CITY COUNCIL AGENDA
January 21, 2025
City Hall Council Chamber

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

4:00 PM OPENING SESSION

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed on the City's streaming platforms and local government Channel 10. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 987-1267 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide 48 hours' notice so that proper arrangements may be made.

Call to Order/Roll Call

Agenda Approval

Reports

1. Presentation: State of the Forest Annual Report by the Charlottesville Tree Commission
   a. Presentation: State of The Forest Presentation - January 2025
   b. Presentation: Storm Water Fee Presentation - January 2025

5:30 PM CLOSED MEETING

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

Community Matters

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

Consent Agenda*

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

2. Minutes: December 16, 2024 regular meeting
3. Resolution: Resolution to appropriate grant funds from the Virginia Department of Conservation and Recreation in the amount of $393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge (2nd reading)
4. Resolution: Resolution for supplemental appropriation of $7,571,300 in Federal, State, and Local Capital Grant funding for Charlottesville Area Transit (2nd reading)
5. Resolution: Resolution to Appropriate Edward Byrne Memorial Justice Assistance Grant (JAG) - $25,375 (1 of 2 readings)
6. Resolution: Resolution for Charlottesville-Albemarle Health Department Carryover Request - $74,625
7. Resolution: Resolution for refund of Business License Tax - $10,679.96
8. Resolution: Resolution to appropriate State assistance and citizen donation for Spay and Neuter Program at SPCA - $450.00

9. Resolution: Resolution to appropriate grant funds from the ICMA Economic Mobility and Opportunity Grant – $24,000 (1 of 2 readings)

City Manager Report

- Report: City Manager Report
  a. Report: CHO Report to Council

Action Items

10. Report: Charlottesville City Schools CIP (Capital Improvement Projects)
11. Public Hearing: Public Hearing on FY26 City of Charlottesville Capital Improvement Program
12. Ordinance: Charlottesville Human Rights Ordinance - proposed amendments (1 of 2 readings)
13. Resolution: Resolution to establish days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2025

General Business

14. Report: Report regarding the FY24 Financial Audit results
15. Report: Report on Neighborhood Development Services Work Plan
16. Report: Report on Urgent Infrastructure Projects
17. Written Report: Rivanna Authorities Quarterly Update

Community Matters (2)

Adjournment

FY2024 STATE OF THE FOREST

CHARLOTTESVILLE TREE COMMISSION
ANNUAL REPORT
JANUARY 2025



American Elm at Sojourners United Church of Christ
Charlottesville Area Tree Stewards, Notable Trees Project

LETTER FROM OUR URBAN FORESTER

Dear Charlottesville Community,

As Urban Forester for the City of Charlottesville, I am committed to fostering a safe, vigorous, and diverse urban forest that enhances the quality of life for our residents and supports local wildlife. Trees are not just part of our landscape—they are vital to the health, resilience, and beauty of our city. At Parks & Recreation, we work to fulfill the objectives outlined in the city's Comprehensive Management Plan and Climate Action Plan, with a focus on increasing our tree canopy through both preservation and the thoughtful multi-species planting of young trees.

As Charlottesville grows, the importance of trees cannot be overstated. Trees provide cooling shade, improve air quality, reduce stormwater runoff, and create habitat for countless species. They strengthen neighborhoods, improve property values, and provide health benefits to residents. However, the pressures of development threaten this natural infrastructure. Much of the remaining land available for development is on critical slopes and floodplains—areas where the preservation of trees is particularly essential for stabilizing soils, managing stormwater, and mitigating the impacts of climate change.

To meet the city's housing and infrastructure needs without compromising our environment, we must plan ahead and act boldly. Enforceable ordinances, thoughtful site design, and innovative incentives can ensure that trees are integrated into every development project. The current trajectory for Charlottesville's Urban Forestry Program is 3-pronged:

PRESERVATION
Increased Preservation of Existing Trees—Preservation requires proactive management of existing trees including structural and sanitation pruning and vine removal. In addition, large trees need ongoing protection from threats posed by both development and the pathogens, pests, and competition imposed by invasive plants.

PLANTING
An Ambitious Tree Planting Program—Our urban areas need increased installations of large caliper trees. Efforts include planting 1-2" caliper trees in schools, parks and rights-of-way as well as large installations of tree seedlings and ground covers in restoration areas.

RESTORATION
Increased Restoration of Urban Woodlands—A comprehensive restoration program is underway to improve ecological health in pockets of the urban woodland that have been inundated with invasive vegetation.

A stronger tree canopy is not just an environmental goal—it's a necessity for our community's health, safety, and sustainability.

Steven Gaines
Urban Forester
Charlottesville Parks & Recreation

UPDATE ON TREE PLANTINGS, REMOVALS, AND MAINTENANCE, FY 2024

Stewarding a vigorous tree canopy requires both planting young trees, as well as the targeted removal of hazardous, dying trees. Both the City of Charlottesville and city-based arboreal nonprofits have made key improvements on this front. The following tables detail plantings and removals across public and private properties, and invasive species control work conducted by Urban Forester Steven Gaines and Charlottesville Parks & Recreation, with collaboration from community nonprofits.

Tree Planting and Removal Activities

Table 1 details tree planting numbers on public property, coordinated by the Urban Forester over the course of the 2024 fiscal year.

Organizational Entity	# of Trees	Location
Urban Forestry Annual Planting, 2" calipers	181	Rights-of-Way, schools, parks
Charlottesville Area Tree Stewards	22	Rives Park
Charlottesville Area Tree Stewards	10	Forest Hills Park
ReLeaf Cville	14	Charlottesville Redevelopment and Housing Authority on Madison Avenue
ReLeaf Cville	4	Rose Hill Rights-of-Way on Henry Avenue
ReLeaf Cville	11	Washington Park
The Grove	10	McIntire Park
Total	**252**	

Table 1. Tree Plantings on Public Property

Table 2 details tree removals conducted by Parks & Recreation on public property, with a row detailing Ash tree removals.

Tree Species (Ash or Non-Ash)	# of Trees Removed
Ash	49
Non-Ash	81
Total	**130**

Table 2. Tree Removals on Public Property

Table 3 details 2"-inch caliper tree plantings on private and other non-city-owned properties in Charlottesville, coordinated by city-based nonprofits, and including the Public Utilities' Spring Tree Giveaway.

Organizational Entity	# of Trees	Location
Public Utilities	230	Spring Tree Giveaway for private properties
Charlottesville Area Tree Stewards	24	Private Homeowners in 10th & Page
ReLeaf Cville	32	Burley Middle School
ReLeaf Cville	7	Community Lab School
ReLeaf Cville	61	Private Homeowners in Rose Hill
Total	**354**	

Table 3. Tree Plantings on Private and Non-City-Owned Properties

Invasive Species Management and Forest Restoration Projects

As noted in our FY 2023 State of the Forest report, there are many reasons why the city's canopy has declined from 45% in 2014 to at best 38% in 2023: development, climate change, and the effects of intense storms and lethal pests, such as the emerald ash borer.

However, as is amply evident throughout the city, the destructive effects of invasive vines have taken a major toll on our mature trees, strangling and smothering them and ultimately bringing them down. To counter these devastating effects on our urban canopy, Steven Gaines and Parks & Recreation have conceived an ambitious comprehensive plan for invasive species management and reforestation with native trees and groundcover species to be carried out on the city's public properties.

As the first steps in realizing this plan, 16 parks, trails, and cemetery sites were selected for intensive invasive species management and forest restoration projects over the course of FY 2024. As noted in Table 4, these projects utilized a range of methods to clear invasives. Removal was followed by dense planting of seedlings and groundcovers. Overall, these management endeavors reclaimed more than 24 acres, and in some areas were tackled in collaboration with the Rivanna Conservation Alliance.

Acres Restored	# Seedlings Planted	Method(s)
24.55 acres	**1,260**	Forestry Mulching Goat Browse Chemical Treatments

Table 4. Invasive Species and Reforestation Projects

The efforts by our Urban Forester and Parks & Recreation to preserve our mature trees, plant new trees, and restore our urban woodlands have been dramatic and consequential over this past year. However, we must keep in mind the overall assessment of the condition of our urban tree canopy (UTC) as reported in the Tree Commission's 2023 State of the Forest Report, where it was noted that the city's UTC has declined alarmingly from a prior reported high of 45% to a present low of 38% (and may be even as low as 25% based on current field observations). Thus, more needs to be done to reverse the current trend of decline. As indicated in Figure 3 of the 2023 State of the Forest Report, this includes planting upwards of 3,600 additional trees annually in order to reestablish 45% UTC by 2050.

Public Education Activities and Arboreal Achievements

Over the last fiscal year, Urban Forester Steven Gaines and Parks & Recreation engaged in several public education initiatives and were recognized for their forest management plans and achievements.

- Designed and conducted 6 two-mile Ragged Mountain guided hikes to introduce the community to the site's natural history, specifically vegetation and wildlife habitat.
- Conducted 4 Downtown Mall walks in order to update the public on anticipated tree maintenance and long-term management planning on Downtown Mall.
- Received an Inflation Reduction Act (IRA) state grant to update the city's Urban Forestry Management Plan, which includes analysis of city trees, vegetation analysis, and strategic planning.
- Received the "Best New Environmental Sustainability Initiative" award from the Virginia Parks & Recreation Society for the city's invasive species management and control program.

TREE COMMISSION PROJECTS-IN-PROCESS

Neighborhood-Level Arboreal Relationships

According to Charlottesville's Climate Action Plan, "tree canopy is not evenly distributed between neighborhoods, with Charlottesville's older and less wealthy neighborhoods having noticeably fewer trees and greenspaces. In these areas, property lot sizes tend to be smaller, and the roadways were built with little public investment in sidewalks and spaces for planting strips."[1] Two of the key strategies included in the report are to:

- Maintain a Robust Urban Forest on City-owned Lands
- Encourage Healthy and Increased Tree Canopy on Privately Owned Properties

The City of Charlottesville and the Tree Commission have each highlighted the need for a more robust canopy on both public and private property. Key subgoals of the current Charlottesville Climate Action plan include a more equitable distribution of trees as well as the reduction of urban heat island effects.

Over the last few years, much of the Tree Commission's activities have focused on supporting large shade tree preservation and planting on public properties. This last year, the Tree Commission began working with neighborhoods to find ways to encourage neighborhood-desired tree preservation and planting projects.

Starting in Fifeville, the Tree Commission began building these relationships, which brought us into conversations, community "walkshops" regarding ongoing neighborhood projects, and collaborations for an outline of community interviews to begin next Spring at public parks. Building these neighborhood-specific relationships, at the pace of neighborhood-level leadership priorities, allows the Tree Commission to:

- Seek local, community-scale experiences and input regarding residents' lived experiences beneath the tree canopy;
- Face the historical and current impact of public policy and zoning decisions through active planting and preservation projects; and
- Incite curiosity, connection, and collaboration on neighborhood-level projects that expand the canopy and maintain its health.

The Tree Commission believes supporting current neighborhood-level projects aligns with the city's stated intentions to manage tree canopy in accordance with each neighborhood's built conditions, interests, and needs. Over the next year, the commission will continue to do so through neighborhood associations, collaborative site visits for ongoing site plans, and community input/feedback through group discussions and listening sessions.

If you are interested in collaboration and/or in having the Tree Commission visit your neighborhood, please connect with us at treecommission@charlottesville.gov.

1 https://www.charlottesville.gov/DocumentCenter/View/8776/Charlottesville-Climate-Action-Plan-PDF.

The Charlottesville Invasive Plant Partnership (CHIPP)

As noted above, Steven Gaines has launched an aggressive and award-winning project to control invasives and reforest city-owned properties. However, because some 85% of properties in the city are in private hands, it is also critical to address the problem of invasive vines on private properties.

Concern with this problem has increasingly come to be recognized by the public, and was expressed to City Council by schoolteachers who urged Council to inform and educate the public about the importance of managing invasive species. Council conveyed that entreaty to Parks & Recreation. The challenge was taken up by Steven Gaines, who has worked with members of the Office of Sustainability, the Tree Commission, and a number of community organizations[2] to form the Charlottesville Invasive Plant Partnership (CHIPP). CHIPP's overarching mission is "to inspire awareness and action to protect native species from invasive plants."

As part of a comprehensive solution to the declining tree canopy in Charlottesville, CHIPP's initial collaborative project is concentrated on freeing mature trees from the damaging effects of invasive vines, focusing specifically on private properties in the City of Charlottesville. CHIPP has therefore conceived of an innovative project that seeks to build neighborhood-based teams of people who are trained to:

- Identify, survey, and treat invasive vines primarily on private properties;
- Educate and train their neighbors about the value of mature trees and about invasive vines and how to control them;
- Collaborate to free neighborhood trees from invasive vines; and
- Support vulnerable neighbors who are unable to do the work themselves.

CHIPP has begun to work with two neighborhoods—Kellytown and Little High—to develop pilot projects tailored to help each neighborhood deal with its specific problems with invasive vines and understand the beauty and benefits that can be created in managing them. Ultimately, we hope to involve not only individual homeowners and HOAs, but also commercial and rental property owners in all our neighborhoods.

For more information or if your neighborhood is interested in joining in this endeavor, please email cvillechipp@gmail.com.

2 Blue Ridge PRISM (Partnership for Regional Invasive Species Management), Botanical Garden of the Piedmont, Charlottesville Area Tree Stewards, Piedmont Master Gardeners, ReLeaf Cville, Rivanna Conservation Alliance, Rivanna Master Naturalists, Jefferson Chapter of the Virginia Native Plant Society.

RECOMMENDATIONS FROM THE TREE COMMISSION

Tree Commission Support for a Second Urban Forester

The Tree Commission strongly supports the Neighborhood Development Services and Parks & Recreation request that the city hire an additional Urban Forester who would be located in Neighborhood Development Services. This request aligns with repeated recommendations from the Tree Commission, and is squarely in line with the practice of similar-sized cities as Harrisonburg and Blacksburg, VA, which have divided the many tasks belonging to contemporary urban forestry into two distinct roles:

- ***Forest Management***: A role, under the heading of Parks & Recreation or Public Works, focusing on diverse arboricultural operations on public properties; and
- ***Code Implementation and Enforcement***: A second role, under the heading of Neighborhood or Community Development, focusing on processes related to development, the enforcement of codes and ordinances, and tree removal permitting on private properties.

Charlottesville's Urban Forester's scope of work currently includes work in both public and private jurisdictions. Moreover, in recent years, the Climate Action Plan, the Comprehensive Management Plan, and updates to the Charlottesville Code of Ordinances have significantly intensified and multiplied the Urban Forester's duties which, taken together, stretch far beyond the capability of a single person.



American Basswood in Market Street Park
Charlottesville Area Tree Stewards, Notable Trees Project

The proposed hiring envisions discrete roles of the two Charlottesville Urban Foresters as outlined below.

Parks & Recreation: Urban Forester	**Neighborhood Development: Urban Forester**
• Increasing Urban Tree Canopy – Tree Planting • Urban Forest Restoration/ Invasives Vegetation Management • Administration of $300,000 Urban Forestry Grant over the next 3 years • Public Education • Downtown Mall Tree Maintenance • Responding to citizen concerns and inquiries about city-owned trees • Stormwater: Green infrastructure (proposed)	• Technical assistance to property owners during development/planning process • Sidewalk inspection for root-heave to keep city in ADA compliance • Engaging with developers through all phases of planning • Code/Ordinance Enforcement • Tree Removal Permitting/Processing • Development Plan/Site Plan Review • Stormwater: Green infrastructure (proposed)

A healthy, vibrant tree canopy is an essential element in our Climate Action Plan—indeed it constitutes the "gold standard" for mitigating the harmful effects of increased heat and flooding due to climate change.[3] To meet these goals, it is not only necessary to maintain a comprehensive plan of tree planting and invasive species management, but also to pursue a meaningful policy of tree preservation in collaboration with developers, and to enforce the tree-positive regulations in the city's revised codes and ordinances.

For these reasons, the Tree Commission urgently requests that the city follow other Virginia communities and hire a second urban forester. While the Tree Commission advocates for two urban foresters, each in their specific jurisdiction, we also argue that the health of the urban forest in Charlottesville requires a close, substantive, and ongoing collaboration between the two.

3 City of Charlottesville Heat Mitigation and Adaptation Guidebook, page 2.

Adjusting Stormwater Fee and Uses of Funds

Currently, the City of Charlottesville and the Public Utilities team are in discussions regarding adjustments to the city's Stormwater Utility Fee Program. The Tree Commission supports an adjustment to the fee, as well as expanding current uses of funds collected from the fee, to include tree preservation and planting as crucial aspects of stormwater management and green infrastructure. The Tree Commission puts forward three recommendations to City Council:

1. Expand the City's Stormwater Activity within Legal Authority
2. Adjust Stormwater Fee Structure
3. Bolster Uses of Funds to Include Green Infrastructure

1. Expand the City's Stormwater Activity within Legal Authority

The Tree Commission sees an opportunity for the City of Charlottesville to expand its stormwater management and regulation, by widening its interpretation and activity of allowable uses within legal state authority. Public education activities and acquiring property are two examples of permitted management practices available to Charlottesville that could be utilized in an expanded stormwater program, both in line with current permitted practices.

Per state law, permitted activities include "1. The acquisition, as permitted by § 15.2-1800, of real and personal property, and interest therein, necessary to construct, operate and maintain stormwater control facilities; 2. The cost of administration of such programs."[4] Possible benefits to expanding the current interpretation of what is allowable under state law include public greenspace, higher Urban Tree Canopy (UTC), and strengthened stormwater ecosystem services. The Tree Commission recommends using the next fiscal year as an opportunity to build more robust ways to enhance the city's canopy, in service of both additional greenspace and enhanced green stormwater infrastructure.

2. Adjust Stormwater Fee Structure

In order to understand the commission's recommendations for adjustments in the stormwater fee structure, it is necessary first to understand the current fee structure. Per the City of Charlottesville, the current fee is calculated and charged "in 500 square foot (SF) increments of impervious area, referred to as a billing unit (BU). The total impervious area for the parcel is divided by 500 and rounded up to the next whole unit. The Stormwater Utility Fee is calculated by multiplying the number of BUs by the utility rate adopted by the City Council ($1.20 per billing unit per month). There is no fee for parcels determined to have less than 300 square feet of impervious area."

4 See Regulation of Stormwater, https://law.lis.virginia.gov/vacode/title15.2/chapter21/section15.2-2114/.

The Tree Commission recommends adjusting the fee structure in two key aspects:

Adjust the fee toward higher concentration of impervious surfaces

The commission recommends adjusting the fee such that properties that concentrate more impervious surfaces and have higher levels of runoff and ecological impact assume a requisite portion of the fee collection. The current fee structure builds its rate based on the percentage of impervious area on a property, such that both a small house and a large commercial shopping center are rated as having the same percentage of impervious surface on their properties. We suggest shifting the fee burden onto properties contributing more substantially to stormwater runoff.

Expand Waiver Program by raising minimum eligible for collection

Currently, according to Public Utilities, there is no fee for parcels determined to have less than 300 square feet of impervious area.[5] The commission proposes raising the minimum threshold for parcels eligible for fee collection. This will revise the responsibilty of small parcels with an inevitably high percentage of impervious surface, ensuring a more equitable distribution of stormwater fees.

3. Bolster Uses of Funds to Include Green Infrastructure

The commission strongly favors expanding the uses of funds collected from the Stormwater Utility Fee to include green infrastructure in addition to hard, built infrastructure. While traditional, piped stormwater infrastructure focuses on maximizing speed and efficiency of water conveyance, green infrastructure includes a range of strategies to slow the flow and increase the quality of stormwater, mitigating damage to our urban streams. At the same time, green infrastructure can provide a host of additional benefits, as it can reduce the urban heat island effect, support the city's tree canopy, provide shade for human comfort and offer biodiverse planting habitats.

In Charlottesville, effective interventions could include bioretention gardens at multiple scales, bioswales, permeable paving, "green streets" and enhanced riparian buffers. Two possible implementation options could involve:

- *Administering the program through a newly-hired NDS Urban Forester, in conjunction with Public Utilities; or*
- *Joint collaboration between NDS and Parks & Recreation.*

5 https://www.charlottesville.gov/DocumentCenter/View/1039/Stormwater-Flyer-PDF.



Bur Oak at Johnson Elementary School
Charlottesville Area Tree Stewards, Notable Trees Project

CONCLUSION

Restoring and revitalizing our urban forest—and actualizing its "gold standard" role in mitigating the detrimental effects of climate change in our city—will require the passion, hard work, and collaboration of people in multiple city departments, councils, and commissions in league with our nonprofit partners and private citizens. The Tree Commission is dedicated to moving forward with the initiatives detailed in this report while finding new ways to achieve a shared vision for our collective canopy.

Stormwater Utility Fee

1. Overview of City Authority
2. Overview of Current Stormwater Program and Fee/Formula
3. Problems with the Current Fee/Formula
4. Suggested Changing to the Stormwater Program and Fee/Formula
5. Potential Critiques & Counter Arguments

What Legal Authority Does the City Have

1. Does the Charlottesville City Council have the authority to make these suggested changes? (Dillon Rule?)
2. **Answer: Yes - the Charlottesville City Council has the authority to make these changes; it is not a Dillon Rule issue.**
    a. The Stormwater Utility Fee was locally implemented by direction of the city counsel via the Code of the City of Charlottesville, Chapter 10, Article VI, §10-103-108.
        i. https://library.municode.com/va/charlottesville/codes/code_of_ordinances?nodeId=CO_CH10WAPR_ARTVISTUT_S10-103STUTFE
    b. The City Counsel derives its authority to define, alter, and levy this fee, its structure, and its waivers from Virginia Code § 15.2-2114.
        i. https://law.lis.virginia.gov/vacode/title15.2/chapter21/section15.2-2114/

Authority Delegated to City Under Stormwater Ordinance

§ 15.2-2114. Regulation of stormwater. (Section A) (*Please use link for § B-K*)

Any locality, by ordinance, may establish a utility or enact a system of service charges to support a local stormwater management program. [...] Income derived from a utility or system of charges shall be dedicated special revenue, may not exceed the actual costs incurred by a locality operating under the provisions of this section, and may be used only to **pay or recover costs** for the following:

1. The acquisition, as permitted by § 15.2-1800, of real and personal property, and interest therein, necessary to construct, operate and maintain stormwater control facilities;
2. The cost of administration of such programs;
3. Planning, design, engineering, construction, and debt retirement for new facilities and enlargement or improvement of existing facilities, including the enlargement or improvement of dams, levees, floodwalls, and pump stations, whether publicly or privately owned, that serve to control stormwater;
4. Facility operation and maintenance, including the maintenance of dams, levees, floodwalls, and pump stations, whether publicly or privately owned, that serve to control stormwater;
5. Monitoring of stormwater control devices and ambient water quality monitoring;
6. Contracts related to stormwater management, including contracts for the financing, construction, operation, or maintenance of stormwater management facilities, regardless of whether such facilities are located on public or private property and, in the case of private property locations, whether the contract is entered into pursuant to a stormwater management private property program under subsection J or otherwise; and
7. Other activities consistent with the state or federal regulations or permits governing stormwater management, including, but not limited to, public education, watershed planning, inspection and enforcement activities, and pollution prevention planning and implementation.

What is the Stormwater Utility Fee

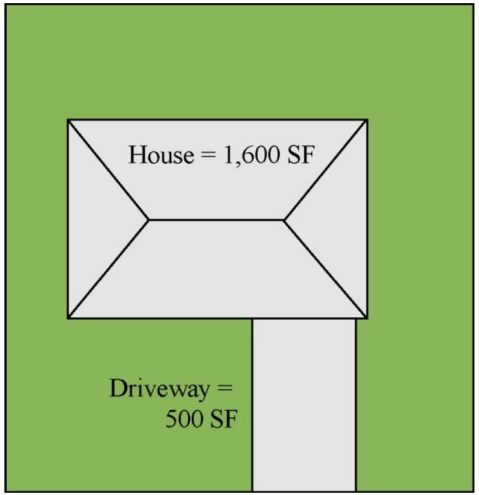
1. The SWU Fee was adopted to provide a stable source of funding for the WRPP (Watershed Restoration Protection Program)
   a. https://www.charlottesville.gov/364/Water-Resources-Protection-Program
2. The SWU Fee is a fee-for-service based on the amount of impervious surface area on a property (roofs, parking areas, walkways, etc.)
   a. This is a similar concept to how the City distributes the cost for sanitary sewer and drinking water services.
   b. Definition of Impervious Surface in the ordinance: “Area covered by hard surfaces such as structures, paving, compacted gravel, concrete, or other man-made features that prevent, restrict, or impede the downward passage of stormwater into the underlying soil.”

How is the Stormwater Utility Fee Currently Calculated?

Step 1: Calculate Business Units (BU's): Total Impervious Surface Area / 500 sqft, Round up to the next whole number.

Step 2: Calculate Total Fee

BU's * Fee Rate ($1.20) * 12 Months



Example Fee Calculation

- **Total impervious area = 2,100 SF**
- **Divide by 500 SF = 4.2**
- **Round to the next whole number = 5 billing units (BUs)**
- **Multiply the number of BUs (5) by the rate ($1.20) x 12 months for an annual fee of $72.00**

Current Storm Water Fee - Issues/Fact Finding

1. Current program does not fully utilize all of the authority delegated to the City by the State Government.
2. Fee/Formula has not increased and formula has not been changed since inception.
3. Fee/Formula lacks equity.
4. Program/Fee/Formula, while a step in the right direction, should be updated to more effectively provide funding for, and structure to, the stormwater fee and program which promotes the health and wellbeing of the community and its interests - including water quality, livability, and commerce.

