support community-benefit activities, and, as such, do not draw from the city's General Fund, no adverse impacts to the City's budget are anticipated. Rather, use of these funds as recommended here will instead serve to address an important and pressing community need directly related to the ongoing COVID pandemic.

### **Recommendation**

Based on the anticipated benefits of the current proposal to the children and families of Charlottesville struggling with the impacts of the COVID pandemic, staff recommends that Council approve the proposed use of CDBG-CV COVID relief funds as presented here. Staff also recommends Council approve the appropriation of associated funds within the city's CDBG Fund as needed to fully implement the proposed program and related enhancements:

**I move that Council by the RESOLUTION before us approve the 2024 ReadyKids Youth Services Project and appropriate associated CDBG-CV COVID relief funds to support the implementation of this proposal.**

### **Alternatives**

Given that these funds are provided by the U.S. Department of Housing & Urban Development to the City of Charlottesville for the execution of meaningful community-benefit programs and, as such, are not drawn from the city's General Fund, no alternatives courses of action are considered. Council, could, of course, decide not to provide approval for this proposal and could instead direct staff to explore other options for expending these funds.

### **Attachments**

1. RES\_2024 ReadyKids Youth Services Supports Proposal, \$50,000 (CDBG-CV) appropriation



## RESOLUTION TO APPROPRIATE FUNDS

### **Resolution to Approve the 2024 ReadyKids Youth Services Project and to Appropriate Associated CDBG-CV Covid Relief Funds, a Major Amendment in the Amount of \$50,000**

**WHEREAS** the City of Charlottesville has been recognized as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) and, as such, City Council has previously approved certain sums of federal grant receipts to support the city's Community Development Block Grant (CDBG) Fund; and

**WHEREAS** the City now has the opportunity to support children and families in need of critical youth services growing out of the recent Covid pandemic; and

**WHEREAS** this project will support Council's Strategic Plan Framework vision of the City of Charlottesville as a community in which everyone thrives by strengthening partnerships between the City and its youth services providers and as a city committed to education and supportive of broad and well-integrated educational opportunities;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the proposed project as presented here today before Council is approved and that the Office of Community Solutions is hereby authorized to begin work to implement said program.

**BE IT FURTHER RESOLVED** that, in support of this program, appropriations made within the CDBG Fund be amended by the respective amounts shown below and that the balance accumulated in the Fund as a result of these adjustments be hereby appropriated to the revenue account indicated below, as follows:

<i>Expenditure Account(s)</i>	<i>Fund</i>	<i>Proposed Reductions</i>	<i>Proposed New Balance</i>
1900379	218	(\$1,807.22)	\$0.00
1900397	218	(26,753.89)	\$0.00
3914004000	218	(\$21,438.89)	\$94,925.71

<i>Revenue Account</i>	<i>Fund</i>	<i>CC</i>	<i>Proposed Addition</i>	<i>New Balance</i>
FY25 ReadyKids Youth Services CDBG-CV PY24+	218	1900567	\$50,000.00	\$50,000.00

To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147, are authorized to establish administrative procedures and provide for guidance and assistance in the execution of the funded program.

**BE IT FURTHER RESOLVED** that any unspent funds available after this HUD-funded activity is completed and closed out with HUD will hereby be returned to the unallocated lump sum account within Fund 218 to be reallocated to suitable new activities by Council at a later date.

**BE IT FURTHER RESOLVED** that these appropriations are conditioned upon the receipt of not less than \$50,000.00 in CDBG-CV COVID relief funds from HUD for Program Year 2024-25 activities.

**FINALLY, BE IT FURTHER RESOLVED** that the funding award appropriated within this resolution will be provided as a grant to a private non-profit, charitable organization ('subrecipient') and shall be utilized by the subrecipient solely for the purpose stated within their approved Scope of Work. The City Manager is hereby authorized to enter into an agreement with the subrecipient named herein as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations.

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



Agenda Date:	November 4, 2024
Action Required:	Approve Donation
Presenter:	Michael Thomas, Fire Chief
Staff Contacts:	Michael Thomas, Fire Chief
Title:	<b>Resolution for donation of antique fire engine to Old Dominion Historical Fire Society, Inc.</b>

**Background**

In 2007, the Old Dominion Historical Fire Society (ODHFS) donated Engine 2, a 1929 Seagrave pumper, back to the Charlottesville Fire Department (CFD). Mr. Craig initially privately purchased the engine after the city disposed of it. In 1981, it was donated to ODHFS with the stipulation that CFD would have the first option to reclaim it if ODHFS decided to deaccession it. Attached to this memo is the request letter from ODHFS detailing their rationale for the donation.

As noted in the letter, the engine's intended display has not been feasible, and it has been stored in a shipping container at the Ridge Street Fire Station for some time. CFD's prior Fire Chief Werner's initial intention when reclaiming the engine was to display it in a fire station for public viewing. However, we lack a display area or adequate storage space, and the engine is no longer operational. Furthermore, the department does not have the funding to restore it to working condition.

The City Warehouse Specialist has appraised the engine's value in its non-running state at \$7,000. The City's Procurement Manager has reviewed the request, and the City Attorney's Office has confirmed compliance with relevant code language and ODHFS's status. ODHFS has provided its non-profit documentation, which Attorney Wimberly has reviewed, confirming its eligibility under the historical events criteria outlined in the code.

CFD staff is seeking permission to donate the engine back to ODHFS. This would allow them to fully restore it and house it at the Virginia Fire Service Museum in Roanoke, Virginia, since they have a partnership there. Afterward, they would coordinate the engine's pickup and transfer to Roanoke.

**Discussion**

N/A

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

Public Safety

**Community Engagement**

N/A

**Budgetary Impact**

None

**Recommendation**

Approve Resolution

**Alternatives**

Continue to store the fire engine in the container where it is currently housed.

**Attachments**

1. Antique Fire Engine Donation to Old Dominion Historical Fire Society

## RESOLUTION

### Donation of Antique Fire Engine to Old Dominion Historical Fire Society, Inc.

WHEREAS, in 2007 the Old Dominion Historical Fire Society (ODHFS) donated Engine 2, a 1929 Seagrave pumper, back to the Charlottesville Fire Department (CFD); and

WHEREAS, the engine's intended display has not been feasible, and the Engine has been stored in a shipping container at the Ridge Street Fire Station for some time; and as the CFD lacks adequate storage space or a display area, and the Engine is no longer operational; and

WHEREAS, the ODHFS intends to donate the Engine to the Virginia Fire Service Museum in Roanoke, Virginia.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville that Engine 2, a 1929 Seagrave pumper, is hereby be donated to the Old Dominion Historical Fire Society, Inc.

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

Approved by Council  
November \_\_\_\_, 2024

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Kyna Thomas, MMC  
Clerk of Council

Suggested Motion: I move that the Resolution be passed and that Engine 2 is hereby donated to the Old Dominion Historical Fire Society, Inc.

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



Agenda Date:	November 4, 2024
Action Required:	Approval of resolution of compromise of claim.
Presenter:	Chris Cullinan, Director of Finance
Staff Contacts:	Chris Cullinan, Director of Finance
Title:	<b>Resolution for Compromise of Claim: Water and Wastewater Leak Credit of \$10,887.26 for University of Virginia Foundation</b>

**Background**

Utility customer University of Virginia Foundation at 1982 Arlington Boulevard experienced a leak in their main water line to a multi-family building in August. The leak resulted in usage approximately 16x their normal consumption. The line was repaired and consumption has returned to normal levels. Per the City's leak credit procedures, the customer has requested a credit to their water and wastewater accounts for this location.

**Discussion**

Utility billing staff have calculated the water and wastewater credit to total \$10,887.26. The amount of the credit is greater than \$10,000, thus City Code Section 11-132 (4) requires City Council authorization.

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

The City's Leak Credit Policy aligns with "*Organizational Excellence*" by encouraging residents and businesses to minimize water loss by making timely leak repairs and such a leak credit policy is considered a best practice for utilities.

**Community Engagement**

N/A

**Budgetary Impact**

The fiscal impact of the compromise of claim is \$10,887.26 reduction in revenues to the Water and Wastewater Funds.

**Recommendation**

Approval.

**Alternatives**

City Council could deny the compromise of claim and therefore the leak credit would not be granted.

**Attachments**

1. 11.4.24 Resolution Water and Wastewater Credit for UVA Foundation

**RESOLUTION**

**Approval of a Compromise of Claim in the Form of a  
Leak Credit of \$10,887.26 for Water and Wastewater  
Charges to the Utility Account of University of Virginia  
Foundation.”**

**WHEREAS**, the Director of Finance, City Attorney, and City Manager concur that circumstances associated with a leak at 1982 Arlington Boulevard warrant a credit in the amount of \$10,887.26 for water and wastewater charges, and in accordance with City Code Sec. 11-132(4), City Council has authority to grant such a compromise of claim; now, therefore

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the Director of Finance is hereby authorized to apply a credit of \$10,887.26 to the utility account of “University of Virginia Foundation”.

Aye   No  
Payne  
Pinkston  
Snook  
Wade  
Oschrin

Approved by Council  
November \_\_\_\_, 2024

\_\_\_\_\_  
Kyna Thomas, MMC  
Clerk of Council

Suggested Motion: I move that the Resolution pass and that the Director of Finance is authorized to apply a credit of \$10,887.26 to the utility account of the University of Virginia Foundation.



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



Agenda Date:	November 4, 2024
Action Required:	Appropriation of Grant Funds
Presenter:	Chris Engel, Director of Economic Development
Staff Contacts:	Jenny Biche
Title:	<b>Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.) Grants – \$69,312.67 (1 of 2 readings)</b>

**Background**

Over the past several years, the City of Charlottesville, through the Office of Economic Development (OED), has been receiving matching grants from the Virginia Department of Social Services (VDSS) in order to provide workforce development training, business development training and supportive services to individuals residing in the City of Charlottesville living at or below 200% poverty. For fiscal year FY25 the following grant has been awarded:

1. VDSS Employment Advancement for TANF Participants Grant (BEN-24-060) – a \$69,312.67 grant awarded in 2024 for additional workforce development training programs

The grant is set up on a reimbursable basis and there is a required match of \$23,104.22 that is in-kind and will be sourced from WFD Program Manager's salary spent on overseeing and implementing the training programs.

**Discussion**

These grant funds go to support OED's ongoing workforce development training programs. Specifically, in FY25 the grant will fund the GO Cook, GO Solar, GO Facility Maintenance and a GO Healthcare initiative to be developed during the grant year. The GO Cook program, which trains individuals in the culinary arts and prepares them for careers in local food and hospitality establishments, will be supported. GO Cook has been run 18 times, resulting in 93 individuals being trained and assisted with job placement. GO Solar trains individuals to be North American Board of Certified Energy Practitioners Photovoltaic (NABCEP PV) Associate certified for a career in residential solar installation. It has completed 2 cohorts so far, resulting in 18 individuals trained and assisted with job placement. GO Facility Maintenance trains individuals to earn their Certificate for Apartment Maintenance Technician (CAMT -1) for a career in property maintenance. It will launch its first cohort this Spring and is estimated to train 8-10 individuals each cohort who will be assisted with job placement upon graduation. GO Facility Maintenance is planned to be offered twice a year. Finally, a GO Healthcare initiative will be developed to train individuals to receive a nationally recognized certification in the healthcare field. It is anticipated that the first cohort will be hosted in the Spring with an estimated 8-10 individuals trained and assisted with job placement upon graduation.

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

This effort supports City Council's Economic Prosperity strategic outcome and aligns with the Office of Economic Development's Five-Year Strategic Plan for 2024-2028, specifically the Pathways for Opportunity goal.

### **Community Engagement**

OED engages a variety of partners in delivering the City's workforce development services and its employment training programs. These programs are supported by numerous community agencies and organizations and include Albemarle County, Piedmont Virginia Community College, Virginia Career Works, CATEC, Downtown Job Center and employer partners.

### **Budgetary Impact**

There is no impact to the general Fund. All funds will be budgeted and expensed in the Grants Fund.

### **Recommendation**

Staff recommends approval and appropriation of grant funds.

### **Alternatives**

If grant funds are not appropriated, more local dollars will have to be used for training or fewer low-income, underemployed City residents will be able to be trained.

### **Attachments**

1. OED VDSS TANF Grant Appropriation Resolution (rev) 11.04.24 4856-2630-8852 v.1

**RESOLUTION**  
**Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families**  
**(T.A.N.F.) Appropriation of Grant Funds**  
**\$69,312.67**

**WHEREAS**, the City of Charlottesville has received a Temporary Aid to Needy Families grant from the Virginia Department of Social Services in the amount of \$69,312.67; and

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

**WHEREAS**, the grant award covers the period from July 1, 2024 and June 30, 2025;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$69,312.67 is hereby appropriated in the following manner:

**Revenue – \$69,312.67**

\$69,312.67    Fund: 209    IO: 1900573    G/L: 430120 State/Fed pass thru

**Expenditures - \$69,312.67**

\$69,312.67    Fund: 209    IO: 1900573    G/L: 599999 Lump Sum

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$69,312.67 from the Virginia Department of Social Services.

Aye    No  
Payne  
Pinkston  
Snook  
Wade  
Oschrin

Approved by Council  
November \_\_\_\_, 2024

\_\_\_\_\_  
Kyna Thomas, MMC  
Clerk of Council

Suggested Motion: I move that the Resolution be pass and that the requested sum of \$69,312.67 is hereby appropriated.

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



Agenda Date:	November 4, 2024
Action Required:	Appropriation
Presenter:	Misty Graves, Director of Human Services
Staff Contacts:	Hunter Smith, Human Services Planner
Title:	<b>Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,000 (1 of 2 readings)</b>

**Background**

The Virginia Department of Criminal Justice Services has awarded the Department of Human Services \$123,000 from its Victims of Crime Act (VOCA) program to provide trauma-focused, evidence-informed case management and clinical services. The Department of Human Services has received similar awards since 2019. This is a new award that follows the same programmatic structure and operates in the same format as previous award cycles.

**Discussion**

The City of Charlottesville's Department of Human Services' Evergreen Program increases access to trauma-informed intervention for victims within schools as well as low-wealth neighborhoods, expands access to mental health services for victims, and supports behavioral interventionist positions serving victims of crime. Funds will be used to hire one school-based interventionist, who will provide trauma and need assessments, service planning and delivery, coordination with other providers, and case management for up to thirty child victims each year. The school-based interventionist serves students at Buford Middle School. The FY25 award does include a 20% match of \$30,900 which is included in the Human Services Department budget.

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

This project is strongly aligned with City Council's Strategic Plan Goal #2: Healthy and Safe City; specifically Goal #2.2: meet the needs of victims and reduce risk of recurrence.

**Community Engagement**

Community partners, including Charlottesville City Schools, were critical in the development of the original grant proposal to the Virginia Department of Criminal Justice Services. Families and youth involved in the first year of programming have helped influence its development.

