



## **CITY COUNCIL AGENDA**

### **February 16, 2021**

#### **Members**

Nikayah Walker, Mayor  
Sena Magill, Vice Mayor  
Heather D. Hill  
Michael K. Payne  
J. Lloyd Snook, III

### **5:30 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code (Boards and Commissions; legal consultation)**

Virtual/electronic meeting

### **6:30 p.m. Regular Meeting**

Register at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom). Virtual/electronic meeting in accordance with the local ordinance adopted December 10, 2020 to ensure continuity of government and prevent the spread of disease. NOTE: Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

#### **CALL TO ORDER**

#### **MOMENT OF SILENCE**

#### **ROLL CALL**

#### **AGENDA APPROVAL**

#### **ANNOUNCEMENTS**

#### **RECOGNITIONS/PROCLAMATIONS**

#### **BOARD/COMMISSION APPOINTMENTS**

#### **CONSENT AGENDA\***

1. Minutes: January 19 special meeting, January 28 Schools budget work session, February 3 budget work session
2. Appropriation: Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) Grant Award - \$20,000 (2nd reading)
3. Appropriation: 2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S) - \$99,608 (2nd reading)
4. Resolution: Community Development Block Grant 2020-2021 Albemarle Home Improvement Program Contingency Plan: 2020-2021 Minor Annual Action Plan Amendment (1 reading)
5. Resolution: City Market Sublease 2021 (1 reading)

#### **CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

**COMMUNITY MATTERS** Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Public comment will be conducted through electronic participation while City Hall is closed to the public. Participants can register in advance at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom).

#### **ACTION ITEMS**

6. Public Hearing: FY2020-2021 CDBG Substantial Action Plan Amendment and Reprogramming 2019 CDBG funds for COVID-19 Public Services (1st of 2 readings)

- a. Appropriation: Appropriation of Funds for 2020-2021 Community Development Block Grant COVID Rental Relief - \$244,950.82
- b. Resolution: Approval of FY 2020-2021 Substantial Action Plan Amendment of the 2018-2022 Consolidated Plan

- 7. Ordinance\*: Local COVID Ordinance Status Review (1 reading)
- 8. Resolution\*: Regional Equity Joint Memorandum of Understanding (1 reading)
- 9. Resolution\*: Interrupt the Violence donation (1 reading)

#### **GENERAL BUSINESS**

- 10. Report: Honorary Street Designation Policy and Marker update
- 11. Discussion: Capital Improvement Plan projects (continued from 2/3/21 budget work session and 2/9/21 Planning Commission hearing)
- 12. Discussion: Credit Card Policy

#### **OTHER BUSINESS**

#### **MATTERS BY THE PUBLIC**

\*Action Needed

## **CHARLOTTESVILLE CITY COUNCIL**

**January 19, 2021**

### **SPECIAL MEETING**

**Virtual/electronic meeting**

#### **4:00 P.M. SPECIAL MEETING - REPORTS**

Pursuant to Virginia Code Section 2.2-3712, the Charlottesville City Council met on Tuesday, January 19, 2021, at 4:00 p.m. for a special meeting/ work session to hear reports. The meeting was held electronically pursuant to local ordinance #O-20-154a adopted December 10, 2020, to ensure the continuity of government and prevent the spread of disease during the coronavirus pandemic.

Mayor Walker called to order at 4:00 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook.

#### **REPORTS**

##### **RECOGNITION: Police Department accreditation**

Captain Tito Durette presented, advising that this is the 6th year of accreditation achievement. He recognized Corporal Lisa Best, who committed a great deal of work as the accreditation manager. They reported that the Charlottesville Police Department has been fully accredited since 1996.

##### **REPORT: City financial report for December month-end**

Ryan Davidson, Senior Budget and Management Analyst, made the presentation. He advised that updated revenue projections were significantly decreased from prior projections. He shared suggestions for how to address the shortfall.

Councilors asked questions and the following staff shared feedback: Senior Budget and Management Analysts Ryan Davidson and Krisy Hammill; Finance Director Chris Cullinan; Commissioner of the Revenue Todd Divers; Acting City Manager John Blair; and Treasurer Jason Vandever.

##### **REPORT: Rivanna Solid Waste Authority (RSWA)/Rivanna Water and Sewer Authority (RWSA) quarterly update**

Bill Mawyer, Executive Director, presented the quarterly update to provide general information on the drinking water, wastewater and solid waste programs managed by the Rivanna Authorities. He shared that employees have been working throughout the Covid-19 pandemic. The report gave an overview of significant current and upcoming Capital

Improvement projects:

- A. Water Treatment Plant Improvements
- B. Sugar Hollow Dam – Gate Replacement and Intake Tower Repairs
- C. Exterior Lighting Improvements, Moores Creek AWRRF
- D. South Rivanna to Ragged Mountain Reservoir Pipeline
- E. Ragged Mountain Reservoir to Observatory Water Treatment Plant Raw Water Pipeline and Pump Station
- F. Urban Area “Central” Waterline
- G. Upper Schenks Branch Wastewater Piping Replacement, Phase II

Mr. Mawyer and Director of Utilities Lauren Hildebrand answered Council questions.

### **REPORT: Tree Commission Report**

Brian Menard, Tree Commission Chair, presented the report and noted the 10th anniversary of the Tree Commission as of December 2020.

Areas of concern were:

- Declining tree canopy
- Inadequate current level of planting
- Size and location of planting
- Planned Development:
  - Root zones of existing street trees unprotected in current design of Friendship Court; high probability of trees dying within 3 years of project completion
- New Development:
  - Root zones of street trees unprotected in current code’s minimum setback requirement
  - Lack of planning for climate and community
  - Lack of trees in street frontage
  - Lack of trees in alleyways
- Environmental Justice with lower income neighborhoods having less canopy
- Heat islands
- Losses due to Emerald Ash Borer

Objectives for 2021:

- Engage safely with the public in such activities as celebrating Arbor Day and planting community trees
- Continue to strengthen collaboration with governmental and nonprofit groups working on all aspects of the local environment (Climate Action Plan Zoning Working Group, Cville Plans Together, PEC, Charlottesville Climate Collaborative,

City of Promise, and Road Project Steering Committees)

- Develop public/private, government/nonprofit coalition with residents of heat island neighborhoods to address social and environmental injustices and inequities
- Develop detailed, comprehensive recommendations for updating Comprehensive Plan and revising zoning ordinance; complete work on City's Standards & Design Manual
- Continue to monitor the effects of development on our green infrastructure

The Tree Commission made several funding and structural requests. Several councilors expressed interest in following up with city management.

Mayor Walker suggested adding a Public Comment section to the 4:00 p.m. meetings, with meeting registration required for participation.

The meeting adjourned at 5:34 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CHARLOTTESVILLE CITY COUNCIL**  
**Joint Meeting with Charlottesville City School Board**  
**January 28, 2021**  
**BUDGET WORK SESSION**  
**Virtual/electronic meeting via Zoom**

**5:00 P.M. BUDGET WORK SESSION**

The Charlottesville City Council met on Thursday, January 28, 2021, at 5:00 p.m. for a joint budget work session with the Charlottesville City School Board and School officials. The meeting was held electronically pursuant to local ordinance #O-20-154a adopted December 10, 2020, to ensure the continuity of government and prevent the spread of disease during the coronavirus pandemic.

Mayor Walker called the Charlottesville City Council to order at 5:01 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook. Lisa Torres, Board Chair, called the City of Charlottesville School Board meeting to order.

Dr. Rosa Atkins, Division Superintendent, Kim Powell, Assistant Superintendent for Finance and Operations, and Renee Hoover, Director of Finance, presented information on the FY2022 Operating Budget for Charlottesville City Schools.

The presentation included details about:

- Current Budget Alignment to Equity and The Strategic Plan
- Priorities for FY22 Budget Development
  - Recruit and retain highly qualified teachers and staff
  - Maintain the continuity of high-quality instructional programs
  - Apply a lens of equity in all funding considerations to provide educational opportunities for all students
- Revenue Outlook, including Federal, State and City
- Overall enrollment outlook
  - Current Fall Enrollment Down 258 Students from End of Last School Year
  - Recommend Using State Enrollment Projection for FY 2022 Budget (Average Daily Membership)
    - Approximately Equal to FY 2018 End of Year Enrollment
    - Estimates Increase of ~168 Students Over Current (~65% Recovery)
- Recommendation to leverage CARES funding to maintain valued programs and address pressing student needs in a way that also allows time for the City to recover and stabilize revenues
- Review of the FY2020-2021 budget and changes for the FY2022 budget

- City support for Schools:
  - Acknowledgement of COVID-19 impacts on students and staff emotionally, academically and economically.
  - Request for City to start providing additional allocations starting in FY 2023 to off-set proposed uses of CARES funds or future cuts to services would be required.
  - Any additional appropriation from the City for FY 2022 would start the process of reducing dependency on one-time (non-recurring) funds.

The presentation also addressed teacher and staff pay.

Councilors engaged in discussion.

Upcoming School Board Budget Dates:

- February 4 Superintendent's Proposed Budget and Public Hearing
- February 9 Budget Work Session
- February 18 School Board Approval of Proposed Budget
- March 1 School Budget Presentation to City Council

## **PUBLIC COMMENT**

The following members of the public spoke:

- Caleb Jaffe
- Jordan Johnson
- Beth Ike
- Aina Hidayat
- Rosy Puri
- Hallie Goode
- Tamara Wright and daughter Jemelle Brown

School Board members shared closing remarks.

Mayor Walker adjourned the meeting at 7:06 p.m., followed by adjournment of the School Board meeting.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**CHARLOTTESVILLE CITY COUNCIL**  
**Budget Work Session**  
**February 3, 2021**  
**Virtual/electronic meeting via Zoom**

**3:30 PM WORK SESSION**

The Charlottesville City Council met in an electronic meeting on Wednesday, February 3, 2021, in accordance with a local ordinance #O-20-154a adopted December 10, 2020, to ensure continuity of government and prevent the spread of disease. The purpose of the meeting was a work session to discuss the Fiscal Year 2022 City Budget.

Mayor Walker called the meeting to order at 3:37 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Councilors Heather Hill, Michael Payne and Lloyd Snook.

Mayor Walker turned the meeting over to Acting City Manager John Blair, who acknowledged staff working on the budget and welcomed newly appointed City Manager Chip Boyles.

Ryan Davidson, Senior Budget and Management Analyst, reviewed information on development of the FY 2022 Operating Budget, including revenue and expenditure estimates.

Krisy Hammill, Senior Budget and Management Analyst, reviewed the FY 2022 – 2026 Capital Improvement Program. To accomplish Council’s goals and priorities, the DRAFT CIP was presented with the following recommendations:

- **Schools Reconfiguration** included with a \$50 Million placeholder.
- **West Main Streetscape** removed entirely and previously committed funds (about \$18 Million) available to be reallocated to the school project if needed.
- **Real estate property taxes** proposed to be increased by two cents annually beginning in FY23 for a total of 10 cents over five years. Council and the School Board would need to build community support for these investments.
- **The School funding formula would need recalibration to recognize the new debt service requirements.** A once in a generation project to reconfigure the schools would require a new approach to the school transfer calculation starting in FY23.
- While the CIP, operational budgets, and tax rates are all reviewed and adjusted annually, once the school project commences, future Councils would be obligated to complete the work.

The presentation included upcoming meeting dates:



- February 9 Planning Commission Capital Improvement Plan Public Hearing
- March 1 Proposed City and School Operating and Capital Budget Formally Presented to Council
- Mar 4 Budget Work Session #1 (Revenue & Expenditures)
- Mar 11 Budget Work Session #2 (Outside Agencies)
- March 15 First Budget and Tax Rate Public Hearings
- Mar 17 Community Budget Forum
- Mar 25 Budget Work Session #3 (CIP)
- April 5 Second Budget Public Hearing/Budget Approval First Reading/Tax Levy Approval First Reading
- Apr 8 Budget Work Session #4 (Wrap-up)
- April 13 Budget and Tax Levy Approval Second Reading

Council engaged in discussion and expressed a desire to have joint meetings with Charlottesville City School Board and the Albemarle County Board of Supervisors to discuss details of proposed capital improvement projects, as well as hearing more information from staff and the Planning Commission. Council agreed to place an item on the February 16 meeting agenda to further discuss Capital Improvement Plan priorities.

Mayor Walker opened the floor for public comment. The following person spoke:

- Peter Krebs

The meeting adjourned at 5:55 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	February 1, 2021
Action Required:	Approval and Appropriation
Presenter:	Kaki Dimock, Director, Human Services
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	<b>Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) Grant Award - \$20,000</b>

**Background:**

The Department of Human Services, in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.), received a grant from the Virginia Department of Housing and Community Development. This additional Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) award is \$20,000 and is a second supplemental grant based on the COVID-19 pandemic for July 1, 2020 – June 30, 2021.

**Discussion:**

The City of Charlottesville has staff from Human Services and Social Services taking leadership roles in the governance of T.J.A.C.H. H.O.P.W.A. is an important resource in our community's efforts to end homelessness. The grant provides services in four key areas.

1. **Tenant-Based Rental Assistance (T.B.R.A.):** The Thomas Jefferson Health District (T.J.H.D.) partners with The Haven to provide T.B.R.A. to eligible participants. The T.J.H.D. screens participants for eligibility and inspects the proposed property to ensure that it meets HUD requirements. Upon successful screening, The Haven contacts the landlord to arrange monthly rent payment, similar to rapid re-housing.
2. **Short-term Rental, Mortgage and Utility Assistance:** T.J.H.D. screens eligible participants for short-term assistance including emergency utility payments to avoid shut-off.
3. **Supportive Services:** T.J.H.D. provides supportive services including crisis intervention, case management and service referrals.
4. **Homeless Management Information System (H.M.I.S.):** The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with T.J.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care (C.O.C.) has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among

T.J.A.C.H. Continuum of Care Service Providers expedites communication and reduces the need to interface disparate documentation systems.

5. **Administration:** The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to T.J.H.D. & The Haven to support the supervision of assigned staff.

### **Community Engagement:**

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for T.J.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

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

This grant advances the City of Charlottesville's Strategic Plan Goal #1 of enhancing the self sufficiency of our residents. Specifically, it will facilitate the objective of increasing affordable housing options. This item primarily aligns with Council's vision for Quality Housing Opportunities for All.

### **Budgetary Impact:**

There is no budget impact for the City of Charlottesville. This grant will be entirely State, and Federal pass-through funds. No local match is required. All funds will be distributed to sub-recipients for service provision.

### **Recommendation:**

Staff recommends approval and appropriation of grant funds.

### **Alternatives:**

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing a housing crisis while managing AIDS/H.I.V.: short-term rental assistance, utility assistance, rapid rehousing, H.M.I.S., and administration.

### **Attachments:**

Appropriation

**APPROPRIATION**  
**Housing Opportunities for People with AIDS/H.I.V. Grant**  
**\$20,000**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$20,000

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$20,000 is hereby appropriated in the following manner:

**Revenues**

\$20,000      Fund: 209      IO: 1900390 (H.O.P.W.A.)      G/L: 430120 Federal Pass-Thru State

**Expenditures**

\$20,000      Fund: 209      IO: 1900390 (H.O.P.W.A.)      G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$20,000 in funds from the Virginia Department of Housing and Community Development.

## CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	February 1, 2021
Action Required:	Appropriation
Presenter:	Mike Rogers, Deputy Chief – Business Services, Charlottesville Fire Dept.
Staff Contacts:	Mike Rogers, Deputy Chief – Business Services, Charlottesville Fire Dept.
Title:	<b>2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S) - \$99,608.00</b>

### **Background:**

The Fiscal Year (FY) 2020 Emergency Management Performance Grant Program – COVID-19 Supplemental (EMPG-S) assists states, territories, tribes, and local governments with their public health and emergency management activities supporting the prevention of, preparation for, and response to the ongoing Coronavirus Disease 2019 (COVID-19) public health emergency. Through this funding opportunity, FEMA will award funding to support planning and operational readiness for COVID-19 preparedness and response, development of tools and strategies for prevention, preparedness, and response, and ongoing communication and coordination among federal, State, local, tribal, and territorial partners throughout the response.

### **Discussion:**

The FY 2020 LEMPG will provide federal funds to assist emergency management agencies to obtain the resources required to support implementation of the National Preparedness System and the National Preparedness Goal (the Goal) of a secure and resilient nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, EMPG-S supports the goal to Strengthen National Preparedness and Resilience. EMPG supports comprehensive, all-hazards emergency preparedness system by building and sustaining the core capabilities contained in the Goal. EMPG funding is used to support a whole community approach to strengthen a state's or community's emergency management program.

In attempts to broaden the local vaccination and testing efforts, these funds will be used to bring online a mobile testing/vaccination van for use within the city - within the neighborhoods. This mobile unit will be able to bring the vaccines and/or testing to the community as a broader vaccine push is underway into the spring and beyond. For these scheduled mobile sites, it will ultimately be a partnership effort within the city, with the local health department, to acquire the vaccines and set up the clinics. The fire department will provide support and logistics in concert

with the health department, assist the assigned vaccinators at the mobile sites, and/or assist with the vaccines and testing as trained and approved.

Beyond 2021, throughout the year, in addition to Covid 19 vaccines and testing this van will be able to continue in this role. Its footprint can expand to annual flu vaccinations/testing and other various outreach activities in partnership with the local health department and/or other community health partners.

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

The 2020 EMPG-S award supports the City's mission "We provide services that promote equity and an excellent quality of life in our community" by providing supplemental funding for a mobile vaccination/testing/outreach van. With this funding, we are better able to assist our community health partners deploy mobile vaccine, testing, and outreach services to the citizens of the City.

The monetary assistance from this grant also aligns with Goal 2.1, Reduce adverse impact from sudden injury and illness and the effects of chronic disease by helping to support these preventative activities in the community, as well as elements within Goal 5 - A Well-managed and Responsive Organization.

**Community Engagement:**

N/A

**Budgetary Impact:**

Under the 2020 EMPG-S grant award structure, the grant covers 50% of the project with the remaining 50% being a local match. The local match will be provided through previously appropriated equipment replacement funds designated for the Fire Department.

The breakdown of the grant award is:

Grant Award = \$49,804.00

Local Match = \$49,804.00

Total = \$99,608.00

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

If the 2020 EMPG-S grant award funding is not appropriated, the Fire Department will not be able to utilize this supplemental funding to bring this mobile vaccination and testing van online.

**Attachments:** Appropriation

## APPROPRIATION

### 2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S) - \$99,608.00

**WHEREAS**, the Virginia Department of Emergency Management (VDEM) and the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) has awarded a 2020 Local Emergency Management Performance Grant (LEMPG) CFDA 97.042 to the Fire Department, through the City of Charlottesville, specifically for a mobile vaccination and testing van;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$99,608.00 be appropriated in the following manner:

#### **Expenditure Transfer from:**

\$49,804.00    Fund: 106    Cost Center: 3201001001    G/L Account: 561209

#### **Revenues - \$99,608.00**

\$49,804.00    Fund: 209    I/O: 1900398    G/L Account: 430120

Transfer to:

\$49,804.00    Fund: 209    I/O: 1900398    G/L Account: 498010

#### **Expenditures - \$99,608.00**

\$49,804.00    Fund: 209    I/O: 1900398    G/L Account: 599999

Transfer to:

\$49,804.00    Fund: 209    I/O: 1900398    G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the reimbursement of funds from the Virginia Department of Emergency Management.

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



Agenda Date:	February 16, 2021
Action Required:	Resolution: Minor Amendment 2020-2021 Action Plan
Presenter:	Erin Atak, Grants Coordinator
Staff Contacts:	Erin Atak, Grants Coordinator
Title:	<b>CDBG 2020-2021 AHIP Contingency Plan</b>

**Background:**

This agenda item includes a resolution for the FY2020-2021 minor action plan amendment Community Development Block Grant (CDBG) funds to be received by the City of Charlottesville from the U.S. Department of Housing and Urban Development (HUD).

