

A regular day meeting of the Board of Supervisors of Albemarle County, Virginia, was held on July 3, 2019, at 1:00 p.m., Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia.

PRESENT: Mr. Norman G. Dill, Mr. Ned Gallaway, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer and Mr. Rick Randolph.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeff Richardson, Deputy County Executive, Doug Walker, Assistant County Executive, Trevor Henry, County Attorney, Greg Kampfner, Clerk, Claudette Borgersen, and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m., by the Chair, Mr. Gallaway.

Agenda Item No. 2. Pledge of Allegiance.

Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Gallaway pulled Consent Agenda Item No. 8.10 for separate discussion and action. He requested the addition of a Proclamation of Appreciation to the agenda. He said if agreeable by Board members, the applicant for Agenda Item No. 24, Hollymead Town Center Area A1, Transit Proffer Amendment, has requested a deferral to a future date.

Ms. Palmer asked that the Board add a discussion of plastic netting for erosion control to the end of the agenda.

Ms. McKeel **moved** that the Board approve the final agenda, as amended. The motion was **seconded** by Ms. Mallek.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Item No. 8.10. Naming of the Bridge Carrying Berkmar Drive Over the South Fork of the Rivanna River as the Rio Mills Bridge.

The Executive Summary forwarded to the Board states that construction of the bridge carrying Berkmar Drive over the South Fork of the Rivanna River was completed, and the road opened, in 2017. In discussions with County staff on possible place-making strategies for the Rio/29 Small Area Plan area, the Albemarle County Historic Preservation Committee (HPC) recommended that names highlighting local history should be adopted for sites and objects throughout the area, including the bridge. The HPC researched the history of the area and presented findings in a display entitled "Rio Mills and Cartersburg" in the County Office Building in May, 2018 (Attachment A). At its February 25, 2019 meeting, the HPC unanimously voted to recommend to the Board of Supervisors that the name "Rio Mills Bridge" be adopted for the bridge carrying Berkmar Drive over the Rivanna River. On February 25, 2019 Supervisor Mallek proposed that the Board of Supervisors adopt such a resolution.

The Virginia Department of Transportation (VDOT) provides information on the standard process for naming bridges and highways (Attachment B). The Commonwealth Transportation Board (CTB) names the facilities at the request of a local jurisdiction; the locality must agree to bear the costs of providing, erecting, and maintaining the signs. County staff has discussed the proposed bridge naming via email with Joel DeNunzio, VDOT Residency Administrator, and other VDOT staff, who posed no objection to the name. The process requires a resolution (Attachment C) from the County requesting the CTB to name the bridge. VDOT's residency Administrator forwards the approved resolution to the CTB for approval.

Two bridge name signs at a total cost of \$1500 would be needed. A supplemental informational plaque for historic interpretation, costing approximately \$750, could be added. (These costs include ordering, delivery, labor, materials, etc.) Facilities and Environmental Services Department funding would cover these costs. All post-installation maintenance would be the County's responsibility.

Staff recommends that the Board of Supervisors adopt the bridge naming resolution provided as Attachment C.

Mr. Gallaway stated that it is not often the County gets to name a bridge, and to give it some significance and recognition, he would like to read it into the record. Mr. Gallaway then read and **moved** to adopt the following resolution establishing the Rio Mills Bridge.

BRIDGE NAMING RESOLUTION

BRIDGE NAMING OF ROUTE 1403, BERKMAR DRIVE, OVER THE SOUTH FORK OF THE RIVANNA RIVER IN ALBEMARLE COUNTY AS THE RIO MILLS BRIDGE

WHEREAS, the Rio Mills community was established in the 1820s when William H. Meriwether built a mill downstream from the present-day South Rivanna Reservoir dam where the former Harrisonburg-Charlottesville Turnpike crossed the South Fork of the Rivanna River and a short distance from the current crossing of Berkmar Drive over the South Fork of the Rivanna; and

WHEREAS, the construction of additional water-powered mills producing significant amounts of flour, cornmeal and lumber marked Rio Mills as an important local industry; and

WHEREAS, the covered bridge and gristmill were burned in 1864 following the Battle of Rio Hill; and

WHEREAS, it is appropriate to recognize these historic events; and

WHEREAS, Section 33.2-213 of the *Code of Virginia* authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and

WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors, in accordance with the requirements of Section 33.2-213 of the *Code of Virginia*, does hereby request that the Commonwealth Transportation Board name the bridge on Route 1403, Berkmar Drive, over the South Fork of the Rivanna River in Albemarle County as the Rio Mills Bridge.

BE IT FURTHER RESOLVED, that the Albemarle County Board of Supervisors agrees that the County of Albemarle, Virginia will pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Mr. Gallaway noted that Ms. Mallek sits on the committee that came up with the name and invited her to comment.

Ms. Mallek said the Historic Preservation Committee spent over a year on research and debate, along with work by Liz Russell of Monticello and Siri Russell. She explained that it would have been difficult to select a name from among the many nearby individuals and farms so they decided to select the name based on geography and would tell the story in other ways and other places.

Ms. McKeel remarked that she learned a lot from the Power Point presentation included in the Board's packet and asked that the presentation be placed on the County's website for the public to view.

Mr. Gallaway noted that the bridge was part of a major effort in both the parallel network and the improvements on Route 29 North, much of which was done prior to his serving on the Board.

NonAgenda. Proclamation of Appreciation.

Mr. Randolph read and **moved** to adopt the following Proclamation of Appreciation for Brad Sheffield for his service to the Board of Supervisors:

Proclamation Recognizing Brad Sheffield

Whereas, Brad Sheffield faithfully served the County of Albemarle as Rio District Supervisor from January 2014 to December 2017, and provided leadership on urban planning and transit issues, reflecting the community's vision; and

Whereas, Brad served on behalf of the Albemarle County Board of Supervisors on VDOT's Route 29 Solutions Project Delivery Advisory Panel, which met biweekly from July 2014 to November 2017, to assist VDOT on issues that arose during project development and delivery. Brad's leadership ensured Albemarle County's interests and priorities for the projects were proactively addressed; and

Whereas, Brad was a tireless advocate for the needs to the community to mitigate the negative impacts of a major construction project while balancing the need for swift and effective project delivery; and

Whereas, Brad understood the transformative impact that the creation of a parallel road network to Route 29 would have on connecting the community and generating positive economic opportunities in the urban development area; and

Whereas, Brad identified the opportunity for a public park under the Rio Mills Bridge to provide river access to the South Fork Rivanna River and advocated for the planning of what will soon be the future Brook Hill River Park.

Now, therefore, be it proclaimed, that we, the Albemarle County Board of Supervisors, hereby honor Brad Sheffield and commend him for his years of exceptional service to the County of Albemarle and his commitment to realizing the community's vision for a vibrant urban area in the 29 North Corridor and to working through regional partners to achieve positive outcomes for our residents and the broader community in which we live.

The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Mr. Sheffield accepted the recognition and remarked that there was a very solid process in place to vet the smaller details, observed that the amount of information brought forward to Supervisors could be overwhelming, and recognized the support of his fellow Supervisors during his time of service on the Board. He expressed that he would like the public to know that, despite the differences of opinion expressed by members at meetings, they support one another. He thanked Mr. Gallaway for stepping up to replace his seat on the Board and said he would likely have served another term if Mr. Gallaway had not come forward.

Introductions. Mr. Gallaway introduced the presiding security officers, Officer Jason Freishtat and Officer Dominick Zambrotta, and County staff sitting at the dais.

Agenda Item No. 5. Brief Announcements by Board Members.

Mr. Randolph announced the recent opening of Cipher Brewery on Broadway in the Scottsville District and invited all to visit.

Mr. Randolph announced that the Scottsville Volunteer Fire Company Independence Day parade would start at 9:00 a.m. on July 4.

Ms. McKeel recognized that five members of the School Board signed letters in support of the Board of Supervisors' resolution in support of gun violence prevention measures to be addressed by the General Assembly. She added that a free bus would leave from Meadows Presbyterian Church at 8:30 a.m., returning at 1:30 p.m., on July 9 to take members of the community to the General Assembly in Richmond to lobby in support of measures to address gun violence. She invited those interested to contact her for more information.

Ms. Palmer advised those with dogs to not leave their animals outside in the hot weather, noting that dogs have fur, do not sweat, and have a normal body temperature range of 100 – 102 degrees.

Ms. Palmer invited all to attend the wonderful and moving naturalization ceremony at Monticello on July 4. Mr. Randolph added that this year's speaker is Mr. Khizr Khan.

Ms. Mallek stated that on July 1 a new State law took effect that requires dogs to be kept in the shade.

Ms. Mallek stated that last night she attended the second of the Charlottesville Municipal Band's summer concert series held every two weeks on Tuesday nights at The Paramount. She said the popular and children's movies-themed music brought out over 1,000 people, including many children.

Ms. Mallek remarked that July 4 was one of her favorite holidays as it brings the community together and noted the enthusiasm of participants and spectators at the annual parade in Earlysville. She stated that it is a day when people could put their disagreements aside and recognize the founders of our country, military service members and veterans, and public safety volunteers and their families. She recognized that there are three parades in her district during this weekend: Earlysville, Crozet, and Free Union.

Ms. Mallek stated that new Parks and Recreation brochures are available, and she encouraged everyone to take copies.

Ms. Mallek stated that brochures for the Monticello Wine Trail were recently found, are available, and invited people to pick one up.

Ms. Mallek announced that five volunteers from Station 4 in Earlysville are completing their Firefighter I course and expressed hope that the Board would be able to take measures to help sustain the volunteer force.

Mr. Dill invited all to attend ongoing meetings of the Climate Action Committee on Mondays at 5:30 p.m. in the County Office Building. He noted that each week for 10 – 12 weeks they would address a different topic.

Ms. McKeel added that the climate meetings would go through July.

Agenda Item No. 6a. Proclamations and Recognitions: Proclamation Recognizing July 12, 2019 John Henry James Day.

Ms. McKeel read and **moved** to adopt the following Resolution Recognizing July 12, 2019 as John Henry James Day:

Proclamation Recognizing July 12, 2019 John Henry James Day

WHEREAS, following Reconstruction, the crime of lynching succeeded slavery in the United States as an expression of racism and upholder of white supremacy until the middle of the 20th century; and

WHEREAS, the lynching of Mr. John Henry James on July 12, 1898 was determined to have taken place in the County of Albemarle; his body shot dozens of times and his corpse hanging for hours; and

WHEREAS, 99 percent of all perpetrators, including those who murdered Mr. James, escaped punishment by State or local officials; and

WHEREAS, the Board of Supervisors recognizes that a history of racial injustice must be acknowledged, recognized, and most especially, remembered before a community may heal and that July 12, 2019 marks the 121st anniversary of the lynching of Mr. John Henry James; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors do hereby recognize this tragic anniversary and declare July 12, 2019, as John Henry James Day in remembrance of our shared community history and as a demonstration of our commitment that this tragedy will be neither forgotten nor repeated.

The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Ms. Siri Russell, Director of Equity and Inclusion, and Dr. Andrea Douglas, Executive Director, Jefferson School, African American Heritage Center, accepted the proclamation.

Dr. Douglas expressed thanks to the Board for its support of her work at the African-American Heritage Center and Ms. Russell's collaboration work on the community remembrance project. She remarked that the history of lynching and America's racial history is something they all need to face and expressed appreciation to the Board for doing this so boldly with a proclamation and a day to remember.

Ms. Mallek pointed out that they did not learn of these events when learning about reconstruction in American history class at Albemarle High School when she attended in 1967 and expressed hope that modern education is telling a better and more complete story as teenagers are at a good age to figure out ways to make it better.

Ms. McKeel invited Ms. Russell to furnish information about the remembrance event at Court Square.

Ms. Russell stated that County and City officials, as well as participants in the pilgrimage to Montgomery, would be invited to attend the unveiling of a marker provided by the Equal Justice Initiative, which commemorates the story of Mr. James and speaks to the national initiative in which many partner communities are participating. She noted that soil from the site of the lynching has been traveling since January and would return to the County Office Building on July 17, at which time they hope to unveil the exhibit, and noted that the Board has commissioned a larger exhibit on County history that would arrive on September 4.

Mr. Randolph recognized the work of Dr. Douglas and Dr. Schmidt as well as Ms. Russell. He added that the Board was indebted to all of them for the work they have done.

Agenda Item No. 7. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. John Haydock, resident of Jack Jouett District, addressed the Board. He noted that he volunteers with several local climate-focused organizations, is a founding member of the local chapter of the Climate Reality Project, has co-authored a clean energy resolution recently passed by the school system, has attended several of the climate Monday sessions, and is a member of the Municipal Buildings Working Group led by Montie Breeden and Lindsay Snotty. He applauded the County's climate action planning process, and noted that the climate Monday events and working group meetings have been productive for open and constructive dialog from which he hopes the County would make great progress in the coming years. He continued that the creation of local groups, such as Cville 100 Coalition and the Charlottesville Climate Collaborative, demonstrates that there are many diverse stakeholders in the community that support reductions in greenhouse gas emissions. He said the large participation in the recent Better Business Challenge led by C3 shows that many organizations are doing and are prepared to do more work as it relates to reducing greenhouse gas emissions. He encouraged the County to move towards implementation with a sense of urgency and remarked that, while new technologies and options would continue to ease our transition to a lower emissions environment, adequate technology and programs already exist for implementing and solving issues today, such as the Solar Power Purchase Agreement implemented by the public schools four years ago, which showed an ability to make dramatic changes very quickly. He said they need to act and encourage others to act because doing something now is even better than waiting for something new.

Mr. Chip Boyles, Executive Director, Thomas Jefferson Planning District Commission and Charlottesville-Albemarle Metropolitan Planning Organization (MPO), and representative of the Regional Transit Partnership, addressed the Board. He addressed Consent Agenda Item No. 8.8, the Regional Transit Partnership Memorandum of Understanding (MOU). He stated that Albemarle has partnered with the transit service of Charlottesville for many years to bring transit to portions of the County but the County does not have the opportunity for route decision making, service delivery accountability, or service or budget transparency to the Board of Supervisors or citizens. He said the Regional Transit Partnership recommends a written annual MOU to create an understandable formula for financial contributions based upon an agreed level of service and a means to share accountability, transparency, and planning for both current and future service. He noted that members of the RTP have worked long and hard with the City and County staff for almost a year to develop the MOU, which would be used for FY 20 and beyond. He said the Charlottesville City Council unanimously approved the MOU at Monday's meeting and the Regional Transit Partnership (RTP) asks the Board of Supervisors to do the same. He expressed thanks to Supervisors Gallaway and McKeel for their work in developing the Partnership to bring better regional transit service to the entire community.

Mr. Tom Olivier, resident of the Samuel Miller District and speaking on behalf of ASAP, addressed the Board. He recognized that the twin crises of an increase in species extinction rates driven by human population growth and rapidly worsening climate change are threatening the planet. He recognized that the Biodiversity Protection Action Plan would be considered for adoption into the Comprehensive Plan by the Board tonight and, on behalf of ASAP, he urges the Board to adopt the Plan. He commended the County for its commitment to climate action and its highly successful public engagement program. He recognized that over the last couple of months ASAP and other environmental groups have communicated to the Board about the lack of transparency and opportunities for engagement in reviews of economic development proposals. He stated that the public has a key role to play in examining the environmental consequences of economic development ideas. He recounted that at a recent meeting between the Board and the Economic Development Authority (EDA) one Supervisor asked if the EDA had considered taking public comment at meetings and a member of the EDA replied that it serves very little purpose to take a lot of time hearing people complain about what they are supposed to be doing and pointed out that members may be contacted by constituents individually. Mr. Olivier asked that the Board fix this lack of public engagement.

Ms. Joan Chapman, resident of Charlottesville, addressed the Board. She said she has been attending the climate Monday's and has been very impressed. She recognized the Board for taking on the issue of climate change, recognized that the City of Charlottesville adopted greenhouse gas emissions reduction goals this week, and encouraged the Board to continue down this path and to work with the City, whenever possible, on this global problem. She said it is only through these local efforts that they can expect to change the trajectory of climate change.

Mr. Sean Tubbs, Piedmont Environmental Council, addressed the Board. He said he would offer remarks on a number of topics that are on today's agenda. He said he reviewed the minutes from 1975 while conducting research, noticed that their predecessors dealt with many of the same issues, wonders how the Board's current deliberations would be received in the 2060s, and wonders what sound planning decisions would be made between now and then. Mr. Tubbs recognized the Regional Transit Partnership as a key agreement that would make a difference in the County's investment in a regional network that would support many of the County's goals, some of which date back to the 1960s, including emissions reductions and climate change. He said he looks forward to the Board's discussion on transportation

priorities and recognized that its decisions would shape the region's future. He thanked the Board for looking into the past and for trying to reconcile some of the difficult history of the area with the community remembrance project. Mr. Tubbs recognized the importance of taking the naming of the Rio Mills Bridge off the Consent Agenda for discussion. He stated that it is important for the Board to look ahead into the future and thanked them for their service.

Mr. David Redding, resident of the Rio District and Eco-Village Charlottesville, addressed the Board. He remarked that the numbers used for climate change have been too conservative, the ice around the Antarctic is being eliminated more quickly than they thought, recognized the Board's efforts to address climate change, and encouraged the Board to take efforts to get off of fossil fuels. He recognized that he sometimes uses the local bus as it is convenient and encouraged the Board to approve the Transit Memorandum of Understanding (MOU).

Mr. Chris Meyer, Executive Director, Local Energy Alliance Program, addressed the Board. He noted his positive experience with participation in the consultation process for the creation of the Climate Action Plan, with Monday meetings open to the public as well as meetings with experts, to source strategies and actions for review and incorporation into the plan. He noted that he facilitates the new and existing residential building expert group, which has sourced ideas from real estate agents, low income housing developers, and residential energy efficiency technicians, and taken equity into consideration. He said the buildings and renewable energy sector group consists of over 30 individual experts plus 20+ organizations and has identified dozens of strategies and over 60 actions. He said the writing of a commercial property-assessed clean energy ordinance or creation of a clean energy loan fund to leverage private sector capital could be done now. He encouraged the Board to use this year's strategic funding to support shovel-ready climate actions. He reported that the County and staff have been executing a rigorous and inclusive consultation process, with all voices and points of view captured, including those of skeptics, and well-researched ideas would be ready to be approved for financing in September. He emphasized that it is important to take action sooner rather than later in order to learn what is working and what is not working.

Ms. Elizabeth Cromwell, President and CEO of the Charlottesville Regional Chamber of Commerce, addressed the Board. She spoke in support of the Chamber's position on the Defense Affairs Committee's pilot funding recommendation, recognizing that the defense industry is important to the economy of Albemarle and Green Counties and the City of Charlottesville. She stated that this is not an unusual kind of position and noted that a similar position was created, the Fort Dietrich Alliance, through a 501c (3), during her time working for the Chamber in Frederick, MD. She explained that Maryland has groups, known as alliances, which serve the same purpose, and noted that these groups lamented that they are not under the umbrella of a Chamber because they end up with multiple Boards and duplication of effort. She added that the Chamber wants to be a highly engaged economic development partner with the County, she sees this as the first of many opportunities to work together, and thanked the Board for its collaboration.

Ms. Lettie Bien, resident of the Rivanna District, addressed the Board. She noted that she is a veteran, former member of the County's Economic Development Authority and was present to support the proposal regarding the Defense Affairs Committee of the Chamber. She recognized the immense number of veterans and military and defense-related programs in the community and noted the benefits of coordination. She said she previously served as Chair of the Greater Miami MAC Committee as well as CEO and President of the Coral Gables Chamber of Commerce and they always had a staff member manage and coordinate the activities of the numerous volunteers who want to make the community a better place.

Ms. Deborah Van Ersel, Chair, Chamber of Commerce Defense Affairs Committee, addressed the Board. She expressed her agreement with all the remarks that were previously made and noted that they would reach out to other organizations for assistance with funding for the position, including the University of Virginia Applied Research Institute and the University of Virginia Research Park.

Agenda Item No. 8. Consent Agenda.

(Discussion: Mr. Gallaway pulled his assigned minutes of February 28, 2019.)

Ms. McKeel **moved** that the Board approve the Consent Agenda, as amended. The motion was **seconded** by Ms. Mallek.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Ms. McKeel commented on how important it is for all residents of the community that the Board has passed a Memorandum of Understanding on transit with the City, as it would eventually make a difference for everyone. She said this MOU allows for certain procedures that would change service. As

an example, she said that in the past the JAUNT buses were not allowed to stop at the Downtown Transit Center, which made it impossible for residents of the rural areas of the County to get to downtown, while the MOU allows all transit providers to use the Downtown Transit Center.

Mr. Gallaway recognized the contributions made by Ms. McKeel as Chair of the Regional Transit Partnership.

Item No. 8.1. Approval of Minutes: February 21, February 28, March 4, April 9, and April 16, 2019.

Ms. McKeel had read the minutes of February 21, 2019, and found them to be in order.

Ms. Mallek had read the minutes of March 4, 2019, and found them to be in order.

Mr. Dill had read the minutes of April 9, 2019, and found them to be in order.

Ms. Palmer had read the minutes of April 16, 2019, and found them to be in order.

By the above-recorded vote, the Board approved the minutes as read.

Item No. 8.2. FY 19 Appropriations.

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the FY 19 budget due to the appropriations itemized in Attachment A is \$304,810.02. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations for local government projects and programs as described in Attachment A.

Appropriation #2019092	\$302,810.02
Source: Federal Revenue	\$ 302,810.02

This request is to re-appropriate \$302,810.02 in Federal revenues from FEMA's Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the following two Albemarle County Fire and Rescue (ACFR) Recruitment and Retention projects:

1. A full marketing campaign to recruit new volunteers to increase the public's interest in volunteering.
2. Training for leaders within all ACFR agencies to help ensure the retention of existing members.

Appropriation #2019093	\$2,000.00
Source: Special Revenue Fund fund balance	\$ 2,000.00

This request is to appropriate \$2,000.00 in Martha Jefferson Hospital Dental Services Grant Fund fund balance to support the costs of dental needs for indigent and low-income children enrolled in early intervention programs. The grant, administered by the Department of Social Services, seeks to advance early detection and treatment of dental issues as part of their mission to improve community health.

By the above-recorded vote, the Board adopted the following Resolution to approve Appropriations #2019092 and #2019093 for local government and school division projects:

**RESOLUTION TO APPROVE
ADDITIONAL FY 19 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2019092 and #2019093 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2019.

APP#	Account String	Description	Amount
2019092	3-1542-33000-333000-300001-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	302810.02

2019092	4-1542-32016-432010-110000-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	45000.00
2019092	4-1542-32016-432010-120000-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	12153.36
2019092	4-1542-32016-432010-301200-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	5900.66
2019092	4-1542-32016-432010-311000-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	12120.00
2019092	4-1542-32016-432010-312500-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	11947.08
2019092	4-1542-32016-432010-360000-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	23985.92
2019092	4-1542-32016-432010-390030-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	11703.00
2019092	4-1542-32016-432010-601104-1003	SA2019092 Re-Approp. FEMA Recruitment & Retention Grant	180000.00
2019093	3-1563-51000-351000-510100-9999	SA2019093 MJH Dental Grant Fund Balance	2000.00
2019093	4-1563-51155-453010-311008-1005	SA2019093 Dental Grant Services	2000.00

Item No. 8.3. FY 20 Appropriations.

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the FY 20 budget due to the appropriations itemized in Attachment A is \$152,308.00. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations for local government and school projects and programs as described in Attachment A.

<u>Appropriation #2020003</u>			\$0.00
Source:	Scottsville Volunteer Rescue Squad*	\$ 187,669.00	
	Reserve for Contingencies – one-time*	\$ 48,890.00	

*This appropriation does not increase or decrease the total County budget.

This request is to appropriate \$196,552.00 to the Fire Rescue Department, \$33,007.00 to the Department of Facilities and Environmental Services, and \$7,000.00 to the Department of Information Technology to provide 24 / 7 emergency medical services to the southern portion of Albemarle County pursuant to the Board of Supervisors' action at its' April 17, 2019 meeting. This funding includes one-time costs for one temporary over-hire position authorized by the Board's April 17, 2019 action; this position is planned to continue until no later than April 2020. This funding will be provided from the prior planned contribution to the Scottsville Volunteer Rescue Squad of \$187,669.00 and \$48,890.00 from the one-time portion of the Reserve for Contingencies.

After approval of the appropriations in this attachment, the FY 20 General Fund Reserve for Contingencies balance will be \$230,526.00. Of that amount, \$198,709.00 is for unanticipated expenses that may require ongoing funding and \$31,817.00 is for expenses that may require one-time funding.

<u>Appropriation #2020004</u>			\$0.00
Source:	Reserve for Contingencies - ongoing*	\$ 14,059.00	
	Emergency Communications Center*	\$ 94,768.00	

*This appropriation does not increase or decrease the total County budget.

This request is to appropriate:

- \$14,059.00 to the Albemarle Charlottesville Regional Jail (ACRJ) from the Reserve for Contingencies.
- \$94,768.00 from the Emergency Communications Center to the Reserve for Contingencies.

Both of these changes are for the County's share of operating costs for these regional public safety agencies and are based on the approved agencies' budgets, which were finalized after the development of the County's FY 20 budget.

After approval of the appropriations in this attachment, the FY 20 General Fund Reserve for Contingencies balance will be \$230,526.00. Of that amount, \$198,709.00 is for unanticipated expenses that may require ongoing funding and \$31,817.00 is for expenses that may require one-time funding.

<u>Appropriation #2020005</u>			\$0.00
Source:	Reserve for Contingencies – one-time*	\$62,000.00	

*This appropriation does not increase or decrease the total County budget.

This request is to appropriate the following Voter Registration & Elections Department requests:

- This request is to appropriate \$8,000.00 from the FY 20 Voter Registration & Elections Department budget to the one-time Reserve for Contingencies. This \$8,000.00 is no longer needed in FY 20 due to appropriation #2019085 that was approved by the Board of Supervisors on May 1, 2019, which accelerated these funds in FY 19 for use in the June 2019 primary.
- This request is to appropriate \$62,000.00 from the FY 20 one-time Reserve for Contingencies to the Voter Registration & Elections Department for replacement laptops and associated elections software and licenses. The Registrar would like to have this technology in place for the November 2019 election to ensure the hardware and software is updated and compatible with current versions.
- This request is to appropriate \$8,000.00 from the FY 20 one-time Reserve for Contingencies for the purpose of adding a handicap accessible curb cut at Western Albemarle High School near the primary polling entrance.

After approval of the appropriations in this attachment, the FY 20 General Fund Reserve for Contingencies balance will be \$230,526.00. Of that amount, \$198,709.00 is for unanticipated expenses that may require ongoing funding and \$31,817.00 is for expenses that may require one-time funding.

<u>Appropriation #2020006</u>		<u>\$48,000.00</u>
Source:	Reserve for Contingencies – ongoing*	\$32,000.00
	Local Revenue – Greene County	\$32,000.00
	Local Revenue – Charlottesville City	\$16,000.00

*This appropriation does not increase or decrease the total County budget.

This request is to appropriate \$80,000.00 for a Circuit Court Legal Assistant for salary, benefits, operating and one-time costs pursuant to the Board of Supervisors' action at its June 19, 2019 meeting. The new position will assist the newly appointed Circuit Court judge. The judge will serve Albemarle County 40%, Greene County 40%, and Charlottesville City 20%. All three localities will share the costs based on these percentages.

After approval of the appropriations in this attachment, the FY 20 General Fund Reserve for Contingencies balance will be \$230,526.00. Of that amount, \$198,709.00 is for unanticipated expenses that may require ongoing funding and \$31,817.00 is for expenses that may require one-time funding.

<u>Appropriation #2020007</u>		<u>\$104,308.00</u>
Source:	School CIP Fund fund balance	\$ 104,308.00

Pursuant to the School Board's approval on June 13, 2019, this request is to appropriate \$104,308.00 in School Capital Improvement Program (CIP) fund balance for insurance recoveries received in a prior year by the County to replace a school bus that was totaled in an accident. This funding will support vehicle replacement costs in the CIP School Bus Replacement program.

By the above-recorded vote, the Board adopted the following Resolution to approve Appropriations #2020003, #2020004, #2020005, #2020006, and #2020007 for local government and school division projects:

**RESOLUTION TO APPROVE
ADDITIONAL FY 2020 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2020003, #2020004, #2020005, #2020006, and #2020007 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2020.

APP#	Account String	Description	Amount
2020003	4-1000-43201-443200-530200-1004	SVRS Operating Impact	\$1,520.00
2020003	4-1000-43202-443200-331000-1004	SVRS Operating Impact	\$1,761.00
2020003	4-1000-43202-443200-331200-1004	SVRS Operating Impact	\$2,374.00
2020003	4-1000-43202-443200-332100-1004	SVRS Operating Impact	\$12,158.00
2020003	4-1000-43202-443200-390000-1004	SVRS Operating Impact	\$1,667.00
2020003	4-1000-43202-443200-600700-1004	SVRS Operating Impact	\$1,481.00
2020003	4-1000-43206-443200-301210-1004	SVRS Operating Impact	\$4,756.00
2020003	4-1000-43206-443200-301221-1004	SVRS Operating Impact	\$7,290.00
2020003	4-1000-12200-412200-312709-1001	SVRS Impact - 14 network drops	\$3,500.00
2020003	4-1000-12200-412200-800700-1001	SVRS Impact - 24 port switch	\$3,500.00
2020003	4-1000-32011-432010-332104-1003	SVRS Operating Impact	\$208.00
2020003	4-1000-32011-432010-510121-1003	SVRS Operating Impact	\$15,000.00
2020003	4-1000-32011-432010-510200-1003	SVRS Operating Impact	\$5,050.00
2020003	4-1000-32015-432010-110000-1003	SVRS Operating Impact	\$31,922.00
2020003	4-1000-32015-432010-120000-1003	SVRS Operating Impact	\$73,462.00

2020003	4-1000-32015-432010-210000-1003	SVRS Operating Impact	\$8,062.00
2020003	4-1000-32015-432010-221000-1003	SVRS Operating Impact	\$3,898.00
2020003	4-1000-32015-432010-231000-1003	SVRS Operating Impact	\$4,830.00
2020003	4-1000-32015-432010-232000-1003	SVRS Operating Impact	\$146.00
2020003	4-1000-32015-432010-241000-1003	SVRS Operating Impact	\$106.00
2020003	4-1000-32015-432010-270000-1003	SVRS Operating Impact	\$368.00
2020003	4-1000-32015-432010-331000-1003	SVRS Operating Impact	\$800.00
2020003	4-1000-32015-432010-332200-1003	SVRS Operating Impact	\$3,600.00
2020003	4-1000-32015-432010-390000-1003	SVRS Operating Impact	\$1,000.00
2020003	4-1000-32015-432010-390002-1003	SVRS Operating Impact	\$1,300.00
2020003	4-1000-32015-432010-520300-1003	SVRS Operating Impact	\$9,300.00
2020003	4-1000-32015-432010-600000-1003	SVRS Operating Impact	\$5,000.00
2020003	4-1000-32015-432010-600100-1003	SVRS Operating Impact	\$1,000.00
2020003	4-1000-32015-432010-600400-1003	SVRS Operating Impact	\$16,500.00
2020003	4-1000-32015-432010-600500-1003	SVRS Operating Impact	\$2,000.00
2020003	4-1000-32015-432010-800201-1003	SVRS Operating Impact	\$13,000.00
2020003	4-1000-32030-432030-565200-1003	SVRS Operating Impact	-\$187,669.00
2020004	4-1000-33020-433020-700002-1003	ACRJ from Reserve for Conting.	\$14,059.00
2020004	4-1000-35600-435600-700001-1003	ECC to Reserve for Conting.	-\$94,768.00
2020005	4-1000-13020-413020-800100-1001	Machinery & Equipment-Reimburse FY19 Registrar Expense - Ref.2019085	-\$8,000.00
2020005	4-1000-93010-493010-930027-9999	Transfer to Capital - WAHS ADA sidewalk cutout	\$8,000.00
2020005	4-9010-43100-443200-800666-9999	Sidewalk - Curb Cut - FES maintenance - WAHS ADA sidewalk cutout	\$8,000.00
2020005	3-9010-51000-351000-512074-9999	One-time Transfer to Capital from LG - WAHS ADA sidewalk cutout	\$8,000.00
2020006	4-1000-21010-421010-110000-1002	Salaries	\$45,168.00
2020006	4-1000-21010-421010-120000-1002	Overtime	\$5,000.00
2020006	4-1000-21010-421010-210000-1002	FICA	\$3,455.00
2020006	4-1000-21010-421010-221000-1002	VRS	\$5,515.00
2020006	4-1000-21010-421010-231000-1002	Health Insurance	\$8,475.00
2020006	4-1000-21010-421010-232000-1002	Dental Insurance	\$240.00
2020006	4-1000-21010-421010-241000-1002	Life Insurance	\$592.00
2020006	4-1000-21010-421010-270000-1002	Worker's Comp	\$41.00
2020006	4-1000-21010-421010-520300-1002	Telecommunications	\$2,200.00
2020006	4-1000-21010-421010-600100-1002	Supplies	\$2,000.00
2020006	4-1000-21010-421010-601200-1002	Books & Subscriptions	\$1,000.00
2020006	4-1000-21010-421010-800200-1002	Furniture	\$3,160.00
2020006	4-1000-21010-421010-800700-1002	Computer	\$1,350.00
2020006	4-1000-21010-421010-580000-1002	Miscellaneous	\$1,804.00
2020006	3-1000-16000-316000-160505-9999	Local Revenue-Greene - new Circuit Court Judge's legal assistant	\$32,000.00
2020006	3-1000-16000-316000-160502-9999	Local Revenue-Charlottesville - new Circuit Court Judge's legal assistant	\$16,000.00
2020007	3-9000-69000-351000-510100-6599	School Bus CIP Insurance Recovery	\$104,308.00
2020007	4-9000-63905-462320-800506-6599	School Bus CIP Insurance Recovery	\$104,308.00
2020003; 2020004; 2020005; 2020006	4-1000-99900-499000-999990-9999	SVRS(48,890)-ECC&ACRJ 80,709-RgstrarReimbFY19 8,000-RgstrarEquip(62,000)-Circ Ct Legal Asst(32,000)	-\$54,181.00

Item No. 8.4. Short-Term Rental Registry Ordinance.

The Executive Summary forwarded to the Board states that at the Board's direction, County staff has been preparing proposed regulations to address short-term rentals (also known as homestays). Though the majority of these proposed regulations would be within the zoning ordinance, the General Assembly has also enabled localities to establish short-term rental registries. These registries allow localities to better track short-term rentals and monitor their compliance with applicable laws.

Enacted in 2017, *Virginia Code § 15.2-983* enables the creation of local registries for the short-term rental of property. Under this State law, any locality may, by ordinance, establish a short-term rental registry and require operators within the locality to register annually. The registration may require the operator to provide the complete name and the address of each property offered for short-term rental. A locality may charge a reasonable fee for such registration related to the actual costs of establishing and maintaining the registry.

The State law further provides that local registry ordinances may include a penalty not to exceed \$500 per violation for an operator required to register who offers for short-term rental a property that is not registered. The ordinance may provide that unless and until an operator pays the penalty and registers the property, the operator may not continue to offer the property for short-term rental. Upon repeated violations of a registry ordinance as it relates to a specific property, an operator may be prohibited from registering and offering that property for short-term rental.

Under the State law, local registry ordinances may further provide that an operator required to register may be prohibited from offering a specific property for short-term rental upon more than three violations of applicable State and local laws, ordinances, and regulations, as they relate to the short-term rental.

Though the County is not required to have either a homestay ordinance or a registry ordinance, a registry ordinance would allow staff to better track short-term rentals and monitor their compliance with applicable laws.

As noted above, the State enabling authority allows localities to charge a reasonable fee related

to the actual costs of establishing and maintaining the registry. Staff initially is proposing a registry fee of \$27, equal to Community Development's lowest existing fee (for home occupations). This fee may require future adjustment(s) to ensure that it covers (only) the actual costs of establishing and maintaining the registry.

Staff recommends that the Board schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) on August 7, 2019.

By the above-recorded vote, the Board set a public hearing to consider adoption of a proposed Short-Term Rental Registry Ordinance on August 7, 2019

Item No. 8.5. An Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic, Article III, Video-Monitoring System.

The Executive Summary forwarded to the Board states that Virginia Code §§ 46.2-208 and 46.2-844 authorize the County to enact ordinances and contract with private vendors to administer a video-monitoring system on school buses. Recent amendments to the Virginia Code expressly permit such vendors to have access to records of the Department of Motor Vehicles. The changes recommended in the attached proposed ordinance (Attachment A) would conform the Albemarle County Code to those Virginia Code changes and authorize a video-monitoring program that meets legal requirements.

The attached proposed ordinance (Attachment A) incorporates Virginia Code amendments from the 2019 General Assembly session, as well as prior changes to the Virginia Code that have not previously been included in the County Code.

Virginia Code § 46.2-844 permits but does not require any civil penalties collected to be remitted to the School Board. The current proposed ordinance provides that any civil penalties collected would be remitted to the County. If the proposed ordinance is adopted and the program implemented, staff will come back to the Board approximately one year after the program is implemented to report the actual budget impact so the Board can determine what portion, if any, of the collected civil penalties should be appropriated to the School Board.

Implementing a school bus arm camera program would have a staffing and an administrative impact to the Police Department, and would impact the workloads of staff in the County Attorney's Office and the Finance Department. Staff anticipates that those impacts could be handled by existing staff, but that Police Department staff would have to work overtime to verify violations. See Attachment B for more information about the program, as well as a detailed budget impact analysis that includes an assumption of 10 busses being fitted with cameras.

Staff recommends that the Board schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) on August 7, 2019.

By the above-recorded vote, the Board set a public hearing to consider adoption of a proposed Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic, Article III, Video-Monitoring System on August 7, 2019.

Item No. 8.6. Commonwealth Attorney's Supplemental Funding Request.

The Executive Summary forwarded to the Board states that the State Compensation Board approves Constitutional Officers' budgets each May. The approved budgets reflect the minimum amount that must be approved by the local government for the Constitutional Officers. Most local governments, including Albemarle County, approve additional funding.

On May 1, 2019, the State Compensation Board approved funding for an additional Assistant Commonwealth's Attorney effective July 1, 2019. The Commonwealth's Attorney has requested supplemental funding for this position as presented in Attachment A - Letter Requesting Commonwealth's Attorney Supplemental Funding. Providing supplemental funding is consistent with Albemarle County's practice to subsidize the State Compensation Board salaries to reflect the local market and operating expenses.

Staff estimates the total cost of a new Assistant Commonwealth's Attorney, including salary, benefits, and operating/start-up costs, at approximately \$104,660-\$116,786. The State Compensation Board will provide funding of \$62,401, which leaves a balance of \$42,259-\$54,385 for requested supplemental County funding. Because this expense was not anticipated in the FY 20 budget, staff recommends the use of the FY 20 Reserve for Contingencies for the County's portion of this cost. Staff recommends that the Board approve the supplemental funding of the new Assistant Commonwealth's Attorney position. If approved, staff will request the Board approve an appropriation request for the position at a subsequent Board meeting.

By the above-recorded vote, the Board approved the supplemental funding of the new Assistant Commonwealth's Attorney position, with an appropriation request for the position to come forward at a subsequent Board meeting.

Item No. 8.7. Public-Private Education Facilities and Infrastructure Act (PPEA) Guidelines.

The Executive Summary forwarded to the Board states that the Public-Private Education Facilities and Infrastructure Act of 2002 (Va. Code § 56-575 et seq.) ("PPEA") authorizes localities in the State of Virginia to enter into public-private partnership agreements to develop needed projects in a more timely or less costly manner.

The provisions of the Act provide local governments with the opportunity to create public-private partnerships for the development of a wide range of projects for public use if the County of Albemarle determines there is a need for the project and that the private involvement may provide the project to the public in a timely or cost- effective fashion.

On May 9, 2019, draft PPEA Guidelines were presented to the Board for consideration. The Board directed staff to present the Guidelines to the School Board for its adoption, then bring them back to the Board for its adoption. The School Board adopted the attached draft PPEA Guidelines (Attachment A) on May 23, 2019.

The attached Guidelines are intended to supplement, and enable the County to comply with, PPEA's requirements. They shall govern all County PPEA projects, including those for education facilities, and shall apply to all County agencies, boards, commissions, and committees.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to adopt the PPEA guidelines.

By the above-recorded vote, the Board adopted the following Resolution to adopt guidelines related to the Public-Private Education Facilities and Infrastructure Act of 2002:

RESOLUTION TO ADOPT GUIDELINES FOR REVIEWING AND APPROVING PROPOSALS RECEIVED UNDER THE VIRGINIA PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002

WHEREAS, the Virginia General Assembly has enacted the Public-Private Education Facilities and Infrastructure Act of 2002 (the "PPEA") (Virginia Code § 56-575.1 et seq.); and

WHEREAS, the PPEA provides Albemarle County and other responsible public entities with the opportunity to create public-private partnerships for the development of a wide range of projects for public use if the County determines there is a need for the project and that the private involvement may provide the project to the public in a timely or cost-effective fashion; and

WHEREAS, Virginia Code § 56-575.3:1 requires that the Board adopt guidelines before the County may request or consider a proposal for a qualifying project under the PPEA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia that it hereby adopts the attached PPEA Guidelines for reviewing and approving proposals received pursuant to the PPEA, and the County Executive is hereby authorized to make minor adjustments to the Guidelines that are consistent with the PPEA if deemed necessary to expedite the processing of proposals.

County of Albemarle

**Guidelines for Implementation
of the
Public-Private Education Facilities and Infrastructure
Act of 2002, as amended**

Approved:

Albemarle County Board of Supervisors, Date

Albemarle County School Board, Date

Guidelines — Public-Private Education Facilities and Infrastructure Act [Revision Date]

I. Introduction

The Public-Private Education Facilities and Infrastructure Act of 2002 (Va. Code § 56-575 *et seq.*) ("PPEA") authorizes the County of Albemarle (the "County") to enter into public-private partnership agreements to develop needed projects in a more timely or less costly manner. The term "County" includes the Board of Supervisors ("Board") for General Government projects and the School Board for education projects.

Private entities may include innovative financing methods in their proposals and shall be strictly accountable for their representations and information.

A project must meet the PPEA definition of "qualifying project" in Appendix A.

These guidelines are intended to supplement, and enable the County to comply with, PPEA's requirements. They shall govern all County PPEA projects, including those for education facilities, and shall apply to all County agencies, boards, commissions, and committees. If these guidelines and the PPEA conflict, the terms of the PPEA control.

II. Requests for County Approval

A. Unsolicited, Competing, and Solicited Proposals

A private entity must obtain the County's approval for PPEA projects or services. *See* Va. Code §§ 56-575.3(A); 56-575.4. The private entity may seek the County's approval by submitting one of three types of proposals.

If the County has not issued a Request for Proposals (RFP), the private entity may submit an **unsolicited proposal** for approval. *See* Va. Code § 56-575.4(A).

If the County receives an unsolicited proposal, it shall review the proposal and decide whether to accept the unsolicited proposal for further consideration. *See* Va. Code § 56-575.3(C). If the County decides to

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accept the unsolicited proposal for further consideration, the County shall publish notice of the unsolicited proposal and seek **competing proposals** from other private entities. *See* Va. Code § 56-375.3:1(B)(11).

The County may seek PPEA proposals by issuing a RFP. *See* Va. Code § 56-575.4(B). If the County has issued a RFP, a private entity may submit a proposal which shall be treated as a **solicited proposal**.

B. Invitations to Bid

The private entity may also seek the County's approval by responding to a County Invitation to Bid. *See* Va. Code § 56-575.4(B). The County may accept a responsive bid and enter into a Comprehensive Agreement using the competitive sealed bidding procedures of the Virginia Public Procurement Act. *See* Va. Code § 56-575.16(1).

C. Choice of Procedures

For PPEA projects, the County shall determine whether to use procedures consistent with competitive sealed bidding or with competitive negotiation of "other than professional services." *See* Va. Code § 56-575.16(2). If the County elects not to use competitive sealed bidding for a PPEA project, the Purchasing Agent shall state in writing the reasons for using competitive negotiation before (1) the County issues a RFP in accordance with Part II(A) or (2) the Board accepts an unsolicited proposal for consideration in accordance with Part IV(A)(3).

D. Working Group

The Purchasing Agent shall designate a PPEA working group (the "Working Group") to evaluate proposals.

For General Government projects, the Working Group shall include the Purchasing Agent and persons appointed by the County Executive.

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For education projects, the Working Group shall include the Purchasing Agent and representatives of Albemarle County Public Schools designated by the Superintendent of Schools (“Superintendent”).

If a project includes construction, the Working Group shall also include a licensed architect or engineer, the Director of Facilities Planning and Construction (or designee) and the Director of Building Services.

The Purchasing Agent shall serve as the chair of the Working Group, shall administer these guidelines, and shall receive and respond to inquiries and proposals.

The Working Group will consult with, and make recommendations to, the County Executive for General Government projects and to the Superintendent for education projects.

After consulting with the County Executive or the Superintendent, the Working Group shall engage the services of qualified professionals to provide independent analysis of the specifics, advantages, disadvantages, and the long- and short-term costs of proposals. These professionals may include a cost estimator, architect, professional engineer, or certified public accountant not employed by the County. However, the Board or the School Board may determine that such analysis other than cost estimation shall be performed by County employees. *See Va. Code § 56-575.3:1(C)(1).*

III. Proposals

A. General Proposal Requirements

Whether solicited, competing, or unsolicited, each proposal shall be clearly identified as a “PPEA PROPOSAL.” Proposals should be prepared simply and economically and provide a concise description of the proposer’s capabilities to complete the proposed project and the benefits to the County. The County will consider project benefits occurring during the construction, renovation, expansion, or improvement phases as well as the life cycle of the

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project. Proposals also should include a comprehensive scope of work and a financial plan for the project with enough detail for the County to properly analyze the financial feasibility of the proposed project. The proposal shall identify each facility, building, infrastructure, or improvement included in the proposal. The Purchasing Agent may request any information that clarifies or supplements a proposal.

For solicited proposals, proposers should submit the number of copies required by the RFP to the Purchasing Agent. For unsolicited and competing proposals, proposers shall submit one original and eight copies along with the applicable fee to the Purchasing Agent.

B. Proposal Review Fees

The PPEA authorizes the County to charge fees to cover the costs of processing, reviewing, and evaluating proposals, including reasonable attorney’s fees and fees for financial, technical, and other advisors or consultants.

Solicited Proposals. When the County issues a RFP soliciting PPEA proposals, proposers are not required to submit an initial consideration fee. If a solicited proposal is advanced for detailed review, the proposer shall pay the detailed review fee in the Fee Schedule below.

Unsolicited and Competing Proposals. For unsolicited and competing proposals, proposers shall pay the following fees:

1. An initial consideration fee paid with certified funds shall accompany any unsolicited proposal, in accordance with the Fee Schedule below. The initial consideration fee shall be based on the estimated total cost of the proposed project.
2. If the County accepts an unsolicited proposal for consideration and seeks competing proposals, competing proposers are not required to pay the initial consideration fee.

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3. If an unsolicited or competing proposal is advanced to the detailed review phase, a detailed review fee based on the estimated total cost of the proposed project shall accompany the proposer's detailed proposal. The detailed review fee shall be paid with certified funds.

FEE SCHEDULE:

Review Phase	Fee	Minimum	Maximum
Initial Consideration	1%	\$2,500.00	\$25,000.00
Detailed	1%	\$5,000.00	\$50,000.00

4. The County Executive is authorized to refund all or part of these proposal review fees to all proposers during the initial consideration or detailed review phases.

C. Required Information in Solicited Proposals

The RFP shall specify the information that must accompany each solicited proposal and the factors to be used in evaluating proposals. The Purchasing Agent shall post the RFP in public areas normally used for posting of the County's notices, including the County's procurement website. The Purchasing Agent may also publish notice of the RFP in newspapers or other publications of general circulation. Pre-proposal conferences may be held as the Purchasing Agent deems appropriate.

Solicited proposals shall address and meet all requirements of the RFP.

D. Required Information in Unsolicited and Competing Proposals

Unsolicited proposals and competing proposals shall contain the information required in Appendix B. *See Va. Code § 56-575.4(A).*

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IV. Consideration of Unsolicited Proposals and Solicitation of Competing Proposals

- A. After receipt and review of an unsolicited proposal, the Working Group shall recommend whether to accept the unsolicited proposal for consideration. The Working Group may request additional information from the proposer prior to making its recommendation.
 1. If an unsolicited proposal is for a General Government facility or services, the County Executive shall receive the Working Group's recommendation and shall recommend to the Board whether the unsolicited proposal should be accepted for consideration.
 2. If an unsolicited proposal is for an education facility or services, the Superintendent shall receive the recommendation of the Working Group and shall recommend to the School Board whether the proposal should be accepted for consideration. If the School Board recommends acceptance of the unsolicited proposal for consideration, the County Executive shall forward the School Board's recommendation to the Board along with his recommendation about whether the Board should accept the unsolicited proposal for consideration.
 3. The Board shall make the final decision on whether to accept an unsolicited proposal for consideration. If the Board accepts the proposal for consideration, it shall specify the time period between 90 and 120 days during which competing proposals may be submitted after the Purchasing Agent posts notice of its decision as provided in IV(B) below. If the Board rejects an unsolicited proposal that purports to develop specific cost savings, the Board shall specify the basis for rejection. *See Va. Code § 56-575.3(D).*
 4. The Purchasing Agent shall return any unsolicited proposal not accepted for consideration, together with the initial consideration fee and accompanying documentation, to the private entity.

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- B. If the Board decides to accept an unsolicited proposal for consideration, the Purchasing Agent shall post a notice within 10 days of the Board's decision on the County's procurement website and in a public area regularly used by the County for posting of public notices. The notice shall be posted for at least 90 days. The Purchasing Agent may also publish the notice in one or more newspapers or periodicals of general circulation in the County.
- C. The notice shall state that the County (i) has accepted an unsolicited proposal for consideration, (ii) intends to further evaluate the unsolicited proposal, and (iii) will accept for simultaneous consideration any competing proposals that comply with these guidelines and the PPEA. The notice also shall summarize the proposed project and identify its proposed locations.
- D. Interested parties may submit competing proposals within the time period specified by the Board and listed in the notice. Competing proposals shall provide the information required for unsolicited proposals in Appendix B.

V. Posting and Inspection of Submitted Proposals

Within 10 days of the County's acceptance of an unsolicited proposal for consideration and within 10 days of the County's receipt of a solicited proposal or a competing proposal, the Purchasing Agent shall post the proposal on the County's procurement website. The Purchasing Agent shall also make at least one copy of each proposal available for public inspection.

However, trade secrets, financial records, or other records of the proposer excluded from disclosure under state law shall not be posted or made available for public inspection unless the County and private entity agree otherwise. *See Va. Code § 56-575.17(A)(2).*

The Purchasing Agent may publish a summary of the proposals and the location where a copy of the proposals is available for public inspection on

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the County's procurement website and in one or more newspapers or periodicals of general circulation in the County.

VI. Consideration of Proposals

The Working Group shall review solicited proposals, accepted unsolicited proposals, and competing proposals using the criteria listed in Appendix D. The Working Group shall recommend in writing one of the five actions listed below to the County Executive for General Government proposals or to the Superintendent for education proposals. Upon receipt of the Working Group's recommendation, the County Executive or Superintendent shall determine:

- (i) not to proceed further with any proposal;
- (ii) to proceed to the detailed review phase with the original unsolicited proposal;
- (iii) to proceed to the detailed review phase with a competing proposal;
- (iv) to proceed to the detailed review phase with a solicited proposal; or
- (v) to proceed to the detailed review phase with multiple proposals.

The Purchasing Agent shall give written notice to all proposers of the decision of the County Executive or Superintendent in writing.

VII. Detailed Review Phase

If the County Executive or Superintendent decide to proceed to the detailed review phase, the Purchasing Agent's written notice to proposers shall establish a reasonable deadline for submission of detailed proposals based upon the complexity of the project. The required information for detailed

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proposals is listed in Appendix C. The Purchasing Agent's notice may require additional information in the detailed proposals.

Each proposer shall submit an original and eight copies of its detailed proposal along with the detailed review fee to the Purchasing Agent.

The Working Group shall evaluate each detailed proposal using the criteria listed in Appendix D. After the Working Group has reviewed the detailed proposals, it shall make its recommendations to the County Executive or the Superintendent.

For General Government proposals, the Board shall receive the County Executive's recommendation and hold a public hearing on the detailed proposals. For education proposals, the School Board shall receive the Superintendent's recommendation and hold a public hearing on the detailed proposals. The public hearing shall be held at least 30 days before execution of an Interim or Comprehensive Agreement.

After the public hearing, the Board or School Board shall determine by resolution:

- (i) not to proceed further with any proposal;
- (ii) to defer a decision until it has received additional information from one or more proposers; or
- (iii) to proceed to the negotiation phase with one or more proposers.

VIII. Negotiation Phase

A. Negotiations

If the Board or School Board agrees to proceed to the negotiation phase, the Working Group shall begin negotiations with one or more proposers on a Comprehensive Agreement. If desirable or necessary, the Working Group may also negotiate an Interim Agreement while the Comprehensive

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Agreement is being negotiated. The negotiations shall be based on the detailed proposals that were the subject of the public hearing at the end of the detailed review phase.

The private entity must enter into a Comprehensive Agreement with the County prior to developing or operating the project.

B. Duration of Negotiation Phase

The County anticipates that the negotiation phase may last three months or longer for simple projects and six months or longer for more complex projects.

IX. Posting and Filing of Proposed Agreements

Once the negotiation phase for an Interim or a Comprehensive Agreement is complete, but before an Interim or a Comprehensive Agreement is executed, the Purchasing Agent shall post the negotiated agreement on the County's purchasing website or on the Commonwealth of Virginia Department of General Services' central electronic procurement website for at least 10 days.

In addition, the Purchasing Agent may publish a summary of the negotiated agreement and the location where copies of the negotiated agreement are available for public inspection in a newspaper of general circulation in the County.

The Purchasing Agent shall make at least one copy of the negotiated agreement available for public inspection. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of Va. Code § 2.2-3705.6(11) shall not be required to be posted, except as otherwise agreed to by the County and the private entity.

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X. Interim Agreement

Prior to, or in connection with, the negotiation of the Comprehensive Agreement, the County may enter into an Interim Agreement with the private entity. The Interim Agreement may (i) permit the private entity to commence and be compensated for initial activities related to the qualifying project, such as project planning and development, design and engineering, environmental analysis and mitigation, surveying, and ascertaining the availability of financing for the proposed facilities or services; (ii) establish the process and timing of the negotiation of the Comprehensive Agreement; and (iii) contain other provisions related to the development or operation of a qualifying project. *See* Va. Code § 56-575.9:1.