**Budgetary Impact**

The Department of Human Services has been receiving grant funds for this program from the Department of Criminal Justice Services (DCJS) since 2019. The award period for this continuation covers eligible expenses incurred from July 1, 2024 to June 30, 2025. This grant requires a cash match of 20% which is \$30,900.

### **Recommendation**

Staff recommends appropriating the funds as written.

### **Alternatives**

If grant funds are not appropriated, the grant funds awarded for FY 25 will have to be forfeited and the expenses incurred for this program in FY 25 will have to be covered using local funds.

### **Attachments**

1. FY25 VOCA Appropriation Resolution (rev) 4877-8794-8532 v.1

**RESOLUTION**  
**Appropriation of Charlottesville Student Victim Outreach Program Department of**  
**Criminal Justice Services Victim of Crimes Act Grant**  
**\$123,600**

**WHEREAS**, the City of Charlottesville has been awarded \$123,600 from the Department of Criminal Justice Services;

**WHEREAS**, this award requires a 20% match in the amount of \$30,900;

**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 1<sup>st</sup>, 2024 through June 30<sup>th</sup>, 2025;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$123,600 is hereby appropriated in the following manner:

**Revenue – \$154,500**

\$123,600	Fund: 209	Cost Center: 3413018000	GL Account: 430120
\$ 30,900	Fund: 209	Cost Center: 3413018000	GL Account: 498010

**Expenditures - \$154,500**

\$148,140	Fund: 209	Cost Center: 3413018000	GL Account: 519999
\$ 6,360	Fund: 209	Cost Center: 3413018000	GL Account: 599999

**Transfer From**

\$30,900	Fund: 213	Cost Center: 3413003000	GL Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$123,600 from the Department of Criminal Justice Services.

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

Approved by Council  
November \_\_\_\_, 2024

\_\_\_\_\_  
Kyna Thomas, MMC  
Clerk of Council

Suggested Motion: I move that the Resolution pass and that the requested sum of \$123,600 is hereby appropriated.



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



Agenda Date: November 4, 2024

Action Required: Staff recommends approval and appropriation of funds.

Presenter: Riaan Anthony, Director of Parks & Recreation

Staff Contacts: Annie Sechrist

**Title: Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$20,000 (1 of 2 readings)**

**Background**

The City of Charlottesville, through Parks and Recreation, has received approval for a reimbursement of up to \$20,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children 18 and under attending our drop-in afterschool programs through their Child and Adult Care Food Program.

**Discussion**

Charlottesville Parks and Recreation will operate an afterschool meals program for 36 weeks, during the regular school year. There are currently 3 locations, Greenstone on 5th, South First Street, and Westhaven Community Centers that serve children 18 years and under. The reimbursement will cover the costs of a nutritious dinner at these locations, which also have an educational/enrichment component. Dinner will be served from 4:30pm -6:30 pm at the various community centers. Most of the children served receive free or reduced meals during the school year. Over 200 children will be served each week during the school year. The dinners are purchased through the City of Charlottesville School Food Service. The Parks and Recreation Department pays the bills to the City of Charlottesville Food Service and is then reimbursed by the Virginia Department of Education Special Nutrition Programs.

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

Approval of this agenda item aligns directly with Council's Strategic Plans for Recreation, Arts, Culture.

**Community Engagement**

N/A

**Budgetary Impact**

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



**Recommendation**

Staff recommends approval and appropriation of funds.

**Alternatives**

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

**Attachments**

1. Appropriation of VDOE Special Nutrition Program Reimbursement Resolution

## **RESOLUTION**

### **Appropriation of Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program Reimbursement in the amount of \$20,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$20,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

**WHEREAS**, the grant award covers the period from period October 1, 2024 through September 30, 2025;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$20,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

#### **Revenue – \$ 20,000**

Fund: 209                      Internal Order: 1900575                      G/L Account: 430120

#### **Expenditures - \$20,000**

Fund: 209                      Internal Order: 1900575                      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$20,000 from the Virginia Department of Education Special Nutrition Program.



# **City Manager's Report**

*Offices of the City Manager  
Elected & Appointed Officials*

11-4-2024

**City Manager – Sam Sanders (he/him)**

- 10/21 Attended the 10th Anniversary Celebration of Network2Work @ PVCC. I offer my congratulations to Ridge Schuyler and team for the amazing work they are doing to connect people to opportunities that change their lives.
- 10/22 Monthly Meeting with Superintendent Gurley – preparation for the FY26 budget cycle and discussed the special work session that has been added to the calendar for December 19th as a Preview to School Board Priorities.
- 10/22 Attended Rivanna Water & Sewer Authority Board Meeting – highlights included FY24 financial results, regional planning priorities, and construction update on multiple projects aimed at a secure and long term water management plan.
- 10/23 Attended a meeting organized by Public Works with all current holders of utility franchise agreements to discuss the need for better coordination, improved management and maintenance of infrastructure, adherence to compliance standards, and engagement in the city's priority to end access barriers associated with our priority of achieving an ADA culture of compliance.
- 10/24-10/26 Participated in a Transit Site Visit to Champaign-Urbana, Illinois where a regional delegation organized by CAT was able to see what regional transportation planning looks like; it was amazing to see MTD in action and they are doing amazing work while leading the way for climate innovation; a lot more to come on this great exploratory visit.
- 10/28 Attended a meeting with Region 10 and UVA Health along with Senator Deeds to discuss needs and service gaps in the community and how better coordination and collaboration could lead to better outcomes; series of information sharing to result and follow up discussions to come.
- 10/28 Met with Eddie Howard to learn more about the work of Abundant Life Ministries.
- Reminder to all: Leaf Collection begins November 4<sup>th</sup>.
- Sign up for Text Alerts - text address to 434-771-0251.

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

- Strategic Planning Kickoff: This month, we launched a comprehensive strategic planning process with city teams focused on advancing the ten key outcome areas adopted by Council. Through collaborative sessions, our departments are setting targeted priorities to support a thriving community and align with Council's vision, "To be a place where everyone thrives." We have also advanced our commitment to Justice, Equity, Diversity, and Inclusion by integrating these

principles into ongoing strategic planning efforts, ensuring our policies and actions reflect and serve the diverse needs of our community.

- **Emergency Management Initiatives:** We are conducting a thorough assessment of the city's emergency response capabilities, collaborating across departments to strengthen our readiness and resilience framework. This work ensures our ability to respond effectively in times of crisis and aligns with our strategic objectives.
- **Key Recruitment Efforts:** Led targeted recruitment efforts to fill critical administrative and legal roles that will strengthen our capacity to deliver on Council's priority areas. These hires will ensure we have the expertise needed to meet our strategic goals.
- **Collaborative Contract Negotiations:** Continued negotiations with the SPCA to establish a contract that supports our animal welfare objectives while reflecting our broader strategic priorities.

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

- The 27<sup>th</sup> annual Grand Illumination is coming up on Friday, December 6<sup>th</sup> at Ting Pavilion. Folks of all ages can visit the Holiday Market, play games, win prizes, collect cool giveaways at City Hall Plaza, and enjoy live music from local and regional artists during the Holiday Concert. Speaking of which, we're looking for singers, dancers, and musicians for this year's event. If you or someone you know has a talent for spreading holiday cheer through music, please send a name, contact information, and at least one performance video to [cvillegrand@charlottesville.gov](mailto:cvillegrand@charlottesville.gov).
- Our biweekly community newsletter, City Scoop, is now LIVE! You may sign up to receive the newsletter via email [here](#), you can find a link on our website and social media platforms, and you can also find copies in City Hall and at a few locations on the Downtown Mall.
- **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.

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

- **The Jordan Park Accessible Pathways:** The City Council approved \$25,000 in CDBG funds on September 16 to create a new and accessible paved pathway within Jordan Park. This would enable the connection of the existing accessible curb ramp at the park's Sixth Street entrance with several amenities, including a basketball court, playgrounds, and a new trail bridge. The project is a

collaboration between the Office of Community Solutions and Parks and Recreation Department. Demolition of the existing pathways and construction of the new pathways is now underway. It is expected to be completed during the week of November 1st.

- **Charlottesville CDBG Program:** Subrecipients funded through the city's program year 2024-25 (PY24) program continue to make progress launching their funded activities. Including first of its kind support for PACEM's work-enabling transportation program for their clients experiencing homelessness. A proposal is currently under development for a public hearing on November 4th that will capitalize on the remaining balance of unspent CDBG funds from prior years.
- **Virginia Homeless Solutions Program:** The Office of Community Solutions in partnership with the Blue Ridge Area Coalition for the Homeless applied for a received funding from the Virginia Department of Housing and Community Development for the Virginia Homeless Solution Program. Our continuum received a \$25,000 increase to last year's award. The original funding for last year was \$539, 369. It is now 564,369 for FY 25.
- **Housing Operations and Programs Support (HOPS) Grant:** The HOPS Grant application period for FY26 HOPS funding opened as scheduled on September 18<sup>th</sup> and closed October 18<sup>th</sup>, following its inclusion in the City's Notice of Funding Availability (NOFA) published in mid-August. OCS staff collaborated with the communications team to promote the NOFA, HOPS application details, and submission instructions. Additionally, the Housing Program Manager facilitated a workshop on October 2 for organizations interested in the Charlottesville Affordable Housing Fund (CAHF) and HOPS grants. The workshop had 13 attendees (in-person and virtual) and covered policy alignment and a Question and Answer (Q&A) panel to support grant application success. The application period for CAHF Grant FY25 funding is now open and will close November 22 at 5:00 PM.
- **Housing Equity and Anti-Displacement Toolkit (HEAT) / Strategy,** three components of the HEAT Strategy are advancing to support housing equity and anti-displacement goals: (1) **Land Bank Program/Ordinance:** The Land Bank Program, aimed at acquiring and holding properties to create affordable housing opportunities, was presented to Council during the October 7 work session. Staff is coordinating further action with the City Attorney and Deputy City Manager of Operations, with additional direction anticipated after November 1. (2) **Affordable Housing Development-Oriented Tax Abatement Performance Program:** This proposed program is designed to incentivize affordable housing projects through targeted tax abatements, aligning with broader community housing goals. Preliminary development is near completion, and staff will proceed with refinement based on consultation with appropriate city departments. (3) **Charlottesville Supplemental Rental Assistance Program (CSRAP):** The Seventh Amended Grant Agreement for CSRAP has been completed and signed, and \$900,000 has been allocated for FY24-25. This program continues to provide essential housing

support for low-income residents, and staff will keep the Council informed of ongoing collaboration with CRHA to align with community needs.

- **212 and 217 Fifth Street and 407 Harris Road Acquisition:** OCS coordinated the process related to the City Council approval of \$234,000 in grants to enable Charlottesville Redevelopment and Housing Authority (CRHA) to meet its gap financing for the \$2.675 million acquisition of 212 and 217 Fifth Street and 407 Harris Road. This would preserve multiple units of naturally occurring affordable housing. This initiative would preserve the affordable units permanently and help to mitigate displacement.
- **Staff Training and Professional Development:** (1) *VHA Housing Credit Conference (Oct. 15-16):* The Compliance Coordinator attended, gaining insights into best practices for using low-income housing tax credits. (2) *Housing Developer Training Institute (HDTI):* The Housing Program Manager is scheduled to complete a training with LISC Virginia's HDTI on October 30, 2024, focused on multi-family affordable housing development. This program strengthens staff's knowledge skills, and capacity in real estate policy and program development terms, covering topics like financial feasibility, site management, and asset management, supporting long-term affordable housing goals.

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

- Commercial Property Assessed Clean Energy (C-PACE) – Ordinance to create the City of Charlottesville C-PACE Financing Program in coordination with the statewide C-PACE program was adopted on October 21st. The program allows for clean energy, efficiency, and other environmentally beneficial investments in new construction, renovations, and retrofits of commercial and industrial properties through access to low-cost, long-term financing. Program details can be found here: <https://virginiapace.com>
- Director received the Community Impact award at C3's October 4th Party for the Planet.
- OS staff attended the 2024 Virginia Clean Energy Summit in Richmond, VA in mid-October. Director participated in the "Innovations in Clean Energy in Virginia" panel with a presentation about Charlottesville Gas's Decarbonization Study.
- Director and Climate Program Manager attended the 2024 Urban Sustainability Directors Network Conference in Minneapolis, MN.
- OS staff representative joined a tour of a state-of-the-art transit facility in Champaign-Urbana, Illinois. The purpose of the tour was to gain firsthand knowledge of zero emissions bus transition work involving hydrogen fuel cell transit bus technology and the infrastructure required to implement a pilot program for CAT.
- OS partnered with Full Life Counseling to host "Engaging Our Climate Emotions", a community discussion on how to manage climate anxiety through connection with community and participation in local climate action. The event featured

tabling from the Office of Human Rights, the Department of Human Services, The Women's Initiative, and Region Ten.

- OS and the Charlottesville Invasive Plant Partnership were invited to table at the Fry's Spring OktoberFest celebration and Neighborhood Association meeting.
- The Toilet Rebate Program has been updated with increased rebate amount and expanded eligibility. The program now offers up to \$150 rebate and has expanded eligibility to cover old toilets that use 1.6 gallons per flush or more. The Water Conservation Program completed a thorough review of the over 20-year-old Toilet Rebate Program with the support of the WaterNow Alliance, a nonprofit network of local water decision makers advancing sustainable, affordable, equitable and climate resilient water. Toilet Rebate Program details can be found here: [www.Charlottesville.gov/ToiletRebate](http://www.Charlottesville.gov/ToiletRebate)

#### **Downtown Job Center – Roy Fitch (he/him)**

- The Downtown Job Center held its first Fall Career Exploration on Friday October 18th from 11am to 2pm at the Ting Pavillion. Over 30 local Employers and Community Resources were present!
- The Downtown Job Center staff were present at the UVA Pipelines & Pathways HOOS Caring student Graduation held on Friday October 25th at 9am.



City of Charlottesville  
City Manager's Office  
MEMO



**TO:** Council  
**FROM:** Samuel Sanders, City Manager  
**DATE:** November 4, 2024  
**SUBJECT:** Financial Report – FY 2025 through September 30, 2024

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### **Revenue Budget Projections**

As of September 30<sup>th</sup>, approximately 11% of the budgeted revenue for this fiscal year has been collected. Real Estate and Personal Property tax payments for the second half of 2024 are due on December 5<sup>th</sup> and represent two of the City's largest revenue sources. The Adopted Revenue budget for FY 25 totals \$251,948,630. Current revised projections indicate that revenues are tracking slightly below budget, by \$1,085,537 or -0.51%. This underperformance is being driven by declines in sales tax and lodging tax revenues. Because it is still very early in the year, it is difficult to make any definitive assumptions based on the limited results we currently have available. However, there are a few factors that are important to note relative to the results.

- With the exception of the pandemic related declines, this is the first time the City has experienced any underperformance in any of its economically sensitive tax revenues in many years. 2008 was the last time the City experienced a decline in sales tax revenue and 2009 was the last time there was a decline in lodging tax revenue.
- According to figures released from the State Tax Department, both the Commonwealth and Albemarle County continued to see some growth in sales tax revenue for the first quarter.
- Except for sales and lodging tax revenue, most of the other City revenues, including meals tax, are tracking very closely with the budget.