In Fall 2019, the City of Charlottesville advertised a Request for Proposals (RFP) based on the priorities set by Council on September 16, 2019. The priorities were for affordable housing (priority for persons who are 0-50 percent AMI, including but not limited to low income housing redevelopment), support for the homelessness and those at risk of homelessness, workforce development (including but not limited to efforts to bolster section 3 training opportunities and partnerships with the City's GO programs, support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services.

In February and March 2020, the CDBG/HOME Task Force reviewed and recommended housing and public service projects for funding and the Strategic Action Team reviewed and recommended economic development projects for funding. On May 4<sup>th</sup>, 2020, City Council reviewed and approved the CDBG and HOME budget for the 2020-2021 HUD Annual Action plan submittal.

**Discussion:**

CDBG FY2020-2021 Albemarle Home Improvement Program (AHIP) proposes to enact the contingency plan to spend their remaining balance of CDBG funding on one substantial rehabilitation project. Due to client concerns from COVID, and hesitancy requiring Deed of Trusts, the program experienced setbacks affecting program timeliness. The contingency plan will assist AHIP and the City meet HUD CDBG timeliness deadlines.

All CDBG applicants are required to provide reasonable assurances regarding the achievement of objectives in three categories: 1) Effectiveness and efficiency of operations; 2) Reliability of reporting for internal and external use; and 3) Compliance with applicable laws and regulations. All non-federal entities must submit internal controls documents to comply with federal statutes, regulations, and the terms and conditions of the CDBG federal award. Internal controls are a process effected by an entity's oversight body, management, and other personnel that provides



reasonable assurance that the objectives of an entity will be achieved. These objectives and risks can be classified by operations, reporting, and compliance. To assist with CDBG timeliness requirements, HUD 24 CFR 570.902(a), CDBG subrecipients may request to enact the contingency plan from the submitted internal controls checklist.

**Community Engagement:**

In accordance with the CDBG/HOME Citizen Participation Plan, staff reviewed the AHIP Contingency Plan during the RFP process and discussed with AHIP staff on CDBG Timeliness. A minor Action Plan Amendment will be submitted for the 2020-2021 fiscal year. The minor Action Plan Amendment was advertised for five days under the covid-19 public notice waiver between February 1-5, 2021. The full action plan can be viewed on the City Website through the following [link](#). Minor Action Plan Amendments do not require a public hearing.

The Action Plan was advertised for a thirty-day comment period (March 26<sup>th</sup> – April 26<sup>th</sup> 2020) before being sent to HUD for approval. The Action Plan was sent to Charlottesville Neighborhood community members for comment. The Housing Directors Council had an opportunity to make comments on the Action Plan virtually during the thirty-day comment period. Comments received from Housing Directors were incorporated into the Action Plan. HUD approved the Action Plan on August 14, 2020.

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

Approval of this agenda item aligns directly with Council's vision for Charlottesville to have **Economic Sustainability, A Center for Lifelong Learning, Quality Housing Opportunities for All, and A Connected Community**. It contributes to variety of Strategic Plan Goals and Objectives including: Goal 1: Inclusive, Self-sufficient Community; Goal 3: Beautiful Environment; Goal 4: Strong, Diversified Economy; and Goal 5: Responsive Organization.

**Budgetary Impact:**

None

**Recommendation:**

Staff recommends approval of AHIP's CDBG FY2020-2021 change of scope of work to assist with CDBG program compliance, HUD 24 CFR 570.902(a).

**Alternatives:**

No alternatives are proposed.

**Attachments:**

Resolution for Minor 2020-2021 Action Plan Amendment

**RESOLUTION**  
**Approval of FY 2020-2021 Minor Annual Action Plan Amendment**

**BE IT RESOLVED**, that the Charlottesville City Council hereby approves the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. The contingency plan for Albemarle Home Improvement Program (AHIP) will assist the City and the subrecipient meet CDBG timeliness goals. The remaining 2020-2021 CDBG AHIP balance is to be spent on one home rehabilitation project.

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



Agenda Date:	February 16, 2021
Action Required:	Approval of City Market Sub-Lease
Presenter:	Todd Brown, Director, Parks & Recreation
Staff Contacts:	Will Bassett, Business Manager, Parks & Recreation Justin McKenzie, City Markets Manager, Parks & Recreation
Title:	<b>City Market Sub-Lease</b>

**Background:**

Since 2015, the City Market has operated in the privately owned parking lot located at 100 Water Street. The market moved from the adjacent City-owned parking lot as part of the West 2<sup>nd</sup> Development project. The City Market has successfully operated at the 100 Water Street location for five (5) seasons with vendors and customers pleased with the larger and flatter space for the market. In 2020, the City Market did not operate at this location due to the COVID-19 pandemic. The market operated as a drive-thru only model at Pen Park, Darden-Towe Park and Charlottesville High School.

Staff are not sure what format the City Market will take in 2021, but the space is needed for a drive-thru model, pick-up only model or in-person market due to increased usage at the locations listed above. This sub-lease is to continue operating the City Market at the 100 Water Street parking lot for the 2021 season (April – December).

**Discussion:**

Staff believes that keeping the market in its current location (100 Water Street) is the best course of action to maintain market continuity for vendors and customers. At this time, the Tenant can only commit to a sub-lease for the 2021 market season. Approval of this sub-lease for the 2021 season will provide the City time to either secure a renewable sub-lease or determine a different long-range plan for the City Market location.

**Community Engagement:**

No formal community engagement has been done with this item. However, many City Market vendors have expressed a desire to remain in the current location (100 Water Street). Vendors also expressed an overall satisfaction rate of 84% with the current location in a 2019 survey.

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

This item aligns with City's vision of Economic Sustainability which states:

Our community has an effective workforce development system that leverages the resources of the University of Virginia, Piedmont Virginia Community College, and our excellent schools to provide ongoing training and educational opportunities to our residents. We have a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities. The Downtown Mall, as the economic hub of the region, features arts and entertainment, shopping, dining, cultural events, and a vibrant City Market. The City has facilitated significant mixed and infill development within the City.

This item also aligns with the following goals and objectives with the City's strategic plan:

Goal 4: A Strong, Creative and Diversified Economy

Objective 4.3: Grow and Retain Viable Businesses

### **Budgetary Impact:**

The sub-lease for the 2021 market season is \$99,750. Lease payments will be made from the FY21 budget for April – June (\$34,125) and FY22 for July – December (\$65,625). Both are from the Parks & Recreation general fund budget.

### **Recommendation:**

Staff recommends approval of this item.

### **Alternatives:**

City Council could choose not to approve this sub-lease and the City Market could move back to its old location at City-owned metered parking lot. Staff would need to reduce the overall market by 20 vendors to fit within the old space. Additionally, the City would have to forgo parking meter revenue at the City-owned parking lot during the market season.

### **Attachments:**

Resolution

Attachment 1 – Draft Sublease Agreement

**RESOLUTION  
APPROVING CITY MARKET  
SUBLEASE 2021**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the proposed sublease between the City of Charlottesville and Skyview Parking, LLC, for a term beginning April 1, 2021, and concluding on December 18, 2021, is hereby approved.

## SUBLEASE AGREEMENT

**THIS SUBLEASE AGREEMENT** is made as of the **1<sup>st</sup> day of January, 2021**, by and between **SKYVIEW PARKING, LLC**, a Virginia limited liability company, Grantor, herein referred to as "Tenant", and the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, Grantee, herein referred to as "Subtenant".

### WITNESSETH:

- 1. Subleased Property.** Effective April 1, 2021, the Tenant will be in rightful possession of the parcel of land located in the City of Charlottesville that is bounded by 1<sup>st</sup> Street South, East South Street, 2<sup>nd</sup> Street, S.E., and East Water Street, consisting of approximately .9920 of an acre, more or less, and shown on City Real Property Tax Map 28 as Parcel 62. The Tenant shall provide proof satisfactory to the Subtenant that it is in rightful possession of the Subleased Property upon request by the Subtenant. The property that is the subject of this Sublease Agreement is herein referred to as "the Subleased Property", and consists of all of Parcel 62, as shown on Exhibit A, dated December 16, 2014, and attached hereto. Tenant hereby subleases to Subtenant, and the Subtenant leases from the Tenant, the Subleased Property, under the terms and conditions set forth herein.
- 2. Warranty by Tenant.** Tenant represents and warrants to the Subtenant that, for the term of this Sublease Agreement and any extension thereof, it has the power and authority under its Lease with the owner of the Subleased Property to execute this Sublease Agreement and to carry out and perform all covenants to be performed by the Tenant under this Sublease Agreement without any requirement of consent by such owner, and that there are no outstanding uncured notices of default or termination.

Tenant agrees that Tenant shall not agree to the modification or amendment of the Lease Agreement between Tenant and the Owner of the Subleased Property during the term of this Sublease Agreement if such modification or amendment adversely affects the Subtenant's rights under this Sublease Agreement, decreases the size of the Subleased Property, or shortens the term of this Sublease Agreement, without the Subtenant's prior written consent.

- 3. Condition of Subleased Property.** The Subleased Property is currently used as a commercial surface parking lot open to the public for paid parking. The Tenant makes no representation or warranty as to the condition of the Subleased Property for the intended purpose of this Sublease prior to or at the time of the execution of this Sublease Agreement, and Subtenant agrees to accept the Subleased Property "as is" on the



effective date of this Sublease Agreement, provided there is no material change in the condition of the Subleased Property between the execution of this Sublease Agreement and the Commencement Date. The parties acknowledge that Tenant plans to make various improvements to the Subleased Property as shown in the exhibits, including but not limited to installing new parking pay stations, re-sealing the pavement, and re-striping the parking lines. This work is expected to be substantially complete by the commencement date, however in the event it is not Subtenant's remedy will be to either accept the Subleased Property as is or refuse to use the Subleased Property until such time as it is substantially completed. In the event Subtenant does not use the Subleased Property, rent will not be charged for those days it is not used.

4. **Term.** The initial term of this Sublease shall be for a period which begins on the 1<sup>st</sup> day of April, 2021 ("Commencement Date") and ends on the Saturday prior to December 25<sup>th</sup>, 2021.
5. **Use of Subleased Property.** The Subtenant warrants and covenants that the Subleased Property will only be used by the Subtenant as the temporary site for the City Market, operated by the Charlottesville Department of Parks and Recreation pursuant to Charlottesville City Code sec. 8-1 *et seq.* each Saturday between the hours of 5:00 a.m. and 3:00 p.m., during the months of April, May, June, July, August, September, October, November and December. The Tenant shall retain full use and enjoyment of the Subleased Property on all days and during all times when the Subleased Property is not reserved for the City Market, as specified herein. The Tenant and the Subtenant may agree in advance on additional days and times that the Subleased Property may be used by the Subtenant for a specified purpose, subject to the per diem rent set forth below. The parties agree that the pay stations which are installed by Tenant on the Subleased Property may be used during the sub-lease period by anyone who needs to obtain a parking receipt to park in an adjacent parking lot owned or controlled by Tenant. As such, Subtenant agrees to allow access as needed and signage as needed, at Tenant's expense, to accommodate such use.
6. **Rent.** The Subtenant shall pay the Tenant rent at the rate of Two Thousand, Six Hundred Twenty-Five and 00/100 Dollars (\$2,625.00) for each day that the City Market operates, or is scheduled to operate, on the Subleased Property. Each payment shall be due to Tenant in advance on or before the first day of each calendar month during the term of this Sublease. The monthly payment shall be calculated by multiplying \$2,625.00 times the number of scheduled City Market days during the month for which payment is being made.

7. **Quiet Enjoyment.** The Subtenant, on paying the rent and observing and keeping all covenants, warranties, agreements and conditions of the Sublease Agreement on its part to be kept, shall quietly have and enjoy the Subleased Property during the term of this Agreement, and any extension thereof.
8. **Land Use Approvals.** The Tenant and the Subtenant acknowledge that the Subtenant's intended use of the Subleased Property may require certain approvals, including, but not necessarily limited to, a special use permit and site plan approval. By its signature to this Sublease Agreement the Tenant hereby evidences its written consent for Subtenant to apply for and seek any and all land use and zoning approvals necessary for the future intended use of the property; provided, however, that Subtenant shall not be authorized to apply for or obtain any change in the land use or zoning status of the property that would be binding on Tenant after the expiration or termination of this Sublease Agreement unless Tenant shall have consented in writing in advance. The application, review and implementation of each such approval shall be at the Subtenant's sole expense.
9. **Improvements and Signage.** The Subtenant may, at its own cost and expense, install metered electric service to the Subleased Property for use during the City Market. Any such installation shall be subject to Tenant's prior written approval of facilities and equipment to be installed. Subtenant shall be responsible for installing lockboxes or otherwise securing the electric service from unauthorized use. Tenant shall not be responsible for any costs or charges incurred for the use of electric service installed and made available by Subtenant.

If there are proposed improvements to the Subleased Property that will be mutually beneficial to both the Tenant and Subtenant, which may include but not be limited to the electrical service referenced above and a new entrance to the property from South Street, the parties may enter into a memorandum of understanding that allocates both the responsibility for constructing the improvements and the agreed-upon costs for the improvements.

Subtenant may, at its own cost and expense, at any time make such alterations, changes, replacements, improvements and additions in and to the Subleased Property as it deems advisable or necessary for operation of the City Market, subject to Tenant's prior written approval of each such action, which approval shall not be unreasonably withheld or delayed. No improvements will be permitted which would interfere with the use of the Subleased Property by Tenant during times other than the times the City Market is in operation, or with the portion of the balance of Parcel 62 that is not included in the Subleased Property. No improvements shall be undertaken on the Subleased Property



unless and until the Subtenant shall have obtained any and all required local, state and federal governmental approvals and permits, and all such improvements shall be undertaken in strict compliance with all City, state and federal rules, regulations and laws.

The Subtenant shall have the right to place signs on the Subleased Property that are allowed under the provisions of the City of Charlottesville Zoning Ordinance, and necessary for the operation of the City Market, subject to Tenant's prior written approval, which approval shall not be unreasonably withheld or delayed. Subtenant and Tenant agree that Subtenant will install signs in prominent locations on the Subleased Property that inform motor vehicle operators that all vehicles must be removed from the Subleased Property at a specified time before the beginning of the City Market hours, and that vehicles not so removed from the property will be towed at the direction of the Subtenant at the expense of the vehicle owner or operator.

The Subtenant shall permit no mechanic's liens, materialmen's liens or other statutory liens to attach to the Subleased Property as a result of any alterations, improvements, additions or repairs performed by the Subtenant or at the Subtenant's direction. If any such lien or notice of lien rights shall be filed with respect to the Subleased Property, the Subtenant shall immediately take such steps as may be necessary to have such lien released, and shall permit no further work to be performed at the Subleased Property until such release has been accomplished.

Upon termination of this Sublease, Tenant shall have the option to retain ownership of all or any improvements, facilities and equipment installed by Subtenant during the term of this Sublease, or to require Subtenant to remove any or all of such improvements, facilities and equipment and repair at its expense any damage resulting therefrom.

**10. Maintenance/Operational Expenses.** The Subtenant shall, at its own cost and expense during the term of this Sublease, leave the Subleased Property in a reasonably clean, attractive condition following each day of City Market use, and shall not commit or allow any waste or damage to be committed on or to any portion of the Subleased Property. This includes but is not limited to, removing trash from the site following each City Market Use. Subtenant agrees to keep the toilet area well maintained and to perform any maintenance or cleanup required at any time as a result of the toilets on the Subleased Property. During months when the City Market is in operation Subtenant agrees to power wash the Subleased Property up to twice a month if it becomes unsightly or unsanitary, in the opinion of Tenant, as a result of Subtenant's use of the Subleased Property.

As part of its maintenance responsibilities, Subtenant agrees to comply fully with any applicable governmental laws, regulations and ordinances limiting or regulating the use, occupancy or enjoyment of the Subleased Property, and to comply with the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code, as supplemented and modified by duly enacted ordinances of the City of Charlottesville.

- 11. Taxes and Assessments.** The Subtenant shall not be responsible for the payment of any real property taxes, special assessments or storm water utility fees applicable to the Subleased Property.
- 12. Utilities and Services.** The Subtenant shall be responsible for and pay all costs and charges for utilities and services in connection with the Subtenant's occupancy and use of the Subleased Property for the City Market, including but not limited to permits and connection charges for gas, heat, light, water, sewer, power, telephone, cable, internet connection, janitorial, trash removal and other utilities or services. If Subtenant, in its sole discretion, determines that the foregoing utilities and services, or any of them, are necessary for its use of the Subleased Property for the City Market, the same shall be instituted and obligated for in the name of the Subtenant, and the Tenant shall have no responsibility whatsoever for the furnishing or cost of the same. In the event electric service is on a joint meter in Tenant's name, Subtenant agrees to reimburse such costs as may be determined by a sub-meter or by a recording of the meter readings before and after City Market events.
- 13. Damage or Destruction of the Leased Property.** During the term of this Sublease Agreement or any extension thereof the Tenant shall have no responsibility for any damage caused to the Subleased Property during the operation of the City Market, except that proximately caused by the negligence or misconduct of the Tenant or its employees or agents. The Subtenant agrees that all property of every kind and description kept, stored or placed on the Subleased Property by the Subtenant shall be at the Subtenant's sole risk.
- 14. Insurance.** Subtenant covenants and agrees that it will, at its own expense and at all times during the term of this Lease and any extension thereof, keep in full force and effect a policy of commercial general liability and property damage insurance with respect to the Subleased Property and the operations of the Subtenant on the Subleased Property with a good and solvent insurance company licensed to do business in the Commonwealth of Virginia. The limits of public liability for bodily injury and property damage shall not be less than One Million and 00/100 Dollars (\$1,000,000.00) per accident, combined single limit.



The Subtenant shall also maintain coverage against loss, damage or destruction by fire and such other hazards as are covered and protected against, at standard rates under policies of insurance commonly referred to and known as "extended coverage", as the same may exist from time to time.

Copies of Subtenant's policies of insurance (or certificates of the insurers) for insurance required to be maintained by the Subtenant shall be provided to Tenant on request.

**15. Default.** Each of the following occurrences relative to the Subtenant shall constitute default:

- a. Failure by the Subtenant in the performance or compliance with any of the terms, covenants, or conditions provided in this Sublease Agreement, which failure continues uncured for a period of sixty (60) days after written notice from the Tenant to the Subtenant specifying the items in default; provided, however, if such failure is of a type that is not reasonably capable of being cured within such sixty (60) day period such sixty (60) day period shall be extended for so long as the Subtenant is making diligent efforts to cure such default;
- b. Failure or refusal by the Subtenant to make the timely payment of rent or other charges due under this Sublease Agreement when the same shall become due and payable, provided the Tenant has given the Subtenant fifteen (15) days written notice of the same;

**16. Assignment.** The Subtenant shall have no right to assign or sublease, in any manner or fashion, any of the rights, privileges or interests accruing to it under this Sublease Agreement to any other individual or entity without the prior written consent of the Tenant, which shall not be unreasonably withheld or delayed.

**17. Surrender.** Upon termination of the Lease, except as the parties may otherwise agree, the Subtenant shall quit and surrender to the Tenant the Subleased Property in substantially its condition as of the Commencement Date, provided that the Subtenant shall remove from the Subleased Property any personal property belonging to the Subtenant or third parties, and at its cost and expense shall repair any damage caused by such removal. Personal property not so removed shall become the property of the Tenant, which may thereafter remove the property and dispose of it. On the termination of this Sublease, the Tenant may, without further notice enter on, reenter, possess and repossess the Subleased Property on days and at times that it would have otherwise been used by the Subtenant for the City Market.