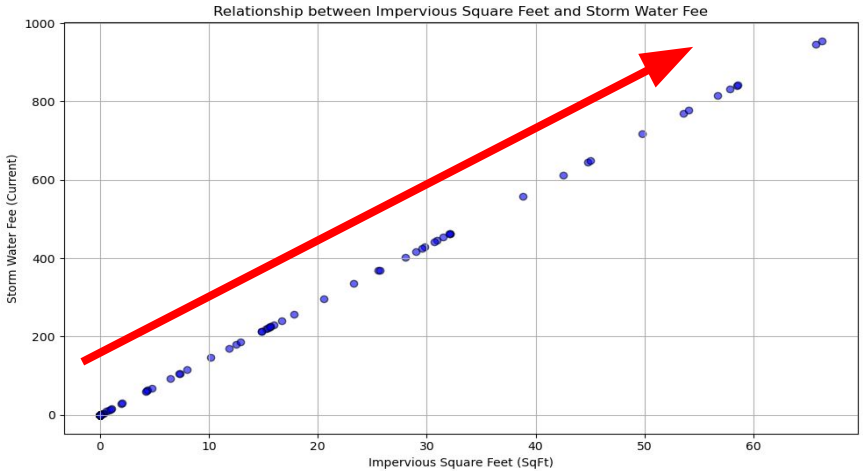
1. Suggested Stormwater Program Changes

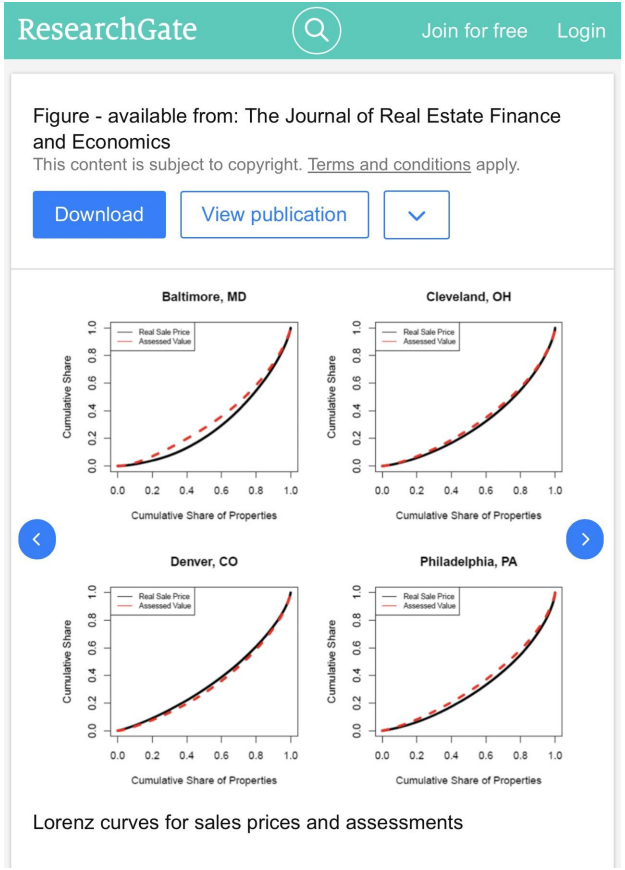
- Include explicit reference to Green Infrastructure in the definitions of “stormwater infrastructure” and direct public utilities to include the planting of such infrastructure, including trees, in their stormwater facility designs and implementation.
- Determine what can be done to facilitate collaboration with/between existing departments that already work with trees and green infrastructure such that work is not duplicated or siloed in different departments.
    - This could take the form of directing them to work together on green infrastructure project and/or routing funding derived from the stormwater fee in new ways.
- Fully utilize the power delegated by the state to “**recover costs**”.
    - 0 East High Street, for example, could be designated as green infrastructure, removed from possible future development plans, and the cost of acquiring the property could in part be recovered via the storm water fee.

2. Suggested Stormwater Fee Changes

- The current Fee rounds impermeable surface area UP to the nearest 500sqft.
  - This lacks equity by scaling impermeable surface linearly and pushing the fees for lower impermeable surface lots higher, whereas wealth and property value do not scale linearly but according to a Lorenz distribution.

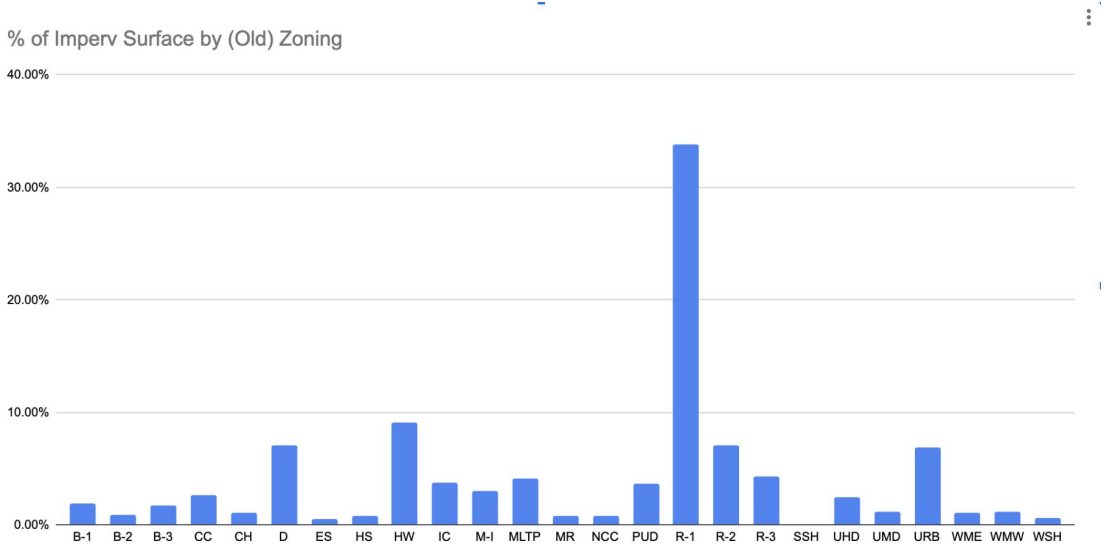
- **Suggested Changes:** (1) Remove Rounding-up from the Fee Formula.





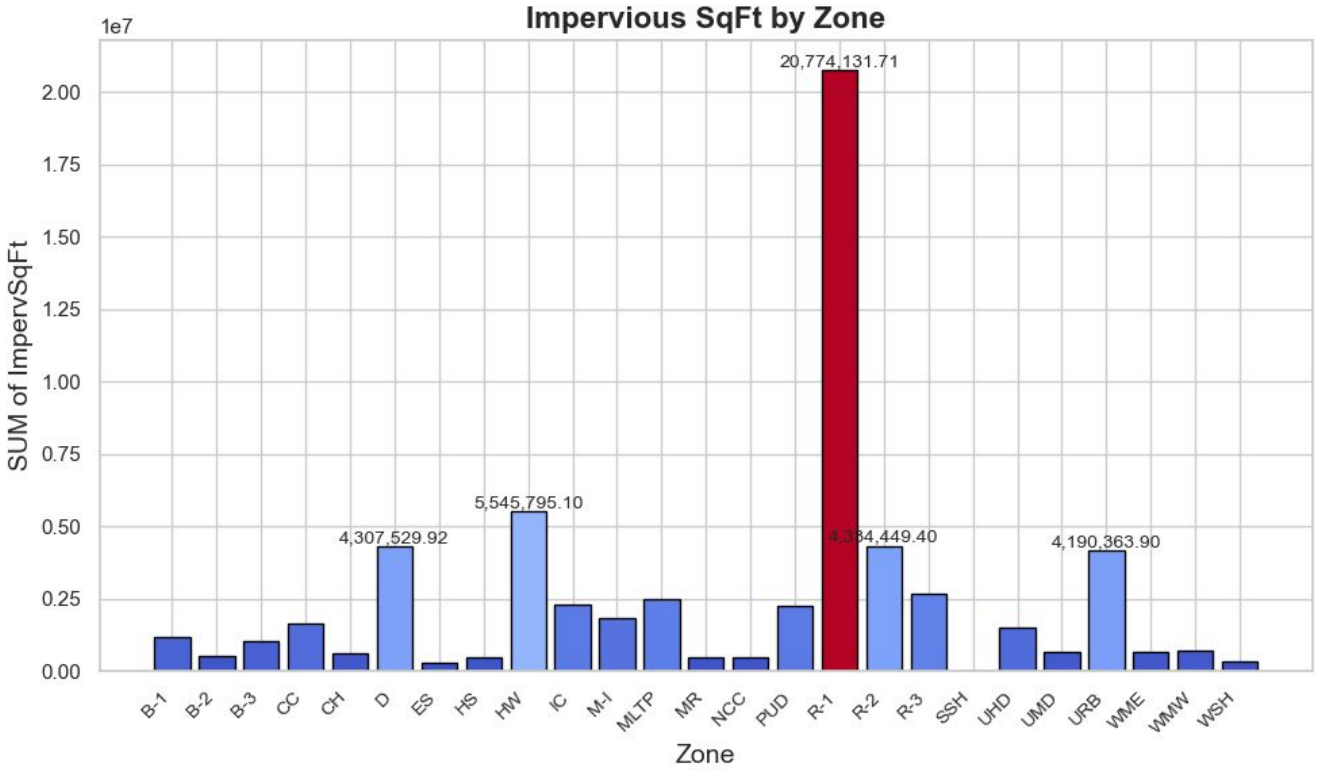
Lorenz curves for sales prices and assessments

% of Impervious Surface by (Old) Zoning

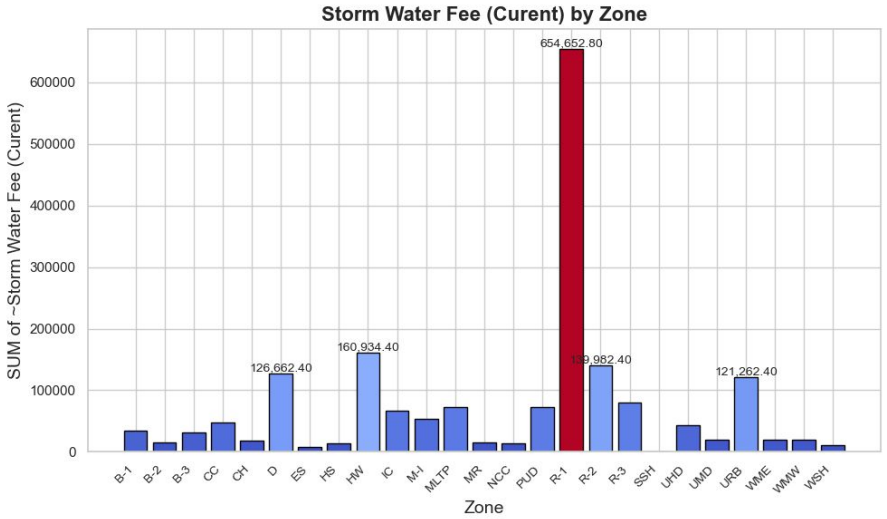


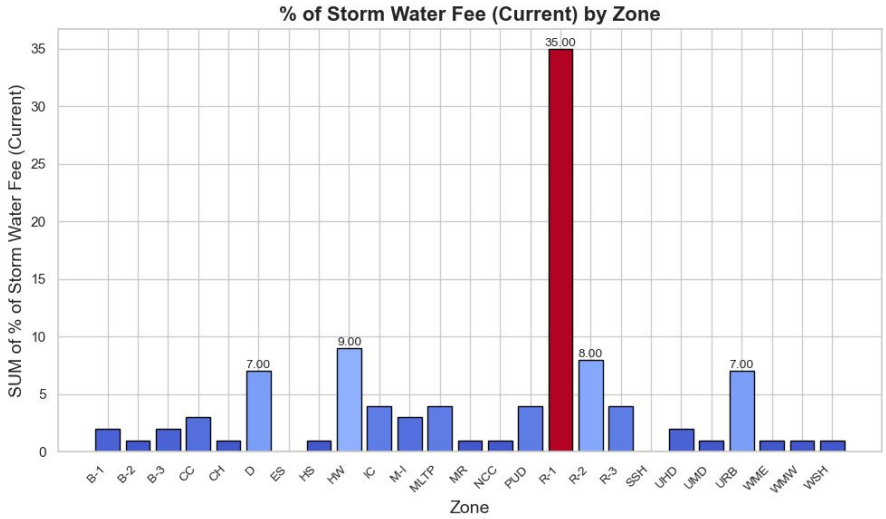
Zone	Zoning Definition	SUM of ImpervSqFt	% of total impervSqFt
B-1	Commercial 1	1,178,869.96	1.92%
B-2	Commercial 2	509,374.98	0.83%
B-3	Commercial 3	1,056,551.96	1.72%
CC	Central City	1,631,672.67	2.66%
CH	Cherry Avenue	624,105.63	1.02%
D	Downtown	4,307,529.92	7.02%
ES	Emmet Street Cooridor	286,446.43	0.47%
HS	High Street	483,971.66	0.79%
HW	Highway Corridor	5,545,795.10	9.04%
IC	Industrial Corridor	2,295,943.53	3.74%
M-I	Medium Industrial	1,847,228.06	3.01%
MLTP	Mixed-Use Low-Intensity Transition District	2,490,478.30	4.06%
MR	Mcintire - 5th Residential	490,529.80	0.80%
NCC	Neighborhood Commercial Corridor	480,177.19	0.78%
PUD	Planned Use Development	2,252,178.49	3.67%
R-1	Residential 1	20,774,131.71	33.86%
R-2	Residential 2	4,334,449.40	7.06%
R-3	Residential 3	2,656,741.90	4.33%
SSH	South Street Historic	31,181.86	0.05%
UHD	University High Density	1,497,230.02	2.44%
UMD	University Medium Density	682,261.38	1.11%
URB	Urban Corridor	4,190,363.90	6.83%
WME	West Main East Corridor	671,570.52	1.09%
WMW	West Main West Corridor	695,341.71	1.13%
WSH	Water Street Corridor	346,239.97	0.56%
		61,360,366.05	1.00

Current SWF Fee Breakdown by (Old) Zoning (1/5)

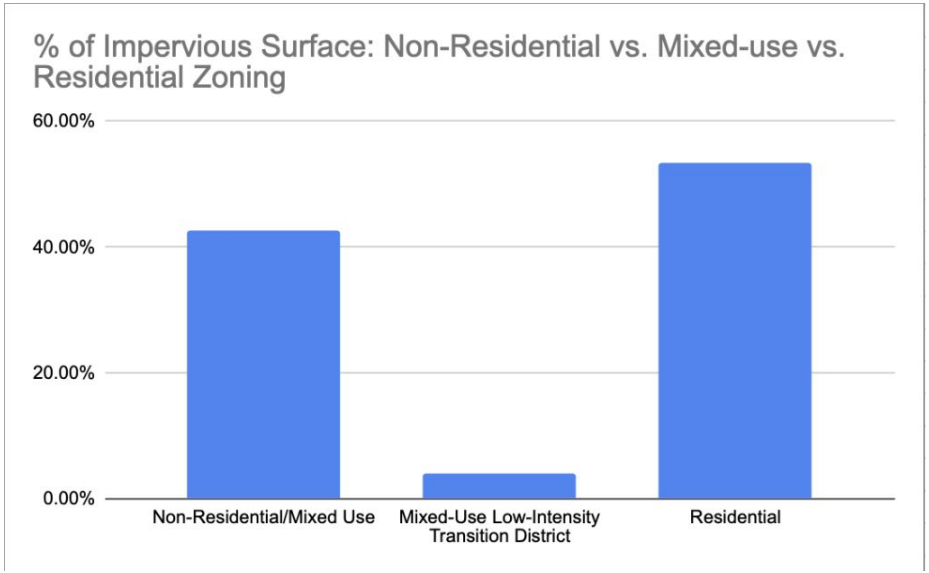


Current SWF Fee Breakdown by (Old) Zoning (2/5)





% Impervious Surface: Non-Residential vs. Mixed-use vs. Residential Zoning



	Impervious Sqft	% of Total Sqft	% of Stormwater Fee Assessed
Non-Residential/Mixed Use	26,182,365.05	42.67%	40.76%
Mixed-Use Low-Intensity Transition District	2,490,478.30	4.06%	3.84%
Residential	32,687,522.70	53.27%	55.40%
	61,360,366.05	100.00%	100.00%

2. Suggested Stormwater Fee Changes (P. 1/4)

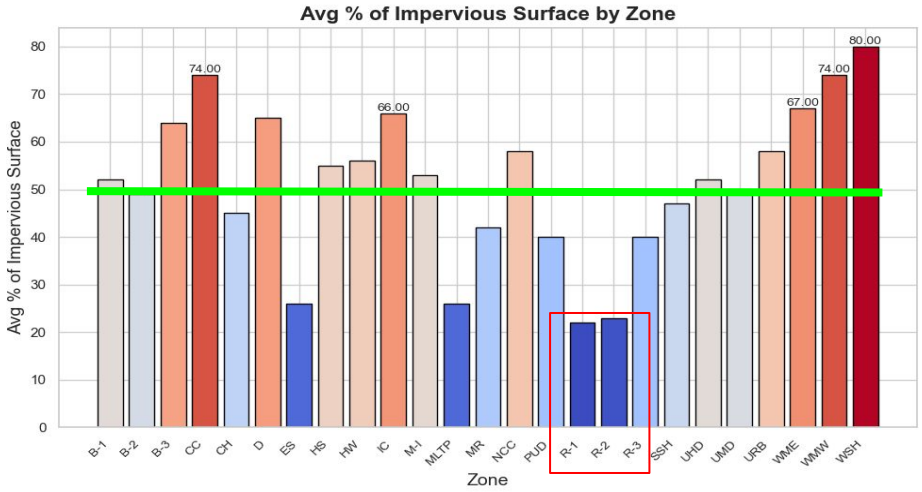
> *Sec. 10-101. - Purpose The city council finds that an adequate, sustainable source of revenue for stormwater management activities is necessary to protect the general health, safety, and welfare of the residents of the city. Further, the city council finds that property with higher amounts of impervious area contributes greater amounts of stormwater and pollutants to the stormwater management system and waters of the commonwealth and should carry a proportionate burden of the cost. Therefore, the city council determines that it is in the best interest of the public to enact a stormwater utility fee that allocates program costs to all property owners based on impervious area.*

This finding is true but it is only part of the story - higher concentrations of impermeable surface also contribute greater amounts of stormwater and pollutants to the stormwater management system and waters of the commonwealth, and should likewise carry a proportionate burden of the cost.

2. Suggested Stormwater Fee Changes (P. 2/4)

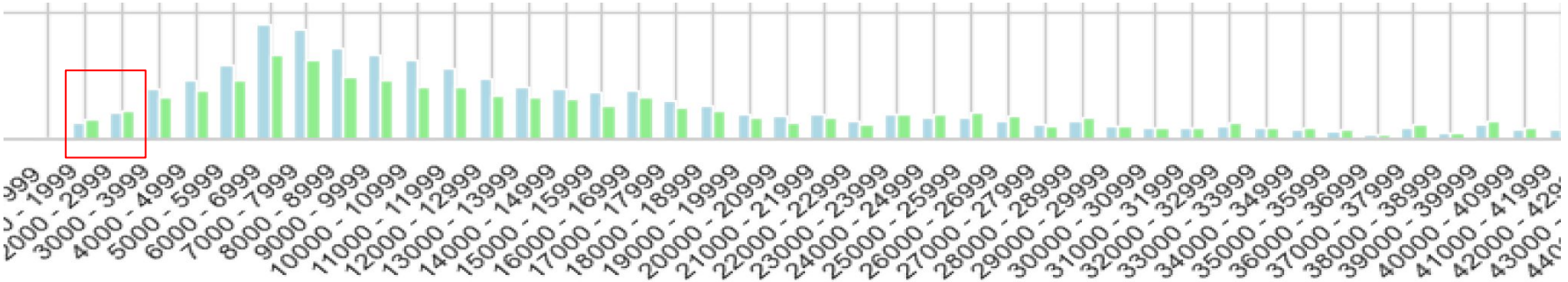
Suggested Changes:

2. Changing the fee formula to include % of lot coverage for impermeable surface in some capacity.
    - The inclusion of % of lot coverage would more effectively target lots that have an outside impact on the stormwater system by focusing the fee burden on lots with large amounts of impermeable surface AND high percentage coverage - such as parking lots.



2. Suggested Stormwater Fee Changes (P. 3/4)

3. Giving a blanket fee waiver to small lots (~ >2000sqft).
   - would address the potential equity issue that including % lot coverage would have on smaller city lots.



KEY:
Blue (Left Bars) = current fee distribution by lot size;
Green (Right Bars) = Current Fee multiplied by % of lot covered in impermeable surface

2. Suggested Stormwater Fee Changes (P. 4/4)

4. Giving a scaled waiver for higher density lots that build affordable housing as this type of housing benefits stormwater concerns by increasing utilization of densely zoned properties.
    - We do not believe that the goals of increased green infrastructure, increased canopy coverage, and increased affordable housing and density are incompatible; rather, that they can be achieved together in a synergistic way where the resources and benefits of one area are able to be brought to effect positive change in the other.
    - Put another way, Increased canopy and stormwater infrastructure leads to a city where more people want to live; increased affordable housing allows more people to live here and fund that infrastructure.

In Practice - A Tale of Two Parcels

Address Number	Address Street	Zone	LotSqFt	ImpervSqFt	Imperv %	SW Billing Units	~Storm Water Fee (Curent)	% of storm water fee (Current)	~Storm Water Fee (% Impermiable scaling)	% of storm water fee (scaled)	Storm Water Fee (Doubled)	% of doubled storm water fee	Storm Water Fee Doubled + % Impermiable Sliding Scale	% of doubled storm water fee (scaled)	Storm Water Fee (Tripled)	% of tripled storm water fee	Storm Water Fee Tripled + % Impermiable Sliding Scale	% of tripled storm water fee (scaled)
100	E WATER ST	WSH	43064.5	42659.67	99.06%	86	$1,238.40	0.0664416%	$1,226.76	0.143%	$2,476.80	0.0664%	$2,453.52	0.143%	$3,715.20	0.0664%	$3,680.28	0.1434984%
900-1000	1ST ST S	MLTP	374441.56	36259.03	9.68%	73	$1,051.20	0.0563981%	$210.67	0.012%	$2,102.40	0.0564%	$203.59	0.012%	$3,153.60	0.0564%	$305.38	0.0119071%

Why are these two lots that have such radically different uses re: % of lot covered in impermeable surface paying nearly the same amount?

Imperv %	SW Billing Units	~Storm Water Fee (Curent)	% of storm water fee (Current)	~Storm Water Fee (% Impermiable scaling)	% of storm water fee (scaled)	Storm Water Fee (Doubled)	% of doubled storm water fee	Storm Water Fee Doubled + % Impermiable Sliding Scale
99.06%	86	$1,238.40	0.0664416%	$1,226.76	0.143%	$2,476.80	0.0664%	$2,453.52
9.68%	73	$1,051.20	0.0563981%	$210.67	0.012%	$2,102.40	0.0564%	$203.59

Recap: Problem With Current Storm Water Fee System

1. **Current SWF System places the fee-burden on low density residential lots**
    a. Prioritizes “consistency of funding” over “promoting changes we want to see.”
    b. low density residential, in aggregate, accounts for the largest amount of impervious surface in the city when considered by zoning; however, these lots have a low overall *percentage* of impervious sqft when compared against lot size.
        i. These lots are therefore generally less-able to make changes that would both lower their fee when compared to lots with a higher percentage of impervious surface to lot size, such as a parking lot, and meaningfully lower their stormwater fee via the fee-waiver program.
2. **The current SWF System does not actually treat all impervious surface equally**
    a. Due to the BU system, some lots are rounded up to pay a higher fee than they actually should pay based on the actual impervious surface on their lot.
3. **The current SWF System does not take % of impervious surface of a given lot into account in addition to the overall sqft of impervious surface**
    a. This means that larger lots with high levels of impervious surface are not impacted by the fee in a way that would actually promote change in use.

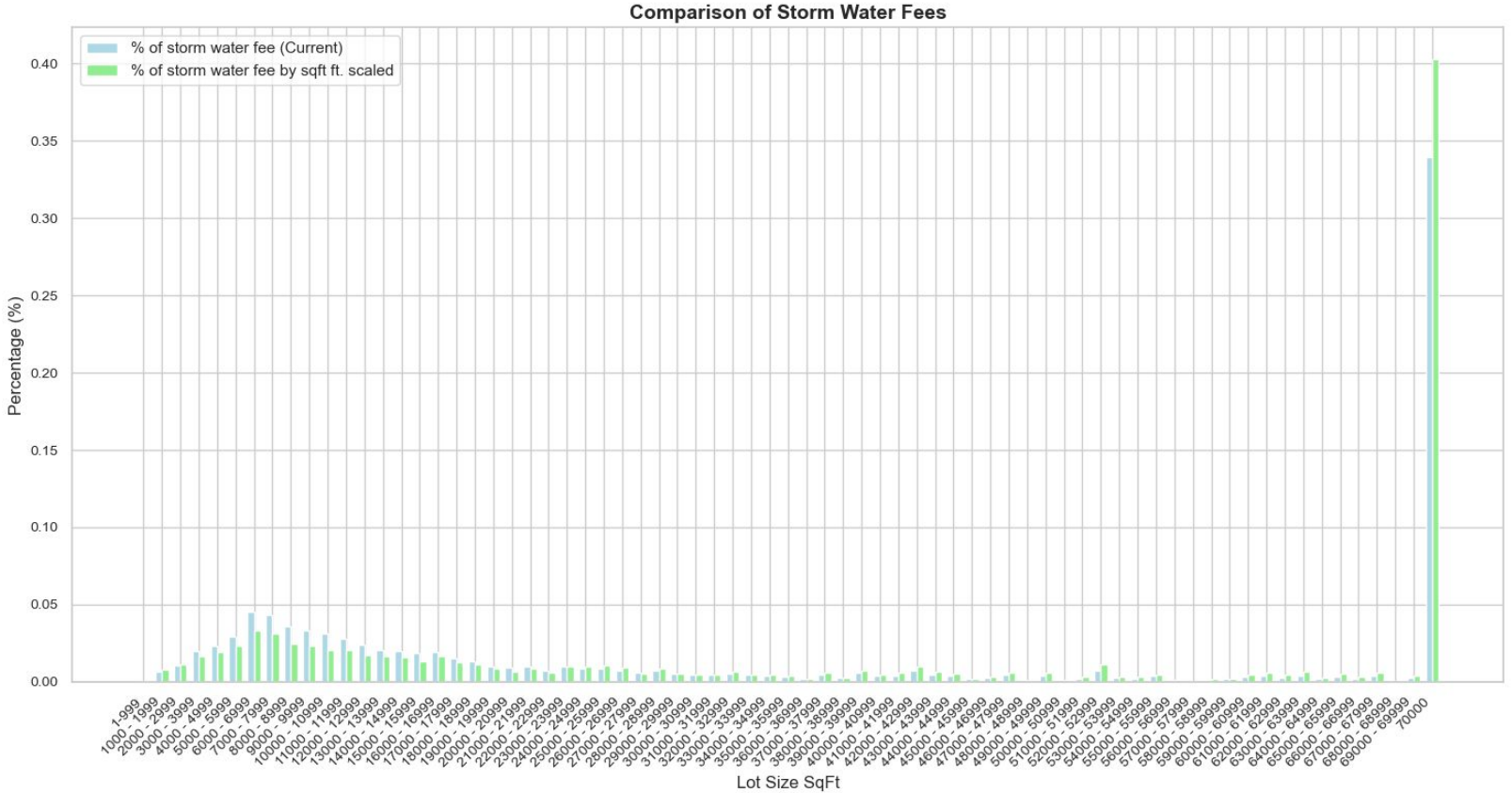
Recap: Problems These Suggested Changes Work to Address:

1. **Promote Better Development & Better Management**
    a. Incentivize Developers and Managers of existing properties with lots that have a high % of impermeable surface to engage in more sustainable practices via fee reductions and waivers for building green infrastructure.
    b. This is not a one-time fee, this is an annual fee and one that could add up to an amount that developers and managers would find significant - that is a double edged sword, because we do not want to injure local business but we do want to incentivize them to incorporate sustainable practices.
2. **Protection for large diameter trees in development**
    a. If fee-breaks or partial waivers are offered for protecting large diameter trees for the duration of their life this could, in combination with an increased and better targeted fee, convince some developers to preserve these trees.
3. **Planting trees on private property**
    a. If we can convince the city to include grown/planted infrastructure alongside built infrastructure an argument could be made to divert some of the funding from this program towards offering planting on private property.