The take-away from this quarterly report is that we are likely returning to a more “normal” revenue growth pattern. That said, the revenue team is continuing to collect data and monitoring revenues closely. Efforts are also underway to review all available data for factors that may be contributing to current revenue trends.

Since 2021, the City has been fortunate to have experienced a 5-year stretch of very strong revenue growth. Some of the growth was the result of conservative budgeting during the uncertainty of a pandemic but much of it was related to a very healthy real estate market coupled with increased consumer spending. As we move forward, the indications are that revenues will likely experience a much more modest growth pattern.

The following FY 25 revenue budget revisions are projected:

### FY 2025 Revenue Projections

	<u>FY 2025</u>	<u>FY 2025</u>	
<u>Local Taxes</u>	<u>Budget</u>	<u>Revised*</u>	<u>Change</u>
Real Estate Tax	\$ 108,438,706	\$ 108,638,706	\$ 200,000
Personal Property Tax	13,304,762	13,304,762	-
Penalty/Interest on Delinquent Taxes	850,000	850,000	-
Public Service Tax	1,746,954	1,961,548	214,594
Tax on Wills & Deeds	550,000	550,000	-
Sales & Use Tax	15,810,000	14,900,000	(910,000)
Transient Room Tax	9,562,500	9,100,000	(462,500)
Meals Tax	18,217,044	18,217,044	-
Cigarette Tax	550,000	490,000	(60,000)
Plastic Bag Tax	100,000	55,000	(45,000)
 <u>Licenses and Permits</u>			
Business & Professional Licenses	\$ 10,100,000	\$ 10,100,000	-
 <u>Revenue from State Agencies</u>			
State Highway Assistance	\$ 5,591,341	\$ 5,629,814	38,473
Reimbursement/Constitutional Offices	2,453,159	2,453,159	-
State Aid for Police Protection	2,640,188	2,681,084	40,896
DMV Select Office Commissions	20,000	20,000	-
 <u>Miscellaneous Revenues</u>			
Interest Income	\$ 3,000,000	\$ 3,000,000	-
Recreation Income	1,189,113	1,189,113	-
Utility Cut Permits	125,000	125,000	-
 <u>Designated Revenues</u>			
Meals Tax Designated for the Debt Service Fund	\$ 3,036,174	\$ 3,036,174	\$ -
<b>Total Revenue Budget Surplus</b>			<b>\$ (983,537)</b>

*\*Projected as of September 30, 2024*

**Surplus/Deficit as a % of Total Budget      -0.46%**

## Expenditure Budget Projections

Many City operations are seasonal and interfund transfers, which represent large expenditures in the General Fund (i.e. Debt Service Transfer, CIP transfer, Transfer to CAT, etc.), get posted as a lump sum later in the fiscal year. Additionally, recruiting and procurement activities for the new year

are just getting under way in the 1<sup>st</sup> quarter. These factors lead to a more cyclical and irregular expenditure pattern that is harder to project. However, we continue to monitor expenditures and indicators suggest that expenses are tracking well with the budget. Expenditure details can be viewed using the [Budget Explorer Tool](#) which can be found on the City's Budget webpage. These quarterly tabs are automatically updated at the end of each quarter and are available for public viewing. The 1st quarter visualization contains financial information through September 30, 2024. Both a citywide view as well as the ability to drill down to the individual department level is available. The information presented in the visualization comes directly from the City's financial system and represents dollars that have been received and/or paid out as of the chosen date.

### **Other Financial Matters**

The City submitted its most recent quarterly ARP compliance report to US Treasury on October 31 for expenditure of funds for the period July – September. The first significant deadline for ARP is December 31 by which time all funds must be “obligated” or returned to US Treasury. “Obligated” generally means that funds are encumbered on a purchase order, contract, memorandum of understanding or other mechanism obligating the use of the funds. The Director of Finance is updating the City's obligations and expenditures of all ARP funds to date and will be providing the City Council more detailed information in the near future to ensure no funds will have to be returned.

The final 4<sup>th</sup> quarter data for FY 2024 will be provided once the year is officially closed and the audit is completed. This information will be presented at the second Council meeting in December as part of the audit presentation by the City's Auditors and Chris Cullinan, the City's Finance Director.

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



# 1<sup>st</sup> Quarter FY25 Financial Report

## Focus: City Retirement Plans

- November 4, 2024

# Retirement Plans Overview

- Traditional Defined Benefit Pension Plan and OPEB (Other Post-Employment Benefits)
  - Started in the 1950s
  - 666 active members
  - Benefit formula based on salary and years of service
- Optional Defined Contribution Plan (401a)
  - Started in 2001
  - 387 active members
  - Set City contribution and employee-led investment account
- Optional Deferred Compensation Plan (457b)
  - Started in 1987
  - 390 active members
  - Employee contributions and employee-led investment account



# Plan Oversight- Retirement Commission

Three employees

Member of City Council

City Manager

Finance Director

Treasurer

HR Director

Retiree

Two Community Members



# Plan Assets



## Traditional Defined Benefit Plan

Pension - \$172 Million

OPEB - \$63 Million



## Defined Contribution Plan

\$32 Million



## Deferred Compensation Plan

\$38 Million

# Services for Plan Participants

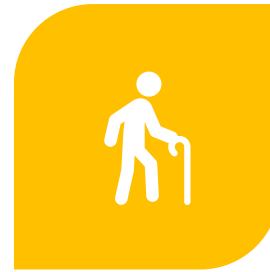
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HR RETIREMENT  
ADMINISTRATOR



REGULAR EDUCATION  
ON RETIREMENT  
TOPICS



ACCESS TO  
RETIREMENT  
PLANNING SPECIALIST



ACCESS TO A  
CERTIFIED FINANCIAL  
PLANNER

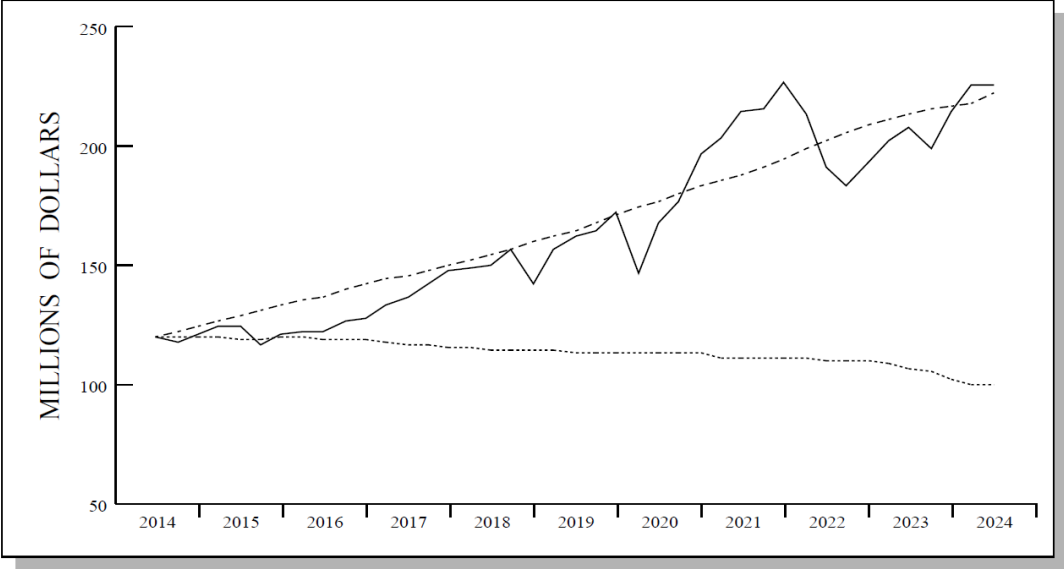


# Pension Plan Focus-Asset Allocation

## ASSET ALLOCATION

Large Cap Equity	34.2%	\$ 77,240,514
Mid Cap Equity	14.2%	32,057,367
Small Cap	8.2%	18,525,226
Int'l Developed	9.0%	20,245,491
Emerging Markets	3.4%	7,662,058
Real Assets	14.4%	32,433,404
Fixed Income	15.2%	34,335,321
Cash	1.4%	3,057,218
Total Portfolio	100.0%	\$ 225,556,599

# Pension Plan Focus- Investment Performance

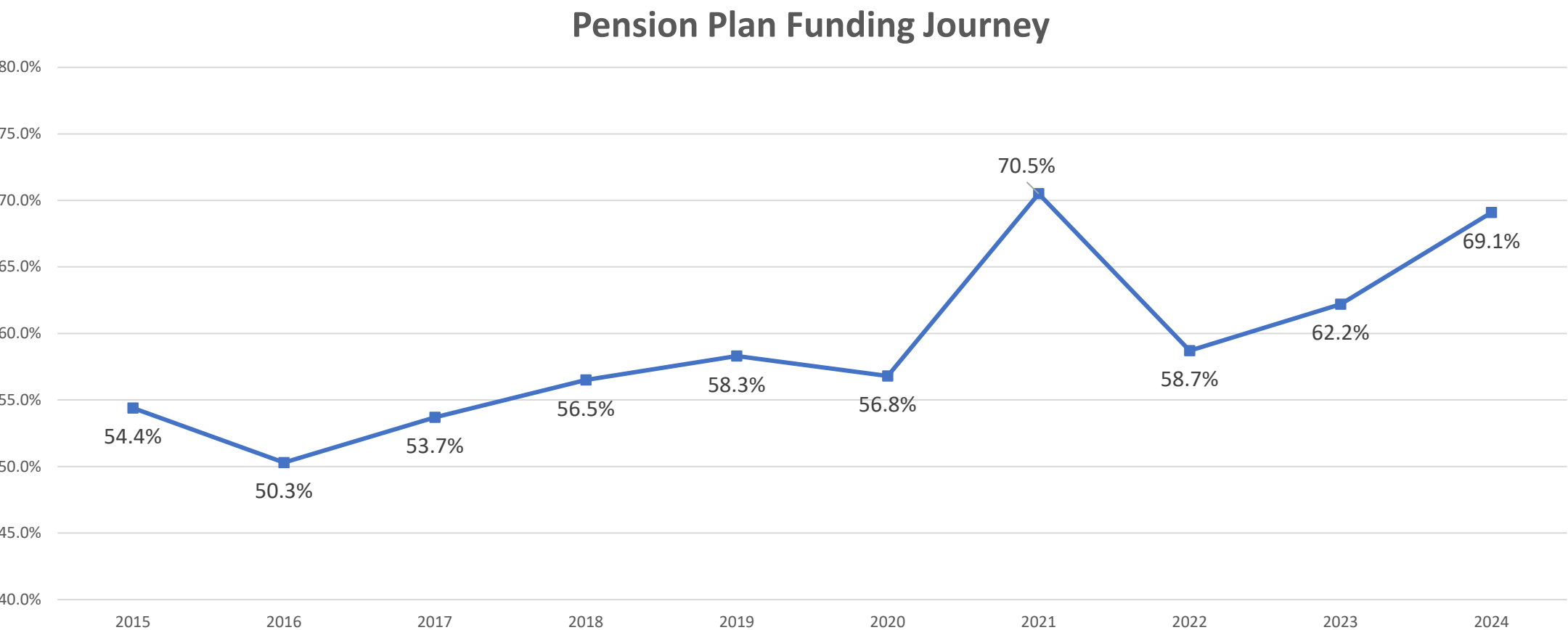


10 Year return compared to 7.5% assumption

Plan returns compared to policy index

1 Year	3 Years	5 Years	Inception or 10 Years	
12.0 (32)	3.5 (38)	8.2 (27)	7.7 (12)	06/14
11.1 ----	3.5 ----	8.1 ----	7.7 ----	06/14

# Pension Plan Focus-Funding Plan



On track to reach an 80% funded status around 2028

# Highlight-OPEB Trust

- The OPEB Trust (Other Post-Employment Benefits) pays medical, dental, and life insurance benefits for eligible retirees
- Localities must disclose OPEB liabilities, but most have failed to prefund those liabilities
- The City's OPEB trust fund has \$63 Million invested and is funded at 93% of plan liabilities
- The combined funded status for the Pension and OPEB plans is 74%

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# Retirement Plan Summary

- 2015 Sustainability Study set the stage for progress and the City has honored the commitments it made
  - Modernizing plan assumptions
  - Implementing cost-sharing
  - Pre-funding retiree COLAs
  - Funding all new liabilities
  - Making all required contributions
- Active and engaged Retirement Commission
- Continue to leverage plan partners, internal staff, and external expertise



# Questions?

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The Retirement  
Commission meets at  
8:30 AM on the first  
Wednesday of each  
month



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



Agenda Date:	November 4, 2024
Action Required:	Approval of the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project and the appropriation of associated CDBG funds in the amount of \$55,527.91
Presenter:	Brenda Kelley, Redevelopment Manager, Chris Gensic, Park and Trail Planner
Staff Contacts:	Anthony Warn, Grants Analyst
Title:	<b>Public Hearing and Resolution for the 2024 Parks &amp; Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project, a Minor Amendment to the Program Year 2024-25 Annual Action Plan, in the amount of \$55,527.91 (CDBG) (1 of 2 readings)</b>

**Background**

The City of Charlottesville is an Entitlement Community (EC) as designated by the U.S. Department of Housing & Urban Development (HUD) and, as such, is the recipient of annual allocations of federal funds through the Community Development Block Grants (CDBG) program. These funds are provided to the city by HUD to support the city's ongoing community development and affordable housing activities. This proposal seeks to continue the city's history of using CDBG funds for meaningful and high impact community development activities by supporting the development of an accessible trail bridge in the Ridge Street/South First Street neighborhood.

**Discussion**

The Pollocks Branch of Moores Creek runs north-to-south through the city from its start north of the Downtown Mall and passes through the North Downtown, the Belmont and Ridge Street neighborhoods as it runs south to the Rivanna River. For much of this distance the waterway runs below ground as part of the city's stormwater drainage. But starting at Elliot Avenue, the waterway 'daylights' and serves as a barrier that divides residents of the Ridge Street and South First Street neighborhoods, leaving residents with no accessible pedestrian crossing point between Rougemont and Elliott Avenues.

To cross the creek, residents have for years utilized a makeshift 'rock hop' built by moving various sized rocks and boulders into a row.

Needless to say, while this 'rock hop' pathway has been used for many years, it in no way could be considered safe and/or accessible, especially during rainy weather when the water in the creek can run high.

**Building the Walkable Watershed**

Conceived as part of the larger Pollocks Branch Walkable Watershed Concept Plan first approved by Council in 2016, Council then approved initial funding for the planning and development of a new pedestrian trail bridge across Pollocks Branch by resolution on September 5, 2017, in the amount of \$250,000. In July of 2019, the City's PLACE Design Taskforce also reviewed and approved the trail bridge project.