- 18. Right of Entry.** Tenant, or Tenant's agents and designees, shall have the right, but not the obligation, to enter upon the Subleased Property or any part thereof during its use as the City Market, to inspect and examine the same to ensure compliance with the terms of this Sublease Agreement. The Tenant's failure to detect any violation or to notify the Subtenant of any violation shall not relieve the Subtenant of its obligations under the terms of this Lease.
- 19. Waiver.** The waiver by the Tenant of the Subtenant's breach of any term, covenant or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant or condition contained herein. The subsequent acceptance of rent hereunder by the Tenant shall not be deemed to be a waiver of any breach by the Tenant of the Subtenant of any term, covenant or condition of this Sublease regardless of knowledge of such breach at the time of acceptance or payment of such rent. No covenant, term or condition of this Sublease shall be deemed to have been waived by the Tenant or the Subtenant unless the waiver is in writing signed by the party to be charged thereby.
- 20. Entire Agreement.** This Sublease Agreement sets forth all the covenants, promises, agreements, conditions and understandings, between the Tenant and the Subtenant concerning the Subleased Property and there are no covenants, promises, agreements, conditions or understandings either oral or written, between them other than as herein set forth. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Sublease Agreement shall be binding upon the Tenant or the Subtenant unless reduced in writing and signed by them.
- 21. Headings.** The section headings in this Sublease Agreement are inserted only as a matter of convenience and in no way define, limit, construe, or describe the scope or intent of such sections of this Sublease nor in any way affect this Sublease.
- 22. Severability.** If any term, covenant or condition of this Sublease, or the application thereof, to any person or circumstance shall to any extent be invalid or unenforceable the remainder of this Sublease, or the application of such term, covenant, or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant, or condition of this Sublease shall be valid and be enforced to the fullest extent permitted by law.
- 23. Non-Appropriation.** Payment and performance obligations of the Subtenant (City of Charlottesville), beyond the initial year of this Sublease Agreement, are expressly conditioned upon the availability of and appropriation by the City public funds thereafter in each subsequent fiscal year. When public funds are not appropriated or are otherwise



unavailable to support continuation of performance by the City in a subsequent fiscal period, this Sublease Agreement and the City's obligations hereunder shall automatically expire, without liability or penalty to the City. Within a reasonable time following City Council's adoption of a budget, the City shall provide the Tenant with written notice of any non-appropriation or unavailability of funds affecting this Sublease Agreement.

**24. Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

**25. Notices.** Any notice, demand, request, or other instrument which may be, or are required to be given under this Sublease Agreement, shall be in writing and delivered in person or by United States certified mail, return receipt requested, postage prepaid, and shall be address as follows:

If to the City:

John Blair  
Acting City Manager  
605 East Main Street  
Charlottesville, VA 22902

If to the Tenant:

Skyview Parking LLC  
c/o Woodard Properties  
224 14<sup>th</sup> Street NW  
Charlottesville, VA 22903

or at such other address as designated by written notice of a party.

**IN WITNESS WHEREOF**, the Tenant and the Subtenant have signed and sealed this Lease as of the date first above written.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: \_\_\_\_\_

Name: John Blair

Title: Acting City Manager

Date: \_\_\_\_\_


Funds are available:

Approved as to form:

\_\_\_\_\_  
Director of Finance

\_\_\_\_\_  
City Attorney

**SKYVIEW PARKING LLC**

By: 

Name: Keith O. Woodard

Title: Manager

Date: Feb. 3, 2021

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



Agenda Date:	February 16, 2021
Action Required:	Appropriation and Resolution
Presenter:	Erin Atak, Grants Coordinator Tim Motsch, Transportation Project Manager
Staff Contacts:	Erin Atak, Grants Coordinator
Title:	<b>FY2020-2021 CDBG Substantial Action Plan Amendment and Reprogramming 2019 CDBG funds for COVID-19 Public Services.</b>

**Background:**

This agenda item includes a substantial action plan amendment, a public hearing, and corrected budget for the Community Development Block Grant (CDBG), received from the U.S. Department of Housing and Urban Development (HUD). The CARES Act modifies some CDBG program rules and authorizes the Secretary of HUD to grant waivers and alternative requirements. Accordingly, FR-6218-N-01 describes how requirements of the CDBG program are modified for CDBG-CV grants, fiscal year 2020 CDBG grants, and fiscal year 2019 CDBG grants under the Department of Housing and Urban Development Appropriations Act.

On January 14, 2021, the City of Charlottesville was found to be noncompliant, for the second consecutive year, with the CDBG timely expenditure requirements. Nevertheless, in accordance with the Federal Register Notice FR-6218-N-01, Section IV. B. 1., HUD suspended effective January 21, 2020 all corrective actions for timeliness in fiscal year 2020. This suspension has recently been extended through December 31, 2020, and the first three months of the 2021 fiscal year. Based on government restrictions, closures, shelter-in-place orders, and social distancing guidance related to coronavirus, HUD has determined that all entitlement grantees have factors beyond their reasonable control that, to HUD's satisfaction, impact the carrying out of CDBG-assisted activities in a timely manner. Therefore, HUD has determined that corrective actions related to timeliness are not appropriate at this time.

HUD has noted that the City of Charlottesville's lack of timely performance as a deficiency. On January 30, 2020, it was calculated that the City had an adjusted line of credit balance of 2.06 times the annual grant. The City is now subject to the Department's timeliness sanctions policy. HUD will conduct its final timeliness test on the City of Charlottesville on May 2, 2021. HUD and City Staff conducted a concurrent audit of the City CDBG program. HUD has recommended resources to assist the City to reach the May 2, 2021 timeliness deadline.

**Discussion:**

City staff has identified an immediate program for funding to solve the City's timeliness concerns by May 2, 2021. The City has unexpended 2019 CDBG entitlement funds totaling \$244,950.82

from the delayed Belmont Franklin St Sidewalk activity. These funds can be reprogrammed back into the 2020-2021 CDBG program budget to fund a COVID related public service activity. Future CDBG funding sources can later repay the Belmont Franklin St. Sidewalk construction activity.

To meet timeliness deadlines by May 2, 2021, reprogrammed funds must be spent down within the next three-month period. Charlottesville Redevelopment and Housing Authority's (CRHA) CDBG-CV3 previously partially funded application requested \$320,000 CDBG-CV3 dollars to fund a COVID rental relief program for CRHA residents. Staff and HUD have identified CRHA's covid rental relief application as an eligible activity for the City to quickly spend funds to meet timeliness requirements. CRHA's application went through the public participation process, received recommendation for funding from the CDBG/HOME Taskforce and Planning Commission, which allows the City to save time from having to undergo a new round of request for proposals.

City Staff has confirmed with CRHA staff on CDBG timeliness requirements to ensure HUD federal requirements will be met. Funds are proposed to provide immediate COVID-19 rental assistance to public housing residents to cover rental payments for a three period.

**Community Engagement:**

Members of the public were given the opportunity to voice their opinions during the HUD authorized expedited 5-day public comment period between February 1, 2021 through February 5, 2021; and at the virtual public hearing at City Council on February 16, 2021. HUD authorized an expedited 5-day public comment period on April 2, 2020 to prevent, prepare for, and respond to the coronavirus with the goal to quickly appropriate funds to eligible activities.

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

Approval of this agenda item aligns directly with Council's vision for Charlottesville to have **Economic Sustainability, A Center for Lifelong Learning, Quality Housing Opportunities for All, and A Connected Community**. It contributes to variety of Strategic Plan Goals and Objectives including: Goal 1: Inclusive, Self-sufficient Community; Goal 3: Beautiful Environment; Goal 4: Strong, Diversified Economy; and Goal 5: Responsive Organization.

**Budgetary Impact:**

Proposed CDBG projects will be carried out using only the funds to be received by the City of Charlottesville from the U.S. Department of Housing and Urban Development (HUD) for the City's CDBG program. There will be no impact to the City of Charlottesville budget.

**Recommendation:**

Staff recommends approval of the CDBG budgets, as well as approval of the substantial 2020-2021 Action Plan Amendment of the 2018-2022 Consolidated Plan.

**Alternatives:** No alternatives are proposed.

**Attachments:**

- A. HUD's *Quick Guide to Eligible CDBG Activities to Support Coronavirus and Other Infectious Disease Response*
- B. HUD's *Second Year Noncompliance with Timely Expenditure Requirements; Community Development Block Grant (CDBG) Program*
- C. Appropriation: Reprogramming 2019 CDBG Funds
- D. Resolution: Substantial Action Plan Amendment



- E. Summary of CDBG-CV3 RFPs submitted
- F. CDBG-CV3 RFP Scoring Template
- G. Minutes from CDBG Task Force meetings

**APPROPRIATION OF FUNDS FOR  
THE CITY OF CHARLOTTESVILLE'S 2020-2021  
CDBG COVID RENTAL RELIEF**

**WHEREAS**, the City of Charlottesville previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, it now appears that these funds have not been spent in a timely manner and need to be reprogrammed as measured by the rate of expenditure of funds from the grantee's line of credit (LOC) in accordance to 24 CFR 570.902(a); and

**WHEREAS**, the City Manager is hereby authorized to transfer funds between among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations; and

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Fund</b>	<b>Internal Order</b>	<b>Program</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>G/L Account</b>
218	1900332	Belmont 19/20	\$244,950.82		530670
218	1900399	CRHA Covid Rental Assistance		\$244,950.82	530670

Approved by Council  
February 16, 2021

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

**RESOLUTION**  
**Approval of FY 2020-2021 Substantial Action Plan Amendment**

**BE IT RESOLVED** that the Charlottesville City Council hereby approves the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. The reprogrammed 2019 CDBG budget will be added into the 2020-2021 Annual Action Plan for covid relief public service activities. No changes to the HOME budget will be made at this time.

Approved by Council  
February 16, 2021

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Kyna Thomas, CMC  
Clerk of Council

## Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response

### REVISED April 6, 2020

Grantees should coordinate with local health authorities before undertaking any activity to support state or local pandemic response. Grantees may use Community Development Block Grant (CDBG) funds for a range of eligible activities that prevent and respond to the spread of infectious diseases such as the coronavirus.

### Examples of Eligible Activities to Support Coronavirus and Other Infectious Disease Response

<i>For more information, refer to applicable sections of the Housing and Community Development Act of 1974 (for State CDBG Grantees) and CDBG regulations (for Entitlement CDBG grantees).</i>	
<b>Buildings and Improvements, Including Public Facilities</b>	
Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements. <i>See section 105(a)(2) (42 U.S.C. 5305(a)(2)); 24 CFR 570.201(c).</i>	Construct a facility for testing, diagnosis, or treatment.
	Rehabilitate a community facility to establish an infectious disease treatment clinic.
	Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment.
Rehabilitation of buildings and improvements (including interim assistance). <i>See section 105(a)(4) (42 U.S.C. 5305(a)(4)); 24 CFR 570.201(f); 570.202(b).</i>	Rehabilitate a commercial building or closed school building to establish an infectious disease treatment clinic, e.g., by replacing the HVAC system.
	Acquire, and quickly rehabilitate (if necessary) a motel or hotel building to expand capacity of hospitals to accommodate isolation of patients during recovery.
	Make interim improvements to private properties to enable an individual patient to remain quarantined on a temporary basis.
<b>Assistance to Businesses, including Special Economic Development Assistance</b>	
Provision of assistance to private, for-profit entities, when appropriate to carry out an economic development project. <i>See section 105(a)(17) (42 U.S.C. 5305(a)(17)); 24 CFR 570.203(b).</i>	Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease.
	Avoid job loss caused by business closures related to social distancing by providing short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons.
Provision of assistance to microenterprises. <i>See section 105(a)(22) (42 U.S.C. 5305(a)(22)); 24 CFR 570.201(o).</i>	Provide technical assistance, grants, loans, and other financial assistance to establish, stabilize, and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine.

Provision of New or Quantifiably Increased Public Services	
<p>Following enactment of the CARES Act<sup>1</sup>, the public services cap<sup>2</sup> has no effect on CDBG-CV grants and no effect on FY 2019 and 2020 CDBG grant funds used for coronavirus efforts.</p> <p><i>See section 105(a)(8) (42 U.S.C. 5305(a)(8)); 24 CFR 570.201(e).</i></p>	Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
	Provide testing, diagnosis or other services at a fixed or mobile location.
	Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
	Provide equipment, supplies, and materials necessary to carry-out a public service.
	Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
Planning, Capacity Building, and Technical Assistance	
<p>States only: planning grants and planning only grants.</p> <p><i>See section 105(a)(12).</i></p>	Grant funds to units of general local government may be used for planning activities in conjunction with an activity, they may also be used for planning only as an activity. These activities must meet or demonstrate that they would meet a national objective. These activities are subject to the State's 20 percent administration, planning and technical assistance cap.
<p>States only: use a part of to support TA and capacity building.</p> <p><i>See section 106(d)(5) (42 U.S.C. 5306(d)(5)).</i></p>	Grant funds to units of general local government to hire technical assistance providers to deliver CDBG training to new subrecipients and local government departments that are administering CDBG funds for the first time to assist with infectious disease response. This activity is subject to the State's 3 percent administration, planning and technical assistance cap.
<p>Entitlement only: data gathering, studies, analysis, and preparation of plans and the identification of actions that will implement such plans. <i>See 24 CFR 570.205.</i></p>	Gather data and develop non-project specific emergency infectious disease response plans.

### Planning Considerations

Infectious disease response conditions rapidly evolve and may require changes to the planned use of funds:

- CDBG grantees must amend their Consolidated Annual Action Plan (Con Plan) when there is a change to the allocation priorities or method of distribution of funds; an addition of an activity not described in the plan; or a change to the purpose, scope, location, or beneficiaries of an activity (24 CFR 91.505).
- If the changes meet the criteria for a "substantial amendment" in the grantee's citizen participation plan, the grantee must follow its citizen participation process for amendments (24 CFR 91.105 and 91.115).
- Under the CARES Act, CDBG grantees may amend citizen participation and Con Plans concurrently in order to establish and implement expedited procedures with a comment period of no less than 5-days.

### Resources

The Department has technical assistance providers that may be available to assist grantees in their implementation of CDBG funds for activities to prevent or respond to the spread of infectious disease. Please contact your local CPD Field Office Director to request technical assistance from HUD staff or a TA provider.

- Submit your questions to: [CPDQuestionsAnswered@hud.gov](mailto:CPDQuestionsAnswered@hud.gov)
- Coronavirus (COVID-19) Information and Resources: <https://www.hud.gov/coronavirus>
- CPD Program Guidance and Training: <https://www.hudexchange.info/program-support/>

<sup>1</sup> On March 27, 2020, President Trump approved the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) (CARES Act). The CARES Act makes available \$5 billion in CDBG coronavirus response (CDBG-CV) funds to prevent, prepare for, and respond to coronavirus.

<sup>2</sup> Section 105(a)(8) of the HCD Act caps public service activities at 15 percent of most CDBG grants. Some grantees have a different percentage cap.

## U. S. Department of Housing & Urban Development



Richmond Field Office  
Community Planning & Development Division  
600 E. Broad Street, 3<sup>rd</sup> Floor  
Richmond, VA 23219-1800  
1-800-842-2610

January 14, 2021

Mr. Alexander Ikefuna  
Director  
Department of Neighborhood Planning and Development  
City of Charlottesville  
P.O. Box 911  
Charlottesville, VA 22902

Dear Mr. Ikefuna:

SUBJECT: Second Year Noncompliance with Timely Expenditure Requirements;  
Community Development Block Grant (CDBG) Program

The purpose of this letter is to advise you that the City of Charlottesville is not carrying out its Community Development Block Grant (CDBG) program in a timely manner and is non-compliant, for the second consecutive year, with the CDBG timely expenditure requirements. Nevertheless, in accordance with the Federal Register Notice FR-6218-N-01, ***Program Rules, Waivers, and Alternative Requirements Under the CARES Act for Community Development Block Grant Program Coronavirus Response Grants, Fiscal Year 2019 and 2020 Community Development Block Grants, and for Other Formula Programs***, (hereinafter, the "Notice"), Section IV. B. 1., HUD suspended, effective January 21, 2020, all corrective actions for timeliness in fiscal year 2020. This suspension has recently been extended through December 31, 2020, the first three months of the 2021 fiscal year. Based on government restrictions, closures, shelter-in-place orders, and social distancing guidance related to coronavirus, HUD has determined that all entitlement grantees have factors beyond their reasonable control that, to HUD's satisfaction, impact the carrying out of CDBG-assisted activities in a timely manner. Therefore, HUD has determined that corrective actions related to timeliness are not appropriate at this time.

The remainder of this letter will detail this condition and recommended actions for the City of Charlottesville to take to address this noncompliance.

City of Charlottesville has a July 1, 2020 Program Year Start Date. When the 60-day test was conducted on December 3, 2020 it was calculated that your community had an adjusted line of credit balance of 2.50 times its annual grant. In accordance with the Notice, HUD is noting

this lack of timely performance as a deficiency. HUD did, however, send a CDBG timeliness warning letter to the City of Charlottesville in fiscal year 2019. When the 60-day test was conducted on January 30, 2020, it was calculated that your community had an adjusted line of credit balance of 2.06 times its annual grant. In that February 4, 2020, HUD found the City of Charlottesville to be in non-compliance with the CDBG program timely performance requirements and stated that it was now subject to the Department's timeliness sanctions policy. While HUD is suspending all corrective actions and sanctions pursuant to the Notice, continued noncompliance in succeeding program years may result in a sanction based on the February 4, 2020, warning letter. Before December 31, 2020, HUD will determine whether to further extend this corrective action suspension for all or additional portions of fiscal year 2021. HUD may consider regional and local conditions when determining when to begin scheduling informal consultations.

As before, HUD wants to alert you to the following four resources, a technical assistance video along with three brochures located on the HUD Exchange website, that are available to assist you in your efforts to comply with HUD's timeliness standards:

- **[“CDBG Timeliness and Best Practices to Achieve Timely Performance,”](https://www.youtube.com/watch?v=6z4wdiKJPG8&feature=youtu.be)**  
<https://www.youtube.com/watch?v=6z4wdiKJPG8&feature=youtu.be>
- **[“Developing and Implementing a CDBG Workout Plan,”](https://www.hudexchange.info/resources/documents/developing-and-implementing-a-cdbg-workout-plan.pdf)**  
<https://www.hudexchange.info/resources/documents/developing-and-implementing-a-cdbg-workout-plan.pdf>
- **[“Keeping Your CDBG Funds Moving,”](https://www.hudexchange.info/resources/documents/Keeping-Your-CDBG-Funds-Moving-Guide.pdf)** and <https://www.hudexchange.info/resources/documents/Keeping-Your-CDBG-Funds-Moving-Guide.pdf>
- **[“Ensuring CDBG Subrecipient Timeliness.”](https://www.hudexchange.info/resources/documents/Ensuring-CDBG-Subrecipient-Timelines.pdf)**  
<https://www.hudexchange.info/resources/documents/Ensuring-CDBG-Subrecipient-Timelines.pdf>

These resources provide guidance for keeping your CDBG program timely and will strengthen your community's program management capacity.

By way of final reminder, HUD notes, pursuant to Section III.B.7. (b) of the Notice, that CDBG-CV funds are not included in determining compliance with CDBG timely expenditure requirements. Pursuant to Section III.B.6. (a) of the Notice, however, program income generated by the use of CDBG-CV funds is treated as program income to a grantee's annual formula CDBG program. Therefore, program income generated from CDBG-CV activities will be included in timely expenditure compliance determinations for each grantee's annual formula CDBG program. Grantees should consider the potential effects of additional program income on compliance with timeliness requirements applicable to their annual formula CDBG grant program when they select, and design CDBG-CV assisted activities.

HUD appreciates the many efforts made by our grantees to continue carrying out their programs during this challenging time. My staff and I remain available to assist you in any way possible to help you achieve the timeliness standard in the future. Should you have any questions pertaining to this matter, please contact me at 202 422-0021. Staff requiring any technical assistance should contact Carolyn Meyers, Senior CPD Representative, at (804) 822-4828.