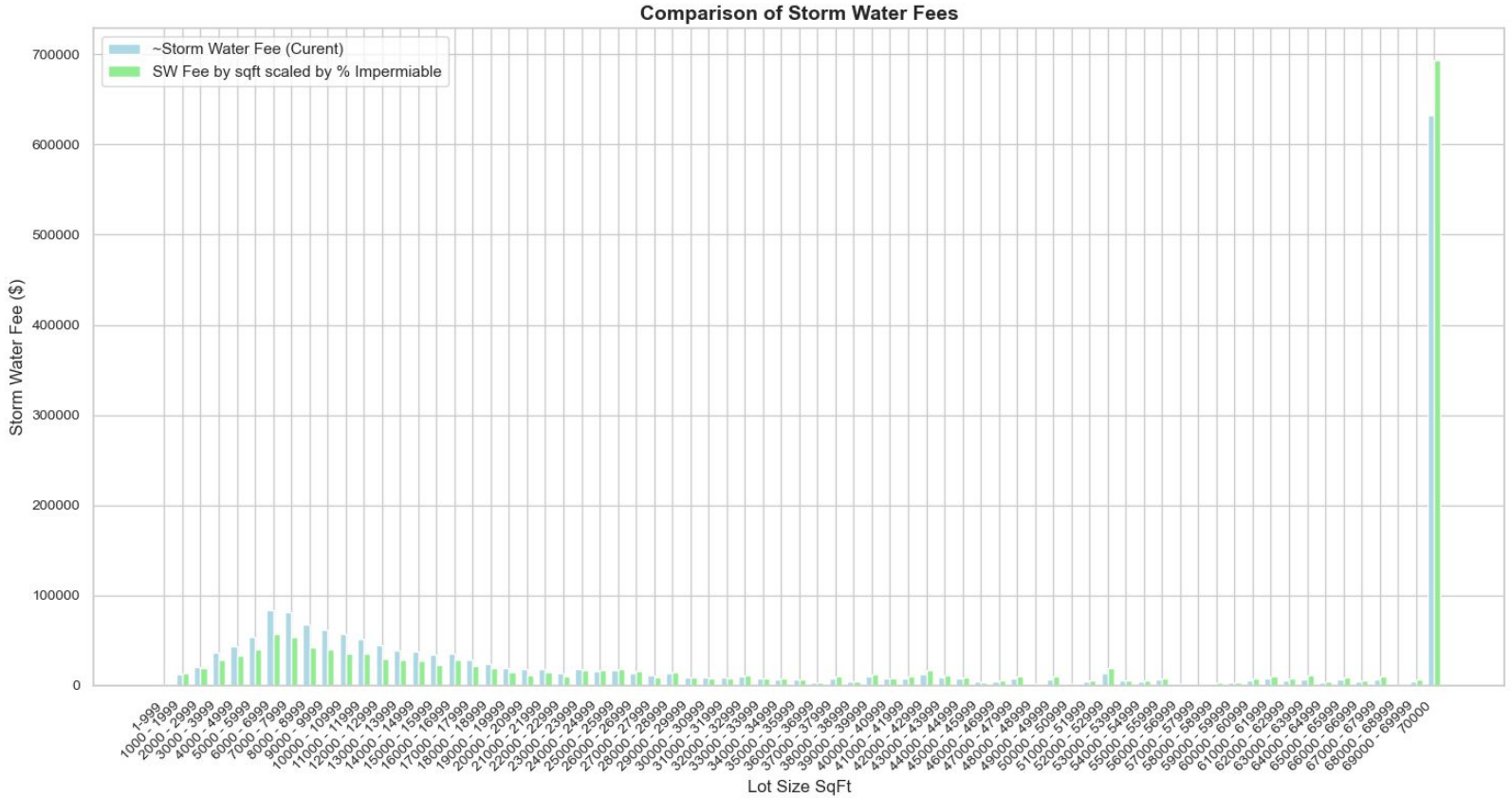
Potential Critiques

1. Using % of Impermeable Surface by Lot Size is regressive.
2. Using Tree-Plantings, or protecting large diameter trees by providing storm water fee breaks or waivers is regressive.
3. Commercial lobbying interests will oppose these changes.
    a. Some arguments here have merit - i.e., commercial property is already hurting and city council would be reluctant to make that worse.
4. The city is “almost done” with their “TMDL” requirements, which has been the primary (if not only) justification for local government environmental spending in the last decade.
    a. The city already has a long list of projects queued up to get to that goal.

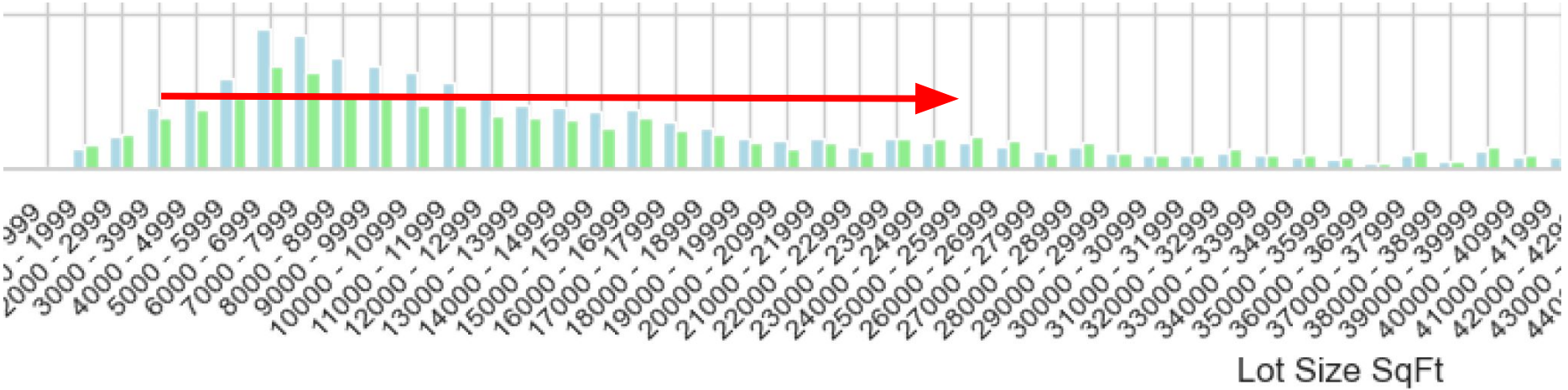
Counter to Critiques 1 & 2 (1/4): % of Total Fee Collected



Counter to Critiques 1 & 2 (2/4): Fee in Dollars



Counter to Critiques 1 & 2 (3/4)



- The change to include the % of Impermeable Surface in the SW Fee calculation actually shifts the fee burden from smaller lot sizes to larger.
- Taken in concert with the change to include % of impermeable surface in the SWF, fee breaks/waivers for tree planting and preservation of LDT's would/should be offset by the shift in fee burden away from smaller lots.
- The fee would be calculated using BOTH impervious surface amount AND % of lot covered. RE: impact on smaller lots: just as smaller lots are not able to support as many trees as larger lots, they also do not support as much impervious surface and have lower fees as a result.

Counter to Critique 3

Critique 3: “Commercial lobbying interests will oppose these changes.”

- Research conducted by urban designer Dan Burden suggests that businesses operating on streets with significant tree coverage earn 12% more income than those without and that mature tree canopy streets allowed businesses to charge an 8-12% premium on their products and services.
- The EPA released a report summarizing 17 case studies on development that includes green infrastructure that estimates the capital cost savings ranged from 15% to 80% when GI was used.
    - https://nacto.org/docs/usdg/banking_on_green_odefey.pdf
- The NRDC stated in its report, “The Green Edge: How Commercial Property Investment in Green Infrastructure Creates Value,” that the following benefits to commercial property can be realized through GI investments:
    - Increased rents and property values
    - Increased retail sales
    - Reduced infrastructure costs
    - Energy savings
    - Reduced water bills

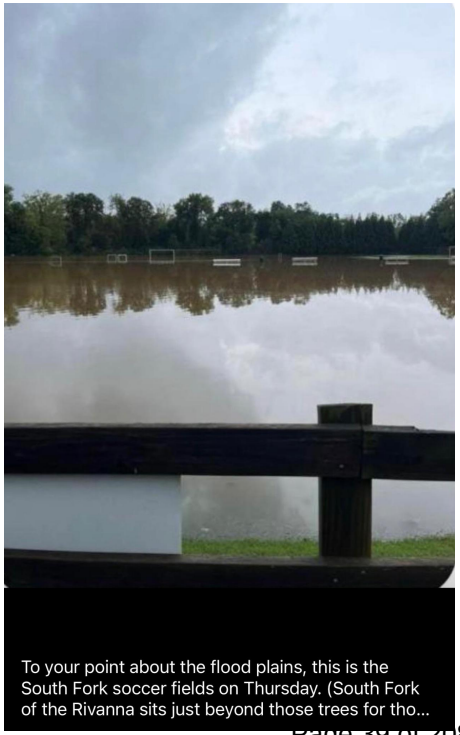
Counter to Critique 4

Critique 4: “The city is “almost done” with their “TMDL” requirements, which has been the primary (if not only) justification for local government environmental spending in the last decade.”

- What we have done, while impressive and necessary, is not enough.



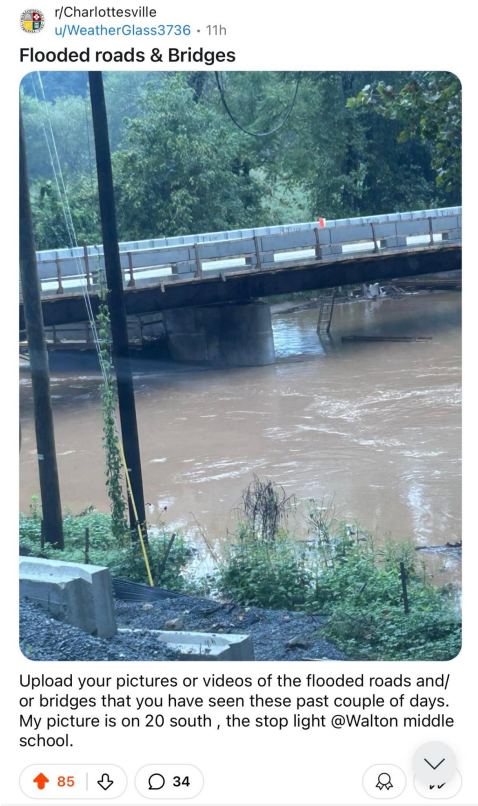




Counter to Critique 4







CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES
December 16, 2024 at 4:00 PM
Council Chamber

The Charlottesville City Council met on Monday, December 16, 2024. Mayor Juandiego Wade called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrin and Lloyd Snook. Councilor Michael Payne arrived at 4:06 p.m. during the presentation of Item #1.

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

REPORTS

1. REPORT: Budget Briefing: Public Safety and Transportation

City Manager Sam Sanders provided a briefing on the Fiscal Year 2026 City Budget, with specific attention to public safety and public transportation. The purpose of budget briefings is to share trends that impact the budget, to highlight fiscal demands, to identify this budget's fiscal drivers, and to confirm that priorities are captured. The presentation included budget drivers for Fire Service, Police, Emergency Management, and Transit. Mr. Sanders stated that there may be a need for a work session to discuss transit in January. Council engaged in discussion.

CLOSED MEETING

On motion by Pinkston, seconded by Snook, Council voted 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates to be appointed to the following boards and/or committees:

i. Charlottesville-Albemarle Airport Commission
ii. Housing Advisory Committee
iii. Piedmont Family YMCA Board of Directors
iv. Rivanna Solid Waste Authority Board
v. Rivanna Water and Sewer Authority Board.

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

BUSINESS SESSION

City Council began the business meeting by observing a moment of silence.

ANNOUNCEMENTS

Councilor Payne announced city board and commission vacancies.

On motion by Pinkston, seconded by Payne, Council voted 5-0 to appoint the following individuals to boards and commissions:

- Charlottesville-Albemarle Airport Commission – Susan Pace Lochte
- Housing Advisory Committee – Peppy Linden, Sunshine Mathon, Mike Parisi, and Nicole Scro
- Piedmont Family YMCA Board of Directors – Melissa Carter
- Rivanna Solid Waste Authority Board – Mike Gaffney
- Rivanna Water and Sewer Authority Board – Mike Gaffney

RECOGNITIONS/PROCLAMATIONS

- **PROCLAMATION OF RECOGNITION: Honoring Rosalind Collins for her recognition by the Commissioners of the Revenue Association of Virginia as the Margaret Anderson Outstanding Deputy for 2024**

Councilor Snook presented the proclamation of recognition to Rosalind Collins. Commissioner of the Revenue Todd Divers explained the Margaret Anderson Outstanding Deputy Award. Each year at its annual conference, the Commissioners of the Revenue Association of Virginia chooses one Deputy from across the Commonwealth to receive the Margaret Ann Anderson Outstanding Deputy Commissioner Award. This is the highest honor that our Association confers on a Deputy.

COMMUNITY MATTERS

City Manager Sanders made remarks about recent community input regarding a proposed low-barrier shelter. Mayor Wade opened the floor for comments from the public.

1. Lisa Custalow, city resident, stated that there were seven deaths of homeless people in the community this year. She ceded her time to Robin Hoffman who spoke about homelessness in the city. Ms. Hoffman also spoke about the need for bus stop canopies and improved pedestrian crossings. She commended the Grand Illumination event and the ReLeaf program.
2. Matthew Gillikin, city resident, spoke on behalf of Livable Cville in support of plans expressed by City Manager Sanders to provide housing access to homeless individuals. He spoke about a variety of struggles experienced by people dealing with homelessness.
3. Dede Smith, city resident, spoke about segregation through the lens of housing and education. She referenced differences in demographics relative to the train tracks.
4. Em Gunter, city resident, spoke about homelessness and in support of the proposed low-barrier shelter on Cherry Avenue.
5. Benjamin Efferd, city resident, spoke about the recent Fifeville Neighborhood Meeting regarding the proposed low barrier shelter, and he made a suggestion to swap the locations of the proposed low-barrier shelter and the high-barrier shelters.
6. Louis Desibri, city resident, spoke about a program that he provides to give computers to low-income individuals and the group would like to help more people.
7. Susan Kruse, Executive Director of the Community Climate Collaborative, recapped city successes in the area of sustainability this past year and encouraged Council to vote in favor of joining a Regional Transit Authority. She acknowledged the growing need for energy solutions and energy efficiency incentives.
8. Karen Waters, city resident and Co-Chair of Cultivate Charlottesville, acknowledged the city's investment in the program and asked for continued consideration of a community garden in Washington Park.
9. Jessica Jackson, city resident and member of the Parks and Recreation Advisory Board, expressed concerns about equity in the rental program for garden plots and the need for term limits to avoid monopolization of garden plots.

10. Aleen Carey, Cultivate Charlottesville Co-executive Director, spoke about the organization's initiatives and she expressed interest in hearing the update report on the Parks and Recreation Master Plan, particularly regarding a garden space at Booker T. Washington Park. She stated that the organization is in a funding gap.

CONSENT AGENDA*

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

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

2. MINUTES: December 2, 2024 regular meeting

3. RESOLUTION to appropriate funding from the Virginia Department of Housing and Community Development, Housing Opportunities for Persons with AIDS/HIV (HOPWA) grant 24-HOPWA-303 in the amount of $389,312 (2nd reading)

RESOLUTION APPROPRIATING FUNDS
Housing Opportunities for Persons with AIDS/HIV (HOPWA) Grant
$389,312

WHEREAS, The City of Charlottesville, through the Office of Community Solutions, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of $389,312;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of $389,312 is hereby appropriated in the following manner:

Revenues

$389,312	Fund: 209	IO: 1900576	G/L: 430120 Federal Pass-Thru State

Expenditures

$389,312	Fund: 209	IO: 1900576	G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of $389,312 in funds from the Virginia Department of Housing and Community Development.

4. RESOLUTION to appropriate BAMA Works Special Event Funding - $38,700 (2nd reading)

Resolution To Appropriate a Financial Sponsorship
from BAMA Works for Special Events
$38,700

WHEREAS, the City of Charlottesville Parks and Recreation, through a partnership with the BAMA Works Fund, has received generous financial sponsorship to host two Sunday Sundown events at Washington Park, two Sounds of Summer events, and the annual Downtown Safe Halloween festival on the downtown mall;

Revenues - $38,700

Fund: 105	Internal Order: 2000121	G/L Account: 451020

Expenditures - $38,700

Fund: 105	Internal Order: 2000121	G/L Account: 599999

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of $38,700 be appropriated in the following manner:

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of the donations.

5. RESOLUTION to appropriate grant funds from the Virginia Department of Conservation and Recreation in the amount of $393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge (Carried)

6. RESOLUTION to allocate funds from the CIP Contingency Fund for emergency repairs to the Fontaine Fire Station Parking Lot - $200,000

RESOLUTION
Allocating $200,000 from the Capital Improvement Program Contingency Account for the Fontaine Fire Station Drive Apron Repair

WHEREAS, the City of Charlottesville needs to make an emergency repair to stabilize the drive apron at the Fontaine Fire Station, which was found to be undermined after a recent storm event;

WHEREAS, the City of Charlottesville requires appropriation of $200,000 for the emergency repair of City property such that the City can continue governmental operations; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that funds needed for the drive apron repairs will be paid from the Capital Improvement Program Contingency Account:

Transfer From:

$200,000	Fund: 426	WBS: CP-080	G/L Account: 599999

Transfer To:

$200,000	Fund: 426	Funded Program: P-01118	G/L Account: 599999

CITY MANAGER REPORT

City Manager Sam Sanders announced that the sidewalk on Monticello Road, leading to Quarry Road, will be open soon. He stated that he received a staff request to apply for two more battery electric school buses, and he is hoping to make a determination before the January application deadline.

Responding to Councilor Pinkston, Mr. Sanders stated that the Urgent Infrastructure list will be provided at a meeting in January.

- **REPORT: Parks & Recreation Master Plan: Key Technical Findings, Preliminary Recommendations and Concept Plans**

William Bassett, Parks and Recreation Department, introduced Mike Smith from Pros Consulting, who provided an update on the Parks and Recreation Master Plan which is scheduled for completion in early 2025. The presentation focused on a Trail Connectivity Analysis update, Framework Plan update, cost estimating for capital improvements, and next steps.

Mr. Smith announced a Concept Plan/Connectivity Analysis Open House at Carver Recreation Center on Tuesday, December 17, answered questions for Council, and announced the following planned meetings in 2025:

- February 6 - Parks and Recreation Advisory Board
- February 11 - Planning Commission
- March 17 - City Council (first reading)
- April 7 – City Council (second reading)

ACTION ITEMS

7. PUBLIC HEARING and RESOLUTION for supplemental appropriation of $7,571,300 in Federal, State, and Local Capital Grant funding for Charlottesville Area Transit (Carried)

Garland Williams, Director of Charlottesville Area Transit, presented the resolution. The Federal Transit Administration (FTA) and the Virginia Department of Rail and Public Transportation (VDRPT) have awarded the Transit Division of the City of Charlottesville federal and state assistance to support capital projects in the operations of public transit services. The FY24 Grant Award of $2.1 million will support the purchase of battery electric vehicles and the FY23 Grant Award of $5.1 million will support the purchase of diesel buses, equipment, support vehicles, and software.

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

Council agreed unanimously to carry the item forward to the January 6 meeting for second reading and vote on the consent agenda.

8. REPORT on Annual Financial Audit for Fiscal Year 2024 from the City's Auditors

Chris Cullinan, Director of Finance, introduced the city's new Comptroller, Charles Clemmer, before presenting the audit rationale.

Michael Lupton of Robinson, Farmer, Cox, and Associates, made the audit presentation, stating that the firm will render an Unmodified (Clean) Opinion. He recommended keeping in mind the timing for state and federal reimbursement requests.

Mr. Cullinan advised that once the written audit opinion is received, the CAFR (Comprehensive Annual Financial Report) will be made available online.

9. RESOLUTION to reallocate remaining unspent/unobligated American Rescue Plan Act (ARPA) funds for eligible uses.

Mr. Cullinan presented the agenda item with a resolution intended to obligate the City’s remaining American Rescue Plan Act (ARPA) funds by the December 31, 2024 deadline from the US Treasury Department.

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

RESOLUTION

American Rescue Plan Act (ARPA) Funds –Reallocation of Unspent/Unobligated Funds

WHEREAS, the Charlottesville City Council previously appropriated $19,609,708 of American Rescue Plan Act (ARPA) funds to be spent on a number of eligible projects to mitigate the impacts of the coronavirus pandemic on individuals, businesses, and the City organization; and

WHEREAS, ARPA funds are required to be obligated (not just appropriated) by December 31, 2024 or be returned to the US Treasury Department; and

WHEREAS, the City will have unobligated ARPA funds it desires to fully obligate by the December 31, 2024 deadline; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the balance of unspent/unobligated ARPA funds as of December 31, 2024 be allocated to the Salvation Army Center of Hope expansion and for public safety payroll expenses incurred by the City since July 1, 2024.

From Fund 207:

Internal Order	Project Description	Unspent/Unobligated Balance
1900421	ARPA 1 OED Economic Recovery Roadmap	$29,338.74
1900437	ARPA 1 City Technology Improvements	$673.43
1900439	ARPA 1 DSS Sheltering for COVID Positive Individuals	$9,743.04
1900440	ARPA 1 COVID Testing for Employees	$203,757.75
1900450	ARPA 1 Take Home COVID Tests	$20,000.00
1900452	ARPA 1 Café Fee Waiver	$169,745.95
1900457	ARPA 1 CFD Uses 1	$534.78
1900458	ARPA 1 CM Office Improvements	$73.55
1900459	ARPA 1 City Council Chamber Improvements	$9,782.17
1900460	ARPA 1 City Hall Lobby Improvements	$2,652.29
1900480	ARPA 1 Unallocated Contingency	$1,449,565.00
1900481	ARPA 1 Contingency (Revenue Recovery)	$195,146.00
1900482	ARPA 2 CFD Accreditation (Revenue Recovery)	$50.00
1900484	ARPA 2 Sheriff Bonus (Revenue Recovery)	$34.00
1900492	ARPA 2 Arts Festival (Revenue Recovery)	$1,000.00
1900506	ARPA 1 Automated External Defibrillators	$38.51
1900507	ARPA 1 City Badge/Access Project	$15,000.00
1900545	ARPA 2 Avon/Levy Lot Purchase (Revenue Recovery)	$159,831.06
1900488	ARPA 2 Shelter Generator (Revenue Recovery)	$40,000.00
1900523	ARPA 1 CFD Uses 2	$1,551.53
1900485	ARPA 2 Downtown Mall Improvements	$18,697.10
1900486	ARPA 2 Wayfinding Improvements	$43,341.47
1900491	ARPA 2 Strategic Initiatives (Revenue Recovery)	$400,000.00
1900494	ARPA 2 Strategic Planning (Revenue Recovery)	$107,000.00
1900522	ARPA 2 Success Factors HRMIS System (Revenue Recovery)	$379,518.06

DRAFT

1900524	ARPA 1 ADA Transition Plan	$2,700.00
1900479	Meadowcreek Trail Project	$500,000.00
TOTAL		**$3,759,774.43**

To Fund 207:

Internal Order	Project Description	Amount
TBD	Salvation Army Center of Hope	$3,000,000.00
TBD	Reimbursement for Public Safety Payroll Expenses	$759,774.43
TOTAL		**$3,759,774.43**

10. RESOLUTION to approve the City of Charlottesville's Initial Membership in the Charlottesville-Albemarle Regional Transit Authority

Ben Chambers, Transportation Planning Manager, and Ann Wall, Deputy County Executive for Albemarle County, presented the agenda item. In 2009, the General Assembly provided the ability to the City of Charlottesville, Albemarle County, and the surrounding counties to form a regional transit authority, called the Charlottesville-Albemarle Regional Transit Authority (CARTA). CARTA's enabling legislation identifies the City and Albemarle County as initial members and identifies its purpose as a regional forum to conduct transit planning. On August 22, 2024, the Regional Transit Partnership received a presentation on the formation of a regional transit authority and unanimously endorsed its formation. On September 17, 2024, the Charlottesville City Council and the Albemarle County Board of Supervisors met jointly, received a presentation, and indicated support for the formation of a regional transit authority. On December 11, 2024, the Albemarle County Board of Supervisors approved their initial membership in CARTA through a resolution that mirrors the resolution presented to Council.

On motion by Oschrin, seconded by Pinkston, Council by the following vote approved the resolution for the City of Charlottesville's Initial Membership in the Charlottesville-Albemarle Regional Transit Authority: 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION
TO APPROVE THE CITY OF CHARLOTTESVILLE'S INITIAL MEMBERSHIP IN THE CHARLOTTESVILLE-ALBEMARLE REGIONAL TRANSIT AUTHORITY

WHEREAS, *Virginia Code* §33.2-2800 establishes the political subdivision of the Commonwealth known as the Charlottesville-Albemarle Regional Transit Authority ("the Authority");

WHEREAS, the City of Charlottesville ("City") is committed to enhancing transportation services within the community and recognizes the benefits in collaborating with the Authority to provide efficient and effective transit solutions; and

WHEREAS, *Virginia Code* §33.2-2802 provides that City shall be an initial member of the Authority upon adoption of an approving ordinance or resolution by the governing body;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlottesville, Virginia hereby adopts this resolution to approve the City's initial membership in the Authority, pursuant to *Virginia Code* §33.2-2802; and

DRAFT

BE IT FURTHER RESOLVED that the City Manager is authorized to take any other necessary actions to complete or confirm the City's initial membership in the Authority.

11. **ORDINANCE amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (2nd reading)**

Brennen Duncan, City Engineer, presented a copy of the proposed amended ordinance incorporating feedback from City Council since the item was introduced on November 8, 2024. Council engaged in discussion and Councilor Payne suggested that a better approach would have been to consider parking zones to impact areas where parking is an issue rather than a blanket city ordinance.

On motion by Pinkston, seconded by Snook, Council by a vote of 4-1 adopted the following ordinance (Ayes: Oschrin, Pinkston, Snook, Wade; Noes: Payne):

ORDINANCE AMENDING CITY CODE SECTION 15-144 (PARKING OF BUSES, TRUCKS, ETC. BETWEEN MIDNIGHT AND 6:00 A.M.)

12. RESOLUTION for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes (2nd reading)

Councilor Oschrin delineated her proposed ordinance amendments.

On motion by Pinkston, seconded by Oschrin, Council by the following vote approved the Resolution for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes, with amendments as discussed: 5-0 (Ayes: Oschrin, Pinkston, Snook, Wade; Noes: Payne).

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Matt Daring, Cultivate Charlottesville, expressed support for the items presented in the Parks and Recreation Master Plan report.
- Kitter Bishop, city resident, spoke about stormwater management issues near Cherry Avenue. May need to be addressed with consideration of updates to the Salvation Army building.
- Dave Stackhouse, city resident, spoke about paved connectivity in the Parks and Recreation Master Plan. He stated that connectivity is needed with to the County and that the Plan appeared to pave over a substantial amount of the Rivanna Trail, which is in-demand and used as an off-road rustic trail for various activities. He suggested that the City and County create a joint Regional Recreation Association.

ADJOURNMENT

On motion by Payne, seconded by Pinkston, Council voted unanimously to adjourn at 9:49 p.m.