This new Pollocks Branch Trail Bridge will provide residents and visitors new safe, stable and accessible pedestrian connectivity to the creek and the emerging Rivanna Trails network, crossing the water at the end of Rockland Avenue and leading directly into CRHA's South First Street residential community.

The walkable watershed concept links the ideas of clean water, healthy communities, and connected, vibrant neighborhood places in an effort to improve urban creeks, preserve community assets, and generate community pride. When completed, the Pollocks Branch Trail Bridge will become part of the ever-expanding Pollocks Branch trail network and will provide an important link to the city's trails system. Building this bridge over the Pollocks Branch waterway will create a much needed, centrally located east-west bicycle and pedestrian link within the six-block long urban area separated by the waterway between Elliot Avenue and Rougemont Avenue.

In addition, this neighborhood is expected to experience a significant growth in population with the redevelopment of the Charlottesville Redevelopment and Housing Authority's (CRHA) nearby South First Street residential complex.

This trail and the bridge will also provide new and safe access to the developing Pollocks Branch greenway to Jordan Park. This greenway is planned to connect the downtown area with Moores Creek and the Rivanna Trails system. The bridge will traverse the Pollocks Branch waterway at the end of Rockland Avenue connecting to the Pollocks Branch Trail that traverses the eastern boundary of the CRHA South First Street community. CRHA and the City have approved easements for the trail and bridge.

#### Anticipated Benefits

Residents living in the South First Street community have been walking across this waterway for years in order to access stores and to visit the adjacent neighborhood. The bridge will not only create connectivity between neighborhoods and retail opportunities and enhance safe trail access, it will also make this waterway crossing safe for residents, many of whom are children, as the current crossing requires a precarious rock hop that can be slippery and hazardous, particularly after a rainstorm.

#### Intended Beneficiaries

While this new bridge is anticipated to bring benefits to residents of and visitors to Charlottesville alike, the primary immediate beneficiaries will be the residents of the South First Street community managed by CRHA by creating a safe route across the waterway to the adjacent neighborhood. Many of the intended beneficiaries will include new residents to the area who will be living in the South First Street residential complex currently under re-development, the population of which is expected to grow significantly upon completion of Phase 2.

#### Current Proposal

In support of the development of this new bridge, funding has been sought from a variety of sources,

resulting in new funding to the city of \$307,639 in new state sources, with applications for additional funding currently under consideration by private foundations. In part related to cost increases for materials and construction, a moderate funding gap is anticipated that can be filled by reprogramming certain unspent CDBG funds from prior years to support construction of the bridge. The funds to be reprogrammed here constitute a portion of the balance of unused activities that have been completed and accrued program income, and, therefore, no current Council-approved activities will be impacted by approval of this proposal.

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

The work of this proposal is closely aligned to City Council's vision of the City of Charlottesville as a community in which everyone can thrive, stemming in part from its contributions to enhancing public access to **Recreation** and the city's abundant greenspaces.

### **Community Engagement**

This proposal benefits from a high degree of community engagement in that numerous community groups and organizations have been involved in the planning of the Walkable Watershed concept since as early as 2015. The Redevelopment Committee of the Charlottesville Redevelopment and Housing Authority (CRHA) and the Charlottesville Public Housing Association of Residents (PHAR) envisioned this bridge as part of the redevelopment of South First Street.

### **Budgetary Impact**

As the funds proposed here are federal funds allocated to the City by HUD to support community-benefit activities, and, as such, do not draw from the city's General Fund, no adverse impacts to the City's budget are anticipated. Rather, use of these funds as recommended here will instead serve to address an important and pressing community need(s) while at the same time supporting the city's eligibility for allocations of entitlement funds in future years.

The funding provided by this proposal will supplement Council's previous 2017 appropriation and more than \$307,000 in new grant funding provided by the Virginia Department of Conservation and Recreation (DCR) to support construction.

### **Recommendation**

Based on the anticipated benefits of the current proposal to the Charlottesville community, staff recommends that Council approve the proposed use of CDBG funds as presented here. Staff further recommends Council approve the associated appropriation of funds within the CDBG Fund as needed to fully implement the proposed program and related enhancements.

***Suggested motion: "I move that Council approve the RESOLUTION approving the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project and appropriate associated CDBG funds to support the implementation of this project."***

### **Alternatives**

Given that these funds are provided by the U.S. Department of Housing & Urban Development to the City of Charlottesville for the execution of meaningful community-benefit programs and, as such, are

not drawn from the city's General Fund, no alternatives courses of action are considered. Council, could, of course, decide not to provide approval for this proposal and could instead direct staff to explore other options for expending these funds.

**Attachments**

1. Resolution\_CDBG PY24+ Pollocks Branch Accessibility \$55,527
2. CDBG PY24+ Pollocks Branch Accessibility Slide Deck

## RESOLUTION

### **To Approve the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project and to Appropriate Associated CDBG Funds, a Minor Amendment in the Amount of \$55,527.91**

**WHEREAS** the City of Charlottesville has been recognized as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) and, as such, City Council has previously approved certain sums of federal grant receipts to support the city's Community Development Block Grant (CDBG) program; and

**WHEREAS** the City now has the opportunity to remove a significant longstanding barrier to access and enhance connectivity to the city's recreational spaces and trails for residents and visitors to the city alike; and

**WHEREAS** this project will support Council's Strategic Plan Framework vision of supporting access to recreational opportunities and greenspace;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the proposed project as presented here today before Council is approved and that the Office of Community Solutions is hereby authorized to begin work to implement said program.

**BE IT FURTHER RESOLVED** that, in support of this program, appropriations made within the CDBG Fund be amended by the respective amounts shown below and that the balance accumulated in the Fund as a result of these adjustments be hereby appropriated to the revenue account indicated below, as follows:

<i>Fund</i>	<i>SAP Expenditure Account(s)</i>	<i>Proposed Reduction(s)</i>
218	P-00001-05-19	-\$26,513.05
218	3914001000	-\$29,014.86
Subtotal =		-\$55,527.91

<i>SAP Account Code</i>	<i>SAP Revenue Account</i>	<i>Proposed Addition(s)</i>
1900567	FY25 Pollocks Branch Trail Bridge P&R PY24+	\$55,527.91
Subtotal =		\$55,527.91

To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147, are

authorized to establish administrative procedures and provide for guidance and assistance in the execution of the funded program.

**BE IT FURTHER RESOLVED** that any unspent funds available after this HUD-funded activity is completed and closed out with HUD will hereby be returned to the unallocated lump sum account within Fund 218 to be reallocated to suitable new activities by Council at a later date.

**FINALLY, BE IT FURTHER RESOLVED** that the funding award appropriated within this resolution will be provided as a grant to a private non-profit, charitable organization (‘subrecipient’) and shall be utilized by the subrecipient solely for the purpose stated within their approved Scope of Work. The City Manager is hereby authorized to enter into an agreement with the subrecipient named herein as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations.

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**Suggested motion:**

“I move that Council approve the RESOLUTION approving the 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements Project and appropriate associated CDBG funds to support the implementation of this project.”



# 2024 Parks & Recreation Pollocks Branch Trail Bridge Accessibility Enhancements

A CDBG-funded Accessibility Enhancements Proposal

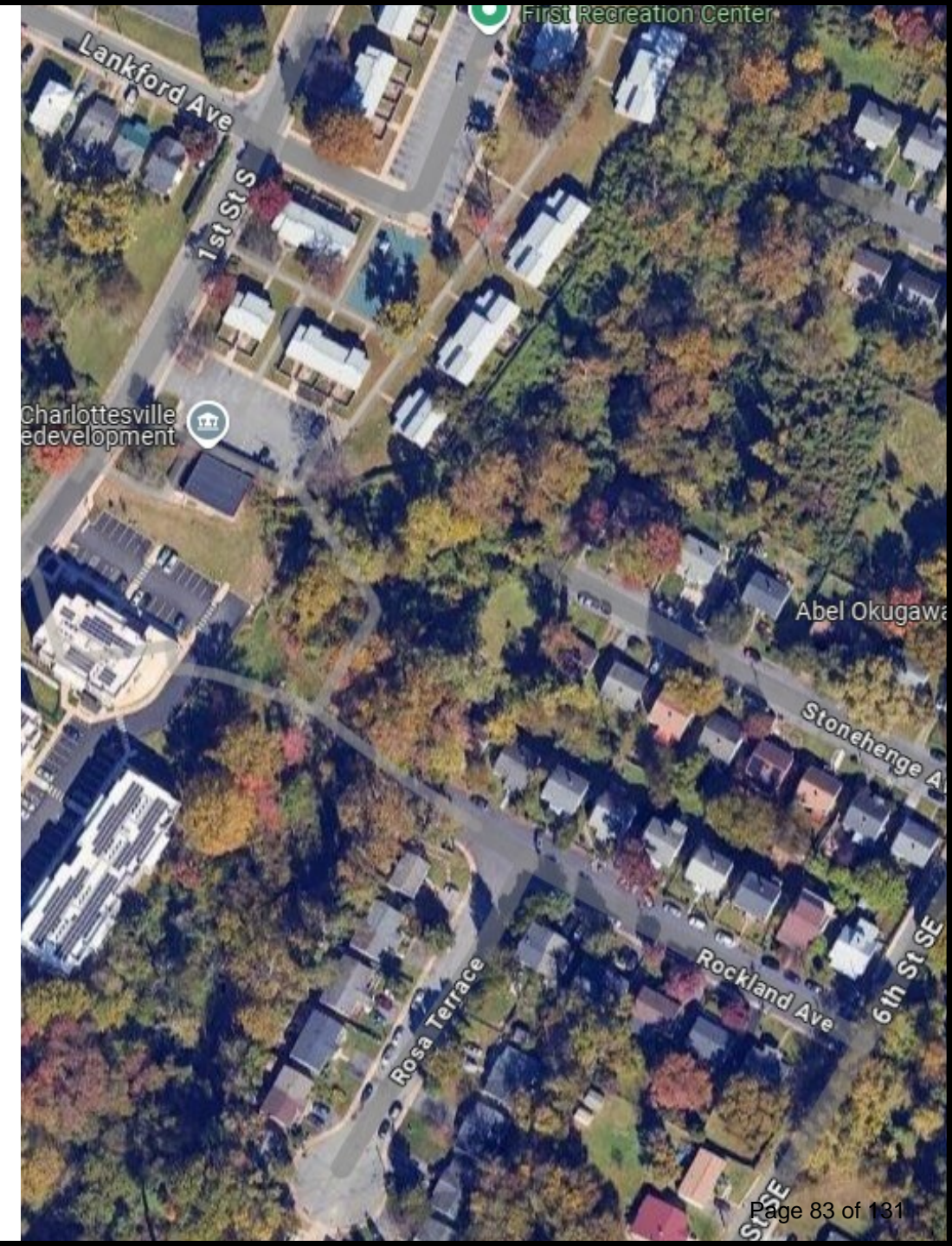
Office of Community Solutions  
October 2024



Staff Contact:

Anthony Warn

[warna@charlottesville.gov](mailto:warna@charlottesville.gov)



# Pollocks Branch Trail Bridge Proposal

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Creekside view of existing 'rock hop' used to transit the creek. Visible at the top of the hill is one of the redeveloped buildings at CRHA's South First Street development.

A new pathway will connect the bridge to South First Street as well as to an existing gathering space within the trees that will also be enhanced as part of this project.





# Pollocks Branch Pedestrian Bridge

PLACE Design Taskforce  
July 18, 2019



# Pollocks Branch Pedestrian Bridge

- Began as project to re-use an existing VDOT bridge in the County – will now be a new bridge
- One of the Key Elements of the SIA Plan is “connectivity” (Strategic Investment Area)
- Community neighbors provide input into planning and design
- Combine pedestrian, bicycle and trail improvements with neighborhood need
- Combine Walkable Watershed concept plan with new Infrastructure
- UVA-led Design Camp for resident youth in progress to plan “reuse” of Ash tree
- Project is budgeted



# Pollocks Branch Pedestrian Bridge

## Parks and Recreation Trails Plan

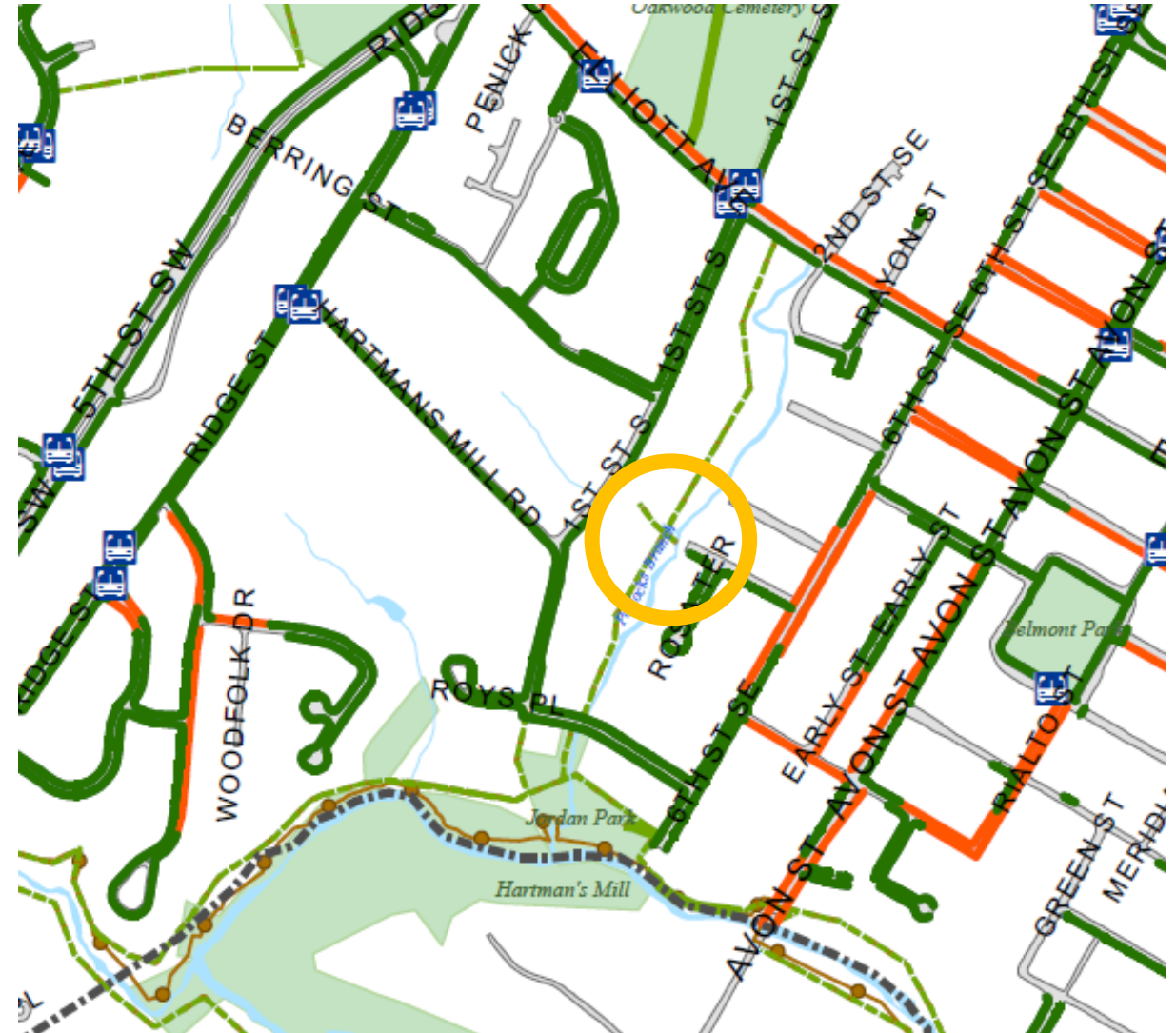
- The Pollocks Branch proposed trail connection between Elliott Avenue and Jordan Park has been developing slowly over time. It will eventually link the Rivanna Trail loop and City trails along Moores Creek to downtown. It is currently a single track type trail, with proposals to upgrade it to shared use (paved or stone dust) as part of large site redevelopment.
- The trail has provided access into the woods for local use as well as a growing number of stream cleanups



# Pollocks Branch Pedestrian Bridge

## Parks and Recreation Trails Plan

- The bridge will connect the Pollocks Trail system to 6<sup>th</sup> street as well as residents to each other and retail stores nearby.
- There are some proposals that could transfer the stream valley over to Parks and Recreation after site redevelopment is complete for longer term forest and creek restoration activities.