Sincerely,

Ronnie J. Legette  
Director

cc:  
Erin Atak  
CDBG Grants Coordinator



## CDBG-CV3 + CDBG + HOME RFP Submissions

CDBG-CV3	Organization, Program Title		Project Contact	Program Description	Funding Requested		
	Public Service	Pearl Transit	Jael Watts	24-hr Transportation and Non-perishable Food Delivery	\$	132,384.00	
		Habitat for Humanity	Ruth Stone	COVID Response Program	\$	90,000.00	
		Charlottesville Redevelopment Housing Authority	Kathleen Glenn-Matthews	CRHA Eviction Diversion Program	\$	320,000.00	
	Econ	Community Investment Collaborative (CIC)	Stephen Davis	COVID Response Microenterprise Assistance	\$	130,970.00	
	Total Amount of Request (Public Services)		\$ 542,384.00	Total Amount of Request (Econ)		\$ 130,970.00	
	Total Projected Budget (Public Services)		\$ 134,009.60	Total Projected Budget (Econ)		\$ 134,009.60	
	Request Overage (Public Services)		\$ (408,374.40)	Request Overage (Econ)		\$ (3,039.60)	
CDBG	Econ	Organization, Program Title		Project Contact	Program Description	Funding Requested	
		Local Energy Alliance Program (LEAP)		Chris Meyer	Assisted Home Performance Workforce Development	\$	29,238.00
		Community Investment Collaborative (CIC)		Stephen Davis	Financial Management Program	\$	15,000.00
		Total Amount of Request				\$	44,238.00
		Total Projected Budget				\$	61,294.28
		Request Overage				\$	(17,056.28)
CDBG	Public Services (15% Cap)	Organization, Program Title		Project Contact	Program Description	Funding Requested	
		Public Housing Association of Residents (PHAR)		Brandon Collins	Resident Involved Redevelopment	\$	34,000.00
		Literacy Volunteers			Beginning Level Workforce Development		
		Charlottesville/Albemarle		Ellen Osborne	Tutoring	\$	25,000.00
		Total Amount of Request				\$	59,000.00
		Total Projected Budget				\$	62,905.05
Request Overage				\$	(3,905.05)		
CDBG	Housing	Organization, Program Title		Project Contact	Program Description	Funding Requested	
		Local Energy Alliance Prorgam (LEAP)		Chris Meyer	Cville Low-Income Assisted Home Performance	\$	57,000.00
		Total Amount of Request				\$	57,000.00
		Total Projected Budget				\$	61,294.28
		Request Overage				\$	(4,294.28)
HOME	Organization, Program Title		Project Contact	Program Description	Funding Requested		
	Local Energy Alliance Program (LEAP)		Chris Meyer	Cville Low-Income Assisted Home Performance	\$	57,000.00	
	Habitat for Humanity		Ruth Stone	Affordable Housing Downpayment Assistance	\$	24,000.00	
	Albemarle Housing Improvement Program (AHIP)		Cory Demchak	Charlottesville Critical Rehab Program	\$	80,594.00	
	Total Amount of Request				\$	161,594.00	
	Total Projected Budget				\$	80,594.00	
	Request Overage				\$	(81,000.00)	

CDBG-CV3	Applicant	Score	Funding request		TF Recommendation 1
	CRHA	37.3	\$	320,000.00	\$ 91,485.94
	Habitat	37.8	\$	90,000.00	\$ 45,563.26
	Pearl Transit	26.75	\$	132,384.00	\$ -
	CIC (ECON)	34.2	\$	130,970.00	\$ 130,970.00
	Total Amount Requested (ps)		\$	542,384.00	\$ 137,049.20
	Total Amount Requested (econ)		\$	130,970.00	
	Total projected Budget (econ)		\$	134,009.60	
	Total projected Budget (ps)		\$	134,009.60	
	Request Overage (ps)		\$	(408,374.40)	
	Requested Overage (econ)		\$	3,039.60	



CDBG Econ	Applicant	Score	Funding request		TF Recommendation 1
	LEAP	29.3	\$	29,238.00	\$ 29,238.00
	CIC	34.2	\$	15,000.00	\$ 32,056.28
	Total Amount Requested		\$	44,238.00	\$ 61,294.28
	Total projected Budget		\$	61,294.28	
	Request Overage		\$	17,056.28	

CDBG Public Services	Applicant	Score	Funding request		TF Recommendation 1
	PHAR	39.33	\$	34,000.00	\$ 34,000.00
	LVCA	39.33	\$	25,000.00	\$ 25,000.00
	Total Amount Requested		\$	59,000.00	\$ 59,000.00
	Total projected Budget (15%)		\$	62,905.05	
	Request Overage		\$	3,905.05	

CDBG Housing	Applicant	Score	Funding request		TF Recommendation 1
	LEAP	36.5	\$	57,000.00	\$ 65,199.32
	Total Amount Requested		\$	57,000.00	\$ 65,199.32
	Total projected Budget		\$	61,294.28	
	Request Overage		\$	4,294.28	

HOME	Applicant	Score	Funding request		TF Recommendation 1
	Habitat	37.67	\$	24,000.00	\$ 24,000.00
	AHIP	33.67	\$	80,594.00	\$ 37,352.00
	LEAP	36.5	\$	57,000.00	\$ 19,242.00
	Total Amount Requested		\$	161,594.00	\$ 80,594.00
	Total projected Budget		\$	80,594.00	
	Request Overage		\$	(81,000.00)	

## SCORING RUBRIC FOR CDBG-CV3/CDBG/HOME GRANT PROPOSALS



**Name of Applicant:**

**Name of Project:**

	<b>Exemplary (3 Points)</b>	<b>Adequate (2 Points)</b>	<b>Needs Improvement (1 Point)</b>	<b>Missing Information (0 Points)</b>	<b>Score</b>	<b>Comments</b>
<b>Program/Project Description</b>	Provides a clear description and clearly explains how it will address a Council Priority	Provides a description that adequately explains how it will address a Council Priority	Program/project description needs improvement	Proposal does not describe how it will address a Council Priority		
<b>Program/Project Goal</b>	Provides a clear explanation of the goal. Identifies what will be provided to whom, how many. Provides demographic information of the beneficiaries and how they will meet the income guidelines	Provides an adequate explanation of the goal	Program/Project goal needs improvement. Barely identifies what will be provided to whom and how many. Barely provides demographic information and how the beneficiaries will meet the income guidelines	Goal is missing and/or not explained. Identification of beneficiaries, number of beneficiaries, demographic information, and information about how the beneficiaries will meet the income guidelines is missing		
<b>Need</b>	Clearly describes how the program will directly address the needs.	Adequately describes how the program will directly address the needs using some local	Description of need needs improvement. Only state, regional, or national data	Does not describe how the program will directly address the needs and/or		

	Provides local data to describe the needs of the community <u>and</u> the beneficiaries	data to describe the needs of the community <u>and</u> the beneficiaries	provided, data not specific to clients	does not provide data to describe the needs of the community and the beneficiaries		
<b>Outcomes</b>	Clearly explains how proposed outcomes will be meaningful, client-focused and related to the service	Adequately explains how proposed outcomes will be meaningful, client-focused and related to the service	Explanation of how proposed outcomes will be meaningful, client-focused and related to the service needs improvement	Does not explain how proposed outcomes will be meaningful, client-focused and/or related to the service		
<b>Strategies</b>	Provides evidence-based strategies for how the program/project will address the need	Adequately describes how strategies address need using researched best practices strategies at a minimum	Describes how strategies address need without information about best practices or research	Does not identify how strategies directly address need		
<b>Implementation Timeline</b>	Timeline is detailed and realistic	Timeline is adequate	Timeline is limited or not realistic	No timeline provided and information is missing		
<b>Evaluation Plan</b>	Provides a rigorous evaluation plan which informs ongoing work, explains metrics and why they are used	Provides a solid evaluation plan	Evaluates some elements of its work, but the evaluation is not thorough	Proposal does not provide an evaluation plan or the plan is insufficient		
<b>Demographic Verification</b>	Proposal clearly describes how the agency will collect and verify <u>all</u> required information	Proposal adequately describes how the agency will collect and verify all required information	Proposal describes how the agency will collect and verify <u>some</u> required information	Proposal does not describe how the agency will collect and verify any required information		

<b>Financial Benefits</b>	Proposal describes how the program fully meets two financial benefits	Proposal describes how the program fully meets one financial benefit	Proposal describes how the program <u>partially</u> meets one to two financial benefits	Proposal does not describe how the program will provide a financial benefit		
<b>Collaboration</b>	Proposal describes how the program collaborates with other organizations to achieve a common goal using defined deliverables and metrics (ex. Clear accountability, shared management, such as MOU's or formal partnership agreements)	Proposal describes formal agreements with more than two organizations describing how they cooperate, but does not share common deliverables or metrics.	Proposal describes collaboration informally with other organizations (ex. information sharing, resource sharing)	Proposal does not describe collaboration with other entities		
<b>Engagement/ Outreach Strategy</b>	Proposal describes complete outreach and engagement strategies and explains how it will serve needy and underserved populations	Proposal describes some outreach and engagement strategies and how it will serve needy and underserved populations	Proposal explains that services are available to needy and underserved populations but program/project does not conduct outreach or engagement	Proposal does not provide strategies for outreach and engagement to needy and underserved populations		
<b>Priority Neighborhood Ridge Street</b>	Proposal describes complete outreach strategies and program/project serves residents in the Priority Neighborhood	Proposal describes some outreach and program/project serves residents in the Priority Neighborhood	Proposal explains that services are available to priority neighborhood residents but program/project does not conduct outreach	Proposal does not provide strategies for outreach to priority neighborhood residents		

<b>Organizational Capacity</b> (STAFF ONLY – <b>not included</b> in scoring)	Organization demonstrated sufficient capacity and fully met projected outcomes in previous grant year	Organization demonstrated adequate capacity and almost met projected outcomes in previous grant year	Organization capacity needs improvement, did not meet projected outcomes	The organization demonstrated a lack of a capacity		
<b>Outstanding Funding</b> (STAFF ONLY – <b>included</b> in scoring)	Organization expended all previous grant funding or is a new applicant with no prior CDBG/HOME/CDBG-CV dollars unspent.			Organization has been awarded grant funding from prior fiscal years and has been unable to spend all the funding.		
<b>Organizational Capacity</b>	Proposal provides clear evidence of the capacity and ability to ensure timely performance and reporting	Proposal provides adequate evidence of the capacity and ability to ensure timely performance and reporting	Evidence of capacity and ability needs improvement. Does not address the question fully	Proposal does not provide evidence of the capacity and ability		
<b>Budget</b>	Proposal clearly demonstrates: <b>A.</b> How requested funds will be applied to expense line items <b>B.</b> How the amount requested is reasonable <b>C.</b> That the overall program budget shows a direct	Proposal provides an adequate budget. Adequately addresses A, B, and C	Proposed budget needs improvement and barely addresses A, B, and/or C. Proposed budget needs improvement.	The proposal does not demonstrate how the requested funds will be applied to expense line items, how the amount requested is reasonable, and does not show a direct relationship with proposed service items		

	relationship with proposed service items					
TOTAL SCORE (MAX SCORE = 45 PTS)						



## **CDBG Taskforce and SAT Subcommittee Meeting Minutes**

Thursday, November 12th, 2020

3:30-5:30 PM

Virtual Meeting

### **AGENDA**

1. Introductions/Housekeeping/Minutes
  - a. SAT Committee 3:30-4:15pm
  - b. CDBG Taskforce: 4:15-5:30pm
2. Review Application Scores & Create proposal budget.
  - a. CDBG-CV3 2020-2021
  - b. CDBG 2021-2022
  - c. HOME 2021-2022
3. Other Business
4. Public Comment

### **Staff Contact:**

Erin Atak, Grants Coordinator (atake@charlottesville.gov), (434) 970-3093



## **CDBG Strategic Action Team (SAT) Minutes**

### **ATTENDANCE:**

<b>Taskforce Member</b>	<b>Present</b>	<b>Absent</b>
Sue Moffett	X	
Kelley Logan	X	
Letitia Shelton		X
Gretchen Ellis	X	
Diane Kuknyo	X	
Erin Atak	X	

### **SAT Minutes**

Grants Coordinator Erin Atak (EA) outlines the pre-application technical assistance process for the CDBG, HOME, and CDBG-CV3 grants. All applicants underwent an application workshop and a CDBG/HOME grant workshop session to review how to complete the web application, and the federal requirements for CDBG/HOME/CDBG-CV3.

12 applicants were met with during the mandatory technical assistance pre-application submittal phase, 8 applications were submitted for review.

EA states that one change was made to the coring rubric for all applications. This was to address the HUD timeliness requirement, (24CFR 570.902(a)). Applicants were told during the technical assistance meetings that applicants with outstanding CDBG and HOME funds may not be receiving as strong of a consideration in this review process. This change helps the City and subrecipients stay in compliance with HUD timeliness requirements and promote new applicants to join the CDBG and HOME application process.

EA states to the SAT members that they have the option to fully fund the CDBG econ applications, partially fund the applications, fund one application or not the other, or fund none of the applications.

Gretchen Ellis (GE) asks if the committee can fund an applicant more than what was requested.

EA: Yes – the Taskforce can check with Community Investment Collaborative and Local Energy Alliance Program staff in the audience to see whether they would be able to manage additional funds.

GE: Poses the question of whether the grants being awarded to microenterprises through CIC's application could be increased as we have been in this COVID state for an expended period of time – increasing the grant among would benefit businesses more.

CIC Staff member Anna speaks with the Taskforce and states that CIC would be able administer larger grants and could manage extra funding and could also help more businesses at the same small grant threshold depending on how the Taskforce decided.

GE makes a recommendation to move some of the CDBG econ overage funding into the CIC econ funding recommendation.

Sue Moffett (SM) states that she had difficulty with the LEAP application as there was an absence of data making it hard to measure effectiveness of the project aside from reviewing the purpose of the project.

GE: Poses a question for LEAP about whether that have previous experience with working with previously incarcerated individuals transition to the workforce. GE also mentions that LEAP's application is more focused in the target neighborhood.

Chris Meyer from LEAP addresses GE's questions, states they have experience with working with Home to Hope individuals. States that this is one strategy to build a workforce.

Diane Kuknyo (DK) asks Chris Meyer about whether the homes benefiting from the program will be rental properties with wealthy homeowners or low-income homeowners.

Chris Meyer from LEAP addresses DK's concern and states that this program will benefit low-income homeowners.

GE moves to fully funding LEAP and to funding CIC at the full amount along with adding the \$17,000 overage to CIC so that CIC could increase the number of microloans to the proposed businesses.

Kelly Logan (KL) seconds.

Moving to CDBG-CV3 Econ category

EA explains that the SAT members only review the economic development applications while the CDBG/HOME Taskforce review the public service and housing applications in accordance to the CDBG Citizen Participation Plan.

GE moves to fund CIC CDBG-CV3 application at the full \$130,970.00

SM seconds.

*SAT recommends the final budget:*

**CDBG Econ**  
LEAP \$29,238

CIC \$32,056.28

**CDBG-CV3**

CIC \$130,970

SAT Committee is Adjourned.

**CDBG/HOME Taskforce Minutes**

**ATTENDANCE:**

<b>Taskforce Member</b>	<b>Present</b>	<b>Absent</b>
James Bryant	X	
Tanea Dowell	X	
Howard Evergreen	X	
<i>Belmont Rep: VACANT</i>		X
Nancy Carpenter		X
Emily Cone-Miller	X	
Matthew Gillikin	X	
Kem Lea Spaulding	X	
Helen Kimble	X	
Erin Atak	X	

**CDBG Minutes**

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EA states that one change was made to the coring rubric for all applications. This was to address the HUD timeliness requirement, (24CFR 570.902(a)). Applicants were told during the technical assistance meetings that applicants with outstanding CDBG and HOME funds may not be receiving as strong of a consideration in this review process. This change helps the City and subrecipients stay in compliance with HUD timeliness requirements and promote new applicants to join the CDBG and HOME application process.

EA states that the SAT committee members made the funding recommendations for the econ applications.

CDBG Taskforce begins to review the CDBG public services applications

Howard Evergreen (HE) asks about how the taskforce can allocate the overage in public services

EA states that the overage can be directed toward another application in housing that may need it or be directed toward the Ridge Street Priority Neighborhood budgeted at \$150,000.

Kem Lea Spaulding (KLS) asks what is needed of the taskforce today.

EA explains that the Taskforce has the option to either fully fund, partially fund, or not fund the applicants, funds can also be moved to the Ridge Street priority neighborhood taskforce and to housing as needed.

Matthew Gillikin (MG) makes a funding recommendation to fully fund PHAR (\$34,000) and LVCA (\$25,000). MG states both applicants received the same score and fit within the 15% funding cap.

Tanea Dowell (TD) seconds.

HE, KLS, and James Bryant (JB) also agreed.

KLS asks whether all the applications presented today are providing services only for the Ridge Street priority neighborhood.

EA explains that the grant is not exclusive to the Ridge street priority neighborhood. Some applicants are providing services within the target neighborhood, and others are providing services to City residents. The Ridge Street Priority neighborhood portion of the CDBG grant focuses solely in Ridge Street.

Emily Cone Miller (ECM) and MG make a funding recommendation to fully fund LEAP (\$57,000).

JB, TD, and HE second.

KLS asks whether LEAP is hiring Ridge Street residents for the job training program.

Chris Meyer from LEAP addresses this question, staff members come through the Home to Hope program. LEAP is asking for various funds from the CDBG econ and CDBG housing and HOME to service homes with energy efficiency improvements.

MG asks whether funds from the CDBG-CV3 could be moved to different funding categories.

EA answers that CDBG-CV3 is a separate grant and that those funds would need to remain separate from the CDBG and HOME.

HE and MG discuss briefly that Habitat for Humanity submitted two different applications for CDBG-CV3 and HOME, unlike LEAP who submitted the same application for multiple sources of funding. HE explains that Habitat applied for down payment assistance through the HOME grant and applied for a COVID relief rent/mortgage relief program through CDBG-CV3.

TD states a concern that she believes Habitat recruited only members through the Homeownership program.

Ruth Stone from Habitat addresses TD's question and states that the pathways to housing program through Habitat produces an applicant pool that needs financial empowerment that can be aided with CDBG and HOME.

MG makes one funding recommendation to fully fund Habitat (\$24,000) and give the remainder of the budget to AHIP.

HE ask if Habitat has outstanding funds.

EA states that a reasoning would need to be given to HUD as to why the City continues to re-award organizations with outstanding funds dating back to 2018. EA states that Habitat has outstanding down payment funds totaling \$14,813.52.

HE states that AHIP's proposal is to complete one home. Partially funding this application might make this hard to accomplish. He adds that LEAP's application aims to help more people with the funding requested.

TD agrees with HE's comments, and states that Habitat has not spent all the prior funding and is leveraging to complete said projects with some of the other projects that were funded earlier.

Cory Demchak from AHIP typically helps 10-20 homes with federal funds and assisting 1 home eliminates a lot of the admin work.

HE asks LEAP how partially funding their HOME application would affect their program.

Chris Meyer from LEAP states that a partial funding would reduce the number of homes that would get addressed.

The Taskforce moves to vote fully funding Habitat for Humanity (\$24,000).

HE asks EA whether this will work with the unspent funds.

EA states that if the Taskforce moves to recommend fully funding an application, an explanation will be given to HUD. The main concern is addressing the unspent funds with HUD and avoiding having subrecipients having to pay back HUD.

TD asks whether COVID-19 has affected projects.

EA states yes.

Emily Cone Miller (ECM) asks whether HOME funds could get moved to another funding category.

EA states that HOME funds need to remain in HOME (No).