The Board must review, and by Board resolution authorize the County Executive to execute, an Interim Agreement for General Government projects. The Board must review, and by Board resolution authorize the School Board to execute, an Interim Agreement for education projects. *See* Va. Code §§ 56-576.16(5); 56-575.3:1(C)(2).

III. Comprehensive Agreement

The Comprehensive Agreement shall include the components listed in Appendix E and other terms agreed to by the parties. Any changes in the Comprehensive Agreement shall be made by written amendment.

The Board must review, and by Board resolution authorize the County Executive to execute, a Comprehensive Agreement for General Government projects. The Board must review, and by Board resolution authorize the School Board to execute, a Comprehensive Agreement for education projects. *See* Va. Code §§ 56-576.16(5); 56-575.3:1(C)(2).

Within 30 days after the County enters into a Comprehensive Agreement, the Purchasing Agent shall submit a copy to the Commonwealth of Virginia's Auditor of Public Accounts.

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XII. Posting of Procurement Records

Once an Interim or Comprehensive Agreement has been executed, the Purchasing Agent shall make procurement records available for public inspection upon request. Procurement records shall not include trade secrets of the private entity or financial records of the private entity that are not generally available to the public through regulatory disclosure or otherwise. *See* Va. Code § 56-575.17(D).

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APPENDIX A. General Provisions

1. Qualifying Projects

PPEA projects must meet the statutory definition of "qualifying project" which includes public buildings and facilities, including:

- (i) An education facility, including a school building, any functionally-related and subordinate facility to a school building (including any stadium or other facility primarily used for school events), and any depreciable property for use in a public school facility;
- (ii) A building or facility that meets a public purpose and is developed or operated by or for a public entity;
- (iii) Improvements and equipment to enhance public safety and security of buildings principally used by a public entity;
- (iv) Utility, telecommunications, and other communications infrastructure;
- (v) A recreational facility;
- (vi) Technology infrastructure, services, and applications, including automated data processing, word processing and management information systems, and related equipment, goods, and services;
- (vii) Services to increase the productivity or efficiency of the responsible public entity through technology or other means;
- (viii) Technology, equipment, or infrastructure to deploy wireless broadband services to schools, businesses, or residential areas;
- (ix) Necessary or desirable improvements to unimproved publicly-owned real estate; or
- (x) A solid waste management facility that produces electric energy derived from solid waste.

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2. Virginia Freedom of Information Act

Generally, proposal documents submitted by private entities are subject to the Virginia Freedom of Information Act (Va. Code § 2.2-3700 *et seq.*) ("FOIA").

In accordance with Va. Code § 2.2-3705.6(11)(b), proposal documents are subject to disclosure if requested, except to the extent that they relate to (i) trade secrets of the private entity; (ii) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity, where, if such information was made public prior to the execution of an Interim Agreement or a Comprehensive Agreement, the financial interest or bargaining position of the County or private entity would be adversely affected. The private entity must invoke this exception in accordance with Va. Code § 2.2-3705.6(11)(b).

Va. Code § 56-575.4(G) imposes an obligation on the County to protect confidential proprietary information submitted by a private entity. When the private entity requests that the County not disclose information, the private entity must make a written request to the County:

1. Invoking the exclusion upon submission of the data or other materials to the County;
2. Identifying with specificity the data or other materials for which protection is sought; and
3. Stating the reasons why protection is necessary.

The County is only authorized and obligated to protect confidential proprietary information. The County will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential by the proposer without reasonably differentiating between the proprietary and non-proprietary information contained therein.

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Upon timely receipt of a request that designated portions of a proposal be protected from disclosure as confidential and proprietary, the Purchasing Agent shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. The Purchasing Agent will send the proposer a written determination of the nature and scope of the protection.

To protect other information submitted by the private entity from disclosure, the Purchasing Agent shall determine whether public disclosure prior to the execution of an Interim Agreement or Comprehensive Agreement would adversely affect the financial interest or bargaining position of the County or the private entity. In accordance with Va. Code § 56-575.4(G), the Purchasing Agent shall take appropriate action to protect confidential and proprietary information provided by the private entity pursuant to an agreement under Va. Code § 2.2-3705.6(11).

Upon a final determination by the Purchasing Agent to afford less protection than requested by the proposer, the proposer will be afforded an opportunity to withdraw its proposal. A proposal so withdrawn will be treated in the same manner as a proposal not accepted for consideration.

Once an Interim Agreement or Comprehensive Agreement has been entered into, the County will make the procurement records available upon request in accordance with Va. Code § 2.2-4342. Such procurement records shall include documents protected from disclosure during the negotiation phase on the basis that the release of such documents would have an adverse effect on the financial interest or bargaining position of the County or private entity in accordance with Va. Code § 2.2-3705.6(11)(b)(iii). Such procurement records shall not include (i) trade secrets of the private entity; (ii) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an Interim Agreement or Comprehensive Agreement, the financial interest or bargaining position of the County or the private entity would be adversely affected.

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3. Reservation of Rights

The County shall administer these guidelines in accordance with the PPEA and shall have the right to:

1. Terminate evaluation of a proposal or to reject a proposal at any time for any reason. Proposers shall have no recourse against the County for such termination or rejection. Proposers will be notified in writing of the County's rejection of their proposal.
2. Suspend or terminate negotiations with a proposer before execution of an Interim Agreement or Comprehensive Agreement.
3. Request revisions of, and negotiate with proposers about, provisions in a proposal.
4. Request or obtain additional information about any proposal.
5. Issue addenda to or cancel any request for proposals or invitation to bid.
6. Revise, supplement, or withdraw any part of these guidelines.
7. Modify the Fee Schedule in these guidelines for a specific project or for all future projects.
8. Keep review fees required by these guidelines unless an unsolicited proposal is not accepted by the County.
9. Submit one or more proposals for review by outside consultants or advisors selected by the County without notice to the proposer. Such consultants or advisors shall be required to maintain the confidentiality of information that has been designated as confidential and to refer all requests for confidential information to the County.

The County shall not be liable for, or reimburse, the costs incurred by proposers in developing proposals or in negotiating agreements. Any information the County makes available to proposers shall be provided

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solely as a convenience to the proposer and without representation or warranty of any kind. Proposers may not rely upon any oral responses to inquiries. If a proposer has a question regarding application of these guidelines, the proposer must submit the question in writing to the Purchasing Agent, and the County will respond in writing as it determines appropriate.

4. Use of Public Funds

Interim Agreements and Comprehensive Agreements are subject to all Virginia constitutional and statutory requirements and County of Albemarle County Code provisions governing the expenditure of public funds.

5. Applicability of Other Laws

Nothing in the PPEA shall affect the duty of the County to comply with all other applicable laws not in conflict with the PPEA. The applicability of the Virginia Public Procurement Act (Va. Code § 2.2-4300 *et seq.*) is as set forth in the PPEA.

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APPENDIX B. Required Information for Unsolicited and Competing Proposals

1. Qualifications and Experience

- a. Identify the legal structure, *i.e.*, type of business entity, of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach, and how each partner and major subcontractor (\$1 million or more) in the structure fits into the overall team. Identify all members of the private entity's team, including major subcontractors known to the proposer, at the time a proposal is submitted for the conceptual phase. State the status of the applicable Virginia license of each partner, proposer, contractor, and major subcontractor.
- b. Describe the experience of the firm or consortium of firms making the proposal and the key principals involved in the proposed project. Include experience with projects of comparable size and complexity and prior experience bringing similar projects to completion on budget and in compliance with design, land use, service and other standards. Describe the length of time in business, business experience, public sector experience, and other engagements of the firm or consortium of firms. Describe the past safety performance record and current safety capabilities of the firm or consortium of firms. Describe the past technical performance history on recent projects of comparable size and complexity, including disclosure of any legal claims or litigation by or against the firm or consortium of firms. Identify any firms that will provide design, construction, and completion guarantees and warranties and a description of such guarantees and warranties.
- c. For each firm or major subcontractor (\$1 million or more) that will be utilized in the project, provide a statement listing all of the firm's prior projects and clients for the past five years and their contact information. If a firm has worked on more than 10 projects during this period, it may limit its prior project list to 10 but shall first list all projects similar in scope and size to the proposed project and then list its most recent projects. Each firm or major subcontractor shall be required to submit all performance evaluation reports or other documents in its possession evaluating the firm's performance during

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the preceding three years in terms of cost, quality, schedule maintenance, safety, and other matters relevant to successful project development, operation, and completion.

- d. Provide the names, addresses, and telephone numbers of persons within the firm or consortium of firms who may be contacted for further information.
- e. Provide a current or most recent audited financial statement of the firm or consortium of firms and the financial statement of each partner with an equity interest of 10 percent or greater.
- f. Identify any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 *et seq.*) ("COIA").
- g. Identify the proposed plan for obtaining sufficient numbers of qualified workers in all trades or crafts required for the project.
- h. For each firm or major subcontractor that will perform construction or design activities, provide the following information:
 - (1) A sworn certification by an authorized representative of the firm attesting to the fact that the firm is not currently debarred or suspended by any federal, state or local government entity.
 - (2) A completed qualification statement that reviews all relevant information regarding technical qualifications and capabilities, firm resources, and business integrity of the firm, including bonding capacities, insurance coverage, and firm equipment. This statement shall also include a mandatory disclosure by the firm for the past five years any of the following:
 - (A) bankruptcy filings
 - (B) claims for liquidated damages
 - (C) fines, assessments or penalties
 - (D) judgments or awards in contract disputes

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- (E) contract defaults, contract terminations
- (F) license revocations, suspensions, other disciplinary actions
- (G) debarments or suspensions by a governmental entity
- (H) denials of prequalification
- (I) findings of non-responsibility
- (J) safety performance issues, including fatality incidents, "Experience Modification Rating," "Total Recordable Injury Rate" and "Total Lost Workday Incidence Rate"
- (K) violations of any federal, state or local criminal or civil law
- (L) criminal indictments or investigations
- (M) claims filed by or against the firm

- i. Worker safety programs: Describe worker safety training programs, job-site safety programs, accident prevention programs, written safety and health plans, including incident investigation and reporting procedures.

2. Project Characteristics

- a. Provide a topographic map (1:2000 or other appropriate scale) indicating the location of the qualifying project.
- b. Provide a description of the proposed project, including the conceptual design, in sufficient detail so that type and intent of the project, its location, and the communities that may be affected are clearly identified.
- c. Identify any facility, building, infrastructure, or improvement included in a proposal as part of a qualifying project specifically or conceptually.
- d. Identify and fully describe any work to be performed by the County and the timeline for its performance.
- e. Include a list of all federal, state, and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.

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- f. Identify any anticipated adverse social, economic, and environmental impacts of the project. Specify the strategies or actions to mitigate known or anticipated adverse impacts of the project. Indicate if any environmental or archaeological assessment has been completed.
- g. Identify the projected positive social, economic, and environmental impacts of the project.
- h. Identify the proposed schedule for the work on the project, including sufficient time for the County to review the proposal and plans, and the estimated time for completion.
- i. Identify contingency plans for addressing public needs if the project is not completed according to projected schedule.
- j. Propose allocation of risk and liability for work completed beyond the Comprehensive Agreement's completion date and assurances for timely completion of the project.
- k. State assumptions related to ownership, legal liability, and operation of the project and the existence of any restrictions on the County's use of the project.
- l. Provide information about phased or partial openings of the proposed project prior to completion of the entire work.
- m. List other assumptions relied on or any contingencies that must occur for the project to be successful.

3. Project Financing

- a. Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.
- b. Submit a plan for the development, financing, and operation of the project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of and proposed sources and

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uses for such funds. Include any supporting due diligence studies, analyses or reports.

- c. Include a list and discussion of assumptions underlying all major financial elements of the plan.
- d. Identify the proposed risk factors and methods for dealing with these factors.
- e. Identify any local, state, or federal resources that the proposer contemplates requesting for the project. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment, both one-time and ongoing.

4. Project Benefit and Compatibility

- a. Identify community benefits, including the economic impact the project will have on the County and local community in terms of amount of tax revenue to be generated for the County, the number of jobs generated for County residents, the level of pay and fringe benefits of such jobs, the training opportunities for apprenticeships and other training programs generated by the project, and the number and value of subcontracts generated for County subcontractors.
- b. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the project.
- c. Explain the strategy and plan to involve and inform the general public, business community, local governments, and governmental agencies in areas affected by the project.
- d. Describe the compatibility of the project with local, regional, and state economic development efforts.
- e. Describe the compatibility with the local comprehensive plan, infrastructure development plans, and capital improvement program.

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APPENDIX C. Required Information for Detailed Review Proposals

1. For a proposed construction project, construction plans and specifications that are at least 50% complete, as determined by the County.
2. Conceptual site plan indicating proposed location and configuration of the project on the proposed site. Any facility, building, infrastructure, or improvement included in a proposal as part of a qualifying project shall be identified specifically or conceptually.
3. Conceptual (single line) plans and elevations depicting the general scope, appearance, and configuration of the proposed project.
4. Detailed description of the proposed participation of, use by, and financial involvement of the County.
5. List of public facilities or other public improvements required of the County to complete the project.
6. Statement of the plans for securing all necessary real property interests, such as easements, rights-of-way, etc., for the project. The statement must include the names and addresses, if known, of the current owners of the necessary property and the location of any property the proposer requests the County to condemn.
7. Detailed listing of all firms that will provide design, construction, and completion guarantees and warranties, and a brief description of the guarantees and warranties.
8. Total life-cycle costs, methodology, assumptions of the project, and the proposed project start date. The life-cycle cost analysis should include a detailed analysis of the projected return, rate of return, or both; the expected useful life of the facilities; and estimated annual operating expenses. The information should also include each party's anticipated commitment; equity, debt, and other financing mechanisms; and a schedule of project revenues and project costs.
9. Detailed discussion of assumptions about user fees or rates and about usage of the project.
10. Identification of known government or public support or opposition for the project. Government or public support should be demonstrated through resolutions of government departments or boards, minutes of meetings, letters, or other official communications.
11. Demonstration of consistency with the County's comprehensive plan or a schedule of the steps necessary to amend the comprehensive plan.
12. Description of an ongoing evaluation system to track key performance criteria, including schedules, cash management, quality, worker safety, change orders, and legal compliance.
13. Identification of any known conflicts of interest or other factors that may impact consideration of the proposal, including the identification of persons who would be obligated to disqualify themselves from participation in any transaction in connection to the project because of COIA.
14. Acknowledgement of conformance with the Ethics in Public Contracting provisions of Va. Code §§ 2.2-4367 through 2.2-4377.
15. Additional information requested by the County.

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APPENDIX D. Proposal Evaluation Criteria

In addition of any criteria listed in a Request for Proposals, the County will consider the following items in its evaluation of PPEA proposals.

A. Qualifications and Experience

Factors to be considered in determining whether the proposer possesses the requisite qualifications and experience include:

1. Professional qualifications and experience with similar projects;
2. Demonstrated ability to perform the work;
3. Demonstrated record of successful past performance, including timeliness of project delivery, compliance with plans and specifications, quality of workmanship, cost-control and project safety;
4. Demonstrated conformance with applicable laws, codes, standards, regulations, and agreements on past projects;
5. Leadership structure;
6. Project manager's experience;
7. Management approach;
8. Project staffing plans, the skills levels of the proposed workforce, and the proposed safety plans for the project; and
9. Financial condition of the proposer.

B. Project Characteristics

Factors to be considered in evaluating the project characteristics include:

1. Project definition;

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2. Proposed project schedule;
3. Operation of the project after completion;
4. Technological and technical feasibility;
5. Conformity to state and County laws, regulations, and standards;
6. Environmental impacts;
7. Condemnation impacts;
8. State and local permits; and
9. Maintenance of the project after completion.

C. Project Financing

Factors to be considered about the proposed project financing include:

1. Cost and economic benefit to the County;
2. Financing, including debt source, and its impact on the debt or debt burden of the County;
3. Financial plan, including overall feasibility and reliability of plan; default implications; degree to which proposer has conducted due diligence investigation; maintenance and operational costs after completion; and
4. Life-cycle cost analysis.

D. Project Benefit and Compatibility

Factors to be considered in determining the proposed project's compatibility with the County's long-term development goals and objectives include the following:

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1. Community benefits, including the economic impact the project will have on the County in terms of amount of tax revenue generated for the County, the number of jobs generated for area residents, the level of pay and fringe benefits of such jobs, and the number and value of subcontracts generated for area subcontractors;
2. Community support or opposition, or both;
3. Public involvement strategy;
4. Compatibility with existing and planned facilities;
5. Compatibility with County, regional, and state economic development efforts; and
6. Compatibility with the County's land use and transportation plans.

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APPENDIX E. Required Components of Comprehensive Agreement

1. Delivery of maintenance, performance, and payment bonds or letters of credit in connection with the development or operation of the qualifying project, in the forms and amounts satisfactory to the County and in compliance with Va. Code § 2.2-4337 for those components of the qualifying project that involve construction;
2. Review and approval of plans and specifications for the qualifying project by the County;
3. County's inspection of the qualifying project to ensure the private entity's compliance with the Comprehensive Agreement;
4. Maintenance of liability insurance or self-insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;
5. County's monitoring of the practices of the private entity to ensure proper maintenance of the qualifying project;
6. Terms under which the private entity will reimburse the County for County services, if any;
7. Policy and procedures governing the rights and responsibilities of the parties if the Comprehensive Agreement is terminated or there is a material default by the private entity. *See* Va. Code § 56-575.9(A)(8);
8. Filing of appropriate financial statements by private entity on a periodic basis;
9. User fees, lease payments, or service payments as may be established upon agreement of the parties. Any payments or fees shall be the same for persons using the facility under like conditions and shall not materially discourage use of the qualifying project;

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- a. A copy of any service contract shall be filed with the County; and
- b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request.

10. Any grants from, or loans by, the County from amounts received from federal, state, or local government sources;
11. Incorporation of the duties of the private entity from the PPEA;
12. Certification by the private entity and its team members that all material representations, information, and data provided in connection with a proposal are true and correct. If material changes occur with respect to any representations, information or data provided for a proposal, the private entity shall immediately notify the County. Any violation of this section of the Comprehensive Agreement by the private entity shall give the County the right to terminate the agreement, withhold payment or other consideration due, and seek any other remedy available under the law;
13. Requirement for the written approval of the County for the private entity to substitute or replace identified team members, including major subcontractors performing over \$1 million of work;
14. The date for the commencement of activities related to the qualifying project. *See Va. Code § 56-575.4(F);* and
15. Other requirements of the PPEA or terms that the County determines serve the public interest, such as liquidated damages and reporting of SWAM and Tier 2 data.

Item No. 8.8. Regional Transit Partnership (RTP) Memorandum of Understanding.

The Executive Summary forwarded to the Board states that the Regional Transit Partnership (RTP) serves as an official advisory board, created by the City of Charlottesville, County of Albemarle, and JAUNT, in Partnership with the Virginia Department of Rail and Public Transportation to provide recommendations to decision-makers on transit-related matters. The RTP has been working for several months to develop the first written Memorandum of Understanding (MOU) between the City and County for shared transit service and funding. On May 23, 2019 the RTP reviewed and unanimously recommended the City and County consider and adopt the MOU for FY 20.

The MOU (Attachment B) identifies the projected routes and based upon a set formula, establishes financial contributions to be made by the County for hours of service provided in the County. The MOU identifies a process for changes to the services and service delivery review. The RTP recommends the City and County consider and adopt the MOU.

The FY 20 budget for the County's contribution to Charlottesville Area Transit was developed based on a draft of this MOU.

Staff recommends the Board of Supervisors approve the MOU.

By the above-recorded vote, the Board approved the following Memorandum of Understanding between the City of Charlottesville and the County of Albemarle for the purpose of budgeting, funding, operating, and planning for public transit services with the County by Charlottesville Area Transit for Fiscal Year 20:

INTERGOVERNMENTAL
MEMORANDUM OF UNDERSTANDING
Between
Albemarle County and the City of Charlottesville
July 1, 2019 – June 30, 2020

WHEREAS, the City of Charlottesville (City) and Albemarle County (County), Virginia have historically cooperated in providing public transit services through a department of the City, Charlottesville Area Transit (CAT), serving all of the City of Charlottesville and portions of Albemarle County; and

WHEREAS, the City of Charlottesville on behalf of Charlottesville Area Transit receives ongoing Virginia Department of Rail and Public Transportation (DRPT) and Federal Transit Administration (FTA) grant money for the operation and capital improvements of CAT; and

WHEREAS, both the City of Charlottesville and County of Albemarle (collectively, the Parties) desire that the collaboratively operated service of CAT continues in both jurisdictions; and

WHEREAS, both the City of Charlottesville and County of Albemarle on October 30, 2017 entered into a Memorandum of Understanding with the Charlottesville Albemarle Metropolitan Planning Organization, the Thomas Jefferson Planning District Commission and JAUNT, Inc., creating the Regional Transit Partnership (RTP) to advise and recommend to the parties improved efforts for regional transit cooperation; and

WHEREAS, a written understanding between the City and County was recommended by the RTP to communicate and implement each party's roles and responsibilities toward shared public transit service; and

WHEREAS, this Memorandum of Understanding is not intended to be an agreement for Purchase of Service.

NOW, THEREFORE, this Memorandum of Understanding is entered between the City and County for the purpose of budgeting, funding, operating and planning for public transit services within Albemarle County, Virginia by Charlottesville Area Transit for the time period of July 1, 2019 through June 30, 2020.

Accordingly, the City and County understand as follows:

I. TERM

This Memorandum of Understanding is effective upon signature by all representatives for both parties and shall remain in full force and effect until June 30, 2020, or until canceled

pursuant to the provisions of Section VIII below; provided however that the terms of this MOU are subject to written amendment pursuant to Section X.

II. OPERATIONS AND SERVICES

- A. Operations. The Parties agree to continue operations of CAT providing ongoing public transit service within the City of Charlottesville and County of Albemarle. The CAT operating year begins on July 1 and ends on June 30 of the following year.
- B. Services. All transit services will be provided in vehicles open to the general public without discrimination.

The Parties agree to the bus routes and timetables for the various routes as set forth in Attachment A to this agreement.

The Parties agree to make best efforts to mutually develop routes, timetables and headways on or before January 1 of each year for the following fiscal year services, if the Parties anticipate renewing this MOU for the subsequent period.

The routes and timetables in Attachment A may be amended from time to time by mutual written agreement between the City and County. To the extent that such changes impact cost for services, the City and County will include the proper adjustment of those costs in the written amendment.

Emergency temporary changes and deviations of routes due to weather, sports events, concerts, community events or similar unexpected one-time occurrences are not subject to written amendment. Verbal or electronic notice to Albemarle County will be provided within a reasonable time period.

CAT will provide marketing and advertising services equitably between City and County routes. Marketing and advertising services should be provided systematically and not specific to any particular route unless specifically identified in the operating budget for that specific route or specific service.

All annual budgets, agreements, agreement amendments, route and timetable changes shall be presented to the Regional Transit Partnership for their review.

III. COMPLIANCE WITH FEDERAL AND STATE LAWS, RULES AND REGULATIONS

CAT has the sole responsibility for ensuring compliance with applicable federal and state laws, rules and regulations.

CAT, City and County will cooperate to develop a regional urban transit agency strategic plan that includes the development of regional operational strategic plans for transit agencies pursuant to Virginia Code Section 33.2-286.

Any charter use of any system vehicles used in the course of implementing services is subject to agreement of the parties and applicable FTA guidelines.

IV. FINANCIAL / EQUIPMENT COMMITMENTS

The Parties are obligated to the financial commitments for CAT as indicated in Attachment "B", Financial Detail Sheet.

A. Albemarle County.

1. The County shall pay an annual amount for public transit services provided during the period of July 1, 2019 through June 30, 2020 as set forth in Attachment "B" to this agreement.

Payments shall be from the County to the City on the following intervals:

Equal quarterly payments are due in July, October, January and April.

The actual fiscal year public transit services funding as stated in Section (IV) (A)(1) to be provided by the County to the City will be determined based upon the actual City approved budget and actual approved state and federal grants for operational expenses for the upcoming fiscal year.

2. County contributions are for operating services only. No contributions by the County create ownership by the County of any City or CAT capital stock, land, buildings or equipment.

B. City of Charlottesville.

1. The City will provide a draft budget to the County and RTP upon submission by the City Manager to the City Council.
2. The City will maintain a CAT fund account as part of the City budget.
3. The City will account for all funds received from the County pursuant to this agreement, and revenues generated by the CAT operations accounts. In the event that the County chooses to terminate this MOU, the City will prorate any and all related year-to-date operating expenses and reimburse the County any funds paid by the County up to the service termination date. In the event these related operating expenses exceed payments received from the County at the time of service termination, the City shall invoice the County within 30 days of service termination, for payment of utilized but unpaid hours of service. The City will retain all other operational and capital purchase reserve amounts in the CAT account, not otherwise owed to the County under this agreement. Those funds shall be utilized for the ongoing operation of the transit service.
4. The City, shall apply for federal and state grants for CAT when mutually beneficial to the system. Any grant applications which, if awarded, would commit County resources shall be reviewed by the Regional Transit Partnership and approved by the

Albemarle County Executive prior to the submission of the grant application to the sponsor or funding agency.

5. The City shall carry insurance coverages with written proof of coverage meeting the following minimum amounts:
 - a. Workers' Compensation - Statutory requirements and benefits. Coverage is compulsory for employers of three or more employees, to include the employer. This policy shall specifically list Virginia as a covered state.
 - b. Employer's Liability - \$100,000. This policy shall list Virginia as a covered state.
 - c. General Liability - \$1,000,000 per occurrence. General Liability is to include bodily injury and property damage, personal injury, advertising injury, contractual liability, products and completed operations coverage and public official's liability coverage.
 - d. Automobile Liability - \$1,000,000 per occurrence.
 - e. Excess Liability Coverage - \$3,000,000 per occurrence. The excess liability coverage policy will be written on an occurrence basis and shall follow form, without exclusions, to the underlying Commercial General Liability and Auto Liability coverages.

All insurance coverage:

- a. shall be issued by an insurance carrier authorized to do business within the Commonwealth of Virginia or other qualified proof of self-insurance as confirmed and approved by the Commonwealth of Virginia;
- b. shall be kept in force throughout performance of services;
- c. shall be an occurrence-based policy;
- d. shall include completed operations coverage;
- e. shall contain a cross liability or severability of interest clause or endorsement. Insurance covering the specified additional insured shall be primary and non-contributory, and all other insurance carried by the additional insureds shall be excess insurance.
- f. A certificate of insurance will be provided by the City to the County's Office of Risk Management prior to the commencement of the operation of a transit vehicle. The premium for this insurance will be paid out of the transit account maintained by the City. All policies should name the County and its officers, employees, and volunteers as additional insureds on a primary and non-contributory basis. All insurance policies must also include a waiver of subrogation in favor of the County of Albemarle.

6. The City agrees that any excess funding paid by the County for operations will be accounted for as a percentage of contribution and the parties will mutually agree upon how the funds will be identified for use such as crediting them as matching funds or operational credit. Excess funding is defined as the actual budget dollars.
7. The City agrees to contribute the amount of funding necessary for normal operations to achieve and maintain the level of service established in Attachment "A" above any portion that County will pay. In the event of an extreme and

unexpected economic situation as determined by the City, i.e., significant increase in fuel expense, both the County and the City agree to mutually determine how to resolve the resulting funding requirement.

V. OTHER COMMITMENTS AND GOALS

The parties are obligated to the financial commitments for CAT as indicated in Attachment "B".

A. Albemarle County

1. The County agrees to participate in the Regional Transit Partnership.
2. The County agrees to immediately notify the City of any staffing changes of executive officials of the County that would affect operations, management or administration of this MOU and joint transit services.

B. City of Charlottesville

1. The City shall operate CAT in accordance with the terms, conditions and spirit of this MOU, including any properly executed amendments or other modifications mutually agreed upon in writing by both parties.
2. All CAT personnel will be employees of the City, and it is the City's responsibility to ensure that personnel who drive buses are properly licensed and trained.
3. The City will maintain all buses according to best practices to ensure that they are fully operational, safe, clean and well-kept, and the City will use its best efforts to ensure that buses display accurate information on the marquee of each bus.
4. The City agrees to jointly communicate with the County of any proposed route or schedule changes to its citizens, visitors and businesses.
5. The City agrees to participate in the Regional Transit Partnership.
6. The City agrees to immediately notify the County of any staffing changes of executive officials of the City (CAT) that would affect operations, management or administration of this MOU and joint transit services.
7. The City agrees to provide reasonable accommodations of use at the Downtown Transit Station for public transit service of JAUNT and any other public transit service providing such services are pursuant to a contract with the County.

VI. ADMINISTRATION

- A. Responsibilities. Except as otherwise provided in this MOU, the City shall have the sole responsibility for the overall implementation, operations, and management of CAT. The City is responsible for adhering to the budget; any exceptions to the approved budget during the term of this agreement must be approved in writing by the County. The City

will provide operations information of ridership, fare revenues, expenses, routes, and general operational data to the County. All matters related to this agreement and the operation of the transit system shall be communicated to the County Executive with copy to the Regional Transit Partnership.

B. Audit and Record Keeping. The County shall have the right, upon reasonable notice, to audit the records of the City and CAT as they pertain to these public transit services, including relevant computer files. The City agrees to provide the County with a copy of any audit initiated by an outside agency which includes any aspect of the City's public transit service operations, equipment or facilities.

The Regional Transit Partnership shall be responsible for annual auditing of the revenue hours, County percentage of operations, County service hours, approved budgets and awarded grant amounts.

C. Reports. The City shall provide the following reports to the Regional Transit Partnership:

1. Ridership Report: The City shall electronically provide a monthly summary of ridership in a spreadsheet format. Additionally, the Regional Transit Partnership shall have access upon reasonable request to the daily ridership route logs.
2. Exception Reports: The City shall deliver a summary report indicating any run on a scheduled route that was not started or completed detailing the reason for the cancellation, or early termination of the run on the route, within five (5) business days of the occurrence. Early/late runs are not subject to this report.
3. Financial Reports: The City shall provide an annual budget report to the County showing the revenues and expenses for CAT including line item detail of the Capital Equipment Reserve Account and the CAT fund account.

D. Meetings. The parties shall participate in regular Regional Transit Partnership meetings to discuss ridership trends, potential route modifications, operational matters, identify opportunities for efficiencies, and such other matters as the parties agree. Additionally, the parties agree to have at least one meeting between June 1 and September 1 of each calendar year to develop its budgetary priorities to communicate to the County and the City.

Upon submission of a recommended annual budget to the City of Charlottesville by the City Manager and to the Albemarle County Board of Supervisors by the County Executive, the RTP shall review the recommended CAT and public transit service budget for possible recommendations to the Charlottesville City Council and the Albemarle County Board of Supervisors.

VII. OVERSIGHT

A. Regional Transit Partnership. The Regional Transit Partnership has been established as an advisory board that provides recommendations to City, County, Public Transit Operators and other stakeholders, such as the University of Virginia (UVA). The Partnership shall not have any inherent decision-making powers and does not supersede management over the Public Transit Operators.

Changes to multi-jurisdictional routes, bus stops outside of the City of Charlottesville, substantial rider or service policies shall be submitted to the RTP for their review and recommendations to the governing bodies.

B. Transit Director. The City's Transit Director shall apprise the RTP of all matters pertaining to CAT and will recommend to the RTP those actions and policies believed necessary for the efficient operation of CAT. The Transit Director shall receive advisory direction from the RTP but is ultimately a City employee responsible to the City and they will be governed by City administrative, financial, and personnel policies.

The Transit Director shall serve as the RTP's contact and staff representative for CAT operations and shall provide the RTP with the following information monthly, or upon request:

1. monthly operations reports of relevant operational activities of CAT; (narrative of activities occurring such as staffing/driver concerns, fuel cost projections, upcoming construction detours, site issues, etc.)
2. ridership data for all routes;
3. revenue/expenditure reports;
4. citizen complaints and suggestions;
5. Citizen Advisory Committee updates; ;
6. new service requests;
7. grant requests;
8. long-range planning; and
9. capital improvement programs.

VIII. TERMINATION / EXTENSION

This MOU may be terminated by either party upon 120 days written notice.

Upon termination:

1. The City will reimburse the County any funds paid by the County during the year in which the termination occurred which had not yet been obligated.
2. Upon any reduction or elimination of grant funding for CAT by the DRPT or by the FTA, neither party to this MOU shall be required to provide funding to maintain operations and services. This event will be considered a Special Exception allowing the early termination of this MOU, if the MOU cannot be modified, by the written agreement of both parties to continue operations without the grant funds at issue.

This MOU will automatically renew for a one (1) year term, for a maximum of four one-year renewal terms, unless either party provides notice to the other of its intent to terminate this agreement not less than one hundred twenty (120) days before the end of the then current MOU term. Such renewal is terminated upon the execution of a new or amended MOU.

IX. LIABILITY AND INDEMNIFICATION

To the fullest extent allowed by law, the City of Charlottesville will and does hereby agree to protect and defend, hold harmless and indemnify Albemarle County and its respective affiliated enterprises, officers, employees, representatives and agents from and against all damages, losses, liens, causes of action, suits, judgments, expenses and other claims of any nature, kind or description by any entity or person resulting from the operation of Charlottesville Area Transit under the performance of this agreement through the procurement of and coverages offered by general liability insurance, public official liability, automobile and bus, worker's compensation, excess liability insurance coverage, and any other insurance endorsements that serve to protect the City of Charlottesville.

X. RENEGOTIATION

Both parties agree to meet, review and consider changes that could be caused by grant funding changes, service level changes, ridership, and efficiencies including any potential amendments of this MOU. All such changes or amendments to this MOU must be in writing and be signed by the authorized representatives of the parties.

XI. Non-appropriation

The obligation of the County to appropriate funds to the City as provided in this agreement is subject to, and dependent upon, appropriations being made from time to time by the County's Board of Supervisors. Under no circumstances shall this agreement be construed to establish an irrevocable obligation on the County to contribute the funds. The obligation of the City to appropriate funds as provided in this Agreement is subject to, and dependent upon, appropriations being made from time to time by the Charlottesville City Council. Under no circumstances shall this Agreement be construed to establish an irrevocable obligation on the City to contribute the funds.

XIII. Entire Memorandum of Understanding.

This MOU states all covenants, promises, agreements, conditions, and understandings between the County and the City regarding the County's contribution of funds to the City for public transit services.

XIV. Amendments

In addition to renegotiating certain changes identified in Section X, this MOU may be amended by a mutual written amendment signed by the authorized representatives of the parties.

XV. NOTICE TO PARTIES

Any notice, consent or other communication ("Notice") required or permitted under this MOU shall be in writing and either delivered in person, sent by electronic mail (e-mail), deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, or deposited with any commercial air courier or express service addressed as follows:

If to the City:

City of Charlottesville
Charlottesville Area Transit
Attn: Transit Director
615 East Water Street
Charlottesville, VA 22902

and to:

City of Charlottesville
City Manager
PO Box 911
Charlottesville, VA 22902

If to the County:

Albemarle County
Attn: County Executive
401 McIntire Road
Charlottesville, VA 22902

and to:

Albemarle County
Attn: Director of Community Development
401 McIntire Road
Charlottesville, VA 22902

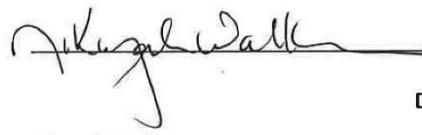
Correspondence should be copied to:
Thomas Jefferson Planning District Commission
Regional Transit Partnership
Executive Director
401 East Water Street
Charlottesville, VA 22902

IN WITNESS WHEREOF, all concerned parties have executed this Memorandum of
Understanding on the 16th day of JULY, 2019:

Signatures:

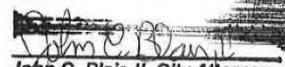
 WITNESS BY 
DATE 7/10/19

Ned Gallaway,
Chair
County of Albemarle Board of Supervisors

 WITNESS BY 
DATE 7/16/19

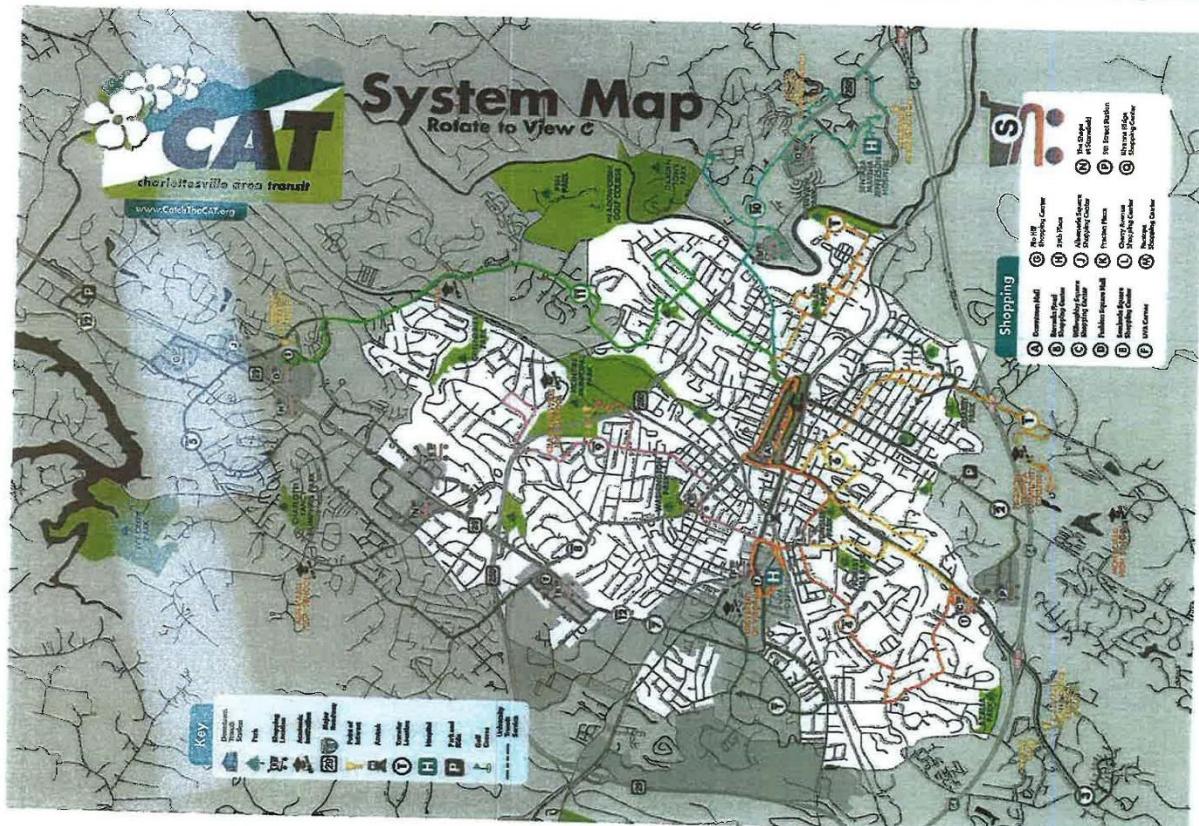
Nikuyah Walker,
Mayor
City of Charlottesville, and on behalf of the Charlottesville Transit Service

Approved as to Form:


John C. Blair, II, City Attorney

ATTACHMENT "A"

CHARLOTTESVILLE AREA TRANSIT ROUTE MAP AND SCHEDULE



FREE T

W Main St & UVA
Monday - Saturday 6:40 AM - 11:37 PM
Sunday 8:00 AM - 8:47 PM (schedule on page 37)

Free to Ride!
The perfect choice when traveling between UVA and Downtown.

Monday through Saturday

DTS Departure	17333	11193	11198	17333	DTS Arrival
A	6:40 AM	6:50 AM	7:05 AM	7:22 AM	
B	6:55 AM	7:05 AM	7:20 AM	7:37 AM	
C	7:10 AM	7:20 AM	7:35 AM	7:52 AM	
A	7:25 AM	7:35 AM	7:50 AM	8:07 AM	
B	7:40 AM	7:50 AM	8:05 AM	8:22 AM	
C	7:55 AM	8:05 AM	8:20 AM	8:37 AM	
A	8:10 AM	8:20 AM	8:35 AM	8:52 AM	
B	8:25 AM	8:35 AM	8:50 AM	9:07 AM	
C	8:40 AM	8:50 AM	9:05 AM	9:22 AM	
A	8:55 AM	9:05 AM	9:20 AM	9:37 AM	
B	9:10 AM	9:20 AM	9:35 AM	9:52 AM	
C	9:25 AM	9:35 AM	9:50 AM	10:07 AM	
A	9:40 AM	9:50 AM	10:05 AM	10:22 AM	
B	9:55 AM	10:05 AM	10:20 AM	10:37 AM	
C	10:10 AM	10:20 AM	10:35 AM	10:52 AM	
A	10:25 AM	10:35 AM	10:50 AM	11:07 AM	
B	10:40 AM	10:50 AM	11:05 AM	11:22 AM	
C	10:55 AM	11:05 AM	11:20 AM	11:37 AM	
A	11:10 AM	11:20 AM	11:35 AM	11:52 AM	
B	11:25 AM	11:35 AM	11:50 AM	12:07 PM	
C	11:40 AM	11:50 AM	12:05 PM	12:22 PM	
A	11:55 AM	12:05 PM	12:20 PM	12:37 PM	
B	12:10 PM	12:20 PM	12:35 PM	12:52 PM	
C	12:25 PM	12:35 PM	12:50 PM	1:07 PM	
A	12:40 PM	12:50 PM	1:05 PM	1:22 PM	
B	12:55 PM	1:05 PM	1:20 PM	1:37 PM	
C	1:10 PM	1:20 PM	1:35 PM	1:52 PM	
A	1:25 PM	1:35 PM	1:50 PM	2:07 PM	
B	1:40 PM	1:50 PM	2:05 PM	2:22 PM	
C	1:55 PM	2:05 PM	2:20 PM	2:37 PM	
A	2:10 PM	2:20 PM	2:35 PM	2:52 PM	
B	2:25 PM	2:35 PM	2:50 PM	3:07 PM	
C	2:40 PM	2:50 PM	3:05 PM	3:22 PM	
A	2:55 PM	3:05 PM	3:20 PM	3:37 PM	

Sunday

DTS Departure	17333	11193	11198	17333	DTS Arrival
A	8:00 AM	8:10 AM	8:20 AM	8:27 AM	
B	8:30 AM	8:50 AM	8:55 AM	8:57 AM	
C	9:00 AM	9:20 AM	9:27 AM	9:37 AM	
A	9:30 AM	9:40 AM	9:50 AM	9:57 AM	
B	10:00 AM	10:10 AM	10:25 AM	10:42 AM	
C	10:20 AM	10:30 AM	10:45 AM	11:02 AM	
A	10:45 AM	10:55 AM	11:10 AM	11:27 AM	
B	11:05 AM	11:15 AM	11:30 AM	11:47 AM	
C	11:30 AM	11:40 AM	11:55 AM	12:12 PM	
A	11:50 AM	12:00 PM	12:15 PM	12:32 PM	
B	12:15 PM	12:25 PM	12:40 PM	12:57 PM	
C	12:35 PM	12:45 PM	1:00 PM	1:17 PM	

System Facts
Did you know that, on average, CAT logs enough miles to travel to California each day? These facts are based on data collected from fiscal year 2017.

2.1 MILLION PASSENGER TRIPS		Operating Funding Sources	
Ridership by Route	Free Trolley	Revenue Items & Advertising	Local
29% City of Charlottesville	34%	46%	22%
Albemarle County 14%	10%	State	24%
University of Virginia 34%	7%	Federal	1%
1.1 MILLION MILES	Routes 5	Routes 1-4	Routes 6-12

Service Hours
Monday through Friday

Route	6 AM	8 AM	10 AM	12 PM	2 PM	4 PM	6 PM	8 PM	10 PM	12 AM
1	1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1	1
3	1	1	1	1	1	1	1	1	1	1
4	1	1	1	1	1	1	1	1	1	1
5	1	1	1	1	1	1	1	1	1	1
6	1	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1	1
9	1	1	1	1	1	1	1	1	1	1
10	1	1	1	1	1	1	1	1	1	1

Saturday

Route	6 AM	8 AM	10 AM	12 PM	2 PM	4 PM	6 PM	8 PM	10 PM	12 AM
1	1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1	1
3	1	1	1	1	1	1	1	1	1	1
4	1	1	1	1	1	1	1	1	1	1
5	1	1	1	1	1	1	1	1	1	1
6	1	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1	1
9	1	1	1	1	1	1	1	1	1	1
10	1	1	1	1	1	1	1	1	1	1

Sunday

Route	6 AM	8 AM	10 AM	12 PM	2 PM	4 PM	6 PM	8 PM	10 PM	12 AM
1	1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1	1
3	1	1	1	1	1	1	1	1	1	1
4	1	1	1	1	1	1	1	1	1	1
5	1	1	1	1	1	1	1	1	1	1
6	1	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1	1
9	1	1	1	1	1	1	1	1	1	1
10	1	1	1	1	1	1	1	1	1	1

Buses in Service

Route	1	2	3	4	5	6	7	8	9	10
RT 1	1	1	1	1	1	1	1	1	1	1
RT 2	1	1	1	1	1	1	1	1	1	1
RT 3	1	1	1	1	1	1	1	1	1	1
RT 4	1	1	1	1	1	1	1	1	1	1
RT 5	1	1	1	1	1	1	1	1	1	1
RT 6	1	1	1	1	1	1	1	1	1	1
RT 7	1	1	1	1	1	1	1	1	1	1
RT 8	1	1	1	1	1	1	1	1	1	1
RT 9	1	1	1	1	1	1	1	1	1	1
RT 10	1	1	1	1	1	1	1	1	1	1

*High Frequency service and end with standard frequency service. Routes are phased in to reach the maximum count and then phased out as the peak is over.

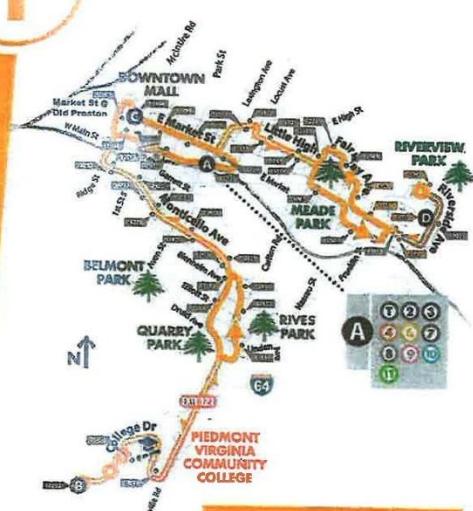
** Not representative of Sunday.

38

**ROUTE
1**

PVCC & Woolen Mills

Monday - Friday 6:15 AM - 10:05 PM
Saturday & Sunday No Service



Special Note
The Downtown Train is still in use only serving in the southbound direction. Riders PVCC, Potters Run who wish to travel to and from the 1st and 2nd Newberry Street stops should take the train to the East Market Street Station at the East Market Street Station. (Not available on Sunday)

17233	12803	11403	19056	17333
Downtown Transit Station Departure	PVCC @ Dickinson Bldg	Market St @ Old Preston	Riverside Avenue	Downtown Transit Station Arrival
—	—	—	6:15 AM	6:27 AM
6:30 AM	6:50 AM	7:00 AM	7:15 AM	7:27 AM
7:30 AM	7:50 AM	8:00 AM	8:15 AM	8:27 AM
8:30 AM	8:50 AM	9:00 AM	9:15 AM	9:27 AM
9:30 AM	9:50 AM	10:00 AM	10:15 AM	10:27 AM
10:30 AM	10:50 AM	11:00 AM	11:15 AM	11:27 AM
11:30 AM	11:50 AM	12:00 PM	12:15 PM	12:27 PM
12:30 PM	12:50 PM	1:00 PM	1:15 PM	1:27 PM
1:30 PM	1:50 PM	2:00 PM	2:15 PM	2:27 PM
2:30 PM	2:50 PM	3:00 PM	3:15 PM	3:27 PM
3:30 PM	3:50 PM	4:00 PM	4:15 PM	4:27 PM
4:30 PM	4:50 PM	5:00 PM	5:15 PM	5:27 PM
5:30 PM	5:50 PM	6:00 PM	6:15 PM	6:27 PM
6:30 PM	6:50 PM	7:00 PM	7:15 PM	7:27 PM
7:30 PM	7:50 PM	8:00 PM	8:15 PM	8:27 PM
8:30 PM	8:50 PM	9:00 PM	9:15 PM	9:27 PM
9:30 PM	9:50 PM	10:00 PM	—	10:05 PM

**ROUTE
2**

5th Street Station

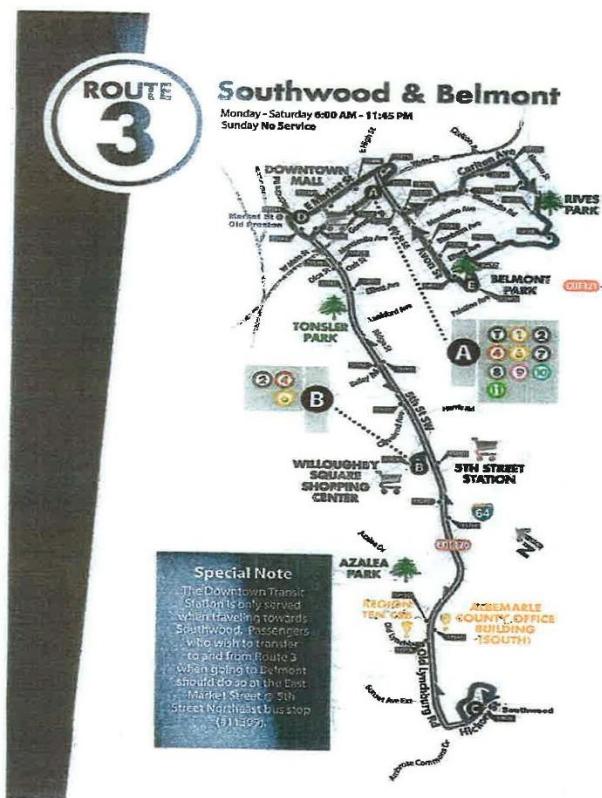
Monday - Saturday 6:35 AM - 11:42 PM
Sunday 7:35 AM - 5:42 PM



Free Parking
The City of Charlottesville offers free parking at the 5th Street Station. Avon Street Extended. Take the bus and avoid paying for parking downtown.