BY Order of City Council BY Kyna Thomas, Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Approve Resolution
Presenter:	Brenda Kelley, Redevelopment Manager, Chris Gensic, Park and Trail Planner
Staff Contacts:	Brenda Kelley, Redevelopment Manager Chris Gensic, Park and Trail Planner Taylor Harvey-Ryan, Grants Program Manager Riaan Anthony, Director of Parks & Recreation
Title:	**Resolution to appropriate grant funds from the Virginia Department of Conservation and Recreation in the amount of $393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge (2nd reading)**

Background

The City of Charlottesville has received notification of award in the total amount of $393,456.60 from the Virginia Department of Conservation and Recreation for the construction of the Pollocks Branch Pedestrian Bridge. Of this total amount, $314,765.28 is funding from the Virginia Department of Conservation and Recreation's Recreational Trails Program (RTP) and $78,691.32 is the City's match from previously approved project CIP funds.

This new Pollocks Branch Pedestrian Bridge will provide residents and visitors new safe, stable and accessible pedestrian connectivity to the creek and the emerging Rivanna Trails network, crossing the water at the end of Rockland Avenue and leading directly into CRHA's South First Street residential community. This new bridge also supports the city's walkable watershed concept with the ideas of clean water, healthy communities, and connected, vibrant neighborhood places in an effort to improve urban creeks, preserve community assets, and generate community pride. When completed, the Pollocks Branch Pedestrian Bridge will become part of the ever-expanding Pollocks Branch trail network and will provide an important link to the city's trails system. Building this bridge over the Pollocks Branch waterway will create a much needed, centrally located east-west bicycle and pedestrian link within the six-block long urban area separated by the waterway between Elliot Avenue and Rougemont Avenue.

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

The proposed bridge will also provide new and safe access to the developing Pollocks Branch greenway to Jordan Park. This greenway is planned to connect the downtown area with Moores Creek and the Rivanna Trails system. The bridge will traverse the Pollocks Branch waterway at the

end of Rockland Avenue connecting to the Pollocks Branch Trail that traverses the eastern boundary of the CRHA South First Street community.

Discussion

At its November 4, 2024 meeting, the City Council approved Community Development Block Grant (CDBG) funds to fill a shortfall of estimated funding for the construction of the Pollocks Branch Pedestrian Bridge. Through that agenda item and during that presentation it was reported that the City was awarded $307,639.69 in funding from the Commonwealth of Virginia Department of Conservation and Recreation following submittal of a competitive application through the Recreational Trails Program (RTP). Staff also reported that they had just been notified of an additional award of funds under the RTP program in the amount of $7,125.59.

Approval of this request will appropriate the full amount of funding from the Virginia Department of Conservation and Recreation totaling $314,765.28, to facilitate construction of the new bridge.

Alignment with City Council's Vision and Strategic Plan

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

Community Engagement

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

Budgetary Impact

There is no impact to the General Fund as the project will be funded using a combination of grant funds and funds previously appropriated for SIA Immediate Implementation in the City's Capital Improvement Fund.

Recommendation

Staff recommends approval of the attached Resolution to appropriate the grant funds awarded by the Virginia Department of Conservation and Recreation.

Alternatives

If grant funds are not appropriated, the grant funds awarded will have to be forfeited and returned to the Virginia Department of Conservation and Recreation. If this were to happen, there would not be enough funding available to proceed with the project.

Attachments

1. RESOLUTION appropriate grant funds RTP 121624

RESOLUTION
Appropriation of Virginia Department of Conservation and Recreation grant funds in the amount of $393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge

WHEREAS, the City of Charlottesville seeks to expand access to the city's network of parks and trails, support recreational enjoyment, and promote forest and stream preservation and restoration purposes; and

WHEREAS, following a competitive application process, the Virginia Department of Conservation and Recreation notified the City of Charlottesville of award of grant funding in the total amount of $393,456.60 to assist with the construction of the Pollocks Branch Pedestrian/Trail Bridge; and

WHEREAS, the grant award covers the period August 21, 2024 through August 31, 2027; and

WHEREAS, the City Manager, or their designee, is hereby authorized to sign the necessary documents to effectuate acceptance of the grants; now, therefore,

BE IT RESOLVED, by the Council of the City of Charlottesville, that the sum of $393,456.60, received as a grant from the Virginia Department of Conservation and Recreation, is hereby appropriated in the following manner:

Revenues

$314,765.28	Fund: 209	Order: 2600050	G/L: 430120 State/Fed Pass-thru
$ 78,691.32	Fund: 209	Order: 2600050	G/L: 498010 Transfer from Other

Expenditures

$314,765.28	Fund: 209	Order: 2600050	G/L: 541080 Acq Bridge

Transfer From

$ 78,691.32	Fund: 426	WBS: P-00818	G/L: 561209 Transfer to Grants

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of $314,765.28 from the Virginia Department of Conservation and Recreation.

Approved by Council
December 16, 2024

_____
Kyna Thomas, CMC
Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Approve the appropriation through a resolution
Presenter:	Garland Williams, Director of Transit
Staff Contacts:	Garland Williams, Director of Transit
Title:	**Resolution for supplemental appropriation of $7,571,300 in Federal, State, and Local Capital Grant funding (2nd reading)**

Background

The Federal Transit Administration (FTA) and the Virginia Department of Rail and Public Transportation (VDRPT) have awarded the Transit Division of the City of Charlottesville federal and state assistance to support capital projects in the operations of public transit services. The FY24 Grant Award of $2.1 million will support the purchase of battery electric vehicles and the FY23 Grant Award of $5.1 million will support the purchase of diesel buses, equipment, support vehicles, and software.

FTA FY23 and FY24 approved capital projects include the purchase of automated vehicle locating (AVL) software, four (4) replacement engines, vehicle support equipment, three (3) support vehicles, and ten (10) buses: Two 35-foot battery-electric buses (Expansion for Pilot Program), four 35-foot diesel buses (Replacement Vehicles), and four 29-foot diesel buses (Replacement Vehicles).

The Transit Division has sufficient funds in the budget for the required match of these procurements due to an unallocated balance held in the Capital Improvements Program (CIP).

Discussion

Appropriation of Funds: Capital - $7,571,300: The FTA has awarded $2,119,964; VDRPT has awarded $5,148,484, with a local match of $302,852.

Transit Grants by Type	FY2025 Budget	Grants Awarded	Change to Appropriation
State Capital Award	**$ -**	**$ 5,148,484**	**$ 5,148,484**
Federal Capital Award	**$ -**	**$ 2,119,964**	**$ 2,119,964**
Local CIP Match	**$ -**	**$ 302,852**	**$ 302,852**

Local County Match	**$ -**	**$**	**$**
Total Capital Change	**$ -**	**$ 7,571,300**	**$ 7,571,300**
Total Appropriation Request			**$ 7,571,300**

Alignment with City Council's Vision and Strategic Plan

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

Community Engagement

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

Budgetary Impact

There is no impact to the General Fund. Local match requirements for the Capital Assistance are covered through the previously appropriated City contribution from the General Fund. Local capital contributions are required in the amount of $302,852. Matching requirements for these funds are 4% percent. The Transit division has sufficient funds in the unallocated CIP budget to accommodate the 4% match requirement without additional City funding.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

City Council may choose not to appropriate the match funds. Without this appropriation, CAT will not be able accept the federal capital funding as the local match is required for this Federal funding award.

Attachments

Resolution Approving Supplemental Appropriation of Federal and State Grant Funds for Charlottesville Transit Projects

RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATION OF FEDERAL AND STATE GRANT FUNDS FOR TRANSIT PROJECTS
$7,571,300

WHEREAS, the FY23 and FY24 Federal Capital Grant in the amount of **$2,119,964**, and the State Capital Grant in the amount of **$5,148,484**, have been awarded to the City of Charlottesville with a local match of **$302,852**, for a total of **$7,571,300;** and

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

Revenue (Capital)

$2,119,964	Fund: 245	Cost Center: 2804001000	GIL: 431010 Federal Grants
$5,148,484	Fund: 245	Cost Center: 2804001000	GIL: 430110 State Grants
$ 302,852	Fund: 245	Cost Center: 2804001000	GIL: 498010 Local Match

Expenditures (Operating)

$6,473,420	Fund: 245	Cost Center: 2804001000	GIL: 541040 Vehicles
$1,097,880	Fund: 245	Cost Center: 2804001000	GIL: 541090 Equipment

BE IT FURTHER RESOLVED, that this appropriation is conditional upon the receipt of $2,119,964 from the Federal Transit Administration, $5,148,484 from the Virginia Department of Rail and Public Transportation, and $302,852 from local sources.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Appropriation of Funding
Presenter:	Michael Kochis, Police Chief
Staff Contacts:	Holly Bittle, Budget and Management Analyst Ross Cundiff
Title:	**Resolution to Appropriate Edward Byrne Memorial Justice Assistance Grant (JAG) - $25,375 (1 of 2 readings)**

Background

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program furthers the Department's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence. The DOJ is committed to advancing work that promotes civil rights, increases access to justice, supports crime victims, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

Discussion

To support its mission, the Charlottesville Police Department (CPD) is committed to better the treatment, safety, and well-being of all those who work within the Charlottesville Police Department.

If appropriated, these grant funds will allow CPD to equip the department's Special Response Team (SRT) members with Avon Protection C50 protective masks, as well as a KBT Powder Actuated Kinetic Energy Forced Entry Tool. These items will increase the SRT's operational readiness, capabilities, and equip the team with tools that will increase officer safety and prioritize the preservation of all life. The Avon Protection C50 protective mask would enable officers assigned to SRT to more effectively communicate verbally with other SRT members as well as any other individuals during an active incident. This capability greatly exceeds the current capabilities of the older traditional protective masks currently issued to officers assigned to SRT. The KBT forced entry tool would allow SRT members to make entry more quickly through a locked or barricaded doorway. This is especially important where there is an imminent or immediate threat to the safety of innocent life. In addition, the more time spent in this danger area can potentially lead to a higher chance of injury or death to an officer.

Notification of the award approval was received on December 5, 2024 for reimbursement up to $25,375.00.

Alignment with City Council's Vision and Strategic Plan

This project supports the Public Safety strategic outcome area of Council's Strategic Plan.

Community Engagement
The requested equipment will increase the Police Department's Special Response Team (SRT) operational readiness. In the event the SRT is deployed, this equipment will improve communications between the team and any other individuals involved in the event the SRT is deployed to an active incident.

Budgetary Impact
This has no impact on the General Fund. No local match is required. The funds will be expensed and reimbursed to a Grants Fund.

Recommendation
Staff recommends approval and appropriation of grant funds.

Alternatives
If grants funds are not appropriated, the Police Department will be unable to purchase this updated equipment and improve officer and community safety.

Attachments
1. Resolution - JAG Grant_15PBJA-24-GG-04876
2. Certifications and Assurances by the Chief Executive of the Applicant Government

RESOLUTION APPROPRIATING FUNDS FOR
Edward Byrne Memorial Justice Assistance Grant (JAG) Grant
 # 15PBJA-24-GG-04876-JAGX
$25,375

WHEREAS, the Office for Civil Rights, Office of Justice Programs, Department of Justice Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2024 Local Formula awarded a grant to the Police Department, through the City of Charlottesville, to equip the department's Special Response Team (SRT) members with Avon Protection C50 protective masks, as well as a KBT Powder Actuated Kinetic Energy Forced Entry Tool;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of $25,375.00 be appropriated in the following manner:

Revenues – $25,375

$25,375	Fund: 211	Internal Order	1900577	G/L Account: 431110

Expenditures – $25,375

$25,375	Fund: 211	Internal Order	1900577	G/L Account: 525270

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the reimbursement of funds or goods as supplied from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Justice Edward Byrne Memorial Justice Assistance Grant Program;

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Edward Byrne Memorial Justice Assistance Grant Program FY 2024 Local Solicitation

Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2024 Edward Byrne Memorial Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.

2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (*e.g.*, city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.

4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.

5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.

6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

7. If the applicant named below is not the unit of local government itself, I certify that it is an instrumentality of the unit of local government and is approved to serve as the applicant and recipient of FY 2024 JAG funding on behalf of the unit of local government.

Signature of Chief Executive of the Applicant Unit of Local Government	Date of Certification
Printed Name of Chief Executive	Title of Chief Executive
Name of Applicant Unit of Local Government	

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Approve Authorization Resolution
Presenter:	Ryan McKay, MPA, Health Director, Blue Ridge Health District
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager Krisy Hammill, Director of Budget
Title:	**Resolution for Charlottesville-Albemarle Health Department Carryover Request - $74,625**

Background

The FY 2024 year-end settlement process for the Charlottesville-Albemarle Health Department resulted in a $74,625 surplus to be potentially returned to the City. This resulted from (1) vacancy savings for several positions (2) higher than projected revenue. Ryan McKay, Health Department Director, is now requesting the City's permission to carry over those surplus funds into the current year's Health Department budget.

Discussion

The Health Department would like to use these carryover funds to cover the costs of Sexually Transmitted Infection (STI) testing kits. Grant funds previously used to purchase the kits are no longer available to local health departments. Test kits will be used at key locations and events throughout the City of Charlottesville.

STI lab test expenses: like the grant funding for kits, lab expenses are no longer supported by grant dollars. Funds will be used to support lab test expenses for City of Charlottesville residents

The Health Department is also seeking to use a portion of the carry over funds to make facility enhancements:

- Painting for the facility's clinical and Women, Infant, and Children (WIC) exam rooms; two lobby areas; and office spaces
- Renovations and upgrades for the two public-facing restrooms

Alignment with City Council's Vision and Strategic Plan

This request aligns with City Council's vision to be a place where everyone thrives by increasing resources for the health department to increase STI testing. In addition, this request aligns with the Strategic Outcome Area of Partnership as this request stems from an existing partnership between the City of Charlottesville and the Health Department.

Community Engagement
N/A

Budgetary Impact
This expenditure refund would come back as a revenue (refund of prior year's expenditures) to the General Fund in this year's budget (FY 2025). There would, however, be no direct impact on the City's appropriated budget this year, as the $74,625 has already been appropriated and accounted for as an expenditure in last year's budget (FY 2024).

Recommendation
Staff recommends approval of the Health Department's request to use FY 2024 surplus local funds of $74,625. The Health Department is making a similar request to Albemarle County.

Alternatives
City Council may elect to deny this request, which would result in the Health Department returning the funds to the City.

Attachments
1. Health Dept Carry Over Resolution $74,625_FY24 (2) 4937-4157-7997 v.1

RESOLUTION
Authorization of Carryover for Charlottesville-Albemarle Health Department
$74,625

WHEREAS, the Charlottesville-Albemarle Health Department ended the 2024 fiscal year with a surplus of $74,625; and that this surplus is due to vacancy savings for several positions, as well as higher than projected revenue; and

WHEREAS, the Health Department intends to use these surplus funds to cover the costs of Sexually Transmitted Infection ("STI") testing kits, as previous grant funds intended for this purpose are no longer available to local health departments; and that these test kits would be available at key locations and events throughout the City of Charlottesville; and

WHEREAS, previous grant funds are no longer available to cover the expense of processing STI testing kits, and other related laboratory expenses; and the Health Department intends to use surplus funds for this purpose; and

WHEREAS, the Health Department also seeks to use a portion of the surplus funds to make improvements to its facility, specifically by painting the facility's lobby areas, office spaces, and examination rooms, and renovating two public-facing restrooms;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the Charlottesville-Albemarle Health Department is authorized to carry over the sum of $74,625 from Fiscal Year 2024 for the above-stated purposes.

	Aye	No
Payne		
Pinkston		
Snook		
Wade		
Oschrin		

Approved by Council
January ____, 2025

_____
Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that the resolution is APPROVED and the requested funds are carried over.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Approval of Refund of Business License Tax
Presenter:	Todd Divers, Commissioner of the Revenue
Staff Contacts:	Jason Vandever, City Treasurer Robinson Hubbard, Deputy City Attorney
Title:	**Resolution for refund of Business License Tax - $10,679.96**

Background

In March of 2023, a Charlottesville business closed its City location and moved to another jurisdiction in Virginia without notifying this office of its closure. Upon the failure of the business to renew its business license for 2024 (due on March 1, 2024), this office issued a statutory business license tax assessment based on the best available information, in accordance with Sec. 14-14 of the Charlottesville City Code. The assessment was subsequently paid on October 21, 2024.

On November 8, 2024, our office received notification that the business had moved to another jurisdiction in March of the prior year, necessitating a correction of assessment and refund of the taxes paid in error, with interest, in accordance with Sec. 14-12 of the Charlottesville City Code and § 58.1-3703.1 of the Code of Virginia.

Discussion

The amount of tax paid in error is $10,679.96. It is the determination of the Commissioner of the Revenue that this amount, along with interest (as determined by the date of the refund - approximately $150), should be refunded to the taxpayer.

City Code requires Council approval for any tax refunds resulting from an erroneous assessment in excess of $10,000 (City Code Sec. 30-6b).

Per City Code Sec. 30-6(b), the Commissioner of the Revenue has provided to the City Attorney information necessary to enable him to consent to the determination of the Commissioner of the Revenue that the tax paid by the taxpayer was erroneous and should therefore be refunded with interest. The City Attorney, Commissioner of the Revenue, and City Treasurer have therefore approved the refund for presentment to Council.

Alignment with City Council's Vision and Strategic Plan

NA

Community Engagement
NA

Budgetary Impact
The refund will reduce current year Business License Tax revenue (GL 400150) by $10,679.96 and current year Interest revenue (GL 400120) by approximately $150.

Recommendation
Approval of the tax refund.

Suggested Motion: *"I move the RESOLUTION authorizing a refund of $10,679.96 plus interest to a taxpaying entity or business, for business license tax paid in error for 2024."*

Alternatives
None

Attachments
1. Refund Resolution

Suggested Motion: "I move the RESOLUTION authorizing a refund of $10,941.56 plus interest to a taxpaying entity or business, for business licenses taxes paid in error for 2024"

RESOLUTION

Authorizing a refund of $10,941.56, plus an as yet to be determined amount of interest, to a taxpaying entity or business, for business license taxes paid in error for 2024

WHEREAS, the Commissioner of the Revenue has determined that a taxpaying entity or business paid 2024 Business License Tax to the City of Charlottesville in error; and

WHEREAS, that taxpaying entity or business has requested a refund of the amount paid in error; and

WHEREAS, the Commissioner of the Revenue has certified that a refund of taxes paid is due in the amount of $10,941.56; and

WHEREAS, an amount of interest that is dependent on the actual date of the refund will also be due; and

WHEREAS, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding $10,000.00; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of $10,941.56, plus an as yet to be determined amount of interest (approximately $150), payable to that taxpaying entity or business.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Approve Resolution
Presenter:	
Staff Contacts:	Krisy Hammill, Director of Budget
Title:	**Resolution to appropriate State assistance and citizen donation for Spay and Neuter Program at SPCA - $450.00**

Background

The City has received State assistance in the amount of $450.00 from the Department of Motor Vehicles for sales of license plates bought to support spay and neutering of pets. The amount will be received in Fiscal Year 2025. These funds are appropriated to the local agency that performs the local spay and neutering program, which in this case is the Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals (SPCA).

Discussion

The City currently has a contractual obligation to support the SPCA to provide services that the City does not. Supporting the organization with additional funds will increase the level of service that SPCA can provide and potentially supplement the level of funding that is needed from the City each year.

Alignment with City Council's Vision and Strategic Plan

This resolution contributes to Council's Strategic Outcome areas of Public Safety and Partnerships by supporting a local community partner an helping to improve community health and safety outcomes by connecting residents with effective resources.

Community Engagement

N/A

Budgetary Impact

These funds will be received from the State and appropriated into the General Fund and distributed to the SPCA.

Recommendation

Staff recommends approval and appropriation of funds.

Alternatives

Funds could be returned to the State.

Attachments

1. Spay and Neuter Funds to SPCA_December 2024(2)

Resolution to Appropriate to
State Assistance Funds for Spay and Neuter Program at S.P.C.A.
$450.00

WHEREAS, the City has received assistance in the amount of four hundred and fifty dollars ($450.00) from the Virginia Department of Motor Vehicles ("DMV") for sales of license plates bought to support they spaying and neutering of pets and stray animals; and

WHEREAS, these funds are appropriated to the local agency that performs the local spay and neutering program, which is the Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals ("SPCA"); and

WHEREAS, supporting the SPCA with additional funds will increase the level of service that SPCA can provide and potentially supplement the level of funding that is needed from the City each year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of $450.00 is hereby appropriated to the Charlottesville / Albemarle SPCA in the following manner:

Revenues - $450.00

Fund: 105 Cost Center: 9713006000 G/L Account: 430080

Expenditures - $450.00

Fund: 105 Cost Center: 9713006000 G/L Account: 540100

	Aye	No
Payne		
Pinkston		
Snook		
Wade		
Oschrin		

Approved by Council
January ____, 2025

_____
Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that the resolution is APPROVED and the requested funds are appropriated to the SPCA.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Appropriation of grant funds
Presenter:	Chris Engel, Director of Economic Development
Staff Contacts:	Chris Engel, Director of Economic Development Ashley Marshall, Deputy City Manager
Title:	**Resolution to appropriate grant funds from the ICMA Economic Mobility and Opportunity Grant – $24,000 (1 of 2 readings)**

Background

The City's current Strategic Plan calls out economic prosperity and an organization-wide commitment to Justice, Equity, Diversity, and Inclusion (JEDI) for attention. The City Manager has encouraged collaboration across departments in pursuit of these goals.

Discussion

In 2024, representatives from the Office of Economic Development, the Office of Human Rights and the Deputy City Manager for Social Equity submitted an application to the International City Managers Association (ICMA) Economic Mobility and Opportunity Peer Learning Cohort and Grant Program. The program challenges selected communities to dive deeper into the opportunities and barriers for their citizens regarding economic mobility and financial opportunity. The City's application was accepted, and representatives are now participating in the cohort program. The program also provides up to $24,000 in support a local project that seeks to enhance economic mobility for residents. Our project is designed to address the issue of economic mobility by analyzing our community's services that can facilitate economic mobility. It also includes efforts to gather human-centered design data on how the end user—our community member—can be best supported to achieve that mobility.

Alignment with City Council's Vision and Strategic Plan

This effort supports City Council's Economic Prosperity strategic outcome, the organizational commitment to Justice, Equity, Diversity, and Inclusion (JEDI) and aligns with the Office of Economic Development's Five-Year Strategic Plan for 2024-2028.

Community Engagement

The City's current Strategic Plan had significant community input during its development.

Budgetary Impact

There is no impact to the General Fund as no local match is required. All funds will be budgeted and expensed in the Grants Fund.

Recommendation
Staff recommends approval and appropriation of grant funds.

Alternatives
NA

Attachments
1. ICMA EMO Grant Appropriation 01.21.25(1)

APPROPRIATION
ICMA Economic Mobility and Opportunity Grant $24,000

WHEREAS, the City of Charlottesville has received an Economic Mobility and Opportunity grant from the International City Managers Association (ICMA) Economic Mobility and Opportunity Peer Learning Cohort and Grant Program in the amount of $24,000.00; and

WHEREAS, the funds will be used to support a local project that seeks to enhance economic mobility for residents; and

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

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of $24,000.00 is hereby appropriated in the following manner:

Revenue – $24,000.00
$24,000.00 Fund: 105 CC: 1621001000 IO: 2000194 G/L: 451022 State/Fed pass thru

Expenditures - $24,000.00
$24,000.00 Fund: 105 CC: 1621001000 IO: 2000194 G/L: 599999 Lump Sum

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of $24,000.00 from the International City Managers Association (ICMA) Economic Mobility and Opportunity Peer Learning Cohort and Grant Program.

	Aye	No
Payne		
Pinkston		
Snook		
Wade		
Oschrin		

Approved by Council
January ____, 2025

_____
Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that the resolution is APPROVED and the requested funds are appropriated upon receipt of the expected grant funding.



City Manager's Report

City Departments

1-21-2025

City Manager – Sam Sanders (he/him)

- On Thursday, December 12th, I was proud to host the annual City Manager's Community Budget Forum. This opportunity was planned as a moment for the community to engage with city staff in discussions regarding the budget. As the Budget Team and staff across the city work on the next fiscal budget, it is helpful that we also received feedback from Council, Planning Commission, and YOU - the public who we work to support, help, and serve.
    - Those who attended the event were treated to an opportunity to walk a few minutes in my shoes. They were provided $10,000 (fake money) and asked to make the tough decisions on carefully considering their priorities and wisely spending this limited amount of money. We heard how challenging it was to spend the money, and we saw people laboring over their decisions. That's exactly what it feels like for me.
    - Below are the results of the spending actions by those in attendance:



    - We appreciate the difficulty (and fun) this exercise caused those attending the Community Budget Forum. We will continue to seek ways to engage the larger public in working with us to be sure we are aligned in addressing priorities.

Deputy City Manager for Social Equity – Ashley Reynolds Marshall (she/her)

- Shelter Services for Those in Need:
    - The City would like to remind community members that our local nonprofit partners provide emergency shelter daily for those who may find themselves unhoused. PACEM provides a nightly men's and women's shelter with check-in from 5:30-7 pm. Please call the Men's Shelter Line at 434-465-1392 or the Women's Shelter Line at 434-465-7521 to find location information. The Salvation Army provides overnight emergency shelter 365 days a year at 207 Ridge Street. Please bring a government ID and be prepared to submit to a breathalyzer. For more information, you can stop by their offices or call 434-295-4058. Finally, if a community member finds themselves escaping domestic violence, the Shelter for Help in Emergencies can provide support. Please call 434-293-8509 to contact SHE.
    - The Haven provides day shelter services day shelter services from 7 am-12 pm/1 pm-5 pm Monday- Friday and from 7 am - 12 pm Saturday and Sunday at the location (112 W Market Street). You can call The Haven at 434-973-1234 extension 100.

Deputy City Manager for Operations – James Freas (he/him)

- The snow event concluded on Monday Jan 6 with approximately 4-5 inches of snow and very cold temperatures. Overall, the snow clearing effort was very good with all primary roads clear by Jan 7, all secondary roads in at least fair condition by the end of the 7th and work begun on clearing crosswalk ramps and sidewalks. Public Works took on the additional task of clearing sidewalks in the school walk zones in order to support the safe opening of Charlottesville City Schools on Thursday of that week. Additionally, Friday night staff cleared snow and ice from the area of priority bus shelters to support access to CAT.
- CAT was in operation on most routes throughout, with two-hour delays and two-hour early shut down the 6th and 7th.
- NDS issued more than 90 citations under the sidewalk clearance ordinance, focusing on school walk zones and other high traffic areas.
- Overall, the snow response was good, but there is always room for improvement. Staff met for a snow after-action on Friday the 17th and an update on that will be provided at the Council meeting.

Neighborhood Development Services – Director Kellie Brown (she/her)

- The City has launched the C'ville E-bike Voucher Grant Program, a pilot program aimed at making electric bicycles more accessible to City residents. Residents can sign up through the end of January to participate in a lottery drawing for 25 vouchers worth $1,000 to help offset the cost of qualifying e-bikes purchased at

local participating bike retailers. More info and sign-ups are available at www.cvilleebikes.com.