MG makes a funding recommendation to fully fund Habitat (\$24,000) again. MG points out that the AHIP total rehab costs was over \$200,000 and that funding the proposal regardless of the amount would only assist partially.

ECM proposes funding LEAP the remaining 1/3 of the funds, and AHIP with the remaining 2/3 funds.

HE asks if AHIP received partial funding, would this affect the project?

Cory Demchak from AHIP states that receiving partial funding could affect this project specifically, but AHIP could switch to providing homeowner rehabs within the Ridge Street Neighborhood if that was the case.

Helen Kimble (HK) makes a funding recommendation to fund AHIP at 2/3 of the remaining HOME funds and fund LEAP with 1/3 of the remaining funds.

HE adds that the taskforce move to take the overage from the public services and housing category and place it into the LEAP application as they are not receiving full funding in the HOME category.

Taskforce approves: AHIP (\$37,352), LEAP (19,242) for HOME.

*Taskforce begins to review CDBG-CV3*

MG states that based on the scoring the fund should be divided between CRHA and Habitat. Pearl Transit's application scored significantly lower than the other two.

Members of the Taskforce state that the lack of clarity within the application poses concern.

MG asks if CRHA would be able to accomplish their activity on partial funding.

Kathleen Glen Matthews from CRHA states that the organization can scale back the scope of work offered within the application and pursue other sources of funding.

MG states that the rental assistance portion of the CRHA application was the most appealing given the current health crisis.

John Sales from CRHA speaks with the Taskforce about the eviction diversion program.

JB asks John about the role of the Housing Stabilization Coordinator.

John states that this role would work directly with families to work on repayment agreements and affordability.

JB states that homeowner eviction education during this time is a priority.

The Taskforce discusses on the CRHA application and the Habitat for Humanity covid application.

EA reminds the Taskforce that splitting up funds between organizations means less of the scope of work for both organizations would get accomplished, regarding CRHA and Habitat's application.

HE proposes splitting the funds between the two organizations (CRHA and Habitat). The funding recommendation is made that Habitat and CRHA both receive \$67,004.80.

ME mentions that he does not mind splitting the funds between the organizations and suggests that CRHA prioritize emergency rental relief.

Taskforce members discuss whether the funding recommendation should change.

TD proposes of funding CRHA with 2/3 of the public services covid funding, and the remaining 1/3 of the funding would be recommended to Habitat. TD explains that Habitat received funds in the HOME category.

TD also proposes to move the overage of econ funds to CRHA CDBG-CV3 application as there are no outstanding grant funds unspent with this applicant.

HE agrees.

Taskforce discusses on whether to split the public services funding evenly between CRHA and Habitat, or to divide it into thirds.

EA reminds the Taskforce that HUD needs justification from the Taskforce as to why the committee is recommending awarding an organization with outstanding grant funds.

Taskforce members move to fund CRHA with \$91,485.94 and fund Habitat \$45,563.26. CRHA was recommended to receive the funding overage.

Meeting Adjourned.



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



Agenda Date:	February 16, 2021
Action Required:	Local COVID Ordinance: Amend or Repeal
Presenter:	Lloyd Snook, City Councilor
Staff Contacts:	Lisa Robertson, Chief Deputy/Acting City Attorney
Title:	<b>Local COVID Ordinance-Status Review</b>

**Background:**

The Charlottesville City Council has enacted a local ordinance to prevent the spread of the Novel Coronavirus (“Covid 19”), pursuant to authority set forth in Section 14 of the City Charter. Previously, on December 10, 2020 City Council amended its local ordinance to bring it into closer conformance with the Executive Orders issued by the Governor of Virginia, including an amendment designed to utilize the Governor’s restriction as to the permissible size of a “gathering”. As part of the December 10, 2020 amendment, the local ordinance specified that Council’s local restrictions are intended to supplement the Governor’s Executive Orders. City Council retained local restrictions on the numbers of persons allowed at food establishments, and maintained a broader definition of the term “gatherings” than that utilized by the Governor. Additionally, the City’s local ordinance requires a warning to be given to a property owner or tenant prior to enforcing any state-imposed restrictions on the size of a “gathering”.

**Discussion:**

Recently City Council has been receiving requests from City residents to allow recreational team sports activities to commence within the City, without being subject to the Governor’s restrictions on the size of a “gathering”. (The City’s ordinance defines a “gathering” to include any *sporting event*.)

The term *sporting event* is not part of the Governor’s definition of a “gathering”. The Governor’s Executive Order carves out a category for “Recreational Sports” which are not covered by the Governor’s restrictions as to the size of a gathering. Youth sports are lawfully taking place within the County, and on some privately controlled fields within the City, under the guidelines set out in the Governor’s Executive Orders. (Albemarle County’s local ordinance defines a “gathering” in the same manner as the Governor’s Executive Orders).

City Council has at least three options:

- (1) No change (no action required): City Council may, after discussing the matter, decide not to amend or change the existing ordinance in any way. If Council leaves the Ordinance as-is, a reasonable interpretation of the word “sporting event” within the City’s local definition of a “gathering” is that City Council intends that only those sports which can be played with 10 or fewer people, with social distancing maintained, will be lawful under the City’s

local ordinance.

- (2) Amend the Current Ordinance (adopt an amended Ordinance): if Council wishes: to clarify that City Council desires for “recreational sports” to be allowed in accordance with the Governor’s Executive Orders and the Department of Health’s Guidelines, City Council could adopt an Ordinance amending and reenacting its existing local ordinance, to revise its definition of “gathering” to match both the Governor’s and Albemarle County’s. (**Attachment A** to this Memo is a proposed Amendment). City Council could also amend the definition of “gathering” to a different extent than is set forth within Attachment A.
- (3) Repeal the Current Ordinance (adopt an Ordinance to repeal the existing Ordinance): if Council wishes, it could repeal the current local ordinance, and allow activities and gatherings subject only to the Governor’s Executive Orders. (**Attachment B** to this Memo is an Ordinance repealing the current Ordinance).

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

Each of Council’s options can be said to align with one or more Council Vision Areas.

**Community Engagement:** N/A

**Budgetary Impact:** Allowing recreational sports to recommence within City-owned and controlled facilities (fields, swimming pools, recreation centers, etc.) may require the City to employ, or re-employ, staff who support these programs.

**Recommendation:** None

**Alternatives:** None

**Attachments:**

Attachment A: Ordinance amending and Re-Enacting the local COVID Ordinance

Attachment B: Ordinance repealing the local COVID Ordinance

## ATTACHMENT A

### ORDINANCE

**TO AMEND AND RE-ENACT THE ORDINANCE ADOPTED ON DECEMBER 10, 2020  
DECEMBER 7, 2020 TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS,  
SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS  
COVID-19**

**WHEREAS**, on March 11, 2020, the World Health Organization declared the outbreak of the novel coronavirus, SARS-CoV-2, and the disease it causes, commonly referred to as COVID-19, a pandemic (for reference in this ordinance, this virus and the disease that it causes are referred to as “COVID-19”); and

**WHEREAS**, City Manager and Director of Emergency Management, Dr. Tarron J. Richardson, declared the potential spread of COVID-19 an emergency on March 12, 2020 pursuant to a Resolution adopted by the Charlottesville City Council; and

**WHEREAS**, also on March 12, 2020, Governor Ralph S. Northam issued Executive Order Number Fifty-One (“EO 51”) declaring a state of emergency for the Commonwealth of Virginia because of the COVID-19 pandemic; EO 51 acknowledged the existence of a public health emergency arising from the COVID-19 pandemic and that it constitutes a “disaster” as defined by Virginia Code § 44-146.16 because of the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, COVID-19 spreads person to person and, at this time, it appears that COVID-19 is spread primarily through respiratory droplets, which can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs; spread is more likely when people are in close contact with one another (within about six feet)<sup>1</sup>; and.

**WHEREAS**, COVID-19 is extremely easy to transmit, can be transmitted by infected people who show no symptoms, and the population has not developed herd immunity<sup>2</sup>; and

**WHEREAS**, at this time, there is no known cure, no effective treatment, no vaccine, and because people may be infected but asymptomatic, they may unwittingly infect others<sup>3</sup>; and

**WHEREAS**, the World Health Organization, the United States Centers for Disease Control and Prevention (“Centers for Disease Control”) and the Virginia Department of Health have identified several behaviors and practices that are fundamental in controlling the spread of COVID-19 in the community: frequently washing hands, sanitizing frequently touched surfaces, wearing a cloth face covering when in public, maintaining a separation of at least six feet between people (“social distancing” or “physical distancing”), limiting the size of gatherings in public places, and limiting the duration of gatherings<sup>4</sup>; and

**WHEREAS**, with respect to people wearing face coverings when in public, current evidence suggests that transmission of COVID-19 occurs primarily between people through direct, indirect, or close contact with infected people through infected secretions such as saliva and respiratory secretions, or through their respiratory droplets, which are expelled when an infected person coughs, sneezes, talks or sings; and some outbreak reports related to indoor crowded spaces have suggested the possibility of aerosol transmission, combined with droplet transmission, for example, during choir practice, in food establishments, or in fitness classes<sup>5</sup>;

and

**WHEREAS**, according to the World Health Organization, fabric face coverings, “if made and worn properly, can serve as a barrier to droplets expelled from the wearer into the air and environment,” however, these face coverings “must be used as part of a comprehensive package of preventive measures, which includes frequent hand hygiene, physical distancing when possible, respiratory etiquette, environmental cleaning and disinfection,” and recommended precautions also include “avoiding indoor crowded gatherings as much as possible, in particular when physical distancing is not feasible, and ensuring good environmental ventilation in any closed setting”<sup>6</sup>; and

**WHEREAS**, the World Health Organization advises that people take a number of precautions, including: (i) maintaining social distancing because when someone coughs, sneezes, or speaks they spray small liquid droplets from their nose or mouth which may contain virus, and if other persons are too close, they can breathe in the droplets, including the COVID-19 virus, if the person coughing, sneezing, or speaking has the disease; and (ii) avoiding crowded places because when people are in crowds, they are more likely to come into close contact with someone that has COVID-19 and it is more difficult to maintain social distancing<sup>7</sup>; and

**WHEREAS**, the Centers for Disease Control caution that: (i) the more people a person interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and COVID-19 spreading; (ii) the higher level of community transmission in the area that a gathering is being held, the higher the risk of COVID-19 spreading during the gathering; and (iii) large in-person gatherings where it is difficult for persons to remain spaced at least six feet apart and attendees travel from outside the local area pose the highest risk of COVID-19 spreading<sup>8</sup>; and

**WHEREAS**, the Centers for Disease Control state that cloth face coverings are strongly encouraged in settings where persons might raise their voice (*e.g.*, shouting, chanting, singing)<sup>9</sup>; and

**WHEREAS**, the Centers for Disease Control advise, in restaurants: (i) wearing cloth face coverings when less than six feet apart from other people or indoors; (ii) wearing face coverings as much as possible when not eating; (iii) maintaining a proper social distancing if persons are sitting with others who do not live with the person; and (iv) sitting outside when possible<sup>10</sup>; and

**WHEREAS**, for these and related reasons, the Virginia Department of Health has stated that those businesses that operate indoors and at higher capacity, where physical distancing “recommendations” are not observed, sharing objects is permitted, and persons are not wearing cloth face coverings, create higher risk for the transmission of COVID-19<sup>11</sup>; and

**WHEREAS**, since Governor Northam issued EO 51 on March 13, 2020, he has issued several more Executive Orders jointly with Orders of Public Health Emergency issued by M. Norman Oliver, MD, MA, State Health Commissioner, pertaining to COVID-19; as of the date of adoption of this ordinance, “Executive Order Number Sixty-Seven (2020) and Order of Public Health Emergency Seven, Phase Three Easing of Certain Temporary Restrictions Due to Novel Coronavirus (COVID-19)” (collectively referred to as “EO 67”)<sup>12</sup>, which became effective at 12:00 a.m. on July 1, 2020, is in effect; and

**WHEREAS**, as of July 21, 2020, the spread of COVID-19 in the Commonwealth, in the Thomas Jefferson Health District of which the City is a member, and in the City itself, has been

increasing since late June, shortly before EO 67 moved the Commonwealth into “Phase 3” of its reopening plan, the curve in the positivity rate of persons tested for COVID-19 is no longer flattened, and the community is currently experiencing more transmission of COVID-19.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of Charlottesville, Virginia, that the City’s “ORDINANCE TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19”, adopted on **December 10 7, 2020**, is hereby amended and reenacted, as follows:

### **Sec. 1. Purpose**

For the reasons stated in the recitals, the purpose of this ordinance is to prevent the spread of COVID-19.

### **Sec. 2. Authority**

This ordinance is authorized by §14 of the Charlottesville City Charter, which enables the City Council to enact ordinances to “prevent the introduction or spreading of contagious or infectious diseases, and prevent and suppress diseases generally.”

### **Sec. 3. Definitions**

The following definitions apply to this ordinance:

- A. “Expressive activity” means a non-commercial activity in which a person intends to convey a lawful message through speech or conduct that is likely to be perceived by an observer of the speech or conduct, and includes any lawful public gathering, demonstration, procession, or parade in which the primary purpose is to exercise the rights of free speech or peaceable assembly.
- B. “Face covering” means an item normally made of cloth or various other materials with elastic bands or cloth ties to secure over the wearer’s nose and mouth in an effort to contain or reduce the spread of potentially infectious respiratory secretions at the source (*i.e.*, the person’s nose and mouth).
- C. “Food establishment” means a food establishment as defined in 12VAC5-421-10 and the term includes, but is not limited, any place where food is prepared for service to the public on or off the premises, or any place where food is served, including restaurants, lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private clubs. For purposes of this ordinance, “food establishment” does not include kitchen facilities of hospitals and nursing homes, dining accommodations of public and private schools and institutions of higher education, and kitchen areas of local correctional facilities subject to standards adopted under Virginia Code § 53.1-68.
- D. **“Gathering” includes, but is not limited to, parties, celebrations, or** ~~means a planned or spontaneous indoor or outdoor, or both, event with people participating or attending for a common purpose such as a community event, festival, conference, parade, wedding, sporting event, party (including parties at private residences), celebration, and other social events, whether they occur indoors or outdoors. The presence of individuals performing functions of their employment or assembled in an educational instructional setting is not a “gathering”. The presence of individuals in a particular location, such as a park or retail~~

*business is not a “gathering” so long as individuals do not congregate.* “Gathering” does not include a place of employment where persons are present to perform their functions of employment, events or activities on the grounds of an institution of higher education or school-owned property that are institution or school related, or persons engaging in religious exercise at their religious institution or other place of religious significance.

- E.. “Micro-producers” means the retail shop, bar, tasting room, tap-room, restaurant or other similar facility of a microbrewery, microwinery, or microdistillery, in which twenty-five (25) percent or more of the facility's production is sold directly to the consumer on-site.
- F. “Public place” means any place other than a person’s residence or personal vehicle that is indoors, or the indoor portion of the place, or outdoors where at least six feet of physical distancing between persons not living in the same household cannot be maintained, and generally open to the public including, but not limited to, retail stores, food establishments, theaters, personal care and personal grooming services, and transportation other than a personal vehicle. “Public place” does not include institutions of higher education and other schools, fitness and other exercise facilities, religious institutions, indoor shooting ranges, and the City courthouse buildings.
- G. “Small brewery” means the retail shop, bar, tasting room, tap-room, restaurant or other similar facility of the small brewery which sells directly to the consumer.

#### **Sec. 4. Limitation on the Number of Persons at Food Establishments**

- A. *Indoor occupancy.* Indoor occupancy at food establishments, micro-producers, and small breweries must not be more than 50 percent of the lowest occupancy load on the certificate of occupancy issued by the City of Charlottesville. If the building or structure does not have an occupancy load established on a certificate of occupancy issued by the City of Charlottesville, indoor occupancy must not be more than 50 persons.
- B. *Persons at gathering are counted.* Persons participating in or attending a gathering within a food establishment, micro-producer or small brewery who are indoors count towards the occupancy limits established by this section.
- C. *Persons working not counted.* The employees or independent contractors of any food establishment, micro-producer, or small brewery do not count towards the occupancy limits established by this section.
- D. *State requirements, recommendations, and guidance.* This section does not affect any governmental workplace safety regulations, or any other state or federal laws related to the COVID-19 pandemic.

#### **Sec. 5. [this section is reserved]**

#### **Sec. 6. Face Coverings**

- A. *Face coverings required.* Face coverings must be worn by all persons in public places except as provided in Sections 6(B) and (C).
- B. *Persons not required to wear face coverings.* Face coverings are not required to be worn by

the following persons:

1. *Children.* Children under the age of 5.
2. *Wearing face covering poses certain risks.* Persons for whom wearing a face covering poses a substantial mental or physical health, safety, or security risk such as persons who have trouble breathing or are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance. For this exception to apply to any person claiming that wearing a face covering poses a substantial mental or physical health risk: (i) the person must present a valid document from a physician or other health care practitioner licensed, accredited, or certified to perform specified health care services, including mental health services, consistent with State law, specifying the medical necessity for not wearing a face covering and the date on which the person may begin wearing a face covering again; and (ii) the public place is unable to provide goods, services, or activities outdoors to the person or to the adult accompanying a child 5 years of age or under.
3. *Certain employees.* On-duty employees of the public place for which workplace safety regulations promulgated by the State Safety and Health Codes Board, or face covering rules established by an applicable Executive Order of the Governor or an Order of Public Health Emergency by the State Health Commissioner, apply.

C. *Circumstances when face coverings are not required to be worn by any persons.* Face coverings are not required to be worn by persons in the following circumstances:

1. *Outdoor activities.* While persons are engaged in outdoor activities in public places such as parks and other open spaces, provided that at least six feet of distance, or any greater minimum physical distancing established by state law, is maintained.
2. *Eating or drinking.* While a person is eating food or drinking a beverage.
3. *End of waiver of Virginia Code § 18.2-422.* When the waiver of Virginia Code § 18.2-422, currently established in EO 67, Section (C)(3), or as it may be further amended or superseded, ends.

D. *Responsibility of adults accompanying minors.* Adults accompanying minors between the ages of 5 years old and 17 years old must attempt to prompt the minor to wear face coverings while in public places.

## **Sec. 7. Effect of More Restrictive Executive Order or Order of Public Health Emergency**

The restrictions within this Ordinance shall supplement any restrictions imposed by executive order of the Governor of Virginia due to COVID-19, or by any Order of Public Health Emergency issued by the Virginia State Health Commissioner due to COVID-19, and all such state-issued restrictions are incorporated herein by reference, as they exist on the date this Ordinance is adopted, and as they may hereafter be amended. In the event that any such state-imposed restriction is more restrictive than an express provision within this Ordinance, the more restrictive state-imposed requirement shall govern.

## **Sec. 8. Penalties**

A. *Penalty for violation of Section 4.* A violation of Section 4 by the owner of the food



establishment, micro-producer, or small brewery and any manager or assistant manager, however titled, responsible for the operation and management of the food establishment, micro-producer, or small brewery, after first being warned by a law enforcement to lower the establishment's occupancy, is punishable as a Class 3 misdemeanor. Section 4(D) is not enforced pursuant to this ordinance.

- B. *Violation of state-imposed restrictions on the size of a gathering—warnings required.* Prior to enforcing any state-imposed restriction of the size of public and private in-person gatherings as to the owner or tenant of the private property on which the gathering is located, a law enforcement officer shall first give a warning to the owner or tenant. Prior to enforcing any state-imposed restriction of the size of public and private in-person gatherings, as to any person attending the gathering, a law enforcement officer shall first give a warning to such person to disperse from the gathering because it exceeds the state's size limitation for gatherings, and the law enforcement officer shall allow a reasonable period of time, not to exceed two minutes, for such person to disperse from the gathering.
- C. *Penalty for violation of Section 6.* A violation of Section 6 by any person subject to its requirements, after first being warned by a law enforcement officer to apply a face covering, is punishable as a Class 4 misdemeanor. No person under the age of 18 years old is subject to a criminal penalty for failing to wear a face covering.
- D. *Injunctive relief.* The City, the City Council, and any City officer authorized by law, may seek to enjoin the continuing violation of any provision of this ordinance by bringing a proceeding for an injunction in any court of competent jurisdiction.