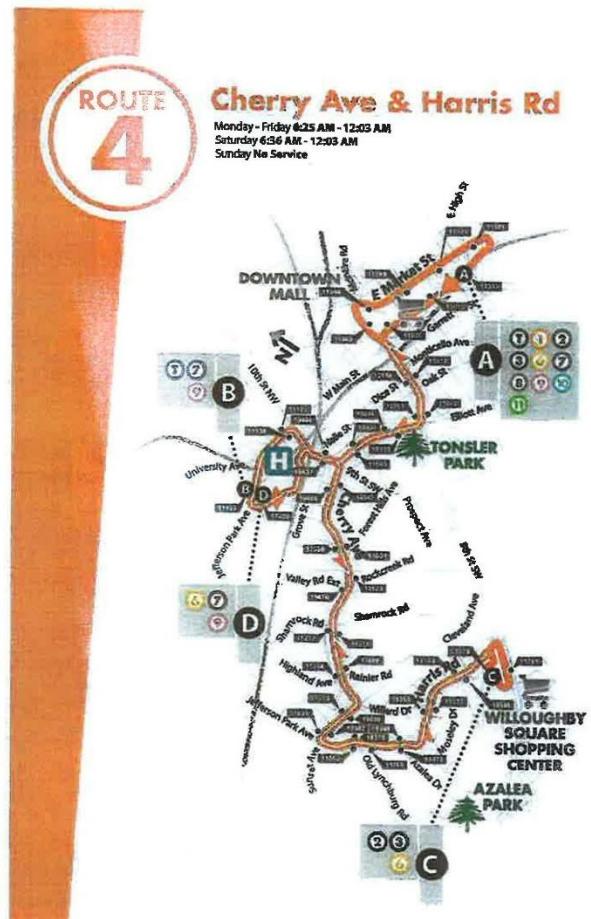
17333	120054	20077	17333
Downtown Transit Station Departure	5th Street Station	Avon St Ext @ Park & Ride	Downtown Transit Station Arrival
—	—	—	—
6:45 AM	7:00 AM	6:35 AM	6:42 AM
7:15 AM	7:30 AM	7:35 AM	7:42 AM
7:45 AM	8:00 AM	8:05 AM	8:12 AM
8:15 AM	8:30 AM	8:35 AM	8:42 AM
8:45 AM	9:00 AM	9:05 AM	9:12 AM
9:15 AM	9:30 AM	9:35 AM	9:42 AM
9:45 AM	10:00 AM	10:05 AM	10:12 AM
10:15 AM	10:30 AM	10:35 AM	10:42 AM
10:45 AM	11:00 AM	11:05 AM	11:12 AM
11:15 AM	11:30 AM	11:35 AM	11:42 AM
11:45 AM	12:00 PM	12:05 PM	12:12 PM
12:15 PM	12:30 PM	12:35 PM	12:42 PM
12:45 PM	1:00 PM	1:05 PM	1:12 PM
1:15 PM	1:30 PM	1:35 PM	1:42 PM
1:45 PM	2:00 PM	2:05 PM	2:12 PM
2:15 PM	2:30 PM	2:35 PM	2:42 PM
2:45 PM	3:00 PM	3:05 PM	3:12 PM
3:15 PM	3:30 PM	3:35 PM	3:42 PM
3:45 PM	4:00 PM	4:05 PM	4:12 PM
4:15 PM	4:30 PM	4:35 PM	4:42 PM
4:45 PM	5:00 PM	5:05 PM	5:12 PM
5:15 PM	5:30 PM	5:35 PM	5:42 PM
5:45 PM	6:00 PM	6:05 PM	6:12 PM
6:15 PM	6:30 PM	6:35 PM	6:42 PM
6:45 PM	7:00 PM	7:05 PM	7:12 PM
7:15 PM	7:30 PM	7:35 PM	7:42 PM
7:45 PM	8:00 PM	8:05 PM	8:12 PM
8:15 PM	8:30 PM	8:35 PM	8:42 PM
8:45 PM	9:00 PM	9:05 PM	9:12 PM
9:15 PM	9:30 PM	9:35 PM	9:42 PM
9:45 PM	10:00 PM	10:05 PM	10:12 PM
10:15 PM	10:30 PM	10:35 PM	10:42 PM
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11:15 PM	11:30 PM	11:35 PM	11:42 PM

NOT SERVED ON SUNDAY



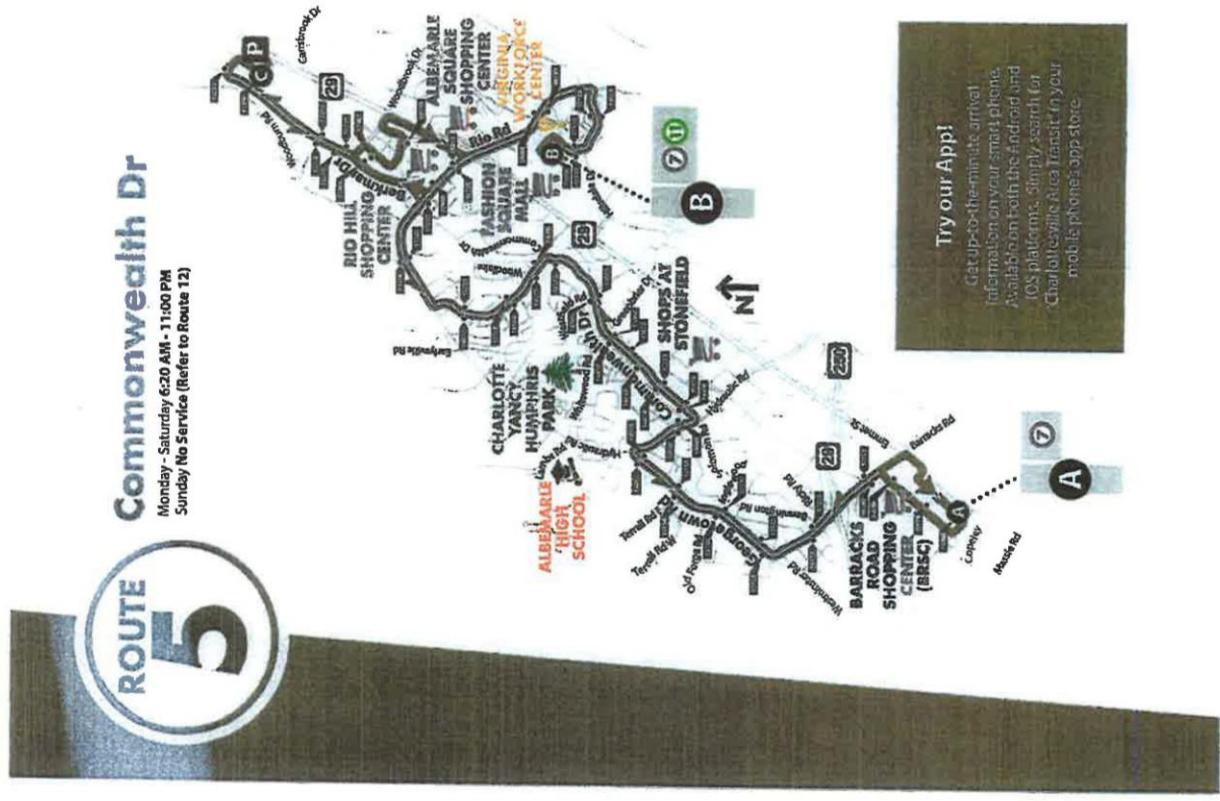
Downtown Transit Station Departure	17333	19324	12032	11494	15587	17232	Downtown Transit Station Arrival
A	—	—	—	—	—	—	A
6:30 AM	6:40 AM	6:45 AM	7:00 AM	7:15 AM	6:15 AM	6:27 AM	
• 7:00 AM	• 7:10 AM	• 7:15 AM	• 7:30 AM	• 7:45 AM	• 7:57 AM		
7:30 AM	7:40 AM	7:45 AM	8:00 AM	8:15 AM	8:27 AM		
• 8:00 AM	• 8:10 AM	• 8:15 AM	• 8:30 AM	• 8:45 AM	• 8:57 AM		
8:30 AM	8:40 AM	8:45 AM	9:00 AM	9:15 AM	9:27 AM		
9:30 AM	9:40 AM	9:45 AM	10:00 AM	10:15 AM	10:27 AM		
10:30 AM	10:40 AM	10:45 AM	11:00 AM	11:15 AM	11:27 AM		
11:30 AM	11:40 AM	11:45 AM	12:00 PM	12:15 PM	12:27 PM		
12:30 PM	12:40 PM	12:45 PM	1:00 PM	1:15 PM	1:27 PM		
1:30 PM	1:40 PM	1:45 PM	2:00 PM	2:15 PM	2:27 PM		
2:30 PM	2:40 PM	2:45 PM	3:00 PM	3:15 PM	3:27 PM		
• 3:00 PM	• 3:10 PM	• 3:15 PM	• 3:30 PM	• 3:45 PM	• 3:57 PM		
3:30 PM	3:40 PM	3:45 PM	4:00 PM	4:15 PM	4:27 PM		
• 4:00 PM	• 4:10 PM	• 4:15 PM	• 4:30 PM	• 4:45 PM	• 4:57 PM		
4:30 PM	4:40 PM	4:45 PM	5:00 PM	5:15 PM	5:27 PM		
• 5:00 PM	• 5:10 PM	• 5:15 PM	• 5:30 PM	• 5:45 PM	• 5:57 PM		
5:30 PM	5:40 PM	5:45 PM	6:00 PM	6:15 PM	6:27 PM		
• 6:00 PM	• 6:10 PM	• 6:15 PM	• 6:30 PM	• 6:45 PM	• 6:57 PM		
6:30 PM	6:40 PM	6:45 PM	7:00 PM	7:15 PM	7:27 PM		
7:30 PM	7:40 PM	7:45 PM	8:00 PM	8:15 PM	8:27 PM		
8:30 PM	8:40 PM	8:45 PM	9:00 PM	9:15 PM	9:27 PM		
9:30 PM	9:40 PM	9:45 PM	10:00 PM	10:15 PM	10:27 PM		
10:30 PM	10:40 PM	10:45 PM	11:00 PM	11:15 PM	11:27 PM		
11:30 PM	11:40 PM	11:45 PM	—	—	—	—	

* NOT SERVED ON SATURDAY



Downtown Transit Station Departure	17333	11193	19324	Willoughby Square Shopping Center	Pinn Hall Inbound	17023	Downtown Transit Station Arrival
A	—	—	—	—	—	—	A
—	—	—	—	• 6:25 AM	• 6:42 AM	• 6:57 AM	
—	—	—	—	• 6:48 AM	• 7:05 AM	• 7:20 AM	
6:36 AM	6:51 AM	7:11 AM	7:28 AM	7:43 AM			
• 7:00 AM	• 7:15 AM	• 7:35 AM	• 7:52 AM	• 8:07 AM			
• 7:23 AM	• 7:38 AM	• 7:58 AM	• 8:15 AM	• 8:30 AM			
7:46 AM	8:01 AM	8:21 AM	8:38 AM	8:53 AM			
• 8:10 AM	• 8:25 AM	• 8:45 AM	• 9:02 AM	• 9:17 AM			
• 8:33 AM	• 8:48 AM	• 9:08 AM	• 9:25 AM	• 9:40 AM			
8:56 AM	9:11 AM	9:31 AM	9:48 AM	10:03 AM			
• 9:20 AM	• 9:35 AM	• 9:55 AM	• 10:12 AM	• 10:27 AM			
10:06 AM	10:21 AM	10:41 AM	10:58 AM	11:13 AM			
11:16 AM	11:31 AM	11:51 AM	12:08 PM	12:23 PM			
12:26 PM	12:41 PM	1:01 PM	1:18 PM	1:33 PM			
1:36 PM	1:51 PM	2:11 PM	2:28 PM	2:43 PM			
2:46 PM	3:01 PM	3:21 PM	3:38 PM	3:53 PM			
• 3:10 PM	• 3:25 PM	• 3:45 PM	• 4:02 PM	• 4:17 PM			
• 3:33 PM	• 3:48 PM	• 4:08 PM	• 4:25 PM	• 4:40 PM			
3:56 PM	4:11 PM	4:31 PM	4:48 PM	5:03 PM			
• 4:20 PM	• 4:35 PM	• 4:55 PM	• 5:12 PM	• 5:27 PM			
• 4:43 PM	• 4:58 PM	• 5:18 PM	• 5:35 PM	• 5:50 PM			
5:06 PM	5:21 PM	5:41 PM	5:58 PM	6:13 PM			
• 5:30 PM	• 5:45 PM	• 6:05 PM	• 6:22 PM	• 6:37 PM			
6:16 PM	6:31 PM	6:51 PM	7:08 PM	7:23 PM			
7:26 PM	7:41 PM	8:01 PM	8:18 PM	8:33 PM			
8:36 PM	8:51 PM	9:11 PM	9:28 PM	9:43 PM			
9:46 PM	10:01 PM	10:21 PM	10:38 PM	10:53 PM			
10:56 PM	11:11 PM	11:31 PM	11:48 PM	12:03 AM			

* NOT SERVED ON SATURDAY



132651		BRSC at Arlington Blvd Southbound Arrival		132655	
132651	105910	Fashion Square Mall Southbound	6:20 AM	6:20 AM	105910
132651	132656	Walmart	6:50 AM	6:50 AM	132656
132651	165916	—	7:00 AM	7:00 AM	165916
132651	165916	—	7:30 AM	7:30 AM	165916
132651	165916	—	8:00 AM	8:00 AM	165916
132651	165916	—	8:30 AM	8:30 AM	165916
132651	165916	—	9:00 AM	9:00 AM	165916
132651	165916	—	9:30 AM	9:30 AM	165916
132651	165916	—	10:00 AM	10:00 AM	165916
132651	165916	—	10:30 AM	10:30 AM	165916
132651	165916	—	11:00 AM	11:00 AM	165916
132651	165916	—	11:30 AM	11:30 AM	165916
132651	165916	—	12:00 PM	12:00 PM	165916
132651	165916	—	12:30 PM	12:30 PM	165916
132651	165916	—	1:00 PM	1:00 PM	165916
132651	165916	—	1:30 PM	1:30 PM	165916
132651	165916	—	2:00 PM	2:00 PM	165916
132651	165916	—	2:30 PM	2:30 PM	165916
132651	165916	—	3:00 PM	3:00 PM	165916
132651	165916	—	3:30 PM	3:30 PM	165916
132651	165916	—	4:00 PM	4:00 PM	165916
132651	165916	—	4:30 PM	4:30 PM	165916
132651	165916	—	5:00 PM	5:00 PM	165916
132651	165916	—	5:30 PM	5:30 PM	165916
132651	165916	—	6:00 PM	6:00 PM	165916
132651	165916	—	6:30 PM	6:30 PM	165916
132651	165916	—	7:00 PM	7:00 PM	165916
132651	165916	—	7:30 PM	7:30 PM	165916
132651	165916	—	8:00 PM	8:00 PM	165916
132651	165916	—	8:30 PM	8:30 PM	165916
132651	165916	—	9:00 PM	9:00 PM	165916
132651	165916	—	9:30 PM	9:30 PM	165916
132651	165916	—	10:00 PM	10:00 PM	165916
132651	165916	—	10:30 PM	10:30 PM	165916
132651	165916	—	11:00 PM	11:00 PM	165916

ROUTE 6

Ridge St & Prospect Ave

Monday - Saturday 6:30 AM - 12:00 AM
Sunday No Service

See Something?
Report suspicious activity to the Transportation Department
1-800-555-1234

17333	17028	10329	17333
Downtown Transit Station Departure	Pinn Hall	Willoughby Square Shopping Center	Downtown Transit Station Arrival
A	B	C	A
6:30 AM	6:50 AM	7:05 AM	7:27 AM
7:30 AM	7:50 AM	8:05 AM	8:27 AM
8:30 AM	8:50 AM	9:05 AM	9:27 AM
9:30 AM	9:50 AM	10:05 AM	10:27 AM
10:30 AM	10:50 AM	11:05 AM	11:27 AM
11:30 AM	11:50 AM	12:05 PM	12:27 PM
12:30 PM	12:50 PM	1:05 PM	1:27 PM
1:30 PM	1:50 PM	2:05 PM	2:27 PM
2:30 PM	2:50 PM	3:05 PM	3:27 PM
3:30 PM	3:50 PM	4:05 PM	4:27 PM
4:30 PM	4:50 PM	5:05 PM	5:27 PM
5:30 PM	5:50 PM	6:05 PM	6:27 PM
6:30 PM	6:50 PM	7:05 PM	7:27 PM
7:30 PM	7:50 PM	8:05 PM	8:27 PM
8:30 PM	8:50 PM	9:05 PM	9:27 PM
9:30 PM	9:50 PM	10:05 PM	10:27 PM
10:30 PM	10:50 PM	11:05 PM	11:27 PM
11:30 PM	12:00 AM	—	—

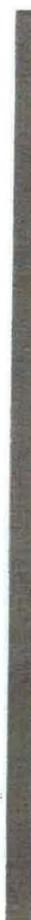
ROUTE 7

Emmet St & Seminole Trl

Monday - Saturday 6:25 AM - 11:02 PM
Sunday No Service (Refer to Route 12)

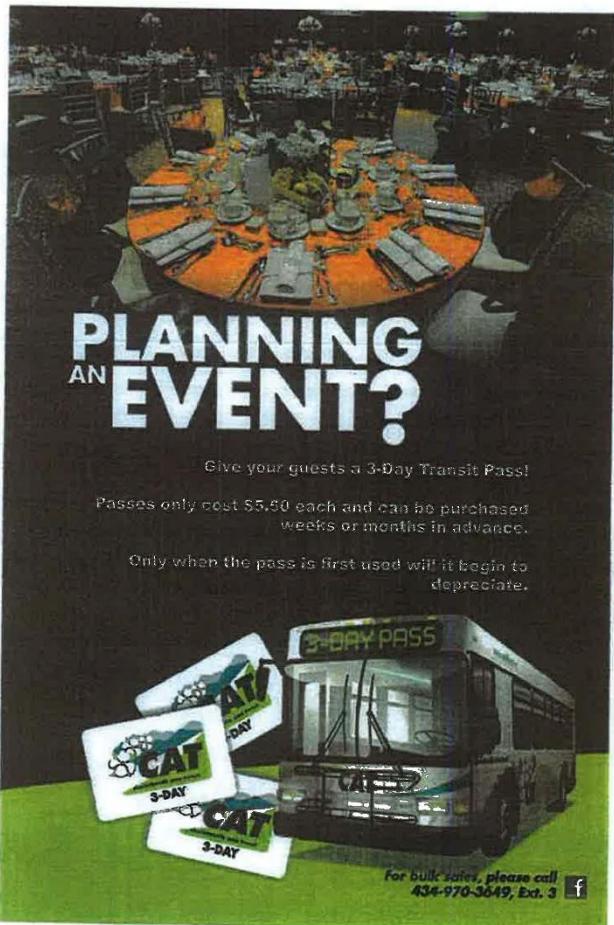
See Something?
Report suspicious activity to the Transportation Department
1-800-555-1234

17333	11193	13157	16531	16596	13285	17028	17333
DTS Departure	UVA Hospital	BRSC at Arlington Blvd Northbound	Kroger at Hydraulic Rd	Fashion Square Mall	BRSC at Arlington Blvd Southbound	Pinn Hall	DTS Arrival
A	B	C	D	E	F	G	A
—	—	—	—	—	6:30 AM	6:40 AM	6:52 AM
—	—	—	—	—	6:25 AM	6:50 AM	7:00 AM
—	—	6:40 AM	6:50 AM	7:05 AM	7:10 AM	7:20 AM	7:32 AM
6:35 AM	6:47 AM	7:00 AM	7:10 AM	7:25 AM	7:50 AM	8:00 AM	8:12 AM
6:55 AM	7:07 AM	7:20 AM	7:30 AM	7:45 AM	8:10 AM	8:20 AM	8:32 AM
7:15 AM	7:27 AM	7:40 AM	7:50 AM	8:05 AM	8:30 AM	8:40 AM	8:52 AM
7:35 AM	7:47 AM	8:00 AM	8:10 AM	8:25 AM	8:50 AM	9:00 AM	9:12 AM
7:55 AM	8:07 AM	8:20 AM	8:30 AM	8:45 AM	9:10 AM	9:20 AM	9:32 AM
8:15 AM	8:27 AM	8:40 AM	8:50 AM	9:05 AM	9:30 AM	9:40 AM	9:52 AM
8:35 AM	8:47 AM	9:00 AM	9:10 AM	9:25 AM	9:50 AM	10:00 AM	10:12 AM
8:55 AM	9:07 AM	9:20 AM	9:30 AM	9:45 AM	10:10 AM	10:20 AM	10:32 AM
9:15 AM	9:27 AM	9:40 AM	9:50 AM	10:05 AM	10:30 AM	10:40 AM	10:52 AM
9:35 AM	9:47 AM	10:00 AM	10:10 AM	10:25 AM	10:50 AM	11:00 AM	11:12 AM
9:55 AM	10:07 AM	10:20 AM	10:30 AM	10:45 AM	11:10 AM	11:20 AM	11:32 AM
10:15 AM	10:27 AM	10:40 AM	10:50 AM	11:05 AM	11:30 AM	11:40 AM	11:52 AM
10:35 AM	10:47 AM	11:00 AM	11:10 AM	11:25 AM	11:50 AM	12:00 PM	12:12 PM
10:55 AM	11:07 AM	11:20 AM	11:30 AM	11:45 AM	12:10 PM	12:20 PM	12:32 PM
11:15 AM	11:27 AM	11:40 AM	11:50 AM	12:05 PM	12:30 PM	12:40 PM	12:52 PM
11:35 AM	11:47 AM	12:00 PM	12:10 PM	12:25 PM	12:50 PM	1:00 PM	1:12 PM
11:55 AM	12:07 PM	12:30 PM	12:40 PM	12:45 PM	1:10 PM	1:20 PM	1:32 PM
12:15 PM	12:27 PM	12:40 PM	12:50 PM	1:05 PM	1:30 PM	1:40 PM	1:52 PM
12:35 PM	12:47 PM	1:00 PM	1:10 PM	1:25 PM	1:50 PM	2:00 PM	2:12 PM
12:55 PM	1:07 PM	1:20 PM	1:30 PM	1:45 PM	2:10 PM	2:20 PM	2:32 PM
1:15 PM	1:27 PM	1:40 PM	1:50 PM	2:05 PM	2:30 PM	2:40 PM	2:52 PM



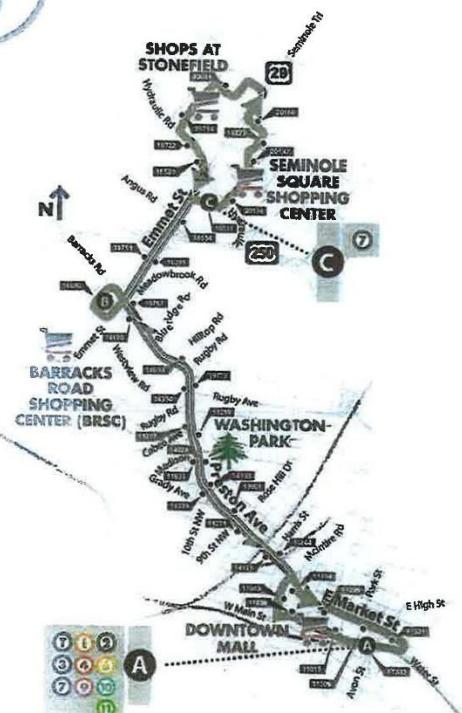
DTS Departure	17333	11193	13157	16531	16298	13269	17028	17333	DTS Arrival
A									A
1:35 PM	1:47 PM	2:00 PM	2:10 PM	2:25 PM	2:50 PM	3:00 PM	3:12 PM		
1:55 PM	2:07 PM	2:20 PM	2:30 PM	2:45 PM	3:10 PM	3:20 PM	3:32 PM		
2:15 PM	2:27 PM	2:40 PM	2:50 PM	3:05 PM	3:30 PM	3:40 PM	3:52 PM		
2:35 PM	2:47 PM	3:00 PM	3:10 PM	3:25 PM	3:50 PM	4:00 PM	4:12 PM		
2:55 PM	3:07 PM	3:20 PM	3:30 PM	3:45 PM	4:10 PM	4:20 PM	4:32 PM		
3:15 PM	3:27 PM	3:40 PM	3:50 PM	4:05 PM	4:30 PM	4:40 PM	4:52 PM		
3:35 PM	3:47 PM	4:00 PM	4:10 PM	4:25 PM	4:50 PM	5:00 PM	5:12 PM		
3:55 PM	4:07 PM	4:20 PM	4:30 PM	4:45 PM	5:10 PM	5:20 PM	5:32 PM		
4:15 PM	4:27 PM	4:40 PM	4:50 PM	5:05 PM	5:30 PM	5:40 PM	5:52 PM		
4:35 PM	4:47 PM	5:00 PM	5:10 PM	5:25 PM	5:50 PM	6:00 PM	6:12 PM		
4:55 PM	5:07 PM	5:20 PM	5:30 PM	5:45 PM	6:10 PM	6:20 PM	6:32 PM		
5:15 PM	5:27 PM	5:40 PM	5:50 PM	6:05 PM	6:30 PM	6:40 PM	6:52 PM		
5:35 PM	5:47 PM	6:00 PM	6:10 PM	6:25 PM	6:50 PM	7:00 PM	7:12 PM		
5:55 PM	6:07 PM	6:20 PM	6:30 PM	6:45 PM	7:10 PM	7:20 PM	7:32 PM		
6:15 PM	6:27 PM	6:40 PM	6:50 PM	7:05 PM	7:30 PM	7:40 PM	7:52 PM		
6:35 PM	6:47 PM	7:00 PM	7:10 PM	7:25 PM	7:50 PM	8:00 PM	8:12 PM		
6:55 PM	7:07 PM	7:20 PM	7:30 PM	7:45 PM	8:10 PM	8:20 PM	8:32 PM		
7:15 PM	7:27 PM	7:40 PM	7:50 PM	8:05 PM	8:30 PM	8:40 PM	8:52 PM		
7:35 PM	7:47 PM	8:00 PM	8:10 PM	8:25 PM	—	—	—		
8:05 PM	8:15 PM	8:25 PM	8:35 PM	8:45 PM	9:05 PM	9:15 PM	9:32 PM		
8:25 PM	8:45 PM	8:55 PM	9:05 PM	9:15 PM	9:35 PM	9:45 PM	10:02 PM		
8:45 PM	9:15 PM	9:25 PM	9:35 PM	9:45 PM	10:05 PM	10:15 PM	10:32 PM		
9:05 PM	9:45 PM	9:55 PM	10:05 PM	10:15 PM	10:35 PM	10:45 PM	11:02 PM		
10:05 PM	10:15 PM	10:25 PM	10:35 PM	10:45 PM	11:05 PM	11:15 PM	11:32 PM		
10:35 PM	10:45 PM	10:55 PM	11:05 PM	11:15 PM	—	—	11:25 PM		

• BUS ENDS SERVICE AT THIS STOP



Preston Ave & Emmet St

Monday - Friday 6:30 AM - 6:57 PM
Saturday 6:30 AM - 6:27 PM
Sunday No Service



Downtown Transit Station Departure	17333	T6650	16531	16298	Downtown Transit Station Arrival
A					A
6:30 AM	6:40 AM	6:50 AM	7:05 AM	7:27 AM	
• 7:00 AM	• 7:10 AM	• 7:20 AM	• 7:35 AM	• 7:57 AM	
7:30 AM	7:40 AM	7:50 AM	8:05 AM	8:27 AM	
• 8:00 AM	• 8:10 AM	• 8:20 AM	• 8:35 AM	• 8:57 AM	
8:30 AM	8:40 AM	8:50 AM	9:05 AM	9:27 AM	
• 9:00 AM	• 9:10 AM	• 9:20 AM	• 9:35 AM	• 9:57 AM	
9:30 AM	9:40 AM	9:50 AM	10:05 AM	10:27 AM	
10:30 AM	10:40 AM	10:50 AM	11:05 AM	11:27 AM	
11:30 AM	11:40 AM	11:50 AM	12:05 PM	12:27 PM	
12:30 PM	12:40 PM	12:50 PM	1:05 PM	1:27 PM	
1:30 PM	1:40 PM	1:50 PM	2:05 PM	2:27 PM	
2:30 PM	2:40 PM	2:50 PM	3:05 PM	3:27 PM	
• 3:00 PM	• 3:10 PM	• 3:20 PM	• 3:35 PM	• 3:57 PM	
3:30 PM	3:40 PM	3:50 PM	4:05 PM	4:27 PM	
• 4:00 PM	• 4:10 PM	• 4:20 PM	• 4:35 PM	• 4:57 PM	
4:30 PM	4:40 PM	4:50 PM	5:05 PM	5:27 PM	
• 5:00 PM	• 5:10 PM	• 5:20 PM	• 5:35 PM	• 5:57 PM	
5:30 PM	5:40 PM	5:50 PM	6:05 PM	6:27 PM	
• 6:00 PM	• 6:10 PM	• 6:20 PM	• 6:35 PM	• 6:57 PM	

• NOT SERVED ON SATURDAY

ROUTE 9

The Health Dept & YMCA
Monday - Saturday 7:00 AM - 8:30 PM
Sunday 10:40 AM - 5:40 PM

Map showing the route of Route 9, which runs through McIntire Park, Washington Park, and the downtown area, ending at the UVA Hospital. Key stops include CHS, McIntire Park YMCA, Health Department, Washington Park, UVA Hospital, and the Downtown Mall.

Monday through Saturday

Downtown Transit Station Departure	17333	11193	20096	10526	20098	17229	17333	Downtown Transit Station Arrival				
A	→	B	→	C	→	D	→	C	→	F	→	A
—	—	—	—	—	—	7:00 AM	7:10 AM	7:25 AM	7:40 AM	—	—	
7:40 AM	7:50 AM	8:05 AM	8:10 AM	8:20 AM	8:35 AM	8:50 AM	—	—	—	—	—	
8:50 AM	9:00 AM	9:15 AM	9:20 AM	9:30 AM	9:45 AM	10:00 AM	—	—	—	—	—	
10:00 AM	10:10 AM	10:25 AM	10:30 AM	10:40 AM	10:55 AM	11:10 AM	—	—	—	—	—	
11:10 AM	11:20 AM	11:35 AM	11:40 AM	11:50 AM	12:05 PM	12:20 PM	—	—	—	—	—	
12:20 PM	12:30 PM	12:45 PM	12:50 PM	1:00 PM	1:15 PM	1:30 PM	—	—	—	—	—	
1:30 PM	1:40 PM	1:55 PM	2:00 PM	2:10 PM	2:25 PM	2:40 PM	—	—	—	—	—	
2:40 PM	2:50 PM	3:05 PM	3:10 PM	3:20 PM	3:35 PM	3:50 PM	—	—	—	—	—	
3:50 PM	4:00 PM	4:15 PM	4:20 PM	4:30 PM	4:45 PM	5:00 PM	—	—	—	—	—	
5:00 PM	5:10 PM	5:25 PM	5:30 PM	5:40 PM	5:55 PM	6:10 PM	—	—	—	—	—	
6:10 PM	6:20 PM	6:35 PM	6:40 PM	6:50 PM	7:05 PM	7:20 PM	—	—	—	—	—	
7:20 PM	7:30 PM	7:45 PM	7:50 PM	8:00 PM	8:15 PM	8:30 PM	—	—	—	—	—	

Sunday

Downtown Transit Station Departure	17333	11193	20096	10526	20098	17229	17333	Downtown Transit Station Arrival				
A	→	B	→	C	→	D	→	C	→	F	→	A
—	—	—	—	—	—	10:40 AM	10:50 AM	11:05 AM	11:20 AM	—	—	
11:20 AM	11:30 AM	11:45 AM	11:50 AM	12:00 PM	12:15 PM	12:30 PM	—	—	—	—	—	
12:30 PM	12:40 PM	12:55 PM	1:00 PM	1:10 PM	1:25 PM	1:40 PM	—	—	—	—	—	
1:40 PM	1:50 PM	2:05 PM	2:10 PM	2:20 PM	2:35 PM	2:50 PM	—	—	—	—	—	
2:50 PM	3:00 PM	3:15 PM	3:20 PM	3:30 PM	3:45 PM	4:00 PM	—	—	—	—	—	
4:00 PM	4:10 PM	4:25 PM	4:30 PM	4:40 PM	4:55 PM	5:10 PM	—	—	—	—	—	
5:10 PM	5:20 PM	5:35 PM	5:40 PM	—	—	—	—	—	—	—	—	

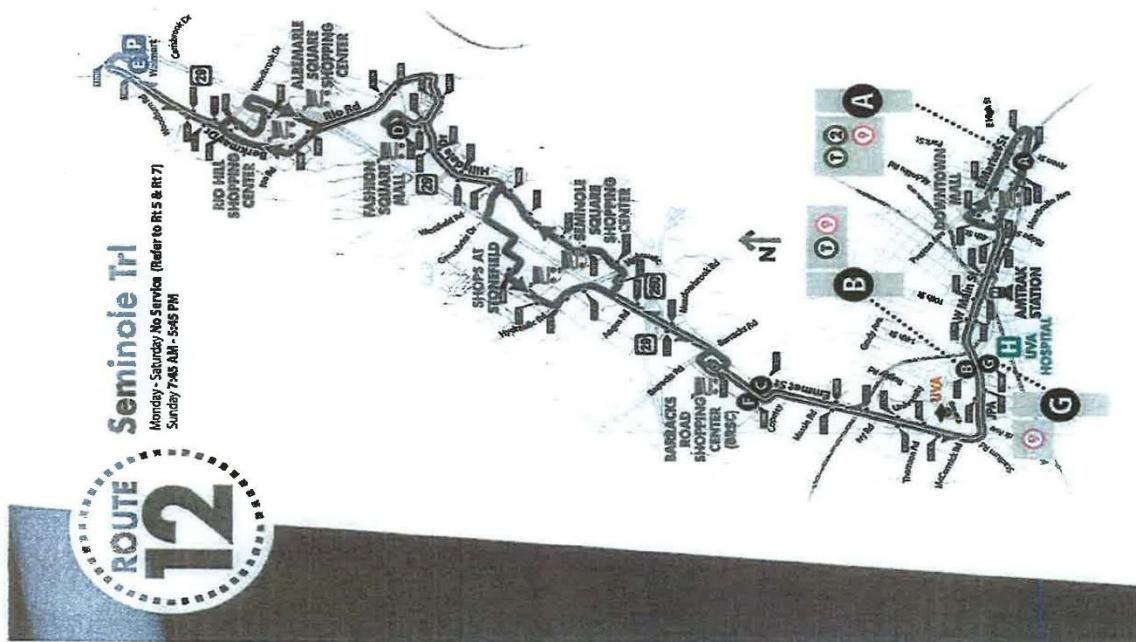
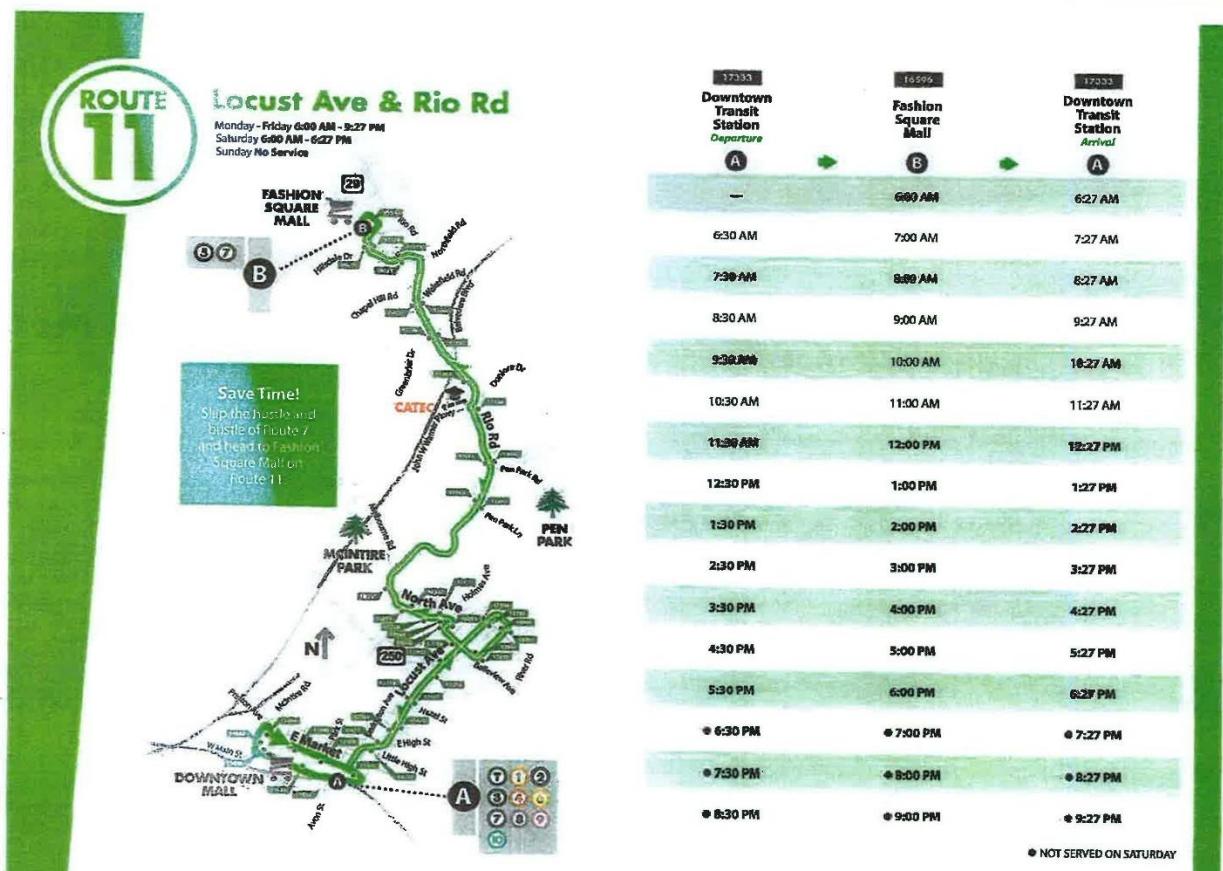
ROUTE 10

Pantops
Monday - Saturday 6:30 AM - 11:27 PM
Sunday No Service

Map showing the route of Route 10, which runs through Pantops, Rivanna Ridge, Jefferson Park, and the downtown area. Key stops include Pantops Shopping Center, Rivanna Ridge, Jefferson Park, and the Downtown Mall.

Downtown Transit Station Departure

17333	14095	17229	18229	17333
A	→	B	→	C
6:30 AM	6:45 AM	7:00 AM	7:10 AM	7:27 AM
7:30 AM	7:45 AM	8:00 AM	8:10 AM	8:27 AM
8:30 AM	8:45 AM	9:00 AM	9:10 AM	9:27 AM
9:30 AM	9:45 AM	10:00 AM	10:10 AM	10:27 AM
10:30 AM	10:45 AM	11:00 AM	11:10 AM	11:27 AM
11:30 AM	11:45 AM	12:00 PM	12:10 PM	12:27 PM
12:30 PM	12:45 PM	1:00 PM	1:10 PM	1:27 PM
1:30 PM	1:45 PM	2:00 PM	2:10 PM	2:27 PM
2:30 PM	2:45 PM	3:00 PM	3:10 PM	3:27 PM
3:30 PM	3:45 PM	4:00 PM	4:10 PM	4:27 PM
4:30 PM	4:45 PM	5:00 PM	5:10 PM	5:27 PM
5:30 PM	5:45 PM	6:00 PM	6:10 PM	6:27 PM
6:30 PM	6:45 PM	7:00 PM	7:10 PM	7:27 PM
7:30 PM	7:45 PM	8:00 PM	8:10 PM	8:27 PM
8:30 PM	8:45 PM	9:00 PM	9:10 PM	9:27 PM
9:30 PM	9:45 PM	10:00 PM	10:10 PM	10:27 PM
10:30 PM	10:45 PM	11:00 PM	11:10 PM	11:27 PM



17513	11193	10137	10696	13296	16596	13265	13038	17513
DTS Departure	UVa Hospital	BUS at Arlington Blvd North	Fairfax Square Mall	Wardair	Fairfax Square Mall	BUS at Arlington Blvd South	Print Hall	DTS Arrival
A B C D E F G H	B C D E F G H	B C D E F G H	B C D E F G H	B C D E F G H	B C D E F G H	B C D E F G H	B C D E F G H	B C D E F G H
—	—	—	—	—	7:45 AM	8:00 AM	8:20 AM	8:30 AM
7:45 AM	7:55 AM	8:05 AM	8:30 AM	8:45 AM	9:00 AM	9:20 AM	9:30 AM	9:42 AM
8:45 AM	8:55 AM	9:05 AM	9:30 AM	9:45 AM	10:00 AM	10:20 AM	10:30 AM	10:42 AM
9:45 AM	9:55 AM	10:05 AM	10:30 AM	10:45 AM	11:00 AM	11:20 AM	11:30 AM	11:42 AM
10:45 AM	10:55 AM	11:05 AM	11:30 AM	11:45 AM	12:00 PM	12:20 PM	12:30 PM	12:42 PM
11:45 AM	11:55 AM	12:05 PM	12:30 PM	12:45 PM	1:00 PM	1:20 PM	1:30 PM	1:42 PM
12:45 PM	12:55 PM	1:05 PM	1:30 PM	1:45 PM	2:00 PM	2:20 PM	2:30 PM	2:42 PM
1:45 PM	1:55 PM	2:05 PM	2:30 PM	2:45 PM	3:00 PM	3:20 PM	3:30 PM	3:42 PM
2:45 PM	2:55 PM	3:05 PM	3:30 PM	3:45 PM	4:00 PM	4:20 PM	4:30 PM	4:42 PM
3:45 PM	3:55 PM	4:05 PM	4:30 PM	4:45 PM	5:00 PM	5:20 PM	5:30 PM	5:42 PM
4:45 PM	4:55 PM	5:05 PM	5:30 PM	5:45 PM	—	—	—	—

Don't Pay for Parking!
Take the bus and save! A
24-Hour Pass only costs \$1.50
and is \$25.00 for a fiscal year.
page 5 for details.

ATTACHMENT "B"

RECOMMENDED BUDGET

FISCAL YEAR 2020
7/1/2019

ALBEMARLE COUNTY COST ALLOCATION¹

Recommended
May 23, 2019

Routes by Funding									
Routes	Revenue Hours	County %	County Hours	Annual \$	FOA Credit	Fare Credit	County Cost	City Cost	(A)
Trolley	19,604	0%	0	\$0	\$0	\$0	\$0	\$1,422,594	
1	4,160	25%	1,040	\$75,416	-\$32,790	-\$7,194	\$35,433	\$266,232	
2	5,460	30%	1,638	\$118,780	-\$51,644	-\$11,330	\$55,807	\$340,128	
3	7,176	25%	1,794	\$130,093	-\$56,562	-\$12,409	\$61,122	\$459,250	
4	8,736	0%	0	\$0	\$0	\$0	\$0	\$633,496	
5	15,288	92%	14,065	\$1,019,928	-\$443,448	-\$97,286	\$479,193	\$629,424	
6	5,616	0%	0	\$0	\$0	\$0	\$0	\$407,247	
7	24,960	24%	5,990	\$434,397	-\$188,869	-\$41,435	\$204,093	\$1,605,895	
8	5,564	17%	946	\$68,591	-\$29,822	-\$6,543	\$32,226	\$371,250	
9	4,680	0%	0	\$0	\$0	\$0	\$0	\$339,373	
10	5,304	50%	2,652	\$192,311	-\$83,614	-\$18,344	\$90,354	\$294,269	
11	4,628	52%	2,407	\$174,513	-\$75,875	-\$16,646	\$81,992	\$253,610	
12	1,092	44%	480	\$34,842	-\$15,149	-\$3,323	\$16,370	\$62,817	
Totals	112,268		31,012	\$2,248,872	-\$977,774	-\$214,510	\$1,056,588	\$7,084,585	

Historical Albemarle Contribution

Fiscal Year	Approved	Actual	Difference
FY13	\$722,555		
FY14	\$815,567		
FY15	\$868,988		
FY16	\$905,477		
FY17	\$1,054,244		
FY18	\$1,135,821		
FY19	\$1,178,382		
FY20			

Service Cost/Credit Calculations

CAT FY20 Operating Budget	
Expenditures	\$8,141,173
Gross Cost/Service Hour	\$72.52
FOA Federal / State Revenue	\$3,539,652
FOA %	44%
FOA \$/Service Hour	-\$31.53
Farebox \$ / Service Hour	-\$6.92
Net Cost per Service Hour (B)	\$34.07

Service Hours - All Routes

Route	Service Hours / Day			Revenue Hrs	Annual \$	Ann Fare \$	Ann Grants \$
	Weekday	Sat	Sun				
Trolley	60.5	60.5	14	19,604			
1	16	0		4,160			
2	17.5	17.5		5,460			
3	24	18		7,176			
4	30	18		8,736			
5	49	49		15,288			
6	18	18		5,616			
7	80	80		24,960			
8	19	12		5,564			
9	14	14		4,680			
10	17	17		5,304			
11	15.5	11.5		4,628			
12	0	0	21	1,092			
Total	360.5	315.5	35	112,268			

Budget Formula	
A	Total Albemarle County Revenue Hours
B	Net Cost per Service Hour
C	County Funding
	A x B = C
A	Hours of fixed route revenue service in Albemarle County
B	Total expenses minus Fed/State Grants minus System farebox revenues divided by Total system revenue hours equals NET COST PER SERVICE HOUR
	Farebox cost per service hour equals system farebox revenue divided by system revenue hours.

Item No. 8.9. Community Remembrance Project: Installation of Historic Marker.

The Executive Summary forwarded to the Board states that on July 5, 2018, the Albemarle County Board of Supervisors formally supported the memorialization of the lynching of Mr. John Henry James through its approval of a resolution supporting participation in the Equal Justice Initiative (EJI) Community Remembrance Project (Attachment A).

EJI's Community Remembrance Project was founded to recognize victims of lynching nationally by collecting soil from lynching sites, erecting historical markers, and creating memorials that recognize racial injustice.

The lynching of Mr. John Henry James took place in Albemarle County on July 12, 1898. In keeping with the goals of the Community Remembrance Project, staff is seeking approval to install a historic marker memorializing the murder of Mr. James. Attachment B provides the EJI marker language.

The proposed installation of the marker on County property, near the intersection of Park and Jefferson Street, provides access and visibility to the marker.

The EJI's historic markers (an example pictured in Attachment C) are similar in design to the common style of historic markers erected nationwide. One side of the marker will have standard language describing the history of racial terror violence generally, as well as the EJI's nationwide memorialization effort, and the other side will contain site specific language referencing Mr. James' story.

No budget impact is anticipated; the EJI is providing the marker at no cost to the County.

Staff recommends that the Board approve the installation of the historic marker.

By the above-recorded vote, the Board approved the installation of the historic marker on County property:

EJI Marker Language
Side 1

Lynching of John Henry James
In 1898, a black man named John Henry James lived and worked in Charlottesville as an ice cream vendor. He had only been a resident of the area for five or six years before July 11th, 1898, when he was falsely accused of assaulting a white woman and arrested. The police transferred Mr. James to Staunton that evening to avoid a potential lynching, but officers escorted him back to Charlottesville the next morning by train. While in route, an armed mob of 150 white men stopped the train at Wood's Crossing in Albemarle County, and seized Mr. James. Learning of the mob's attack, a group of black men tried to stop the lynch mob but were outnumbered and forced to retreat. The white mob threw a rope over Mr. James's neck and dragged him about 40 yards away to a small locust tree. Despite his protest of innocence, the mob hanged Mr. James and riddled his body with dozens of bullets. The Richmond Planet, an African American newspaper, reported that as his body hung for many hours, hundreds more white people streamed by, cutting off pieces of his clothing, body, and the locust tree to carry away as souvenirs. The grand jury, interrupted by news of the lynching, issued a posthumous indictment, as if Mr. James were still alive. Despite the presence of the Charlottesville police chief and Albemarle County sheriff, no one was ever charged or held accountable for the murder of John Henry James.

Side 2

Lynching in America

Thousands of African Americans were the victims of lynching and racial violence in the United States between 1877 and 1950. During this era, racial terror lynching of African Americans emerged as a stunning form of violent resistance to emancipation and equal rights for African Americans, intended to intimidate black people and enforce racial hierarchy and segregation. Racial terror lynching was most prevalent in the South and was used to uphold white supremacy and enforce decades of political, social, and economic exploitation. Racial terror lynching became the most public and notorious form of subordination directed at black people and was frequently tolerated or even supported by law enforcement and elected officials illustrating the failure of the criminal justice system to afford black people equal justice under law. White mobs were usually permitted to engage in brutal violence with impunity. Many black people were pulled out of jails or given over to mobs by law enforcement officials who were legally required to protect them. Even without any evidence, whites' allegations against black people often sparked violent reprisal. Terror

lynchings often included burnings and mutilation, sometimes in front of crowds numbering in the thousands. Many of the victims of these acts of violence were not recorded by name and remain unknown, but over 84 victims were documented in Virginia alone.

Item No. 8.10. Naming of the Bridge Carrying Berkmar Drive Over the South Fork of the Rivanna River as the Rio Mills Bridge. **Moved to earlier on agenda for action.**

Item No. 8.11. ZMA2016-15 Oakleigh Special Exception to Code of Development and Application Plan.

The Executive Summary forwarded to the Board states that the applicant is requesting three special exceptions to the Oakleigh Code of Development and Application Plan approved with ZMA201600015. The applicant's proposal is provided as Attachment A.

County Code § 18- 8.5.5.3 allows minor variations to codes of development and application plans, provided major elements and features remain the same. The applicant is requesting:

- 1) Variation to revise some of the parking and building setbacks in the Code of Development.
- 2) Variation to revise the minimum residential parking space requirement specified in the Application Plan.
- 3) Variation to revise the "Signage and Architecture" notes in the Application Plan to remove any reference to signage.

Staff analysis of the request is provided as Attachment B.

Staff recommends that the Board adopt the attached Resolution (Attachment D) approving the special exceptions, subject to the condition attached thereto.

By the above-recorded vote, the Board adopted the following Resolution approving the special exceptions, subject to the condition attached thereto:

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS
TO VARY THE CODE OF DEVELOPMENT AND APPLICATION PLAN
APPROVED IN CONJUNCTION WITH ZMA201600015 OAKLEIGH**

WHEREAS, the Owner of Tax Map Parcels 04500-00-00-026A3, 04500-00-00-026A4, 04500-00-00-026A5, 04500-00-00-026A6, 04500-00-00-026A7, 04500-00-00-026A8, and 04500-00-00-026B6 filed a request for special exceptions to vary the Code of Development and Application Plan approved in conjunction with ZMA201600015 Oakleigh to allow several minor modifications.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.5.5.3, 18-33.43, and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Code of Development and Application Plan approved in conjunction with ZMA201600015 Oakleigh as requested, subject to the conditions attached hereto.

**Special Exception to Vary the ZMA201600015 Oakleigh
Code of Development and Application Plan Condition**

1. Modifications shall be limited to Sheet 5 of the Code of Development and Sheet 4 of the Application Plan as set forth in the Applicant's Special Exception Request #1 dated April 12, 2019 and revised on June 6, 2019.
2. The modification to the design and layout to protect the proffered preserved trees, as specified by the project arborist in his letter dated March 29, 2019, is required unless alternative methods that meet or exceed those specified by the project arborist are approved by the Director of Planning.

Note: Proposed Changes to Section VIII in the COD titled Yard Requirements by Block

LOT / PARKING / BUILDING REGULATIONS									
BLOCK	MIN. LOT WIDTH	FRONT BUILDING SETBACK	FRONT PARKING SETBACK	SIDE BUILDING SETBACK	SIDE PARKING SETBACK	REAR BUILDING SETBACK	REAR PARKING SETBACK	MIN / MAX STORIES	MAX. BUILDING HEIGHT
I	125'	30'	15'	0'	0'-4'	30'	0'	1/3	65'
II	125'	30'	15'	0'	0'-4'	30'	0'	1/3	65'
III	120'	75'	10'-4'	5'	0'	0'	5'	1/3	65'
IV	16'	20'	0'	6'	5'-11'	10'	5'-11'	1/3	65'
V	50'	70'	0'	10'	10'-12'	0'	5'	1/3	65'

RESTRICTIONS / REQUIREMENTS / NOTES ASSOCIATED WITH THE STANDARDS ABOVE:

1. Regulations established above are based upon an Assisted Living Facility development in general accord with ZMA-201600015 "Scenario A" Concept.
2. Refer to the Code of Development in ZMA-201600015 for detail on the Permitted Uses.
3. Buildings will have a 0' setback along interior streets, roads, access easements or lot lines.
4. A 4' setback shall be enforced from any interior access easement.
5. Attached units with common walls will have a 0' Side Building Setback. Side Building Setbacks apply to exterior end units.
6. Curb and gutter may fall into all parking setbacks.
7. All roads are private with public access easements as shown over them.

4

4-12-2019, 6/6/19 (revision)

8. Architectural features and overhangs may encroach into Building Setbacks up to four feet (4').
9. Parking setbacks shown are only for parking lots with five (5) or more spaces.
10. Subterranean parking shall not be considered a building story.
11. The turnaround areas, curb and gutter of parking lots in Block IV may encroach into Parking Setbacks but may not be closer than two feet from any exterior parcel boundary.
12. The Side Parking Setback to interior lot lines in Block V is zero feet (0').

George Ray
690 Berkmar Circle
Charlottesville, VA 22901

Dave Rosene
472 Link Evans Lane
Earlysville Va 22936
rosenerenovation@gmail.com
434.953.5330

3/29/19

George,

I can certainly understand the concerns raised by the county regarding the additional parking for the apartments at Oakleigh. In our previous discussion, I had advocated for an option that would have less impact on the root zone. The meeting you arranged with the project landscape architect, the site supervisor and the representative for the permeable grass pavers resulted in a solution that addresses the concerns of additional root damage from the new parking spaces.

Using four inches of VDOT approved #8 stone over a geotextile fabric in place of the traditional twelve inches of stone, will vastly reduce any impact on the root systems. Only having to remove the topsoil instead of excavating into the root zone will be far less detrimental as well. Additionally, with the use of the permeable pavers the root system will get the water and oxygen necessary to continue to grow after construction, reducing any long term impact. The addition of a strategically placed island will also reduce the impact on the root system. I will be happy to continue to monitor and evaluate the implementation of the process.

The plan as proposed should have minimal impact on the trees from the additional parking spaces. Let me know if you need anything further.



Dave Rosene

Project Arborist

Item No. 8.12. Special Exception for B2019-01105-S Oakleigh to Modify Sign Setbacks.

The Executive Summary forwarded to the Board states that the applicant requests a special exception to modify sign setback requirements of County Code § 18-4.15.10 to allow 0' setback for a 32 square foot monument sign (see Attachment A) within a private street access easement (Nichols Court).

Staff analysis of the request is provided as Attachment C.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the special exception, subject to the conditions attached thereto.

By the above-recorded vote, the Board adopted the following Resolution to approve the special exception, subject to the conditions attached thereto:

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR B2019-01105-S OAKLEIGH
TO MODIFY SIGN SETBACKS**

WHEREAS, the Owner of Tax Map Parcels 04500-00-00-026A3 and 04500-00-00-026A4 filed a request for a special exception to modify the sign requirements of County Code § 18-4.15.10 to allow a 0 foot setback for a sign to be located within a private street access easement in conjunction with Building Permit B2019-01105 S Oakleigh.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.2(b) and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception requested in conjunction with Building Permit B2019-01105-S Oakleigh, as described hereinabove, subject to the conditions attached hereto.

**Special Exception to Modify Sign Setbacks
Special Exception Conditions**

1. One (1) freestanding sign up to thirty-two (32) square feet shall be permitted on TMP 04500-00-00-026A4.
2. No freestanding sign shall be permitted on TMP 04500-00-00-026A3.
3. No subdivision signs shall be permitted on TMP 04500-00-00-026A4 or TMP 04500-00-00-026A3.
4. A three (3) foot clear zone is required from the face of the curb to any non-breakaway structures (i.e., the monument sign).

Item No. 8.13. County Grant Application/Award Report, *was received for information*.

The Executive Summary forwarded to the Board states that pursuant to the County's Grant Policy and associated procedures, staff provides periodic reports to the Board on the County's application for and use of grants.

The attached Grants Report provides a brief description of the awards received during this time period.

The budget impact is noted in the summary of each grant award.

This report is to provide information only. No action is required.

GRANT REPORT ACTIVITY – May 16, 2019 through June 15, 2019

There were no applications made during this time.

Awards received during this time.

Granting Entity	Grant Project	Type	Amount Awarded	Match Required	Match Source	Department	Purpose
Charlottesville Area Community Foundation 2019 Strengthening Systems Grant	Yancey School Community Center	Local	\$300,000	\$0	N/A	County Executive	<p>This 3-year grant would fund a dedicated full-time Program Coordinator for the Yancey School Community Center (YSCC), infrastructure for a community garden, and support community programming for rural Southern Albemarle to improve community and resident outcomes by focusing on improving access to physical and mental health services and fresh healthy food as well as to realize the community's vision of a vibrant community center at YSCC.</p> <p>In the first year, a program evaluation plan will be established to measure the success of this initiative. At the end of the 3-year grant time period, if the program proves successful, staff will request the County consider making this full-time Program Coordinator position permanent. This request will be made as part of the regular budget process.</p>
Virginia Department of Criminal Justice Services	Community Corrections and Pretrial Services	Federal	\$975,427	\$75,000	Central Virginia Regional Jail	Offender Aid and Restoration (OAR)	This annual grant provides funds to OAR to support pretrial services and community corrections including community-based supervision to reduce the number of non-violent offenders in jail.

Item No. 8.14. Board-to-Board, June 2019, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. Defense Affairs Committee (DAC) Position Pilot Funding Recommendation.

The Executive Summary forwarded to the Board states that in 2009, the Charlottesville Regional Chamber of Commerce established a Chamber Defense Enterprise Round Table to better serve the region's growing, job-producing business sector. Renamed, the Chamber Defense Affairs Committee (DAC), it has become the leading defense intelligence enterprise advocate within the region.

The mission of the Chamber Defense Affairs Committee is to foster economic vitality by further strengthening the alliance of relationships among the Chamber, the Chamber network, the Central Virginia community, the regional defense & intelligence community, and our veterans.

Fast forward nearly a decade, and the County's Economic Strategic Plan, [Project ENABLE](http://www.albemarle.org/navpages.asp?info=business) (<http://www.albemarle.org/navpages.asp?info=business>) (Attachment A) was approved on 5 December, 2018. Project Enable identified multiple Goals, Objectives and Strategies to further Economic Development in the County. Goal 3 is to lead the County's readiness to accommodate business community. The first Objective of this goal is to lead the growth of targeted industries, existing primary businesses, and emerging opportunities. One of the Strategies defined in support of this goal is to partner with the Chamber of Commerce through the Defense Affairs Committee on the retention and expansion of the targeted Defense industry. Noteworthy, the regional economic development partners do not identify the defense industry as targeted. Meaning, the defense industries located in Albemarle County do not have the same regional support of other targeted industries. Therefore, it is important that local government fill this gap in the support system to retain and grow the defense industry.