- Building Code Reminder – The 2021 Building Code has been underway since January 2024 with the allowance for use of the 2018 code during the transition period. The transition period runs out this month. City customers will be able to submit permits under the 2018 Code through Friday January 17, 2025 at 5pm. Following that, all permits will comply with the 2021 Building Code. This requirement is well known in the building industry and City staff has also been providing reminders to our customers, including an all-inclusive email sent to 285 contractors, architects, engineers, and homeowners.
- In December 2024 the City approved land disturbance permits for two large residential developments within the City. 2117 Ivy Road (PL-24-0028) will provide 231 dwelling units and the Verve, 409 Stadium Road (PL-24-0024) will provide an additional 468 units. Both projects are under construction with an anticipate completion date in the spring of 2027.
- Ose Akinlotan will be joining NDS on February 3rd as our new Long Range Planning Manager. Ose's experience includes serving as a Planning Manager and Neighborhood Planner in the Pittsburgh Department of City Planning, managing staff of the East and Central neighborhoods, project management, plan development and serving as a Neighborhood Planner for the Greater Hill District Neighborhood. She was also the Department's Equity and Social Justice team lead and a Departmental Strategic Planning Team Member. Ose will lead planning efforts related to development of planning policy and small area plans in support of the City's Comprehensive Plan.

Information Technology – Director Steve Hawkes (he/him)

- Logan Speight started work on January 7 as an IT technical support specialist. Logan comes to us after recently graduating from Roanoke College and is a welcome addition to the IT Helpdesk Team.

Parks & Recreation – Director Riaan Anthony (he/him)

- Master Plan – Final comments for the Trail Connectivity Plan and Framework Plans are available online at: Charlottesville Parks and Recreation Master Plan | EngagePros
    - Acceptance and Adoption Schedule for the Master Plan:
        - February 6, Parks & Recreation Advisory Board Meeting
        - February 11, Planning Commission
        - March 17, City Council (1st Reading)
        - April 7, City Council (2nd Reading)
- Washington Park Ramp (VDOT project) construction begins mid-January with completion expected by mid-May.
- All holiday decoration including the tree will be removed by the end of January

- Summer camp registration for city residents opened Monday, January 13. Non-resident and Adaptive Summer Camp registration opens Monday, January 27.
- The Holiday Craft Party was held on December 14 at Carver Recreation Center featuring multiple unique holiday crafts. Over 140 participants attended.
- The Winter Ball will be held Saturday, January 18 from 5-7p.m. at Carver Recreation Center. Tickets are currently on sale for $10/$15 (NR) per person.
- The highly anticipated Daddy/Daughter Dance will return in February offering two nights of fun, entertainment and dancing for families in the Charlottesville area. The Carver Recreation Center will host the event, offering two opportunities for patrons to attend: Friday, February 14th and Saturday, February 15th from 6-8 p.m. Tickets are on sale now; $15/$20 (NR). Price per couple.

Utilities – Director Lauren Hildebrand (she/her)

- The Charlottesville Department of Utilities is happy to announce that the final report for the Charlottesville Natural Gas Decarbonization Study is now available to the community. In 2019, the City of Charlottesville committed itself to achieving two city-wide greenhouse gas (GHG) emissions reduction goals, with a 45% reduction of GHG emissions by 2030 and carbon neutrality by 2050. In its role as the owner and operator of a natural gas utility, the Charlottesville Department of Utilities initiated and provided funding for this study as part of ongoing work to address the challenges of decarbonizing energy-related emissions in the community. The Department of Utilities assembled a project team for the study, drawing on expertise from the City's Office of Sustainability, Department of Finance, and the consulting firm Black & Veatch. The study and its results are intended to support Charlottesville Gas's emissions reduction efforts, providing a detailed narrative, assessment, and evaluation of possible decarbonization opportunities for Charlottesville Gas. More directly, this study explores how the utility can promote more efficient gas usage, procure lower carbon fuel supplies, and enhance its system to reduce methane emissions. The final report can be found online at www.charlottesville.gov/utilities.

Department of Public Works – Director Steven Hicks (he/him)

- Public Service:
    - The City had it first snow event. Public Works had a total of 34 trucks and equipment and 43 employees who managed the snow event.
    - Christmas Tree pick-up service will be the week of January 13th, 2025.
        - Trees must be at the curb by 7:00 AM on Monday, January 13th for collection that week. Trees must be free of ALL decorations, stands and nails. This program is for Christmas trees only. No yard waste will be collected.
        - As in years past, trees will be taken to Darden Towe Park for chipping along with trees collected by Albemarle County at their collection sites. The trees will be mulched, and the resulting mulch

will be offered to the public at no cost beginning on Monday, January 20, 2025, at Darden Towe Park and Claudius Crozet Park. More information can be found here: https://www.charlottesville.gov/1166/Christmas-Tree-Recycling-Program

- Fleet:
    - Fleet received five more of the eleven Hybrid Police vehicles.

Department of Human Services – Director Misty Graves (she/her)

- The Department of Human Services is thrilled to add a new team member, Juanika Howard, as the Youth Opportunity Coordinator which will focus on outcomes and experiences of Black Youth and Youth of Color. We are also hiring for a Family Services Specialist to support the Community Based Services team in implementing prevention and intervention programs for youth in the community including mentoring, the Community Attention Youth Internship Program, and Teens GIVE Service-Learning. The position closes January 23rd.
- Additionally, the Community Based team will be partnering with the work of 100 Black Men at Buford Middle School to offer a facilitation of the evidence-based group called the Council for Young Men and Boys. This curriculum is designed to assist youth in working on interpersonal skills, exploring healthy identities and goal setting.
- The City's co-response team ANCHOR (Assisting with Crisis Help and Outreach Resources) continues to build relationships in the community and offer intervention to residents experience mental health crisis and challenges with substance use. In the last 60-day period, ANCHOR responded 47 times and served 30 unique individuals. Sixty three percent of those responses were related to mental health, 13% were related to substance use, one percent were both mental health and substance use, and 17 % were resource navigation calls not related to a crisis. ANCHOR will continue to provide trauma-informed and culturally humble responses in the City.

NEIGHBORHOOD LEADERS QUARTERLY MEETING
Wednesday, December 18, 2024, 5:30 – 7PM

Facilitator: Sam Sanders, City Manager

1. **Welcome** — **Sam Sanders, City Manager**
2. **Citywide LED Streetlight Project** — **Office of Sustainability**
   A. Presenters:
      1. Kristel Riddervold, Office of Sustainability, Director
      2. Kirk Vizzier, Energy Management Coordinator
   B. Handout attached
      Project webpage: https://www.charlottesville.gov/1820/LED-Streetlights-Upgrade
   C. Questions:
      1. Is there a form to get a streetlight removed?
         a. Brennan Duncan, City Traffic Engineer: Residents can use the same form that is used to request a streetlight to be installed. However, after the LED Streetlight project is completed, this process may change.
            i. Form Center • Street Light Request
      2. Are their conversations regarding pedestrian lighting? Especially the ones for sidewalks. How would you request a light for pedestrian walk?
         a. Kristel Riddervold, Director, Office of Sustainability: The LED Streetlight project has a limited scope which only includes the streetlights owned by Dominion Energy.
         b. Brennan Duncan, City Traffic Engineer: Post-top lights are managed by the City. These cost approximately $15,000 each and there is currently not a budget line or funding source for these.
      3. What is the City doing for the gas lanterns in Johnson Village that run 24/7. What happens when they break? **(Public Works/Office of Sustainability)**
         a. Lauren Hildebrand, Director of Public Utilities, confirmed that Charlottesville Gas manages this infrastructure. Residents with questions may reach out to her with questions.
      4. Is the County partnering with the City on the LED Streetlight Project?
         a. Kristel Riddervold, Director, Office of Sustainability: The County is not partnering on this project. VDOT manages all the roads in the County and therefore they do not lease streetlights as the City does.
      5. Is there any opportunity for residents to pay for the shielding?
         a. Kirk Vizzier, Energy Management Coordinator: It is important to try to get the level of shielding right at initial purchase. The Office of Sustainability is working to manage shielding levels as they review each light purchase.

However, if shielding needs to be installed after a light is installed, a discussion can be had regarding cost.

6. What is the cost of this project of the Streetlight Project?
    a. Kristel Riddervold, Director, Office of Sustainability: We have a $600,000 line item in the current CIP budget.
7. **What is the current rent per fixture per year? (Office of Sustainability)**
    a. The cost is dependent on the type of fixture and the wattage level.
        - High intensity discharge (HID) fixtures – Mercury Vapor, Sodium Vapor, High Pressure Sodium – Anywhere from $96 - $564 per fixture (per year).
        - LEDs - Anywhere from $72 – $276 per fixture (per year).
8. What is the payback?
    a. Kristel Riddervold, Director, Office of Sustainability: It is a 3-4 year pay back.

3. Remarks **Sam Sanders, City Manager**

A. VDOT Portfolio
    a. Previously the city had a large portfolio of VDOT grants, approximately $185 million in projects. However, not all projects were progressing. Sam and staff revisited the projects in collaboration with VDOT to make the portfolio more manageable and affordable. This resulted in the cancellation of two projects. These two projects were not cancelled due to lack of importance, but rather the projects were not affordable and the City could not deliver on them in a responsible amount of time. These projects may be revisited in the future. We are much more confident in the portfolio as it stands today, and have additional personnel committed to the VDOT projects.
    b. What specific projects have been cancelled?
        1. Names of cancelled projects will be provided. **(Public Works/Traffic Engineer)**
    c. What has changed regarding the Fontaine Street Project?
        2. Brennan Duncan, City Traffic Engineer: The project has been narrowed to fit within the right of way, and parking has been reallocated. Changes were needed due to cost as the original design was done pre-COVID and since then costs have skyrocketed. **(Public Works/Traffic Engineer)**
        1. Updated design will be provided.

B. Flock
    a. Chief Kochis provided 3 success stories regarding FLOCK.
    b. Chief Kochis is presenting to City Council in February 2025.
    c. Is there an update on where the funding was from?
        i. The second year of the FLOCK program will either be funded through seized assets or the Virginia HEAT grant.

C. Low Barrier Shelter

a. Conversion of Thrift Store on Cherry Ave to Low Barrier Shelter by The Salvation Army
b. City has evaluated other options such as buying a hotel. However, options were either too far (distance from services was too far, or not on a bus line), or too costly.
c. No decision has been made as to what operating hours of the low barrier shelter will be. Also, there has currently been no decision on who will operate the shelter as we need a cost for operations.
d. Sam Sanders, City Manager, presented to City Council on October 21, 2024, Community Interventions
e. If another option is presented, Sam Sanders, City Manager is open to having a conversation.
f. Sam Sanders, City Manager, is attending the Fifeville Neighborhood Association (FNA) meeting next month to discuss the Low Barrier Shelter with FNA residents.

D. Questions
   a. Can the City help the Neighborhoods with Communication? For example, can the City pay for 1 mailing a year per neighborhood to help Associations get a more accurate representation of their neighborhoods to engage with the Associations. This mailing could include a QR code that residents could use to sign up to the mailing list.
   b. Adopt A Street Program: Can the City provide an explanation as to why the program went away and can the program be brought back?
   c. Parks and Recreation Master Plan: Has the study been completed?
      i. Parks and Recreation response:
         1. **Timeline Review and Recommendations:**
            - Posting of Concepts and Connectivity Analysis on Project Website: Wednesday December 11 – Tuesday January 7
            - Review, Summarize, and Incorporate Comments and Suggestions into Plans: Wednesday January 8 – Wednesday January 22
            - Final Framework Plans and Connectivity Analysis Maps by Friday, January 25
            - Final Plans Posting on Project Website: Tuesday January 28
            - Draft Master Plan Document: Thursday January 30th – post on project website for comments through February 14th and distribute to Parks and Recreation Advisory Board and Planning Commission
            - Parks & Recreation Advisory Board Meeting: Thursday February 6

- Planning Commission: February 11 (Mike Only – Virtual)
- Final Draft Plan requested edits via public comment, parks and rec advisory board and planning commission – Friday February 28th.
- Final Draft Plan posted on project website and distributed to council – week of March 3rd.
- City Council 1st Reading: March 17 (In-Person – you are welcome to join)
- City Council 2nd Reading: April 7 (Virtual)

d. Safety Talks- Can we bring these back?
    i. Chief Kochis will look into previous Safety Talks and evaluate potential to begin these again.
e. Car Thefts: What is going on with cars being stolen?
    i. Chief Kochis requesting Neighborhood Leaders to tell their neighbors to lock their car doors. Many gun thefts are the result of people leaving guns in their cars and leaving the cars unlocked. Please do not leave guns in your car. Please store them safely and responsibly.
f. Signage: Greyhound bus using 6 ½ street
    i. Brennan Duncan, City Traffic Engineer will send a letter to Greyhound.
g. Airbnb:
    i. Kellie Brown, Director, Neighborhood Development Services, has recently developed a work plan and presented it to the Planning Commission. Workplan will be presented to Council in early 2025. Airbnb issue is listed on the workplan. NDS is working to procure software that will help the city understand the magnitude of the issue. Additionally, NDS is looking at other jurisdictions for guidance on how they manage Airbnb and the enforcement of the zoning ordinance.
h. Alleys
    i. Sam Sanders, City Manager, alleys are also listed on the work plan. We currently do not have an Estimated Time of Arrival (ETA) for when we will begin to work on this item.
i. Shamrock Intersection: There are cones and a Porta Potty at this intersection, but no work has been done in 3 months. Can we get this taken care of?
    i. Brennan Duncan, City Traffic Engineer, we will look into this and follow up with an ETA. (**Public Works/Traffic Engineer)**
j. Parking Code
    i. Need updates for the parking code **(Public Works/Traffic Engineer)**

4. 2025 Meeting Schedule

A. March 20, 2025: Zoom
B. June 26, 2025: Zoom
C. September 18, 2025: Zoom
D. December 18, 2025: In Person

5. **Adjourn 7:10pm**

City Manager's Report

Offices of the City Manager

Elected & Appointed Officials

1-21-2025

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

- Our biweekly community newsletter, City Scoop, is now LIVE! You may sign up to receive the newsletter via email here, you can find a link on our website and social media platforms, and you can also find copies in City Hall and at a few locations on the Downtown Mall.
- Reminder: The City's public affairs tv program, Inside Charlottesville, airs every Friday and Sunday at 7:00 PM and every Saturday and Monday at 9:00 AM on Charlottesville TV10 – Comcast Channel 10 in the City of Charlottesville and surrounding counties. We also have a free Roku app for TV10 which folks can find by searching for "Charlottesville TV10" on Roku.
    - January's episode includes "On the Spot" with City Manager Sanders, updates from the Charlottesville Fire and Police departments, highlights of the Electric Vehicle Climate Café and Imagine a Day Without Water Art Contest, and "Get to Know Your Government" featuring our Risk Manager, Philip Spence.
- The City is working with the County and UVA to relaunch Project Safe Neighborhoods (PSN) with a press conference on Wednesday, January 22nd at 10:30 am at Burley Middle School. Learn about PSN, who the key partners are, and what impact this initiative has on the community.

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

- 2024 Imagine A Day Without Water Art Contest Winners announced! https://www.charlottesville.gov/500/Imagine-a-Day-without-Water
- In partnership with the Community Climate Collaborative, the Office of Sustainability hosted the first Climate Cafe on December 13th at the Bradbury. Generation 180 was the featured partner, and the topic was "All things Electric Vehicles". Over 30 community members attended and engaged in lively conversation about EVs!
- A community electric vehicle charging infrastructure needs study has started. This study will focus on lowering barriers to EV adoption within the community. It also considers opportunities for City fleet electrification.
- OS staff delivered the first batch of electric tools to the Parks and Rec Downtown Mall crew as part of the electric landscaping equipment pilot program. We appreciate the team being enthusiastic partners in this project!
- On December 18, OS staff presented on the LED Streetlights Upgrade Project to the Neighborhood Leaders Association. The presentation included an overview of the plan for upgrading all Dominion Energy-owned streetlights in the City of Charlottesville's portfolio to LED, and provided details on the project goals, fixture selection, and timeline. Staff shared about the recently completed LED Streetlights Upgrade Pilot on the 250 Bypass between Hydraulic Road and Rt 29.

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

- The Office of Human Rights (OHR) continues to work with the federal department of Housing and Urban Development (HUD) toward interim certification as a Fair Housing Assistance Program (FHAP). In November, HUD requested that the OHR make additional changes to the Charlottesville Human Rights Ordinance prior to interim certification. OHR staff will present the recommended changes to Council during the January 21, 2025, meeting.
- The Human Rights Commission submitted its annual policy and practice recommendations to City Council on January 3, 2025. Commissioner recommendations focused on housing, services for people experiencing homelessness, and eviction prevention.
- At the close of the 2024 calendar year, the Office of Human Rights documented 1,841 incoming contacts, 13 new complaints filed, and a total of 242 unique individuals served. Details regarding the casework of the office can be found in the monthly reports presented to the Human Rights Commission as part of the regular meeting agenda packets. Office staff are currently preparing the 2024 calendar year report for presentation to the Human Rights Commission during the annual planning meeting in March.

Office of Finance – Director Chris Cullinan (he/him)

- At the December 16, 2024 City Council meeting, the City's auditors (Robinson, Farmer, Cox and Associates) delivered a verbal confirmation of an unmodified ("clean") audit opinion for the City's finances for FY24. We have since received written confirmation of their opinion and have published the Annual Comprehensive Financial Report (ACFR) for FY24 on the City's website. It can be found on the Finance Department's page under "Financial Reports".

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

- One of the City's signature workforce initiatives is accepting new interest. Ready to Work is a workforce initiative designed to assist both jobseekers and employers. A partnership between the Office of Economic Development and Rappahannock Goodwill Industries, Ready to Work certifies jobseekers in soft skills, provides assistance with resume and cover letter development, interview preparation, and culminates in a guaranteed interview with a participating City employer. The program is free, self-paced and available 24/7. Participating City employers offer a starting wage of at least $16.70 an hour, have low barriers for entry level positions, and offer career pathways for advancement. Jobseekers receive training on critical thinking, time management, effective communication, conflict resolution, and more. A Career Navigator works with Ready to Work students one on one throughout the program, providing individualized assistance. If you are a jobseeker or City employer and would like to learn more or enroll, email bichej@charlottesville.gov.

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

- Housing Opportunities for Persons with AIDS/HIV (HOPWA): The Office of Community Solutions in partnership with the Blue Ridge Area Coalition for the Homeless applied for a received funding from the Virginia Department of Housing and Community Development for the HOPWA program. Our continuum received a $6,960 increase to last year's award. In FY23 we received $382,352. For FY24 we received $389,312.
- National Park Services, Diversity Equity, Inclusion, and Accessibility grant: The Office of Community Solutions contracted with Launch Consulting to facilitate three workshops bringing together City Staff and community partners with the purpose of creating a geodatabase that better represents the City of Charlottesville specifically its underserved and underrepresented populations. The final report has been developed, and the grant project has concluded. We are working to create a plan for implementing next steps to develop a more robust geodatabase that can be used to support future funding applications for both City projects and community projects.
- National Park Service - Outdoor Recreation Legacy Partnership Program (ORLPP): As the Parks Master Plan process moves towards completion, the Office of Community Solutions is scoping out grant opportunities in 2025 to seek funding to support some of the land acquisitions and other parkland improvements that are recommended in the Master Plan.
- VA Department of Conservation and Recreation (DCR)– Pollocks Branch Trail Bridge: DCR contacted the Office of Community Solutions to inform the city that they had added an additional $7,125 to their original grant of $307,639 (total grant award is now $314,764) to support the construction of the Pollocks Branch Trail bridge at the end of Rockland Avenue. Once this funding is appropriated by City Council, procurement will be releasing the project notice seeking interested parties to bid on the bridge project. If all stays on schedule, the bridge may be installed and ready for public use by early summer of 2025.
- Charlottesville Affordable Housing Fund (“CAHF”) and Housing Operations and Programs Support (“HOPS”) Grant: OCS staff received six applications for FY25 Charlottesville Affordable Housing Fund (CAHF) Grant funding, totaling approximately $1.6 million. This amount is $788,000 over the available $823,000. Additionally, there were 16 applications for FY26 Housing Operations Program Support (HOPS) Grant funding, totaling around $1.48 million, which exceeds the available $575,000 by $897,000. The CAHF committee will begin reviewing the applications in January 2025. OCS staff will present the CAHF Committee's award recommendations to the City Council, alongside the award recommendations for the Vibrant Community Fund, in or by March 2025.
- Housing Equity and Anti-Displacement Toolkit (HEAT) / Strategy, three components of the HEAT Strategy are advancing to support housing equity and anti-displacement goals:

    - Land Bank Ordinance/Program (LBP): The Deputy City Manager of Operations (DCM-O) presented a program and policy preference to the Housing Advisory Committee (HAC) on a pilot Land Bank Program as an "Authority," which will be subsequently presented to the City Council for consideration.
    - Affordable Housing Development-Oriented Tax Abatement Program (TAP): OCS staff met with a key member of Livable Cville and continued internal discussions across relevant city departments. OCS will collaborate directly with the DCM-O to create a work plan for 2025 regarding the research and development of a Charlottesville TAP program aimed at facilitating affordable housing development in 2025 and beyond.
    - Charlottesville Supplemental Rental Assistance Program (CSRAP): The Office of Community Solution (OCS) staff collaborated with community leaders and managers from relevant city departments to address concerns related to the implementation of the CSRAP beyond fiscal year 2025 (FY25). They are in the process of completing a partner survey and will compile recommendations to present to the City Council in 2025.
- Staff Training and Professional Development: Staff attended the Virginia Governor's Housing Conference in Virginia Beach in November 2024. Over the course of three days, staff learned of best practices being utilized across the Commonwealth to support methods of reducing homelessness and increasing affordable housing units. Additionally, in line with previously scheduled training, the OCS staff completed a session with LISC Virginia's Housing Development Training Institute (HDTI). This training enhanced the staff's knowledge and skills in real estate policy and program development, covering crucial topics such as financial feasibility, site management, and asset management. These topics support long-term goals for affordable housing. The assigned OCS staff will now work to facilitate additional Low-Income Housing Tax Credit (LIHTC) training and development for interested city staff within the OCS and NDS departments.
- Jordan Park Accessible Pathways: As of December 2024, the Office of Community Solutions and Parks & Rec successfully completed the replacement of an older narrow pathway within the park with a new accessible pathway composed of a compacted gravel base and drainage sublayer and topped with an 8' wide asphalt surface connecting the park's entrance on Sixth Street to the new pedestrian bridge over Moore's Creek. This new pathway includes new accessible connections to existing park amenities, including the two playgrounds and the basketball court. Additional work was done to extend the emerging trails network to the east of the new bridge in the form of a compacted gravel base covered with stone dust. (This section of the path lies with fragile wetlands too delicate to be paved). This project was funded with Community Development Block Grant (CDBG) fund.
- Charlottesville CDBG Program: The city's CDBG program continues to make progress supporting subrecipients funded through the city's program year 2024-

25 (PY24) program, including first-of-its-kind support for PACEM's work-enabling transportation program for their clients experiencing homelessness, significant contributions to CRHA's work to renovate the Dogwood Properties and financial supports to ReadyKids, Inc., one of Charlottesville's oldest nonprofits, to support their work providing a wide range of critical supports to area children and families in the city of Charlottesville through counseling programs, family supports and early learning opportunities. The application window for program year 2025-26 (PY25) is set to go live on January 6, 2025, and runs through February 7, 2025. Pre-application technical support workshops will be scheduled for mid-January to provide support to interested applicants. No word has yet been received from the U.S. Department of Housing and Urban Development (HUD) as to allocation amounts for PY25, but it is important to note that the PY24 HUD allocations were announced exceedingly late last year (May 7), which left precious little time to secure the needed local approvals to help subrecipients launch their funded activities on July 1.

- Consolidated Annual Performance and Evaluation Report (CAPER PY23): The City's CAPER for program year 2023-24 was submitted to HUD for review, and HUD notified staff recently that the report has been accepted, clearing the way for the upcoming program year 2025-26. (The CAPER is typically the final reporting obligation of a HUD-funded locality in a given program year) and provides a comprehensive evaluation of how the city spent its annual fund allocation and performance in implementing its Five-Year Consolidated Plan/Annual Action Plan goals.

Budget Office – Director Krisy Hammill (she/her)

- FY 2026 Budget Development is well underway. Just a reminder to continue checking the Budget webpage for updates and important information!

Commissioner of the Revenue – Director, Todd Divers (he/him)

- Tangible Business Personal Property Returns and Machinery and Tools Returns (FILING ONLY) are due on January 31st.
- Business License Renewals (FILING AND PAYMENT) are due on March 3rd.
- Paper returns and renewals were mailed to businesses in December. However, spotty postal delivery service is not a valid excuse for failure to file or pay as these are due every year at the same time.
- Businesses are STRONGLY encouraged to take advantage of the City's Business Tax Portal to complete these transactions. Visit https://charlottesville.gov/businessportal.
- Call 434-970-3170 or email citycorbiz@charlottesville.gov if you need assistance.
- Tax Relief:
    - On February 3rd the Commissioner of the Revenue's Office will begin taking applications and re-certifications for Tax Relief for the Elderly and Disabled. In general, the program is open to homeowners who are at least 65 years of age, or who are permanently disabled – though other conditions apply. If you were in the program last year, be on the lookout for a letter with instructions. If you were not in the program last year and would like more information about whether you might qualify, visit https://charlottesville.gov/relief. Or call 434-970-3160 or email relief@charlottesville.gov.
    - The deadline to apply will be April 1, 2025.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	No Action Required
Presenter:	Michael Goddard, Facilities Development Manager
Staff Contacts:	Michael Goddard, Facilities Development Manager Kristel Riddervold, Director of the Office of Sustainability Krisy Hammill, Director of Budget
Title:	**Charlottesville City Schools CIP (Capital Improvement Projects)**

Background

City of Charlottesville staff are presenting an update on the status of the City Schools capital improvement projects, as well as an outlook for future planned work. An update on sustainability - related work and a budget update related to the FY26 budget cycle will be included.

Discussion

The City of Charlottesville is currently engaged in development of the FY26 budget. In the interest of an informed budgeting process, City staff are delivering an update on the status of our currently funded project portfolio, as well as a reminder of our planned near- future projects. Specific updates on sustainability topics will be discussed, as well as an update on the status of budget development. Completed and current projects include:

- Middle School Reconfiguration
- Johnson Modernization (Roof Terrace)
- CHS Electrical Equipment Replacement(phase 3)
- CHS Roof (Phase 2)
- CHS Restroom Renovation
- CHS Softball Fields Access and Batting Cage
- Johnson Sidewalk Access Project

Projects in the upcoming years funded as of FY25 include:

- Venable Priority Improvement
- Walker Pre- K Adjustments
- CHS Track Lighting
- CHS MLK PAC Lighting
- Summit Window Replacements
- Burnley Moran Roof Replacement FY27- $1.5M

- Pre-K Center at Walker campus $25M-$30M FY27
- Jackson Via Roof Replacement FY28- $1.5M
- CHS Generator Upgrades - $550K

Specific to Sustainability presentation: Climate/sustainability is a key commitment and priority for the City and CCS. In light of our Climate Goals (45% reduction of greenhouse gas emissions by 2030 and carbon-neutrality by 2050) and the recognition that approximately 60% of emissions come from the existing built environment and approximately 30% come from transportation activity, strategies to reduce emissions must focus on these sectors. While only 5% of total emissions from Charlottesville come from the municipal sector, this is the sector that the City and CCS have the opportunity to directly influence. Capital investments in the following priority strategies are recommended:

· Reducing energy use in existing buildings through Equipment Upgrades and Retro commissioning
· On-site Clean Energy Power Generation (e.g., Solar)
· Solar Power Purchase Agreements (PPA)
· Transportation Electrification

There is currently a funding plan for a solar project on CATEC (scheduled for summer 2025 installation) and staff is in the process of reviewing a PPA proposal for large solar projects on both Charlotteville High School and the Buford Middle School. Both will have completed new roofs in the next few years. Additional elementary school roof replacements are funded in the proposed CIP in FY28, FY29, and FY30. Staff is working on a strategy to fund deployment of solar panels.