## **Sec 9. Duration**

This ordinance is effective 12:01 a.m., December 11, 2020 and shall expire upon the cessation of the City's Declaration of Emergency of March 12, 2020, unless amended by the Charlottesville City Council.

## **Sec. 10. Effect of this Ordinance on the Powers of the Director of Emergency Management**

This ordinance does not affect the powers of the City Manager, acting as the Director of Emergency Management, pursuant to Virginia Code § 44-146.21 during the COVID-19 disaster.

## **Sec. 11. Severability**

It is the intention of the City Council that any part of this ordinance is severable. If any part is declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity does not affect any other part of this ordinance.

## **Sec. 12. Waiver of Three Day Intervention**

This ordinance is adopted with the vote of four-fifths of City Councilors on the date of its introduction. The requirement in Charlottesville City Code Section 2-97 that three days intervene between an ordinance's introduction and its passage is waived.

## **ATTACHMENT B**

### **ORDINANCE**

#### **REPEALING THE CITY’S ORDINANCE TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19 (AS AMENDED THROUGH DECEMBER 10, 2020)**

**BE IT ORDAINED** that the Charlottesville City Council does hereby repeal, in its entirety, the Ordinance adopted by City Council to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, commonly referred to as Covid-19, as such ordinance was adopted by Council and amended from time to time (as most recently amended and reenacted on December 10, 2020).

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<sup>1</sup> *Xponential Fitness v. Arizona*, No. CV-20-01310-PHX-DJH, 2020 WL 3971908, at \*1 (D. Ariz. July 14, 2020) and cases and authorities cited therein.

<sup>2</sup> *Xponential Fitness v. Arizona*, No. CV-20-01310-PHX-DJH, 2020 WL 3971908, at \*1 (D. Ariz. July 14, 2020) and cases and authorities cited therein.

<sup>3</sup> *South Bay United Pentecostal Church v Newsom*, 140 S. Ct. 1613 (May 29, 2020) (Roberts concurring in denial of application for injunctive relief); on the fact that there is no effective treatment as of the date of this ordinance, see also [https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/myth-busters?gclid=EAIaIQobChMI9IvSvJPk6gIVGrbICH2TYw9QEAAAYASAAEgKjDfD\\_BwE#medicines](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/myth-busters?gclid=EAIaIQobChMI9IvSvJPk6gIVGrbICH2TYw9QEAAAYASAAEgKjDfD_BwE#medicines); <https://www.health.harvard.edu/diseases-and-conditions/treatments-for-covid-19>; <https://www.mayoclinic.org/diseases-conditions/coronavirus/diagnosis-treatment/drc-20479976>.

<sup>4</sup> See <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html> and <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/business-employers/bars-restaurants.html> and links therein; <https://www.vdh.virginia.gov/coronavirus/#COVID-19-resources> and links therein.

<sup>5</sup> World Health Organization Scientific Brief, July 9, 2020 <https://www.who.int/news-room/commentaries/detail/transmission-of-sars-cov-2-implications-for-infection-prevention-precautions>.

<sup>6</sup> World Health Organization Scientific Brief, July 9, 2020 <https://www.who.int/news-room/commentaries/detail/transmission-of-sars-cov-2-implications-for-infection-prevention-precautions>; see also Statement of Dr. Michael Ryan, World Health Organization COVID-19 Virtual Press Conference, transcript page 12, [https://www.who.int/docs/default-source/coronaviruse/transcripts/covid-19-virtual-press-conference---17-july.pdf?sfvrsn=dd7f91a1\\_0](https://www.who.int/docs/default-source/coronaviruse/transcripts/covid-19-virtual-press-conference---17-july.pdf?sfvrsn=dd7f91a1_0) (“So it’s all about the setting, it is about the duration you spend in that setting and it’s about the intensity of the activities that you participate in in that setting and when you get into a particular setting, a very overcrowded situation in an indoor environment then effectively all bets are off because so many of the modes of transmission come into play; the aerosol route, the airborne route, the fomite or contamination route. So the more close you are to other people, the more you are inside, the more the activity is intense or involves very close social contact the more that multiple modes of transmission come into play. So in that sense it is about you understanding your risk, it is about you managing that risk and being aware of the situation that you find yourself in personally and reducing that risk for you, for your family, for your children and for your community. It is important, as I’ve said previously, that governments communicate those risks very, very carefully and it is also important that providers, authorities and others ensure that those environments are as safe as possible and that the risks are also managed.”)

<sup>7</sup> <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>.

<sup>8</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html>; see also <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>.

<sup>9</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html>.

<sup>10</sup> <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/personal-social-activities.html>.

<sup>11</sup> <https://www.vdh.virginia.gov/coronavirus/schools-workplaces-community-locations/businesses/>.

<sup>12</sup> [https://www.governor.virginia.gov/media/governorviriniagov/executive-actions/EO-67-and-Order-of-Public-Health-Emergency-Seven---Phase-Three-Easing-of-Certain-Temporary-Restrictions-Due-to-Novel-Coronavirus-\(COVID-19\).pdf](https://www.governor.virginia.gov/media/governorviriniagov/executive-actions/EO-67-and-Order-of-Public-Health-Emergency-Seven---Phase-Three-Easing-of-Certain-Temporary-Restrictions-Due-to-Novel-Coronavirus-(COVID-19).pdf).

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



Agenda Date:	February 16, 2021
Action Required:	ADOPT RESOLUTION
Presenter:	Kaki Dimock, Director, Human Services
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	<b>Adoption/Approval of the Joint M.O.U. on Equity and Inclusion</b>

**Background:**

Recognizing the power of collaboration and joint planning, the City of Charlottesville and Albemarle County agreed to joint memoranda of understanding in the areas of transportation, education, environment and housing in May of 2016 and economic development in 2017. On October 28, 2020, at a joint meeting of the University of Virginia, Albemarle County and City of Charlottesville leadership, the content of a joint memorandum of understanding regarding equity and inclusion was presented and discussed. There was strong support for the concept of this M.O.U. with minor changes to language recommended. Leadership in all three organizations expressed a desire to operationalize the intentions of this M.O.U. in a clear way to benefit the regional community.

**Discussion:**

This M.O.U. expresses a commitment to providing quality services to all members of the community, promoting an equitable and welcoming community by increasing accessibility, promoting unity, and honoring diversity; a shared responsibility for advancing equity and inclusion; recognition of collaboration as a means for achieving meaningful results; and to evaluating our collective impact, specifically:

- Evaluating current programs and policies and modifying to address deficiencies,
- Collectively investing in programs and initiatives,
- Setting measurable goals and monitoring progress of diversity, equity, and inclusion efforts,
- Using available tools to support data-informed decision making,
- Deepening our commitment to improved inclusivity and equity in the communities we serve,
- Evaluating services and relationships through an equity lens,
- Identifying underserved communities through outreach and community partnership,
- Implementing programs and developing partnerships that close opportunity gaps,

- Working to achieve alignment in both priorities and strategies employed to improve regional outcomes, and,
- Designating resources including staff member(s) assigned to promote success.

Staff from all three organizations have met on a regular basis to identify potential initiatives that would move these commitments to action. Under preliminary consideration are activities to improve mental health services, expand financial opportunities, increase human service and human rights programming, adopt a regional tribal consultation policy, and investing in permanent supportive housing, among others. Staff will continue to evaluate the feasibility and cost of such initiatives and return to the collaborating organizations with a proposal for moving forward.

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

This project is aligned with City Council goal #1 – An inclusive, self-sufficient city and goal #5 – A Responsive Organization.

#### **Community Engagement:**

This project is a collaborative effort staff and leadership in all three organizations and reflects interests and needs identified expressed by a wide variety of constituents.

#### **Budgetary Impact:**

There is no specific impact on the general fund; however, meaningful participation in the M.O.U. and collaboration will require the eventual investment of resources.

#### **Recommendation:**

Staff recommends adopting a Resolution authorizing the Mayor to sign the M.O.U.

#### **Alternatives:**

Council may decide not to sign on to the joint M.O.U. on equity and inclusion.

#### **Attachments:**

Resolution  
Memorandum of Understanding on Equity and Inclusion  
Historic Joint M.O.U.s

## RESOLUTION

**WHEREAS**, the City of Charlottesville, the County of Albemarle, and the University of Virginia are committed to the provision of quality services to our entire community regardless of ethnicity, race, color, sex, sexual orientation, religion, language competence, socioeconomic status, physical health, mental health, disability, gender identification or expression, age, cognitive ability, physical ability, cultural affiliation, national or ethnic origin, immigration status, family structure, veteran status, political affiliation, or employment status; and

**WHEREAS**, the City, the County, and the University are uniquely poised to promote an equitable and welcoming community by increasing accessibility, promoting unity, and honoring diversity; and

**WHEREAS**, the City, the County, and the University recognize and affirm their shared responsibility in advancing equity and inclusion in our regional community and seek to work in partnership to achieve their mutual goals; and

**WHEREAS**, the City, the County, and the University recognize the importance of collaboration in creating a more equitable, inclusive, and welcoming community; and

**WHEREAS**, while the City, the County, and the University recognize that each locality's first and main priority is to serve the residents of their own jurisdictions, we pledge to:

- Evaluate current programs and policies and modify appropriately to address deficiencies
- Collectively invest, with allocated resources, in supporting programs and initiatives
- Set measurable goals and monitor progress of diversity, equity, and inclusion efforts
- Use available tools (such as the Equity Atlas and impact assessment tools) to support data-informed decision making
- Deepen our commitment to improved inclusivity and equity in the communities we serve
- Evaluate services and relationships through an equity lens that affect our communities
- Identify underserved communities through outreach and community partnership
- Implement programs and develop partnerships that close opportunity gaps
- Work to achieve alignment in both priorities and strategies employed to improve regional outcomes
- Designate resources including staff member(s) assigned to promote success

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Charlottesville hereby agrees to this Memorandum of Understanding committing to developing and enacting plans to identify mutually beneficial ways to cooperate and communicate where possible.

*This Memorandum of Understanding shall begin on the date of signatures by the Mayor of the City of Charlottesville, the Chair of the Board of Supervisors of Albemarle County, University of Virginia President James Ryan as authorized by their respective bodies.*

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
AMONG THE CITY OF CHARLOTTESVILLE, THE COUNTY ALBEMARLE, AND  
THE UNIVERSITY OF VIRGINIA REGARDING EQUITY AND INCLUSION**

**WHEREAS**, the City of Charlottesville, the County of Albemarle, and the University of Virginia are committed to the provision of quality services to our entire community regardless of ethnicity, race, color, sex, sexual orientation, religion, language competence, socioeconomic status, physical health, mental health, disability, gender identification or expression, age, cognitive ability, physical ability, cultural affiliation, national or ethnic origin, immigration status, family structure, veteran status, political affiliation, or employment status; and

**WHEREAS**, the City, the County, and the University are uniquely poised to promote an equitable and welcoming community by increasing accessibility, promoting unity, and honoring diversity; and

**WHEREAS**, the City, the County, and the University recognize and affirm their shared responsibility in advancing equity and inclusion in our regional community and seek to work in partnership to achieve their mutual goals; and

**WHEREAS**, the City, the County, and the University recognize the importance of collaboration in creating a more equitable, inclusive, and welcoming community; and

**WHEREAS**, while the City, the County, and the University recognize that each jurisdiction's first and main priority is to serve their constituents/stakeholders, we pledge to:

- Evaluate current programs and policies and modify appropriately to address deficiencies
- Collectively invest, with allocated resources, in supporting programs and initiatives
- Set measurable goals and monitor progress of diversity, equity, and inclusion efforts
- Use available tools (such as the Equity Atlas and impact assessment tools) to support data-informed decision making
- Deepen our commitment to improved inclusivity and equity in the communities we serve
- Evaluate services and relationships through an equity lens that affect our communities
- Identify underserved communities through outreach and community partnership
- Implement programs and develop partnerships that close opportunity gaps
- Work to achieve alignment in both priorities and strategies employed to improve regional outcomes
- Designate resources including staff member(s) assigned to promote success

**NOW, THEREFORE,**

1. The City Council of Charlottesville, the Board of Supervisors of Albemarle County, and the University of Virginia hereby agree to this Memorandum of Understanding committing to developing and enacting plans to identify mutually beneficial ways to cooperate and communicate where possible.





**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
BETWEEN THE CITY OF CHARLOTTESVILLE AND THE COUNTY OF ALBEMARLE  
REGARDING MULTIMODAL FORMS OF TRANSPORTATION**

**WHEREAS**, regionalism is a recognized governing principle across the United States in which neighboring jurisdictions can recognize mutual benefits, efficiencies, and harmony by working together on areas of mutual concern, rather than apart or even against each other; and

**WHEREAS**, both the City of Charlottesville and the County of Albemarle have recognized that all residents need to easily move across jurisdictional boundaries to access both employment and leisure activities; and

**WHEREAS**, the residents of the City of Charlottesville and the County of Albemarle desire a variety of transportation options to include automobile, transit, pedestrian, biking and rail; and

**WHEREAS**, both the City of Charlottesville and the County of Albemarle recognize that land use and development patterns impact the functioning of their transportation system and road networks; and

**WHEREAS**, both the City of Charlottesville and the County of Albemarle are committed to improving the automobile, transit, pedestrian, and biking connections available to all residents; and

**WHEREAS**, improved infrastructure benefits the residents of both localities; and

**WHEREAS**, existing examples of cooperation between the City and the County include:

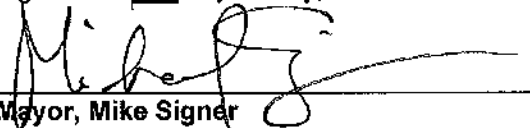
- Metropolitan Planning Organization (MPO);
- Charlottesville Area Transit (CAT);
- JAUNT;
- Charlottesville Albemarle Airport;
- Regional support of new train routes through the Downtown Amtrak Station;
- The City-County Long Range Bicycle Vision Network (Part of the City's Bicycle Pedestrian Master Plan);
- Joint Comprehensive Planning Exercises; and
- Collaboration on Small Area Planning along Hydraulic Road and Route 29.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Charlottesville and the Board of Supervisors of Albemarle County hereby agree to this Memorandum of Understanding directing their respective City Manager and County Executive and staffs to develop and enact plans to:

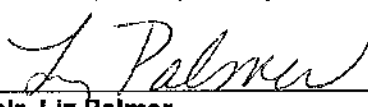
- Designate a staff member assigned to promoting success;
- Identify potential available resources available to both localities;
- Identify and consider potential efficiencies through harmonization;
- Identify and consider potential impacts on each other's jurisdiction of acting with or without information sharing where appropriate; and
- Identify mutually beneficial ways to cooperate and communicate where possible, including review of organizational structure of boards that serve both communities.

This Memorandum of Understanding shall begin on the date of signatures by both the Mayor of the City of Charlottesville and the Chair of the Board of Supervisors of Albemarle County, as authorized by their respective bodies.

Signed this 16 day of May, 2016.

  
\_\_\_\_\_  
Mayor, Mike Signer  
City Council of Charlottesville

Signed this 11<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
Chair, Liz Palmer  
Board of Supervisors of Albemarle County

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
BETWEEN THE CITY OF CHARLOTTESVILLE AND THE COUNTY OF ALBEMARLE  
REGARDING EDUCATION**

**WHEREAS**, regionalism is a recognized governing principle across the United States in which neighboring jurisdictions can recognize mutual benefits, efficiencies, and harmony by working together on areas of mutual concern, rather than apart or even against each other; and

**WHEREAS**, both the City of Charlottesville and the County of Albemarle have recognized that expanding access to pre-Kindergarten programs serves a crucial early childhood development need; and

**WHEREAS**, both the City and County are committed to expanding career and technical education, in the service of building a workforce equipped for the 21<sup>st</sup> century; and

**WHEREAS**, the populations served by the City and County's pre-Kindergarten and vocational and technical education programs frequently move across borders; and

**WHEREAS**, the programs offered by both locality impact and benefit both localities; and

**WHEREAS**, existing examples of cooperation between the City and the County include:

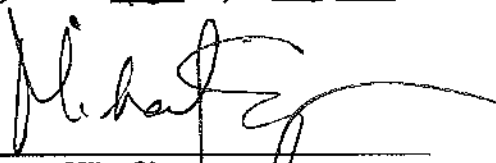
- Charlottesville Albemarle Technical Education Center (CATEC);
- Piedmont Regional Education Partnership Program (PREP);
- Charlottesville Albemarle Early Education Task Force;
- UVA Lab School Partnership;
- Investing In Innovation Grant (i3) for \$3.5 million; and
- Public Education Foundation (PEF).

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Charlottesville and the Board of Supervisors of Albemarle County hereby agree to this Memorandum of Understanding directing their respective City Manager and County Executive and staffs to develop and enact plans to:

- Designate a staff member assigned to promoting success;
- Identify potential available resources available to both localities;
- Identify and consider potential efficiencies through harmonization;
- Identify and consider potential impacts on each other's jurisdiction of acting with or without information sharing where appropriate;
- Identify mutually beneficial ways to cooperate and communicate where possible; and
- Consider recommendations of the pre-K task force.

This Memorandum of Understanding shall begin on the date of signatures by both the Mayor of the City of Charlottesville and the Chair of the Board of Supervisors of Albemarle County, as authorized by their respective bodies.

Signed this 16 day of May, 2016.

  
\_\_\_\_\_  
Mayor, Mike Signer  
City Council of Charlottesville

Signed this 11<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
Chair, Liz Palmer  
Board of Supervisors of Albemarle County

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
BETWEEN THE CITY OF CHARLOTTESVILLE AND THE COUNTY OF ALBEMARLE  
REGARDING REDEVELOPMENT AND AFFORDABLE HOUSING**

**WHEREAS**, regionalism is a recognized governing principle across the United States in which neighboring jurisdictions can recognize mutual benefits, efficiencies, and harmony by working together on areas of mutual concern, rather than apart or even against each other; and

**WHEREAS**, both the City of Charlottesville and the County of Albemarle have recognized that vulnerable populations and housing costs impact both localities; and

**WHEREAS**, both the City and County recognize the value of having affordable housing for its constituents and is committed to working together to make each area one that is affordable for all; and

**WHEREAS**, the populations served by the City and County similarly impact affordable housing, and the ability to coordinate with both localities will result in a stronger and more resilient community; and

**WHEREAS**, both the City and County recognize the economic and environmental value of redeveloping underutilized and under invested properties over abandoned and neglected properties; and

**WHEREAS**, existing examples of cooperation between the City and the County include:

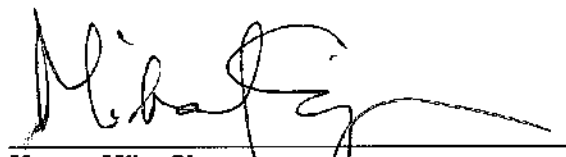
- The use of federal housing vouchers to support tenants at the Crossings;
- Joint Comprehensive Planning Exercises;
- Collaboration on Small Area Planning along Hydraulic Road and Route 29;
- Support of the Thomas Jefferson Area Coalition for the Homeless (TJACH);
- Support of organizations committed to maintaining and expanding affordable housing units;
- Collaboration on the Thomas Jefferson Community Land Trust;
- Collaboration on the Housing Advisory Committee (HAC); and
- Collaboration on regional housing authority options.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Charlottesville and the Board of Supervisors of Albemarle County hereby agree to this Memorandum of Understanding directing their respective City Manager and County Executive and staffs to develop and enact plans to:

- Designate a staff member assigned to promoting success;
- Identify potential available resources available to both localities;
- Identify and consider potential efficiencies through harmonization;
- Identify and consider potential impacts on each other's jurisdiction of acting with or without information sharing where appropriate; and
- Identify mutually beneficial ways to cooperate and communicate where possible, to ensure an appropriate range of housing choices for all community members.