# Pollocks Branch Pedestrian Bridge

## Opportunities

### On-Street Routes

- Primary Routes
- Missing Sidewalks

### Safe Crossings

- Improved Intersections with Potential Stormwater Treatment (see SIA Plan)

### Greenway System

- Existing Trails
- Potential Greenway Extension
- Potential Access Points
- Potential Creek Crossings

### Green Infrastructure Projects

- Potential Capstone Projects
- Potential Planted Buffers
- Potential WaterWise Murals

### Specific Recommendations

(described in more detail on pages 4-7)

- 1 Monticello Avenue Connector
- 2 Elliott Avenue Improvements
- 3 6th Street & Jordan Park
- 4 Pollocks Branch Greenway



Pollocks Branch  
**Walkable Watershed**  
healthy waters : healthy communities

## Walkable Watershed

**Purpose:** To build on existing efforts to develop a Walkable Watershed concept plan and list of potential green infrastructure projects to improve water flow and pedestrian amenities in the lower Pollocks Branch Watershed.

Components of this include:

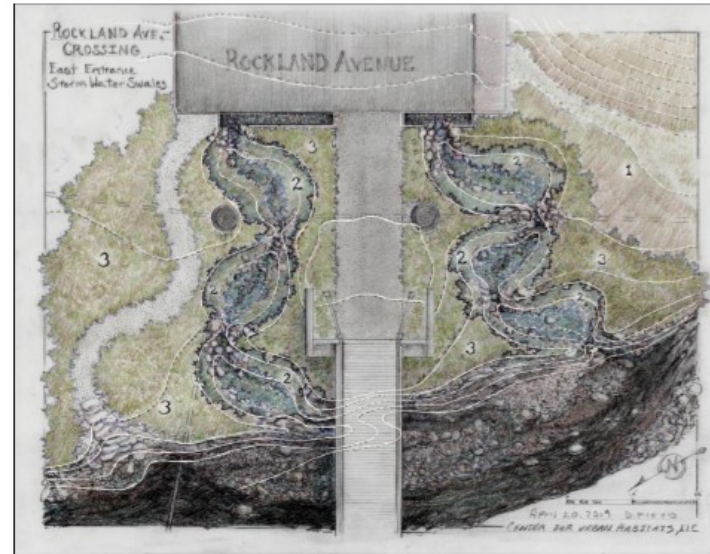
- Community Assets & Destinations
- People Flow
- Water Flows

[www.walkablewatershed.com](http://www.walkablewatershed.com)

# Pollocks Branch Pedestrian Bridge

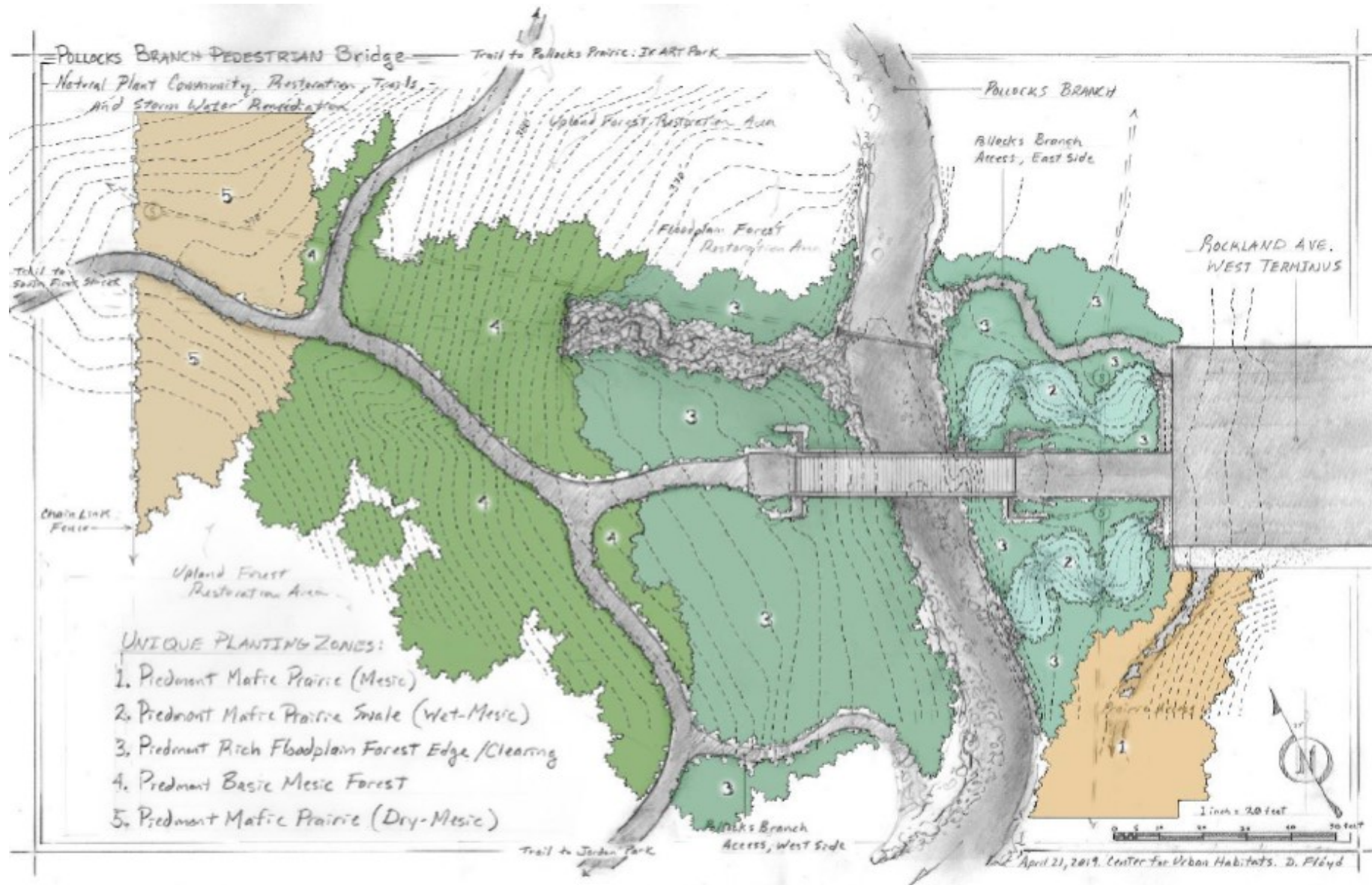
## Public Works – Environmental Sustainability Division (Water Resources)

- Native landscape restoration proposal/plan developed by Center for Urban Habitats
- Proposed temporary seed mix for stabilization of disturbed area resulting from bridge installation, developed by Center for Urban Habitats that will work in concert with the proposal/plan above

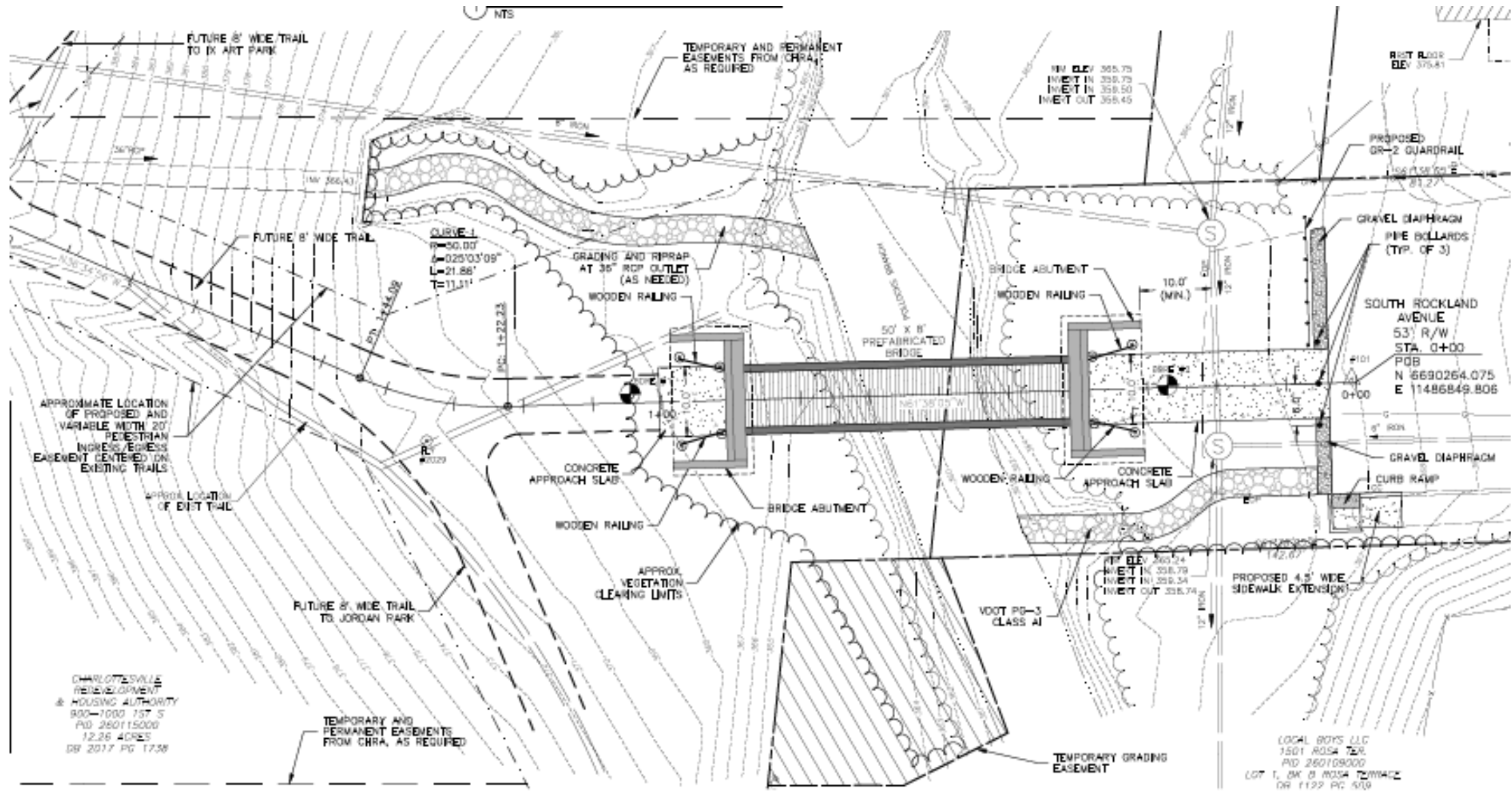




# Pollocks Branch Pedestrian Bridge



# Pollocks Branch Pedestrian Bridge

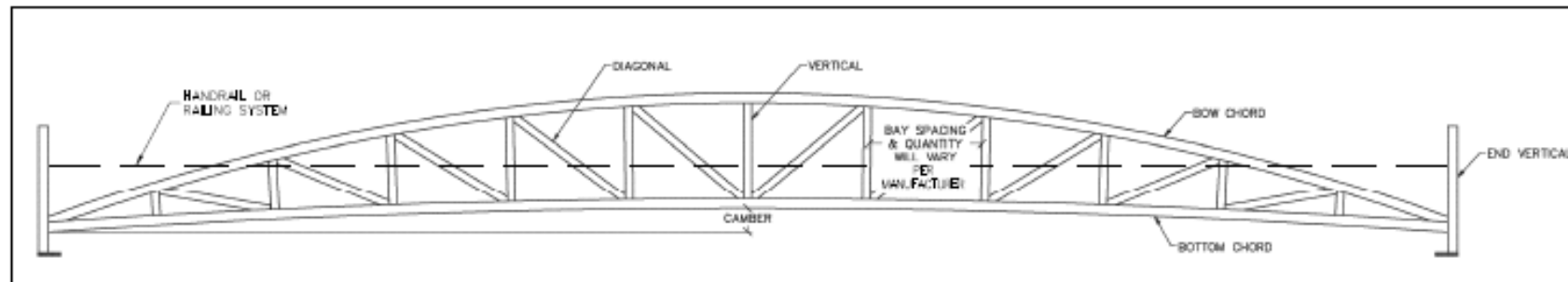




# Pollocks Branch Pedestrian Bridge

## Proposed Bridge Design

- 50' x 8' prefabricated bridge
- Wood deck
- Bowstring top chord style steel truss
- Color: black



1 PEDESTRIAN BRIDGE TYPICAL SECTION  
NTS

# Pollocks Branch Pedestrian Bridge

## Next Steps:

- Finalize construction documents
- Contract with Center for Urban Habitats for native habitat landscape plan
- Issue/award bid for construction/installation of bridge and landscaping
- Before construction - remove existing native plants from construction zone and replant in safe holding area
- Continue to coordinate with UVA and CRHA on design and construction of “furniture” and “play equipment” (created from removed Ash tree)
- Coordinate construction/installation with development of CRHA vacant land

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



Agenda Date:	November 4, 2024
Action Required:	Adoption of ordinance
Presenter:	Benjamin Koby, Planner II
Staff Contacts:	Benjamin Koby, Planner II
Title:	<b>Ordinance for Mas Canopy Footer Encroachment Agreement (2nd reading)</b>

**Background**

TRIMONT, LLC (the "Owner") is the owner of a property identified as 904-906 Monticello Road and Tax Map Parcel 570022000. The Owner is requesting a right-of-way encroachment to allow for a proposed canopy project that would have the footers of their canopy legs extend into the public right-of-way by an amount shown on the provided plat along with eaves protruding from the roof line. The legs of the canopy will be fully within their property lines. However, their below ground footers would extend into the public right-of-way.