The purpose of this Board action is to review the recommendation to use one-time funding to support contracting a dedicated Chamber staff resource to support the DAC and its mission.

The Charlottesville Regional Chamber of Commerce (Chamber) sponsors a Defense Affairs Committee (DAC). The DAC provides services to a unique network of academic, industry and government participants which position the region for growth in the defense and intelligence market. For local defense industry contractors, veterans, local government, and service providers with interest in the defense and intelligence community who desire visibility and access to local federal government agencies. The DAC is a unique conduit for the sharing of information and networking so the needs of the federal government, their employees, and veterans can be met locally.

It is estimated by the Chamber there are more than 2,500 federal workers employed by the National Ground Intelligence Center (NGIC), Defense Intelligence Agency (DIA) and the National Geospatial-Intelligence Agency (NGA) in the national government's defense/intelligence enterprise at Rivanna Station. The Chamber estimates that private defense / intelligence enterprises in the region now employ approximately 2,000 people. In addition to this substantial defense intelligence enterprise, the greater Albemarle-Charlottesville community has more than 14,000 veterans who are an integral part of our community.

The activities associated with successful operation of the DAC have become more involved than can be supported by the current volunteer members of the DAC Leadership Committee (Chairperson and Subcommittee Chairs). For this reason, the highest priority for continued success of this critical Chamber

Committee is to hire of a full-time Defense and Intelligence Affairs Program Coordinator. This position will initially be hired by the Chamber for the two-year pilot program with a matrixed reporting relationship to the DAC. The total salary and benefits for the position is estimated to be \$85,000-\$100,000. The job description for this is attached (Appendix B) which includes the position attributes, the performance goals and metrics for the first 12-18 months. The position will be located at UVA's Research Park and funding is being requested from regional partners. If successful for the DAC and assisting with furthering Project ENABLE goals recurring funding may be requested at the end of the two-year trial period.

\$50,000 annually for a 2-year period, totaling \$100,000, would be allocated from the Economic Development Investment Pool funding a 2-year pilot.

BOS endorsement to utilize \$100,000 from the Economic Development Investment Pool for funding DAC's 2-year pilot program and accomplish the strategies found in Goal 3 of Project ENABLE. Staff will provide a report on the status of hiring and a recurring 6-month update on overall performance.

Mr. Trevor Henry, Assistant County Executive and County Executive's Representative in supporting the Defense Affairs Committee, stated that he would co-present with Mr. Roger Johnson, Director of the Office of Economic Development. He thanked the three members of the public who spoke in favor of the position during the *Matters from the Public* portion of today's meeting and noted that, after his presentation, he would ask the Board for its endorsement of pilot funding of the position. He said that Wade Woolfrey, Enterprise Operations Advisor at the Rivanna Station, has created the job description and supports creation of the position, though he was not able to attend tonight's meeting. Mr. Henry said the Defense Affairs Committee (DAC) was created and chartered by the Chamber of Commerce in 2009 and serves as a conduit for communication between the Rivanna Station and the intelligence committee, with the non-government and local government entities in the region. He continued that its mission includes community and government engagement, education, research, and veteran's advocacy. He said the committee is comprised of approximately 30 members consisting of representatives from the Chamber of Commerce, UVA Foundation Applied Research Institute, CVPED, local government and private entities, and veterans' groups. He invited Mr. Johnson to explain how this entity would tie into the Strategic Plan goals.

Mr. Roger Johnson, the Economic Development Director for Albemarle County, stated that the defense industry is extremely important to the local economy and added that the only concerted local effort has been the DAC, which serves for business retention and expansion of this important industry. He noted that one of the goals of Project ENABLE is to partner with the Chamber, through the DAC, on retention and expansion of this targeted defense industry. He cited the following statistics: 19,000+ veterans in the region, 2,500+ local residents employed in the defense industry, Rivanna Station has 2,300+ employees and the payroll of over \$1 billion. He said it is important to have a plan to help the industry be successful in the area, to retain employees, and to minimize impacts from future defense industry events.

Mr. Henry resumed presenting. He noted that the DAC is supported by volunteers, has recently adopted an ambitious strategic plan, and recommends the creation of a full-time professional position to help support its mission as it rolls out strategic plan activities. He noted that a job description is attached to the Executive Summary and said he would review a portion of the expected duties. He said the staff member would serve as a point of contact between local, State, and federal entities, serve as an advocate in support of military and veterans' groups, be involved with local public schools and UVA programs, and manage the office, including the website and data resources. He said the Chamber estimates the cost of the position would be \$85,000- \$100,000/year and the person would work out of an office at UVA Research Park near Rivanna Station. He noted that they have set performance goals, which they hope the employee would achieve, and they plan to monitor and measure this during the two-year pilot period.

Mr. Henry stated that staff recommends the Board fund \$50,000/year for two years from the County's Economic Development Investment Pool. He added that other potential donors are waiting to see what the County does before contributing to support the pilot position. He stressed the importance of acting quickly so the position could be advertised with a projected start date of this fall. He said the position would be contracted for through the Chamber of Commerce with the work itself done for the DAC. He invited questions and asked for the Board's endorsement.

Mr. Dill said he has attended quite a few DAC meetings and asked if the position would require a security clearance. Mr. Henry responded that the Chamber's prospectus and the job description indicates that they are seeking someone who has a military or defense contractor background. He said that by having someone with clearance this would hopefully ease the communications and is one of the preferred attributes they are seeking. Mr. Dill remarked that it seems like a unique situation and he hopes they would handle it correctly. Mr. Henry agreed.

Ms. Palmer asked for confirmation that the Chamber is putting in \$84,000 and the County has been asked to contribute \$50,000/year. Mr. Henry responded that they have estimated that \$100,000/year would be necessary to target a candidate with the right skill set. He said that the DAC and Chamber are fundraising and staff has recommended that the County fund half the cost of the position.

Ms. Palmer asked if the same funding allocations would be required should they continue the position beyond two years. Mr. Henry responded that, should they find the two-year pilot to be successful,

it would transition to an operational request, which he believes would be funded by the partners. He invited Ms. Van Ersel to respond to Ms. Palmer's question.

Ms. Deborah Van Ersel remarked that the Chamber of Commerce Board is eager and anxious to see the performance of the position and believes it would make the Chamber more effective in the northern part of the County. She continued that if it turns out to be an effective partnership, she expects that the participating partners would want to come back again.

Ms. Palmer remarked that the County is often asked to participate in wonderful pilot programs for which it ends up picking up the cost and she wants to be aware of the expectation. Ms. Van Ersel expressed understanding of Ms. Palmer's concern. She noted that when she came to the Chamber it was being responsive to the County's Strategic Plan, which called this out as a goal for the County.

Mr. Randolph remarked that he would like to avoid hybrid situations under which the County funds 50% of the cost of a position, yet the employee is not really answerable to the County Executive but to an outside Board. He said he looks at this as a wonderful opportunity and believes it would be immensely successful for the County, the Chamber, and the defense industry.

Ms. Mallek remarked that this has been seven years in the making and it is really exciting to have gotten to this point. She asked Mr. Henry to keep the focus on the people, the station, and the contractor tail and not so much on ancillary economic benefits, which, though they are important, are the other side of the Chamber and is not the focus of the committee, in her opinion. She expressed a bit of alarm at the two-page job description as this might be too much. She added that many veterans are retiring and would need help with the transition, though the County does not have an established base with a built-in support system. She said the facility is a major employer, has a major impact on the community, and is incredibly important to national security and safety. She said the County needs to be doing additional things to help the station to expand and stay.

Ms. McKeel expressed agreement with the statements made by other Supervisors and remarked that this is a really important position, which she supports.

Mr. Dill **moved** that the Board endorse funding of \$100,000 from the Economic Development Authority Pool for a pilot project over two years. The motion was **seconded** by Ms. McKeel.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Agenda Item No. 10. Peters Mountain Emergency Communications Center Tower Modernization.

The Executive Summary forwarded to the Board states that the existing tower at Peters Mountain was approved in 2002. More modern communications equipment has been developed since then, requiring an upgrade, but a Memorandum of Agreement from that time (Attachment A) with the State Historic Preservation Office (SHPO) and the Federal Communications Commission prohibits any physical changes to the tower without SHPO approval.

In 2002, there was some concern regarding the original building of the tower on the grounds that its construction would disturb the viewshed of the Southwest Mountains Rural Historic District. The simulation attachments (B and C) illustrate the change to the tower's visual impact that the proposed modernization would cause.

The regional (County, City, University) 800 MHz public safety radio capital infrastructure project involves addition to and replacement of major technological components of the 800 MHz radio system. This includes replacement of electronic components at all tower sites, including the tower at Peters Mountain, to improve radio coverage.

Twenty vertical feet would be added to the Peter's Mountain tower to host three new 800 MHz antennas and one additional microwave dish antenna. Three guy wires would be attached to the tower to safely support the extension and equipment. The guy wires would extend 60 feet out from the base of the tower but remain within the property lines. Additionally, Albemarle County Public Schools intends to install one set of broadband data antennas and equipment, which would provide critical on-scene incident data to public safety, after the existing 800 MHz equipment is decommissioned in April 2022.

Attachment D is a letter from ECS, Ltd., the ECC's consultant, that provides additional information regarding the proposed tower improvements, and Attachment E is the plan depicting the proposed improvements. Attachments F and G are the existing special use permit for the existing tower, and an email from Bill Fritz, Chief of Current Development, opining that no new special use permit is necessary. Attachment H is a letter that the County Attorney's Office prepared for the Board chair to send to the SHPO on behalf of the Board. Staff believes that a letter of support from the Board would likely increase the chance of SHPO approval.

Funding for the 800 MHz infrastructure capital project was approved in FY2016 and is scheduled to be operational at the end of calendar year 2021. Final system acceptance is contractually scheduled for April 2022.

Partners, including the City of Charlottesville, the University of Virginia, the Albemarle-Charlottesville Regional Jail, the Charlottesville-Albemarle Airport Authority, the Albemarle County Service Authority, and the Rivanna Water and Sewer Authority, share expenses proportionately per Addendum #2 to the 1984 Joint Dispatch Center (ECC) Agreement.

The cost to all entities of the Peters Mountain modernization portion of the 800 MHz project is \$906,148.09. County appropriation occurred in FY2016; no further appropriation is needed. The ECC and staff recommend that the Board authorize the chair to sign and send the attached letter (Attachment A).

Mr. Anthony Bessette, Senior Assistant County Attorney, presented. He said this is a Charlottesville/Albemarle/University of Virginia Emergency Communications Center and introduced Gabe Elias of the Emergency Communications Center. He said they are present to request authorization of the letter marked as Attachment H (copy on file), to the Virginia Office of Historic Preservation, part of the Department of Historic Resources. He noted that the Board appropriated funds for an upgrade to the 800 MHz Emergency Communications Center system upgrade in 2016. He said since Peters Mountain is located within the Southwest Mountains Historic District, the Environmental Protection Act and the Historic Preservation Act require approval from the Virginia Office of Historic Preservation. He said the consultant they are working with has advised the ECC that a letter of support from the jurisdiction in which the tower is located is needed in order to obtain the approval of the Virginia Office of Historic Preservation.

Mr. Gabe Elias, Systems Manager, ECC, addressed the Board. He said he is project manager for the P25 infrastructure project, funded in FY 16, and they want to upgrade the system's coverage, reliability, and redundancy, through enhancements and modifications to the tower. He asked the Board to compose a letter of support to the Department of Historic Resources. He invited questions.

Ms. Mallek asked for confirmation that this is tied in with other projects the Board heard of over the past several months, such as Carter's and Buck Mountains. Mr. Elias responded, "yes".

Ms. McKeel **moved** that the Board authorize the Chair to sign a letter expressing the Board's support for the Emergency Communications Center's (ECC) initiative to modernize its communications tower at Peters Mountain. The motion was **seconded** by Ms. Mallek.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

July 8, 2019

Chris Novelli
State Historic Preservation Office
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Re: Peters Mountain Emergency Communications Tower Located at 3045 Peters Mountain Road, Keswick, Virginia

Dear Mr. Novelli,

The Albemarle County Board of Supervisors has authorized me to send this letter expressing the Board's support for the Emergency Communications Center's (ECC) initiative to modernize its communications tower at Peters Mountain.

The ECC operates a regional 800 MHz public safety land mobile radio system on behalf of the County of Albemarle, the City of Charlottesville, and the University of Virginia. The system provides interoperable, mission-critical communications to nearly 3,000 regional public safety and public service users. As part of an enterprise-wide project to replace end-of-life infrastructure and improve public safety communications coverage and reliability, the ECC is seeking to add additional equipment and height to the Peters Mountain site, located at 3045 Peters Mountain Road in Keswick.

This additional equipment will allow the ECC to provide improved public safety services to the residents of Albemarle County. The Board therefore supports the modifications to the Peters Mountain tower sought by the ECC. If you should have any questions, please do not hesitate to ask. Thank you for your time and attention.

Sincerely,



Ned L. Gallaway, Chair
Albemarle County Board of Supervisors

cc: Albemarle County Board of Supervisors
Jeffrey B. Richardson

Recess. The Board recessed its meeting at 2:18 p.m. and reconvened at 2:35 p.m.

Agenda Item No. 11. 2019 Transportation Priorities Update.

The Executive Summary forwarded to the Board states that staff is presenting the Albemarle County Transportation Priorities List 2019 to the Board for approval. This list assists in directing staff resources and funding towards transportation projects over the next two-year grant and funding cycle. The ranked list is intended to provide guidance only and projects may be advanced in a different order based on opportunities and circumstances related to each project individually. Based on the Board's guidance provided at the work session in April, staff has made some additional edits and clarifications to the final prioritized list of transportation projects and recommended grant applications for the fall application cycle or other appropriate funding sources.

Based on the discussion at the work session in April, staff made some adjustments to the scoring of projects and added new projects to the scored list. Board members identified some additional projects that they would like to see scored and generally requested that projects, even if they had not been identified through typical planning processes, be included in the scoring if it appeared that there was consensus on the need for the project. This resulted in the scoring of an additional 29 projects to bring the total number to 89.

Project scores were adjusted based on comments and suggestions from Board members. Additional factors related to existing residential factors increased scores for some projects in the Land Use category. Under the Safety category, staff looked at potential emergency access deficiencies. If emergency access could be improved through a project in an area where current access was compromised, scores were increased. Related to bicycle routes, staff considered improved connectivity that could be achieved through linking multiple projects and increased scores in the Accessibility Factor and the Land Use Factor accordingly.

The attached report and materials provide the information for the Board's consideration.

Based on the recommended Priority List, staff has developed a potential grant application and funding schedule considering projects ability to compete for grants, available funding, timing of need, and a general assessment of costs and benefits of each project. Staff is recommending the following:

Revenue Sharing Applications 2019

- #5 - Berkmar to Lewis and Clark Connector
- #26 - Old Lynchburg Road/Moore's Creek Greenway Bicycle and Pedestrian Improvements
- #8 - Eastern Avenue South Connector

Transportation Alternative Application 2019

- #12 - Tabor/High Street Sidewalks

SMART Scale Applications 2020

C-A MPO

- #1 - Hydraulic/29 Improvements
- Albemarle
- #2 - Rt 250 East Widening
- #6 - Fontaine Ave/29 Bypass Diverging Diamond
- #7 - Old Lynchburg Rd/5th St Ext Intersection Improvements
- #10 - Avon St Ext Improvements

Staff is requesting feedback from the Board on this proposed list of grant application projects and the schedule from the Board.

The discussion today will have no direct impact on the County budget. However, it will be used to identify potential uses for funding that have previously been earmarked for use on transportation projects through the CIP Transportation Leveraging program. The recommendations for grant applications will come back to the Board for final approval prior to the application submission, at which time detailed budget impacts will be presented.

Staff recommends that the Board approve the attached Albemarle County Transportation Priorities List (Attachment A). Staff is also requesting feedback from the Board on the proposed list of grant application projects and the schedule noted above. The recommendations for grant applications will come back to the Board for final approval prior to the application submission at which time detailed budget impacts will be presented.

Mr. Kevin McDermott, Transportation Planner, presented. He stated that this is a follow up to the discussion held a few months ago at a work session at which he presented on the methodology and the initial draft of the transportation priorities. He said they have conducted additional assessments in response to Board comments and he would present the final list of priorities for review, comment, and acceptance. He reminded the Board that projects were identified through the Comprehensive Plan, Master Plan, Small Area Plan, as well as State, local, and regional governments, and that limited funding

and staff time is available. He said that projects were evaluated based on land use, safety, congestion, economic development, and accessibility. He noted that there are long periods between updates of the Comprehensive Plan and he has pooled projects for which staff believes there is a high level of need but not identified in the Comprehensive Plan, which increased the number of projects from 60 to 89. He acknowledged the Board's feedback regarding the factors considered and noted that he reassessed some projects, which has changed their rankings.

Mr. McDermott presented the following list of the top 10 priorities:

1. **Hydraulic/29 Improvements:** ~\$178 Million for full implementation (Project will likely be broken up into smaller projects with variable costs)
2. **Rt 250 East Widening (Pantops)** - From Rolkin Rd to City Limits: ~\$6.2 million
3. **Rt 20/US 250 Intersection improvement:** ~\$6 million (Funded!)
4. **Hillsdale Dr Extension and Realignment** - Mall Dr to Rio Rd: ~\$9.2 million
5. **Berkmar to Lewis & Clark Connector** - From Hollymead Town Center to Airport Road, Airport Rd Roundabout: ~\$10.18 million
6. **Fontaine Ave/29 Bypass Diverging Diamond:** ~\$14.9 million
7. **Old Lynchburg Rd/5th St Extended Intersection Improvements** - Study underway to identify concepts and cost
8. **Eastern Ave South** - From US 250 across Lickinghole Creek to existing stub out: ~\$7.99 million
9. **Pedestrian Improvements on US 250 East** - between Free Bridge and State Farm Blvd: Study needed to identify concepts and cost
10. **Avon St. Improvements** - From City Limits to Rt 20: Study underway to identify concepts and cost

Mr. McDermott commented that the top 5 projects have not changed since the last meeting, though Project 3 (Route 20/US 250 intersection improvement) has been approved for funding under SMART Scale in the Six-Year Plan, with funding expected around 2023. He said the new factors considered have led to an ascension in the ranking of the Fontaine Avenue/29 Bypass and the addition of Old Lynchburg Road/5th Street Extended, which had not been identified in a previous plan but for which a study indicated a need and for which they would have design and cost estimates. He said that Eastern Avenue South, pedestrian improvements on US 250 East, and Avon Street improvements have increased in the ranking. Regarding the widening of US 250 East, he noted that the list describes it as being from the City limits to I-64, though he does not believe it is necessary to go that far and it is the area between Rolkin Road and the City limits that needs improvements. He said they would address a right turn lane that starts and stops and continue it through that portion of the corridor as well as a continuous left turn lane for which they would install a median to improve the flow and safety. He said that was just to clarify project #2.

Referring to Project #2, Ms. Mallek remarked that getting rid of the suicide lane in the middle is really important since it is so dangerous.

Ms. McKeel remarked that she called and spoke with Joel DeNunzio about this very issue this morning and expressed to him that they cannot keep widening and paving their way out of these problems. She said he agreed and that it is a matter of filling in gaps, which she thinks makes sense and would improve safety. She noted that the bridge is still a problem.

Mr. McDermott remarked that extending this into the City is something they would need to work on, likely with the MPO as a regional project.

Mr. McDermott said he would now look at how they would fund the priority projects:

Revenue Sharing Applications 2019

- #5 - Berkmar to Lewis and Clark Connector
- #26 - Old Lynchburg Road/Moore's Creek Greenway Bicycle and Pedestrian Improvements (Quality of Life Project)
- #8 - Eastern Avenue South Connector

Transportation Alternative Application 2019

- #12 - Tabor/High Street Sidewalks

SMART Scale Applications 2020

C-A MPO

- #1 - Hydraulic/29 Improvements

Albemarle

- #2 - Rt 250 East Widening
- #6 - Fontaine Ave/29 Bypass Diverging Diamond
- #7 - Old Lynchburg Rd/5th St Ext Intersection Improvements
- #10 - Avon St Ext Improvements

Mr. McDermott said this year is a revenue sharing application and transportation alternatives funding year. He said the Berkmar-Lewis & Clark Connector represents the best opportunity for revenue sharing and reminded the Board that this was discussed during the Secondary Six-Year Plan meeting when he pointed out that \$2.5 million of State funds are reserved and 60% of the design work has already been done. He noted that they have twice submitted this for SMART Scale and it has not gone through. He said they think the Old Lynchburg Road/Moores Creek Greenway Bike/Ped Improvements quality-of-life project identified could be a very successful revenue sharing application. He said the Eastern Avenue

South Connector has been in the Comprehensive Plan for many years, they have completed some preliminary design work, and are about to open a section north up to Park Ridge, which would make the full connection between Route 240 and Route 250 on the eastern end of Crozet. He said they are looking at Tabor/High Street sidewalk improvements for a transportation alternatives application. He noted that he picked these projects because others are more appropriate for SMART Scale, such as Hydraulic/29 improvements, which they could work on with the MPO, as well as several others.

Ms. McKeel remarked that Mr. Gallaway sent a letter about the Zan Road Bridge to Mr. Boyles and is in the works.

Ms. McKeel recalled that there were two roundabout projects that came from the Hydraulic panel discussions and said it might be worthwhile to look at what these could do when considering the Hydraulic interchange safety improvements, as these could be built for a lot less money than a grade-separated interchange. Ms. Mallek added that there was discussion about those going in first and if they were to handle traffic well, they would have them in the future. Ms. McKeel commented that one roundabout would be at Stonefield and the other near Whole Foods. She suggested that staff look at them together as well as separately. She said she assumes that this would be a matter for the MPO to consider.

Ms. Mallek remarked that Zan Road is still the priority. Ms. McKeel agreed. Mr. McDermott acknowledged that Zan Road is still the number one priority, though they could look to SMART Scale grants for the Hydraulic improvements.

Ms. Mallek asked if the three projects at the top of the slide, which include bridges that carry fire engines as well as sidewalks, are part of the same funding bucket. Mr. McDermott responded that they are the same funding bucket. He noted that the projects they do not believe would be competitive under the State programs of SMART Scale or Transportation Alternatives are considered for Revenue Sharing, as this program is less competitive. He noted that for County funding they have two potential sources: Transportation Leveraging Fund and quality-of-life funding the Board approved last year.

Ms. Mallek remarked that Eastern Avenue was talked about in 1985 and 5,000 dwelling units have been built based on this road, which is not there. She said the Crozet Avenue bridge repair would bring traffic on Crozet Avenue to a stop for months and has residents concerned. She said people have suggested to her that they fix the Eastern Avenue bridge first and then fix the one on Crozet Avenue. She pointed out that the Eastern Avenue north-south route is the only way, besides Crozet Avenue, to get these thousands of people and fire engines and emergency vehicles back and forth. Ms. Mallek said she wants to make sure they are not diluting it with something else that would reduce the chance of it going forward as soon as possible. Mr. McDermott responded that it ranks eighth on the priority list and he recommends they make an application for Revenue Sharing this year.

Mr. McDermott then presented the following slide with funding availability:

FY20 Transportation Leveraging Balance: ~\$2.5M
Transportation Leveraging Needs:

FY21 - Berkmar to Lewis and Clark Connector ~\$4.5M
FY22 - Eastern Avenue South Connector ~\$4.5M
Difference - Negative ~\$6.5M

FY21 Quality of Life Balance: ~\$6M
Quality of Life Needs:

FY21 - Old Lynchburg Road/Moore's Creek Greenway Bicycle and Pedestrian Improvements ~\$600K
FY21 - Tabor/High Street Sidewalks ~\$800K
FY21 - Berkmar Dr Shared-use Path ~\$1M
FY23 - Avon St Bicycle and Pedestrian Improvements ~\$1M
Difference - ~\$2.6M

Mr. McDermott noted that they have about \$2.5 million in the Transportation Leveraging Program of the CIP for FY 20. He pointed out that the Berkmar-Lewis and Clark Connector would require about \$4.5 million in FY 21 and Eastern Avenue would require about \$4.5 million in FY 22. He continued that the Board approved quality-of-life funding last year of \$6 million, which is in the CIP. He noted that for the Old Lynchburg Road project they have both the Transportation Leveraging Fund, which he is focusing on for the big road projects, and the quality-of-life funds, on which he is focusing on for smaller bike/ped projects. He said the Old Lynchburg Road project would need \$600,000 from the County, the Tabor sidewalk project would require about \$800,000, the Berkmar Drive shared-use path would need about \$1 million, and the Avon Street bike/ped improvements has a positive balance of \$2.6 million from the Avon Corridor Study. He stated that he is not asking the Board to make decisions on the specific funding now; and staff will come back in September for the final approval of applications. He noted that they are a little short on leveraging funds and a little over on the quality-of-life needs.

Mr. Randolph remarked that commuters from the Scottsville District are affected by the Rolkin Road to Free Bridge improvements and asked how this would fit in with the timing of the double diamond at the Shadwell intersections. He asked if they would widen US 250 first and then do the bridge or work on them simultaneously, which could cause a catastrophic bottleneck. Mr. McDermott responded that the diverging diamond was funded under SMART Scale two years ago and is supposed to be completed by 2023. He said the next project in that corridor is the Route 20/250 intersection project, which has just been funded by the Commonwealth Transportation Board and which would see funding in FY 23, with

work likely to be conducted after the diverging diamond project. He said the next project is the widening of right-turn lanes if they are to apply and have it accepted under SMART Scale.

Referring to Project #26, Old Lynchburg Road/Moores Creek Greenway quality-of-life, Ms. Palmer asked if and how the County would work with the City and if the timing is going well. Mr. McDermott confirmed that the City supports the project, although no specific decisions have been made on that support. He said the project would be under revenue sharing with the County to contribute \$600,000, of which the City has expressed interest in contributing to lower the County's portion. He said there has been talk about maintenance of the greenway, the Sunset Avenue bridge, and the sidewalk that connects the City on Old Lynchburg to the County. Ms. Palmer remarked that this would benefit the City too and thanked Mr. McDermott for his efforts.

Ms. Mallek asked if the Sunset Avenue bridge is located in the City or County, if it has been closed to vehicles to protect the neighborhood, and if there has been discussion about returning it to the way it was. She added that if they are to invest in the bridge, then it should at least have bus capability. Mr. McDermott responded that the bridge is on the boundary, but the road in the City is not built to handle a high level of traffic. He said the re-opening of the bridge would require additional improvements on the City's portion of Sunset Avenue, and they continue to see this as a bike/ped connection. He said in fact, the City has abandoned the road right-of-way on its side and he does not know what the possibility is for turning that into a road bridge. He said that a connection between Sunset Avenue and Fontaine also ranks highly and would eliminate the need for Sunset to be a thru street if it were to move forward. Ms. Mallek added that this project is part of the road the University agreed to do as part of its rezoning several years ago, which she was told by the Rector is still live and which is a really important thing for the University to follow through on.

Mr. Gallaway asked about the methodology of land use. He read an explanation of the methodology as follows: "The land use score for each project is developed by reviewing the recent and upcoming residential development that the project would provide benefits to. The number of recent and upcoming residential units served is the primary factor ..." He asked if they are only looking at applications that have been approved and are currently in development. Mr. McDermott clarified that they are applications that have been submitted and may not be approved.

Mr. Gallaway asked for confirmation that they are taking the potential maximum rezoning request into account for the scoring and that it is all application submitted. Mr. McDermott confirmed this and that the applications have been submitted and approved.

Mr. Gallaway asked for confirmation that if there are current R4s that are going to have applications come forward and ask for massive increases in re-zonings that is not factored into the scoring. Mr. McDermott confirmed this.

Mr. Gallaway observed that a lot of developers cite the Comprehensive Plan as the reason for bringing a rezoning request. He asked if they look at the Comprehensive Plan's projected densities for the transportation prioritization or scoring models. Mr. McDermott responded that he did not as at some point he thought he had to cut off the evaluation from where they are looking, though he understands it is important to know what the potential is. He said there are probably Comprehensive Plan designations that are unlikely to occur.

Mr. Gallaway remarked that he is not being critical of Mr. McDermott's decisions but the idea is that they are making plans and projects, yet some of the densities do not exist and there should be a way to get at this from a planning standpoint. He observed that some Rio Road projects, such as the Warner Parkway intersection, scored high under the current one, but the fact that knowing they do not have the maximum density possibilities because some of the applications are not in yet, means that those would only rank higher is frightening. He said the Board is looking at a different level that says to him that, should they prioritize a project and go forward with it and then approve a rezoning application that increases the density, the project the Board approved does not support the density of what they end up putting in and they would still have a traffic problem. He recounted that Mr. Sheffield advised him to plan for the future by considering transportation corridors. He said if they look at Rio Road projects under current zoning potentiality versus what would come in with small area plan applications and other things along the corridor, they could spend a lot of money for fixes that do not fix. He suggested they take this into consideration during the planning process.

Mr. McDermott remarked that staff do look at these factors during the Comprehensive Plan process and what he is putting out are the questions as to how much money to set aside and what the most important projects are. He said he has tried to give leeway by saying that projects that were submitted, if it is an application that may not yet have been approved, with the assumption that something is going to go there, he would include these, even if it may not be the project that was submitted.

Mr. Gallaway stated that it has to get into the conversation. He said that when they approve these types of rezoning requests they might be thinking to these transportation priorities and "go oh", that project is coming in, but if that application was not thought of or conceived of and they use that as some way to justify a rezoning request when it does not even touch that potential density increases, then they are making poor decisions.

Mr. Randolph remarked that this reminds him of when the Board realized the School Board was making decisions without factoring in planning implications of those decisions and the Board urged that a Commissioner from the Planning Commission be added to its deliberations when looking at future use.

He said that Mr. Gallaway's concern is even more imperative because, as they continue to have a discussion, as a high growth community, about impact fees, should the General Assembly grant them permission to impose them, they would need to be empirically precise when measuring and evaluating the true impact of a project on key sectors, such as education and transportation. He continued that, if future transportation needs are a caboose unlinked from the train of implementation and they make decisions without the caboose attached, they would find they have more critical transportation needs than they are aware of at the time of the decision. He said a court would point out that they did not factor in and evaluate impacts when a project was first proposed and would not allow the County to collect impact fees.

Mr. McDermott remarked that the Planning Department has put effort into a capacity analysis, which factors in the Comprehensive Plan designation and potential development on properties. He said they could probably find a way to bring this capacity analysis into the land use factor to weigh projects during the next round of updating.

Mr. Gallaway said that he would be interested to see how a change to the scoring analysis would impact how projects rank.

Ms. Mallek recounted how she has disagreed with the scoring used by representatives of the MPO. She said they would not give Eastern Avenue any points for revenue sharing for congestion or safety when it is one of two potential locations for fire engines and emergency vehicles to get over the creek, and its connectivity of the 5,000 people who now live there since the road was declared that it was essential. She asked if staff is considering projected future population growth in the scoring criteria as well as the topography to evaluate congestion and accessibility. Mr. McDermott said that, while he is using as much quantitative data as is out there, it is a qualitative score. He said that by taking into consideration the accessibility of emergency vehicles on Eastern Avenue its score increased from 12 to 8. He added that he normally asks Daniel Butch and staff at the Planning Department for feedback on the scores he has assigned.

Ms. Mallek remarked that the focus in Mr. McDermott's narrative is on recent and upcoming land use decisions and urged him to take the ones that are already there into consideration. She noted that only two-thirds of the 4,000 planned units have been built, the rest are in the pipeline, and another 1,000 have been approved. She said they have a very eager developer to help but do not have a plan design for him to participate in. Mr. McDermott noted that if a rezoning of a previously approved project was not fully developed then it is still accounted for in the recently approved and if a ZMA has come in for a number of site plans, but they are not fully built out to what they were approved for, this shows up in his assessment. He continued that for the ones that were approved and fully built out, he relies on the congestion factor.

Ms. Mallek asked if he takes into account the queues at the stop lights as there are 30 car queues every morning. Mr. McDermott confirmed that he does if the information is available, though the basis is the modeled congestion under the MPO's long-range transportation plan.

Ms. Palmer expressed her appreciation for the way Mr. McDermott has categorized the projects in his presentation, though she sometimes disagrees with the ranking scores. She said she is glad that he has brought the 5th Street/Old Lynchburg Road intersection forward as this would be very important since there would be new development. She said she was disappointed that the Sunset Avenue/Fontaine Connector did not score higher, though she understands he compared it with other projects.

Ms. McKeel complimented Mr. McDermott for the quality of the report, including the narrative and the way the projects are laid out.

Ms. Mallek asked for confirmation that the categories are for construction and not for improvements to existing intersections. Mr. McDermott responded, "yes".

Mr. Gallaway asked if the Board would have another chance to look at prioritization lists. Mr. McDermott said for the next steps, he would continue to develop the Revenue Sharing and Transportation Alternatives applications, of which he would be back in September for final approval. He said that he hopes the Board was comfortable with the ranking of the lists and would approve them. He reiterated that this is guidance for how staff would move forward with the projects.

Ms. Mallek **moved** that the Board approve the Albemarle County Transportation Priorities list, as presented. The motion was **seconded** by Ms. McKeel.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Mr. Gallaway reiterated his request to Mr. McDermott that he recalculate the density. Mr. McDermott agreed to take a look at this and get back to him.

Ms. Mallek said a constituent who runs contacted her to let her know that Ragged Mountain Running shop has a list of the 10 best gravel-paved roads to run on. She said that three of these roads are on the paving list; the runner prefers that they not pave the roads, and noted that they now have a do not pave list.

Albemarle County Priorities List

PROPOSED 2019 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE/ DESCRIPTION	NOTES/UPDATES	SOURCE OF PROJECT	FACTOR SCORES			ACCESSIBILITY	TOTAL
						LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	
First Tier										
1	N/A	Hydraulic/29 Improvements	Implementation of transportation recommendations from the Hydraulic/29 Small Area Plan	Recommended in Hydraulic Small Area Plan and C-A MPO 2040 LRTP	Places 29 MP; Hydraulic Area SAP CA-MPO 2040 LRTP	5	7	7	6	32
2	42	Rt 250 East Widening (Pantops) - From I-64 Interchange to City Limits	Widen remainder of segment to 6 lanes, with sidewalk, crosswalks, landscaping improvements	Project was broken up and reprioritized according to recommendations in the Pantops Master Plan update	Pantops MP; US 250 East STARS Study; Free Bridge Area Congestion Relief Study	4	6	6	7	28
3	1	Rt 20/US 250 Intersection improvement	Safety/ operational/ capacity improvements at Rt 20/US 250 intersection	Submitted for Smart Scale funding in 2018 but not selected for funding. Master Plan update	Pantops MP; CA-MPO 2040 LRTP; Free Bridge Area Congestion Relief Study	4	6	6	6	27
4	N/A	Hillsdale Dr Extension and Realignment - Mall Dr to Rio Rd	Rebuild private road at back of Fashion Square Mall to public road standards and construct a roundabout at Rio Rd	Recommended in Rio 29 Small Area Plan and C-A MPO 2040 LRTP	Rio 29 SAP; CA-MPO 2040 LRTP	5	6	5	5	26
5	6	Berkmar to Lewis & Clark Connector - From Hollymead Town Center to Airport Road, Airport Rd Roundabout.	New roadway to continue Berkmar Dr to roundabout at Airport Rd connecting to Innovation Dr/Lewis and Clark Drive. Includes bicycle and pedestrian accommodations.	Segment north of Airport Rd funded by the University Foundation. Segment south of Airport Road including roundabout submitted for Smart Scale in 2018 but not funded.	Places 29 MP	5	5	5	6	25
6	22	Fontaine Ave/29 Bypass Diverging Diamond	Original proposal to completely rebuild the I-64/US 29 interchange, this project was broken up to address the 3 major safety and operational issues with that interchange. All portions are complete except removing left turn from NB 29 to WB I-64. This project will allow that to occur with additional benefits to safety and operations throughout these corridors.	Removal of the southwest quadrant cloverleaf and replacement with left turn for SB 29 to EB 64 movement funded in FY17. Addition of second exit lane for NB 29 to Fontaine funded in FY17. Addition of a diverging diamond at Fontaine to remove left turn for NB 29 to WB 64 submitted for Smart Scale funding in 2018 but was not funded.	Southern & Western Areas MP; CA-MPO 2040 LRTP	4	5	6	4	25
7	N/A	Old Lynchburg Rd/5th St Extended Intersection Improvement	Old Lynchburg Rd/5th St Extended Intersection Improvement	C-A MPO LRTP		5	5	4	4	24
8	12	Eastern Ave South - From US 250 across Lickinghole Crk to existing stub out	New road segment to improve local road network capacity and accessibility; bike lanes and sidewalks.	Segment from Park Ridge Rd to Westhall Dr by private developers complete. Requested funding for remaining segments through CIP not approved.	Crozet MP; CA-MPO 2040 LRTP	7	4	5	3	23

PROPOSED 2019 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE / DESCRIPTION	NOTES/UPDATES	SOURCE OF PROJECT	FACTOR SCORES			TOTAL
						LAND USE	SAFETY	CONGESTION	
9	4	Pedestrian Improvements on US 250 East - between Free Bridge and State Farm Blvd	Implements a study evaluating potential crosswalk locations, including off-grade options, for US 250 in Pantops at the Pantops Center and the Rivanna Ridge Center to identify the best location(s) and develop conceptual design and cost estimates for those potential crossings.	Pantops MP		5	5	3	5 5 23
10	25	Avon St. Improvements - From City Limits to Rt 20	Curb and gutter, bicycle and pedestrian, and vehicular operational improvements throughout corridor.	Sidewalks under construction on east side between Swan Lake Dr and Cale ES and on west side between Stoney Creek Dr and Arden Dr. Crosswalk at Cale ES funded in 2018. NIFI planning study underway to identify, prioritize, and develop concepts for specific improvements. Recommendations will be reprioritized once study is complete.	Southern & Western Areas MP; CA-MPO 2040 LRTP	5	4	5	3 5 22
11	N/A	Sunset/Fontaine Connector Road	Construct a new road from approximately Yellowstone Dr through the Fontaine Research Park property to connect with Fontaine Ave.	Project should include a Shared-Use Path adjacent to Moore's Creek and requires an improved underpass at the RR crossing.	Southern & Western Area MP; Southern Urban Area B Report; C-A MPO 2040 LRTP	3	3	5	5 6 22
12	25	Tabor/High/ Hilltop Streets Pedestrian Improvements - Talor St from Crozet Ave to High St, High St from Library Ave to Park Rd, Hilltop St from High St to Indigo Rd	Construction of sidewalks or pedestrian paths and associated crosswalks	Funding identified through the Quality of Life Improvements Funds and conceptual design and cost estimates underway.	Crozet MP	6	3	4	5 4 22
13	N/A	Hillsdale Dr Extension and Realignment Phase 2 - From JABA to Mall Dr	Rebuild and realign Hillsdale to connect from JABA to private road at back of Fashion Square Mall, rebuild Fashion Square Mall private road as public road standards to Mall Dr	Recommended in the Rio/29 Small Area Plan Beyond 2024	Rio 29 SAP	4	5	5	4 4 22
14	N/A	Rio Road/John Warner Parkway Intersection Improvements	Intersection improvements at the Rio Rd./John Warner Parkway/CATEC Entrance to address capacity and safety issues.	Private Development TIA and VDOT recommendation		4	5	6	2 4 21
15	8	Rt 29/Rt 53 Intersection Improvements -	Recommended to reconstruct intersection into a roundabout with additional Bike/Ped improvements	Requested CIP funding not approved, intersection improvements (Rt 20/Rt 53) (roundabout) submitted for Smart Scale funding in 2018 not funded	Southern & Western Area MP; CA-MPO 2040 LRTP	4	6	5	3 3 21
16	N/A	US 250 West/US 29 Bypass Interchange	Implement recommendations from the US 250 West STARS Study	Intersection improvements at the Belvedere Blvd/Rio Rd./Church Entrance to address capacity and safety issues	US 250 West Corridor STARS Study	2	5	5	4 5 21
17	N/A	Belvedere/Rio Road Intersection Improvements	Intersection improvements at the Belvedere Blvd/Rio Rd./Church Entrance to address capacity and safety issues	VDOT currently evaluating options for improvement	Private Development TIA and VDOT recommendation	5	4	4	3 4 20

PROPOSED 2019 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE/ DESCRIPTION	NOTES/UPDATES	SOURCE OF PROJECT	FACTOR SCORES					
						LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	ACCESSIBILITY	TOTAL
18	53	Moore's Creek Greenway Trail Segment 2 - From Azalea Park to Biscuit Run	Construct Shared-Use Path Greenway Trail from the existing path at Azalea Park to Biscuit Run including upgrading the underpass at 5th St.		Southern & Western Areas MP; Jefferson Area Bicycle and Pedestrian Plan	5	4	3	4	4	20
19	24	Fifth St. Extended Improvements - From City Limits to Old Lynchburg Rd	Curb and gutter, bicycle and pedestrian, and vehicular operational improvements throughout corridor.	Planning study about to begin funded by VDOT through the STARS program to identify, prioritize, and develop concepts for specific improvements. Recommendations will be reprioritized once study is complete.	Southern & Western Areas MP; CA-MPO 2040 LRTP	5	4	2	4	5	20
20	2	NTS - Rio/29 Greenway (Crossing of US 29) - Bicycle and Pedestrian crossing of US 29 just North of Rio Rd.	Construct Shared-use path between Arden Creek and Berkmar Drive with a grade separated connection over/under US 29.	Recommended in the Rio/29 Small Area Plan Beyond 2024	Rio 29 SAP	5	3	4	4	4	20
Second Tier											
21	19	US 250 West/Crozet Ave Intersection Improvements	Safety/operations/capacity improvements, roundabout, lengthen turn lanes, etc.	No major work completed on this project but VDOT has been working on signal timing between this signal and the Old Trail Dr signal to improve operations.	Crozet MP	3	4	4	4	5	20
22	2	NT4 - Rio Road West - Shared-use path on Rio Rd from Huntington Road to Putt-Putt Place	Construct Shared-use path on north side of Rio Rd from Huntington Road to Putt-Putt Place on the south side if possible.	Recommended in the Rio/29 Small Area Plan Beyond 2024	Rio 29 SAP	5	4	4	4	3	20
23	29	Rt. 29/Woodrook Dr Intersection Improvements	Intersection Improvements - Extend northbound left turn and right turn storage & possible channelizing of lanes. Improve pedestrian and bicycle infrastructure approaching intersection on Woodrook.	No major work completed on this project.	Recommended in the Places 29 MP beyond 2023	4	4	4	4	4	20
24	N/A	Berkmar Dr/Rio Rd intersection Roundabout	Reconstruct Rio Rd / Berkmar Dr intersection into a roundabout.	Recommended in the Rio/29 Small Area Plan Beyond 2024	Rio 29 SAP	5	4	3	5	3	20
25	12	Eastern Ave North - From Park Ridge to US 240 across Lickinghole Creek to existing stub out	New road segment to improve local road network capacity and accessibility; bike lanes and sidewalks.	Segment from Park Ridge Rd to Westhall Dr by private developers complete. Requested funding for remaining segments through CIP not approved.	Crozet MP; CA-MPO 2040 LRTP	6	3	3	4	4	20
26	53	Moore's Creek Greenway Trail Segment 1 - From Sunset Ave to Old Lynchburg Rd	Construct Shared-use Path Greenway Trail from Sunset Ave to Old Lynchburg Rd including a rebuilt bridge over Moore's Creek at Sunset Ave and a Pedestrian Crossing at Old Lynchburg Rd to connect to Azalea Park Path. Also include sidewalk and bike facilities south to Doncaster Lane.	Southern & Western Areas MP; Jefferson Area Bicycle and Pedestrian Plan	5	4	2	4	4	4	19

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					LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	ACCESSIBILITY	TOTAL
27	2	NT18 - US 29 Shared-Use Path Rivanna Crossing - Bike and pedestrian bridge over Rivanna River adjacent to US 29 to connect Polo Grounds Road and Seminole Lane North 29	Construct a Bicycle and pedestrian bridge over the Rivanna River adjacent to US 29 to connect Polo Grounds Road and Seminole Lane North	Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	3	3	5	3	19
28	N/A	Crozet Ave Improvements - Three Notch'd Trail to Labor St	Operational/Safety improvements	No major work completed on this project.	Crozet MP	5	3	4	3	19
29	34	Crozet Avenue Shared-Use Path -Tabor St to US 250	Shared Use Path	Construct a Shared-Use Path on the west side of US 29 from Hollymead Drive to Proffit Road	Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	4	3	4	19
30	2	NT22 - US 29 Shared-Use Path Hollymead Segment - from Hollymead Drive to Proffit Road	Construct a Shared-Use Path on the west side of US 29 from Hollymead Drive to Proffit Road	No major work completed on this project however UVA construction on Old Ivy Road may include bicycle and pedestrian improvements.	Southern & Western Areas MP	4	4	3	4	19
31	37	Old Ivy Road/Ivy Road (US 250) Intersection Improvements	Realign and improve intersection between US 250 and RR tracks to provide for bicycle and pedestrian facilities and other improvements.	Realign and improve intersection between US 250 and RR tracks to provide for bicycle and pedestrian facilities and other improvements.	Southern & Western Areas MP	3	4	4	4	19
32	2	NT20 - US 29 Shared-Use Path Woodbrook Segment - from Carrsbrook Drive to Arden Creek	Construct a Shared-Use Path on the east side of US 29 from Carrsbrook Drive to Arden Creek	Realign a Shared-Use Path on the east side of US 29 from Carrsbrook Drive to Arden Creek	Rio 29 SAP	4	4	3	4	19
33	N/A	Hillsdale Dr Extension and Realignment Phase 3 - From Rio Rd to US 29	Rebuild and realign Hillsdale to connect from Rio Roanabout, through Albemarle Square to Gardens Blvd and connect to US 29 as public road standards	Realign Hillsdale to connect from Rio Roanabout, through Albemarle Square to Gardens Blvd and connect to US 29 as public road standards	Rio 29 SAP	3	4	4	4	19
34	N/A	Avon St/Rt 20/Biscuit Run Park Entrance	Realign Avon Street Extended at the Rt 20 intersection into a T-intersection to accommodate the entrance to Biscuit Run Park	Realign Avon Street Extended at the Rt 20 intersection into a T-intersection to accommodate the entrance to Biscuit Run Park	Biscuit Run Park MP	6	4	2	4	18
35	2	NT19 - US 29 Shared-Use Path Seminole Segment - from Seminole Lane North to Carrsbrook Drive	Construct a Shared-Use Path on the east side of US 29 from Seminole Lane North to Carrsbrook Drive	This segment was submitted for Smart Scale funding in 2018	Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	4	4	4	3	18
36	2	NT12 - Belvedere Boulevard South - Shared-use path on Belvedere Blvd between Rio Rd and the New Senior Center	Construct Shared-use path on the east side of Belvedere Blvd between Rio Rd and the New Senior Center	Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	2	3	4	4	18
37	54	US 250 West (Ivy Road) Improvements - Old Garth Dr to Kershridge/Bear's Head Dr	Operational/Safety and Three Notch'd Trail Bike/Ped Improvements	No major work completed on this project however VDOT completed a STARS Study for this corridor which recommended some roadway improvements.	Southern & Western Areas MP; Jefferson Area Bicycle and Pedestrian Plan	3	5	3	4	18

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38	N/A	Moore's Creek Greenway Trail Segment 4 - From Avon St to Rt 20 Monticello Ave	Greenway Trail	Jefferson Area Bicycle and Pedestrian Plan	5	3	4	3	3	18	
39	41	Rt 250 East Widening (Rural) - From Sleepy Hollow Ln to Rt 22	Reconstruct US 250 to include a reversible 3 lane section from Sleepy Hollow Ln to Rt 22	No major work completed on this project.	Village of Rivanna MP; US 250 East STARS Study	1	5	6	2	4	18
40	N/A	Moore's Creek Greenway Trail Segment 3 - From 5th St Station to Avon St	Greenway Trail	Jefferson Area Bicycle and Pedestrian Plan	5	3	4	3	3	18	
Third Tier											
41	2	NT25 - Timberwood Connector - Bicycle and Pedestrian facilities on Timberwood from Berkmar Drive to Worth Crossing	Construct Bike Lanes and sidewalks along Timberwood Blvd from Berkmar Drive to Worth Crossing. Include improved crossing facilities of US 29.	Also addresses the desire for a Bike/Pedestrian Crossing of US 29 at this location	Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	3	4	3	4	4	18
42	30	Rt 240 (Three Notch'd) Bicycle and Pedestrian Improvements - From Crozet Ave to Parkview Dr	Parkview Dr to Crozet Ave urban section with sidewalks/bike lanes	Segment in front of Starr Hill/Music Today is funded and designed with HSIP funds. Proposed sidewalks and pedestrian crossings.	Crozet MP; Jefferson Area Bicycle and Pedestrian Plan	4	4	2	4	3	17
43	50	Hickory Street Improvements - From Bitternut Ln to Oak Hill Dr	Bring private road to public road Standards and include parking, bicycle and pedestrian facilities.	Update to the C-A MPO Long Range Transportation Plan no longer recommends this project. However, the western portions of this were along the Hickory St alignment and would require upgrades. This segment is still recommended in the Southern and Western Areas MP and is also a necessary improvement to address needs of Biscuit Run MP and Southwood redevelopment. It will be redefined to include only this portion	Southern & Western Areas MP	6	2	2	3	4	17
44	8	Rt. 20 South Improvements - From City limits to Rt 53	Intersection improvements/ Bike and Pedestrian facilities/ Roadway Alignment Improvements/C & G	Requested funding through CIP not approved	Southern & Western Areas MP	3	4	4	2	4	17

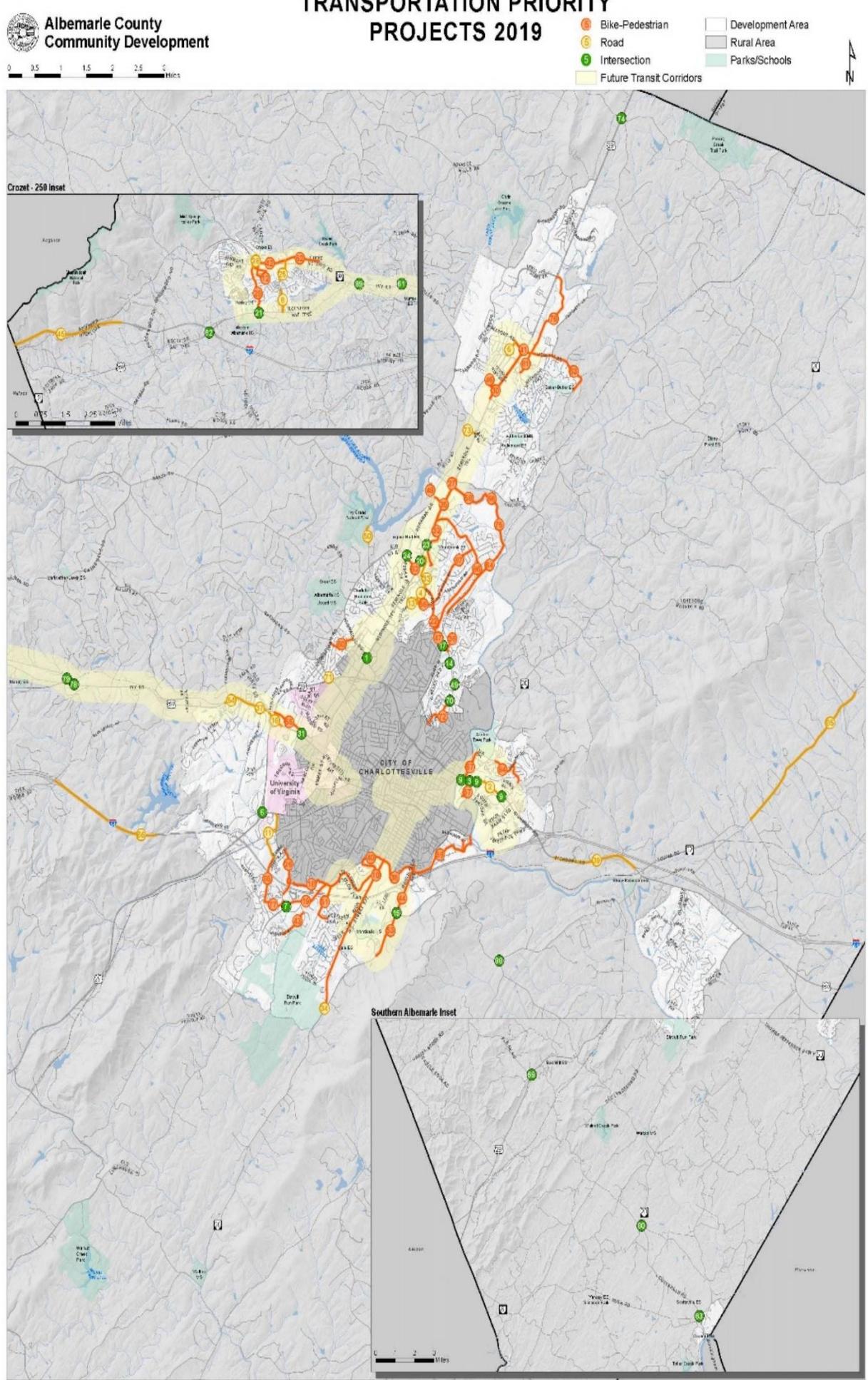
PROPOSED 2019 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE/ DESCRIPTION	NOTES/UPDATES	SOURCE OF PROJECT			FACTOR SCORES			
					LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	ACCESSIBILITY	TOTAL	
45	N/A	I-64 Afton Mountain Climbing Lanes	Construct an WB I-64 climbing lane from approximately MM 105 to Exit 99	I-64 Corridor Study	0	6	4	3	4	17	
46	2	NT23 - Berkmar-29 Connector - Greenway Trail connecting US 29 and Berkmar Drive	Construct a Greenway Trail from the northwest corner of US 29/Hollymead Drive intersection adjacent to the stormwater facility connecting US 29 to Berkmar Drive.	Northtown Trail Project: Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	4	3	2	4	2	16	
47	2	NT3 - Rio Road East - Shared-use path on Rio Rd from Belvedere Blvd to Huntington Rd	Construct Shared-use path on north side of Rio Rd from Belvedere Blvd to Huntington Rd with Bike Lanes on the south side if possible.	Northtown Trail Project: Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	4	3	3	3	3	16	
48	2	NT27 - Hilton Heights Road Connector- Bike and Pedestrian facilities on Hilton Heights Rd from US 29 to Berkmar Dr	Construct Bicycle and Pedestrian facilities on Hilton Heights Rd from US 29 to Berkmar Dr including improved crossing of US 29.	Northtown Trail Project: Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	2	6	2	3	3	16	
49	15	Rio Road East/Pen Park Road Roundabout	Reconstruct Rio Rd East and Pen Park Road intersection to a roundabout with pedestrian and bike accommodations	Intersection improvements at Rio Rd/Pen Park Drive (roundabout) submitted for Smart Scale funding in 2018 but not funded.	Places 29 MP; CA-MPO 2040 LRTP	4	3	4	0	5	16
50	N/A	Ivy Creek Natural Area Entrance Improvements	Implement recommendations from the safety study	ICNA Entrance Safety Analysis	4	5	4	2	1	16	
51	52	Biscuit Run Trail - From Southern Parkway to Moore's Creek	Construct Paved Greenway Trail	Funding awarded in 2016 through Transportation Alternatives and design is nearly complete. Additional funding will be needed to extend to Southern Parkway and complete construction. Biscuit Run Park Master Plan recommends extension of this trail.	Southern & Western Areas MP; Biscuit Run Park MP	4	3	2	4	3	16
52	30	Rt 240 (Three Notch'd) Shared-use Path - From Highland Dr to Parkview Dr	Construct Shared-Use Path from Highland Dr to Parkview Dr;	Segment in front of Starr Hill/Music Hill funds. Proposed sidewalks and pedestrian crossings.	Crozet MP; Jefferson Area Bicycle and Pedestrian Plan	4	4	2	3	3	16
53	8	Rt 20 South Improvements - From Rt 53 to Mill Creek Drive	Bike and Pedestrian facilities/ Roadway Alignment improvements	Requested funding through CIP not approved	Southern & Western Area MP	3	5	4	1	3	16