This Memorandum of Understanding shall begin on the date of signatures by both the Mayor of the City of Charlottesville and the Chair of the Board of Supervisors of Albemarle County, as authorized by their respective bodies.

Signed this 16 day of May, 2016.

  
\_\_\_\_\_  
Mayor, Mike Signer  
City Council of Charlottesville

Signed this 11<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
Chair, Liz Palmer  
Board of Supervisors of Albemarle County

**MEMORANDUM OF UNDERSTANDING FOR COLLABORATION  
BETWEEN THE CITY OF CHARLOTTESVILLE AND THE COUNTY OF ALBEMARLE  
REGARDING THE ENVIRONMENT**

**WHEREAS**, regionalism is a recognized governing principle across the United States in which neighboring jurisdictions can recognize mutual benefits, efficiencies, and harmony by working together on areas of mutual concern, rather than apart or even against each other; and

**WHEREAS**, both the City of Charlottesville and the County of Albemarle have recognized that protecting natural resources, including clean water, biodiversity and tree cover foster livable, sustainable and resilient communities; and

**WHEREAS**, both the City and County recognize the value of reducing greenhouse gas emissions and improving air quality, and anticipating and adapting to local impacts of a changing climate; and

**WHEREAS**, the populations served by the City and County similarly impact and benefit from natural resources, and the programs offered by and coordinated with both localities will result in a stronger and more resilient community; and

**WHEREAS**, existing examples of cooperation between the City and the County include:


- |  |   |
|--|---|
| • Rivanna Solid Waste Authority (RSWA)         | • Rivanna Stormwater Education Partnership              |
| • McIntire Recycling Center Operations         | • Thomas Jefferson Soil and Water Conservation District |
| • Hazardous Materials Collection/Disposal      | • Rivanna Environmental Management System Association   |
| • Bulky Waste                                  | • Livability Project                                    |
| • Joint Solid Waste Management Plan – TJPDC    | • Rivanna River Corridor Plan                           |
| • LEAP Governance Board                        | • Hazardous Spill Cleanup coordination – Fire/Rescue    |
| • Local Climate Action Planning Process        | • Imagine A Day Without Water                           |
| • Better Business Challenge                    | • Green Infrastructure planning                         |
| • Rivanna Conservation Alliance (Stream Watch) | • Rivanna River Basin Commission                        |

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Charlottesville and the Board of Supervisors of Albemarle County hereby agree to this Memorandum of Understanding directing their respective City Manager and County Executive and staffs to develop and enact plans to:

- Designate a staff member assigned to promoting success;
- Identify potential available resources available to both localities;
- Identify and consider potential efficiencies through harmonization;
- Identify and consider potential impacts on each other's jurisdiction of acting with or without information sharing where appropriate; and
- Identify mutually beneficial ways to cooperate and communicate where possible.

This Memorandum of Understanding shall begin on the date of signatures by both the Mayor of the City of Charlottesville and the Chair of the Board of Supervisors of Albemarle County, as authorized by their respective bodies.

Signed this 16 day of May, 2016.

  
\_\_\_\_\_  
Mayor, Mike Sigher  
City Council of Charlottesville

Signed this 11<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
Chair, Liz Palmer  
Board of Supervisors of Albemarle County

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



Agenda Date:	February 16, 2021
Action Required:	Adoption of Resolution
Presenter:	Mayor Nikuyah Walker
Staff Contacts:	Lisa Robertson, Chief Deputy/Acting City Attorney
Title:	<b>Proposed Charitable Donation to Support Interrupt the Violence Training</b>

**Background:**

On February 1, 2021 Mayor Walker shared with City Council a request for the City to fund training to be provided to City residents by nonprofit groups, to reduce the cycle of gun violence within City neighborhoods. The training is planned to take place February 16 -20, 2021.

**Discussion:**

Attached is correspondence from a charitable institution/ nonprofit organization organized within New York state, by the name of Guns Down, Inc. A Virginia chapter of this organization is being formed. Guns Down, Inc. has entered into an agreement with the stakeholders in the Virginia chapter, and will serve as fiscal agent for any funds donated by the Charlottesville City Council to support the training services to be provided. City Council's donation would be made to Guns Down, Inc., earmarked for these training services to City residents, and then Guns Down, Inc. would disperse the funding as necessary to cover the costs of the training.

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

A donation of City funding in support of the proposed training would align with several of Council's Vision Areas.

**Community Engagement:** N/A

**Budgetary Impact:**

Should City Council vote to make this charitable donation, the donation will come from funds which have been appropriated to Council's budget department line item for Strategic Initiatives. The current balance that is available and has been appropriated for Strategic Initiatives is approximately \$349,087 (which includes \$296,575 that Council has previously voted to expend for Equity Initiatives).

**Recommendation:**

Should City Council desire to make this charitable donation, the recommendation is that the donation can be made to the New York 501(c)(3) organization Guns Down, Inc., to be earmarked

for expenses of the Interrupt The Violence Training services to be provided to City residents February 16-20, 2021.

**Alternatives:**

City Council may decide not to make the requested donation

**Attachments (2):**

- (1) Resolution
- (2) Letter to City Council from Guns Down, Inc.

**RESOLUTION**  
**ALLOCATING CITY COUNCIL STRATEGIC INITIATIVES FUNDING TO SUPPORT**  
**AN “INTERRUPT THE VIOLENCE” TRAINING PROGRAM PROVIDED TO**  
**CITY RESIDENTS**

**BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, pursuant to authority set forth within Virginia Code §15.2-953, THAT a charitable donation is hereby approved to be made to Guns Down, Inc., a 501(c)(3) corporation organized under the laws of the state of New York, in the amount of \$\_\_\_\_\_, said donation of funds to be used exclusively for and in support of the “Interrupt The Violence” training services to be provided to residents of the City of Charlottesville by various stakeholders on February 16-20, 2021.

**BE IT FURTHER RESOLVED** that the aforesaid amount shall be paid to Guns Down, Inc. from currently-appropriated funds in the City Council Strategic Initiatives account in the General Fund, in support of the local Interrupt The Violence Training Program, as follows:

\$ \_\_\_\_\_ Fund: 105 Cost Center: 1011001000



**Guns Down, Inc.**

1589 President Street  
Brooklyn, New York 11213

February 9, 2021

To: Charlottesville City Council

C/o Office of the City Attorney

Sent via email to: [robertsonl@charlottesville.gov](mailto:robertsonl@charlottesville.gov)

To the Honorable Mayor Walker and Members of the Charlottesville City Council,

Recently Mayor Walker brought to your attention a training that is being planned to take place within the City of Charlottesville, for which a donation of funds is requested from the Charlottesville City Council. The purpose of the upcoming training and ongoing programs is to bring together the Charlottesville Community to reduce the cycle of gun violence within the neighborhoods of the City of Charlottesville. The services to be provided by Interrupt the Violence will include training local stakeholders with the successful tools that have been used by Guns Down, Inc in other localities including the ongoing programs.

Guns Down, Inc. is a non-profit/charitable institution organized under the laws of the State of New York, and that is exempt from federal taxation under Internal Revenue Code Section 501(c)(3). The mission of Guns Down, Inc. is to reduce gun violence. In Virginia, and specifically within Charlottesville, a Virginia Chapter of Guns Down, Inc. is being formed to carry out the mission of Guns Down, Inc. through services provided to residents within the City of Charlottesville. Since the local chapter has not yet been formed, Guns Down, Inc. has entered into an agreement with the stakeholders of the Virginia Chapter. Guns Down, Inc. will serve as the fiscal agent for any funding donated by the Charlottesville City Council. Any funds donated by the Charlottesville City Council to Guns Down, Inc. will be used only for and in connection with services provided to residents within the City of Charlottesville at the training being planned for February 16-20, 2021 and ongoing programs.

I hope that the Charlottesville City Council will be able to contribute to this important work. Please feel free to contact me with any questions you may have.

Sincerely,



Sean Pryor, Executive Director of Guns Down, Inc.



C. Pertelle Gilmore, Executive Director CEO of Virginia Chapter of Guns Down, Inc.

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



Agenda Date:	February 16, 2021
Action Required:	Information only. No action is required.
Presenter:	Jeff Werner, Historic Preservation & Design Planner Rachel Lloyd, chair, Historic Resources Committee
Staff Contacts:	Jeff Werner, Historic Preservation & Design Planner Alex Ikefuna, NDS Director
Title:	<b>Historic Resources Committee review of Honorary Street</b>

**Background:**

On September 21, 2020, City Council passed a motion to request from the Historic Resources Committee (HRC) a review of and recommendations on the policy and process for the Honorary Street Designation program and input on the applications submitted for consideration.

The mission of the HRC is to advocate for historic preservation; to promote an appreciation of local historic resources, both tangible and intangible; and to encourage and coordinate, with appropriate municipal agencies, civic organizations, institutions and individual scholars, the documentation and interpretation of local history.

**Discussion:**

The HRC discussed this matter during its regular meetings on October 9, 2020, November 13, 2020, and December 11, 2020. The attached letter summarizes the committee's comments and recommendations, as requested by Council.

Additionally, subsequent to the HRC's review, the City's Department of Public Works (PW), who manages this program, has suggested modification to the size and placement of the honorary signs. In lieu of multiple signs attached to already crowded poles, install honorary signs separately and place one at each end of the designated street segment. This would allow signs to be appropriately sized and installed for the location and placed in a manner that, for navigation and 911 purposes, mitigated confusion related to street names.

For example, the image on the left is the City's current practice. The image on the right is illustrative only of a single sign, installed separately from other signage.



This is conceptual only and the HRC has not reviewed or commented on the suggestion; however, staff felt it would be helpful to include it here and incorporate it into Council's discussion.

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

From the City's Comprehensive Plan, *Historic Preservation & Urban Design*.

Education Programming. Goal 2.3: Continue to interpret historic resources to the community through markers, publications, events and other means. Strive to include the narratives and resources of under-represented groups and areas significant in our local history. Coordinate this interpretation of historic resources with City improvement projects and other city initiatives.

From the City Council Vision Statement.

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

From the City's Strategic Plan.

Goal 3.5 Protect historic and cultural resources. The historic and cultural resources in the city are economic development and tourism assets. They also represent a testament to the community's past. The preservation of these resources is critical to protect the character of the city. The strategies and policies to preserve and sustain these resources include education, urban design, resource inventory, neighborhood conservation, resource protection, entrance corridor and other regulatory review, and technical assistance to property owners.

### **Community Engagement:**

The HRC is a diverse group representing a broad spectrum of the community. Regarding the current requests for Honorary Streets, the HRC received comments from the public at its

meetings and via email. (See the attached notes.)

**Budgetary Impact:**

The program is funded through the Public Works maintenance fund. Should Council consider revisions to the policy and/or program, staff will coordinate with PW to evaluate—and advise on--any related cost impacts.

**Recommendation:**

Council should discuss the committee's recommendations. If needed, Council may request additional input and/or clarification from the HRC.

**Alternatives:**

N/A

**Attachments:**

- HRC letter to Council dated December 16, 2020, with additional notes dated February 2, 2021.
- HRC meeting notes (excerpts related to this discussion) from October 9, 2020, November 13, 2020, and December 11, 2020.
- Location exhibits for streets.



610 East Market Street, Charlottesville, Virginia 22902

December 16, 2020

Ms. Nikuyah Walker, Mayor  
City of Charlottesville  
610 East Market Street  
Charlottesville, Virginia 22902

RE: Honorary Street Designations, Policy and Applications

Dear Mayor Walker:

City Council voted at its September 21 meeting to refer the Honorary Street Designation process to the Historic Resources Committee for further review. Council directed the Historic Resources Committee to review both the policy and the remaining applications. This task is consistent with the committee's purpose: to promote an appreciation and interpretation of local historic resources, both tangible and intangible.

The Historic Resources Committee undertook the review process during its November 13 and December 11 meetings. The following attached notes provide the results of the review process and the related supporting background material.

1. Policy review recommendations
2. Application review recommendations
3. Other related recommendations
4. Links to meeting records

Representatives of the Historic Resources Commission are available to City Council to provide additional clarification if desired. If you have any questions, please contact me at (434) 284-0136 or [rwelloyd@gmail.com](mailto:rwelloyd@gmail.com).

Sincerely yours,

Rachel Lloyd  
Chair

## **Attachment 1 / Policy Review Recommendations**

The Historic Resources Committee advises City Council to consider the following updates for the Honorary Street Names policy:

### In general

The Historic Resources Committee recommends that City Council retain broad purview in the review and approval process for honorary street naming.

### In addition

1. Encourage nominations for a wide range of street name honorees, ideally associated with specific local historic resources on or near the street chosen for honorary naming
2. Provide options for temporary (perhaps 1-5 years) or permanent honorary street names, as specified by the applicant
3. Provide a flexible approach to the named street segment length—to be requested by the applicant but biased somewhat towards shorter street segments (for example: one block rather than a long multi-block street)
4. Create a mechanism to encourage greater geographical distribution of the honorary street names
5. Encourage applicants to consult with the nominee's family members/descendants before applying
6. Request 2-3 letters of support for each nomination; supporting letters may be from residents of the street or other interested parties
7. Consider limiting the honorary street names to numbered streets
8. Consider limiting the number of designees per application cycle, perhaps every two years
9. Provide information about the signs so applicants understand their technical design constraints and future appearance (for example, they will be the standard brown street sign with a limited number of text characters)
10. Improve the application to make it easier to fill out, substituting a set of simple short questions for the longer nomination essay
11. Do not require an application fee
12. Consider undertaking an annual review of honorary street names

## Attachment 2 / Application Review Recommendations

The Historic Resources Committee reviewed the applications based on the information provided in each document; their conformance to the intent of the policy and the application requirements; and further guidance described in the preceding attachment.

The Historic Resources Committee recommends City Council approve the following naming requests:

1. **Black History Pathway** on 4<sup>th</sup> Street NW between West Main Street and Preston Avenue
2. **Henry Martin Way** on 10<sup>th</sup> Street NW between West Street and Grady Avenue
3. **Gregory Swanson Way** on 3<sup>rd</sup> Street NE between East High Street and East Main Street (please note: the Historic Resources Committee suggests that this designation be temporary until such time as the state can mark the location of this historically significant court case with a permanent state marker; please see *Attachment 3* for additional information)
4. **Via Poggio a Caiano** (please note: the Historic Resources Committee suggests that the applicant/city identify a different street for the honorary name than the ones listed in the application, perhaps closer to the streets named for other sister cities)
5. **Byers Snookie Way** on 10<sup>th</sup> Street NW between Preston Avenue and Henry Avenue

Applications for the following were not recommended for approval:

- The proposed *Vinegar Hill Way* conflicted with the proposed location of Black History Way, which had significant community support
- The proposed *Tony Bennett Way* and *Tony Bennett Drive* were not recommended due to the previous substantial national and community recognition of the individual and the committee's understanding that at least one of the streets noted for honorary naming is only partially located within the city limits
- The proposed honorary names for *Wilfred Franklin "88 Keys" Wilson, Jr.* and *Theodore Gilbert*, both musicians, were not recommended because no streets were identified in the applications and because the committee suggests that places associated with music, such as school music rooms or auditoriums, may be more appropriate locations for honoring these individuals
- The proposed *Waneeshee Way* (for indigenous people) was not recommended due to the apparent lack of engagement with the Monacan Nation and due to the apparent discrepancy between the language of the proposed term and the local language traditionally and historically spoken by Monacan people

### **Attachment 3 / Other Related Recommendations**

The Historic Resources Committee advises City Council to consider the following additional policies or actions related to honorary naming, in support of the guidance provided by the Blue Ribbon Commission on Race, Memorials, and Public Spaces regarding place names:

1. Create a special naming commission (permanent or ad hoc), composed of representatives from related committees such as the Human Rights Commission, the Historic Resources Committee, and others as appropriate
2. Provide additional interpretation for honorees on a website or in other material to retain a public record of their historical significance and achievement
3. Identify other naming opportunities associated with a wide range of themes and places: music rooms, libraries, gyms, auditoriums, athletic fields, playgrounds, and others
4. Consider pursuing state historic designation for the location of Gregory Swanson's 1950 civil rights case in the United States District Court in Charlottesville against the UVA Board of Visitors
5. Consider consulting with the Monacan Nation as appropriate for naming opportunities related to indigenous culture, history, and related topics



#### **Attachment 4 / Links to meeting records**

November 13

Link to Committee Packet

<https://charlottesvilleva.civicclerk.com/Web/Player.aspx?id=873&key=-1&mod=-1&mk=-1&nov=0>

December 11

Link to Committee Packet

<https://charlottesvilleva.civicclerk.com/Web/UserControls/DocPreview.aspx?p=1&aoid=831>

Link to meeting videos

<https://boxcast.tv/channel/arevwckqrofmm9t57myy>

HRC member Jordy Yager offers the following commentary on the Henry Martin honorary street name application:

- *The historic naming proposal was for a residential street, and the applicant, who does not live in the neighborhood, had shown no signs of communicating with residents of 10th & Page.*
- *The historic naming proposal was for a street in a predominantly Black neighborhood that is currently undergoing a massive white-led gentrification and displacement process, and the applicant had secured only the endorsement of Preservation Piedmont, a white-led non-profit organization that, again, had shown no signs of communicating with Black 10th & Page residents about the naming proposal.*
- *Neither the applicant nor the endorsing party had shown any signs of trying to communicate with Mr. Martin's descendants.*

HRC member Phil Varner offers the following commentary on the Henry Martin honorary street name application:

*In my opinion, the process by which historic memorializations happen is more important than the outcomes. To my knowledge, not a single person or group with significant ties to the 10th and Page neighborhood has come out in support of this proposal, even after numerous times before Council. This points to a fundamental flaw in the way this proposal was initiated and the apparent lack of support.*

*I assume Ms. Craig has good intentions with wanting to memorialize Henry Martin. However, I find it problematic that a white woman who is not a City resident and does not have a specific connection to 10th and Page neighborhood (and even more so because it is a historically Black neighborhood) would initiate a process to honorarily name a street there. While this might have good intentions, the process does the opposite, by having yet another instance of something being imposed upon a minoritized community, without that community either initiating it or being the most integral part of it. Additionally, Preservation Piedmont, which does little work in 10th and Page, has formally supported this without getting input and support from residents of the neighborhood or Mr. Martin's descendants who live in the area.*

*Because of these factors, I believe this proposal should not go forward now, until significant community engagement can be done.*

Historic Resources Committee meeting notes from October 9, 2020, November 13, 2020, and December 11, 2020. Excerpts related to discussion of the City Honorary Streets Designation program.

### **October 9, 2020**

#### **1. Call to order**

11:00 AM: Genevieve Keller calls the meeting to order. Both returning and new committee members introduce themselves.

Keller opens the floor up for public comment:

Jim Hingeley, Commonwealth Attorney for Albemarle County, speaks in support of application for honorary name designation of 3rd Street NE for Gregory Swanson.

Kristin Szakos also speaks in support of application for honorary name designation to recognize Gregory Swanson.

#### **3. Resuming committee activities**

Regarding honorary street names:

Varner points out that not all street name proposals are related to historic resources. He raises the question of the policy HRC revise will limit itself just to historic-related names or all proposed names.

Duncan reviews the research she had done on other cities policies and circulated to committee.

Keller suggests that conversation about names should encompass other venues, like parks, rooms, schools. Smith points out that color of honorary street name signs is used elsewhere ± might be confusing.

Varner recommends that Sister Cities and Tony Bennett street name proposals be sent back to Council.

#### **6. Wrap up and review items for next meeting agenda**

Committee further discusses honorary street naming policy and agrees to work on revising the policy at the following meeting.