Alignment with City Council's Vision and Strategic Plan

This request supports the City Council's Strategic Outcome Areas of Climate Action, Education, Partnerships and Organizational Excellence.

Community Engagement

N/A

Budgetary Impact

This discussion is in service of development of the FY26 budget, and acts as a report out on the status of previously budgeted work.

Recommendation

N/A

Alternatives

N/A

Attachments

1. CCS CIPMtg 2024

City Council
Schools CIP Update
1/21/25

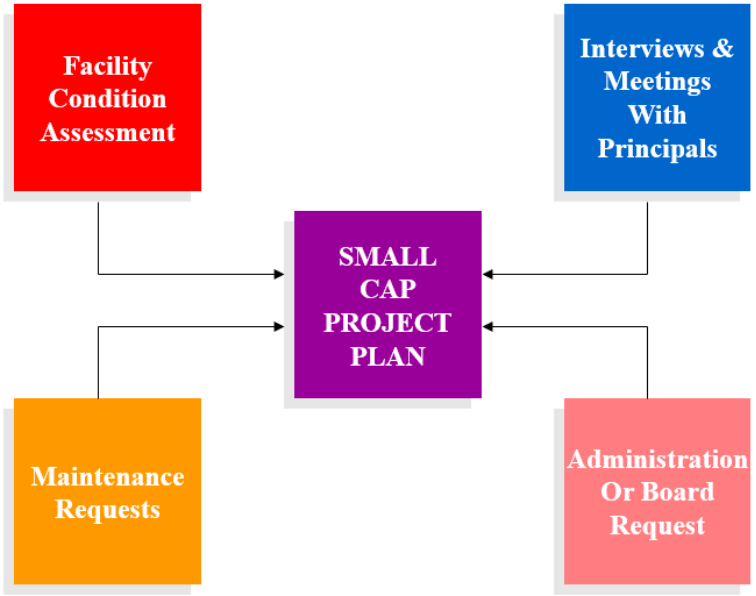
Discussion Points

1. Project Portfolio Selection Process Brief
2. FD Projects Underway and Completed
3. FY26-30 Upcoming Work
4. Priority Improvement Program Plan

CIP Process



Lump Sum Process



Projects in Construction and Completed

- Middle School Reconfiguration
- Johnson Modernization (Roof Terrace)
- CHS Electrical Equipment Replacement (phase 3)
- CHS Roof (Phase 2)
- CHS Restroom Renovation
- CHS Softball Fields Access and Batting Cage
- Johnson Sidewalk Access Project

Middle School Reconfiguration

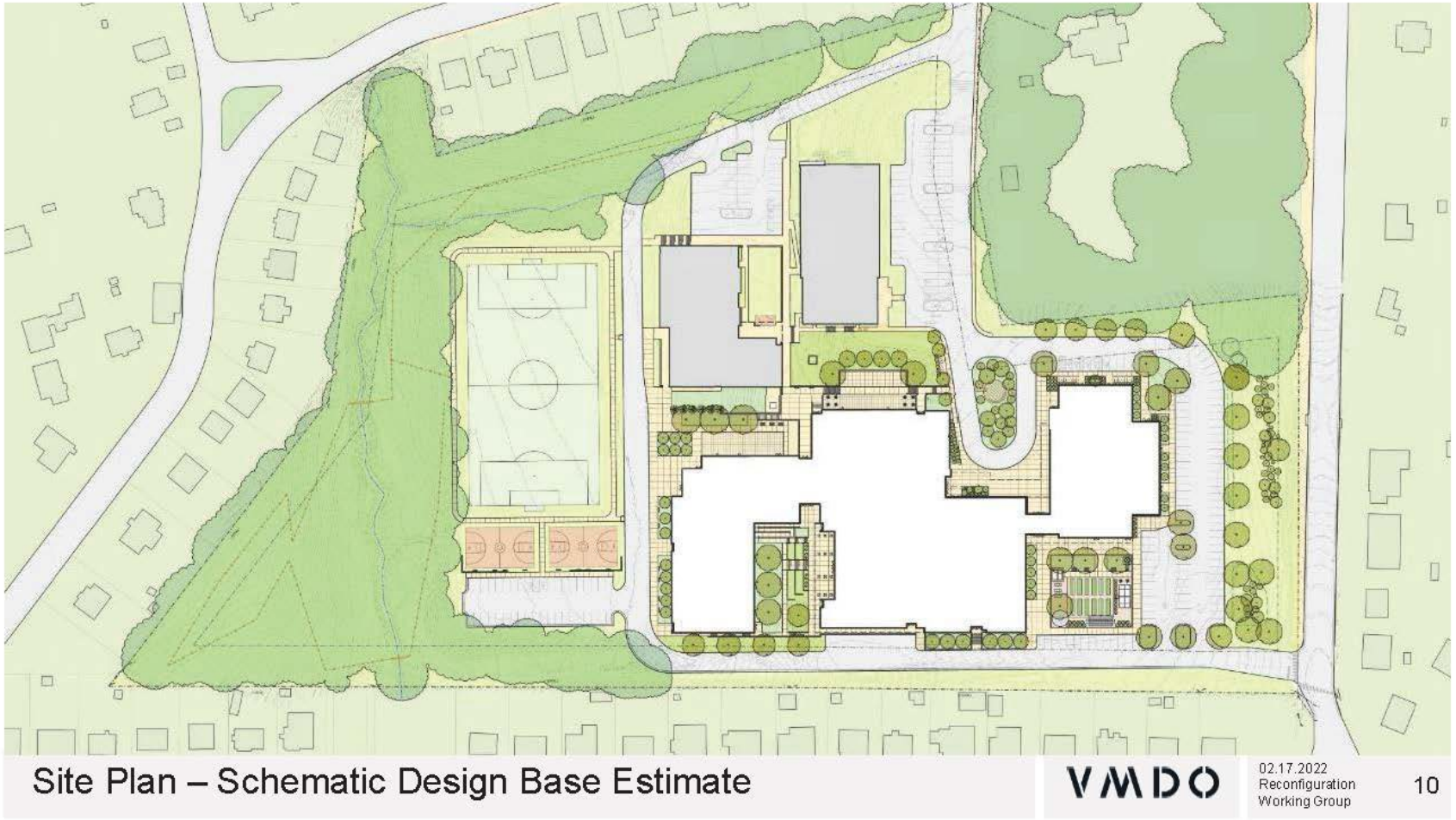
SCOPE:
Major Addition and Renovation to existing Buford campus to add a new academic and athletics wing while renovating the remaining buildings

BACKGROUND: Responding to need for modernization and reconfiguration of middle years school buildings.

STATUS & SCHEDULE:
Construction underway

A/E: VMDO
PM: Facilities Development
GC: Nielsen

Project Budget:~$91M



Middle School Reconfiguration

SCOPE:
Major Addition and Renovation to existing Buford campus to add a new academic and athletics wing while renovating the remaining buildings

BACKGROUND: Responding to need for modernization and reconfiguration of middle years school buildings.

STATUS & SCHEDULE:
Construction underway- Scheduled for Summer 2026 completion

A/E: VMDO
PM: Facilities Development
GC: Nielsen

Project Budget:~$91M



Middle School Reconfiguration

SCOPE:
Major Addition and Renovation to existing Buford campus to add a new academic and athletics wing while renovating the remaining buildings

BACKGROUND: Responding to need for modernization and reconfiguration of middle years school buildings.

STATUS & SCHEDULE:
Construction underway- Scheduled for Summer 2026 completion

A/E: VMDO
PM: Facilities Development
GC: Nielsen

Project Budget:~$91M



Middle School Reconfiguration

SCOPE:
Major Addition and Renovation to existing Buford campus to add a new academic and athletics wing while renovating the remaining buildings

BACKGROUND: Responding to need for modernization and reconfiguration of middle years school buildings.

STATUS & SCHEDULE:
Construction underway- Scheduled for Summer 2026 completion

A/E: VMDO
PM: Facilities Development
GC: Nielsen

Project Budget:~$91M



Middle School Reconfiguration

SCOPE:
Major Addition and Renovation to existing Buford campus to add a new academic and athletics wing while renovating the remaining buildings

BACKGROUND: Responding to need for modernization and reconfiguration of middle years school buildings.

STATUS & SCHEDULE:
Construction underway- Scheduled for Summer 2026 completion

A/E: VMDO
PM: Facilities Development
GC: Nielsen

Project Budget:~$91M



Middle School Reconfiguration

SCOPE:
Major Addition and Renovation to existing Buford campus to add a new academic and athletics wing while renovating the remaining buildings

BACKGROUND: Responding to need for modernization and reconfiguration of middle years school buildings.

STATUS & SCHEDULE:
Construction underway- Scheduled for Summer 2026 completion

A/E: VMDO
PM: Facilities Development
GC: Nielsen

Project Budget:~$91M



Johnson Priority Improvement

SCOPE:
Modernize Johnson Classrooms and Learning Terrace

BACKGROUND: This is the fifth of our school modernization projects.

STATUS & SCHEDULE:
Project Complete

A/E: VMDO Architects
PM: Facilities Development
GC: Woodland Construction

Project Budget: $1.25M



Johnson Priority Improvement

SCOPE:
Modernize Johnson classrooms (furniture and tech) and Learning Terrace

BACKGROUND: This is the fifth of our school modernization projects.

STATUS & SCHEDULE:
Project Complete

A/E: VMDO Architects
PM: Facilities Development
GC: Woodland Construction

Project Budget: $1.25M



Johnson Priority Improvement

SCOPE:
Modernize Johnson classrooms (furniture and tech) and Learning Terrace

BACKGROUND: This is the fifth of our school modernization projects.

STATUS & SCHEDULE:
Project Complete

A/E: VMDO Architects
PM: Facilities Development
GC: Woodland Construction

Project Budget: $1.25M



CHS Electrical Switchgear Replacement- Phase 3

SCOPE:
Replace switchgear and electrical distribution panels school-wide to reduce fire risk and support modern electrical needs.

BACKGROUND: Building had original switchgear, which was considered a fire risk, and was not organized. We are replacing it in 3 phases, with an additional scope to replace generators and expand generator capacity.

STATUS & SCHEDULE:
Phase 3 complete, generators set for replacement.

A/E: Masters Engineering
PM: Facilities Development
GC: Colonial Webb (ph2)

Project Budget: $1.5M



CHS Roof Replacement

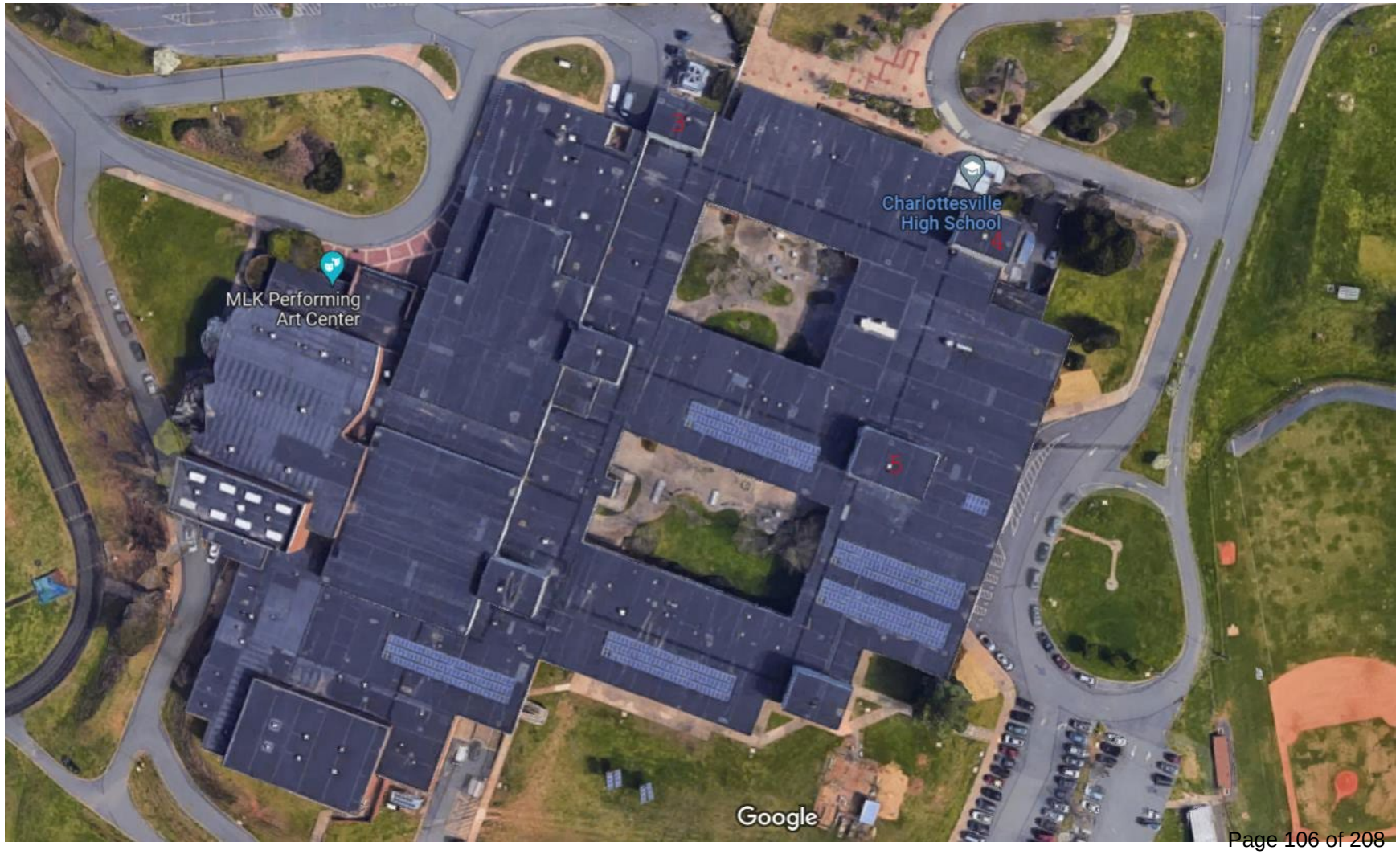
SCOPE:
Replace Failing Roof on CHS

BACKGROUND: Roof is past due for replacement and has had many patches to extend useful life. Project is occurring in three phases. We anticipate following with solar installation.

STATUS & SCHEDULE:
Phase 2 complete

A/E: Grimm & Parker
PM: Facilities Development
GC: Blackstone Roofing

Project Budget: $6M over 3 yrs



CHS Roof Replacement

SCOPE:
Replace Failing Roof on CHS

BACKGROUND: Roof is past due for replacement and has had many patches to extend useful life. Project is occurring in three phases. We anticipate following with solar installation.

STATUS & SCHEDULE:
Phase 2 complete

A/E: Grimm & Parker
PM: Facilities Development
GC: Blackstone Roofing

Project Budget: $6M over 3 yrs



CHS Restroom Renovation

SCOPE:
Create safe, modern, gender-agnostic restrooms at CHS

BACKGROUND:
Next in the series of modernization projects is focused on the CHS restrooms. The goal was to create private restroom stalls with a shared wash station. Smoking and vaping are monitored, and rooms are sized to strongly discourage co-occupation.

STATUS & SCHEDULE:
Project Complete

A/E: Wiley Wilson
PM: Facilities Development
GC: Martin Horn

Project Budget:$1.25M



CHS Restroom Renovation

SCOPE:
Create safe, modern, gender-agnostic restrooms at CHS

BACKGROUND:
Next in the series of modernization projects is focused on the CHS restrooms. The goal was to create private restroom stalls with a shared wash station. Smoking and vaping are monitored, and rooms are sized to strongly discourage co-occupation.

STATUS & SCHEDULE:
Project Complete

A/E: Wiley Wilson
PM: Facilities Development
GC: Martin Horn

Project Budget:$1.25M



CHS Restroom Renovation

SCOPE:
Create safe, modern, gender-agnostic restrooms at CHS

BACKGROUND:
Next in the series of modernization projects is focused on the CHS restrooms. The goal was to create private restroom stalls with a shared wash station. Smoking and vaping are monitored, and rooms are sized to strongly discourage co-occupation.

STATUS & SCHEDULE:
Project Complete

A/E: Wiley Wilson
PM: Facilities Development
GC: Martin Horn

Project Budget:$1.25M



CHS Softball Field Access

SCOPE:
Improve access to CHS softball field by replacing aging pathways and adding hardscape

BACKGROUND:
Softball field viewing area was difficult for people with disabilities to access. Timber retaining walls were rotting prematurely. These elements were replaced with concrete retaining walls and a new paved pathway. A batting cage enclosure is currently under construction.

STATUS & SCHEDULE:
Landscape work substantially complete.
Batting cage to be completed by spring 2025

A/E: Line & Grade
PM: Facilities Development
GC: Digs Inc. and J&A Home Improvements

Project Budget:$425K



CHS Softball Field Access

SCOPE:
Improve access to CHS softball field by replacing aging pathways and adding hardscape

BACKGROUND:
Softball field viewing area was difficult for people with disabilities to access. Timber retaining walls were rotting prematurely. These elements were replaced with concrete retaining walls and a new paved pathway. A batting cage enclosure is currently under construction.

STATUS & SCHEDULE:
Landscape work substantially complete.
Batting cage to be completed by spring 2025

A/E: Line & Grade
PM: Facilities Development
GC: Digs Inc. and J&A Home Improvements

Project Budget:$425K



Johnson Sidewalk Access

SCOPE:
Repair Sidewalk which was eroded and holding water

BACKGROUND: Johnson playground sidewalk was damaged due to repair vehicles driving over it. Sidewalk was reinforced and replaced so that children could access school without walking through large puddles.

STATUS & SCHEDULE:
Work Complete

A/E: Facilities Development
PM: Facilities Development
GC: Various

Project Budget: $30K



Johnson Sidewalk Access

SCOPE:
Repair Sidewalk which was eroded and holding water

BACKGROUND: Johnson playground sidewalk was damaged due to repair vehicles driving over it. Sidewalk was reinforced and replaced so that children could access school without walking through large puddles.

STATUS & SCHEDULE:
Work Complete

A/E: Facilities Development
PM: Facilities Development
GC: Various

Project Budget: $30K



FY26-30 Planned Work

- Venable Priority Improvement
- Walker Pre- K Adjustments
- CHS Track Lighting
- CHS MLK PAC Lighting
- Summit Window Replacements
- Burnley Moran Roof Replacement FY27- $1.5M
- Pre-K Center at Walker campus $25M-$30M FY27
- Jackson Via Roof Replacement FY28- $1.5M
- CHS Generator Upgrades - $550K

Priority Improvement Program Plan

2018- Clark Classrooms

2019- Jackson Via Classrooms

2020- Burnley Moran Media Center

2021- Greenbrier Library

2022- Johnson Roof Terrace

2023- CHS Restrooms Phase 1

2024- Venable

2025- Walker Temporary Condition

2026- CHS Turf Field replacement

2027- CHS Interior ceilings/ restroom Ph2

• Sustainability/Climate Priorities & Opportunities

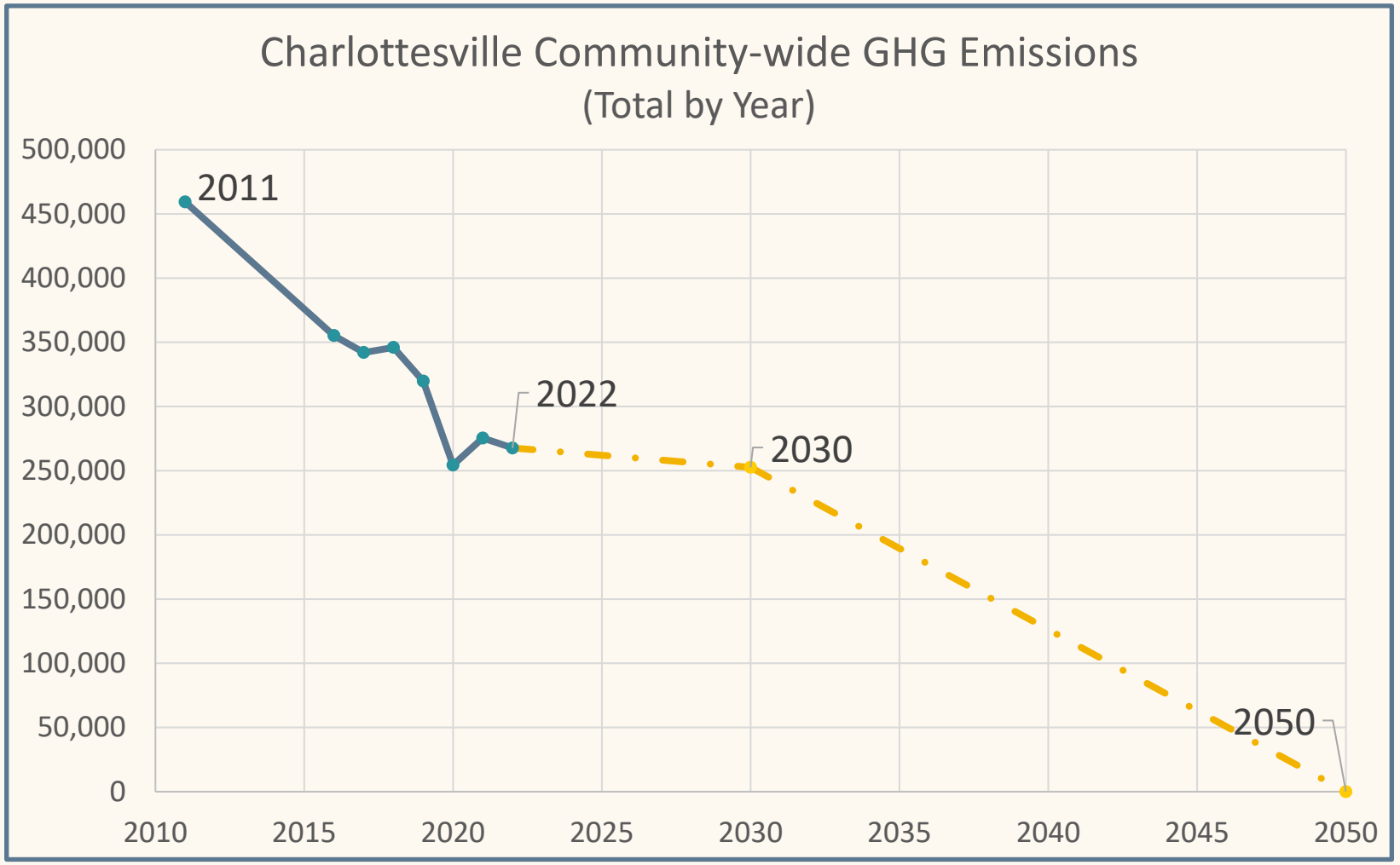
• Jan 21, 2025

Charlottesville's Climate Goals

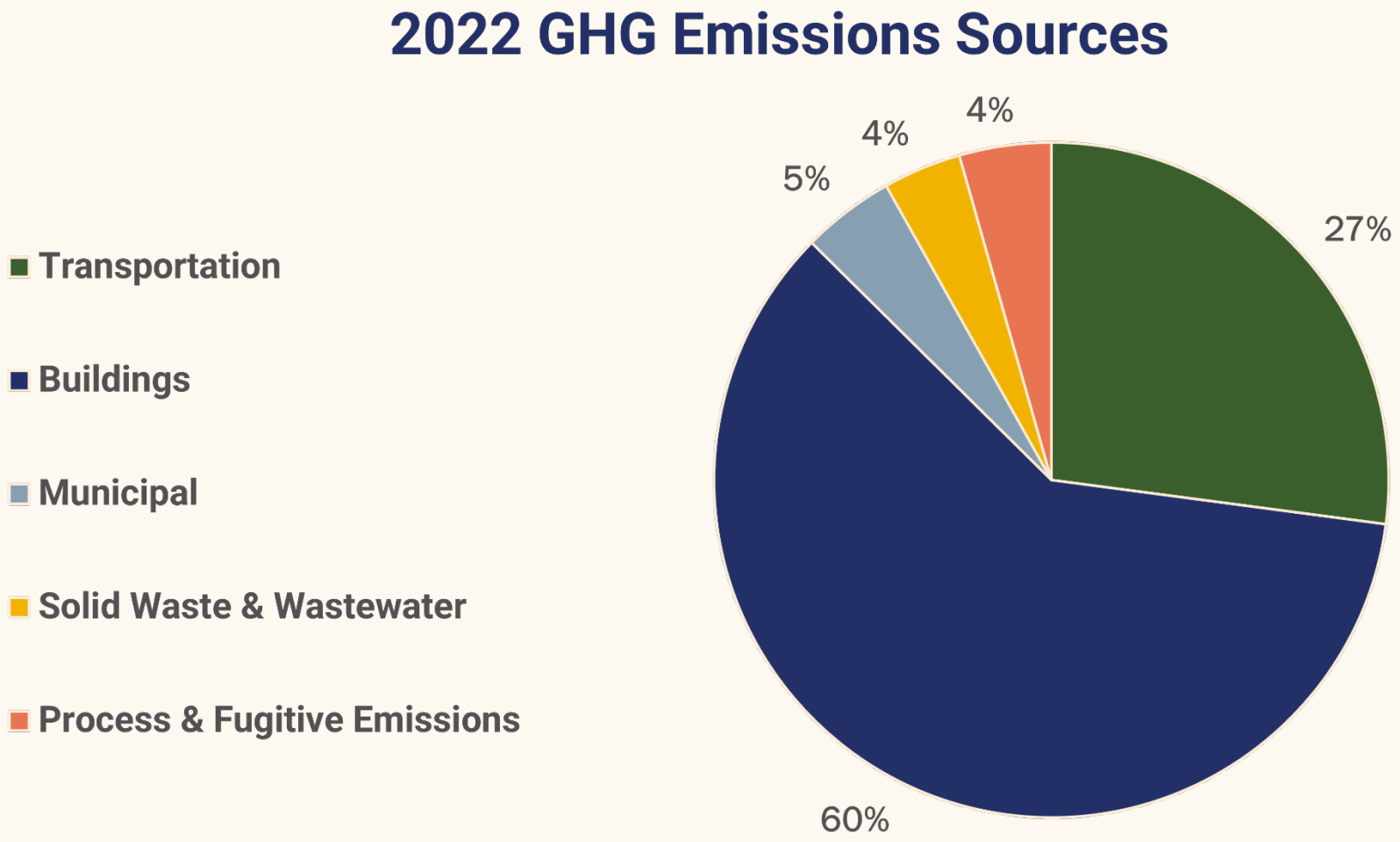
Adopted in 2019

- **45% reduction by 2030**
- **Carbon neutrality by 2050**

In 2022, Cville community-wide emissions were reduced by 42% from baseline.