PROPOSED 2019 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE/ DESCRIPTION	NOTES/UPDATES	FACTOR SCORES					
					LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	ACCESSIBILITY	TOTAL
54	N/A	US 250 West Improvements - Bear's Head Dr to Ednam Dr	Operational/Safety and Three Notch'd Trail Bike/Ped Improvements		2	2	5	3	4	16
55	37	Old Ivy Road Improvements - From RR underpass to 29/250 Bypass western ramp	Add sidewalk and bike lanes or multi-use path along length of Old Ivy Road	No major work completed on this project; however JVA construction continues on Old Ivy Road which may include bicycle and pedestrian improvements.	Southern & Western Areas MP	3	2	3	5	16
56	27	Hillsdale Drive Sidewalk - From Mall Dr to Rio Rd	Sidewalk	Complete except segment on west side of Hillsdale Dr between Mall Dr and Rio Rd.	Places 29 MP	4	4	2	2	16
57	31	Riverbend Dr Sidewalk - US 250 to end	Sidewalk	Pantops Master Plan update recommends Riverbend Dr for Boulevard treatment between US 250 and Riverbend Dr and a Roundabout at S Pantops Dr and Riverbend Dr.	Pantops MP Beyond 2026	3	4	2	3	16
58	2	NT117 - South Fork Rivanna Greenway West - Greenway trail along the Rivanna River from the Monticello United Soccer Club to Brookhill River Launch Park.	Construct a Greenway trail along the Rivanna River from the Monticello United Soccer Club to Brookhill River Launch Park.	Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	1	2	5	2	15
59	N/A	Moore's Creek Greenway Trail Segment 5, from Woolen Mills to Rt 20 (Monticello Ave.)	Greenway Trail			5	3	2	3	15
60	N/A	Solomon Rd/Inglewood Dr Bike/Ped Improvements	Construct sidewalks on one side and shared lane markings of Solomon Rd from Hydraulic Rd to Inglewood Dr and then on Inglewood from Solomon to Georgetown Rd.	US 250 Corridor STARS completed which evaluated these intersections and made conceptual recommendations for improvements at each.	4	4	3	2	2	15
61	40	Rt 250 West/Tilman Rd Intersection Improvements	Install park/bike islands, raised median delineator and flex bollards to channel right turn lanes separate from left turn/through movements as a safety/operation/capacity improvement at intersection	US 250 West Corridor STARS Recommended in the Rio/29 Small Area Plan Beyond 2024	3	4	4	1	3	15
62	N/A	Berkmar Drive Bicycle and Pedestrian Improvements - From US 29 to Rio Rd	Sidewalk, bike lanes or shared use path	Places 29 MP; Rio/29 SAP	4	3	0	4	4	15

PROPOSED 2019 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE/ DESCRIPTION	NOTES/UPDATES	SOURCE OF PROJECT	FACTOR SCORES				TOTAL
						LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	
63	21	Proffit Road Improvements - From Leake Ln./Worth Crossing to Baker Butler ES	Alignment, curb and gutter, bike and pedestrian facilities	No major work completed on this project, but County continues to work with private developers to address some needs..	Recommended In the Places 29 MP beyond 2023	4	4	2	1	4
64	2	NT14 - Belvedere Shared-Use Path - Greenway trail from Free State Road to the Rivanna River adjacent to the Norfolk Southern RR	Construct greenway trail from Free State Road to the Rivanna River adjacent to the Norfolk Southern RR		Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	1	2	4	15
65	7	Sunset Road Improvements - From Country Green/Sunset Ave intersection to Yellowstone Dr.	Improve alignment, install C & G, bike/ped facilities	Segment from just north of Old Lynchburg Rd to just north of Country Green Rd is under construction by private developers. Segment from just north of Country Green Rd to Yellowstone was not funded through a CLP request in FIS9	Southern & Western Area MP	3	2	2	3	14
66	N/A	I-64 Ragged Mountain Climbing Lanes	Construct an EB I-64 climbing lane from approximately Exit 114 to MM 116		I-64 Corridor Study	0	5	4	1	4
67	32	Free Bridge Lane Conversion	Reconstruct Free Bridge Lane as a one-way green street to include Bicycle and Pedestrian Facilities		Pantops MP	5	1	1	4	14
68	2	NT16 - South Fork Rivanna Greenway Crossing - Greenway connection over the South Fork of the Rivanna River from the Still Meadow Property Line to the Monticello United Soccer Club	Construct a Greenway connection with a bridge over the South Fork of the Rivanna River from the Still Meadow Property Line to the Monticello United Soccer Club.		Northtown Trail Project; Places-29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	1	1	4	13
69	46	US 29/Rt 692 (Plank Rd) Intersection Improvements	Lengthen west bound left turn lane	Update to the Rural Long-Range Transportation Plan and VDOT Safety assessments continue to recommend this project.	TJPD Rural Long-Range Transportation Plan	1	7	0	2	13
70	15	Rio Road East Pen Park Lane Roundabout	Reconstruct Rio Rd East and Pen Park Lane intersection to a roundabout with pedestrian and bike accommodations		Places 29 MP	3	2	3	0	13
71	N/A	Barracks Rd/250 Bypass Ramp Right-turn lane	Add a right-turn lane on east-bound Barracks Road onto the SB 29/WB 250 Bypass on-ramp			0	5	4	0	13

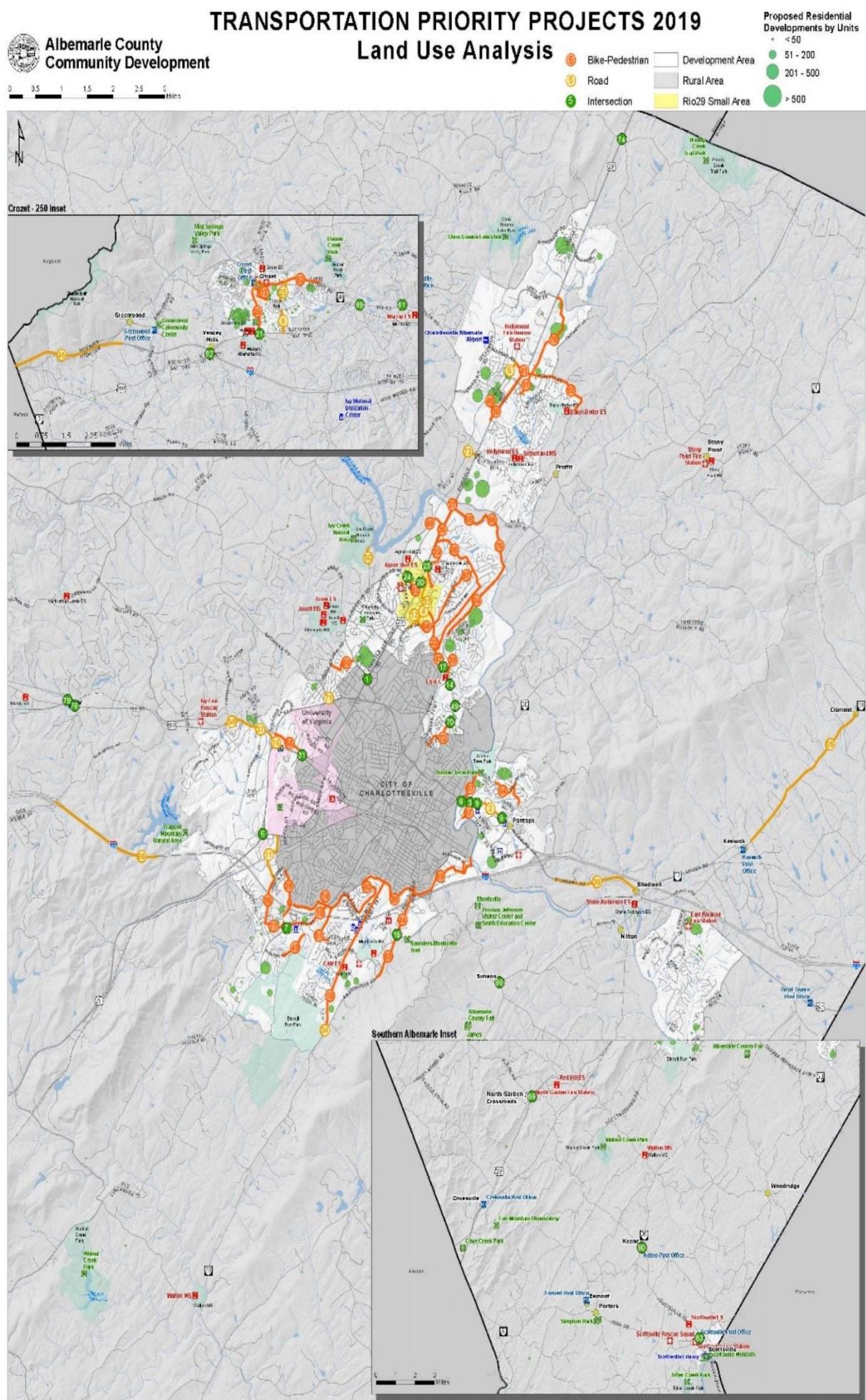
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72	15	Rio Road East Improvements - Stonehenge to City line	Bicycle, pedestrian, drainage, and alignment improvements on Rio Rd East between Stonehenge and Melbourne Rd.	Places 29 MP		4	2	2	0	5	13
73	39	Ashwood Blvd Extension	New road segment to improve accessibility and capacity (of Rt. 29). Would include intersection improvements at Rt. 29: bike lanes and sidewalks.	No major work completed on this project however construction on the connection between Berkmar Dr and Rio Mills will be underway funded in 2016 through Smart Scale. Also Addresses the desire for a bike/ped crossing of US 29 in this area	Recommended In the Places 29 MP Beyond 2023	1	3	4	2	3	13
74	N/A	Frays Mill Rd/Burnley Station Rd/US 29 Intersection Improvement	Reconstruct the Frays Mill Rd/Burnley Station Rd/US 29 intersection to an R-Cut intersection			0	7	3	0	2	12
75	2	NT15 - South Fork Rivanna Greenway East - Greenway trail along the Rivanna River from the Norfolk Southern RR to Still Meadow Property Line.	Construct a Greenway trail along the Rivanna River from the Norfolk Southern RR to Still Meadow Property Line.	Northtown Trail Project; Places 29 MP; Jefferson Area Bicycle and Pedestrian Plan	5	1	1	3	2	2	12
76	2	NT24 - Northpointe Shared-Use Path - from US 29/Lewis & Clark Dr intersection through Northpoint to Proffit Rd/Worth Crossing intersection	Construct a Shared-Use Path from US 29/Lewis & Clark Dr intersection through Northpoint to Proffit Rd/Worth Crossing intersection	Should be coordinated with any development of Northpoint	Northtown Trail Project; Places 29 MP; Jefferson Area Bicycle and Pedestrian Plan	3	1	2	3	3	12
77	51	Country Green Road Improvements - From Sunset Ave to Old Lynchburg	Improve alignment, install C & G, bike/ped facilities		Southern & Western Areas MP	2	3	1	3	3	12
78	N/A	US 250 West Ivy Improvements	Access Management, sight distance and intersection improvements on US 250 between the RR underpass and Little Ivy Creek		STAR5 US 250 West Corridor Study, C-A MPO LRTP	2	2	4	0	3	11
79	40	Rt 250 West/ Owensville Rd Intersection Improvements	Construct an eastbound left-turn lane to reduce conflict between through and left-turn vehicles as a safety/operation/capacity improvement at intersection	US 250 West Corridor STAR5 completed which evaluated these intersections and made conceptual recommendations for improvements at each.	US 250 West Corridor STAR5 Study	1	3	3	1	3	11
80	45	Rt 20 and Rt 712 (Plank Rd) Intersection Improvements	Reconstruct west bound lane to address safety issue	Update to the Rural Long-Range Transportation Plan and VDOT safety assessments continue to recommend this project.	TIPDC Rural Long-Range Transportation Plan	0	6	0	2	3	11
81	2	NT26 -Worth Crossing Shared-Use Path - from Proffit Road to Timberwood Boulevard	Construct a Shared-Use Path on Worth Crossing from Proffit Road to Timberwood Boulevard	Northtown Trail Project; Places 29 MP; Jefferson Area Bicycle and Pedestrian Plan	2	3	2	2	2	11	

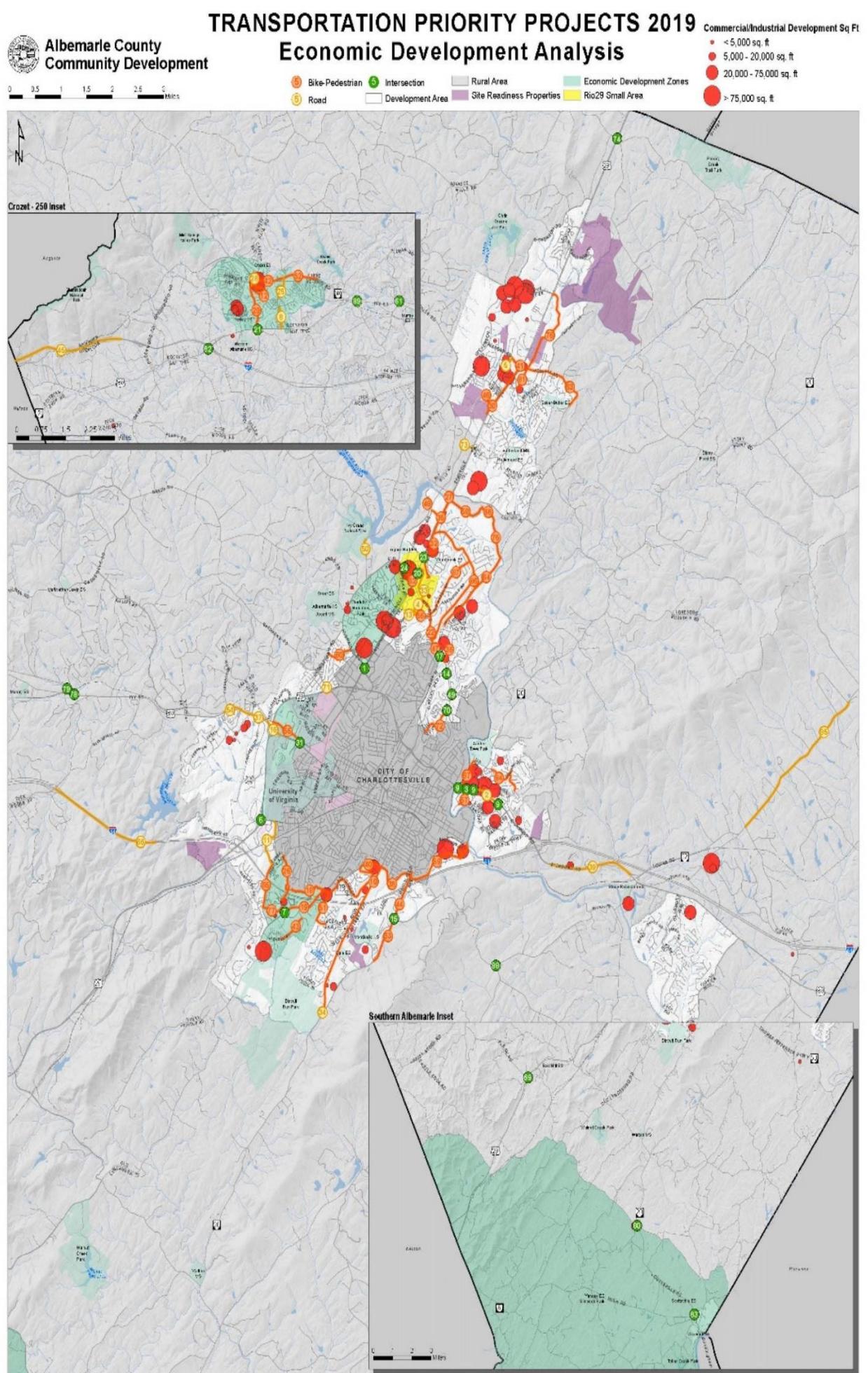
PROPOSED 2018 RANK	2018 RANK	PROJECT NAME	PROJECT TYPE / DESCRIPTION	NOTES/UPDATES	SOURCE OF PROJECT		LAND USE	SAFETY	CONGESTION	ECONOMIC DEVELOPMENT	ACCESSIBILITY	TOTAL
					LAND USE	SOURCE OF PROJECT						
82	N/A	I-64 Exit 107 Park and Ride Lot	Park and Ride Lot				3	1	3	1	2	10
83	48	James River Rd (Rt 726) / Rt 20 Intersection Improvements	Safety improvements	Update to the Rural Long-Range Transportation Plan and VDOT safety assessments now recommends only intersection improvements at Rt 20.	TJPD/C Rural Long-Range Transportation Plan		2	4	0	2	2	10
84	36	Fontana Community Sidewalks – portions of Fontana Dr and Verona Dr	Sidewalk	No major work completed on this project however the Pantops Master Plan Update continues to recommend these improvements	Pantops MP		2	2	2	1	3	10
85	44	Rt 22 Safety Improvements – From Black Cat Road to Rt 231 Gordonsville Rd	Full lane width, intersection, shoulder and other spot safety improvements	Update to the Rural Long-Range Transportation Plan and VDOT safety assessments now recommends a shorter segment for improvements.	TJPD/C Rural Long-Range Transportation Plan		0	3	3	2	1	9
86	2	NT28 - Carrsbrook Bike Route- Bike lanes on Carrsbrook Drive	Implement a lane diet on Carrsbrook Drive between US 29 and Huntington Road to fit Bike Lanes.	Northtown Trail Project: places-25 MP; Jefferson Area Bicycle and Pedestrian Plan			2	3	1	0	3	9
87	2	NT29 - Old Brook Road Bike Route - Bike lanes on Old Brook and Westmoreland Roads	Implement a lane diet on Westmoreland and Old Brook Roads between Carrsbrook Drive and Rio Road to fit Bike Lanes.	Northtown Trail Project: places-29 MP; Jefferson Area Bicycle and Pedestrian Plan			2	3	1	0	3	9
88	N/A	Rt 53/Milton Rd Intersection Improvements	Rt 53/Milton Rd Intersection Improvements	C-A MPO LRTP			0	2	1	0	2	5
89	N/A	US 250/West /Gillums Ridge Rd Intersection Improvements	US 250 West /Gillums Ridge Rd Intersection Improvements	STARS US 250 West Corridor Study			0	3	1	0	3	7

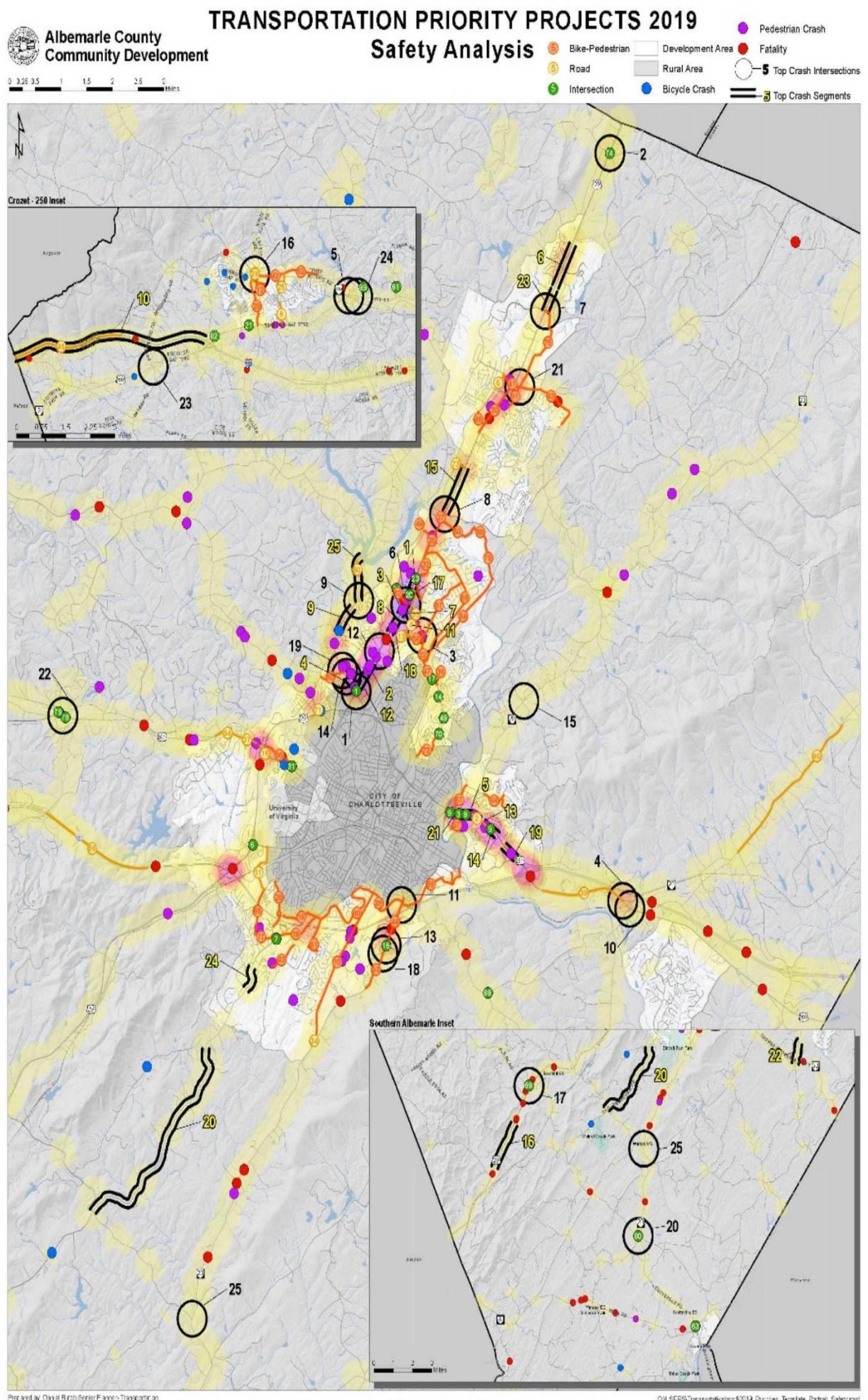


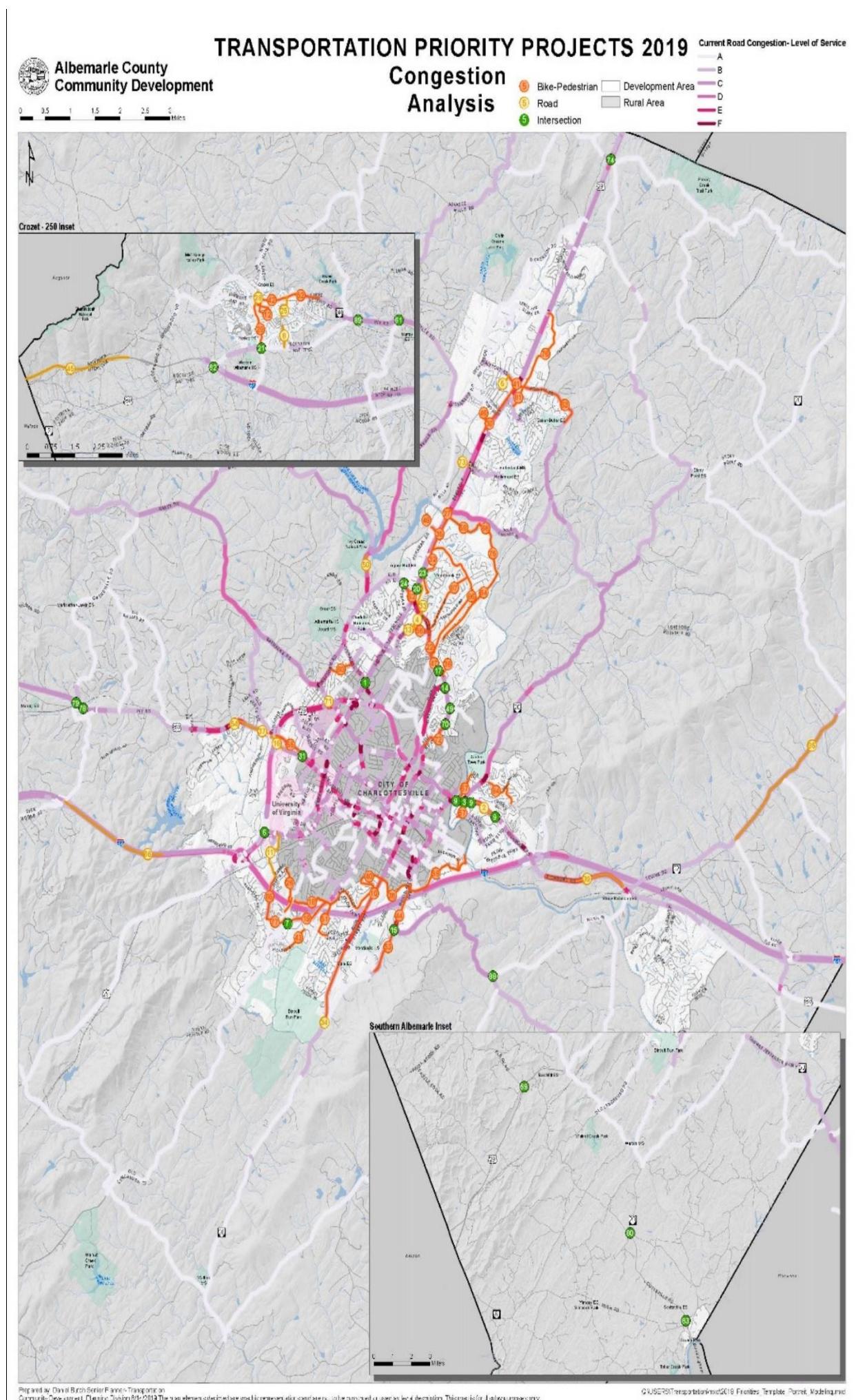
Prepared by: Daniel Birch Senior Planner, Transportation
Community Development Planning Division 6/12/2019 The map elements depicted are graphical representations and are not to be construed or used as legal descriptions. This map is for display purposes only.

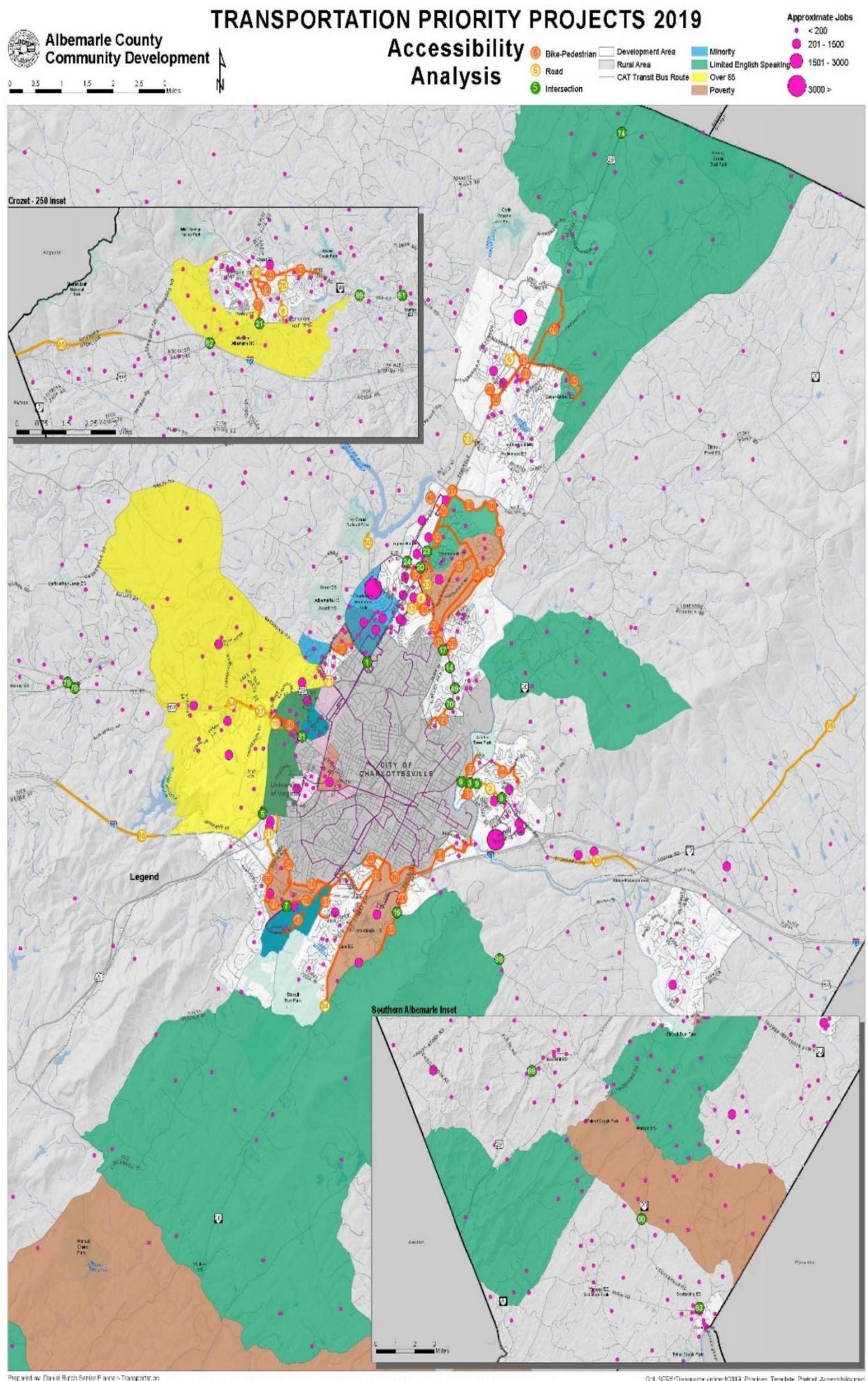
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Agenda Item No. 12. Virginia Department of Transportation (VDOT) Quarterly Report.

Mr. Joel DeNunzio, Charlottesville Residency Administrator, presented. He began with the preliminary engineering section of the report and noted that the first six projects listed are part of the design-build package they have been talking about for quite some time for SMART Scale or HSIP. He said they have received bids and plan to award contracts on July 17 with a notice to proceed in August 2019. He listed the projects as follows:

- Route 151/250 Roundabout
- Route 20/649 Intersection Roundabout – Proffitt Road and Route 20
- Exit 124 (Interstate 64) Diverging Diamond Interchange
- Connector Road Between Rio Mills and Berkmar Drive Extended
- Exit 118 US29 SB / I-64EB Improvements – dual left turn lanes to eliminate weave problem on I-64
- Exit 118 I-64 WB / US29 NB Improvement – ramps to Fontaine Avenue

Mr. DeNunzio said all projects will be part of one contract and should be under design and construction this fall and the next spring with completion off all 6 projects by 2023.

Mr. DeNunzio reviewed the Route 240/250 Roundabout project. He said they held a public hearing on July 11 at The Field School and received 24 comments during the public comment period, of which 22 were in favor, with some recommending modifications. He noted that this project falls under the High Residential Rural Rustic Road program of HSIP (Highway Safety Improvement Program). He asked the Board to pass a resolution in support of this project and he will send the Board a draft for adoption at a future meeting.

Ms. Mallek remarked that she understands that one of the modifications suggested is to have a slip lane on eastbound Route 250 so those going to Charlottesville do not have to get involved with those who are going around from Three Notch'd to Brown's Gap. Mr. DeNunzio responded that they cannot encroach on the stream buffer by putting in a slip lane, but they could make the bump out flush and more of a visual enhancement of the roundabout to slow traffic on the approach while allowing emergency vehicles to go right through, without restrictions.

Ms. Mallek asked when the bid for this project would go out. Mr. DeNunzio responded that it would be advertised for November 10, 2020, with construction to start the following spring.

Mr. DeNunzio next presented a list of bridge projects that are funded and in design, noting that most of them do not have advertising dates yet. He added that as he gets additional information, he will provide it.

Ms. Mallek commented that when a small rural bridge is taken away it becomes a cut-through for trucks, with GPS suggesting its use. She asked that VDOT keep that in mind.

Ms. Palmer asked Mr. DeNunzio if he has figured out how to influence changes on maps. Mr. DeNunzio responded, "no"; they have not been successful. He commented that they made a request to several GPS companies regarding Plank Road in the Batesville area and got a request from one of the companies that they would review it. He said it is his understanding from VDOT's Traffic Operations Center that in most instances the software cannot accommodate the request without putting a legal restriction on the maps. He added that it is also his understanding that there is a truck GPS feature that show restricted bridges, but he has not looked into it. Ms. Palmer said that if truckers are required to use something like that she would like to know. Mr. DeNunzio responded that he does not think they are required, but it is a good tool to have. Ms. Palmer said she was wondering should we require it. She noted that Senator Creigh Deeds would be visiting Batesville in the next week to hold a community meeting, and she believes Mr. DeNunzio would be at that meeting. She said the idea, after speaking with Tracey Eppard, was to determine if there was something the state should be doing in respect to legislation to help with some of these issues. Ms. Palmer asked if there was perhaps something the Board should be supporting in the future on that level to help with these types of situations.

Mr. DeNunzio said he was glad Ms. Palmer brought this up. He said he would be attending the community meeting but has not spoken to Ms. Eppard. He said he would speak to her to determine the plan ahead of time. Ms. Palmer said she had asked Ms. Eppard about the topic the previous week and this is what she was told.

Mr. Randolph addressed Mr. DeNunzio and complimented the state for undertaking the task of engineering on small roads. He expressed his belief that this is a national need, in terms of infrastructure, and that federal dollars – not just state dollars – should be used for this. He said that, per Ms. Mallek's earlier point, he sees the benefits for getting as much feedback as possible from the local Boards of Supervisors on smaller bridges. Mr. Randolph noted that an example to explain that, from an engineering standpoint, it is easy to declare that a bridge has not been replaced for a long time (60, 80, or 100 years, for example) and should be updated. He said that if there is a dialogue with the local Board of Supervisors ahead of time about what engineers plan to do, before it gets cleared and entered into the system, the Board of Supervisors could advise engineers in order to avoid the unintended consequence of the state spending more capital on the improvement of the bridge, in terms of the amount of weight the bridge could sustain and hold. He noted the example of the bridge on Route 250 East, at the Shadwell Store crossing over the Buckingham Branch, and there because of the state's finances, only two lanes could be put in when the longer-range plan would be to perhaps have three lanes there. He said the potential of having three lanes was completely obviated with the upgrade that occurred six to seven years ago by the state of the bridge. Mr. Randolph said that while money was not invested there, money is being applied to other bridges which may be at a level of engineering design that is unnecessary. He said the feeling within the community is to attempt to minimize traffic on that road and try to keep it as much of a secondary, rural road as possible.

Mr. DeNunzio agreed this was a good point and expressed another point that many of the bridges posted are structurally deficient, meaning that there is an element in the bridge that requires VDOT to

lower the weight limit. He said one of the biggest concerns with doing this is in regard to emergency response. He said that VDOT works with Fire Chief Dan Eggleston and uses his list of bridges which are producing more difficulty with emergency response. Mr. DeNunzio said he had not thought about trucks going across the bridge and cut-throughs, but has been viewing the subject in regard to the safety issues with emergency response times. Mr. DeNunzio again said that Mr. Randolph's point was a good one, and that as VDOT continues to have these bridges on the list, a discussion point to consider would be to determine if there is a bridge that should not be on the list. He said he would have to have the discussion with VDOT's bridge section.

Mr. Randolph said that in the meantime, he applauds the work VDOT did on Blenheim Road crossing the Hardware River, as that improvement represented a significant safety improvement so that both fire and ambulance could access that road, and expressed his appreciation. Mr. DeNunzio thanked Mr. Randolph for his comments.

Mr. DeNunzio presented a rural rustic list of upcoming roads and said it is not reflective of what is currently going on at Keswick Road, which would be addressed later. He said there are four rural rustics that would be started in 2019, with two in the Yancey area that the Yancey Mill area headquarters would do. He said these two roads – Patterson Mill Lane and Dick Woods Road – would be started in the summer, and grading and ditching have already started there. Mr. DeNunzio said in the Keene area, Route 712, North Garden Lane and Coles Rolling Road would start this fall. He said he expects those two roads to be completed in spring of 2020 with final surfaces, and consistent improvements could be anticipated as work continues on the roads.

Ms. Mallek noted that for steep surfaces, if the grading and ditching work is being done but the surface is not put down, it would be full of gravel again by next spring; and this has happened three years in a row now on Dicks Wood Road. Mr. DeNunzio responded that reshaping is done. He said when the ditching work on Dick Woods Road was first started, reshaping was not on the plan. He conceded that Ms. Mallek was correct, but letting the surface compact over the winter actually provides a better surface moving forward. Mr. DeNunzio said he believes that the additional work to get the ditches opened up before VDOT resurfaces has been a benefit. He said that though it may not be a perfect plan, VDOT continues to refine it in order to make it better each year, and he would consider Ms. Mallek's point moving forward.

Ms. Mallek said that protecting the property next door, which now has a truckload of gravel in the middle of the field, is a problem. Mr. DeNunzio agreed this was a good point and said he has been working on a project in Greene County that is addressing similar issues through weep areas and rock check dams and experimenting on a steep road there. He said if this was successful, he would try to have this implemented elsewhere, as it is a "win-win" for many in this condition.

Mr. DeNunzio presented bridge projects that are currently under construction or recently completed. He noted that Hammons Gap Road was one recently-completed project that was a significant benefit to residents in that area in that it allows access to emergency vehicles, as well as to fuel vehicles for residents who may need fuel for heat. He explained that as projects come off the preliminary engineering list and are put on the construction list, there are start dates for construction. He indicated those projects that are not currently in construction, but that are ready for construction.

Mr. Randolph asked to explain what a latex overlay is, and if it would be putting a latex surface over top of concrete to reduce penetration of any water that could substantially contribute to deterioration. Mr. DeNunzio said that is correct, that it is similar to treatment of a road, but there is a latex-modified concrete resurfacing over the bridges. He said there was one recently done on I-64 on the bridges in the Ivy area (on the 114 mile marker). He said there would be one done soon on Old Ivy Road. Mr. DeNunzio said that the bridges currently look like a quilt and there would be a new surface applied to them once the projects are complete.

Mr. DeNunzio said that work on Keswick Road was recently restarted and plant mix asphalt was recently completed from Route 22/231 down to the bridge and at the railroad crossing. He said this was done under contract and the resurfacing work would be completed over the next couple weeks.

Mr. DeNunzio continued on to the next two bullet points on the report and said the resurfacing schedule is underway. He presented a snapshot of VirginiaRoads.org and indicated the areas to be or have been paved in 2019. He pointed out Plank Road and Miller School Road and explained that clicking on a road in the application provides contact information if the user wants to contact VDOT about the road and also provides information on what kind of surface treatment would be applied to the road.

Ms. Mallek asked for clarification on the website address. Mr. DeNunzio responded that the address is VirginiaRoads.org and the site has interactive maps that display all of VDOT's projects and resurfacing schedules. He explained that the maps could be clicked on to see what construction is being done on the roads and when it would be completed.

Mr. DeNunzio said there is a small improvements project underway on the median on Route 29 near Airport Road. He indicated on a map to Route 29 South and explained there is a bottleneck every day as traffic comes southbound there. He said the right turn lane for Airport Road would be restriped, the road would be widened, and that there would be three through-lanes with a shared right-through to improve operations at the signal. Mr. DeNunzio said the left turn lane onto Proffit Road would be maintained there and that there would be signal modifications done to the signal heads. He said looking south of the area, around Timberwood Boulevard, there would be lanes reallocated, with the dual left turn

lanes that go onto Timberwood Boulevard reallocated to a single left turn lane with three through-lanes and a right turn lane to provide better flow through the Route 29 Corridor and AMP. He said this would be an inexpensive project, the lanes are already there to complete the project, and it is a matter of simply reallocating the pavement markings. Mr. DeNunzio noted that this section of road was on the paving schedule for 2019 and VDOT thought it would be a good idea to widen and restripe the road and get better traffic performance in the morning hours.

Mr. DeNunzio presented the traffic engineering studies that are either underway or completed. He said many of the studies are speed studies. He said VDOT recently closed the public comments on the restrictions to Miller School Road and Owensville Road, and his office collected a number of comments, with most of them in favor of the restrictions. Mr. DeNunzio said these comments were sent to the Central Office Traffic Department and it is in process. He said from the time it was submitted by the Board, it is a nine-month process and while he could not recall exactly how far VDOT was into the study, it should be approved soon to have the restrictions posted on those two roads.

Ms. Mallek offered a suggestion in regard to requests for speed studies. She said that when the comments are returned to VDOT, it would be beneficial for the information to be shared with the Board of Supervisors, noting the difficulty with searching for and keeping track of the information. She said there are several requests out now for her district and she does not want to lose track. Mr. DeNunzio said he could attach the reports to the monthly report as they are completed, but at some point, they would need to be removed so that the monthly reports do not become too large. He asked Ms. Mallek if this would be beneficial. Ms. Mallek responded that if there is a narrative that explains what the report means, this would be beneficial, but expressed difficulty in changing the report.

Mr. DeNunzio asked if it would be better to add more of a description on the completed studies. Ms. Mallek said it would be most helpful to her to receive an email. Mr. DeNunzio responded he could send an email.

Ms. Mallek said this correspondence would let the Board of Supervisors know whether a request has a possibility of moving forward, and that without it, she may forget about it and have to bring it up again later. Mr. DeNunzio said that when VDOT holds its monthly traffic meeting and discusses the studies, he would work to bring back any actions taken on the studies to the Board of Supervisors. Ms. Mallek said this would be very helpful.

Mr. Dill asked about Polo Grounds Road, noting that truck restrictions were being considered. Mr. DeNunzio responded that the road is currently signed as "Trucks not recommended" due to the railroad underpass. He said the police have conveyed their concern about turning truck drivers around that are not aware that they cannot get under the bridge. He said the traffic engineering section is looking at putting a legal restriction on the length of trucks that could get through the bridge. Mr. DeNunzio noted that while the report is underway, he was unsure of the status and whether it would be approved. Mr. Dill said the local residents would appreciate this restriction, noting that the trucks sometimes get stuck under the bridge. Mr. DeNunzio said it was a safety issue because the police have to turn the trucks around, which could sometimes block the roads for hours. Ms. Mallek elaborated that there is no place to turn around and is cumbersome to do so there.

Ms. Palmer asked if Mr. DeNunzio could explain what VDOT is using to kill vegetation along the guardrails. Mr. DeNunzio said he would have to look into this. He said the guardrail spray is a downward directional spray done once a year and that he is unsure of what is used to do this. Ms. Palmer said she would like to know the answer.

Ms. Mallek added that all Board members would like to know the answer, as they are receiving outraged phone calls about this, as the spray is done right up to and over the water at the reservoir on both sides. She said that every stream she crosses now has a four foot wide dead spot on both sides of the road. She said years ago, the Board of Supervisors was told they would not be notified about guardrails and asked if there is a process by which they could be notified. Ms. Mallek said there is no reason, for example, for her yard to be sprayed with Roundup and give it a bad appearance, and to also go to the stream and down to Chris Greene Lake. She said this is a process that she hopes would be figured out so that information is communicated between residents and VDOT. Ms. Mallek noted that by contrast, Nelson County has vines along their guardrails and she had asked Mr. Steve Carter, the County Manager for Nelson County, what their process is but he did not have an answer. Ms. Mallek said she would like to find an alternative for what is being done now, as it is a problem.

Ms. McKeel asked Mr. DeNunzio about upgrades to signals. She noted that over the years, Charlottesville signals have been discussed and VDOT has worked with them to make sure that as drivers move through the City and into the County, the traffic lights are all timed correctly. She asked Mr. DeNunzio to explain briefly what the status is in regard to signal updates. Mr. DeNunzio responded that the agreement between VDOT and the City of Charlottesville was that VDOT would ultimately operate the signals in both the City and County so that they would all function together. He said at that time, there was discussion about upgrades to the 29 Corridor in the County and the City would upgrade its signals as well. He said he does not believe that has been done yet, and VDOT's agreement with the City was that they would not take the signals over until they were rebuilt and brought up to standards to be able to talk to their signals, and then they would take over the operation. Mr. DeNunzio said VDOT has taken over the Angus Road signal, but the ones at Hillsdale Drive, Hydraulic Road, and the bypass have not been rebuilt and VDOT has not taken over the operation of these yet.

Ms. McKeel said that the signals do not work like they should until this is done. Mr. DeNunzio agreed, and said the signals may work better along the corridor south of Angus Road. He said that because the signal at Hydraulic Road and 29 does not talk to the signal at Hillsdale Drive and Hydraulic Road, there is a left-turn movement southbound that goes there and sometimes drivers run the light, and there is also congestion seen there.

Ms. McKeel said it has been a couple years now and wondered what the status is on the signal upgrades. Mr. DeNunzio responded that as soon as the signals are upgraded, VDOT would take over operation of them.

Ms. McKeel asked if VDOT has heard from the City regarding their plans to upgrade. She said it is currently a black hole. Ms. Mallek suggested that the City Manager be asked what the status is on the upgrade. Ms. McKeel said that this was important work to improve County traffic, and to let the work sit undone for years would be a shame.

Ms. Mallek said she had another point to bring up about traffic that she would address later.

Mr. Randolph said, to reinforce Ms. Palmer's earlier point about Roundup, glyphosate is linked to cancer, which is indisputable, though Bayer denies it. He said Monsanto conceded that there is a link, and glyphosate is a commonly used herbicide. He said there should be a reasonable policy that there is no spraying around reservoirs. Mr. Randolph said that the County does not allow bicycling along reservoirs, though the risk of pollution is very low, and yet the state permits glyphosate to be sprayed down to the water level of the reservoir. He said there is a disconnect in terms of level of diligence from the state versus at the local level by the Board of Supervisors. Mr. Randolph asked Mr. DeNunzio to be mindful of this because it is an issue. He said that the treatment does not take out these types of chemicals, and they are not subjected to being evaporated by sitting in a reservoir for a period of time.

Ms. Mallek said the County does have the ability, under State law, to intervene in these kinds of decisions and has the ability to decide not to use these treatments on County roads. She said that Mr. Kamptner and Mr. DeNunzio could look into this issue regarding the guardrails to determine if this is a different category.

Ms. Mallek expressed her content with the flashing yellow lights in places where there is a huge window of opportunity for a driver to proceed through. She said that, for example, she is often the only driver at the Hollymead South light for two minutes and wondered if this intersection qualifies for flashing yellow lights.

Ms. Mallek noted that her car fell into potholes the night before as she was driving home in the dark on Rhea's Ford Road. She said that these potholes, especially during rain events, are jarring because they are so large, especially between the bridge on the reservoir along the flat. She noted that there were large patches that have been done, either for next year's paving or this year. Mr. DeNunzio said the patches were done for next year's paving and asked if the potholes were around the reservoir bridge. Ms. Mallek clarified that the potholes are located from the reservoir bridge, north. She said the curb going south is good. Mr. DeNunzio asked if Ms. Mallek was referring to the steep section. Ms. Mallek clarified that she was referring to the flat and steep sections. She said there is a large pothole every 50 yards on the steep section, about two feet in diameter and eight inches deep, which is difficult to miss.

Ms. Mallek then expressed concern about the Earlysville Road and Rhea's Ford Road intersection. She said that six years ago, there was an ICU nurse who was T-boned there by someone driving out of Rhea's Ford. Ms. Mallek said the woman spent six weeks in the ICU and though she has finally been able to return to work, she would never be the same. She said that this has been discussed with VDOT each year, the same things are said and promised each year, and she is unsure of what to do in order to get VDOT to come up with a solution. She said the County does not have \$3 million for a roundabout and it may not even be useful, there has been discussion about blinking lights, trimming trees, relocating the stop sign, and a number of different possible solutions.

Ms. Mallek said that so far, nothing has happened, except for recently raising the paint on Rhea's Ford to stay "Stop Ahead," and it could be heard now, so this may be helpful. She said that the Board of Supervisors discussed solutions with Mr. DeNunzio's predecessor years ago to get the Rhea's Ford/Woodlands corner done as a four-way stop, and immediately after someone was killed there, VDOT finally put it in. Ms. Mallek stated that she does not want to wait for someone to be killed, and something needs to happen on Rhea's Ford. She asked Mr. DeNunzio to provide her with guidance on what to ask for and who to ask to determine a solution before someone gets killed, because the traffic is back from Greene County and from all over northwestern Albemarle. She said there are pedestrians and the village has become alive again after 10 years of quiet, and there are people crossing the road. Ms. Mallek noted that for the 100 years before that, there was a business center there, with 10-15 different businesses going on. She again asked Mr. DeNunzio for help fixing this problem.

Mr. Gallaway said he would like to add to Ms. Mallek's comments before Mr. DeNunzio responds to them. He said that at the EARL meeting he attended with Mr. DeNunzio, there were some things that seemed like low-hanging fruit that could be done, and that it sounds as if the conversation has changed in emails the Board of Supervisors received. He said it seems as though the conversation is floating up a level or two. Mr. Gallaway said the Board of Supervisors has identified money in its current budget that just became available in program for Fiscal Year 1 that Supervisors could use to do smaller-scale projects and that at the meeting, it was discussed that \$80,000-\$120,000 could be used around traffic issues and calming. He said that much of what Ms. Mallek has spoken about was correct and he does not need to

revisit those issues that are occurring, but that there was now a mechanism for the Board of Supervisors, since July 1 has passed, to begin programming some projects that would never compete in a transportation priority list with 69 projects that includes the Parkway and Route 20/250. Mr. Gallaway said he hopes that as a locality, if these smaller traffic projects could be picked up, VDOT would be a willing partner in helping the Board of Supervisors figure them out and try to do something the locality could see as very important.

Mr. Gallaway asked Mr. Richardson if he had any comments about the fund he was speaking about. Mr. Richardson said that at the conclusion of the budget process, there was discussion about having \$2 million of one-time carryover money. He said this money is in unreserved capital and is earmarked for strategic initiatives. He said several of the Board members talked about potential use, such as sidewalk connectivity in urban neighborhoods, and addressing potentially dangerous intersections with traffic calming and related solutions. Mr. Richardson said he told the Board that it was free any time after July 1 to bring up these projects. He added that the Board would be receiving a report on August 7 on the year end wrap up for their strategic plan initiatives, and this would spur the Board to think about the \$2 million carryover, but the Board would not have to wait until that date to talk about what to do with the money.

Ms. McKeel said she understands the funds Mr. Richardson is talking about.

Mr. Gallaway said he specifically mentioned an intersection, and the one in question that he was thinking about, because this would be a way the locality could get things done. He said the other Supervisors would have things on their radar, not necessarily intersections, that they may want to program the money for. He said that funding and staff time often interferes with getting things done, but here the money could be identified, and it should not take much staff time to complete, as it is not a large project. He said he hopes that VDOT would find a way to help the Board improve the intersection, rather than the reverse.

Mr. DeNunzio said the conversation at that meeting was that the \$80,000-\$120,000 was an estimate he offered as what was spent on flashing lights on Route 20 at Red Hill Road, which was high cost because there was also power that had to be put in there. He said that other options, such as solar, could be better, and if the County has funds it wants to put into safety improvements that VDOT cannot fund, because it does not meet the requirements of a federal safety program, then the amount of funding needs to be discussed with VDOT traffic staff. He said that he has a monthly meeting with the police and traffic staff and if he knows what the funding was, he could put together some options.

Mr. Gallaway acknowledged he understands this was a process to follow.

Mr. DeNunzio said that regarding the study done last year and discussed at the January meeting, he thought that when Mr. Gallaway was talking about the "low-hanging fruit," he was referring to the three options for the intersection that could be done immediately, such as pavement markings, moving the stop bar up, raising the pavement markings, and trimming the trees at the site line. Mr. DeNunzio said at this point, the sight line problem, looking back towards the Airport was more of a hump in the road, based on the last time he had checked it. He said the trimming could be done again, as there was a lot of vegetation growth last year and should be examined again. He said these solutions are the "low-hanging fruit". He said a Tier 2 solution was adding a right-turn lane on Rhea's Ford Road coming out, because this area has some congestion, and the long-term improvements, Tier 3, are left-turn lanes on Rhea's Ford Road or, preferably, a roundabout. Mr. DeNunzio said that there was not funding for Tier 2 and Tier 3 solutions at the moment, and they would not result in enough benefit to cost in the federal program for HSIP funding.

Ms. Mallek asked if there was anything smaller than the small roundabout at the Airport that could be put in. She noted that in other countries, there is the equivalent of a round haybale with a flashing light that makes everyone slow down and have to go around it. She asked if there was a lower-tier version of the roundabout that would improve the intersection, noting that she likes the idea of a flashing light in the middle of the intersection if it would capture attention from drivers in all four directions and force them to go around it. Mr. DeNunzio said that a mini-roundabout and any other ideas the Board may want VDOT to consider for the project could be priced out. He said VDOT could look into a mini-roundabout, but there may be too much traffic at that location for one to operate properly.

Ms. Mallek said that there are probably about 5,000 cars a day at the roundabout at Old Trail. She said Earlysville Road has about 7,000 to 10,000 cars a day. Mr. DeNunzio clarified that the roundabouts in Old Trail are not mini-roundabouts.

Mr. Gallaway said he understands the process and the Board could follow through and work it internally. He acknowledged that other Supervisors have different projects in mind and would need to speak to Mr. Richardson about how the funding process works. He thanked Mr. DeNunzio for his time, as well as for the Dunlora truck restriction which makes pedestrians and children safer and adds to the longevity of the roads.