The Owner has considered alternative designs that would result in a reduction into the number of seats that could be provided. So, the Owner is petitioning an encroachment for Council approval, to maximize their outdoor space while providing a comfortable, shady place to their customers.

**Discussion**

The request has been reviewed by the Utilities department and by the Engineering department. Both departments are against both forms of encroachment, as the encroachments will impact their ability to service or provide future service in the right-of-way in those areas. City Staff policy is generally that encroachments in the right-of-way should not be supported as it will complicate future work. As proposed, City staff does not support the encroachments.

However, the right-of-way and the built environment on the corner of Monticello Road and Carlton Avenue are not consistent with each other. There are numerous infractions between the boundary lines and the built environment. There are instances of both private and public encroachments when the right-of-way and built environment are reconciled.

As shown on the attached plat, the private property line extends across both the road and sidewalk. While the existing fence for the Mas' patio extends past their property line, it is line with the face of their building along Carlton Road. There may be some options in reconciling the right-of-way and the built environment by performing a land swap or facilitating a purchase agreement.

In Downtown Belmont there are numerous examples of buildings having similar eaves that may or

may not extend into the right-of-way. Therefore, allowing for an eave would not be out of character for this area of Downtown Belmont. However, regardless of the conforming status of the existing eaves, allowing for an encroachment is not advisable due to the potential impacts to future infrastructure development.

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

Approval of the encroachment would allow a local restaurant to maximize their property in service to their customers. However, an approval may negatively impact future City infrastructure projects and prevent future, orderly development.

### **Community Engagement**

N/A

### **Budgetary Impact**

As proposed, if approved, there will be no costs on the front end. However, there might be some complicating factors that could prove costly if there is development in the ROW in the future.

### **Recommendation**

City staff believes that denial of the encroachment petition is warranted.

### **Alternatives**

Council can approve the encroachment as shown.

Council can approve the encroachment with alternative conditions.

Council can approve an encroachment to a different extent.

### **Attachments**

1. Mas Encroachment Agreement Ordinance
2. Mas Canopy Design
3. EXHIBIT TAPCONS\_fullsize
4. Encroachment Agreement - Trimont LLC

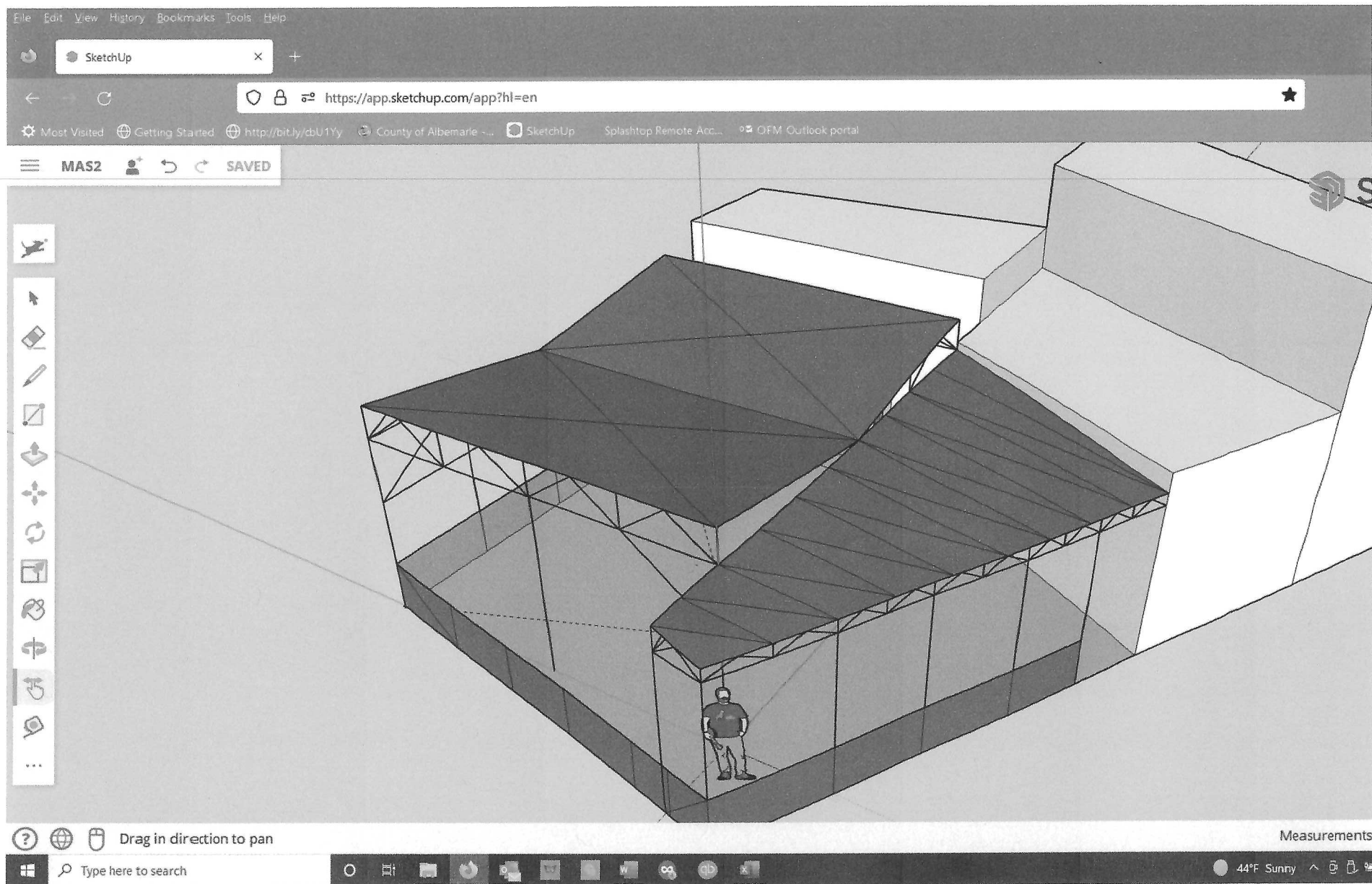
**ORDINANCE**  
**AUTHORIZING ENCROACHMENT OF A CANOPY FOOTER**  
**CONSTRUCTED PARTIALLY ON PROPERTY IDENTIFIED ON CITY TAX MAP 57 AS**  
**PARCEL 22 AND HAVING THE ADDRESS OF 904-906 MONTICELLO RD**

**WHEREAS** Trimont, LLC, the owner of certain property with an address of 904-906 Monticello Rd., identified on City Tax Map 57 as Parcel 22 (City Real Estate Parcel Identification No. 570022000) (the “Property”), has requested City Council to authorize the encroachment of the footers of a canopy support to be constructed on and adjacent to the Property into the public right-of-way of Monticello Rd. (the “Footers”); and

**WHEREAS** City Staff have reviewed an annotated physical survey plat prepared by Roudabush, Gale, and Associates, Inc and annotated by Kevin O’Brien entitled “Physical Survey Tax Map 57, Parcels 22 & 23, Charlottesville, Virginia” prepared by Roudabush, Gale, & Associates, Inc., dated November 11, 2003, a copy of which is attached hereto and incorporated herein as Exhibit A (the “Plat”) to show the extent of the encroachment of the Footers.

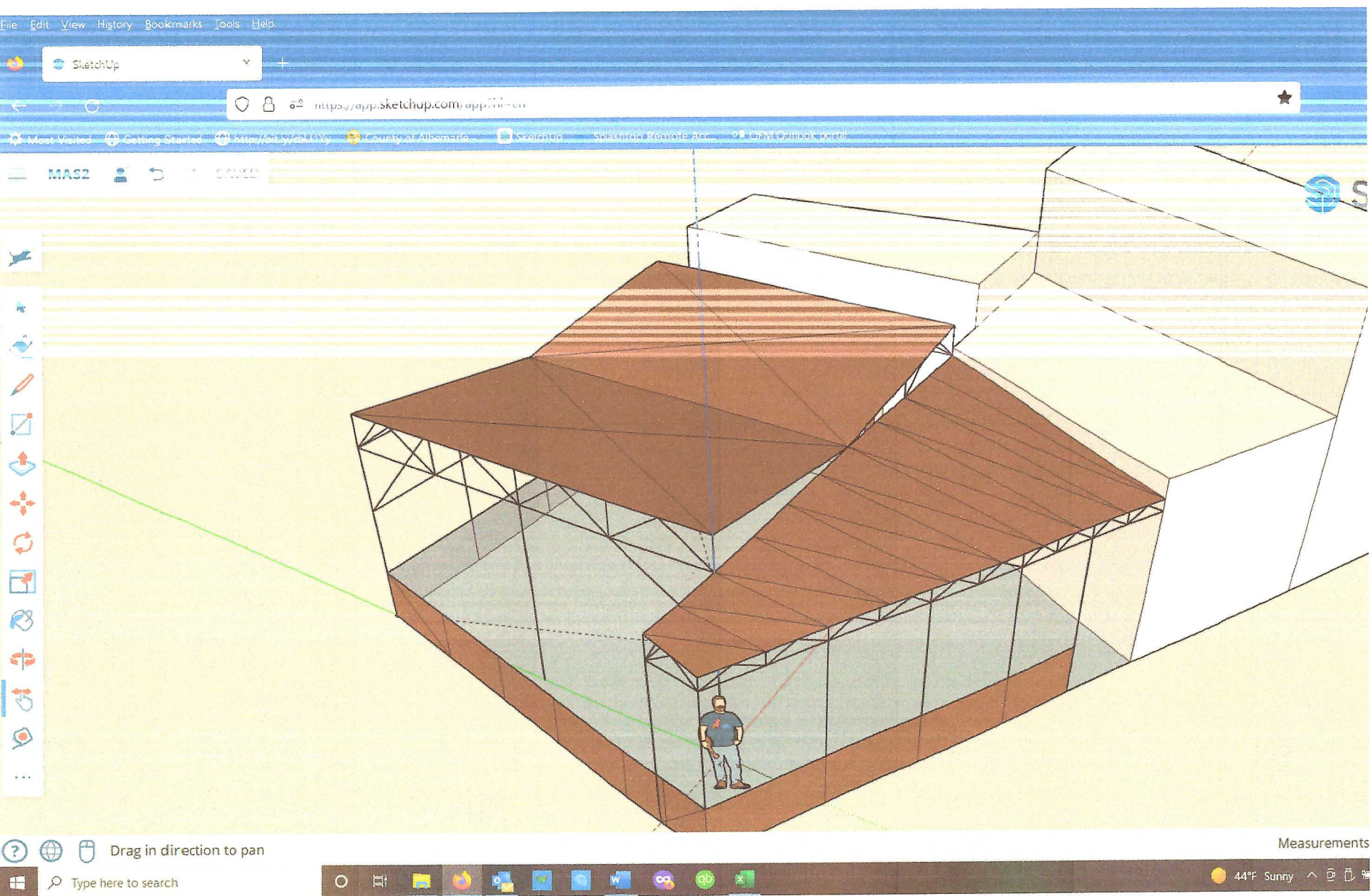
**WHEREAS** Sections 15.2-2009 and 15.2-2011 of the Code of Virginia (1950), in effect as of the date this Ordinance is approved, permit the City Council to authorize encroachments upon public rights-of-way, subject to the requirement that the Property owner shall not be relieved of negligence on account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