GHG Emissions Sources



Priority Emissions Reduction Strategies





- **Equipment Upgrades & Retrocommissioning**
  - Master Agreement for Energy Performance Projects
    - FY25 - 1st project nearing completion
    - FY26 - Scope/contract development underway
    - FY27 - CHS-focused lighting retrofit planned
- **On-site clean energy power generation**
  - CATEC solar project – Summer 2025 installation (local funding)
  - New roofs funded for elementary schools in FY28, FY29, FY30. Need to plan for funding solar installation.
- **Solar Power Purchase Agreements (PPA)**
  - PPA proposal requested
    - Charlottesville High School
    - Charlottesville Middle School
- **Transportation Electrification (aka Electric School Buses)**

Solar Opportunities

Site	Year	Cost Estimate	NOTES
CATEC	FY26	$882,000*	Plan is to fund with current CitySolar balance plus funds from Climate Initiative Fund.
CHS	FY26	$3,482,136	PPA proposal review initiated
Cville Middle School	FY27	$3,586,600	PPA proposal review initiated
Burnley Moran	FY28	$418,844*	Roof funded in FY27; No funds for solar designated
Jackson Via	FY29	$961,380*	Roof funded in FY28; No funds for solar designated
Johnson	FY30	$640,120*	Roof funded in FY29; No funds for solar designated
	TOTALS	$9,971,080	

* Potential for Internal Revenue Service (IRS) elective pay (aka direct pay)

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Public Hearing on the FY 2026 - 2030 CIP 5-Year Draft
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Krisy Hammill, Director of Budget Samuel Sanders, Jr., City Manager
Title:	**Public Hearing on FY26 City of Charlottesville Capital Improvement Program**

Background

Presented for consideration is a draft of FY 2026 - 2030 Capital Improvement Program (CIP).

The current draft CIP budget contains revenues and expenses totaling $31,412,635 in FY 2026. The five-year total CIP budget for FY 2026 - 2030 is currently shown as $185,771,507, an increase of 4.98% from the five-year total projected in the FY 2025 - 2029 Adopted CIP

Discussion

The 5-year CIP plan recommendation is first released as a draft and available for public review and consideration. On November 26, 2024, a work session to present the draft was held with the Planning Commission followed by a public hearing with the Planning Commission which was held on December 10, 2024. After the public hearing, the Planning Commission puts forth its feedback and recommendations to the City Manager for consideration before finalizing the proposed budget.

During this public hearing both Council and the public will have an opportunity to provide feedback on the 5-year CIP draft. The City Manager and staff will consider feedback gathered from the public hearings and on March 4, 2025, the City Manager's Proposed CIP will be formally presented to City Council as part of an overall City Manager Proposed City Operating and Capital Budget. Council will spend time deliberating the City Manager's Proposed Plan and may make funding changes until the budget is formally adopted on April 14, 2025.

Alignment with City Council's Vision and Strategic Plan

The CIP 5-year plan directly supports all of the strategic outcome areas of Council's Strategic Plan. This public hearing and the budget development process helps to promote the Organization Excellence strategic outcome area.

Community Engagement

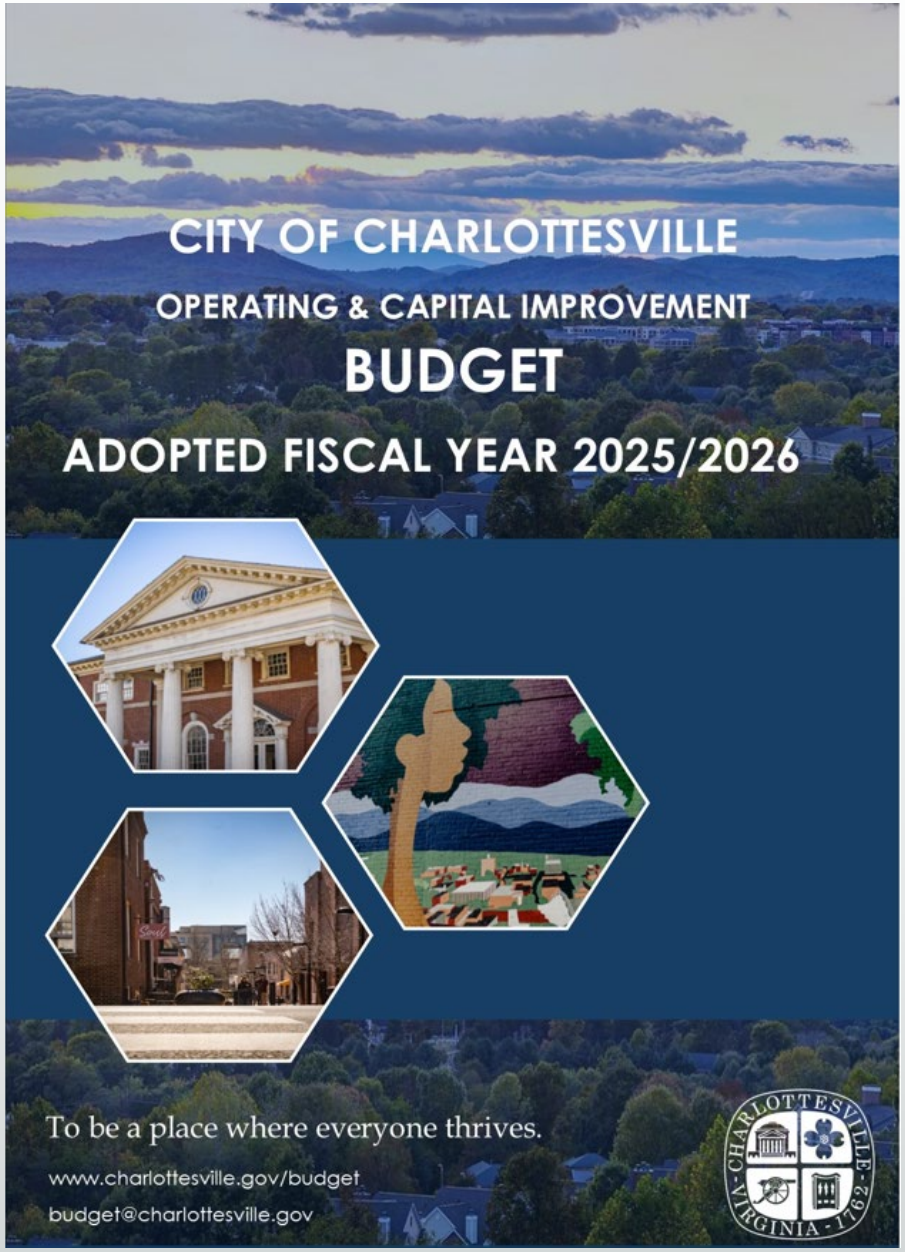
The public hearings on the CIP have been advertised to the public and opportunities for public comment have been provided at each hearing.

Budgetary Impact
This public hearing service as a critical component of the FY 26 budget development process. Input gathered from the public hearing will help inform the CIP 5-year Plan for FY 2026 - FY 2030.

Recommendation
N/A

Alternatives
N/A

Attachments
1. CIP Public Hearing Packet - January 21, 2025



FY 2026 – 2030
Capital Improvement Plan

Public Hearing

January 21, 2025

Overview

- Overview of a Capital Improvement Program (CIP)
- Responses to Planning Commission Feedback from September
- Planning Commission Recommendations from December Public Hearing
- Resources for More Information

Summary

	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Totals
Sources of Funds:						
General fund transfer	$ 9,367,096	$ 9,526,059	$ 9,714,791	$ 9,909,184	$ 12,109,410	$ 50,626,539
CIP Contingency	-	1,964,486	-	716,750	-	$ 2,681,236
Bond issues	21,805,539	26,341,329	46,395,396	25,758,755	10,962,713	$ 131,263,732
Contribution from Schools	200,000	200,000	200,000	200,000	200,000	$ 1,000,000
Other	40,000	40,000	40,000	40,000	40,000	$ 200,000
Total sources	$ 31,412,635	$ 38,071,874	$ 56,350,187	$ 36,624,689	$ 23,312,123	$ 185,771,507
Uses of funds:						
Education	$5,757,489	$8,900,000	$30,900,000	$4,900,000	$3,400,000	$53,857,489
Facilities Capital Projects	$2,946,794	$3,566,264	$2,743,930	$12,443,950	$1,792,165	$23,493,102
Public safety and justice	$1,040,918	$1,817,065	$841,864	$1,832,806	$1,108,958	$6,641,611
Transportation and access	$6,830,234	$8,670,645	$10,368,293	$7,996,133	$7,706,000	$41,571,305
Parks and recreation	$1,665,000	$1,200,000	$1,200,000	$1,200,000	$1,200,000	$6,465,000
Affordable Housing	$12,732,200	$13,477,900	$10,006,100	$7,961,800	$7,815,000	$51,993,000
Technology Infrastructure	$440,000	$440,000	$290,000	$290,000	$290,000	$1,750,000
Total uses	$ 31,412,635	$ 38,071,874	$ 56,350,187	$ 36,624,689	$ 23,312,123	$185,771,507
Funding Gap	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Funding the CIP - Revenues

	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Revenues						
Transfer from General Fund	8,692,096	8,851,059	9,039,791	9,234,184	11,434,410	47,251,540
Transfer from General Fund - Mall Vendor Fees	100,000	100,000	100,000	100,000	100,000	500,000
Transfer from General Fund - VCF Allocation	575,000	575,000	575,000	575,000	575,000	2,875,000
Contribution from Schools (Small Cap Program)	200,000	200,000	200,000	200,000	200,000	1,000,000
CIP Contingency (from prior year surplus)	0	1,964,486	0	716,749		2,681,235
PEG Fee Revenue	40,000	40,000	40,000	40,000	40,000	200,000
CY 2026 Bond Issue	21,805,539	0	0			21,805,539
CY 2027 Bond Issue	0	26,341,329	0			26,341,329
CY 2028 Bond Issue	0	0	46,395,396			46,395,396
CY 2029 Bond Issue				25,758,755		25,758,755
CY 2030 Bond Issue					10,962,713	10,962,713
TOTAL AVAILABLE REVENUES	**$31,412,635**	**$38,071,874**	**$56,350,187**	**$36,624,688**	**$23,312,123**	**$185,771,507**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Budget must be Balanced: Planned Revenues must equal Planned Expenses

Education
$5,757,489 in FY 2026, $53.9M 5-year Total

EDUCATION	Proposed	Projected	Projected	Projected	Projected	5 Year
Project	FY26	FY27	FY28	FY29	FY30	Total
Lump Sum to Schools (City Contribution)	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	6,000,000
City Schools HVAC Repair	750,000	750,000	750,000	750,000	750,000	3,750,000
City Schools Priority Improvement Projects	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000
Charlottesville High School Roof Replacement	2,357,489	0	0	0		2,357,489
Charlottesville City School Reconfiguration	0	0	0	0		0
Charlottesville Walker School Pre-K Center	0	4,000,000	26,000,000	0		30,000,000
Clark Elementary School Windows Replacement	0	0	0	0		0
Burnley-Moran Elementary School Roof Replacement	0	1,500,000	0	0		1,500,000
Jackson-Via Elementary School Roof Replacement	0	0	1,500,000	0		1,500,000
Johnson Elementary School Roof Replacement	0	0	0	1,500,000		1,500,000
School Small Capital Improvements Program	200,000	200,000	200,000	200,000	200,000	1,000,000
SUBTOTAL	**$5,757,489**	**$8,900,000**	**$30,900,000**	**$4,900,000**	**$3,400,000**	**$53,857,489**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Facilities Capital Projects
$2,946,794 in FY 2026, $23.5M 5-year Total

FACILITIES CAPITAL PROJECTS Project	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Lump Sum to Facilities Capital Projects	1,119,956	1,159,155	1,193,930	1,217,809	1,242,165	5,933,014
City Facility HVAC Replacement	500,000	500,000	500,000	500,000	500,000	2,500,000
City and Schools Solar PV Program	75,000	0	0	0	0	75,000
General District Court - FFE and Hearing Room	201,838	0	0	0	0	201,838
Climate Action Initiatives	1,000,000	1,000,000	1,000,000	1,000,000	0	4,000,000
Jefferson-Madison Regional Library Renovations	0	857,109	0	9,676,141	0	10,533,250
HVAC Contingency Fund - City and School Facilities	50,000	50,000	50,000	50,000	50,000	250,000
SUBTOTAL	**2,946,794**	**3,566,264**	**2,743,930**	**12,443,950**	**1,792,165**	**23,493,102**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Public Safety and Justice
$1,040,918 in FY 2026, $6.6M 5-year Total

PUBLIC SAFETY AND JUSTICE Project	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Replacement Fire Apparatus	0	1,334,065	0	1,470,806	0	2,804,871
Replacement EMS Apparatus	458,918	0	481,864	0	505,958	1,446,740
Bypass Fire Station (old building) Repurpose/Upfit	100,000	0	0	0	0	100,000
Police Mobile Data Terminals	82,000	83,000	85,000	87,000	88,000	425,000
Police Portable Radio Replacement	75,000	75,000	75,000	75,000	75,000	375,000
Fire Portable Radio Replacement	75,000	75,000	75,000	75,000	75,000	375,000
Sheriff Portable Radio Replacement	40,000	40,000	40,000	40,000	40,000	200,000
Fire - Self-Contained Breathing Apparatus Replacements	150,000	150,000	25,000	25,000	25,000	375,000
Fire - Protective Clothing/Turnout Gear Replacement	60,000	60,000	60,000	60,000	300,000	540,000
SUBTOTAL	**$1,040,918**	**$1,817,065**	**$841,864**	**$1,832,806**	**$1,108,958**	**$6,641,611**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Transportation and Access
$6,830,234 in FY 2026, $41.6M 5-year Total

TRANSPORTATION AND ACCESS Project	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
New Sidewalks	910,000	776,000	1,193,000	1,194,000	631,000	4,704,000
Sidewalk Repair	500,000	500,000	650,000	700,000	700,000	3,050,000
SIA Immediate Implementation	200,000	200,000	200,000	200,000	200,000	1,000,000
Small Area Plans	150,000	150,000	150,000	150,000	150,000	750,000
Street Milling and Paving	1,250,000	1,500,000	1,700,000	1,750,000	2,000,000	8,200,000
ADA Pedestrian Signal Upgrades	240,000	240,000	240,000	0	0	720,000
Minor Bridge Repairs	225,000	225,000	225,000	0	0	675,000
Citywide ADA Improvements - Sidewalks and Curbs	100,000	100,000	100,000	100,000	100,000	500,000
Traffic Signal Infrastructure Replacement	250,000	2,000,000	3,000,000	1,000,000	1,000,000	7,250,000
ADA Transition Plan	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
State Bridge and Highway Inspections	100,000	100,000	100,000	100,000	100,000	500,000
CAT Transit Bus Replacement Match	245,234	169,645	150,293	77,133	150,000	792,305
Intelligent Transportation System	185,000	185,000	185,000	200,000	200,000	955,000
City Wide Traffic Engineering Improvements	150,000	150,000	150,000	150,000	150,000	750,000
Neighborhood Transportation Improvements	100,000	100,000	100,000	100,000	100,000	500,000
Bicycle Infrastructure	100,000	100,000	100,000	100,000	100,000	500,000
Right of Way Appurtenance	100,000	100,000	100,000	100,000	100,000	500,000
Traffic Sign Retro Reflective Compliance	25,000	25,000	25,000	25,000	25,000	125,000
Historic District and Entrance Corridor Design Guidelines	0	50,000	0	50,000	0	100,000
SUBTOTAL	**$6,830,234**	**$8,670,645**	**$10,368,293**	**$7,996,133**	**$7,706,000**	**$41,571,305**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Parks and Recreation
$1,665,000 in FY 2026, $6.5M 5-year Total

PARKS AND RECREATION Project	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Downtown Mall Infrastructure Repairs	100,000	100,000	100,000	100,000	100,000	500,000
Parks and Recreation Lump Sum Account	400,000	400,000	400,000	400,000	400,000	2,000,000
Parks and Schools Playground Renovations	200,000	200,000	200,000	200,000	200,000	1,000,000
Urban Tree Planting	125,000	125,000	125,000	125,000	125,000	625,000
Parkland and Trails Acquisition and Development	125,000	125,000	125,000	125,000	125,000	625,000
Oakwood Cemetery Drainage and Road Issues	150,000	0	0	0	0	150,000
Hazard and Liability Ash Tree Removal	0	0	0	0	0	0
Downtown Mall Trees Active Lifecycle Management	100,000	100,000	100,000	100,000	100,000	500,000
Invasive Plant Removal	150,000	150,000	150,000	150,000	150,000	750,000
Downtown Mall Tree Management Plan	315,000	0	0	0	0	315,000
SUBTOTAL	**$1,665,000**	**$1,200,000**	**$1,200,000**	**$1,200,000**	**$1,200,000**	**$6,465,000**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Technology Infrastructure
$1,665,000 in FY 2026, $6.5M 5-year Total

TECHNOLOGY INFRASTRUCTURE Project	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Communications Technology Account/Public Access	40,000	40,000	40,000	40,000	40,000	200,000
City Wide IT Strategic Infrastructure	250,000	250,000	250,000	250,000	250,000	1,250,000
Voting Equipment Replacement	150,000	150,000	0	0	0	300,000
SUBTOTAL	**$440,000**	**$440,000**	**$290,000**	**$290,000**	**$290,000**	**$1,750,000**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Affordable Housing
$12,732,200 in FY 2026, $52M 5-year Total

AFFORDABLE HOUSING Project	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Public Housing Redevelopment - (CRHA)	3,000,000	0	0	0	0	3,000,000
Westhaven Redevelopment	5,000,000	5,000,000	5,000,000	0	0	15,000,000
Charlottesville Affordable Housing Fund (CAHF)	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Supplemental Rental Assistance (CSRAP)	900,000	900,000	900,000	900,000	900,000	4,500,000
Friendship Court Infrastructure Improvements	0	650,000	350,000	1,560,000	840,000	3,400,000
Friendship Court Redevelopment - Phase 3	0	2,047,500	1,102,500	0	0	3,150,000
Friendship Court Redevelopment - Phase 4	0	0	0	2,925,000	1,575,000	4,500,000
PHA - 501 Cherry Avenue	1,000,000	2,150,000	0	0	0	3,150,000
Carlton Mobile Home Park	1,332,200	1,230,400	1,153,600	1,076,800	3,000,000	7,793,000
SUBTOTAL	**$12,732,200**	**$13,477,900**	**$10,006,100**	**$7,961,800**	**$7,815,000**	**$51,993,000**

*All figures are subject to change until the City Manager's Proposed Budget is released in March 2025.

Planning Commission Review

Following the FY26 Budget Kick off at the Council meeting on Monday September 16, 2024, the Planning Commission held a discussion at their September 24, 2024 work session to kick off review of the Capital Improvement Program (CIP) section. Commissioners had been asked to think about potential priorities following review of last year's materials.

The following feedback was provided for consideration:

- Provide additional funding for multimodal transportation (walking, biking, transit etc.) o Sidewalk funding needs to be restored and increased.
- Funding for community infrastructure to allow for implementation of the Comprehensive Plan. This includes utilities and transportation.
- Adequate funding to complete the Smart Scale projects currently funded.
- Provide for the human capital needed to accomplish funded projects.
- Fund the Downtown Mall initiatives (tree study, infrastructure, etc.)
- Continue commitment to affordable housing and support homelessness needs.

PC Feedback Item # 1: Multimodal Transportation

Provide additional funding for multimodal transportation (walking, biking, transit etc.). Sidewalk funding needs to be restored and increased.

- For the FY 26-30 CIP an additional $4.2M has been added for the construction of new sidewalks as detailed on the priority list
- $2M/yr for a total of $10M has been added to help remediate ADA barriers
- For FY25, the City continued its commitment to CAT by increasing its investment by $1.8M (from the General Fund) and by participating in discussions regarding a regional system

PC Feedback Item #2: Community Infrastructure

Funding for community infrastructure to allow for implementation of the Comprehensive Plan. This includes utilities and transportation.

- Each project in the 5-year plan has been linked to the relevant chapters and goals of the strategic plan.
- For FY26, the current draft includes $6.8M in projects related to transportation and access through out the City.
- Projects related to the City owed utilities (Gas, Water and Wastewater) are funded in the utility funds which are shown and funded separately from this CIP plan.

PC Feedback Item #3: Smart Scale Projects

Adequate funding to complete the Smart Scale projects currently funded.

- The City Manager confirmed with the VDOT District Engineer a series of changes to the current locally administered program to include canceling two projects, revising the scopes of two projects, and redistributing previously awarded funds to the series of projects in the current portfolio that are stalled due to significant budget gaps.
- Council will consider this action at its December 2nd meeting.
- The Commonwealth Transportation Board will consider the request at its meeting in January, making it possible for all previously funded grant awards to Charlottesville to remain for use within its current portfolio, ensuring no additional project loss.
- Council will consider the reallocation of funds resulting from the CTB's action in January/February.

PC Feedback Item #4: Human Capital for Projects

Provide for the human capital needed to accomplish funded projects.

- Assessment of staffing needs done in 2024 which resulted in 4 additional project manager positions which have all been filled.

- The City completed a reorganization within the Public Works Department
  - Included the addition of a Deputy Director
  - Addition of Project Manager specializing in right of way acquisition
  - Merged ALL project manager teams into a single Facilities Development Team which provides PM specialization for all construction projects regardless of department and built by the city.

PC Feedback Item #5: Downtown Mall Initiatives

Fund the Downtown Mall initiatives (tree study, infrastructure, etc.)

The CIP includes 3 projects related to the Downtown Mall:

- Infrastructure account which is funded by café permit fees and is funded by $100k/yr
- Downtown Mall Active Lifecycle Tree Management account which Is funded at $100k/yr to help take care of pruning and general maintenance of the trees on the mall
- Downtown Mall Tree Management Plan (new in FY26) $315k is funded for the development of the plan. Information from the plan will inform the funding in the future years for managing larger scale overall tree plan for the mall.

PC Feedback Item# 6:
Affordable Housing and Homelessness Needs

Continue commitment to affordable housing and support homelessness needs.

- FY26 includes $12.7M in funding for Affordable Housing projects and just under $52M is included for the 5-year plan.
- The City Manager has been leading discussions with Council on Community Interventions which include homelessness and some potential uses of ARP funding.

PC Feedback:
Public Hearing Held December 10th

The Planning Commission held a public hearing on December 10, 2024 to provide recommendations on the City's Capital Improvement Plan for Fiscal Year 2026-30. The Commission unanimously approved the CIP proposal with the following amendments for consideration:

1. Increase funding for a strategic housing fund as a Capital Improvement Program item or through ongoing funding for a land bank.
2. Create funding for City school Comprehensive Facility Plan.
3. Increase funding for City and City school solar PV (Photovoltaics) programs or pursue other agreements to accomplish projects for these locations.
4. Increase funding for City school maintenance lump sum projects.
5. Reduce funding for City school priority improvement projects in out years.
6. Create line item for safe routes to school implementation at requested amount.
7. Identify sustainable funding for urgent transportation improvements in out years.
8. Create a funding line item for large affordable housing expenditures with a competitive program for selection for the out years. Look to start funding in Fiscal Year 2031.

What's Next?


Public Hearing December 10th and January 21st
Recommendations to City Manager
Proposed CIP presented to City Council

CIP Resources

Budget Explorer Tool

- Current CIP Funding by Project

Online CIP Budget Book

- Story pages for each project included in 5-year plan

City Comprehensive Plan

- https://charlottesville.gov/1111/Comprehensive-Plan

City of Charlottesville Budget Webpage

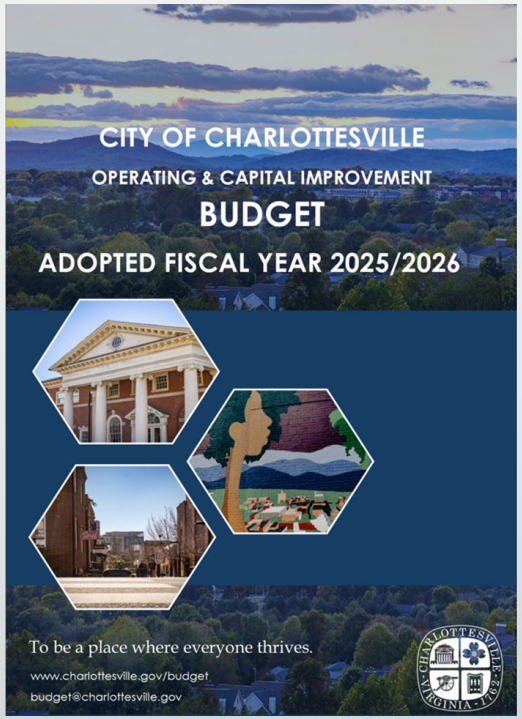
- https://charlottesville.gov/budget

Important Budget Dates

Work Sessions	Public Hearings	Community Budget Forum	Budget Adoption
March 6	March 17 (*Tax Rates*)	March 20	April 14
March 13	April 7 (*Budget*)		
March 27			
April 10			

Questions and Discussion

www.Charlottesville.gov/budget



ATTACHMENT I

Proposed Capital Improvement Program
FY 2026-2030

Still Under-Discussion

Reflects a change from FY25 - FY29 Plan

	Adopted FY25	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Revenues							
Transfer from General Fund	7,145,529	8,692,096	8,851,059	9,039,791	9,234,184	11,434,410	47,251,540
Transfer from General Fund - Mall Vendor Fees	78,000	100,000	100,000	100,000	100,000	100,000	500,000
Transfer from General Fund - VCF Allocation	575,000	575,000	575,000	575,000	575,000	575,000	2,875,000
Contribution from Schools (Small Cap Program)	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
Contribution from Schools - Gainshare	2,200,000	0					0
Contribution from Schools - Construction Grant Funds	0	0	0	0			0
Contribution from Schools - Fund Balance	0	0	0	0			0
CIP Contingency (from prior year surplus)	584,816	0	1,964,486	0	716,749		2,681,235
PEG Fee Revenue	40,000	40,000	40,000	40,000	40,000	40,000	200,000
Stribiling Avenue Funding Agreement	2,900,000	0	0	0			0
CY 2025 Bond Issue	20,760,418	0	0	0			0
CY 2026 Bond Issue	0	21,805,539	0	0			21,805,539
CY 2027 Bond Issue	0	0	26,341,329	0			26,341,329
CY 2028 Bond Issue	0	0	0	46,395,396			46,395,396
CY 2029 Bond Issue					25,758,755		25,758,755
CY 2030 Bond Issue						10,962,713	10,962,713
Bond Previously Authorized - West Main Street	0	0	0	0			0
Bond Previously Authorized - Parking Structure	1,317,000	0	0	0			0
TOTAL AVAILABLE REVENUES	**$35,800,763**	**$31,412,635**	**$38,071,874**	**$56,350,187**	**$36,624,688**	**$23,312,123**	**$185,771,507**
Expenditures							
BONDABLE PROJECTS							
EDUCATION	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
Lump Sum to Schools (City Contribution)	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	6,000,000
City Schools HVAC Repair	750,000	750,000	750,000	750,000	750,000	750,000	3,750,000
City Schools Priority Improvement Projects	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000
Charlottesville High School Roof Replacement	1,937,504	2,357,489	0	0	0		2,357,489
Charlottesville City School Reconfiguration	0	0	0	0	0		0
Charlottesville Walker School Pre-K Center	0	0	4,000,000	26,000,000	0		30,000,000
Clark Elementary School Windows Replacement	450,000	0	0	0	0		0
Burnley-Moran Elementary School Roof Replacement	0	0	1,500,000	0	0		1,500,000
Jackson-Via Elementary School Roof Replacement	0	0	0	1,500,000	0		1,500,000
Johnson Elementary School Roof Replacement	0	0	0	0	1,500,000		1,500,000
SUBTOTAL	**$5,587,504**	**$5,557,489**	**$8,700,000**	**$30,700,000**	**$4,700,000**	**$3,200,000**	**$52,857,489**
FACILITIES CAPITAL PROJECTS	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
Lump Sum to Facilities Capital Projects	1,482,083	1,119,956	1,159,155	1,193,930	1,217,809	1,242,165	5,933,014
City Facility HVAC Replacement	250,000	500,000	500,000	500,000	500,000	500,000	2,500,000
City and Schools Solar PV Program	75,000	75,000	0	0	0		75,000
IT Data Center AC Units	0	0	0	0	0		0