Agenda Item No. 13. Rivanna Water and Sewer Authority (RWSA) Quarterly Report.

Mr. Bill Mawyer, RWSA Executive Director, noted that he did not have a PowerPoint to present, but does want to discuss what is happening with drinking water, wastewater, and solid waste. He said that the RWSA completed a strategic plan in the spring of 2018 that has provided great benefits. He said

they followed through with a budget for last year and just completed the budget for this year, with an operating budget of about \$36 million and a five-year CIP of about \$97 million.

Mr. Mawyer said that through the guidance RWSA has had from its strategic plan, they have six primary goals, with one being workforce development. He said that one of the things that has been done to help their workforce is a partnership with Piedmont Virginia Community College (PVCC) for technical training and leadership training. He said that, as somewhat of a nuance, their water and wastewater operators are now required to undergo leadership training to maintain their license and certification from the State. Mr. Mawyer said PVCC has been a very good partner on these trainings. He said the RWSA Board has also approved additional tuition reimbursement for staff members who want to pursue educational degrees.

Mr. Mawyer said that he and some of his staff recently attended a utility resilience and climate management conference at the University of Richmond and discussed how to make their systems resilient. He added that the federal government passed a law in October called The American Water Infrastructure Act of 2018, which requires RWSA to do a risk and resilience assessment of the water system and submit a certification of it to the federal EPA by March. Mr. Mawyer said that on the heels of the terrorist attack of 2001, the EPA requires all water utilities to have a bioterrorism plan in place. He said the requirements have been expanded to consider natural hazards such as hurricanes, tornadoes, and cybersecurity as most plant functions are operated through computer-controlled systems. He said RWSA is working to submit certifications for this by early next year.

Mr. Mawyer said RWSA is also guided by the strategic plan in optimizing its operations. He said the new granular activated carbon system that Mr. O'Connell would later discuss is doing positive things for taste, odor and taking contaminants out of the water. He said at the federal level, there are hearings being held regarding an emerging contaminant called PFAS (per- and polyfluorinated alkyl substances). Mr. Mawyer said there are no regulations in place on this yet, at least at a federal level, which is part of the reason the hearings are taking place about what to do about this chemical which is pervasive everywhere, such as in carpets, clothing, fast food wrappers, Teflon pans, and in industrial processes. He said RWSA tested all its reservoirs in December and found no PFAS, and the granular activated carbon filters that were finished last year are the leading technology in removing PFAS.

Mr. Dill asked what happens to the PFAS after it is removed. Mr. Mawyer responded that GAC absorbs contaminants onto its surface and when it gets dirty, RWSA has to take the GAC media out and regenerate it through a heat process, which removes the contaminants on the filter. He said that where the contaminants go is a good question, and he would have to look into it. He said they are at the beginning stages of operating the GAC contactors and replacing the media and the regeneration process.

Mr. Randolph asked if glyphosate was being found in the reservoirs at a detectable level. Mr. Mawyer said he does not believe there has been testing done for it, and that he made a note of this topic from the previous discussion. Mr. Randolph asked if he could kindly send the Board of Supervisors the information so they would know what the detected levels were at the various reservoirs. He said this data would be helpful as the Board of Supervisors continues to have a dialogue with Mr. DeNunzio and VDOT. Mr. Mawyer agreed that this was a good point, and he did make a note of it.

Mr. Mawyer said that later this year, there are plans to enhance the corrosion inhibitor system in the drinking water. He said this was a product added to the water now and they would be upgrading to a different orthophosphate product that would prevent metals from leaching into the drinking water, such as lead which has been seen in other areas. He said this change was planned for later in the fall, and this is a part of the RWSA's optimization.

Mr. Mawyer said RWSA has a goal of infrastructure replacement and master planning. He said a major renovation at the Crozet water treatment plant would happen later this year, and next year the renovation at the South Rivanna plant would be started, as well as the Observatory water treatment plant. He said these major facilities renovations would cost about \$40-50 million.

Mr. Mawyer said RWSA is currently working at the Piney Mountain tank on 29 North and doing structural restoration in this tank and repainting the inside and outside.

Mr. Mawyer mentioned a project of running the pipeline from the Rivanna Reservoir over to Ragged Mountain as part of the community water supply plan, and RWSA is working hard with the property owners and the businesses on Route 250 as well as with VDOT, County schools, UVA Foundation, as all these properties are being crossed. He added that the City is also an emerging property owner by the Ragged Mountain Reservoir.

Ms. McKeel asked if Mr. Mawyer was feeling positive about the ability to purchase the right-of-way that is needed and the cooperation he is receiving. Mr. Mawyer said he believes so; RWSA has not made an official offer to anyone yet, though he has received an initial response from the businesses on Route 250, such as Virginia Tractor and the weeding company, which is an area RWSA is looking to cross into the Birdwood end of the water line.

Ms. McKeel noted that John Deere was moving to the old Volvo location.

Mr. Mawyer said RWSA is working hard to get the surveying and appraisals completed in order to discuss with Inglewood Farm, and with School Board staff about either going back behind Jack Jouett Middle School or down Lambs Lane. He said they also have VDOT on Rio Road and Woodburn Road

and work has been done to get those easements. He noted as an aside that the Birdwood water line was finished in May.

Mr. Mawyer said that in the plan to improve resilience that would be submitted to the EPA, the RWSA must submit certification of how resiliency occurs in the system, such as in the case that if there is a problem at one reservoir or treatment plant, how another reservoir or plant could be used by virtue of hooking the facilities together.

Mr. Mawyer said there was also a major project to replace the water line from Ragged Mountain Reservoir up to the Observatory treatment plant. He said these were very old pipes and there would be a new pipe, plus two new pump stations. He said going back to when the Rivanna to Ragged Mountain pipeline was put in, they would be able to close off the 100-year-old pipe that feeds to Ragged Mountain from Sugar Hollow.

Mr. Mawyer said regarding infrastructure, renovation, and master planning, RWSA is currently updating the Community Demands Study, which projects how much water the community would need over the next 50 years. He said bathymetric surveys have been completed of the South Rivanna Reservoir and Ragged Mountain Reservoir and found that since the last survey was completed 10 years ago, there has been very little siltation within those two reservoirs, which was good news. He said RWSA speculates that the big storm of May 2018 helped to flush sediment out, noting that this storm resulted in seven feet of water running across the top of the South Rivanna Dam.

Mr. Mawyer said there was a wastewater project underway for Crozet at Route 250 and Three Chopt at the existing sewer pump station. He said a large tank built there to collect wastewater during times of high rain and infiltration in the system would hold the wastewater until the flow in the system subsides, and then the water would be piped back to Moore's Creek and treated for Crozet.

Mr. Mawyer said that regarding solid waste, RWSA is having great success. He said the tonnage has tripled at the transfer station from a little over 30 tons per day to over 100 tons per day. He said that the steps the Board of Supervisors asked for, and which RWSA concurred on, about reducing fees and opening on Mondays are working. Mr. Mawyer said they are obtaining three times more refuse at the transfer station.

Mr. Mawyer said RWSA is working on a design for a convenience center to be constructed at Ivy, and containers have been put out for an interim recycling center there.

Mr. Mawyer said that new signs are being put in at the McIntire Recycling Center to help people understand what products go in which bins. He said that #3-#7 plastics have been eliminated as there is no place to take them, and #1 and #2 plastics are being collected, with pictures to help people understand which products qualify and what bins they should go in.

Mr. Mawyer returned to the topic of workforce development and said that an unfortunate reality is that security has become a major issue at the workplace. He said that on the heels of the Virginia Beach tragedy at their public utilities department, RWSA has taken steps within its facilities to lock doors, requires employees to wear badges, and have off-duty Albemarle County Police in attendance during their Board meetings. Mr. Mawyer said they are focusing on the security of its facility as at the moment, the gates are open for people to drive in. He said that as thousands of septic haulers come in every week, it needs to be determined how to accommodate them without impeding them with security.

Ms. Mallek asked if there was a card the septic haulers carry so that they could be billed properly when they dump. Mr. Mawyer said they do have a card to bill, but it does not currently open the gate.

Ms. Mallek asked if this card could be used to open the gate as they drive up. Mr. Mawyer said they do not have a card-controlled gate, but they do have a garage door clicker that could be used to open the gate. He said, however, that this has not been given to all the septic haulers and it is only for staff at this point.

Mr. Mawyer said they are working on things to improve security, such as the gates, signage, and training. He said they had a special agent from the FBI attend their staff meeting the week prior to provide active shooter training, which RWSA appreciated. He said the agent lives in Crozet and he showed a training video that was sobering, but important, nonetheless.

Mr. Mawyer completed his report presentation and asked if there were any questions he could answer.

Mr. Gallaway asked if there were any questions or comments.

Ms. Mallek asked if the bathymetric study included the Rhea's Ford bridge. Mr. Mawyer said RWSA went within the confines of the reservoir and while the study went up in the direction towards the bridge, he was unsure of where it stopped.

Ms. Mallek noted that this was the perfect place for a siltation basin and there was significant discussion about being able to pull sediment out in a trap there and offload it a few trucks at a time without continued loss of capacity over the next 25 years. She also asked that signage be put up in as many places as possible to alert the community of the presence of drinking water and to refrain from

activities there, such as changing oil, because there are thousands of new people in the area who need to be informed about where the boundaries of the water system are.

Mr. Mawyer said that "No Swimming" signs have been added in Sugar Hollow and more signs would be put in place. He said that RWSA has received calls about people swimming there, and they have worked with Game and Inland Fisheries, who would increase their patrols. He said he spoke with Mr. Richardson in the week prior about working out an MOU for management of all the reservoir properties, as there is ownership across departments of the land and water, and collaboration is needed to work out a structure. Mr. Mawyer said in the next month or two, he hopes to have a draft for the Board of Supervisors to consider.

Ms. Mallek asked if this would reactivate the team group about how to make structural improvements to keep traffic out from Sugar Hollow. Mr. Mawyer responded this was correct and would be an issue to discuss. He said they have been speaking with the City and County for years about these topics and would try to come up with a proposal to then allow the team members to react to it.

Ms. Mallek said if people are allowed to block the road, and if ambulances cannot access the road, it is morally the fault of the Board of Supervisors. She said these issues have been discussed over many years and it has come to a critical point.

Mr. Mawyer said the RWSA is doing everything it could to enhance its services and keep them cost effective while providing major infrastructure for the community. He said that Mr. O'Connell would be discussing rates.

Ms. Palmer said she would read an email she had received earlier that day from one of her constituents. It read: *"I had a very positive experience this morning at the Ivy Recycling Center. I was dumping food to be recycled and talked to the man working in the oil and antifreeze area. I asked him if he worked for the County or a recycler. He enthusiastically responded, 'I work here for the County, and I love it here!'"* Ms. Palmer said this constituent was congratulating the County on a good working environment.

Mr. Mawyer thanked Ms. Palmer for reading the email. He said that within the strategic plan and workforce development, these are the types of moments the RWSA is trying to cultivate.

Ms. Mallek thanked Mr. Mawyer for increasing and standardizing the center hours so that there are no surprises such as closing early and the like. She said that when people have driven for long distances and are turned away, it had been a major issue.

Mr. Mawyer agreed and said that the Landfill would be open on July 5, and on all Mondays.

Agenda Item No. 14. Albemarle County Service Authority (ACSA) Quarterly Report.

Mr. Gary O'Connell, ACSA Executive Director, presented the report. He said that much of the background information and slides have been sent to the Board. He said he would highlight customer feedback; budget and rates; money issues; growth and connection fees; capital projects; a 20-year look at capital investments and infrastructure; and work being done on customer communications.

Mr. O'Connell presented a summary of a customer survey done, with the option to go online. He said that virtually everyone sent back a hard copy. He said they received 1,200 surveys back and expressed thanks for all the customer feedback.

Ms. Palmer asked for Mr. O'Connell to repeat the number of people who answered the survey. Mr. O'Connell responded that 1,200 people answered the survey out of 20,000 customers. He said that most of them wrote many comments. He said there were six overall rankings and pointed out that marks in the "Dissatisfied" category and certain comments would be personally followed up on, totaling 172. Mr. O'Connell said there were good responses to the survey and help people identify issues that the ACSA could try to correct. Mr. O'Connell said they would be providing a detailed presentation at their ACSA Board meeting next month that would provide further analysis of the data.

Mr. O'Connell said one area to mention from the Board of Supervisors perspective is that water rates were ranked as the highest dissatisfaction. He said that this dissatisfaction was not really with the rates, but rather with tiers, explaining that people who are outdoor users (outdoor watering) pay four times the amount of money. He said that there was some dissatisfaction expressed with the online bill payment system, which is old and needs to be updated. Mr. O'Connell said that these were the issues that fell within the 10% of dissatisfaction.

Mr. O'Connell said the ACSA's budget has been adopted by their Board, indicating on a slide that showed a proposed budget. He said they are working on a three-year strategic plan that would go to the Board in July, with a major focus on advanced metering and a work order system. He said that when the plan is approved, he would send additional information to the Board of Supervisors to bring them up to speed.

Mr. O'Connell said they are now at over 20,000 customers, growing at about 2% per year, and serving about 75,000 Albemarle County residents. He said they are located in three major locations, with

the largest being the urban system around the City and up 29 North. He said Crozet is continuing to grow, and many infrastructure projects are scheduled, and then the Scottsville system.

Mr. O'Connell said that most of the ACSA's money comes from customer bill payments. He presented a slide to give a sense of the ACSA's overall budget, with the biggest portion being for treatment cost. He said he would later address treatment costs, the major projects underway in Rivanna, and how that is affecting their rates.

Mr. O'Connell presented a copy of the ACSA's four-tier rate structure. He said the average residential bill has gone up \$3.05 per month, which is a 5.56% increase. He said there is a unified rate, but they bill from Rivanna for the urban Crozet, Scottsville, and some other smaller systems. Mr. O'Connell said Rivanna overall shows about a 10% increase and ACSA is passing 5% of that on to its customers and using a reserve, he would discuss later, to make up the additional 5%.

Mr. O'Connell presented sample bills to show different categories. He said the average customer is at about 3,400 gallons per residential customer on average per month, which is declining each year.

Mr. Gallaway asked why the number is smaller each year. Mr. O'Connell said he believes the decline is a result of a combination of factors, including new low-flow toilets and new faucets; increased consciousness about water conservation, especially in regard to outdoor watering; and more efficient washing machines and dishwashers.

Mr. O'Connell said that some older apartment buildings have used these techniques and said that a toilet rebate program has been done for apartments as well.

Mr. O'Connell said the ACSA feels that their water is a good deal, and is safe, clean, and reliable at the tap. He said one penny buys 2.3 gallons of water.

Mr. O'Connell then presented a state-wide rate comparison that comes from 150 utilities across Virginia. He indicated the state-wide median and said that the ACSA's goal is to fall below the state-wide median. He said the comparison is analyzed each year and they select utilities both above and below the ACSA's rate. Mr. O'Connell said that, for example, the City of Charlottesville's rate is 22% more than the County's rate.

Mr. Randolph said that though he does not wish to criticize the monthly rate comparison, one thing that the Board of Supervisors uses are comparable counties such as Stafford, Hanover, Roanoke, James City, and Spotsylvania, and none of these counties appear on the report, except for perhaps one. He said it would be helpful for the Board of Supervisors in trying to compare with comparable communities, for instance when the tax rate is set each year. He elaborated on the example of Virginia Beach, which has a unique circumstance with North Carolina's water supply, and other examples may also have unique circumstances. Mr. Randolph said that by using the comparable counties, the Board of Supervisors has a better idea of where the County's tax rates fall. Mr. O'Connell responded that he would get the information from Mr. Richardson for comparable counties.

Mr. Randolph acknowledged that the ACSA inherits wholesale water and is not the determinant of the cost of the water that it is receiving. He said that while the capital costs of the water are out of the ACSA's control, those capital costs do exert themselves in the water rate that then gets passed along by the ACSA to customers. He said the next time the ACSA reports, he would like to see a more realistic picture of where the County's rate falls compared to comparable counties.

Mr. O'Connell responded that as long as the ACSA's database contains the information, he could provide this, and also work with Mr. Richardson to get the comparable. He added that Albemarle County's rate falls below the state-wide median and that regardless of comparable areas, it falls 20% below the median, plus a 10% utility tax on the City lower. He said much of this has to do with the structure of the County's rates and the way the connection fees and growth are handled.

Ms. Palmer said that Mr. O'Connell has shown many differences in the size of community.

Mr. Randolph said that the communities are roughly similar in terms of population sizes, which is why the comparable shown were selected.

Ms. Palmer explained that the size of the number of people who are actually on water and sewer may differ.

Mr. O'Connell said he had the same discussion with his Board and the Board wanted to see localities within 50 miles and utilities that they believed were comparable to Albemarle County's. He said that he could choose whatever localities the Board of Supervisors would like to see, and that the County's rate would still fall under the state-wide median.

Ms. Mallek said that a variable the Board of Supervisors pays attention to and uses, which others may not be concerned with, is the additives put into the water that also affect the cost. She said the County has opted to use high-quality water.

Ms. McKeel noted that it is impressive the quality of water the County has compared to its low cost. Ms. Mallek agreed with this point.

Mr. O'Connell said that looking at the quality of water coming out of the tap, and the water quality coming from the treatment plant into the rivers, it is as good as anywhere in the state, and the County's rate is still below the median state-wide rate. Ms. Mallek congratulated Mr. O'Connell on this achievement. Ms. McKeel said it would be a great message for the community.

Mr. O'Connell presented a comparison to the City of Charlottesville. He noted the County does buy its water from the same place. He also presented the comparison to the state-wide median as previously discussed.

Mr. O'Connell presented the growth plan as it deals with connection fees and what is happening in the community. He said that since 2008, ACSA has had an aggressive strategy of connection fees paying for the growth and new capacity in the system. He explained the philosophy was that new development would buy into the capacity that is here, and projections for needed capacity in the future. Mr. O'Connell said that the study Mr. Bill Mawyer is conducting with County Planning looks at the capacities of wastewater, and water 50-60 years into the future plus immediate needs. He said there is major capacity projects enlargement of water treatment plants, a major upgrade in the wastewater plant, significant improvements of the wastewater plant in Crozet, and others. He said there are many projects that get passed on to the ACSA's customers that relate to growth and development, and the ACSA is trying to be ahead of this by having the facilities in place to handle projected growth and development within the County's growth plans.

Mr. O'Connell presented the financial model for handling projected growth. He said one major change that has been made is accounting very directly for the dollars the ACSA gets from new development, which goes straight to pay the debt service to growth related capacity at Rivanna. He explained that the 5% rate difference mentioned earlier was a result of making this change, and he sees it being sustainable for at least the next five years, and perhaps the next 10 years, with the level of growth and development foreseen. Mr. O'Connell said that this was perhaps the most significant part of his presentation, and the most significant policy change for the ACSA.

Mr. O'Connell presented the connection fees. He noted it was a complicated model that is analyzed each year and looks at how much water and wastewater capacity to deal with growth and future needs of the County in the system and per ERC equivalent residential connection. He explained a single-family residential house would be multiplied by the size of the project. Mr. O'Connell said that this has become an issue on major projects such as hotels and major apartment complexes, where connection fees could be more than \$1 million. He said that they are growth projects and the ACSA must have the capacity in place to deal with them. He said if they do not have the capacity, they cannot give approval to move forward with the project. Mr. O'Connell recalled that in 2007, this applied to a development on 29 North. He said this is the way to pay for the new development without putting the burden on residential customers. He said that residents are paying for current costs, while new development is paying for future capacity, and improvements have been made in creating an audit trail to show dollars from developers paying those service costs.

Ms. Palmer said that the lack of this kind of audit trail frustrated the ACSA Board when she was a member and she was happy to see this now in place. She also mentioned that the ACSA always looks at the cost of putting in a septic system and tries to keep the sewage connection fees comparable to that. She asked if the ACSA was still looking at this. Mr. O'Connell said the ACSA looks at this, but it does depend on the property. He explained that if it is an urban property, the fees are close to the cost, if not less, but there are circumstances where this is not the case. Ms. Palmer said it is sometimes a concern that if the sewage connection fee becomes too high, people would move to more rural areas and build homes there. She said it is very expensive to build a septic system, which was her point for mentioning this.

Mr. Randolph thanked Mr. O'Connell for the historic CIP project list that was included in the presentation and pointed out that when adding all the projects between 1997 and 2019 for the Scottsville system, it totals out at \$4,155,443, which is more than the area of Ivy and Albemarle County received. He said that the argument some residents of Scottsville, that Scottsville is treated as a "poor stepchild" of Albemarle County is totally inaccurate when looking at the case study done by the ACSA and Board of Supervisors to ensure there is equal treatment in terms of water system upgrade and maintenance in Albemarle. Mr. Randolph said he wanted to go on record about that amount of money.

Mr. O'Connell said that research started with some questions from the Board of Supervisors about the level of infrastructure investment being made, particularly in the older urban areas. He said as a research project, it became clear that the ACSA needed to look at the entire system, so they looked at the last 15 years as well as the next 3 to 4 years out, and the total is roughly \$80 million. He added that every year, the ACSA is putting \$5 to \$6 million into upgrades, most of which are replacements, rehabilitations, and improvements into the system.

Mr. O'Connell presented a series of maps showing the dollar totals behind each project, including the amount for Scottsville that Mr. Randolph had referred to.

Ms. Palmer said she was confused about the section written in the report about the exclusion meters in Glenmore, and asked Mr. O'Connell if all the meters that were grandfathered years ago are also being replaced, or if they were abandoned. She noted that the report stated that the existing exclusion meters were grandfathered and allowed to stay in place unless the irrigation system was voluntarily abandoned, but that the project happening now would eliminate all remaining private exclusion meters in the system. Mr. O'Connell said that all meters that were grandfathered were private meters that

the ACSA plans to replace, and the Board has approved a three-year program to move the meters into the right-of-way that would make the meter publicly owned, giving the ACSA control over the meter and its usage. He said that when this project is finished, there would no longer be any private, exclusion or irrigation meters in the system. He said these meters are scattered around the system and not just in Glenmore, though the largest number of them are located in Glenmore.

Ms. Mallek said she would be in total support of the tiered rate system to compensate for the people complaining, as it would be much better than having giant users having a free ride and punishing the people at the bottom. She thanked Mr. O'Connell for this and encouraged him to continue progress in this area.

Mr. Randolph thanked Mr. O'Connell for his comprehensive report.

Agenda Item No. 15. Closed Meeting.

At 4:40 p.m., Mr. Dill **moved** that the Board go into a Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to the Equalization Board and to four other advisory committees,
- Under Subsection 8, to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to:
 - 1) the application of the business license tax to particular activities, and
 - 2) the public's access and use of the County's office buildings and their grounds located on McIntire Road and 5th Street.

The motion was **seconded** by Ms. Mallek. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Agenda Item No. 16. Certify Closed Meeting.

At 6:07 p.m., Mr. Dill **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each Supervisor'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 authorizing the closed meeting were heard, discussed, or considered in the closed meeting. The motion was **seconded** by Ms. McKeel.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Agenda Item No. 17a. Boards and Commissions: Vacancies and Appointments.

to

- **appoint** Mr. Sean Brydge and Mr. James Cathro to the 5th & Avon Community Advisory Committee with said terms to expire September 30, 2020.
- **reappoint** Mr. Tim Keller to the Agricultural & Forestal District Advisory Committee with said term to expire April 17, 2022.
- **appoint** Mr. Tony Wayne to the Places 29/Hydraulic Advisory Committee with said terms to expire August 5, 2020.

The motion was **seconded** by Ms. McKeel. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Agenda Item No. 18. From the Public: Matters Not Listed for Public Hearing on the Agenda.

Mr. Kent Schlussel, a County resident since 1977 and current resident of the Rio District, thanked the Board. He said there is a major conflict of interest with a member of the Rio Community Advisory Committee. He stated that he is a retired air force officer who worked for the federal government for many years. He said that he was disqualified from several evaluation Boards due to his financial interests, including his IRA containing mutual funds, which is out of his control, and having stock in the defense industry, although it was not stock given directly to any one defense industry and had stock in other funds as well. He stated that although he was Chairman of an evaluation team, he was disqualified and had to sell mutual funds to be a nonpartisan member of Advisory Boards of several other evaluation teams. He

said the Places 29 Rio CAC has a member with a large financial interest on Rio Road called 999 Rio Road. He asked why she was allowed to be an objective Board member with such a large financial interest. He said that according to the rules of the Board, members of the CACs must be a resident or business owner in the County, but the member in question is not a resident of the County, nor has a business in the County. He stated that he does not understand how she was appointed to a County position while her residence and business are located within the City of Charlottesville. He said that on June 25th, the Planning Commission was notified of this conflict of interest but no action was taken. He said that it was difficult for him to understand how she could remain a member of the CAC when she was breaking rules that were enforced by the Board of Supervisors. He stated that he respectfully submits that the Board of Supervisors should take action and remove her from the CAC.

Ms. Judy Schlussel stated that she is a member of the Rio 29 CAC and is speaking as an Albemarle County resident from Dunlora. She said that the Planning Commission vote of 4-1 was disappointing which moved the proposed 999 Rio Road project forward, sending it to the Board of Supervisors. She said that Commissioners Bruce Dotson and Pam Riley were absent and another, Jenny More, stated the vote was difficult for her to make, but saw benefit from the rezoning that would not occur if the land was developed by right. She said another Commissioner, Daphne Spain, voted against the project because of the amount of Dunlora residents who came to voice their disapproval for the project. She said that another Commissioner, Karen Firehock, stated that she "felt the development fit with the surrounding area, which is near CATEC and two churches, is not a development that causes a jarring change for what is already at that intersection." Ms. Schlussel said she is quite baffled when the 999 Rio Road project has two three-story buildings proposed that would potentially house commercial entities with some apartment-style residential units. She said CATEC is a one-story brick school; Covenant Church, even with the new expansion, is only two stories, as is City Church. She said next to the proposed project, there is a single-family housing development of Shepherds Ridge at Dunlora and not one of these are a commercial entity. She noted there are neither commercial entities nor apartment buildings from Penn Park Road to the railroad track. She stated that Planner Kevin McDermott had stated that there is speeding traffic through the area of Dunlora Drive that cuts through the area to access Rio Road and further creates a dangerous and inaccessible area for the permanent residents. She said that the Board of Supervisors approved a "No Through Truck Speeding" sign in the area, but there is more to be done for the issue. She requested that VDOT and the Board of Supervisors evaluate a section of Belvedere Boulevard to be for emergency vehicle access only and thus traffic for Dunlora Road would be for Dunlora residents only. She noted that Belvedere residents already experience an enormous amount of traffic which then will be compounded by the rezoning of 999 Rio Road.

Mr. Kirk Bowers stated that he is a resident of the Rivanna District, a retired engineer and retired Sierra Club staff member. He thanked the Board, on behalf of the Piedmont Group and Sierra Club staff, and County for approving the local climate action planning process. He stated that there is a small time frame in order for Virginia to revise energy policies and provide a decentralized, community based solar energy system to provide everyone with electricity. He stated that the solar energy industry in Virginia lacks compared to other states' industries due to a variety of barriers posed by electricity entities. He asked the Board to lobby the legislature for the upcoming General Assembly session to remove policy barriers for solar energy accessibility. He suggested joining perhaps with the Virginia Association of Counties with this effort, which would be one way to do it.

Agenda Item No. 19. **Public Hearing: CPA201800007 Comprehensive Plan Amendment to Incorporate Biodiversity Strategies.** To consider proposed amendments to the Natural Resources Chapter of the Albemarle County Comprehensive Plan. All proposed amendments are in the Objective 4 section of the Natural Resources Chapter. The amendments primarily serve to add new strategies under Objective 4 to help conserve and protect biological diversity, or biodiversity, in the County. Six new strategies are being added. Seven current strategies will remain in place, with some wording revisions to five of the seven.
(Advertised in the Daily Progress on June 17 and June 24, 2019.)

The Executive Summary forwarded to the Board states that at its meeting on May 14, 2019, the Planning Commission voted 5:0 (Bivins, Dotson absent) to recommend approval of CPA201800007 (Attachment Att.A2).

This Comprehensive Plan Amendment will revise the Objective 4 section of the Natural Resources Chapter of the Comprehensive Plan. In June 2018, a Biodiversity Action Plan (BAP) for Albemarle County was completed. Completing the BAP marked the first step in implementing the current Strategy 4a of the Comprehensive Plan's Natural Resources Chapter. Amending the Comprehensive Plan as proposed will complete the implementation of current Strategy 4a. Information and guidance from the BAP was used to develop strategies designed to help conserve biodiversity in the County. The total number of strategies under Objective 4 would increase from eight to thirteen. Six of the thirteen strategies would be new and seven of the thirteen would be retained from the current set of strategies, though with some revisions.

Staff recommends that the Board adopt the attached Resolution (Attachment Att. D) to approve CPA201800007.

Mr. David Hannah, Natural Resources Manager, stated that this is a proposed revision to the Comprehensive Plan for biodiversity strategies in the County. He said that staff covered most of this material in a work session on April 3 with the Board of Supervisors and his presentation would be brief. He stated that if the Board approves this amendment, as staff recommends, it would be the final step in the amendment process and would allow the plan to be finalized. He stated that his goals were to review the actions taken to date, review the revisions to the plan, and recommends approval of the CPA-2018-00077.

Mr. Hannah stated that currently Objective 4 in the Plan states "to protect the biological diversity and ecological integrity of the County in both the Rural Area and Development Areas." He said under that objective, Strategy 4A states to "Develop an Action Plan for Biodiversity to protect significant areas of biological importance in the County", which was largely completed in June, 2018 with the Biodiversity Action Plan.

Mr. Hannah said there is further wording in this section of the Comprehensive Plan: "When completed, the action plan should be presented to the Board of Supervisors for adoption into the Comprehensive Plan." He stated that this is the reason why he is before the Board currently. He then reviewed actions taken to date in this process:

- July 5, 2018 – Board of Supervisors endorsed the Biodiversity Action Plan
- September 4 – Planning Commission adopted a Resolution of Intent to amend the Comprehensive Plan
- November 20 – Work session with Planning Commission to review first draft of revisions
- November 29 – Public meeting to solicit input and comments
- November 2018 thru January 2019 – Online survey for public comment
- February 12, 2019 – Second work session with Planning Commission to review draft revisions
- April 3, 2019 – Work session with Board of Supervisors to review draft revisions
- May 14, 2019 – Public hearing, Planning Commission recommended approval of Comprehensive Plan Amendment

Mr. Hannah said staff have done a good job of garnering public input and public comment. He stated that there is documentation of the ways that significant public comment and input has been implemented into their final revisions to the Comprehensive Plan. He said that the format for changing the Comprehensive Plan is simple and straight forward, and all revisions are under Objective 4 of the Natural Resources chapter. He said the Biodiversity Action Plan and related materials would be available as reference material but are not part of the official Comprehensive Plan itself. He stated that the goal of this revision was to add strategies to Objective 4 to help conserve biodiversity moving forward. He said staff attempted to retain as many of the current strategies as they felt appropriate and leave as much of the current wording intact.

Mr. Hannah stated that the total number of strategies under Objective 4 increased from eight to 13; with six new strategies; and retained seven of the eight current strategies. He said that one strategy removed was because it already was occurring in the Rural Area Chapter of the Plan. He noted there were also some minor wording changes in five of the seven retained strategies. He invited questions and comments.

Ms. Palmer asked if the plan to pave unpaved rural roads was considered as part of the biodiversity plan. Mr. Hannah said that the Natural Heritage Committee and staff discussed it under the subject of habitat fragmentation. He stated that the existence of the road alone does not have much impact, regardless of whether it is paved or not. He said that there is much anecdotal evidence that suggests that paved roads would allow for more development in the area, but they have not researched it thoroughly. He said that they have looked at paved roads as leading to fragmented habitats.

Ms. Palmer said that she understands that paved roads could also lead to more traffic and thus more animals hit by cars. She said that perhaps in the future that could be considered as a point of discussion by the committee. Mr. Hannah stated that in the review of the biodiversity plan, it is recommended for the plan to be reviewed and revised every five years, so in 2023 that subject could be revisited. He said that additionally, with paved or unpaved roads, a paved road could have more detrimental impact to water quality, but it was not looked at in detail with the current revision.

Mr. Dill stated that the biodiversity plan is very different from many of the other plans the Board of Supervisors' looks at and this plan is a great educational opportunity due to Mr. Hannah's perspective on the world and the information his teams have. He said that he finds it to be a very important ongoing program. He asked if there was a way to review the information in a way that encompasses hard data before the plan is up for review again. Mr. Hannah stated that the staff would be consistently reviewing data and looking to update the information as much as possible, and five years is a goal, but they depend on other County departments and organizations such as the Rivanna Conservation Alliance for access to that data. Mr. Dill said that he understands and they could perhaps discuss it further later.

Ms. Palmer asked what the Natural Heritage Committee and Mr. Hannah does in order to educate others. She also asked if they contact nurseries to discourage them from selling invasive species. Mr. Hannah stated that it has always been a goal of the Natural Heritage Committee to be educators, and he wishes to increase that role of the Committee and staff. He said that he wants to reach out to private landowners and sees opportunity to educate others on how to be responsible and knowledgeable landowners, including suburban, forested, and agricultural landowners. He said that he thinks the County should be an information clearinghouse for landowners and be able to help them go to

the right partners and organizations that can provide them resources and funding assistance for managing their lands.

Mr. Gallaway asked if there were any other comments. Hearing none, Mr. Gallaway opened the public hearing. As no one came forward, the public hearing was closed.

Ms. Palmer commented that she saw a variety of pollinators in her own rhododendrons.

Mr. Randolph said he spoke to an issue the last time Mr. Hannah was before the Board. He said under Strategy 4A, the first sentence of the fourth paragraph reads: "The BAP affirms the need to minimize and reduce habitat fragmentation County-wide by maintaining existing habitat connectivity." He suggested this statement be boldfaced because it in essence summarizes the entire section of the Chapter. He noted this point cannot be emphasized enough.

Ms. Palmer then **moved** that the Board adopt the proposed Resolution D to approve CPA-2001800007. Mr. Dill **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Mr. Hannah thanked the Board for all their assistance. Mr. Dill thanked Mr. Hannah and the Committee for all their work. Ms. McKeel also thanked Neil Williamson for his input.

RESOLUTION TO APPROVE CPA 2018-00007 FOR CONSERVING BIODIVERSITY

WHEREAS, Objective 4 of the Natural Resources Chapter of the Albemarle County Comprehensive Plan calls for protecting the biological diversity and ecological integrity of the County; and

WHEREAS, Strategy 4a under Objective 4 calls for developing an Action Plan for Biodiversity to protect significant areas of biological importance in the County; and

WHEREAS, the Comprehensive Plan states that "When completed, the action plan should be presented to the Board of Supervisors for adoption into the Comprehensive Plan."; and

WHEREAS, a Biodiversity Action Plan for Albemarle County was completed in June 2018 and endorsed by the Albemarle County Board of Supervisors on July 5, 2018; and

WHEREAS, on September 4, 2018, the Albemarle County Planning Commission adopted a Resolution of Intent to amend the Comprehensive Plan to incorporate strategies for conserving biodiversity; and

WHEREAS, based on data and analysis in the Biodiversity Action Plan, County staff developed revisions to the Comprehensive Plan to comply with directions and guidance in the Comprehensive Plan; and

WHEREAS, two work sessions with the Planning Commission were conducted - on November 20, 2018 and February 12, 2019 - to review the proposed revisions to the Comprehensive Plan and to solicit public comments on the proposed revisions; and

WHEREAS, a public meeting was conducted on November 29, 2018 and an online survey made available to the general public in efforts to solicit public comments on the proposed revisions to the Comprehensive Plan; and

WHEREAS, a work session with the Board of Supervisors to review the proposed revisions to the Comprehensive Plan was conducted on April 3, 2019, after which the Board approved proceeding to a public hearing with the Planning Commission for the purpose of amending the Comprehensive Plan; and

WHEREAS, on May 14, 2019, the Albemarle County Planning Commission held a duly noticed public hearing on CPA 2018-00007, at which it recommended approval of CPA 2018-000007; and

WHEREAS, on July 3, 2019, the Board of Supervisors held a duly noticed public hearing on CPA 2018-00007.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA 2018-00007 and amends Objective 4 and the related strategies of the Natural Resources Chapter of the Albemarle County Comprehensive Plan, as shown on Attachments A6 and A7 of the staff report, attached hereto and incorporated herein.

Objective 4: Protect the biological diversity and ecological integrity of the County in both the Rural Area and Development Areas.

Biological diversity, or “biodiversity” for short, has been defined as “the diversity of life in all its forms, and at all levels of organization” (Hunter 1996). While there are numerous ways to think about how life and all organisms are organized, the most common ways of viewing biodiversity include species diversity, genetic diversity, and ecosystem diversity. Biodiversity is sometimes described as the totality of genes, species, and ecosystems of a region.

The health of biological systems is often indicated by the amount of native variety they contain. Native species have evolved to live in their current habitats and, generally, the more diverse a system is, the healthier it is. The breadth of species creates strength for all species; when a species is lost, it signals a change that may affect all species.

Biodiversity is important to human populations for numerous and diverse reasons. In a narrow but critical sense, we depend on the services that ecosystems, and the living things found in them, provide. Ecosystem services refer to the many benefits that humans receive, at no direct economic cost, from natural environments and functioning ecosystems. Some essential ecosystem services include purification of air and water, pollination of crops and natural vegetation, generation and renewal of soil and fertility, and mitigation of floods and droughts. Healthy, functioning ecosystems provide many other benefits and also contribute greatly to the quality of life of County residents.

Protection of biodiversity is important in both the Development Areas and the Rural Area. Because the quantity of resources is much greater in the Rural Area, most of the efforts in protecting biodiversity are focused there. However, Development Areas are very important for conserving biodiversity. They are home to a number of key species and ecosystems. Preservation of environmental corridors, such as those shown on Parks and Green Systems plans in Development Area Master Plans, helps to maintain biodiversity in the Development Areas. Equally important is the preservation of wooded corridors that extend from the Rural Area into the Development Areas. Developing and maintaining a diverse, connected urban forest can provide important biodiversity resources as well as many other environmental and societal benefits.

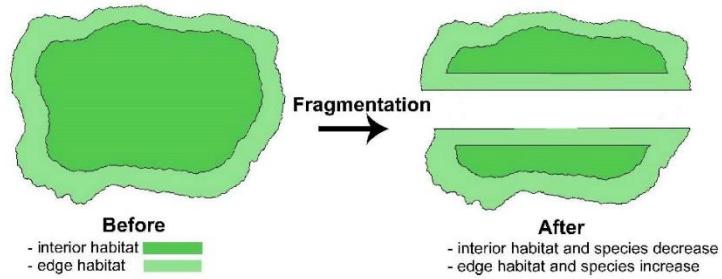
There are a variety of threats to biodiversity, ranging from the local to the global scale. An ongoing threat in Albemarle County and beyond is habitat fragmentation. When large patches of habitat are fragmented into smaller areas, species dependent on large “interior” habitats or large ranges cannot survive.

As shown in Figure 4, which depicts the potential results of a new road or utility right-of-way being constructed, the amount of interior habitat is reduced, minimizing area for food, cover, and movement. This negatively impacts many wildlife species found in the County that rely on interior habitat. Examples include forest interior breeding birds, such as the cerulean warbler and scarlet tanager, that are harmed by nest predators and nest parasites that are common in edge habitat. Some amphibians are also impacted by the loss of interior habitat, including the red-spotted newt and eastern red-backed salamander.

Figure 4 also illustrates that the overall amount of habitat is often reduced by fragmentation. Species that require large areas of habitat, such as the bobcat and river otter, may be negatively impacted. The increase in edge habitat often benefits many commonly occurring species, such as white-tailed deer, raccoon, and opossum. While these and other common species are important components of biodiversity, they can present problems too. Vehicle-wildlife collisions are perhaps the most serious issue. The County

and its residents can work closely with agencies and County partners, such as Virginia Department of Game and Inland Fisheries, in reducing human-wildlife conflicts.

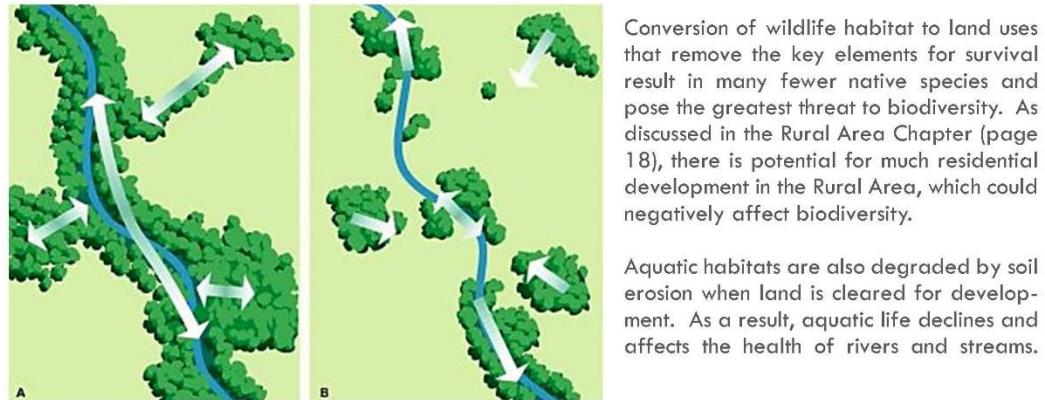
Figure 4: Illustration of Habitat Size and Fragmentation



Fragmentation also reduces viability for species. Loss of safe passages between habitats (shown in picture B of Figure 5) prevents species from reaching needed habitats or recolonizing habitats that have lost those species. Connectivity of habitat is critical for healthy, functioning ecosystems.

Subdivision of parcels into smaller parcels is conceptually distinct from habitat fragmentation and has been referred to as “parcelization” (Downing 2016). However, parcelization often leads to habitat fragmentation. Parcelization and subdivision of land can result in the size and/or shape of parcels that are generally usable only for residential purposes, thus complicating land management for forestry, agriculture, or conservation.

Figure 5: Illustration of Habitat Range and Connectivity



Any effort to protect the quality of ecosystems must include both terrestrial (land-based) and aquatic (water-based) ecosystems.

A: A well connected landscape. B: A poorly connected landscape.
Source: *Federal Interagency Stream Restoration Working Group (FISRWG)*

Strategy 4a: Implement an Action Plan for Biodiversity that includes protection of significant areas of biological importance in the County.

The Natural Heritage Committee (formerly the Biodiversity Committee) was appointed by the Board of Supervisors in 2005 to create and maintain the County's Biodiversity Assessment, advise the Board of Supervisors, the Planning Commission, and County staff on applying biodiversity information to land-use decision-making, and support biodiversity education in the County. Their mission is to help maintain and restore the County's native biological diversity and provide a healthy environment for the citizens of Albemarle County.

After adoption of the 2015 Comprehensive Plan, County staff worked with the Natural Heritage Committee to develop a Biodiversity Action Plan which is included in the Reference Documents section of this document ([hyperlink](#)). Included as Reference Documents and part of the plan are an Executive Summary, Appendices, and maps. The Biodiversity Action Plan builds upon work conducted by the Biodiversity Work Group from 2002-2004. The work group was created as a temporary body and developed a biodiversity report for Albemarle County in 2004. That report, a summary report, and appendices are also available in the Reference Documents section.

The Biodiversity Action Plan (BAP) provides both a broad overview and detailed information about biodiversity in the County. A key component of the plan is a spatial analysis of the Albemarle County landscape and the habitat it contains. Figures 6, 7, and 8 illustrate some of the data, analysis, and results of the plan. These figures correspond to Maps 1, 2, and 4 respectively in the BAP.

The BAP affirms the need to minimize and reduce habitat fragmentation County-wide by maintaining existing habitat connectivity. It promotes establishing new connectivity where possible and appropriate. It identifies non-native invasive species and climate change as significant threats to biodiversity both locally and on grander scales. It builds and expands upon recommendations in Objectives 1, 5, and 6 of this Chapter that call for protecting and preserving water resources, retaining mountain resources, retaining and improving land cover near rivers and streams, and protecting wetlands. The BAP also highlights the need to restore impaired or degraded ecosystems. Returning these systems to better health and functionality is often possible and a very important conservation tool.

The BAP should be reviewed and updated on a regular basis to account for changing conditions and to incorporate new knowledge and data. The BAP was intended to cover a five year period and should be reviewed and updated as needed in 2023.

The strategies that follow provide specific ways to protect and conserve biodiversity in Albemarle County. Since most of the County land is in private ownership, a strong community-based stewardship approach toward the County's natural resources will be a tremendous asset in effectively implementing the strategies.

Strategy 4b: Use existing tools (e.g., conservation easements), develop strategies, and implement new conservation programs to protect lands in the three conservation focus areas, other conservation targets (e.g., examples of the five key ecosystems described below, large forest blocks or other intact, important habitat), and lands that can serve as habitat corridors or connections among important habitat areas.

The BAP identifies three areas of the County that are rich in biodiversity and have significant conservation value (see Figure 8). Conserving lands and resources within the three focus areas – Northwestern Albemarle, the Southern Albemarle Mountains, and the Rivanna River Corridor – prioritizes efforts and should maximize conservation effectiveness. There is significant potential for enhanced conservation through good stewardship and land management in these focus areas. The total acreage of the areas is approximately 156,539 acres. Approximately 12% of the land is publicly owned, approximately 88% is in private ownership, and approximately 20% of the privately owned land is under conservation easement.

Five types of ecosystems are also identified as key for conserving biodiversity: 1) forests, 2) outcrops, bluffs, and other xeric habitats, 3) relict Piedmont prairies and grasslands, 4) rivers, streams, and riparian areas, and 5) wetlands. While not as widely recognized as some ecosystems, the biological importance and historical significance of Piedmont prairies and grasslands have become better studied and understood in recent years.

These five ecosystems may be important conservation targets regardless of their location. That is, they do not need to be located within the conservation focus areas to merit protection. Similarly, lands that can connect areas of habitat may be important conservation targets regardless of location in the County. In addition to their importance as habitat, rivers, wetlands, and other water features form key connectors that aquatic species, birds, and other wildlife use to move through the landscape. Protecting riparian and wetland areas is very important in supporting healthy, functioning ecosystems and providing good water quality.

The County's conservation easement programs, Acquisition of Conservation Easements (ACE) and Albemarle Conservation Easement Authority (ACEA), can be effective tools for helping conserve biodiversity. In addition to revising the criteria for these programs to include biodiversity values (as stated in Strategy 4e of this chapter), these programs should be strengthened. This is consistent with Strategy 5d of this chapter and Strategies 2b, 2d, 2e, and 2f ([hyperlink](#)) of the Rural Area Chapter.

Other land and resource protection tools should be investigated for use in Albemarle County. For example, a Transfer of Development Rights (TDR) program should be investigated as a possible method for conserving biodiversity. Lands within the three conservation focus areas and other identified conservation targets could be the focus of TDR programs. Researching a TDR program that is appropriate for Albemarle County is consistent with Strategies 1a and 2g ([hyperlink](#)) of the Rural Area Chapter.

Strategy 4c: Protect and conserve natural resources on County-owned land to enhance biodiversity.

Public lands and the ways they are managed play an important role in protecting open space, wildlife habitat, and biodiversity. Several land management practices, if implemented consistently on County-owned land, will contribute to enhancing biodiversity. Examples include controlling non-native invasive species, using locally native plants in landscaping, promoting natural plant communities on site when

possible (e.g., establishing native grassland habitat in place of turf or large lawn areas), maintaining wide riparian buffers along waterways, and reducing stormwater runoff.

County parks in particular should play a critical role in conserving biodiversity. Many parks contain examples of the five highlighted ecosystems, and several current and future County parks occur within or near the conservation focus areas. If managed properly, parks can conserve large, intact areas of forest and other habitat types. Management plans for the parks should include strategies to conserve and enhance biodiversity. Simple examples include controlling access to sensitive areas, designating specific locations for non-disturbance (e.g., reducing areas maintained by mowing), and using boardwalks and signage to limit access to sensitive areas while providing unique educational opportunities. Where possible, prescribed burning can be used to promote biodiversity.

Strategy 4d: Preserve existing vegetation in areas shown as Parks and Green Systems on Development Area Master Plans.

Each Development Area Master Plan describes the importance of preserving stream corridors and other environmentally sensitive areas. These places are especially important to biodiversity as are other areas shown as Parks and Green Systems in the Master Plan maps. [The Neighborhood Model principles, found in the Development Areas Chapter](#), describe the importance of parks, recreational amenities, and open space in creating and maintaining high quality neighborhoods. Wooded areas, riparian areas, and undeveloped well-vegetated land connecting these areas help retain habitat corridors.

Strategy 4e: Revise criteria for ACE (Acquisition of Conservation Easement Program) and ACEA (Albermarle Conservation Easement Authority, formerly the Public Recreational Facilities Authority) easement applications to more accurately identify biodiversity resources and conservation needs.

Conservation easements typically restrict development and protect agricultural, scenic, historic, and aquatic resources. They could be more effective at protecting specific habitat areas. While recognizing the value of biodiversity, current criteria for assessing biodiversity on ACE properties are limited in scope, with biodiversity data coming into play on a very limited basis. The criteria should be revised to include additional information and data sources, including BAP data. Improved criteria will allow biodiversity to be more easily considered in evaluating properties for ACE easements. For all County-held easements, terms and language need to be developed that provide effective methods for permanently protecting specific habitat areas that support biodiversity.

Strategy 4f: Evaluate opportunities and take steps to conserve and protect high priority Important Sites in the County.

Important Sites are defined as “locations of special plant communities, unusual habitats, or species rare to scarce in the County.” An initial list of Important Sites was developed by the Biodiversity Work Group in 2004. The Natural Heritage Committee (NHC) has maintained and revised the list in the ensuing years. Appendix C of the BAP provides descriptions of all 53 sites and a list of the 24 high priority sites. Map 3 of the BAP shows generalized locations of the sites.

The Important Sites represent significant opportunities for good stewardship, land management, and enhanced conservation of lands in the County. The total amount of land in the 53 sites is approximately

30,543 acres. Of this total, approximately 7% is public land and 93% is in private ownership. Approximately 23% of the privately owned land is under conservation easement. One of the 53 Important Sites is a landscape scale area of 21,588 acres. If this very large landscape scale site is not included, the remaining 52 sites represent a smaller area of approximately 9,786 total acres. They are comprised of approximately 21% public land, 79% privately owned land, and 30% of the privately owned land is under conservation easement.

Important Sites were evaluated based on their conservation value and the potential for conservation action that can be taken in the five years following completion of the BAP. The NHC intends to serve as an advocate for thirteen of the sites, working with landowners and local residents to raise awareness about them and discuss options for appropriate management and protection. Based on pending actions, the County is well positioned to positively influence activities and land management at nine Important Sites, and should take lead responsibility for them. The pending actions include development of new County parks, joint planning with the City of Charlottesville and Thomas Jefferson Planning District Commission on a Rivanna River corridor, and updating the Pantops Master Plan. The County and the NHC should share responsibility for two Important Sites. One site is adjacent to a future County park. The other site is within the Shenandoah National Park.

Strategy 4g: Encourage the use of locally native plants in landscaping to protect and provide habitat for native biodiversity, to save water, and to connect landowners to the local ecosystem.

The term "locally native" refers to plants that are native to the central Piedmont region of Virginia. The use of locally native plants in landscaping, land management, and development projects is important to protect native biodiversity against invasive species, to save water compared to plantings not adapted to the local climate, to provide additional habitat for native species, and to help connect residents to the local ecosystems. In 2012, Albemarle County Department of General Services (since renamed Facilities and Environmental Services) staff developed a native plants database and currently strives to plant at least 80% native plants in County projects. Community Development Department staff should also promote use of native plants in conjunction with the site development process.

Strategy 4h: Collaborate with resource management agencies, partners, and landowners to manage non-native invasive species to reduce their impacts and limit their spread.

The threat that non-native invasive species pose to biodiversity, agriculture, forestry, and other concerns is widely documented and accepted. Numerous state and federal agencies, nonprofit groups, and other organizations are actively engaged in trying to manage the threat. Examples include the Virginia Department of Forestry, Virginia Department of Conservation and Recreation, Blue Ridge PRISM, Thomas Jefferson Soil and Water Conservation District, The Nature Conservancy, and the Virginia Native Plant Society. Efforts on this front by the County can be significantly strengthened by collaborating with these and other organizations.

Strategy 4i: Include aquatic and riparian habitat enhancement with strategies for water quality when developing the comprehensive water resources plan.

Strategy 1c of this chapter calls for developing and implementing a comprehensive water resources plan for the County. The strategy includes stream restoration needs and strategies, public education efforts, and coordination of different County programs. This represents a logical and practical opportunity to enhance aquatic and riparian habitat as part of the comprehensive water resources plan.

Biodiversity and stream health are associated with water quality. The Virginia Department of Environmental Quality designates aquatic life, as determined by benthic macroinvertebrate data, as one of six designated uses for surface waters, and thus a standard for assessing water quality.

The County's network of rivers, streams, and riparian areas are a vital component of regional biodiversity, as stated under Strategy 4b of this chapter. Greater efforts should be made to protect these resources, for purposes of both improving water quality and protecting biodiversity. Taking actions for these purposes is consistent with Objectives 1 and 6 of this chapter, Strategies 1a, 6a, 6b, and 6c of this chapter, Objective 8 and Strategies 8a and 8b([hyperlink](#)) of the Development Areas Chapter, and Strategy 3a ([hyperlink](#)) of the Parks and Recreation, Greenways, Blueways, and Green Systems Chapter.

Strategy 4j: Increase the community's awareness of the importance of biodiversity to encourage protection of biological resources.

Volunteers and the County can support private conservation efforts by developing and disseminating educational and technical material to the general public, developers, and private land owners, including residents of the Development Areas. The material should contain information on the value of biodiversity, voluntary techniques that can be used to protect biological resources located on their land, and resources available to them. Typical examples that are often appropriate on small parcels and in urbanized areas include creating rain gardens, pollinator habitat, and xeriscaping with native plants.

Strategy 4k: Continue to collaborate with federal, state, and regional partners, who have geographic information on biological resources, to help build a biodiversity inventory.

Many federal, state, and regional agencies collect data on biological resources and work towards species protection. These data can be used in conjunction with information from the BAP and other County-generated data to develop a broad dataset on biodiversity. Developing and maintaining good working relationships with cooperating agencies and organizations is important.

One very useful strategy would be to work with the Virginia Department of Transportation to design and test wildlife overpasses and underpasses to reduce the loss of wildlife to habitat fragmentation by roads, especially between large habitat blocks. A variety of overpass and underpass sizes can contribute to biodiversity protection, including, for example, very small tubes and tunnels that can help amphibians move between upland and wetland habitats as needed for reproduction.