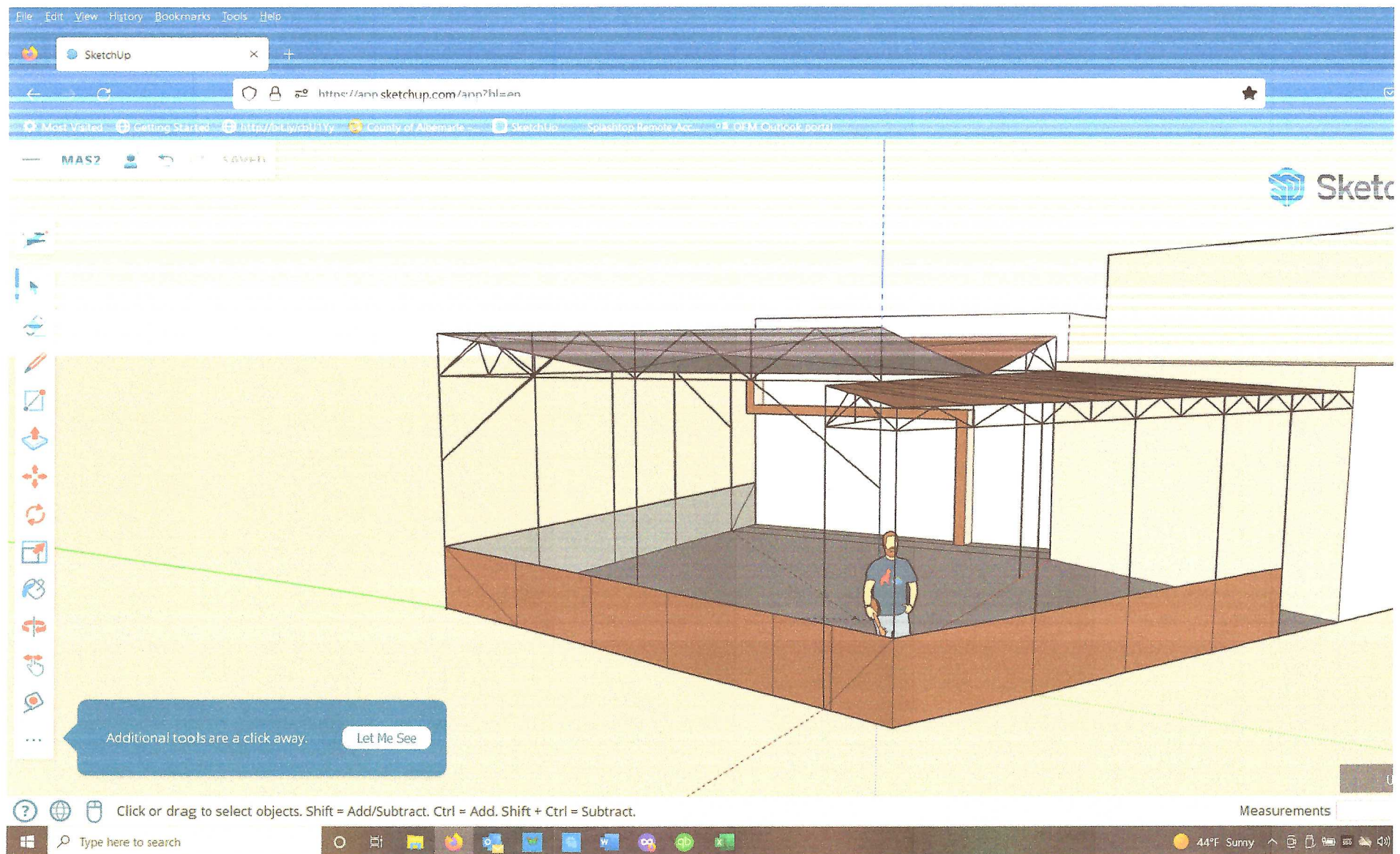


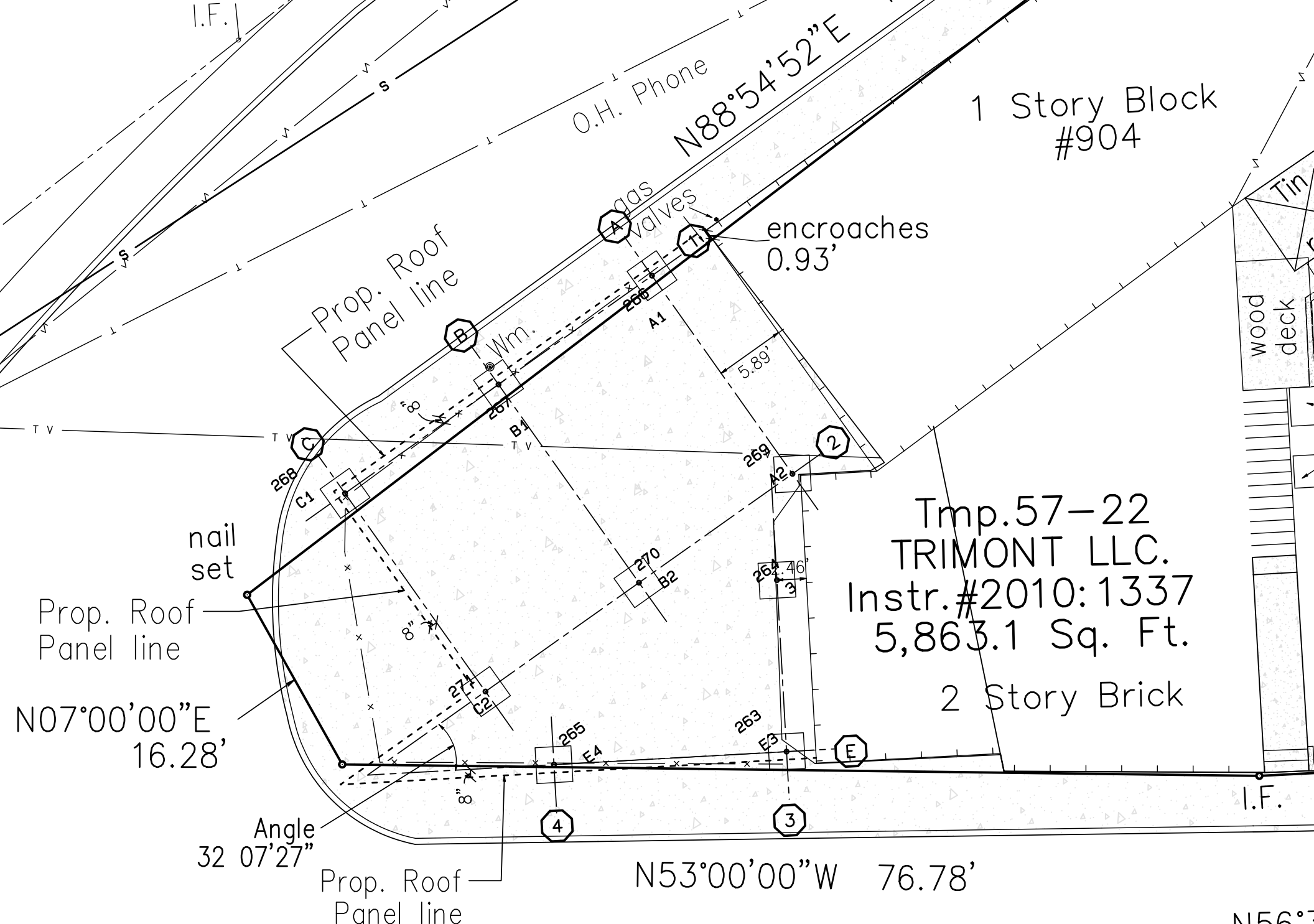












Scale: 1"= 10'

Tmp.57-22  
TRIMONT LLC.  
Instr.#2010:1337  
5,863.1 Sq. Ft.  
2 Story Brick

**Prepared By:**

Zachary S. Berry (VSB No. 89011)  
Sands Anderson PC  
919 East Main Street, Suite 2300  
Richmond, VA 23219

**Return To:**

City of Charlottesville  
P.O. Box 911  
Charlottesville, VA 22902

**Tax Map Parcel: 57-22**

**Prepared without the benefit of a title examination.**

**ENCROACHMENT AGREEMENT**

This Encroachment Agreement ("Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2024 by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (the "City"), having an address of P.O. Box 911, Charlottesville, Virginia 22902, Grantor for indexing purposes, and **TRIMONT, LLC**, a Virginia limited liability company ("Trimont"), having an address of 455 2<sup>nd</sup> Street SE, 5<sup>th</sup> Floor, Charlottesville, Virginia 22902, Grantee for indexing purposes.

**WHEREAS**, Trimont is the owner of that certain property located in the City of Charlottesville, Virginia, identified as Tax Map Parcel 57-22 (the "Property");

**WHEREAS**, an existing fence on the Property which delineates an outdoor seating area currently encroaches into the public right of way along Carlton Road (the "Existing Encroachment") as further shown on that certain plat titled "Physical Survey Tax Map 57, Parcels 22 & 23, Charlottesville, Virginia" prepared by Roudabush, Gale, & Associates, Inc., dated November 11, 2003, a copy of which is attached hereto and incorporated herein as Exhibit A (the "Plat");

**WHEREAS**, Trimont desires to construct a canopy on the Property using the existing fence, new poles, corrugated metal roof sheathing and footers installed below ground in order to provide shade for the outdoor seating area (collectively, the "Canopy Improvements");

**WHEREAS**, the proposed location of several of the below ground footers and other Canopy Improvements including roof eaves would extend into a public right of way as shown on the engineered drawing attached hereto as Exhibit B (the "Encroachment"), and

**WHEREAS**, the City desires to approve the Existing Encroachment and further permit the Encroachment pursuant to the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the matters described above, and of the mutual benefits and obligations set forth in this agreement, the parties agree as follows:

1. **Existing Encroachment.** The City hereby acknowledges and approves the Existing Encroachment as shown on the Plat. The City and Trimont hereby agree that the Existing Encroachment is required to complete the installation of the Canopy Improvements.

2. **Authorization to Encroach/Temporary Construction Easement.** Provided the proposed footers remain below ground and the Canopy Improvements do not interfere with pedestrian or vehicular traffic in the public right of way, the City hereby consents to the Encroachment, as further shown on Exhibit B attached hereto. The City hereby grants Trimont a temporary construction easement over, under, through, and across the public right of way for purposes of installing the Canopy Improvements. Upon completion of the Canopy Improvements, this temporary construction easement shall automatically terminate and Trimont, at its sole cost and expense, shall restore the public right of way to its original condition within thirty (30) days. To the extent the Encroachment or Canopy Improvements cause any damage to the public right of way, Trimont, at its sole cost and expense, shall be responsible for repairing any and all such damage within thirty (30) days after receipt of written notice of such damage.

3. **Removal/Destruction of Encroachment/Canopy.** In the event of the removal or destruction of the Encroachment, this Agreement shall automatically terminate and Trimont must apply for a permit to reconstruct the Encroachment under the then existing regulations. Additionally, in the event Trimont ceases use of the Canopy Improvements or otherwise removes the Canopy Improvements (in which event the Encroachment shall no longer be necessary), Trimont, at its sole cost and expense, shall be required to remove the Encroachment and restore the public right of way to its original condition within thirty (30) days. In the event that the City needs to move the footers or any part of the Encroachment in the future in order to make improvements in the public right of way, the City will provide prior written notice to Trimont. Within one hundred eighty (180) days of receipt of such written notice, Trimont, at its sole cost and expense, will remove the Canopy Improvements which are part of the Encroachment and restore the public right of way to its original condition.

4. **Indemnification.** Trimont shall indemnify and hold harmless the City and its agents, employees, successors and assigns, for any claim or loss, including reasonable attorneys' fees, relating to or about the Encroachment or the construction of the Canopy Improvements. Trimont shall maintain general liability and builder's risk insurance in the forms and amounts that may be required by the City and shall ensure that any contractors and sub-contractors retained to complete the Canopy Improvements maintain such insurance as well. Trimont agrees to provide proof of such insurance upon request by the City.

5. **Notices.** Any notices required or permitted to be given hereunder shall be deemed to have been properly given if sent by (i) United States certified or registered mail, return receipt requested, postage prepaid; (ii) a nationally recognized overnight delivery service using next day delivery; or (iii) personal delivery, to the address set forth above. Notices delivered (i) by the United States Postal Service shall be deemed delivered five (5) days after being deposited with the United States Postal Service; (ii) by a nationally recognized overnight delivery service using next business day delivery shall be deemed delivered the business day after depositing with such carrier; and (iii) by hand shall be deemed delivered upon actual delivery to the recipient. Each party to this Agreement shall notify the other party of a new address to which to provide notice, which

notice shall be given in the manner provided above, and unless and until such notice of a new address is given, notices to a party hereto shall be sufficient if provided to such party's address as specified in this Section.

6. **Breach.** In the event that Trimont breaches this Agreement, the City shall be entitled to (a) all remedies provided for by Virginia law; (b) money damages for any and all damages caused by the breach; (c) attorneys' fees incurred by the City as a result of the breach; and (d) litigation expenses and court costs incurred by the City, as a result of the breach. No act of the City shall be construed as an election to proceed under any one provision herein to the exclusion of any other provision, or an election of remedies to bar any other remedy allowed at law or in equity, anything herein or otherwise to the contrary notwithstanding.

7. **Governing Law.** It is agreed that this Agreement shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Virginia.

8. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties, and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding on either party except to the extent incorporated in this Agreement.

9. **Modification of Agreement.** Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if it is in writing and signed by each party or an authorized representative of each party.

10. **Successors and Assigns.** The terms and conditions of this Agreement shall be covenants running with the land and shall be binding on and inure to the benefit of the parties hereto and their respective successors and assigns.

[Signatures Appear on the Following Page]

WITNESS the following signatures and seals.

**TRIMONT, LLC**  
**a Virginia limited liability company**

By: \_\_\_\_\_  
Name: Andrew J. Dondero  
Title: Vice President

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_ to-wit:

The foregoing Encroachment Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by Andrew J. Dondero, as Vice President of Trimont, LLC, a Virginia limited liability company.

My Commission Expires: \_\_\_\_\_

Notary Registration No.: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE, to wit:

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_\_, on behalf of the City of Charlottesville, Virginia.

\_\_\_\_\_  
Notary Public

Registration No: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Sands Anderson PC  
Acting City Attorney

**Exhibit A**

**The Plat**



**Exhibit B**

**Drawing showing Encroachment**

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



Agenda Date:	November 4, 2024
Action Required:	Resolution
Presenter:	Alexander Ikefuna, Director, Office of Community Solutions , John Sales
Staff Contacts:	Alexander Ikefuna, Director, Office of Community Solutions
Title:	<b>Resolution authorizing Charlottesville Redevelopment and Housing Authority (CRHA) to create a Corporation and/or Limited Liability Corporation (LLC)</b>

**Background**

The Charlottesville Redevelopment and Housing Authority's powers and duties are set out within Virginia Code Chapter 36, Chapter 1 (Housing Authorities Law). Pursuant to Va. Code §36-19(12) CRHA is authorized to do the following:

"With the approval of the local governing body or its designee, to form corporations, partnerships, joint ventures, trusts, or any other legal entity or combination thereof, on its own behalf or with any person or public or private entity."

Further, Virginia Code §36-21 specifies that" .... no housing authority shall construct or operate any [housing] project for profit .... ". Virginia Code §36-25 also states that "An authority may ... expend its funds such manner as the authority finds is consistent with the maintenance of the low-rent character of housing projects or the achievement of the purposes of this Housing Authorities Law. Finally, state law provides that "organizations, corporations, or agencies in the Commonwealth supported wholly or principally by public funds [*either City Council's, or CRHA's funds*] are "public bodies" subject to the requirements of the Virginia Freedom of Information Act.

**Discussion**

CRHA requests City Council's approval of the following legal entities, which are not yet formed.

- **Entity 1: Westhaven Phase One, LLC (proposed name - not yet in existence)**
- **Entity 2: Westhaven Phase One Management LLC (Proposed name - not yet in existence)**

**Westhaven Phase One, LLC** will construct, operate, and finance the new construction of apartment units on property at the current Westhaven public housing development.

The CRHA is the "lessor" in a 99-year ground lease to the "lessee" (Westhaven Phase One, LLC) of the improvements being constructed on the property. In exchange for the ground lease, the CRHA holds a promissory note and a subordinate deed of trust in the amount based upon the appraised Fair Market Value of the land. Since the property is subject to a Land Use Restriction Agreement from HUD, the transfer of the land and the note and deed of trust had to receive approval from HUD in the context of the property's continued extended use as affordable housing for low and very low-income residents. In addition, the CRHA is the conduit for a Federal Home Loan Bank of Atlanta grant to the project. The grant will be made to an FHLB member Bank (Atlantic Union Bank) who will transfer the funds to the lessee, subject to a note and subordinate deed of trust which requires continued affordability for households with incomes at or below 50% of AMI. Westhaven Phase One, LLC also has recorded an Extended Use Agreement against the property in favor of VHDA requiring that residents at the property have incomes no higher than 60% of the AMI. This agreement will remain in effect for 30 years.

The mission of this entity is to serve as the owner/lessee of record of the project known as Westhaven Phase One which will provide affordable housing to very low-income citizens of Charlottesville. The use of Low-Income Housing Tax Credits as a primary source of finance for this project excludes the CRHA from the direct ownership of the property. The CRHA does not have any liability for paying federal income taxes and therefore cannot take advantage of the low-income housing tax credits. By entering into a limited liability company with other federal income taxpaying entities, namely the Housing Equity Fund of Virginia XXIII, LLC, the low-income housing tax credits can be utilized by the taxpaying entities in exchange for their capital investment in the project.

CRHA is legally connected in multiple ways to this entity and by regulation and resolution, the CRHA's governing board is ultimately responsible for all actions taken on its behalf. As previously described, the CRHA is the landlord of the property through its possession of the ground lease; it is a lender through the promissory notes and deeds of trust securing the leasehold value and Federal Home Loan Bank grant. The CRHA is also indirectly connected to the entity by virtue of its sole ownership of Charlottesville Community Development Corporation (CCDC), its instrumentality, which serves as the sole member of the Managing Member of the property owner, Westhaven Phase One Management, LLC, and is also a lender.

CRHA's instrumentality CCDC is the sole member of Westhaven Phase One LLC. Once the project has financing in place, the Managing Member may invite the Housing Equity Fund of Virginia to enter into the Company as the investor member for purposes of commodifying the low-income housing tax credits.