### **November 13, 2020**

#### **Honorary Street Names Policy Work Session**

Committee discusses existing street name policy and different ways the process might be amended. Committee develops following list of proposed recommendations for process:

- a) honorary names may either be temporary (5 years?) or permanent, as specified by applicant in the applicants' proposal
- b) there should be an annual review of existing street names
- c) the city should encourage a wide range of honorees, ideally associated with specific local resources
- d) improve the application to make it easier to fill out, substituting a set of simple short questions for the longer nomination essay

- e) create some supporting interpretation for the honorees in a website or other material to retain a record of their achievements/significance
- f) have a flexible approach to the named street segment length, to be requested by the applicant but biased somewhat towards shorter street segments—for example: a block rather than a full multi-block street
- g) signs will be the standard historic brown sign
- h) no application fee required
- i) consider limiting the number of designees per application cycle, perhaps every two years

Yager proposes forming a new 12-person naming committee, to be comprised of 3 members from our HRC, 3 members of the Human Rights Commission, 3 members of the public, and 3 of city staff/council/etc.

Hill clarifies that Council was interested in hearing HRC's perspectives on street names applications presented, in addition to recommendations on policy.

Keller speaks in support of reviewing received applications and making recommendations for approval to Council.

Committee reaches consensus to review submitted applications at December HRC meeting.

### **December 11, 2020**

#### **1. Call to order:**

Lloyd opens the floor up for public comment:

James Hingeley speaks in support of Gregory Swanson Way designation.

#### **4. Continuation of Honorary Street Names Policy Work Session:**

Committee resumes street names policy review from November meeting.

Varner suggests additional street names policy recommendation that Council shouldn't be limited by a specific set of criteria, and should be free to designate street names even if they don't fit a person or event criterion exactly.

Genevieve Keller acknowledges limitations in terms of numbers of characters on street signs. Keller asks that numbered streets be preferenced for naming.

Jordy Yager clarifies naming committee proposal, which would mainly be tasked with honorary street names.

Clay proposes a mechanism on the number of street names in specific parts of town.

Keller recommends that review of applications be biannual, and that the City consider other naming opportunities beyond streets.

Committee moves on to review received applications. After discussion, the HRC determined the following recommendations to be sent to Council:

The Historic Resources Committee recommends City Council approve the following naming requests:

- *Black History Pathway* on 4th Street NW between West Main Street and Preston Avenue.
- *Henry Martin Way* on 10th Street NW between West Street and Grady Avenue.
- *Gregory Swanson Way* on 3rd Street NE between East High Street and East Main Street. (Please note: the Historic Resources Committee suggests that this designation be temporary until such time as the state can mark the location of this historically significant court case with a permanent state marker.)
- *Via Poggio a Caiano*. (Please note: the Historic Resources Committee suggests that the applicant/city identify a different street for the honorary name than the ones listed in the application, perhaps closer to the streets named for other sister cities.)
- *Byers Snookie Way* on 10th Street NW between Preston Avenue and Henry Avenue.

Applications for the following were not recommended for approval:

- The proposed *Vinegar Hill Way* conflicted with the proposed location of *Black History Way*, which had significant community support.
- The proposed *Tony Bennet Way* and *Tony Bennett Drive* were not recommended due to the previous substantial national and community recognition of the individual and the committee's understanding that at least one of the streets noted for honorary naming is only partially located within the city limits.
- The proposed honorary names for Wilfred Franklin "88 Keys" Wilson, Jr. and Theodore Gilbert, both musicians, were not recommended because no streets were identified in the applications and because the committee suggests that places associated with music, such as school music rooms or auditoriums, may be more appropriate locations for honoring these individuals.
- The proposed *Waneeshee Way* (for indigenous people) was not recommended due to the apparent lack of engagement with the Monacan Nation and due to the apparent discrepancy between the language of the proposed term and the local language traditionally and historically spoken by Monacan people.

### **Emails received by HRC staff**

Preservation Piedmont expressed support for honoring *Henry Martin Way*.

Edwina St. James and Melanie Miller expressed concern that any naming of 2nd St. NE between East High and East Main not eliminate the section honoring Preston Coiner.

Charles Alexander expressed support for *Black History Pathway*.

David Norris and Evans Hopkins (of Richmond) expressed support for *Gregory Swanson Way*.

## Legend

 City Limits



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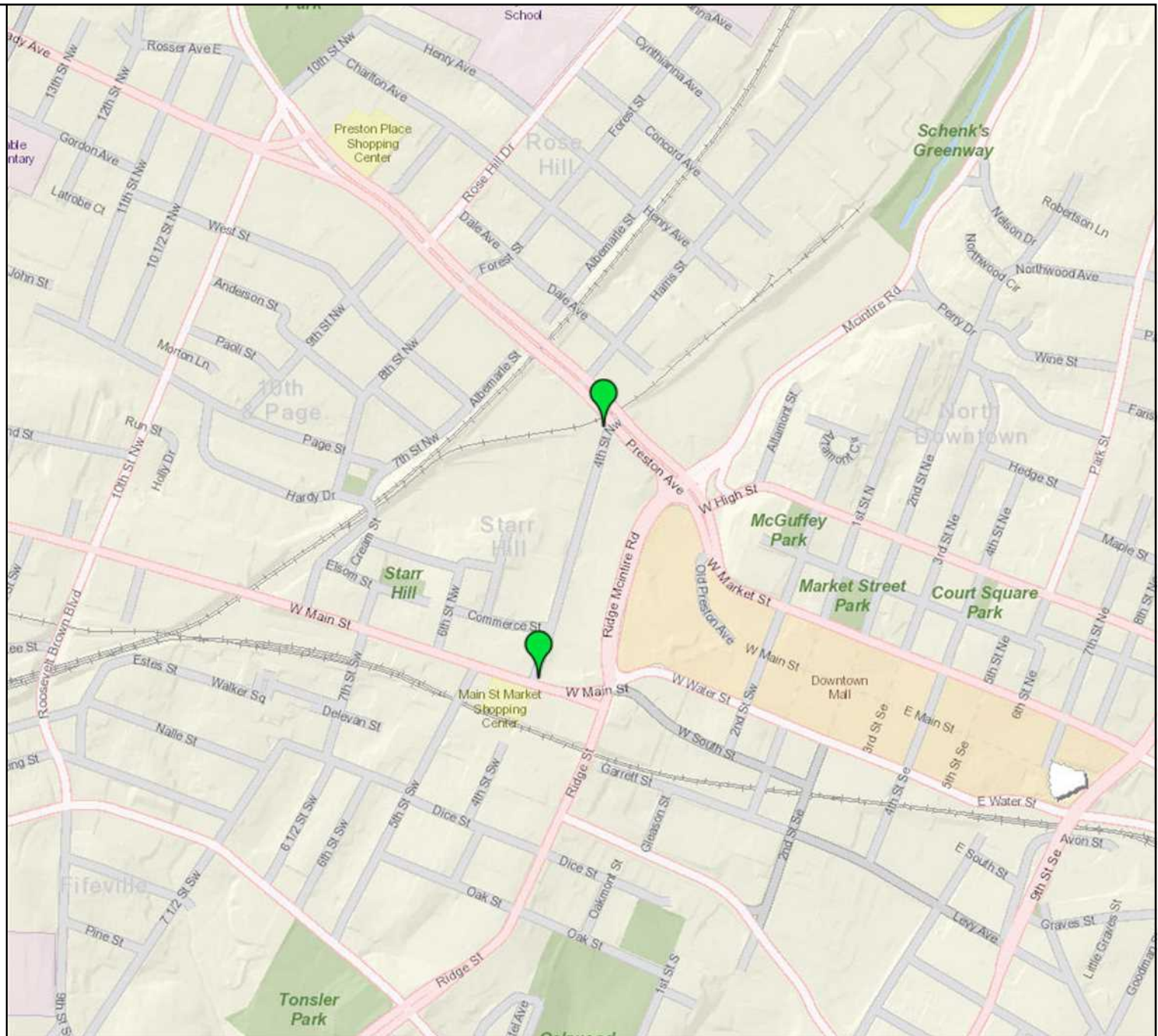
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**Title: Honorary Street - Black History Pathway**


**Date: 2/4/2021**

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## Legend

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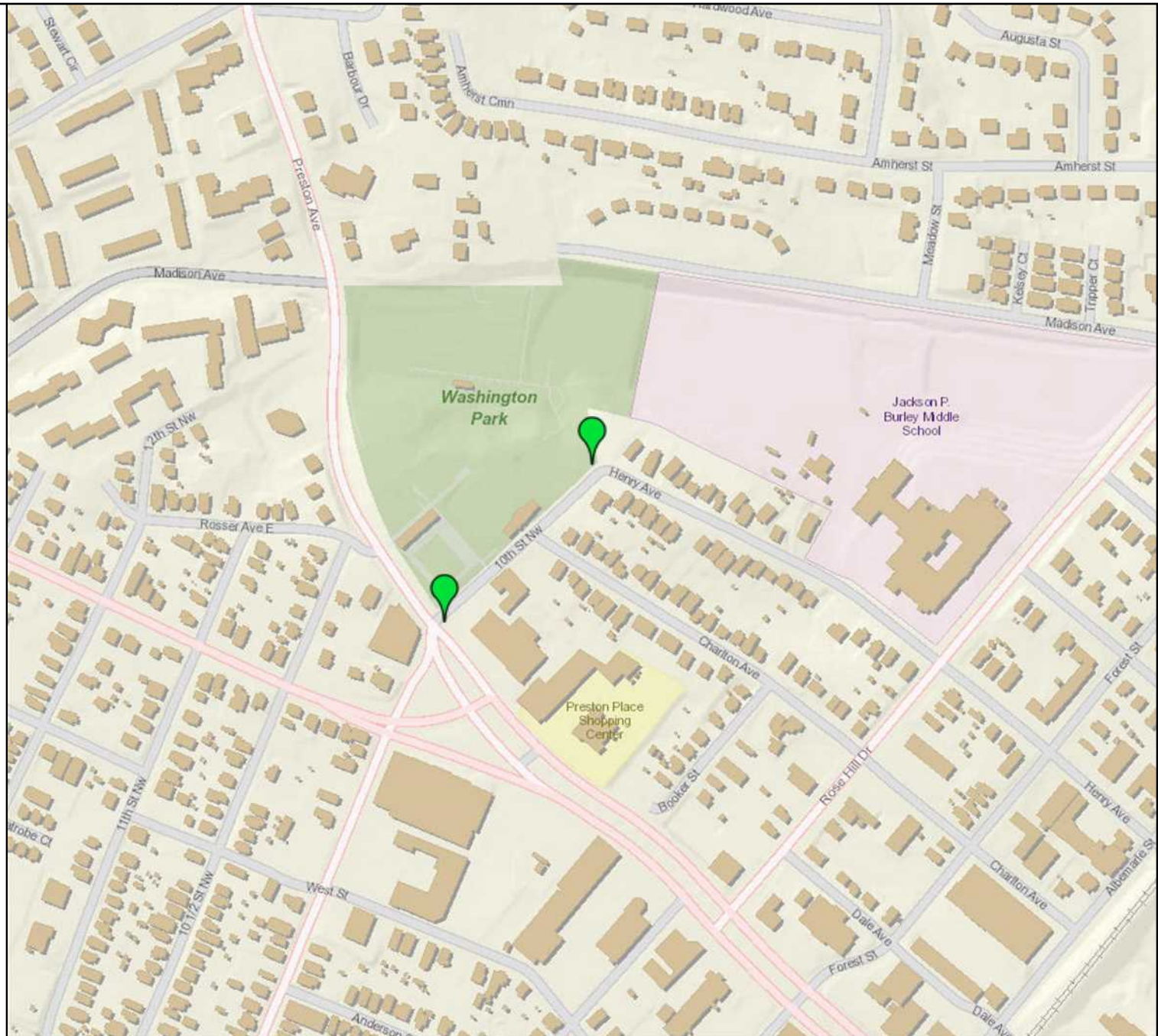
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**Title: Honorary Street - Byers Snookie Way**


**Date: 2/8/2021**

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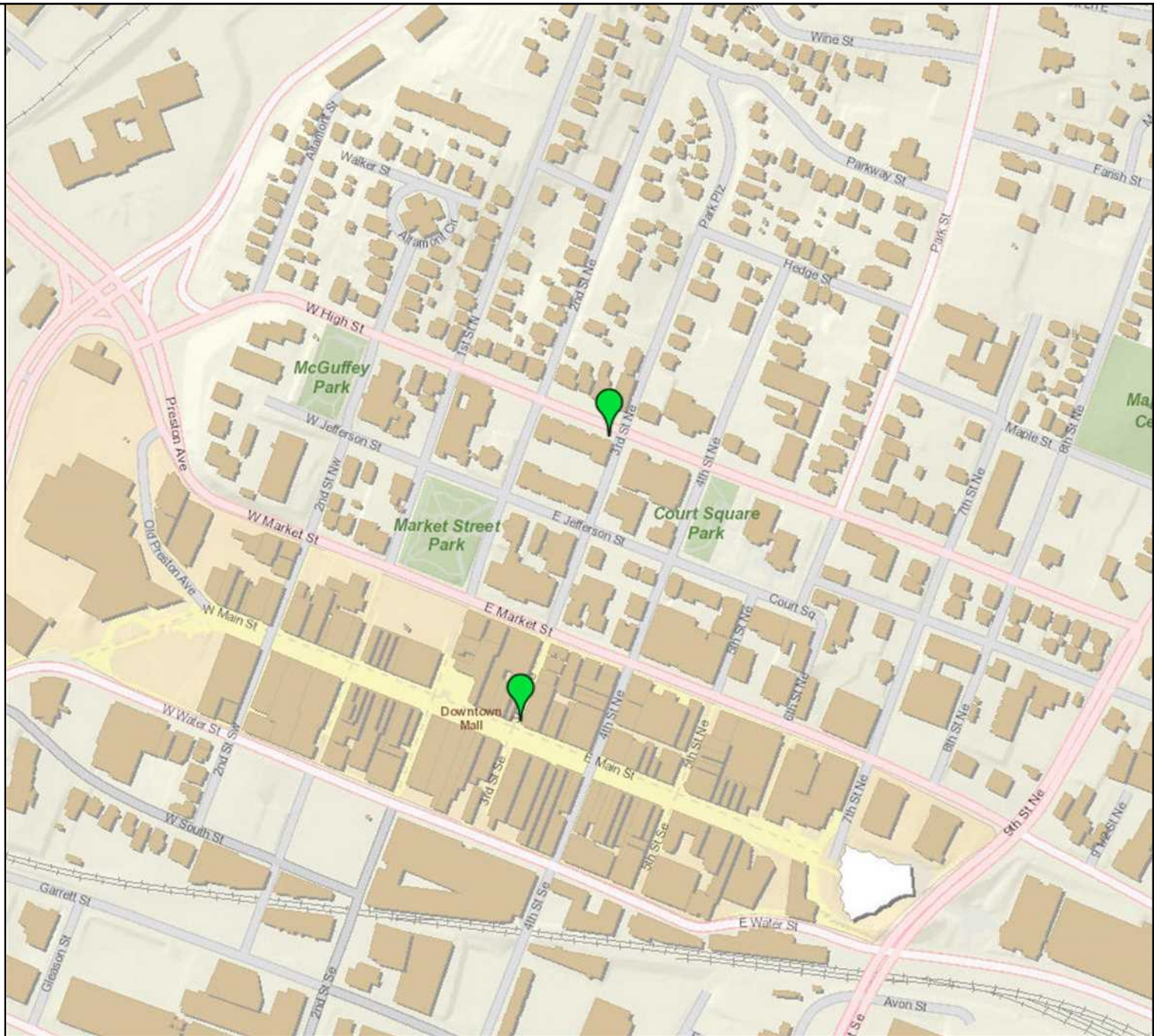
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Title: Honorary Street - Gregory Swanson Way


Date: 2/4/2021

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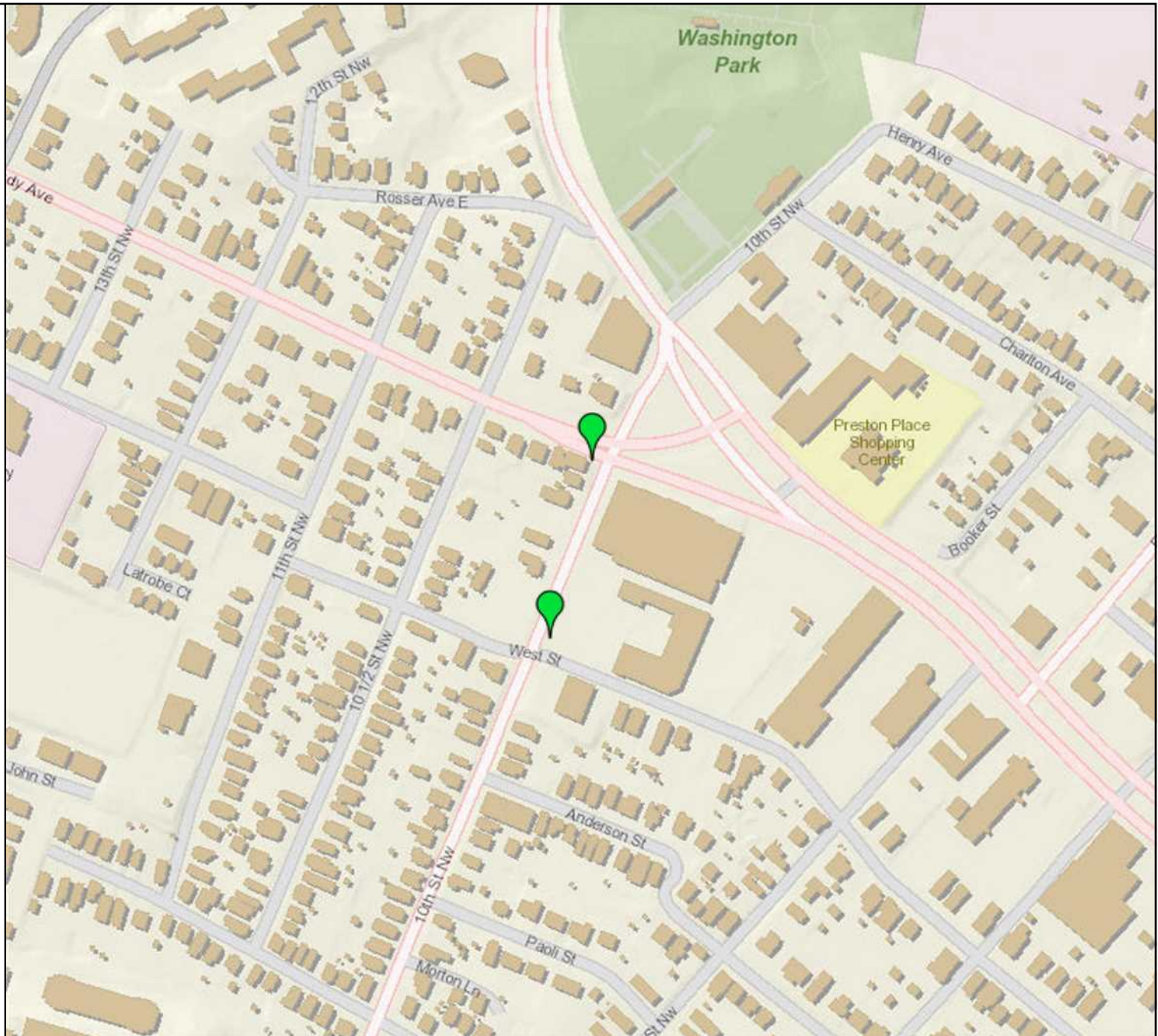
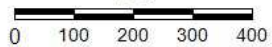
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Title: Honorary Street - Henry Martin Way

Date: 2/4/2021

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