Strategy 4l: Retain a position for a County staff member with expertise in conservation biology.

In the years following creation of the Natural Heritage Committee in 2005, County resources were limited and no staff was available to work with the committee. With the hiring of a natural resources staff person in December 2015, a liaison between County staff and the NHC was established. The staff position supports the NHC and made development of the BAP possible. The staff position also strengthens County efforts to improve stream health, helps monitor proposed projects for impacts to biodiversity, provides additional resources for project review, and increases County support, outreach, and education for landowners.

Staff is in a unique situation to help make the connections between science, conservation management, and planning in the County. Staff time for conservation enables the County to be more effective and ensure that resources expended on these programs are put to the best use.

Strategy 4m: Develop indicators and monitor data that reflect the state of biodiversity in the County. Regularly repeat the land use/land-cover data-gathering process (as begun in 2009) for the purpose of monitoring landscape changes.

The state of biodiversity in Albemarle County is continually evolving. Indications of change are important in monitoring and assessing the current state, for tracking changes through time, and for effective conservation planning. Indicators may directly or indirectly reflect biodiversity resources. Examples of indicators could include the amount of land and landscape areas that are protected, the level of protection provided, indices of habitat connectivity and fragmentation, water quality and stream health data, and the status of threats to biodiversity (e.g., non-native invasive plants).

In 2007, Albemarle County, along with the Nature Conservancy, the Rivanna River Basin Commission, and StreamWatch (merged with the Rivanna Conservation Society in 2016 to form the Rivanna Conservation Alliance) funded mapping of land cover in the County and the rest of the Rivanna River watershed. The first map was completed in 2009 and is provided as a layer on the County's GIS web application. Because it is such a useful tool to track change over time, it is essential to repeat because it provides feedback on the effectiveness of conservation programs and allows conservation programs to adapt to trends in landscape changes.

CITATIONS:

Downing, A. 2016. "The Fragmented Forest." *Virginia Forest Landowner Update*. Volume 30, Number 4, Fall 2016. Virginia Cooperative Extension Program.

Hunter, M. L. 1996. *Fundamentals of Conservation Biology*. Cambridge, MA: Blackwell Science.

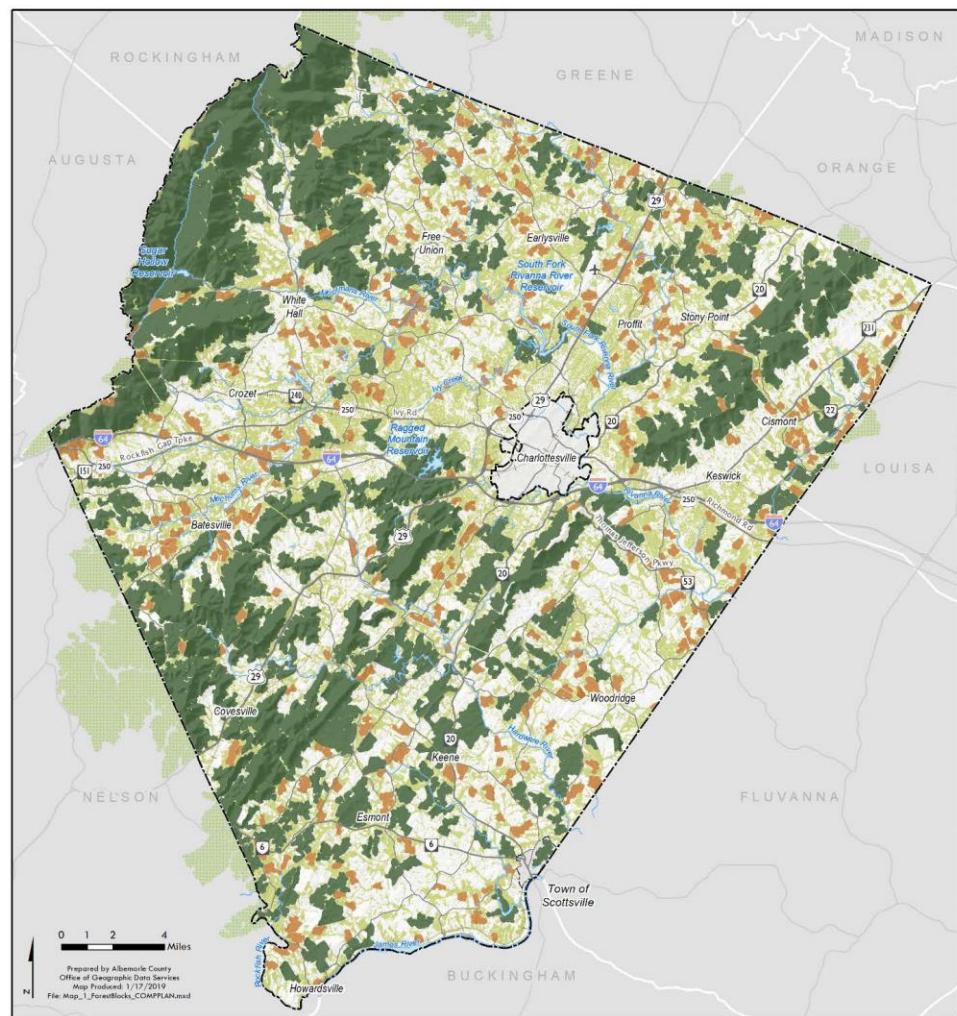


Figure 6: Forest Blocks and Tree Cover in Albemarle County

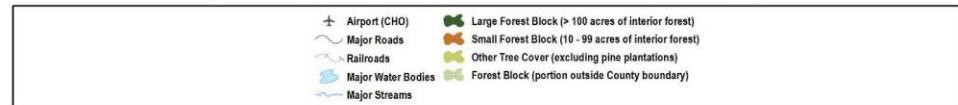


Figure 6 illustrates forested areas and tree cover in Albemarle County based on 2009 land cover data. Pine plantations were not included as forest or tree cover in this analysis.

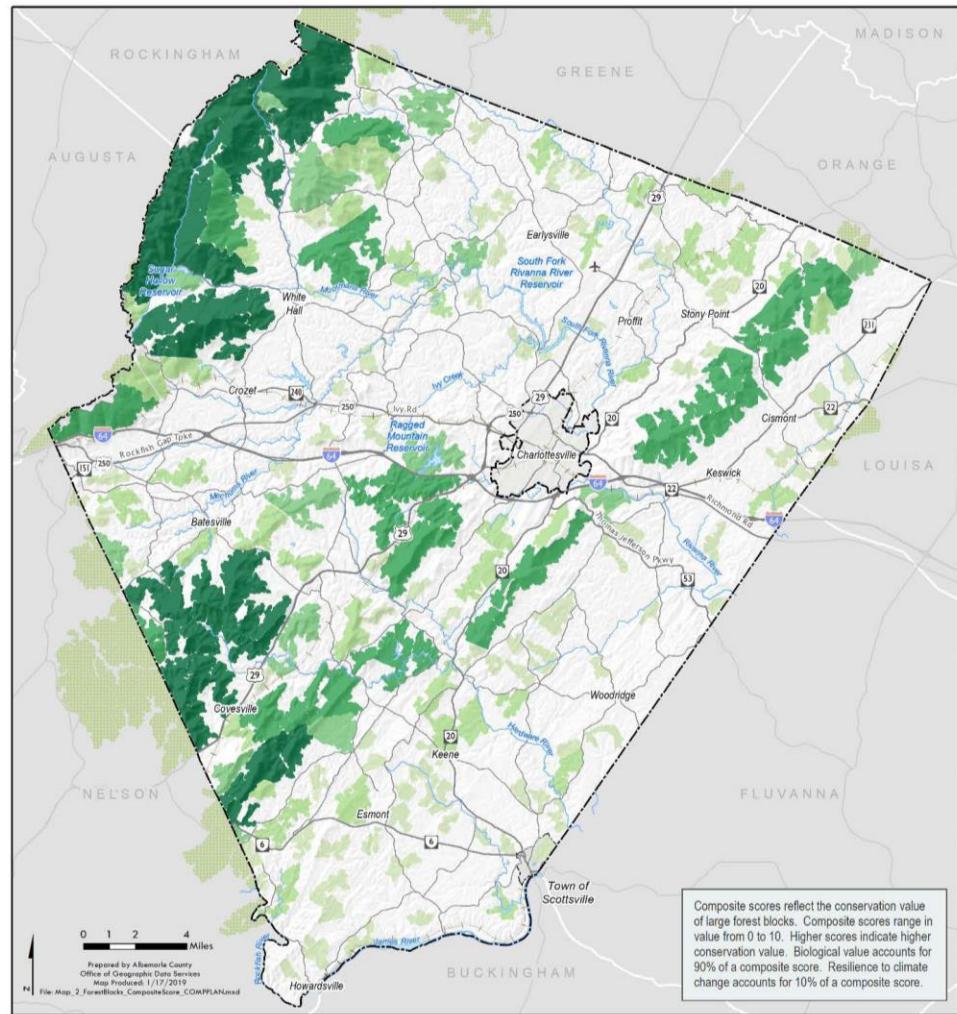


Figure 7: Ranking the Conservation Value of Large Forest Blocks

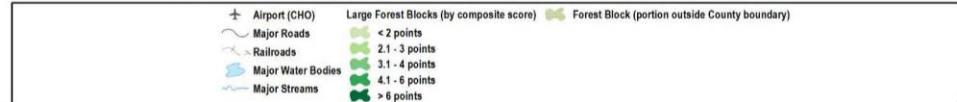


Figure 7 illustrates the composite scores of large forest blocks (blocks containing 100 or more acres of interior forest). Forest blocks were identified using 2009 land cover data.

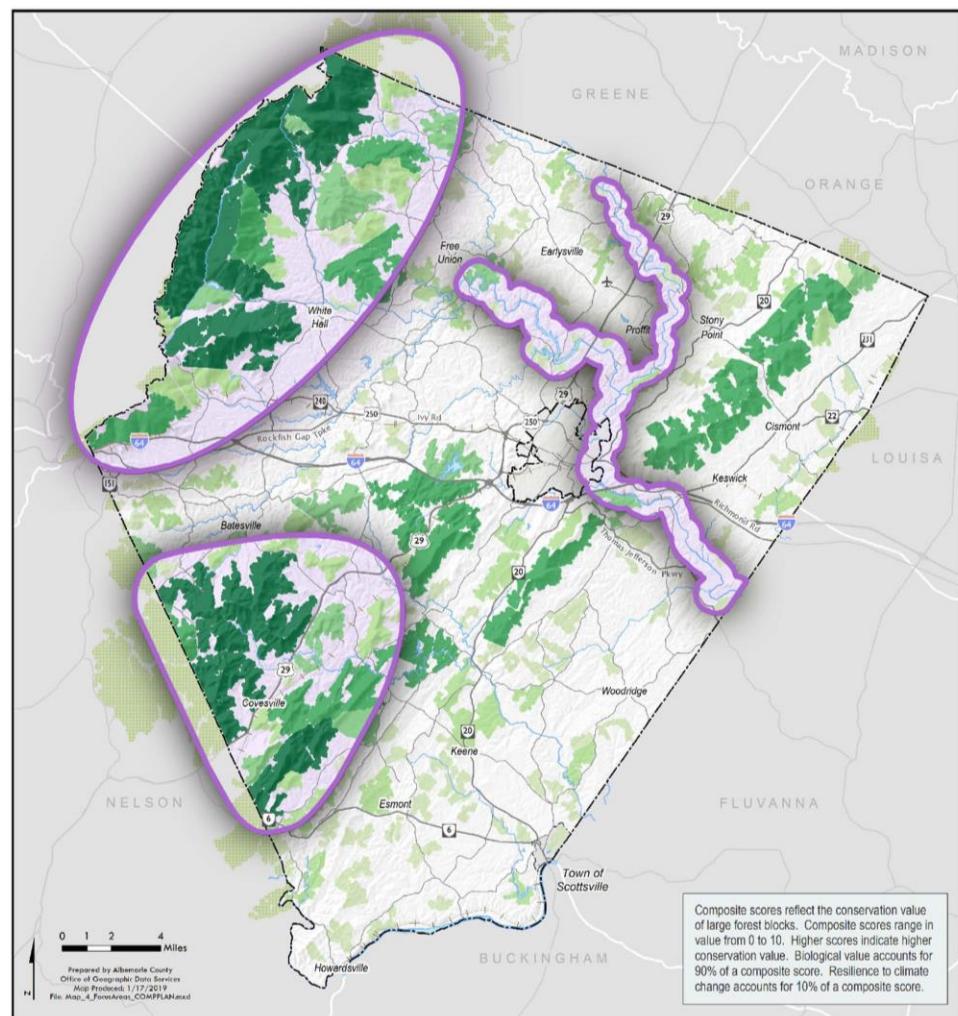


Figure 8: Conservation Focus Areas

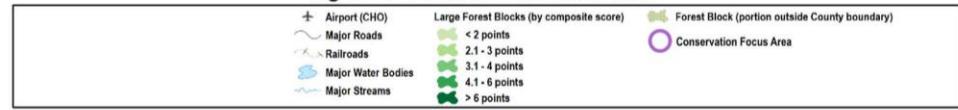


Figure 8 depicts the three areas in Albemarle County that should be a focus of conservation activity and attention.



GOAL: Albemarle's ecosystems and natural resources will be thoughtfully protected and managed in both the Rural Area and Development Areas to safeguard the quality of life for present and future generations.

Natural Resources Implementation Priorities

Priorities are organized sequentially in the order in which they appear in the Plan. Additional prioritization will be needed before adding items to the County's Work Program.

Strategy 1c, page 4.14

- Develop and implement a comprehensive water resources plan that sets expectations for quantity of public water supply, surface water protection and improvement, and groundwater protection.

Strategy 1d, page 4.16

- Educate the public on how they can help with water resource protection.

Strategy 1e, page 4.17

- Secure funding for water resource management programs.

Strategy 4a, page 4.20

- Implement an Action Plan for Biodiversity to protect significant areas of biological importance in the County.

Strategy 4d, page 4.22

- Retain a position for a County staff member with expertise in conservation biology.

Strategy 6c, page 4.29

- Use Development Area Master Plans to identify important streams and wetlands that should be protected.

Strategy 7c, page 4.32

- Increase awareness of areas which are prone to debris flow in the County.

Strategy 8a, page 4.33

- Study the expected effects of climate change on Albemarle County and develop a Community Resilience Plan to prevent harm to human and biologic health.

13.11

Attachment G, 5/14/19 - Albemarle Comprehensive Plan ADOPTED June 10, 2015

Agenda Item No. 20. **Public Hearing: CPA201900001 Jefferson Area Bike and Pedestrian Plan (2019).** To consider formally incorporating proposed recommendations contained in the Jefferson Area Bike and Pedestrian Plan (2019) into the Transportation Chapter of the Albemarle County Comprehensive Plan. The Thomas Jefferson Area Planning District Commission, which also staffs the Charlottesville-Albemarle Metropolitan Planning Organization (C-A MPO) has completed this Plan as an update to their 2004 Jefferson Area Bicycle, Pedestrian and Greenways Plan. The 2019 Plan encourages implementation by providing a focused list of regionally-significant bicycle and pedestrian projects that enhance connectivity to residential and economic centers. Public involvement informed the Plan and will be important for encouraging implementation. It was adopted by the C-A MPO Policy Board in February 2019 and by the Thomas Jefferson Planning District Commission in March 2019.

(Advertised in the Daily Progress on June 17 and June 24, 2019.)

The Executive Summary forwarded to the Board states that the Thomas Jefferson Planning District Commission (TJPD), which also staffs the Charlottesville-Albemarle Metropolitan Planning Organization (C-A MPO), has completed the Jefferson Area Bicycle and Pedestrian Plan 2019 (the 2019 Plan) as an update to the 2004 Jefferson Area Bicycle, Pedestrian and Greenways Plan. The 2019 Plan was developed over two years of community engagement and outreach, made possible through a grant awarded by the Charlottesville Area Community Foundation to TJPD and Piedmont Environmental Council. Creation of the 2019 Plan involved extensive public involvement and collaboration with County/City staff. The 2019 Plan brings together multiple planning efforts to provide a guide for implementation on a regional scale. The Jefferson Area Bicycle and Pedestrian 2019 Plan was adopted by the CA-MPO Policy Board in February 2019 and by the Planning District Commission in March 2019. On May 7, 2019, the Planning Commission voted 7:0 to adopt the resolution to recommend approval of CPA201900001 (Attachment A4).

The 2019 Plan identified corridors of regional significance encouraging implementation on the regional scale by enhancing connectivity between residential areas and economic centers within the urban areas of Albemarle County, and the City of Charlottesville. Recommendations are also provided regionally for towns, development areas, and rural areas in Albemarle, Greene, Louisa, Nelson and Fluvanna Counties. This Plan also recommends bicycle and pedestrian safety and education programs to reduce roadway crashes and injuries among pedestrians and bicyclists. The goal is to increase awareness of the responsibilities of pedestrians, bicyclists, and motorists, and promote tolerance among all roadway users. The creation of an online regional dataset and map of existing and proposed bicycle and pedestrian infrastructure is currently in progress between the County of Albemarle, the City of Charlottesville, and UVA. This is an on-going planning effort in coordination with TJPDC. Once complete, this map will be a collaborative resource with the 2019 Plan to identify, prioritize, and advocate for bicycle and pedestrian infrastructure in the region. Implementation will require effort from the regional stakeholders to create an accessible bicycle and pedestrian infrastructure network with regional significance.

The 2019 Plan will be provided to all local governments within the region for their consideration for inclusion in their Comprehensive Plans and specific transportation, recreation, bicycle and pedestrian planning documents. The 2019 Plan- if adopted- shall serve as a foundation for studying, promoting, and improving the connectivity and safe use of bicycles and pedestrian routes within Albemarle County.

Staff recommends that the Board adopt the attached Resolution (Attachment E) approving CPA 2019- 00001.

NonAgenda. Mr. Gallaway announced that Agenda was modified earlier in the afternoon. Agenda Item No. 24. ZMA201900002, Hollymead Town Center Area A1, Transit Proffer Amendment, was deferred to a future date for public hearing.

Mr. Daniel Butch, Senior Planner, and Mr. Christian Zimmerman, of the Thomas Jefferson Planning District Commission (TJPDC), presented.

Mr. Zimmerman stated that there have been extensive community outreach efforts and stakeholder coordination in order to guide implementation, including public surveys. He said that their plan is a more regional one. He said that there are two outcomes of the new plan, one being more infrastructure for a more connected network, and the second being regional cooperation between the City of Charlottesville and Albemarle County. He stated that the goal is to focus the plan on the regional bicycle and pedestrian network which will include on-road infrastructure and multi-use paths. He said the process began with the Piedmont Environmental Council (PEC) identifying broad corridors through public engagement efforts. He said the PDC and PEC staff then identified the different corridors to prioritize and evaluate. He said the corridors were then revised based on public and local staff input. He said to prioritize the urban corridors, they used the VDOT's ActiveTrans Priority Tool (APT) for initial prioritization, which is a very flexible methodology. He said many possible categories and variables can be used for evaluation. He said they used the following five categories:

- Destinations: schools, libraries, parks, etc., and future densities of population and employment
- Equity: residents in poverty, residents who are minority, households with zero vehicles
- Improvement over existing conditions, i.e., bike lane and shared use roads
- Connectivity: crosses physical or political barrier, i.e., Rivanna River, I-64 and political border
- Demand: used StreetLight Data tools – came from cell phone data

Mr. Zimmerman stated that these were all adjusted and after this the prioritization was based on public and local staff input. He said for County rural areas and other communities, there were several types of infrastructure recommendations: shared use paths (i.e. James River path plan) and rural shared roads (roads where cycling may be common and improvements such as signage or wide paved shoulders can increase safety and desirability for all road users). He said to guide implementation, they are looking at routes of regional significance and including those proposed in previous plans, bicycle rider data from Strava which informs the roads identified for rural shared road improvements; and discussions with VDOT, County, and town staff have led to the recommendations.

In terms of creation, adoption and implementation, Mr. Zimmerman said that this document has been reviewed multiple times: PDC held a public open house in January; staff from VDOT, UVA and the localities; Greenways Advisory Group; and through the MPO Committees. He said the document was adopted by the MPO in February and the PDC in March. He said in terms of implementation, they are continuing to have community input by the PDC; multi-stakeholder coordination; project/corridor studies; grant applications; and last, they hope to build the infrastructure.

Mr. Butch said that the Planning Commission recommended the Plan be adopted on May 7, 2019. He said also, in terms of implementation, they have VDOT-funded scoping studies in collaboration with the City coordinated through the TJPDC. He said there will be two corridor studies: Monticello/Route 20 connection and the Woolen Mills/River Crossing/Pantops looking for alternatives to the river crossing there and providing that connection there. He said that gives us two solid studies for that, which will be a quick implementation from this plan. He said another project that came through this process was a City/County/UVA coordination of bicycle and pedestrian infrastructure. He said the TJPDC will coordinate this data gathering and right now it is in the process. He said this study would serve as a planning tool for

future bicycle/pedestrian shared use path and trail infrastructure. He said this is more for a planning tool. He said it will be online data set, with an online map that individuals can click segments to show existing and future infrastructure broken down by bicycle/pedestrian shared use paths and trails. He continued that the status and funding source of that study is available as well. He said that their goal is to replace reference to the 2004 plan to update it to the 2019 Thomas Jefferson Area Bike and Pedestrian Plan. He stated that staff recommends adoption of the proposed resolution approving the Comprehensive Plan amendment to adopt the Jefferson Area Bike and Pedestrian Plan 2019 under Objective 4, Strategies 4A and 4C and formally incorporate it into the Plan, as well as add the plan under Transportation Appendix 10.1 to add the new reference of Appendix A.10.17.

Mr. Dill asked how many miles would be included once it is completed. Mr. Kevin McDermott said they do not have that assessment.

Mr. Zimmerman stated that they have regional estimates for all five counties and the City, which would be between \$213 million and \$438 million. He said that this could be broken into the different tiers of the plan.

Mr. Dill said it would be interesting to see that estimate. Mr. Zimmerman referenced three tiers of planning cost estimates for the counties, ranging from \$54 million to \$102 million in Tier 1; \$80 million to \$164 million in Tier 2; and \$79 million to \$172 million in Tier 3.

Mr. Dill stated that it sounds like a lot of money, but there have been other smaller road projects that also were expensive, with one intersection on Route 250 being \$200 million.

Mr. McDermott added that the top 20 road projects were about \$300 million, and those were just select projects in the system.

Ms. Palmer noted that most of the Tier 1 is the urban area of the map. Mr. Zimmerman stated that the priority was the more urban areas, because rural areas have less of shared paths and infrastructure, which require different things.

Ms. McKeel stated that from an economic development perspective, it seems like a doable project because that investment would return.

Ms. Mallek stated that she received questions from constituents about roads where people run, and suggested that there may be specific roads that people want to keep from being paved. She noted particularly high riding roads, such as Ridge Road, Decca and Dick Woods in the County, which are now on our "Do Not Pave" list for this very reason, but were not found or called out in the plan. She noted that there are probably others as well and maybe people who are listening will send in some others as well that they are fond of and would hate to see paved over. Mr. Zimmerman stated that there were some comments that came in towards the end of the planning efforts from this about running on roads and at least in the urban area it is not focused on recreational and that is why you won't find trails in this plan. He said the plan does not include recreational paths and is focused on transportation on roads that would be of regional significance. He said it does not mean the roads cannot also be used recreationally.

Mr. Gallaway then opened the public hearing.

Mr. Peter Krebs, of the Piedmont Environmental Council, thanked the Board and County staff for being a part of this process. He stated that the Plan is a result of many public discussions and meetings. He stated that he hopes the Board would solidify that work by attaching the regional Bike and Pedestrian Plan to the County's Comprehensive Plan. He said this is a good start, but a lot of work needs to be done. He stated that this is important as a source for economic development as well as a way to unite the Jefferson Area. He said that the next focus is going to be implementation, including the Rivanna River Pedestrian Bridge, connecting Biscuit Run Park to the surrounding community and urban core, major routes such as Rio, 29, 250, Emmett, Ivy, Fontaine, etc. and the Moores Creek watershed. He stated that none of this would be possible without the help and continued work of the Board of Supervisors as well as strong and sustained community engagement and involvement.

There being no other public comments, the public hearing was closed.

Mr. Gallaway stated that he believes this is an important plan for the community and that the Board has had a lot of opportunity to discuss it. He said the plan focuses on the borders of the County and City, in areas where they can work together on many projects.

Ms. McKeel **moved** to adopt CPA 2019-0001. Ms. Palmer **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

RESOLUTION TO APPROVE CPA2019-00001 LOCAL TRANSPORTATION SYSTEMS

WHEREAS, The Thomas Jefferson Planning District Commission (TJPDC), which also staffs the Charlottesville-Albemarle Metropolitan Planning Organization (C-A MPO), has completed the Jefferson

Area Bicycle and Pedestrian Plan 2019 (the 2019 Plan) as an update to the 2004 Jefferson Area Bicycle, Pedestrian and Greenways Plan; and

WHEREAS, Objective 4 of the Transportation Chapter of the Albemarle County Comprehensive Plan calls for a local transportation system that includes access to pedestrian and bicycle facilities; and

WHEREAS, Strategy 4c under Objective 4 states, "As updates to the regional bicycle, pedestrian, and greenways plan are adopted, they will help guide future CIP projects, volunteer activities, and proffers from developers;" and

WHEREAS, the 2019 Plan seeks to encourage implementation by providing a focused list of regionally significant bicycle and pedestrian projects that enhance regional connectivity and provide routes connecting the region's important residential and economic centers for the development areas and rural areas of the County of Albemarle; and

WHEREAS, the 2019 Plan recommends local and regional bicycle and pedestrian safety and education programs to reduce roadway crashes and injuries among pedestrians and bicyclists, increase awareness of the responsibilities of pedestrians, bicyclists, and motorists, and promote tolerance among all roadway users; and

WHEREAS, references to the 2004 Jefferson Area Bicycle, Pedestrian, and Greenways Plan of the Transportation Chapter of the Albemarle County Comprehensive Plan require updating to the revised and adopted Jefferson Area Bicycle and Pedestrian Plan 2019; and

WHEREAS, on May 7, 2019, the Albemarle County Planning Commission, after a duly noticed public hearing, recommended approval of CPA2019-00001 as being appropriate and promoting the health, safety, morals, order, convenience, prosperity, and general welfare of all inhabitants of the County; and

WHEREAS, on July 3, 2019, the Board of Supervisors held a duly noticed public hearing on CPA 2019-00001.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA2019-00001 and amends the Albemarle County Comprehensive Plan as shown on Attachment D of the staff report, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Jefferson Area Bicycle and Pedestrian Plan 2019 is added as a reference under the Transportation Chapter Appendix of the Comprehensive Plan.

Agenda Item No. 21. Public Hearing: ZMA201800019 3226 Proffitt Road.

PROJECT: ZMA201800019 3226 Proffit Road.

MAGISTERIAL DISTRICT: Rivanna.

TAX MAP/PARCEL: 03200000003500 LOCATION: 3226 Proffit Road, Charlottesville, VA 22911

PROPOSAL: Rezone a parcel of land from R1 Residential to R15 Residential.

PETITION: Request to rezone a 3.198-acre parcel of land from R1 Residential zoning district, which allows residential uses at a density of 1 unit per acre, to R15 Residential zoning district, which allows 15 units per acre. A maximum of 40 units is proposed for a density of 12.5 units/acre. Request for modification of street standards.

ZONING: R1 Residential – 1 unit per acre.

OVERLAY DISTRICT: Airport Impact Area.

PROFFERS: Yes.

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/acre); supporting uses such as religious institutions, schools, commercial, office, and service uses, in Hollymead – Places29 Master Plan Area.

(Advertised in the Daily Progress on June 17 and June 24, 2019.)

The Executive Summary forwarded to the Board states that at its meeting on May 21, 2019, the Planning Commission (PC) conducted a public hearing and voted to recommend approval of ZMA201800019. The Commission's staff report, action memo, and minutes are attached (Attachments A, B, and C).

At the Planning Commission meeting, staff recommended approval of the proposed Zoning Map Amendment application. The proposal is consistent with the future land use and transportation recommendations specified in the Places29 Master Plan.

A community member commented during the public hearing about stormwater concerns and flow onto neighboring properties. It was responded that stormwater management is addressed during the site plan stage and that stormwater is required to be captured and managed on the subject property.

The Planning Commission voted 6:0 to recommend approval of ZMA201800019.

Staff recommends that the Board adopt the attached Ordinance (Attachment F) to approve ZMA201800019 3226 Proffit Road.

Mr. Andrew Reitelbach, Senior Planner, stated that this public hearing is for a zoning map amendment, ZMA-2018-19 3226 Proffit Road. He said the subject parcel tax map/parcel 32-35, is currently zoned Residential, R1 with the Airport Impact Overlay District and has a by right use of three residential units (one unit per acre); the applicant is requesting to rezone this parcel to R15 Residential Zoning District to allow for up to 47 residential units on the property. He stated that the applicant has requested a maximum of 40 units in the concept plan that was submitted. He presented a map of the parcel and stated that the parcel would fall in the urban density index at 12.5 units per acre. He said in the Urban Density Residential all housing types are found, including single family detached, townhouses and apartments. He said the applicant has proffered a concept plan including a road network of private streets, right of way for future inter-parcel connections with adjacent properties, proposal for right-of-way dedication along Proffit Road with a landscaping strip, a multi-use path, as well as sidewalks along the associated roads. He stated that there would be recreational spaces as well.

Mr. Reitelbach presented a brief overview of the proffer statement provided by the applicant. He said proffer #1 is the concept plan included in the staff report, which includes dedication of public right-of-way along Proffit Road, right-of-way improvements including curb and gutters, multi-use path, a landscaping strip, relegated parking for the units that would front along Proffit Road with access from the rear and from the internal street network only, and a maximum of 40 dwelling units. He said that Proffer #2 contains interconnected streets and transportation networks, which includes, upon the demand of the County, an access easement along the private streets for future inter-parcel connectivity for the adjacent parcels that may redevelop in the future. He stated that the Planning Commission, at its meeting on May 21, 2019, voted 6-0 to recommend approval of ZMA-2018-19 3226 Proffit Road. He stated the only unfavorable factor was the increase in traffic along Proffit Road, but the proffer of the multi-use path and other right-of-way improvements along Proffit Road would help mitigate those traffic impacts as well as provide for those future inter-parcel connections when the adjacent parcels are redeveloped. He stated that staff recommends adoption of the ordinance to approve the zoning map amendment which is contained in the staff report. He asked if there were any questions.

Ms. Mallek asked if 400 cars per day would be going in and out of the single entrance. Mr. Reitelbach confirmed that they would.

Ms. McKeel asked if the roads would be private and kept by the residents. Mr. Reitelbach confirmed that they would be private streets.

Ms. McKeel stated that based on her experience, the likely outcome was that residents would come back in the future to ask the County to maintain the roads. She said that private roads also do not have to meet VDOT standards and thus would break down even faster. She stated that she is very opposed to the idea of residents' maintaining the roads due to the costs.

Mr. Randolph commented that the potential market for these units is subject to more turnover as well.

Ms. McKeel stated that she has experienced groups of residents on Route 250 West arguing over who should maintain them based on who uses the roads the most often.

Ms. Palmer asked what the requirements are now for the forming of homeowners' associations (HOA) to take care of roads. Ms. McKeel commented that the HOAs often cannot and do not enforce those things. Mr. David Benish, Chief of Planning, Interim Director, responded that depending on the form of the road design and whether there is parking on the streets perpendicularly, looking in a broader sense, some roads in some types of residential development cannot be public roads because they do not meet public standards or a dense townhouse development or an apartment development because they are essentially parking lots.

Ms. Palmer asked if there was a requirement for the quality of the HOA. Mr. Benish responded that what is required is an assurance that there be a mechanism for maintenance of the road. Mr. Kamptner added that in current state law, there is a requirement for an HOA to have a capital reserve. He pointed out what staff find with the older HOAs is that they do not impose fees or charges and do not enforce capital improvements due to underfunding.

Ms. Palmer asked if the new ones have requirements for funding. Mr. Kamptner replied that there is a requirement that they be able to maintain their capital.

Ms. McKeel said that was not very convincing to her, as the County thought previous ones would work. She stated that the Board should require that the development meet State standards acknowledging some may not have the density.

Ms. Mallek commented that you have to have higher quality roads in the country before you can put in a third unit, and this standard is much lower.

Mr. Benish said that generally County standards meet VDOT standards, but that it may be best for the applicant to make their presentation.

Mr. Kamptner noted that the staff was discussing design differences, not the quality of the construction.

Mr. Benish added that VDOT would not accept a road with perpendicular parking, so dense developments with that design must be private roads.

Ms. McKeel stated she feels that if they accept the private roads, a future Board would have to discuss the issue later.

Ms. Mallek stated that HOAs are not being helped by the County, nor could the County enforce HOAs, and that poses an issue as well.

Ms. McKeel added that she now is hearing that HOAs are being taken over by Airbnb owners.

Mr. Randolph stated that there was room for discussion about whether there should be a critical standard for a density threshold for implementing an HOA, and he agrees with Ms. McKeel that there could be future issues with a project of 40 units.

Ms. McKeel stated that it could be an issue for the residents as well, because they probably would not be thinking of this issue.

Ms. Palmer asked if there was another rezoning planned for the property in question. Mr. Reitelbach stated, "no", but a request has been recently submitted for 3223 Proffit Road, which is the parcel located directly across the road to the north.

Mr. Benish clarified that the Board previously approved the request, but the applicant discovered some issues with the site and wants to amend the application plan.

Mr. Kamptner pointed out it was required under the real estate laws.

Mr. Gallaway asked the applicant to come forward to speak.

Mr. Justin Shimp, Shimp Engineering, P.C., said that the State Corporation Commission regulates that so you turn the documents over to them, they review your numbers and there has to be a certification that your amounts set aside are correct. He said the County ensures that it exists, and the State ensures that it has the adequate funding in it.

Mr. Kamptner clarified to be clear that the County does not require an HOA, what we require is that the private improvements be maintained. He said quite often if the project is large enough the developer will establish the HOA because it creates that ongoing funding mechanism, but in the rural areas in particular, that does not happen.

Mr. Benish noted that it was happening for roads or anything that is a common area and is what we require, but we don't require how it is put together, just that it is put together.

Ms. Palmer said we can't require the HOA by State law.

Mr. Kamptner stated that he would have to look under the proffer statutes of the General Assembly before he answers.

Mr. Shimp stated that any developer would want to create an HOA in order to give that responsibility to the residents.

Ms. Palmer stated that she knows of one HOA in the rural areas, which is a relatively new development, that did not fund stormwater management and came into a \$40,000 stormwater management issue. She stated that if the HOA is not well funded, there may be serious consequences.

Mr. Kamptner said that we now cannot require that the owner create a property owner's association, but it is something that they, of course, can do.

Mr. Gallaway asked Mr. Shimp if he had a further presentation.

Mr. Shimp said the point that he would make is that if this was a by right R10 or R15 it would be developed just like this with the private roads, the HOA, the private maintenance agreement and everything else. He said there was nothing unique about this rezoning that triggers that, simply any development its density is how it would be developed.

Ms. Palmer noted the difference was that this property was zoned R1.

Mr. Gallaway invited further questions for the applicant or comments.

Ms. McKeel stated that she knows of a community that has an excess of cars, even with two-car garages, the homeowners are having to park on the roads.

Mr. Gallaway then opened the public hearing.

Mr. Neil Williamson, with the Free Enterprise Forum, stated that he serves as the Government Affairs Director for the Charlottesville Area Association of Realtors, and in that role over the years has seen over 13 amendments to the Property Owners' Act. He said that every year we have a POA COA bill.

He said the issues that you bring up are real, property owners and managers want the property to run correctly and suggests that Code Section 55.1.1826 specifically speaks about reserves for capital components that are required. He said annually they must determine that the reserves are sufficient, but at least once every five years, they must study the necessity and the amount of reserves required to repair, replace and restore the capital components. He said these are very detailed, and the reason is that everybody has seen this stuff happen. He stated that through the HOAs, there are many different ways to get things done after years of lawmaking to ensure that they work efficiently. He said we have no position on this project, but we have worked really hard with the realtors, the Apartment Manager's Association and others to tighten the laws to be as protective as possible of you and the citizens. He said the HOAs are designed to create an environment that is helpful to the entire community.

There being no other comments from the public, the public hearing was closed.

Mr. Randolph asked what "sufficient" means under the law, if major investments such as stormwater management and road upkeep were to fail at the same time. Mr. Kamptner responded that if there was a double failure you would do the special assessment, which the law now provides for. He stated that engineers and other experts could analyze the situation and implement a special financial assessment for future endeavors.

Mr. Dill stated that HOAs also have insurance for catastrophic events.

Mr. Randolph stated that he was discussing wearing down of the infrastructure, rather than an emergency. He also stated that with the understanding of the location of the parcel and the capital reserves of people, it could be an extremely concerning situation if the infrastructure wears and the people who reside in the community do not have the money to fix it and have to leave. Mr. Kamptner stated that he does not know what to do in that situation. Mr. Randolph stated that it would be similar to a stormwater management issue in Arden Place in which the County had to intervene in order to deal with a serious issue that was impacting peoples' homes and lives, as the bond could not cover the repair. Mr. Dill stated that he believes it was not an uncommon issue. Mr. Randolph said that he was trying to understand it better. Mr. Gallaway added that the owner was on the hook for renters.

Ms. McKeel said that she and Julian Bivins recently talked to three people with an HOA that has already been taken over and they are not included in any of the HOA meetings or decision making.

Mr. Kamptner stated that they could ask the County to establish a service district and tax that particular community.

Mr. Randolph asked if that has been done before. Mr. Kamptner responded, "no", but it is an increasingly powerful tool to accomplish what may need to be done.

Ms. Mallek asked if only a small number of people could achieve something like that. Ms. McKeel said the people she knows could not afford to hire an attorney. Mr. Kamptner said that for roads, it would take a petition signed by over 50% of the property owners who own not less than 50% of the property to be served. He stated that for other improvements, i.e., stormwater or sewage failure, it does not require that 50% ownership and petition requirement.

Mr. Randolph asked what the Board could do in order to require language in an HOA to outline the consequences of something in order to communicate that to homeowners. Mr. Kamptner stated that it was not the County's role.

Mr. Gallaway added that this may be a discussion for another time.

Mr. Kamptner said that something to consider would be whether the County should be allowing private improvements in the development areas in the first place, if one was thinking about 100 years from the present.

Mr. Gallaway stated that he understands why this discussion has risen, but it does not pertain to the current case.

Ms. McKeel asked if they could schedule something in the future to come back to the discussion.

Ms. Mallek said that she does not think the density of the parcel at 12 units per acre is appropriate for the character of the neighborhood, and asked about the lot size on Moubray Lane.

Mr. Dill said that this was where they want density out by Airport Road. Ms. Mallek responded that it was not close to amenities or a center, and walking across to Hollymead was very far. Ms. Mallek asked the density of the lots.

Mr. Benish replied they are duplexes on quarter-acre lots, and north of Proffit was the North Pointe Development, with a commercial center nearby.

Mr. Dill asked where this was in relation to the Wawa store. Mr. Benish stated that the Wawa would be on the corner of Proffit Road and Route 29, just to the west of this site.

Mr. Gallaway said this property was within the Development Area as the County defines it, so the question was what was around to support it. He said that the parcel should have the infrastructure to

handle the capacity of the development of Route 29, but the other residents further down Proffit Road may find issue with the development as they reach Route 29, so it is important to make sure the intersection works for them.

Mr. Dill stated that the UVA Business Park is north of that and there would be transit in the area as well.

Mr. Gallaway said the difficulty is that there are places that will not have the infrastructure to support it, which is why transportation needs to be on point and the Board has to make decisions as to what is working and what is not.

Ms. Mallek said that there would be transportation that goes further west in the future.

Mr. Dill **moved** to adopt the proposed Ordinance to approve ZMA-20100019, as proffered. Ms. Palmer **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

ORDINANCE NO. 19-A(7)
ZMA 2018-00019

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX MAP PARCEL 03200-00-00-03500**

WHEREAS, the application to rezone 3.198 acres from R1 Residential to R15 Residential for Tax Map Parcel 03200-00-00-03500 is identified as ZMA 2018-00019 3226 Proffit Road ("ZMA 2018-00019"); and

WHEREAS, on May 21, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2018-00019; and

WHEREAS, on July 3, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-00019.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2018-00019 and their attachments, including the revised concept plan, the information presented at the public hearing, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-20A, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2018-00019 with the Concept Plan entitled "Zoning Map Amendment Concept Plan, 3226 Proffit Road, TMP 32-35", prepared by Shimp Engineering, P.C., dated December 17, 2018, last revised on June 24, 2019, and Proffers dated June 26, 2019.



ZONING MAP AMMENDMENT
CONCEPT PLAN
3226 Proffit Road
Parcel / ZMA Info. & ROW Section
Sheet 2 of 5

OWNER/DEVELOPER
ALBEMARLE LAND DEVELOPMENT LLC
1949 Northside Drive
Charlottesville, VA 22911

PROPERTY ADDRESS
3226 Proffit Rd
Charlottesville, VA 22911

CRITICAL SLOPES & STREAM BUFFER
There are no critical slopes or stream buffers within the project area.

SOURCE OF BOUNDARY AND TOPOGRAPHY
Compiled from the Albemarle County Office of Geographic Data Services GIS Data.

FLOODZONE
According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003C0286D), this property does not lie within a Zone A 100-year flood plain.

WATER SUPPLY WATERSHED
Non-Watershed Supply Watershed

WATER AND SANITARY SERVICES
Provided by Albemarle County Service Authority (ACSA)

USE
EXISTING: R1 - Residential
COMPREHENSIVE PLAN: Urban Density Residential
PROPOSED: R15 - Residential

ZONING
EXISTING: R1, Airport Impact Area (AIA)
PROPOSED: R15

SIGNS
All signs and pavement markings shall conform with the latest edition of the MUTCD Guidelines.

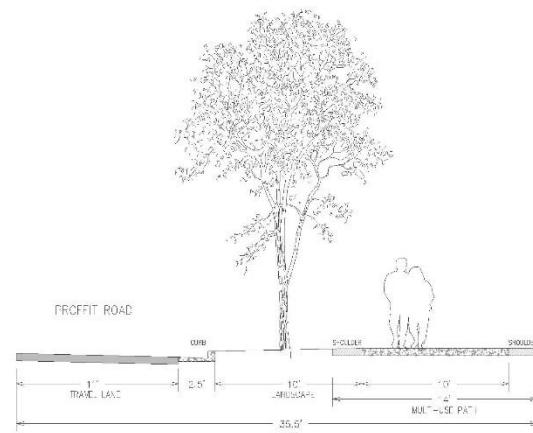
ACREAGE/LAND USE

All 3.198 AC
EXISTING:
BUILDING 1984 SF
OPEN SPACE 137,301 SF

PROPOSED:
BUILDINGS: MAXIMUM 40 UNITS
RECREATIONAL SPACE: 4,000 SF MINIMUM
ROW DEDICATION: 35.5 FT FROM PROFFIT RD CENTER LINE.

PROPOSED UNITS
40 Units. 40 Gross and net density.

OPEN SPACE
Open space area shall be provided in accordance with Sec. 4.16.1 of the Albemarle County Zoning Ordinance.



RIGHT-OF-WAY DEDICATION SECTION Scaled: 1" = 5' TMP 32-35

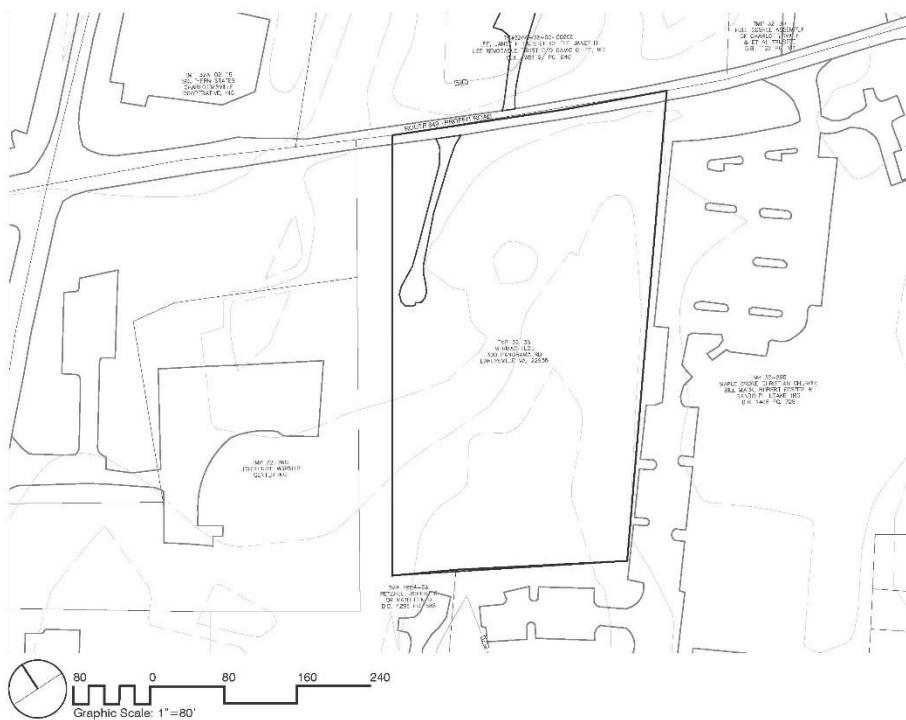
Submitted: 17 December 2018
Revised: 18 March 2019
Revised: 02 May 2019
Revised: 24 June 2019

ZMA 2018-00019
project: 18.041

SHIMP ENGINEERING, P.C.

ZONING MAP AMMENDMENT
CONCEPT PLAN

3226 Proffit Road
Existing Condition
Sheet 3 of 5

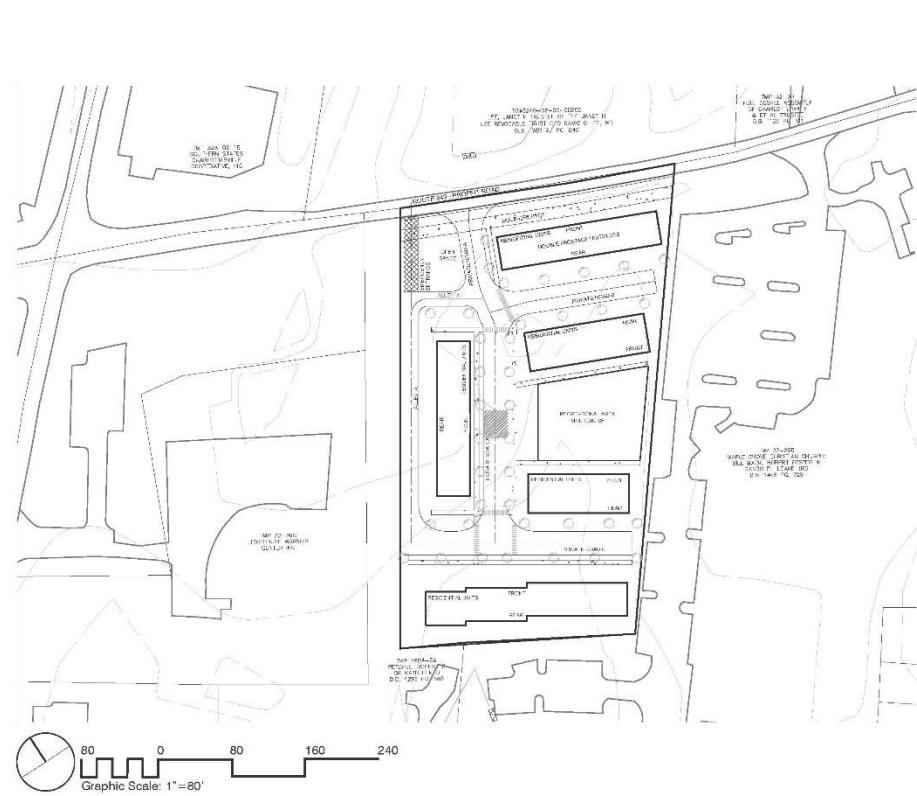
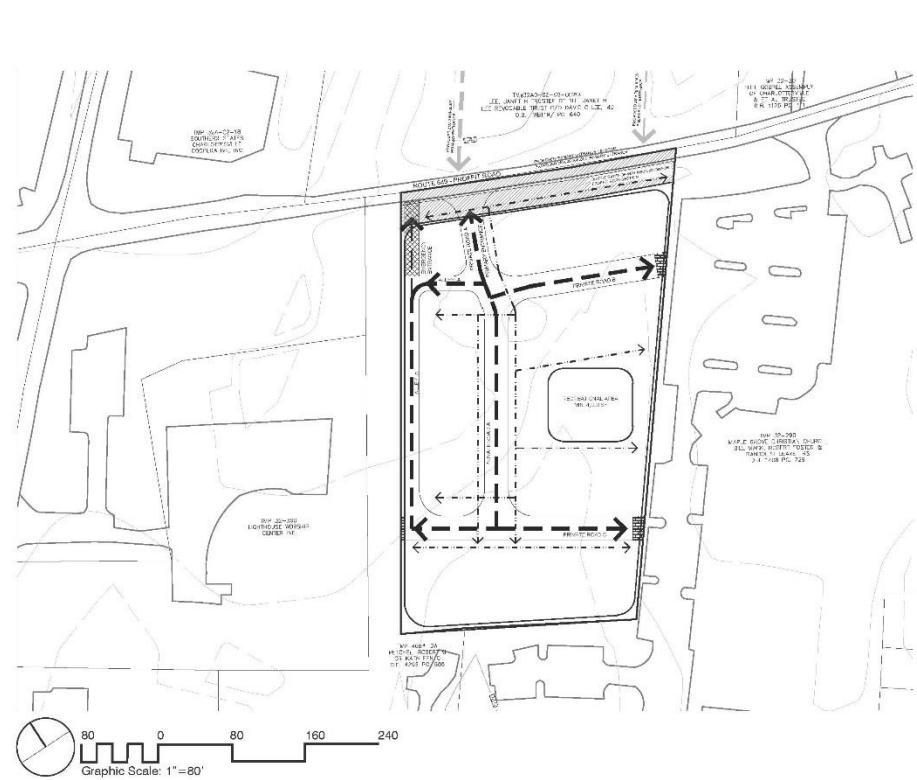


TMP 32-35

Submitted: 17 December 2018
Revised: 18 March 2019
Revised: 02 May 2019
Revised: 24 June 2019

ZMA 2018-00019
project: 18.041

SHIMP ENGINEERING, P.C.



PROFFER STATEMENT

ZMA Number: 2018-00019

Tax Map and Parcel Number: 03200-00-00-03500

Owner: Albemarle Land Development LLC

Date of Proffer Signature: June 26, 2019

Rezone 3.198 acres from R-1 to R-15

ALBEMARLE LAND DEVELOPMENT LLC, is the owner (the “Owner”) of Tax Map and Parcel Number **03200-00-00-03500** (the “Property”) which is the subject of rezoning application ZMA No. 2018-00019, a project known as **“3226 Proffit Road”** (the “Project”).

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if ZMA 2018-00019 is approved. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that they are an authorized signatory of the Owner for this Proffer Statement.

1. CONCEPT PLAN: The property shall be developed in general accord with the plans titled “Zoning Map Concept Plan 3226 Proffit Road” (the “concept plan”) prepared by Shimp Engineering P.C., dated December 17, 2018 and last revised June 24, 2019 and shall reflect the following major elements as shown and noted on the plans:

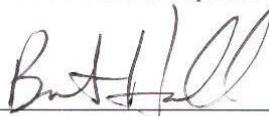
- **Right of Way Dedication:** Concurrent with recordation of the first subdivision plat of the parcel, the property owner shall dedicate a portion of the property along Proffit Road, as shown on the concept plan, to public right of way.
- **Right of Way Improvements:** Within 120 days of issuance of certificate of occupancy of the 20th dwelling unit on the property, the owner shall provide improvements within the right of way dedication in accordance with the “Right of Way Dedication Section” shown on the concept plan.
- **Parking Standards:**
 - i. **Single Family Detached and Single Family Attached:** The front façade of single family detached and single family attached units shall face Proffit Road. No individual lot driveway shall enter directly onto Proffit Road; driveways shall only enter onto the internal road network.
 - ii. **Multi-Family:** Off street parking serving multi-family structures shall be relegated to the side or rear of buildings adjacent to Proffit Road and shall be accessed from the internal road network.
- **Residential Units:** A maximum of forty (40) dwelling units shall be built on the property.

2. INTERCONNECTED STREETS AND TRANSPORTATION NETWORKS:

Upon demand by the County, the property owner shall prepare and record, at its sole expense, a deed or other instrument (collectively, The “deed”) establishing an access easement for the purpose of providing interparcel interconnectivity. The access easement shall be for the benefit of Tax Parcel 03200-00-00-029D0 and Tax Parcel 046B4-00-00-005A0 and its owners and users and shall be located to provide access from Tax Parcel 03200-00-00-03500 to any future road on Tax Parcel 03200-00-00-029D0 or Tax Parcel 046B4-00-00-005A0. Before the deed is recorded, the property owner and the County shall agree to the terms of the deed, including the access easement its location, width, and maintenance.

OWNER:

Albemarle Land Development LLC



By: Albemarle Land Development LLC

Title: LLC Member

Tax Map and Parcel Number: 03200-00-00-03500

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signature:

Albemarle Land Development LLC

By: Barbara U. Chumley

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Albemarle, to wit:

The foregoing instrument was acknowledged before me this 26th day of June 2019
by Albemarle Land Development LLC.

My Commission expires: March 31, 2020

Barbara U. Chumley

Notary Public



Barbara U. Chumley
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #187406
My Commission Expires
March 31, 2020

Agenda Item No. 22. **Public Hearing: ZMA201600013 Willow Glen Proffer Amendment.**

PROJECT: ZMA201600013 Willow Glen Proffer Amendment.

MAGISTERIAL DISTRICT: Rio.

TAX MAP/PARCEL: 03200-00-00-049F0, 03200-00-00-049I0, 03200-00-00-049J0.

LOCATION: Approximately 2,000 feet south of the intersection of Airport Road and Dickerson Road.

PROPOSAL: Reduce the currently approved cash proffer amount of \$17,500 per single-family detached dwelling to the cash proffer amount recommended by the Fiscal Impact Advisory Committee of \$4,918 per single-family detached dwelling. Reduce the currently approved cash proffer amount of \$11,900 per single-family attached dwelling to the cash proffer amount recommended by the Fiscal Impact Advisory Committee of \$3,845 per single-family attached dwelling.

PETITION: Request to amend proffers on property zoned PRD which allows a variety of development for residential purposes and ancillary uses. No new dwellings proposed.

OVERLAYS: Airport Impact Area, Steep Slopes (Managed).