CRHA, through its control of the Managing Member will recapture full ownership of the property by purchasing the Investor and Special Member interests at the end of the initial compliance period. Housing Equity Fund of Virginia XXIII, L.L.C. and V ARM, LLC will relinquish their interests in accord with the Non-Profit Purchase Option and Right of First Refusal that was signed at closing. In practice, Housing Equity Fund and V AHM, LLC will exit the Company for a capital transaction fee of \$20,000.

**Westhaven Phase One Management LLC** will be responsible for the management of the property.

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

This proposal aligns with the Affordable Housing Plan, and the following City Council's Strategic Plan Framework areas: Housing, Partnerships, Climate Action, and HUD-mandated 2023 – 2027 Consolidated Housing and Community Development Plan.

### **Community Engagement**

A Redevelopment Committee comprised of residents, community members, City staff, CRHA staff and Board members have been involved in research, planning and design activities, and community engagement designed to provide guidance to the CRHA Board on redevelopment planning progress. The CRHA Board regularly discusses the status of redevelopment initiatives as well as taking actions on redevelopment milestones.

### **Budgetary Impact**

This proposal has no budget implications. The City Council does provide substantial public funding to CRHA for its programs and redevelopment projects. CRHA understands that City Council has an interest in ensuring accountability for the use of public funds, and that Council has an obligation to ensure that its public funds are used for purposes authorized by state law. The Executive Director has provided information about public funding for each of the entities, in his answers to the questions in the "Discussion" section.

### **Recommendation**

Approve the resolution to create a corporation and LLC for the redevelopment of Westhaven.

### **Alternatives**

City Council may decline to approve the entities, in its discretion, which may negatively impact CRHA's ability to undertake the redevelopment of Westhaven.

### **Attachments**

1. Draft Resolution CRHA LLC Formation

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

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

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

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

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

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

WESTHAVEN, LLC  
WESTHAVEN MANAGEMENT COMPANY, LLC

**FURTHER, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, that the Charlottesville Redevelopment and Housing Authority is authorized to create the following LLCs, to enable the CRHA to secure Virginia Housing funding for affordable housing development/redevelopment projects at Westhaven:

WESTHAVEN, LLC (or similar name)  
WESTHAVEN MANAGEMENT, LLC (or similar name)

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

Approved by Council  
November 4, 2024

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Kyna Thomas, MMC  
Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	November 4, 2024
Action Required:	Approval of TJPDC Legislative Position Statements for 2025 General Assembly Session (Motion/Vote - one reading)
Presenter:	David Blount - TJPDC
Staff Contacts:	
Title:	<b>Thomas Jefferson Planning District Commission Proposed Legislative Positions for 2025</b>

### **Background**

Each year, the localities in the Thomas Jefferson Planning District region adopt legislative statements and positions on issues of importance and concern to local governments. These positions form the basis for local advocacy efforts during the General Assembly session each winter. The City Attorney's Office typically works in conjunction with TJPDC's legislative liaison during the session to provide advocacy on behalf of the City's interests. Additionally, each year City Council establishes a statement of legislative positions, as a means of communicating to legislators (i) issues of concern and interest to Council, and (ii) requests, if any, for legislative action items.

### **Discussion**

**TJPDC Program:** The TJPDC legislative program has been drafted based on discussions with and input from the six localities in the region. The recommendations, requests and positions in the program cover a range of issues and topics that are anticipated to become the subject of proposed legislation or the state budget during the upcoming session, and that may be of concern to the region or to individual localities in the region.

**City Position Statement:** The City Position Statement has been drafted to reflect ongoing issues of concern and interest specifically to Council. We try not to repeat positions that are repetitive of those advocated within the TJPDC Program, but where City Council has a slightly different position than TJPDC as a whole, it's appropriate to point that out within Council's position statements.

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

Presenting legislative priorities at the State level works toward the City's Vision "To Be a Place Where Everyone Thrives".

### **Community Engagement**

n/a

**Budgetary Impact**

None at this time

**Recommendation**

Discussion and vote.

***Suggested Motion: "I move to approve the Thomas Jefferson Planning District Commission's 2025 Legislative Program as presented to City Council and discussed on November 4, 2024."***

**Alternatives****Attachments**

1. 2025 TJPDC Legislative Program



October 28, 2024

TO: Members, Charlottesville City Council  
Charlottesville City Manager

FROM: David C. Blount, Director of Legislative Services

RE: 2025 TJPDC Legislative Program Approval

Attached for your review and consideration is the draft 2025 TJPDC Legislative Program. I will be seeking approval of it at your November 4 meeting. The draft program lists three top legislative priorities for 2025 as follows:

- 1) Public Education Funding
- 2) Budgets and Funding
- 3) Land Use and Growth Management

The accompanying “Legislative Positions” section focuses on the most critical recommendations and positions in other areas of current interest and concern in the region. Items in this section that have been substantively amended are noted following this memo.

A summary of the priority positions will be produced and distributed later for you to use in continuing to communicate with your legislators.

I look forward to discussing the draft program and seeking approval of it at your November 4 meeting. Thank you.

---

**Recommended Action:** Approve the draft 2025 TJPDC Legislative Program

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## **Substantive Changes to Legislative Positions Section**

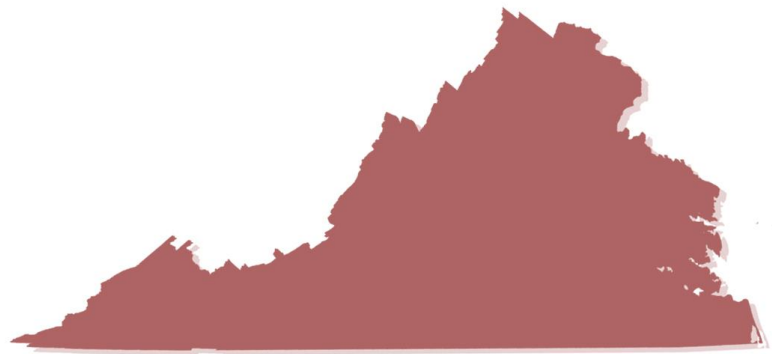
**Environmental and Water Quality** (p. 5; first bullet): Added specific support for state assistance to improve water quality of Lake Anna.

**General Government** (p. 6, seventh bullet): Added a position in support of local discretion to determine the best uses of artificial intelligence (AI).

**Health and Human Services** (p. 6, second bullet): Revised existing language to support improvements in state hospital capacity to accept individuals under a TDO.

**Housing** (p. 7, first bullet): Added language to support funding for rental assistance to low-income families with school-aged children.

**Public Safety** (p. 7, second bullet): Revised existing language on recruitment/retention of volunteers by adding a provision to oppose actions that hinder the provision of emergency services by increasing costs of operations or deterring recruitment and retention.



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# **Thomas Jefferson Planning District**

## **2025 LEGISLATIVE PROGRAM**

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Albemarle County | City of Charlottesville  
Fluvanna County | Greene County  
Louisa County | Nelson County  
**DRAFT**

**October 2024**

**Tony O'Brien**, Chairman  
**Christine Jacobs**, Executive Director  
**David Blount**, Director of Legislative Services

## TOP LEGISLATIVE PRIORITIES

### Public Education Funding

**PRIORITY:** The Planning District’s member localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

The State will spend more than \$18 billion dollars on direct aid to public education in the current biennium. Additional state funding for teacher salaries, at-risk students and childcare subsidies in the current biennium are appreciated. However, we continue to believe that the State should increase its commitment to K-12 education in a manner that reflects the true costs of K-12 education. The 2023 Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding confirmed this, finding that public education in Virginia is underfunded, while noting that local school divisions receive less K–12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” their responsibilities by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately defined SOQ that more equitably shares the costs of public education between the state and local governments, in order to ensure the overall success of students across the Commonwealth.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation; 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

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### Budgets and Funding

**PRIORITY:** The Planning District’s member localities urge the governor and legislature to enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State fine-tunes revenue and spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. The State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We support the legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and

delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness. The State should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sales and Use Tax Trust Fund dollars, the local share of recordation taxes, and any state-mandated exemptions to local revenue sources, unless a viable revenue-replacement to local governments is established.

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## Land Use and Growth Management

**PRIORITY: The Planning District's member localities encourage the State to resist preempting or circumventing existing land use authorities, but rather support local authority to plan and regulate land use.**

In the past, the General Assembly has enacted both mandated and optional land use provisions, some of which have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local control of decisions to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support local authority to address siting and other impacts associated with utility-scale installation of clean energy resources. We support state funding and technical assistance that address the planning, production, transmission, and deployment of new energy resources.
- We support broader impact fee authority for facilities other than roads, and changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We believe accessory dwelling units should not be mandated, and that local governments should retain the authority to regulate them.
- We request 1) state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and 2) enhanced ability for localities to balance growth and development as it pertains to farm and forestland within their jurisdiction.
- We support greater flexibility for localities in the preservation and management of trees.



## LEGISLATIVE POSITIONS

### Broadband

The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas. While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we believe state and federal support for broadband expansion that utilizes both fiber and wireless technologies, public/private partnerships and regulated markets should include the following:

- Support for cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.
- The ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.

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### Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

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## Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

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## Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities:
  - >We support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
  - >The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
  - >We appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded.
- We support 1) amending the LCI formula to recognize the land use taxation value, rather than the true value, of real property; and 2) preserving current *Code* provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

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## Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental

resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area.\* Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. This includes support for cyanobacteria monitoring, mitigation and remediation efforts at Lake Anna. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund (SLAF) to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.

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## General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation (whether they are traditional, electronic, internet-based, virtual or otherwise), while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.\*
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support the use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
- We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag



behind the need. We request adequate funding for costs associated with voting equipment, registrar offices, early voting requirements and election security standards.

- We urge state funding necessary for agencies to carry out tasks such as processing applications, reviewing permits and other critical administrative functions.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation and other procedures. Also, any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning the creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
- We support enhanced state funding for local and regional libraries.
- We support expanding local authority to regulate smoking in public places.
- The State should not inhibit the ability of localities to determine how best to use artificial intelligence (AI) or require any related reporting requirements that are unreasonable.

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## Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care for people with behavioral health and developmental disability service needs that helps divert people from needing state hospital care, as well as having services such as outpatient and permanent supportive housing available. We also support improvements in state hospital capacity to accept individuals under a TDO.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

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## Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to promote affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support 1) local authority to promote and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist localities in fostering housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 4) funding for rental assistance to low-income families with school-aged children; and 5) policies and direct state investments to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

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## Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders and related equipment needs, given the ever-increasing importance they play in local communities. We oppose regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We support changes to the Line of Duty Act (LODA) to afford officers employed by private police departments the benefits available under LODA.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices to address safety concerns, including on locally-designated highway segments.

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## Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents and tourism; and for keeping pace with growing public needs and expectations. We encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to adjust the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

*\*Position/statement (see the Environmental/Water Quality and General Government sections) not endorsed by the City of Charlottesville.*

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



Agenda Date:	November 4, 2024
Action Required:	Approval of City Legislative Position Statements for 2025 General Assembly Session (Motion/Vote - one reading)
Presenter:	Eden Ratliff, Deputy City Manager
Staff Contacts:	Eden Ratliff, Deputy City Manager
Title:	<b>City of Charlottesville Legislative Priorities for 2025</b>

**Background**

Each year, the localities in the Thomas Jefferson Planning District region adopt legislative statements and positions on issues of importance and concern to local governments. These positions form the basis for local advocacy efforts during the General Assembly session each winter. The City Attorney's Office typically works in conjunction with TJPDC's legislative liaison during the session to provide advocacy on behalf of the City's interests. Additionally, each year City Council establishes a statement of legislative positions, as a means of communicating to legislators (i) issues of concern and interest to Council, and (ii) requests, if any, for legislative action items.

**Discussion**

**TJPDC Program:** The TJPDC legislative program has been drafted based on discussions with and input from the six localities in the region. The recommendations, requests and positions in the program cover a range of issues and topics that are anticipated to become the subject of proposed legislation or the state budget during the upcoming session, and that may be of concern to the region or to individual localities in the region.

**City Position Statement:** The City Position Statement has been drafted to reflect ongoing issues of concern and interest specifically to Council. We try not to repeat positions that are repetitive of those advocated within the TJPDC Program, but where City Council has a slightly different position than TJPDC as a whole, it's appropriate to point that out within Council's position statements.

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

Presenting legislative priorities at the State level works toward the City's Vision "To Be a Place Where Everyone Thrives".

**Community Engagement**

n/a

**Budgetary Impact**

None at this time

**Recommendation**

Discussion and vote.

***Suggested Motion: "I move to approve the Thomas Jefferson Planning District Commission's 2025 Legislative Program as presented to City Council and discussed on November 4, 2024."***

**Alternatives**

**Attachments**

1. DRAFT Council Legislative Priorities 2025





**City Council**  
City Hall, P.O. Box 911  
Charlottesville, VA 22902  
434-970-3113  
[www.charlottesville.gov/citycouncil](http://www.charlottesville.gov/citycouncil)  
[council@charlottesville.gov](mailto:council@charlottesville.gov)

October 17, 2024

The City Council of Charlottesville, Virginia

## **LEGISLATIVE PRIORITIES FOR 2025 GENERAL ASSEMBLY SESSION**

As in the last two years, Charlottesville's most important legislative priority is to seek permission for Charlottesville to ask the electorate for permission to levy an extra one cent on the sales tax to fund school construction.

Other important legislative changes that we support include:

- Amend Virginia Code §55.1-1308.2 to make it easier for residents of mobile home parks that have been offered for sale to a developer to make an intelligent counteroffer. The owner of a mobile home park that is being offered for sale should be required to furnish to the residents the terms of the offer from the developer. The timeline for submitting a counteroffer should be lengthened, and supporting purchase documentation should be required to be shared with tenants as it becomes available. We likewise recommend increasing compensation for tenants at purchase and linking that rate to inflation.
- We recommend expanding powers granted in §15.2-961.3, to allow a locality to require more than a twenty percent tree canopy in flood plains and riparian areas.
- We recommend funding the Commonwealth Corridor train from Roanoke to Hampton Roads via Charlottesville and Richmond.
- We support amending §58.1-3221.1 to add Charlottesville to the list of localities permitted to levy a tax on improvements to real property at a different rate than the tax imposed upon the land on which the improvement is located, provided that the tax rate is not zero and does not exceed the tax rate imposed on the land. Currently, only the cities of Fairfax, Poquoson, Richmond, and Roanoke are allowed to tax an improvement to real property independently from the land on which it is situated.

We also favor amendments to the Virginia Residential Landlord-Tenant Act that will increase the rights of tenants. In particular:

- Amend the Virginia Residential Landlord and Tenant Act to allow tenants to raise unsafe or unsanitary conditions as an affirmative defense to non-payment of rent.
- Allow indigent tenants to appeal without having to post an appeal bond. This would grant indigent tenants the same rights that exist for indigent people in other types of civil cases.

- Amend §55.1-1415 to turn the 5-day “Pay or quit” notice into a 14-day notice.
- Give tenants more procedural protections against eviction.
- Permit localities to adopt a rent control or rent stabilization program.

-End of Document-

DRAFT