PROFFERS: Yes.

COMPREHENSIVE PLAN: Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses in the Hollymead area of the Places29 Master Plan.

(Advertised in the Daily Progress on June 17 and June 24, 2019.)

The Executive Summary forwarded to the Board states that at its meeting on May 14, 2019, the Planning Commission voted 5:0 (Dotson and Bivens absent) to recommend denial of the proposed amendments to: Section 2(A)(i), 2(A)(ii), and 2(B) of the proffer statement and to recommended approval of all other proposed amendments to the proffer statement in ZMA201600013 (Attachment D).

In 2007 the subject property was rezoned from RA to PRD (ZMA2006-19). At the time of the original rezoning the applicant proffered cash proffers for the residential units in the following amounts: \$17,500 for each single family detached unit and \$11,900 for each single family attached or townhouse unit. With the pending proposed amendment, the applicant requests a change in the cash proffer amounts as follows: \$4,918 for each single family detached unit and \$3,845 for each single family attached or townhouse unit. The applicant is also requesting the "by-right" credit for this development for 10 units that could have been built on this property by-right under the previous RA zoning. Were the Board to approve this request, the cash proffers and 15% affordable units requirement would kick in after the 10th dwelling unit were constructed for this property.

The Planning Commission recommended denial of the proposed reduction in cash proffer amounts, but recommended approval of the request to receive "by-right" credit for the 10 units.

Staff recommends that the Board not accept the requested amendments to sections 2(A)(i), 2(A)(ii), and 2(B) of the proffer statement for ZMA201600013 and accept all other proposed amendments to the proffer statement for ZMA201600013 as to Parcels 32-49F, 32-49I, and 32-49J (Attachment A).

If the Board reaches a consensus to follow staff's recommendation, staff recommends that any action be deferred to allow the applicant to submit a revised signed proffer statement consistent with the Board's consensus. Ordinarily, further revisions to proffers after the public hearing begins requires another public hearing. However, given that the recommended revisions do not affect use or density, Virginia Code § 15.2-2302(B) and (E) authorize the Board to accept further amendments to the proffer statement, and to adopt the corresponding ordinance, without a public hearing if it first waives that requirement and the requirement to provide written notice.

Ms. McKeel noted that the magisterial district was incorrectly named as Jack Jouett, whereas the correct district is Rio.

Ms. Rachel Falkenstein, Principal Planner, stated that the purpose of the hearing is to hear a request to reduce cash proffer amounts and to receive by-right credit for 10 units from a previously approved rezoning. She stated the project is located on Dickerson Road, across from the Airport, consists of three tax map parcels, and is approximately 19 acres. She said the property is zoned PRD, Planned Residential Development, and the Comprehensive Plan is Urban Density Residential. She stated that there are no physical changes to the proposed development with this request. She reviewed the map of the property. She said the property was rezoned in 2007 for up to 141 units, which was recently reduced. She said Phase 1 has an entrance on Town Center Boulevard. She said the request before the Board deals with the previously approved proffers with this rezoning. She said previously approved cash proffer amounts are: \$17,500 for each single family detached unit, and \$11,900 for each single family attached or townhouse unit. She said the applicant is now requesting reduced cash proffer amounts of \$4,918 for each single family detached unit, and \$3,845 for each single family attached or townhouse unit. She said the applicant is also requesting to change annual adjustment start date from 2008 to 2018, dealing with the inflation that would accrue over that time period.

Ms. Falkenstein stated the applicant is also requesting by right credit for 10 units that could have been built under the previous rural area zoning on the property, which means that cash proffers or affordable housing would not occur until after the tenth dwelling is built on the future phase of the development. She stated that the amounts for the cash proffers were recommended by the Fiscal Impact Advisory Committee in 2015. She said that subsequently, the cash proffer policy was repealed due to State legislation change in 2016. She said staff's analysis found a favorable factor being that the by right credit is consistent with several other approved rezoning requests; however, the cash proffers made at the time were accepted by the Board and proffered by the applicant, and were deemed a reasonable condition at that time. She said similar requests to this one have previously been denied by the Board.

Ms. Falkenstein stated that the Planning Commission held a public hearing and recommended denial of the reduction of the cash proffer amounts, recommended denial of changing of the annual adjustment start date, and recommended approval of the by right credit for 10 units. She stated that the applicant has submitted signed proffers subsequent to that, but they have not changed the proffers to reflect the Planning Commission's recommendations. She stated that the staff is asking the Board, if it agrees to the Planning Commission's and staff's recommendation, to ask the applicant to defer the application and submit a revised proffer statement. She said that if the Board agrees, the County Attorney has drafted a motion to waive the public hearing and accept the proffers once they are revised and submitted.

Ms. Mallek asked if it was correct that the 10 by right units would be the only thing to agree to. Ms. Falkenstein stated that the reduction in the amounts of the cash proffers would be denied, as well as the adjusted start date from 2008 to 2018, but the applicant would receive credit for the by right 10 units.

Ms. Palmer asked if the County would not collect the \$17 for the 10 units. Ms. Falkenstein stated that the County would not collect any money until the eleventh unit was built. She said the same is true for affordable housing; the County would not get the 15% of affordable units until the 11th house was built.

Ms. Mallek noted that when the Board started recognizing by-right units, it did the same thing with affordable housing. Ms. Falkenstein agreed. Board and staff mentioned Brook Hill, Lochlyn Hills, and Avon Park.

Mr. Gallaway asked if the number of affordable units was 21. Ms. Falkenstein stated that the total number of affordable units are 25, and six have been built.

Mr. Gallaway asked the applicant to come forward to speak.

Ms. Valerie Long, with the firm, Williams Mullen, representing the applicant and developer, George Ray, addressed the Board. She provided an exhibit of the original plan with the 2007 rezoning and stated that the main difference between the old plan and new plan is that the units that were planned to be condominiums are now planned to be townhomes of varying sizes including those for affordable units. She said the Phase 1 area is nearly complete. She presented photographs of the existing units and the affordable units. Ms. Long presented an outline of the Phase 2 area, and added that the applicant worked hard during the original rezoning to negotiate the right to cross onto the adjacent landowner's property to build the connection and ensure connectivity to Town Center Drive. She presented a depiction

of the major site plan amendment that outlined the townhouses. She said the general alignment continues to be the same; the amenity area, the interconnection to adjacent parcels and the connection to Phase 1. Ms. Long stated that prior to 2013, the proffers could be based on a formula that looked at all the CIP projects. She said the Fiscal Impact Committee developed a formula that stated when looking at all the County's CIP needs, the amount necessary to mitigate the impact of a single family detached unit or townhouse or similar structure was a certain amount. She said, as an example, the single family detached figure was \$17,500 per unit, but prior to that, there was no official rate, but the going rate at the time was \$3500 per unit. She stated that because Mr. Ray had already purchased the property, he could not negotiate for cheaper prices from the previous landowner.

Ms. Long said that in 2013, the State Code changed and stated that the CIP formula had to be based on a smaller pool of CIP projects that expand the capacity of the structure. She said for example, using schools, the formula could not be used to renovate a cafeteria because that is not expanding the capacity. She said the concept of proffers is that they mitigate the impacts of the new units. She said proffers cannot be used for renovation projects, technology upgrades, maintenance or repair. She said in essence, the State Code states that the County cannot use cash proffers for capital improvements to an existing facility unless that project expands the capacity of that facility. She said it all ties in and it makes sense because it is about the impact that a unit is creating on local capital needs. She said after the law changed, the Fiscal Impact Committee redid the numbers and indicated that the amount that was appropriate to mitigate the impact of a unit was approximately \$5000 for a detached unit and approximately \$4000 for townhouses. She said when doing the math, the amount of the proffers attributable to the maintenance component of the CIP pool was \$12,500 for detached units and \$8000 for townhouses. She said in other words, only 28% of the prior proffer was attributable to expansion and 72% of the prior proffer amount was attributable to maintenance.

Ms. Long stated that the staff has said that the proffers must still be paid in full because the County is using the funds for expansion projects rather than maintenance projects. She stated that she finds this to not be consistent with State law, because the figure was calculated based on expansion and maintenance. She said the County is misallocating the formula; it is collecting and requiring a disproportionate amount of money from today's units that are allowed by State law. She said under the new formula and new State law, the current amount is an excessive requirement per unit when it is only allowed to be used for expansion projects. She stated that with inflation, Mr. Ray has paid approximately \$23,000 per detached home and \$15,500 for each attached unit. She said in terms of impact for Phase 1, Mr. Ray's company has paid over \$500,000 for the 36 units; he lost \$260,000 on just Phase 1. She said under Phase 2, there are 109 units that are subject to the cash proffers. She said with the current scenario, Mr. Ray would owe \$2.3 million; under the proposed proffers, Mr. Ray would pay approximately \$950,000. She said these amounts do not get into additional costs that affordable housing requires. She said each affordable housing unit costs about \$15,000 out-of-pocket, because the applicant has to subsidize the cost of the lot when it is sold to the builder. She said for 25 affordable units, it is an additional \$375,000 project loss when factoring in the affordable housing. She said the previous project approved by the Board tonight has no cash proffers and no affordable housing. Ms. Long said the applicant is asking for relief based on the fairness and consistency with State law. She stated that had the Board seen this building plan six months ago, there would have been zero proffers and zero affordable housing units proposed. She stated that charging the higher amount for the proffers is inequitable, being consistent with State law and detrimental to the community.

Mr. Gallaway opened the public hearing. There being no one from the public to speak, the public hearing was closed.

Ms. Palmer asked Ms. Falkenstein why the Planning Commission recommended the by right credit for the 10 units. Ms. Falkenstein responded that if the project was not rezoned, the applicant could build 10 units by right and would not have to provide cash proffers or affordable housing. She added that a few recent rezoning requests that were before the Board, before the proffer policy changed, came in with requests for by right credit and were approved; therefore, it is consistent with those approvals.

Mr. Gallaway thanked the staff and representative of the applicant. He said it was important for him to understand how the amounts were determined. He stated that it was important to note that decisions should not be made only to be in line with previous decisions. He asked if there were legal consequences for voting in a way that was inconsistent with past actions. Mr. Kamptner responded that the Board should be consistent in the way it applies the facts and guiding principles, but every project that comes forward could have factual differences that could allow the Board to exercise discretion for that project. Mr. Gallaway commented that Board members change, outlooks change, and judgements change, and they could still be reasonable and consistent in how they approach the decision even if the outcome is different. Mr. Kamptner stated that the legal framework has not changed since the last item came before the Board.

Mr. Gallaway said that when he sees something like a factor unfavorable, the consistency of past Board actions is not an action of favorability or un-favorability. He asked if there was a refute to the claim that the applicant is facing a competitive disadvantage due to the high costs not faced by other developers.

Ms. Mallek stated that it is more of an issue of people buying back into the community, because that money funds all new community projects. She said that she was surprised that the Fiscal Impact Advisory Committee only used the CIP and not the combined CIP/CNA. She stated that that reduced the projects they were considering and the recession at the time led to the County not borrowing money, so the decision to keep the high proffers was a Board decision, not a staff decision.

Mr. Gallaway stated that the property is in an area where they have wanted development for density and that density cannot occur unless one pragmatically helps it. He said that because of the affordable housing and the other 120 homes, and because of the location, it could lift the burden of density from other areas where it cannot yet be supported.

Mr. Randolph asked if it was true that this area was one that would truly alleviate density in another area of the County. He said if there was a lack of residential housing, he would agree that it is critical to ensure that the community be built, but that is not the case. He thinks that by not following a precedent of Board decisions, they may have to recommit to a series of other agreements held locally. He stated that there is a lack of knowledge on the impact of growth in the County. He said a failure to address costs in the CIP has occurred in the past and have been chronically underestimating the costs of CIP projects. He thinks it would be a failure on the part of this Board to start reducing money it could get on development projects as it should be maximizing the return available to the County from new residents.

Mr. Gallaway stated that the correct number for the proffers is unknown and arbitrary. He stated that because of this, he is persuaded to believe the argument Ms. Long presented to them. He said that it would be good to get affordable homes on the market and create density in this area of the County. He stated that until the State corrects its mistake, they may have to just continue to deal with individual cases such as this.

Mr. Kamptner responded that the numbers were reasonable under the laws under which they were enacted. He said that he and Valerie do disagree on the 2013 amendment, and it is a fact that it does not require the localities to go back and amend the proffers that have accepted prior to them. He said she stated that since 2013 the law has been applied so that they are used as according to law. He said that we also do not know what the amount is under our current CIP because the FIAC Study was based upon the 2015 – 2024 CIP/CNA, which the FIAC Committee Report itself stated that the CIP was still in a maintenance mode. He said that it could be underrepresenting the actual amount. He said that the current CIP could be analyzed to determine new and expanded capital facilities, as well as working in the new legislation from 2016 and 2019 and how that plays into the analysis.

Mr. Gallaway stated that he understands the past precedent, but feels that this individual case was important to value.

Ms. McKeel added that this project is similar to some, but every project is different. She said that

Mr. Dill said that the CIP seems to be an artificial way of judging future needs. He said what he struggles with is what is fair, legal and marketable, keeping in mind what is good for the citizens of Albemarle County. He said it is never one perfect answer. He added that it seems the Board wants development in this area, it is a good location and he wants to do what is best for the constituents; he does not think this is a fairness issue; the developer invested in real estate and if he does not make money on this project, it is not the Board's problem. He said there also are positive aspects to helping the developer build the project. He said it is important to decide whether this plan was what the Board wants.

Ms. Palmer commented that the staff and the Commission gave a recommendation of substantial credit for the 10 by-right unit credits, which seems fair to her. She said if the Board goes along with that, her understanding is that the action should be deferred to allow the applicant to submit a revised signed proffer statement.

Ms. Falkenstein said that if the Board is not approving the proffers the applicant submitted, the recommendation is to defer action until the proffers can be revised and resubmitted.

Mr. Dill said he thinks that is the direction the Board should go and continue discussing the matter.

Mr. Gallaway asked if the staff recommendation was to deny the cash proffer request. Mr. Kamptner stated that the applicant has to decide whether it wants to defer the request.

Ms. Mallek said that the unfavorable factor is the way staff expresses things that have already happened, rather than a criticism. Mr. Gallaway responded that he used the word "influencing," and was not being critical.

Ms. Mallek said that there were multiple years of argument before the Board agreed to credit for by rights. She stated that that was a similar argument to what they currently are discussing. She added that she is concerned about reducing the cash proffer amounts because of the other developers who could potentially ask for similar reductions. She said she would like more information about the dollar amounts of the CIP before changing the proffer prices based on today's realities, but she completely supports the change for the by right units.

Mr. George Ray, the applicant, stated that he is very familiar with local government, and he supports impact fees. He said that he thinks that \$23,000 proffer per home is unfair for him to pay when similar developers do not pay anything at all. He said if the Board agrees to reducing the fees, he would still have spent over \$1 million dollars for this project; this project cannot stand \$2.37 million which is a lot to ask one project to bear. He said the needs of the capital fund should have no bearing on doing what is right even if it involves more developers coming forward asking for relief, and he is asking the Board to do

the right thing from his perspective. He added that he is trying to do the right thing with this project. He said when he first came to the County, the Planning Commission put him off for a year because it wanted to wait for the maturing of the Places29 Study. He said they waited a year for something everyone already knew which was that Places29 recommended residential for this location. He again asked the Board to do the right thing.

Mr. Gallaway asked if there were any votes against the staff and Commission recommendation. Ms. Palmer said that she agrees with the staff recommendation, and the Board has made these types of difficult decisions before.

Mr. Gallaway clarified that the action would be for the Board to agree with staff and the Commission's recommendation.

Mr. Benish said that they still need to ask the applicant if he would defer the request.

Ms. Mallek asked if one part of the motion could be the clearance of the by-right units and the second part be to postpone the decision on the reduction until there is updated information. Mr. Kamptner explained that they would need to take a single action on the ZMA but could provide direction to the applicant on proffer changes. He said that deferring the action would waive the need for a future public hearing and any further notice, and it could include other changes as long as they are in the range of what was advertised and it does not affect the use or density of the proposal.

Mr. Benish asked if this was subject to the expiration portion of the ordinance whereby an action needs to be taken by the Board of Supervisors in "a reasonable time." Ms. Falkenstein said that Section 33.5.2 the Board shall act on the application within 36 months or a "reasonable time" period beyond the 36 months required to complete the review of the application and to hold any required public hearings. Mr. Kamptner stated that they have satisfied the public hearing requirement and could allow us to spill over the 36-month deadline due to "extenuating circumstances."

Mr. Gallaway said this motion would allow for the proffers to be revised, with the item returning to the Board for consideration and action.

Mr. Gallaway **moved** to waive the public hearing and notice requirements under Virginia Code Section 15.2-2302 B and E to allow the Board to consider amended proffer statements not affecting conditions, use, or density that the applicant has asked to submit. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

Agenda Item No. 23. **Public Hearing: ZMA201800007, Belvedere Carriage House Unit Proffer Amendment.**

PROJECT: ZMA201800007, Belvedere Proffer Amendment – Carriage House Units.

MAGISTERIAL DISTRICT: Rio.

TAX MAP/PARCEL(S): 06100-00-00-154E0, 06100-00-00-15800, 06100-00-00-16000, 06200-00-00-002A1, 06200-00-00-002B0, 06200-00-00-002C0, 062A3-00-00-00100, 062G0-00-05-000A0, 062G0-00-05-000A1, 062G0-00-07-000A0, 062G0-00-00-007A, 062G0-00-07-15700, 062G0-00-07-16500, 062G0-00-07-17100, 062G0-00-07-17200, 062G0-00-07-17400, 062G0-00-07-17900, 062G0-00-07-18000, 062G0-00-09-000A0.

LOCATION: Properties are in the Belvedere development which is located north of Rio Rd., east of the Norfolk Southern Railroad, and accessed from Belvedere Blvd.

PROPOSAL: Amend existing proffers related to carriage house units.

PETITION: Amend proffers for ZMA200400007-Belvedere, including proffer 2.2, to allow carriage house units on lots with single-family-attached units, allow carriage house units to be attached to the primary dwelling units, and to allow accessory apartment units to count toward meeting the required minimum number of 103 carriage house units to be provided in the development. The properties subject to this amendment request contain approx. 180 acres and are zoned NMD-Neighborhood Model District which allows residential (3 – 34 units/acre) mixed with commercial, service and industrial uses. This proposal does not propose to modify the gross density permitted under the current zoning. No change to the application plan is proposed.

OVERLAY DISTRICT(S): Steep Slopes – Managed.

PROFFERS: Yes.

COMPREHENSIVE PLAN: Neighborhood Density Residential – residential (3 – 6 units/acre); supporting uses such as religious institutions, schools and other small-scale non-residential uses; Urban Mixed Use (in Centers) – retail, residential, commercial, employment, office, institutional, and open space uses.

(Advertised in the Daily Progress on June 17 and June 24, 2019.)

The Executive Summary forwarded to the Board states that at its meeting on June 4, 2019, the Planning Commission (PC) conducted a public hearing and voted to recommend approval of ZMA201800007. The Commission's staff report, action memo, and minutes are attached (Attachments A, B, and C).

At the Planning Commission meeting, staff recommended approval the proposed Zoning Map

Amendment application, provided technical changes to the wording of the proffers were completed as noted in the staff report.

The Planning Commission voted 6:0 to recommend approval of ZMA201800007 as recommended by staff. The technical changes to proposed proffer have since been made to the satisfaction of staff.

Staff recommends that the Board adopt the attached Ordinance (Attachment E) to approve ZMA201800007 Belvedere Proffer Amendment, Carriage House Units.

Mr. David Benish stated that this item is a proposal to amend the existing proffers and Code of Development for the Belvedere development: to allow carriage house units on lots with single family detached and single family attached units; allow carriage house units to be either detached or attached to the primary structure; and allow accessory apartments, as defined and permitted by the County Zoning Ordinance, to count towards the meeting the minimum proffer requirement of providing 103 carriage house units. He briefly reviewed the background: Belvedere is zoned Neighborhood Model District (NMD) and the Comprehensive Plan designates it as Neighborhood Density Residential, Urban Density Residential and Urban Mixed Use.

Mr. Benish stated that the NMD zoning was approved in 2005 and included proffers. He said there were specific proffers that addressed affordable housing. He said the approved proffers addressed affordable housing in two ways by: providing cash contributions per each developed dwelling unit; and by constructing a minimum of 103 carriage house units, small units (typically 800 square feet or less), that are physically separate from the primary dwelling. He said the proffers are not provided for low or moderate income families. He said the intent of the proffer was to provide a new unit type to the market and it was intended to be a market driven approach to address affordable housing. He said to date 80 detached carriage house units (of required 103) have been constructed or approved/under contract for construction; 82 carriage house units are constructed if two units built as attached units are included.

Mr. Benish said staff's analysis of the proposal is broken down into the components of the request:

Allowing Accessory Apartments to Count towards the required 103 units to be provided:

- Comprehensive Plan/County policies for housing encourage the establishment of accessory apartments.
- Provides a housing type that can meet some affordability and other household needs.
- Supports provision of housing which meets the needs of various ages and levels of mobility.
- Somewhat greater potential accessory apartment type unit to be converted (reabsorbed) into a portion of the primary residence and thereby lost to the housing market.

Ms. Mallek asked about the unit being converted to a home office or some other type use. Mr. Benish responded, "yes". He said the issue was that if the accessory apartment was within the primary unit, it might be easier for it to be converted to a recreational room or some other use and lost in the market, whereas carriage houses are built physically separate. He reiterated though that in both cases neither one is required to be in the market and available to be used as a residence.

Ms. McKeel asked if the houses could become Airbnb properties and could be taken out of the market. Mr. Benish stated that the conclusion of the staff report is that because of the size of the lots, it is unlikely that the carriage houses would be able to be attached to the single family homes because the houses are too small for carriage houses. He stated that the villa units are larger lots and more likely to be used. He said staff did not see the ability to attach the carriage houses to the other main dwellings as an issue.

Mr. Benish said that staff found the factors of the request to be favorable and recommended approval, as did the Planning Commission in a unanimous vote.

Mr. Gallaway asked if because of the proffers, the houses could not be used as Airbnbs. Mr. Kamptner stated that they could be used by the family, but the idea of the carriage house was to expand the housing supply with smaller available units.

Ms. McKeel stated that she is concerned that in two years the houses could all be rented out as Airbnbs. Mr. Kamptner commented that currently the County does not allow whole house rentals.

Mr. Gallaway commented that this could be a HOA that goes beyond the Airbnb restrictions which would probably be a moot point in the future however that HOA handled it.

Ms. McKeel asked what the HOA would do, as Belvedere's is active. Mr. Gallaway said that the answer he received was the opposite of another response about Airbnbs in past meetings.

Ms. Palmer asked if the owner is still on the property for these accessory structures. Ms. Amelia McCulley, Deputy Director of Community Development, responded that detached structures or carriage houses cannot be used for guest rooms for Airbnb or Home Stay.

Ms. Palmer asked if that was in the regulations currently. Mr. Kamptner responded that it was proposed, but currently the County does not allow any whole-house rentals.

Mr. Gallaway asked if the proffer statement stopped the houses from being used as Airbnbs. Mr. Benish stated that the proffer statement only requires that there be 103 carriage houses constructed.

Mr. Gallaway asked if anything beyond that number could be used for Airbnb. Ms. McCulley responded that she cannot answer the question about the proffer, but the County's current and new Airbnb regulations do not allow for it.

Mr. Randolph said that this discussion creates an opportunity for the need to put it on the list to talk about whether carriage houses should be utilized as another tool for affordable housing structures because otherwise they get into the issue of a concentration of affordable housing units all in one neighborhood and there is a value to spreading affordable housing throughout the County.

Ms. McKeel stated that these houses are being built for those people so they would not be forced into an existing neighborhood. Mr. Benish responded that it is a valuable tool but there also is a need to consider how to assure they are maintained and are viable.

Mr. Gallaway asked the applicant to come forward and speak.

Ms. Valerie Long, of Williams Mullens, and representing the applicant, New Belvedere, Inc., addressed the Board. She said also present was Garrett Smith, with the ownership team. She noted that Mr. Steve Krohn is out of town and sends his regrets. She said unless there were questions, she would not repeat the three changes in essence. She stated that the only thing she wants to follow up on is that carriage house units are a tool in the toolbox and have lots of different uses and many different people could use it. She said if carriage house units are kept small, they can only be rented for so much money. She said it is always in the market for a potential unit. Ms. Long said the original rezoning did not object to these carriage house units in attached garages, it just defined them as detached garages. She said this change would make it consistent with what a prior Board approved for Old Trail.

Mr. Gallaway opened the public hearing. Since no one came forward to speak, the public hearing was closed.

Mr. Gallaway commented that the community meeting about the carriage houses had a light attendance and he heard little to no complaints about the plan. He said this model seems to be working in Belvedere. He said that the steps to the carriage house are incredibly steep, so it would not work with a senior, so the one story apartments could be a good addition.

Mr. Dill asked if anyone knows how many units are currently occupied. Mr. Gallaway said that he only sees passerby, but does not have a number.

Ms. McKeel commented that they are a great unit style for young single people.

Mr. Benish said staff would get the proffer clarified. He said that the proffer does specify affordable housing but the proffer itself for the carriage houses does not include that they have to be available to affordable housing. He added that staff would need to get a clarification from Zoning.

Mr. Gallaway **moved** to adopt the proposed Ordinance to approve ZMA20180007, Belvedere Proffer Amendment – Carriage House Units. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Dill, Mr. Gallaway, Ms. Mallek, Ms. McKeel, Ms. Palmer and Mr. Randolph.
NAYS: None.

ORDINANCE NO. 19-A(8)
ZMA 2018-00007 BELVEDERE PROFFER AMENDMENT
– CARRIAGE HOUSE UNITS

**AN ORDINANCE TO AMEND THE PROFFERS AND CODE OF DEVELOPMENT APPROVED WITH
ZMA 2004-00007 FOR TAX MAP PARCELS 06100-00-00-154E0, 06100-00-00-15800, 06100-00-00-
16000, 06200-00-00-002A1, 06200-00-00-002B0, 06200-00-00-002C0, 062A3-00-00-00100, 062G0-00-
00-005A0, 062G0-00-00-005A1, 062G0-00-00-007A, 062G0-00-07-15700, 062G0-00-07-16500, 062G0-
00-07-17100, 062G0-00-07-17200, 062G0-00-07-17400, 062G0-00-07-17900, 062G0-00-07-18000,
062G0-00-00-009A0**

WHEREAS, the application to amend the proffers and the Code of Development that were approved with ZMA 2004-00007 for Tax Map Parcels 06100-00-00-154E0, 06100-00-00-15800, 06100-00-00-16000, 06200-00-00-002A1, 06200-00-00-002B0, 06200-00-00-002C0, 062A3-00-00-00100, 062G0-00-00-005A0, 062G0-00-00-005A1, 062G0-00-00-007A, 062G0-00-07-15700, 062G0-00-07-16500, 062G0-00-07-17100, 062G0-00-07-17200, 062G0-00-07-17400, 062G0-00-07-17900, 062G0-00-07-18000, 062G0-00-00-009A0 (collectively, the "Property") is identified as ZMA 2018-00007, Belvedere Proffer Amendment – Carriage House Units ("ZMA 2018-07"); and

WHEREAS, ZMA 2018-07 proposes to amend Proffer Numbers 2.2, 2.2.1, and 2.2.2 of the

Proffers, and Appendix A and Tables 1 and 2 of the Code of Development, that were approved in conjunction with ZMA 2004-07 to allow carriage house units to be attached to the primary residential unit, to allow the carriage houses to be located on lots with single-family attached units, and to allow accessory apartments to count towards the required number of carriage house units; and

WHEREAS, staff recommended approval of ZMA 2018-07, provided technical changes were made to the proffers; and

WHEREAS, on June 4, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2018-07, provided technical changes were made to the proffers; and

WHEREAS, following the Planning Commission public hearing, the Applicant made the recommended technical changes to the proffers; and

WHEREAS, on July 3, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-00007.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2018-07 and its attachments, including the proposed amended proffers and the proposed amended Appendix A and Tables 1 and 2 of the Code of Development, the information presented at the public hearing, the material and relevant factors in Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2018-07 with the proffers dated June 25, 2019, and the amended Appendix A and Tables 1 and 2 of the Code of Development as shown on Attachment D of the Planning Commission staff report dated May 28, 2019, which was presented to the Planning Commission on June 4, 2019.

Original Proffer: 10/12/2005
Amended Proffer: 3/4/2019
(Amendment #1)

PROFFER FORM

Date of Proffer Signature June 25, 2019

ZMA # 2018-00007
Tax Map 61, Parcels 154E, 158, 160
Tax Map 62, Parcels 2A1, 2B and 2C
Tax Map 62A3 Parcel 1
Tax Map 62G, Parcels 5A, 5A1, 7A, 7157, 7165, 7171, 7172, 7174, 7179, 7180, 9A

172.145 Acres to be rezoned from Neighborhood Model District (NMD) to Neighborhood Model District (NMD)

This Proffer Statement shall supersede and replace that certain Proffer Statement dated October 12, 2005, related to ZMA-2004-00007, for the applicable property listed below.

With respect to the property described in rezoning application #ZMA-2018-00007 (the "ZMA"), New Belvedere, Inc. is the fee simple owner of the following parcels:

- TMP 06100-00-00-154E0
- TMP 06100-00-00-15800
- TMP 06100-00-00-16000
- TMP 06200-00-00-002A1
- TMP 06200-00-00-002C0
- TMP 062G0-00-05-000A0
- TMP 062G0-00-05-000A1
- TMP 062G0-00-07-000A0
- TMP 062G0-00-07-15700
- TMP 062G0-00-07-16500
- TMP 062G0-00-07-17100
- TMP 062G0-00-07-17200
- TMP 062G0-00-07-17400
- TMP 062G0-00-07-17900
- TMP 062G0-00-07-18000
- TMP 062G0-00-09-000A0

Belvedere Land Holdings, LLC is the fee simple owners of the following parcels

- TMP 06200-00-00-002B0
- TMP 062A3-00-00-00100

The foregoing parties are collectively referred to herein as the "Owner," which term shall include any successors in interest. All of the parcels listed above are referred to collectively as the "Property."

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance (the "Ordinance"), Owner hereby voluntary proffers the conditions listed in this Proffer Statement, which shall be applied to the Property if the ZMA is approved by Albemarle County. These conditions are proffered as part of the ZMA and it is agreed that: (1) the ZMA itself gives rise to the need for the conditions, and (2) such conditions have a reasonable relation to the rezoning requested.

1. Plan Exhibits.

1.1 Exhibits not in the Code of Development. The following exhibits which are not part of the General Development Plans or the Code of Development are proffered as a part of this rezoning:

- Exhibit 14 Archaeological Survey Summary
- Exhibit 15 Architectural Reconnaissance Survey

2. Affordable Housing.

2.1 Cash Contribution. Owner shall contribute to Albemarle County a minimum of one thousand dollars (\$1,000) per single family detached dwelling unit, seven hundred fifty dollars (\$750) per single family attached or townhouse unit, and five hundred dollars (\$500) per multi-family condominium unit. The cash contribution shall be due and payable with each application for a building permit. This cash proffer shall not apply to Carriage House units or multi-family rental housing. This cash contribution shall be used for the purpose of funding affordable housing programs including those provided by nonprofit housing agencies within Albemarle County. If this cash contribution has not been exhausted by the County for the stated purpose within ten (10) years from the date of the last payment of the contribution, all the unexpended funds shall be refunded to the Owner.

2.2 Carriage House Units and Accessory Apartments. The Owner shall provide a minimum of 103 units within the Property that are either Carriage House Units or Accessory Units, as provided in this paragraph 2.2. Any Carriage House Units or Accessory Units that are constructed within the Property after August 20, 2018 that comply with the requirements of this paragraph 2.2 shall be counted toward the required total of 103 units required by this paragraph 2.2, even if they were constructed prior to the date of approval of ZMA-2018-00007.

2.2.1. Carriage House Units. Carriage House Units shall meet the requirements for a single family or two family dwelling as defined in the Virginia Uniform Statewide Building Code. Each Carriage House Unit shall conform to the Code of Development, Appendix A, Carriage House Units, General Standards (as Modified by ZMA 2018-00007). Each Carriage House Unit shall be on the same parcel as the primary dwelling unit to which it is

accessory. Carriage House Units may not be subdivided from the primary residence. The subdivision restrictions shall be described on the plat creating such parcels and be incorporated into each deed conveying title to such parcels.

2.2.2. Accessory Units. "Accessory Units" shall mean Accessory Apartments as defined in the Albemarle County Code, Chapter 18, Section 3.1, and a regulated by the Albemarle County Code, Chapter 18, Section 5.1.34, and a unit within a two family dwelling as defined in the Virginia Uniform Statewide Building Code. Accessory Units may also be located in single family attached units.

3. Open Space and Greenways.

3.1 Open Space. The Owner shall restrict from development all open space areas which are areas not shown as development parcels on the General Development Plan. In no event shall the total area of open space areas, which include the preservation areas, conservation areas, greenway (defined in 3.2 below), buffer and park areas shown on Exhibits 5A, 5B and 5C of the General Development Plan, be less than twenty-five percent (25%) of the total land within the Property. These areas shall be for the use and enjoyment of the residents of the Property, subject to the restrictions that may be imposed by any declaration recorded as part of a conveyance of these areas to a homeowner's association.

3.2 Greenway: The Owner shall dedicate and convey to Albemarle County, upon demand by the County, a strip of land no less than one hundred (100) feet in width and adequate in width to accommodate the construction, maintenance and use of a ten (10) foot wide pedestrian trail along the Rivanna River from the Property's boundary with Dunlora Farm (Tax Map 62 Parcel 16-A) to the Property's boundary with the Southern Railway right-of-way (as it exists on November 19, 2004) (the "Greenway"). The precise location of the greenway shall be mutually agreed upon by the Owner and the County, and such agreement shall not be unreasonably withheld. The Greenway will be conveyed in the form of a general warranty deed and the Owner shall bear the cost of a survey and preparing the deed. Upon request by the County, the Owner shall also contribute ten thousand dollars (\$10,000) cash for application toward the cost of constructing the Greenway according to the County's current standards for a class B trail. Such contribution shall be made by Owner within 30 days of receipt of a written request by the County. If the request is not made within seven (7) years from the date of submission of the first final site plan for Phase I, this cash proffer shall become null and void. If such cash contribution is not fully expended for the stated purpose within two (2) years from the date the funds are contributed to the County, all unexpended funds shall be refunded to the Owner. If the greenway is not used for the purpose for which it is dedicated within ten (10) years from the date of dedication, the County shall transfer the land back to and for the use of the Owner to be used as open space. The Owner will provide a pedestrian connection to the Greenway through the Belvedere Community's internal trail system, as illustrated in Exhibit 5A, 5B, and SC.

3.3 Greenway bridge: Within thirty (30) days following request by the County, Owner shall contribute ten thousand dollars (\$10,000) cash for application toward the cost of constructing a pedestrian bridge linking the Rivanna River Greenway in Dunlora (Tax Map Parcel 62F-A3) to

RiverRun (Tax Map Parcel 62-D1-1A), thereby allowing neighborhood residents access to facilities in Pen Park and other portions of the Greenway system. If the request is not made within seven (7) years from the date of submission of the first final site plan for Phase I, this proffer shall become null and void. If such cash contribution is not expended for the stated purpose within two (2) years from the date the funds were contributed to the County, all unexpended funds shall be refunded to the Owner.

4. Road Construction and Reservation of Right-of-way.

4.1 North Free State Connector Road. The Owners shall dedicate upon demand by the County a one hundred (100) foot wide right-of-way to public use as shown on Exhibit 2B of the General Development Plan and labeled "Reserved Road ROW". Where less than one hundred (100) feet of right-of-way is available on the Owner's Property (Approximately the first 800 feet from Rio Road), the Owner shall dedicate the available right-of-way. Fee simple interest shall be dedicated by the Owner within six (6) months following receipt by the Owner of written notice of demand by the County. The Owner shall pay for the costs of surveying and preparing deeds necessary to complete such dedication. The County must accept the dedication within twelve (12) months following its demand for dedication.

4.2 Future North Free State Connector Extension Road. The Owner shall dedicate a one hundred (100) foot strip of land along the Property boundary with the Norfolk Southern Railroad as shown on Exhibit 2C of the General Development Plan and labeled "100' Reserved Road ROW" for dedication upon demand by the County for the purpose of constructing a road that extends the North Free State Connector Road northward across the Rivanna River. The Owner shall dedicate right-of-way within six (6) months following written notice of demand by the County. Such reservation shall remain in place through December 31, 2025. The County must accept the dedication within twelve (12) months following its demand for dedication. Should this road be removed from the Albemarle County Comprehensive Plan, said reservation shall become null and void, and the Owner or Successors shall retain fee simple ownership of the parcel.

4.2.1 North Free State Connector Extension Road Design. The Owner shall demonstrate to the satisfaction of the County Engineer and VDOT that the North Free State Connector Extension Road can be accommodated by the Block 2 Development Plan. Approval by VDOT and the County Engineer must be secured prior to final platting and road plan approval in Block 2.

4.3 Free State Road Right-of-way. The Owner shall dedicate, upon demand by the County, a fifty (50) foot wide right-of-way along portions of the existing Free State Road that are on the Owner's Property from its proposed intersection with Belvedere Blvd between Road C and Road K to its intersection with Loring Run Road. Where the road is only partially on the Property, the Owner shall dedicate sufficient right-of-way width to ensure a total right-of-way of not less than fifty (50) feet inclusive of the existing prescriptive right-of-way. The right-of-way shall be conveyed within six (6) months following receipt of written notice by the County, in the form of a general warranty deed and the Owner shall bear the cost of a survey and preparation of the deed. If the dedicated land is not used for the purpose for which it was dedicated within two (2) years

from the date of dedication, the County shall transfer the land back to, and for the use of, the Owner.

4.4 Connection to Dunlora Farm. The Owner shall dedicate upon demand by the County, a fifty (50) foot wide right-of-way extending from Road D to the property line at the eastern terminus of Road J, as shown on Exhibit 2C of the General Development Plan. The right-of-way shall be conveyed within six (6) months following receipt of written notice by the County, fee simple, in the form of a general warranty deed and Owner shall bear the cost of a survey and preparation of the deed. The County must accept the dedication within twelve (12) months following its demand for dedication. If the dedicated land is not used for the purpose for which it was dedicated within ten (10) years from the date of dedication, the County shall transfer the land back to, and for the use of, the Owner.

4.5 Fairview Access. The Owner agrees to provide to Fairview Swim Club ~~owner~~ of a fifty (50) foot wide access easement from Belvedere Drive to the edge of the Fairview Swim Club Property, (Tax Map Parcel 61-160B and 61-160C) to facilitate vehicular access to the existing Fairview entrance or in other such location that is mutually agreeable to the parties and in conformance with applicable County and VDOT regulations. The Owner shall grant easement within sixty (60) days following approval of final road plan for Belvedere Boulevard in Phase 1. 

5. Overlot Grading Plan

5.1. Subdivision Plans. The Owner shall submit an overlot grading plan meeting the requirement of this section (hereinafter, the "plan") with the application for each subdivision of Property into single family detached lots and single family attached dwelling units shown on the General Development Plan. The plan shall show existing and proposed topographic features to be considered in the development of the proposed subdivision. The plan shall be approved by the County Engineer prior to final approval of the subdivision plat. The Property within the subdivision shall be graded as shown on the approved plan. No certificate of occupancy shall be issued for any dwelling on a lot where the County Engineer has determined the lot grading is not consistent with the approved grading plan. The plan shall satisfy the following:

- (a) The plan shall show all proposed streets, building sites, setbacks, surface drainage, driveways, trails, and other features the County Engineer determines are needed to verify that the plan satisfies the requirements of this proffer.
- (b) The plan shall be drawn to a scale not greater than one (1) inch equals fifty (50) feet.
- (c) All proposed grading shall be shown with contour intervals not greater than two (2) feet. All concentrated surface drainage over lots shall be clearly shown with the proposed grading. All proposed grading shall be designed to assure that surface drainage can provide adequate relief from the flooding of dwellings in the event a stain), sewer fails.

(d) Graded slopes on lots proposed to be planted with turf grasses (lawns) shall not exceed a gradient of three (3) feet of horizontal distance for each one (1) foot of vertical rise or fall (3:1). Steeper slopes shall be vegetated with low maintenance vegetation as determined to be appropriate by the County's program authority in its approval of an erosion and sediment control plan for the land disturbing activity. These steeper slopes shall not exceed a gradient of two (2) feet of horizontal distance for each one (1) foot of vertical rise or fall (2:1), unless the County Engineer finds that the grading recommendations for steeper slopes have adequately addressed the impacts.

(e) Surface drainage may flow across up to three (3) lots before being collected in a storm sewer or directed to a drainage way outside of the lots.

(f) No surface drainage across a residential lot shall have more than one-half (1/2) acre of land draining to it.

(g) All drainage from streets shall be carried across lots in a storm sewer to a point beyond the rear of the building site.

6. Preservation of Historic Structures, Sites and Archaeological Sites.

6.1 Archaeological Survey. A Phase I Archaeological Study for the Property shall be submitted by the Owner to the Director of Planning for his review and approval prior to issuance of a grading permit. An archaeological resource treatment plan shall be submitted by the Owner to, and approved by, the Director of Planning for all sites in the Phase I study that are recommended for Phase II evaluation, and/or identified as being eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion the National Register of Historic Places and/or those sites that require a Phase III study. If, in a Phase II study, a site is determined to be eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study area. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standard and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the site and shall be adhered to during the clearing, grading, and construction activities thereon.

6.2 Potential Artifacts. Should Phases I or II or III studies yield objects or artifacts of archaeological significance, these objects shall be conveyed to the Virginia Department of Historic Resources (VDHR) for long term preservation. Should Phase III fieldwork yield

subsurface architectural features and artifacts related to 18th- or early 19th-century domestic occupations at Free State, and should these sites be deemed archaeologically significant by archaeologists with the Digital Archaeological Archive of Comparative Slavery (DAACS) based at the Thomas Jefferson Foundation, these artifacts will be submitted to the archaeologists at the Thomas Jefferson Foundation for analysis and entry into DAACS prior to being conveyed to the VDHR. The Owner will be solely responsible for conveying all artifacts analyzed by DAACS to the VDHR within thirty (30) days of receipt of such artifacts.

6.3 Roadside Markers. Upon request by the County, the Owner shall contribute up to five thousand dollars (\$5,000) cash to fund the cost of creating and installing two roadside historical markers as described in section 5 of the Code of Development. If the request is not made within one (1) year from the date of approval of the first final site plan for Phase I, this proffer shall become null and void. If such cash contribution is not expended for the stated purpose within two (2) years from the date the funds were contributed to the County, all unexpended funds shall be refunded to the Owner.

7. Phasing and Mitigation of Impact.

7.1 Phasing. Phases of Belvedere infrastructure will be constructed sequentially beginning with Phase 1, then 2, etc. This proffer shall not restrict the Owner's ability to develop multiple phases concurrently nor shall it require the completion of all buildings and other improvements in one phase before beginning construction on the next.

7.2 Mitigation of Construction Traffic Impact. The Owner shall neither establish, nor allow to be established, ingress or egress for any vehicle, heavy equipment, or farm machinery or farm equipment to and from the Property except at the intersection of the alignment of Belvedere Boulevard and East Rio Road, as shown on Exhibit 2B, and from the northern segment of Free State Road that crosses Free State Bridge, as shown on Exhibit 1, of the General Development Plan, or on any public street shown on a final subdivision plat that has been constructed and accepted by VDOT or bonded for acceptance by VDOT. For purposes of this proffer, the term "vehicle" means every device on or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks, that are used in the construction on or below the Property, including all improvements placed on the property by the Owner, its contractors, subcontractors or agents. The term "heavy equipment" means self-propelled, self-powered or pull-type equipment and machinery, including engines, weighing five thousand (5,000) pounds or more, primarily employed for construction, industrial, maritime, mining and forestry uses.

8 Code Enforcement.

8.1 Architectural Standards. The Owner shall prepare and record a declaration of covenants, conditions and restrictions that, among other things, establishes architectural standards equal to or more stringent than the architectural standards in the Code of Development, and establishes an Architectural Standards Committee ("ASC"). The declaration shall include among the powers and duties of the ASC the authority and

responsibility to determine that each structure within the Property complies with all applicable architectural standards before submitting the proposal to the County to conduct its review for compliance with the architectural standards established in the Code of Development.

Signatures of All Owners:

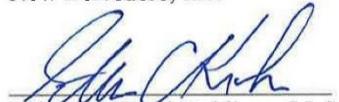

New Belvedere, Inc.

Printed Names of All Owners:

Steven C. Krohn

Date:

6/25/2019


Belvedere Land Holdings, LLC

Steven C. Krohn

6/25/2019

**Appendix A- Carriage House Units
General Standards**

Modified by ZMA 2018-00007

All Carriage House Units must be constructed in the same architectural style as the primary residence and must employ the same exterior color selections as the primary residence. Setback regulations for Carriage House Units shall be the same as those for garages.

Carriage House Units are separate, detached independent living units which are included with a single family detached unit or a single family attached unit, and are clearly subordinate to the primary residence. These units are typically located above a garage (which garage may be either attached to, or detached from the primary residence), and are restricted to a maximum finished area of 800 ft². While these units may have a distinct street address and may be provided with separate utility meters if utilized as a rental unit, they may not be subdivided from the primary residence. Carriage House Units must meet all architectural standards applicable to the primary residence. Setbacks shall be the same as those applicable to a traditional detached or attached garage, as applicable.

Carriage house units play an important role in providing for affordable housing. As an inexpensive rental unit, they help provide affordable rental housing that is integrated into the larger community. An additional benefit is that the units are "Cash flow positive" helping to make the primary residence more affordable by providing the owner with additional cash flow to pay the mortgage. These units have been widely utilized in other TND neighborhoods with tremendous success.

be applied to the Property if the ZMA is approved by Albemarle County. These conditions are proffered as part of the ZMA and it is agreed that: (1) the ZMA itself gives rise to the need for the conditions, and (2) such conditions have a reasonable relation to the rezoning requested.

1. Plan Exhibits.

1.1 **Exhibits not in the Code of Development.** The following exhibits which are not part of the General Development Plans or the Code of Development are proffered as a part of this rezoning:

- **Exhibit 14 Archaeological Survey Summary**
- **Exhibit 15 Architectural Reconnaissance Survey**

2. Affordable Housing.

2.1 **Cash Contribution.** Owner shall contribute to Albemarle County a minimum of one thousand dollars (\$1,000) per single family detached dwelling unit, seven hundred fifty dollars (\$750) per single family attached or townhouse unit, and five hundred dollars (\$500) per multi-family condominium unit. The cash contribution shall be due and payable with each application for a building permit. This cash proffer shall not apply to Carriage House units or multi-family rental housing. This cash contribution shall be used for the purpose of funding affordable housing programs including those provided by nonprofit housing agencies within Albemarle County. If this cash contribution has not been exhausted by the County for the stated purpose within ten (10) years from the date of the last payment of the contribution, all the unexpended funds shall be refunded to the Owner.

2.2 **Carriage House Units.** Owner proffers to require through the lot sale contracts on the Property the construction of a minimum of 103 Carriage House Units on the Property that meet the requirements for a single family dwelling as defined in the Virginia Uniform Statewide Building Code. Each Carriage House Unit shall conform to the Code of Development, Appendix A, Carriage House Units, General Standards. Each Carriage House Unit shall be on the same parcel as the primary dwelling unit to which it is accessory. Carriage House Units may not be subdivided from the primary residence. The subdivision restriction shall be described on the plat creating such parcels and be incorporated into each deed conveying title to such parcels.

3. Open Space and Greenways.

3.1 **Open Space** The Owner shall restrict from development all open space areas which are areas not shown as development parcels on the General Development Plan. In no event shall the total area of open space areas, which include the preservation areas, conservation areas, greenway (defined in 3.2 below), buffer and park areas shown on Exhibits 5A, 5B and 5C of the General Development Plan, be less than twenty-five percent (25%) of the total land within the Property. These areas shall be for the use and enjoyment of the residents of the Property, subject to the restrictions that may be imposed by any declaration recorded as part of a conveyance of these areas to a homeowner's association.

BELVEDERE

size for a commercial lot in Blocks 2 and 4 shall be 18,000 Ft² with a maximum frontage of 120' and a maximum side lot line of 150'.

Appendix A—Carriage House Units General Standards:

All Carriage House Units must be constructed in the same architectural style as the primary residence and must employ the same exterior color selections as the primary residence. Setback regulations for Carriage House Units shall be the same as those for garages

Carriage House Units are separate, detached independent living units which are included with a single family detached unit and clearly subordinate to the primary residence. These units are typically located above a garage and are restricted to a maximum finished area of 800 ft². While these units may have a distinct street address and may be provided with separate utility meters if utilized as a rental unit, they may not be subdivided from the primary residence. Carriage house units must be located to the rear of the primary residence and must meet all architectural standards applicable to the primary residence. Setbacks shall be the same as those applicable to a traditional detached garage.

Carriage house units play an important role in providing for affordable housing. As an inexpensive rental unit, they help provide affordable rental housing that is integrated into the larger community. An additional benefit is that the units are “Cash flow positive” helping to make the primary residence more affordable by providing the owner with additional cash flow to pay the mortgage. These units have been widely utilized in other TND neighborhoods with tremendous success.

Some examples of typical carriage house units



CODE OF DEVELOPMENT • BELVEDERE 10/10/05 (As Revised 7/22/14)
- 39 -

Attachment B

Agenda Item No. 24. ZMA201900002, Hollymead Town Center Area A1, Transit Proffer Amendment.

(Advertised in the Daily Progress on June 17 and June 24, 2019.)

At the applicant's request, and the Board's concurrence, this item was deferred to September 4, 2019.

Agenda Item No. 25. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Palmer said she sent out an email regarding two issues. She said the first involved the County using the biodegradable netting for erosion control. She said Mr. Lance Stewart, Director of Facilities and Environmental Services, had said it was a standard specification for recent projects, and she asked whether it was standard for all County projects and if the Board needs to do anything to include the Schools. She said second, Frank Pohl, County Engineer, wrote back and said that if the Board supports this, he may be able to add it to the design standards manual as a policy. For instance, they require paved construction entrances even though the State allows gravel. This was done to address sediment getting onto roads from construction sites where it was determined that the gravel was not performing. He said that he would ask DEQ if this was allowed without requiring their approval. Ms. Palmer asked the staff if there was anything the Board could do to make this the standard in the County, and what needs to be done to make sure the Schools are also doing it.

Mr. Dill asked how positive they are that the material is biodegradable because sometimes biodegradable material does not degrade as easily as it would seem. Ms. Mallek responded that there are specifications that Mr. Pohl mentioned for that. Ms. Palmer said that it is obviously that staff has looked at this.

Mr. Doug Walker stated that there has been some communication regarding this issue; FES staff is continuing to look at suitable materials for County use and they are aware of the interest in expanding that exploration to the Schools. He said as of this afternoon, Mr. Pohl has not heard back from DEQ in regards to the question of design standards, but staff is continuing to explore the options.

Ms. Palmer thanked Mr. Walker and asked if someone could find out if the City was doing this as well. She added that she sent around an email she received from UVA that they are looking at and starting to use this. She said this originally started with the Foundation covering Birdwood with this plastic netting. Mr. Walker responded that he would follow-up and report back to the Board.

Ms. Palmer asked if the County was developing an agenda for the next PACC-TECH meeting scheduled for October 3; she would like to have input.

Mr. Gallaway commented that Chris Henry of Stony Point Design contacted Stacy Pethia, with regard to Riverside Village, to discuss affordable housing units and asked how to reach out to people who may be in need of affordable housing. He said that this seems like a situation that the Department of Social Services could get involved in to help.

Mr. Dill stated that DSS should be able to provide information.

Mr. Gallaway said that there could be parallel work between the groups in order to solve the problem; DSS cannot guarantee that those people in need would get the affordable housing.

Ms. Mallek stated that Mr. Ron White used to do all of the qualifications so that partnership with DSS may be evolving.

Ms. McCulley commented that Mr. White used to have the PHA administer that because they run a homebuyers' club, and they qualify and train home buyers and train them, but we don't do that anymore. She said but she wants to make sure that is still the case.

Mr. Gallaway stated that there were mobility accessibility issues at the Woodbrook polling place during the June primary. He noted by the time November rolls around, that issue needs to be addressed.

Ms. Mallek added that all the polling places need more signage earlier in the drive path to direct people of where to park for car side parking.

Ms. McKeel commented that there were a lot of issues at Slaughter because the University's construction took up half the parking lot, the signage on available parking was wrong, and people were given wrong driving directions.

Agenda Item No. 26. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Richardson asked Emily Kilroy to address the Board to discuss the celebration for the 275th anniversary of Albemarle County.

Ms. Emily Kilroy, Director of Communications and Public Engagement, said that it is the 275th anniversary of the founding of Albemarle County, which took place on September 4, 1744. She said that that is a Board of Supervisors meeting day, and there are two days that they would be using to celebrate. She said before the Board meeting, there would be an unveiling of the history installation that the Office of Equity and Inclusion has been working on in the first floor of the County Office Building. She said there is a staff team working on a more community oriented celebration event scheduled for Saturday, September 28. She stated that it would be a mix of different activities to appeal to a broad cross section of the community, including touch a truck event, community resource fair, remarks by elected officials, live music, speaker series on Albemarle history, photo slideshows, and a large birthday cake to mark the day. She said these are the general directions although they are not currently firm.

Ms. Palmer asked where the event would be located. Ms. Kilroy responded that the location has not yet been determined. She said they need a location that has sufficient space to park a lot of apparatus and provide adequate public parking. She said the team will be looking at other locations since the County Office Building site would not be large enough and are working with Parks and Rec and Schools in order to find a good place.

Mr. Richardson announced that Ms. Siri Russell was invited to represent Albemarle County last week at the Association of American Colleges and Universities, at the 2019 Truth, Racial Healing, and Transformation Institute held in Philadelphia, Pennsylvania. He said the purpose of the Institute was to prepare the next generation of leaders and critical thinkers on topics about breaking down racial hierarchies and dismantling the belief of the hierarchy of human value. He said the County's participation was sponsored by the University of Virginia. He said there were about ten leaders from the University of Virginia that made the trip as well as representation from the City of Charlottesville. He said thirteen people went for five days. He stated that he had a briefing from Ms. Russell last week and she was very excited to be a part of the trip and participating community on a national level. He added that it was a great opportunity and wanted to share it with the Board.

Agenda Item No. 27. Adjourn to July 9, 2019, 6:00 p.m., Room 241.

At 9:16 p.m., Mr. Gallaway adjourned the Board to July 9, 2019, 6:00 p.m., Room 241.

Chairman

Approved by Board
Date 01/15/2020
Initials CKB