DRAFT

DRAFT

Proposed Capital Improvement Program
FY 2026-2030

Still Under-Discussion
Reflects a change from FY25 - FY29 Plan

	Adopted FY25	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
General District Court - FFE and Hearing Room	410,000	201,838	0	0	0		201,838
RSWA Baler and Baling Facility	1,788,000	0	0	0	0		0
Climate Action Initiatives	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000		4,000,000
City Hall Lobby Renovations	0	0	0	0	0		0
Council Chamber Renovations - A&E	0	0	0	0	0		0
Jefferson-Madison Regional Library Renovations	0	0	857,109	0	9,676,141		10,533,250
SUBTOTAL	**5,005,083**	**2,896,794**	**3,516,264**	**2,693,930**	**12,393,950**	**1,742,165**	**23,243,102**

PUBLIC SAFETY AND JUSTICE	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	**FY25**	**FY26**	**FY27**	**FY28**	**FY29**	**FY30**	**Total**
Replacement Fire Apparatus	0	0	1,334,065	0	1,470,806	0	2,804,871
Replacement EMS Apparatus	0	458,918	0	481,864	0	505,958	1,446,740
Bypass Fire Station - Add'l Funding - FFE	150,000	0	0	0	0	0	0
Bypass Fire Station (old building) Repurpose/Upfit	0	100,000	0	0	0	0	100,000
SUBTOTAL	**$150,000**	**$558,918**	**$1,334,065**	**$481,864**	**$1,470,806**	**$505,958**	**$4,351,611**

TRANSPORTATION AND ACCESS	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	**FY25**	**FY26**	**FY27**	**FY28**	**FY29**	**FY30**	**Total**
New Sidewalks	100,000	910,000	776,000	1,193,000	1,194,000	631,000	4,704,000
Sidewalk Repair	500,000	500,000	500,000	650,000	700,000	700,000	3,050,000
SIA Immediate Implementation	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
Small Area Plans	100,000	150,000	150,000	150,000	150,000	150,000	750,000
Street Milling and Paving	1,250,000	1,250,000	1,500,000	1,700,000	1,750,000	2,000,000	8,200,000
ADA Pedestrian Signal Upgrades	240,000	240,000	240,000	240,000	0	0	720,000
Minor Bridge Repairs	225,000	225,000	225,000	225,000	0	0	675,000
Citywide ADA Improvements - Sidewalks and Curbs	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Traffic Signal Infrastructure Replacement	1,000,000	250,000	2,000,000	3,000,000	1,000,000	1,000,000	7,250,000
Stribling Avenue Sidewalk	4,217,000	0	0	0	0	0	0
Fontaine Avenue Streetscape	750,000	0	0	0	0	0	0
ADA Transition Plan		2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
SUBTOTAL	**$8,682,000**	**$5,825,000**	**$7,691,000**	**$9,458,000**	**$7,094,000**	**$6,781,000**	**$36,849,000**

PARKS AND RECREATION	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	**FY25**	**FY26**	**FY27**	**FY28**	**FY29**	**FY30**	**Total**
Key Recreation Slate Roof Replacement	0	0	0	0	0		0
Pen Park Bathroom ADA Renovation	80,000	0	0	0	0		0
Forest Hills Splash Pad	270,000	0	0	0	0		0
Meadowcreek Golf Course	2,000,000	0	0	0	0		0
Downtown Mall Infrastructure Repairs	728,000	100,000	100,000	100,000	100,000	100,000	500,000
YMCA Trail	400,000	0	0	0	0		0
SUBTOTAL	**$3,478,000**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$500,000**

AFFORDABLE HOUSING	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**

DRAFT

DRAFT

Proposed Capital Improvement Program
FY 2026-2030

Still Under-Discussion
Reflects a change from FY25 - FY29 Plan

	Adopted FY25	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
Public Housing Redevelopment - (CRHA)	3,000,000	3,000,000	0	0	0	0	3,000,000
Westhaven Redevelopment	0	5,000,000	5,000,000	5,000,000	0	0	15,000,000
SUBTOTAL	**$3,000,000**	**$8,000,000**	**$5,000,000**	**$5,000,000**	**$0**	**$0**	**$18,000,000**
TOTAL BONDABLE PROJECTS	**$25,902,587**	**$22,938,201**	**$26,341,329**	**$48,433,794**	**$25,758,756**	**$12,329,123**	**$135,801,202**
NONBONDABLE PROJECTS							
EDUCATION	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
School Small Capital Improvements Program	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
SUBTOTAL	**$200,000**	**$200,000**	**$200,000**	**$200,000**	**$200,000**	**$200,000**	**$1,000,000**
ECONOMIC DEVELOPMENT	**Adopted**	**Projected**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY27	FY29	FY30	Total
Economic Development Strategic Initiatives	0	0	0	0	0	0	0
SUBTOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
FACILITIES CAPITAL PROJECTS	**Adopted**	**Projected**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY27	FY29	FY30	Total
HVAC Contingency Fund - City and School Facilities	50,000	50,000	50,000	50,000	50,000	50,000	250,000
SUBTOTAL	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$250,000**
PUBLIC SAFETY AND JUSTICE	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
Police Mobile Data Terminals	75,000	82,000	83,000	85,000	87,000	88,000	425,000
Police Portable Radio Replacement	45,000	75,000	75,000	75,000	75,000	75,000	375,000
Fire Portable Radio Replacement	45,000	75,000	75,000	75,000	75,000	75,000	375,000
Sheriff Portable Radio Replacement	18,800	40,000	40,000	40,000	40,000	40,000	200,000
Fire - Self-Contained Breathing Apparatus Replacements	150,000	150,000	150,000	25,000	25,000	25,000	375,000
Fire - Protective Clothing/Turnout Gear Replacement	300,000	60,000	60,000	60,000	60,000	300,000	540,000
SUBTOTAL	**$633,800**	**$482,000**	**$483,000**	**$360,000**	**$362,000**	**$603,000**	**$2,290,000**
TRANSPORTATION & ACCESS	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
State Bridge and Highway Inspections	100,000	100,000	100,000	100,000	100,000	100,000	500,000
CAT Transit Bus Replacement Match	187,376	245,234	169,645	150,293	77,133	150,000	792,305
Intelligent Transportation System	185,000	185,000	185,000	185,000	200,000	200,000	955,000
City Wide Traffic Engineering Improvements	150,000	150,000	150,000	150,000	150,000	150,000	750,000

DRAFT

DRAFT

Proposed Capital Improvement Program
FY 2026-2030

Still Under-Discussion
Reflects a change from FY25 - FY29 Plan

	Adopted FY25	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Neighborhood Transportation Improvements	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Bicycle Infrastructure	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Right of Way Appurtenance	75,000	100,000	100,000	100,000	100,000	100,000	500,000
Traffic Sign Retro Reflective Compliance	75,000	25,000	25,000	25,000	25,000	25,000	125,000
Historic District and Entrance Corridor Design Guidelines	50,000	0	50,000	0	50,000	0	100,000
LED Streetlight Conversion Project							0
SUBTOTAL	**$1,022,376**	**$1,005,234**	**$979,645**	**$910,293**	**$902,133**	**$925,000**	**$4,722,305**

PARKS & RECREATION	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	**FY25**	**FY26**	**FY27**	**FY28**	**FY29**	**FY30**	**Total**
Parks and Recreation Lump Sum Account	400,000	400,000	400,000	400,000	400,000	400,000	2,000,000
Parks and Schools Playground Renovations	112,000	200,000	200,000	200,000	200,000	200,000	1,000,000
Urban Tree Planting	100,000	125,000	125,000	125,000	125,000	125,000	625,000
Parkland and Trails Acquisition and Development	185,000	125,000	125,000	125,000	125,000	125,000	625,000
Oakwood Cemetery Drainage and Road Issues	0	150,000	0	0	0	0	150,000
Hazard and Liability Ash Tree Removal	100,000	0	0	0	0	0	0
City/County - Ivy Creek Preservation Study and Construction	0	0	0	0	0	0	0
Downtown Mall Trees Active Lifecycle Management	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Invasive Plant Removal	75,000	150,000	150,000	150,000	150,000	150,000	750,000
Lower Meadowcreek Trail - Holmes to Locust Ave	500,000	0	0	0	0	0	0
Downtown Mall Tree Management Plan		315,000	0	0	0	0	315,000
SUBTOTAL	**$1,572,000**	**$1,565,000**	**$1,100,000**	**$1,100,000**	**$1,100,000**	**$1,100,000**	**$5,965,000**

TECHNOLOGY INFRASTRUCTURE	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	**FY25**	**FY26**	**FY27**	**FY28**	**FY29**	**FY30**	**Total**
Communications Technology Account/Public Access	40,000	40,000	40,000	40,000	40,000	40,000	200,000
City Wide IT Strategic Infrastructure	250,000	250,000	250,000	250,000	250,000	250,000	1,250,000
Voting Equipment Replacement	100,000	150,000	150,000	0	0	0	300,000
Circuit Court Case Management System	120,000						0
SUBTOTAL	**$510,000**	**$440,000**	**$440,000**	**$290,000**	**$290,000**	**$290,000**	**$1,750,000**

AFFORDABLE HOUSING	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	**FY25**	**FY26**	**FY27**	**FY28**	**FY29**	**FY30**	**Total**
Charlottesville Affordable Housing Fund (CAHF)	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Supplemental Rental Assistance (CSRAP)	900,000	900,000	900,000	900,000	900,000	900,000	4,500,000
Friendship Court Infrastructure Improvements	0	0	650,000	350,000	1,560,000	840,000	3,400,000
Friendship Court Redevelopment - Phase 1	0	0	0	0	0	0	0
Friendship Court Redevelopment - Phase 2	500,000	0	0	0	0	0	0
Friendship Court Redevelopment - Phase 3	0	0	2,047,500	1,102,500	0	0	3,150,000
Friendship Court Redevelopment - Phase 4	0	0	0	0	2,925,000	1,575,000	4,500,000
PHA - MACAA Project Apartments	1,885,000	0	0	0	0	0	0
PHA - Park Street Apartments	1,125,000	0	0	0	0	0	0
PHA - 501 Cherry Avenue	0	1,000,000	2,150,000	0	0	0	3,150,000

DRAFT

Proposed Capital Improvement Program
FY 2026-2030

Still Under-Discussion
Reflects a change from FY25 - FY29 Plan

	Adopted FY25	Proposed FY26	Projected FY27	Projected FY28	Projected FY29	Projected FY30	5 Year Total
Carlton Mobile Home Park		1,332,200	1,230,400	1,153,600	1,076,800	3,000,000	7,793,000
SUBTOTAL	**$5,910,000**	**$4,732,200**	**$8,477,900**	**$5,006,100**	**$7,961,800**	**$7,815,000**	**$33,993,000**
OTHER GOVERNMENTAL PROJECTS	**Adopted**	**Proposed**	**Projected**	**Projected**	**Projected**	**Projected**	**5 Year**
Project	FY25	FY26	FY27	FY28	FY29	FY30	Total
	0	0	0	0	0	0	0
SUBTOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL NONBONDABLE PROJECTS	**$9,898,176**	**$8,474,434**	**$11,730,545**	**$7,916,393**	**$10,865,933**	**$10,983,000**	**$49,970,305**
Nonbondable Contingency	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	0
TOTAL NONBONDABLE EXPENDITURES	**$9,898,176**	**$8,474,434**	**$11,730,545**	**$7,916,393**	**$10,865,933**	**$10,983,000**	**$49,970,305**
TOTAL PROJECT EXPENDITURES	**$35,800,763**	**$31,412,635**	**$38,071,874**	**$56,350,187**	**$36,624,689**	**$23,312,123**	**$185,771,507**
Funding Gap	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

DRAFT

Follow-up Planning Commission Work Session on November 26th

1. I don't see any funds in here for the sort of "Urgent Transportation Improvements" done in the wake of Mamawa Simai's death, and which BPAC is now identifying additional locations for. I understand some amount will be appropriated from surplus funds for that program. Do we know the amount of that, is that sufficient to fund all planned activities to make roads safer in FY26, and is there an identified source of funds in future years?

   This is not a CIP item, and the City Manager will advise the Council of his recommendation at the January 6th Council meeting for funding an identified list of projects.

2. I see we're still adding funds to the Solar PV program, which has yet to have a single panel placed to my knowledge. Is there any progress on planning for in-house solar deployments or a Power Purchase Agreement that would allow us to place solar panels at no cost to the city, like many other localities including Albemarle are now doing?

   We are pleased to share that we are moving forward with solar on both school and City buildings.
   As we have shared before, we have been working to establish a cadence of deploying solar projects on new roofs (eliminating the need to remove those systems when roof replacement projects happen).

   Now, we have the following in process:
   - **By-Pass Fire Station** (currently under construction): solar system funded by the CitySolar program; anticipating installation in Spring 2025
   - **CATEC** (roof replacement completed in 2022): solar system planned for installation in Summer 2025 (structural analysis being completed). To be funded by CitySolar and the Climate Action Initiative Fund.
     NOTE: CATEC solar was part of an unsuccessful 2024 federal grant application
   - **CHS** and **Charlottesville (Buford) Middle School**: Both schools will have new roofs completed in the next year; We will continue to explore the Power Purchase Agreement option for the possibility of funding solar additions to these schools: summer 2026 (CHS) and summer 2027 (CMS).

     NOTE: CHS solar was part of an unsuccessful 2023 federal grant application.
     NOTE: Charlottesville (Buford) Middle School solar is part of a recently submitted federal grant application. If successful, this would be the strategy to fund the project.

3. What is the status of the Traffic Signal Replacement Program? We were told it was extraordinarily urgent when funds were first allocated, but it looks like only $818k has been expended, and $4.6m remains in that account prior to the proposed $250k allocation (with large amounts in future years)?

   We have 21 intersections currently prioritized for replacement and upgrade, which are broken up into 4 phases. We recently received 30% plans for our Phase 1 intersections, identified in the table below. A procurement package for the upright and mast arm material is being worked on currently with Procurement and should be posted for bid by the New Year. Estimated costs for the Phase 1 pole material is approximately $500,000. When designs are finalized for Phase 1, we

will issue a bid package for installation and construction, with current estimates putting the total construction costs at approximately $ 2 million. Once we get bid results back from our Phase 1 intersections, we will have a much better idea about real costs moving forward throughout the remaining programmed work, as well as getting a cadence of what's realistic to complete in a year.

Intersection	Phase
Water/2nd SE	1
Ridge/Main	1
Cherry/9th	1
Rugby/Preston	1
Rugby/Rugby	1
Rugby/Barracks	1
Route 250/Fire Station	1
Market/7th	2
Market/10th	2
Market/4th	2
Preston/10th	2
Grady/10th	2
JPA/Lee	3
JPA/Brandon	3
Emmet/JPA	3
JPA/Maury	3
Preston/Rose Hill	3
Ridge/Harris Rd	4
Route 250/High	4
Rugby/Grady	4
Monticello/Carlton	4

4. I don't see anything here for the proposed zero-emission bus pilots, either for EV infrastructure or a hydrogen plant. Are those on pause, or will funds come from other sources?

   The City recently received grant funds to pilot 2 EV School Buses. The buses have been ordered and we are beginning work to install the necessary charging infrastructure. These expenses are being captured in the Grants Fund and therefore are not part of the CIP. Additionally, CAT/Transit has secured $2.2 million in federal funding to begin the infrastructure planning and design process. CAT/Transit is scheduled to begin the infrastructure planning phase in January 2025.

5. Have any more details been provided on Friendship Court Phase 4? I don't understand why we're allocating specific amounts to future projects that don't even have a conceptual design yet, let alone pro forma.

   Friendship Court Phase 4 is conceptual only and the remaining funding included in the CIP to illustrate the City's original commitment to funding the total cost of this redevelopment project.

6. Is 501 Cherry funding contingent on them receiving LIHTC funding, which they were not awarded this year?

   The council placed no contingencies on the allocation of these funds. A fully funded project plan and development agreement is required before these funds are released.

7. I believe the Stribling CIP item is about $500k short relative to the last "Alternative 1" cost estimate I've seen. Has that been value engineered into budget, or will that overrun be filled with a CIP modification?

   Staff are currently finalizing the total project costs and there is some anticipation that additional funding may be required. Subject to approval, the project budget may be adjusted as part of the City Manager's Proposed Budget.

8. We have put a lot of our debt capacity into schools improvements recently so our bondable debt capacity is relatively low in this plan. At what time does it get larger again?

   Based on current debt projections, the City's debt capacity remains very strong. As we have been discussing with Council, the bigger issue is the affordability of the annual debt service.

9. I see we have nothing for housing that is bondable for FY30. Is the thought that we will put everything into non-bondable projects for that year? I like splitting up our housing spend when we can.

   Currently, no affordable housing projects that would qualify as bondable have been planned for FY 29 or FY 30.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Review proposed amendments to the Charlottesville Human Rights Ordinance and consider for adoption after first reading or after second reading during the January 21, 2025, Council meeting.
Presenter:	Todd Niemeier, Director of Human Rights
Staff Contacts:	Todd Niemeier, Director of Human Rights
Title:	**Charlottesville Human Rights Ordinance - proposed amendments (1 of 2 readings)**

Background

Per the Charlottesville Human Rights Ordinance, Code of the City of Charlottesville, Chapter 2, Article XV, Sec. 2-433.(d), it is the role of the Human Rights Commission to seek a Fair Employment Practices Agency (FEPA) workshare agreement with the Equal Employment Opportunity Commission (EEOC) and a Fair Housing Assistance Program (FHAP) workshare agreement with the Department of Housing and Urban Development (HUD) to conduct investigations of employment and housing discrimination on their behalf, and enter into such agreement(s) subject to approval of City Council upon a finding that the agreement(s) would be in the best interest of the City.

Discussion

The proposed amendments incorporate feedback from the U.S. Department of Housing and Urban Development (HUD) Office of General Counsel, Fair Housing Enforcement Division. HUD has reviewed the attached draft and confirmed that the proposed changes satisfy the requirement of substantial equivalence to federal fair housing law, a prerequisite for FHAP interim certification.

The included presentation summarizes the major changes to the ordinance generally and section by section. The attached ordinance includes all the detailed changes with proposed new content underlined and content suggested for removal stricken through.

Alignment with City Council's Vision and Strategic Plan

The HRC and OHR are tasked with addressing unlawful discrimination at both the individual and systemic level. By working to dismantle unlawful discrimination, the HRC and OHR help to ensure that opportunities in employment, housing, public accommodation, credit, and private education are available to all, thereby promoting equity and an excellent quality of life in our community and helping to make Charlottesville a place where everyone thrives.

The HRC and OHR's work aligns with the following goals and objectives in the strategic plan adopted September 5, 2023:

- Economic Prosperity
- Housing
- Organizational Excellence
- Partnerships
- Public Safety

Community Engagement

The proposed ordinance amendments were presented, discussed, and adopted for recommendation to City Council during the Human Rights Commission's regular meeting on December 19, 2024. This meeting was publicly noticed, the meeting was open to the public with two opportunities for public comment, and the agenda packet was posted on the City website and remains available to the public.

Budgetary Impact

The proposed amendments to the Charlottesville Human Rights Ordinance create no immediate budgetary impacts within fiscal year 2025. Should fair housing investigation caseloads increase over time beyond current staff capacity, the OHR may request additional personnel.

Recommendation

Staff recommends that Council adopt the proposed amendments to the Charlottesville Human Rights Ordinance.

Alternatives

Adoption of the proposed amendments to the Charlottesville Human Rights Ordinance is a required next step for pursuit for FHAP interim certification.

Attachments

1. 20241218 Charlottesville Human Rights Ordinance - B&W
2. 20241218 CHRO Presentation

#O-22-156

AN ORDINANCE
AMENDING AND REENACTING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, ARTICLE XV (HUMAN RIGHTS) TO UPDATE THE ORDINANCE TO EXPAND THE COMMISSION'S DUTIES AS AUTHORIZED BY THE VIRGINIA HUMAN RIGHTS ACT (VIRGINIA CODE TITLE 2.2, CHAPTER 39), THE VIRGINIA FAIR HOUSING LAW (VIRGINIA CODE TITLE 36, CHAPTER 5.1), and VIRGINIA CODE, TITLE 15.2, CHAPTER 9, §15.2-965, AS AMENDED.

WHEREAS, by recorded vote, the Human Rights Commission initiated certain Proposed Text Amendments to the City's Human Rights Ordinance; and

WHEREAS, ~~a public meeting was held to discuss and receive comments on the Proposed Text Amendments on May 16, and June 20, 2024, and the proposed amendments were presented to, discussed and approved on June 27, 2024, at a public meeting of the Human Rights Commission for recommendation to Charlottesville City Council~~ a public meeting was held by the Human Rights Commission on December 19, 2024, for the purpose of receiving comments on, discussing, and approving the Proposed Text Amendments for recommendation to Charlottesville City Council; and

WHEREAS, after consideration of the Human Rights Commission recommendations and other factors within the City, this Council is of the opinion that that the Proposed Text Amendments have been designed to comply with the Virginia Human Rights Act (Virginia Code Title 2.2, Chapter 39), the Virginia Fair Housing Law (Virginia code Title 36, Chapter 5.1), and Virginia Code, Title 15.2, Chapter 9, §15.2-965 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, and general welfare require the Proposed Text Amendments, and (ii) the Proposed Text Amendments are consistent with the Council's vision of the City as a leader in social justice; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that: Chapter 2, Article XV of the Code of the City of Charlottesville (1990), as amended, is hereby amended and reenacted as follows:

Article XV. Human Rights

Sec. 2-430.1.	Short title.
Sec. 2-430.2.	Definitions.
Sec. 2-431.	Unlawful discrimination prohibited generally.
Sec. 2-431.1.	Unlawful employment discrimination prohibited.
Sec. 2-431.2.	Unlawful housing discrimination prohibited.
Sec. 2-431.3.	Unlawful public accommodation, credit, and private education discrimination prohibited.
Sec. 2-432.	Human Rights Commission.
Sec. 2-433.	Role of the Human Rights Commission.
Sec. 2-434.	Office of Human Rights.
Sec. 2-435.	Role of the Office of Human Rights.
Sec. 2-436.	Reserved.
Sec. 2-437.1.	Investigation of individual employment discrimination complaints and issuance of findings.
Sec. 2-437.2.	Investigation of individual housing discrimination complaints and issuance of findings.
Sec. 2-437.3.	Investigation of individual public accommodation, credit, or private education discrimination complaints and issuance of findings.
Sec. 2-438.	Interference, coercion, intimidation, or retaliation prohibited.
Sec. 2-439.1.	Enforcement authority – The role of the Commission regarding individual complaints of discrimination.
Sec. 2-439.2.	Enforcement authority – The role of the Commission regarding Court enforcement of individual complaints of employment, public accommodation, credit, or private education discrimination.
Sec. 2-440.	Confidentiality.
Sec. 2-441.	~~Severability.~~ Annual Report.
Sec. 2-442.	~~Reserved.~~ Severability.
Sec. 2-443.	~~Reserved.~~ No waiver of other legal rights.

Sec. 2-430.1. Short title.

This Article shall be known and referred to as the Charlottesville Human Rights Ordinance.

Sec. 2-430.2. Definitions.

(a) Terms used in this ordinance to describe prohibited discrimination in employment shall have the meanings as ascribed to them under Virginia Human Rights Act. Va. Code §§ 2.2-3900-3909., Va. Code § 15.2-965 as it relates to "Gender identity" "Military status" "Religion" and "Sexual orientation", and 42 U.S.C. §§ 1981-2000h-6., as amended.

(b) Terms used in this ordinance to describe prohibited discrimination in housing shall have the meanings as ascribed to them under the Virginia Human Rights Act, Va. Code §§ 2.2-3900-3909., Va. Code § 15.2-965 as it relates to "Gender identity" "Military status" "Religion" "Sexual orientation", and Virginia Fair Housing Law, Va. Code § 36-96.1:1., and 42 U.S.C. § 3602, as amended.

(c) Terms used in this ordinance to describe prohibited discrimination in public accommodations, credit, and private education shall have the meanings as ascribed to them under the Virginia Human Rights Act., Va. Code §§ 2.2-3900-3909. and Va. Code § 15.2-965. as it relates to "Gender identity" "Military status" "Religion" and "Sexual orientation, and for public accommodation under 42 U.S.C. § 2000a., as amended.

(d) <u>The term "jurisdictional" as used in this ordinance shall mean that an allegation of discrimination is timely, the person who experienced harm is the person bringing forth the allegation and falls within a covered group under this ordinance, the respondent falls within a covered group under this ordinance, the alleged discriminatory act is covered by this ordinance, and the alleged discriminatory act took place within the geographical boundary of the City of Charlottesville and/or the alleged respondent is registered within the corporate jurisdiction of the City of Charlottesville.</u>

(e) The term "inquiry" as used in this ordinance shall mean an incoming contact requesting services provided to an individual by the Office of Human Rights and/or an individual allegation of discrimination that falls outside the jurisdiction of the Human Rights Commission and Office of Human Rights, as defined by this ordinance.

(f) The term "complaint" as used in this ordinance shall mean a timely filing of a jurisdictional allegation of unlawful discrimination, as defined by this ordinance ~~and as authorized for filing by the Director of the Human Rights Commission~~.

(g) The phrase "alternative dispute resolution" as used in this ordinance shall mean an attempt to resolve a complaint through informal dialogue, mediation, or conciliation.

Sec. 2-431. Unlawful discrimination prohibited generally.

Pursuant to Va. Code Ann. § 2.2-3900. and § 15.2-965., it is the policy of the City of Charlottesville to:

(a) Safeguard all individuals within the City from unlawful discrimination in employment, housing, public accommodation, private education, and credit.

(b) Preserve the public safety, health, and general welfare for the City of Charlottesville;

(c) Further the interests, rights, and privileges of individuals within the City; and

(d) Protect citizens of the City against unfounded charges of unlawful discrimination.

Sec. 2-431.1. Unlawful employment discrimination prohibited.

It shall be unlawful and a violation of this ordinance for any person, partnership, corporation, or other entity to engage in discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability. The prohibited actions in this section shall include and have the meanings ascribed to them in Virginia Human Rights Act, Va. Code §§ 2.2-3900-3909., Va. Code § 15.2-965 and 42 U.S.C. §§ 1981-2000h-6., as amended.

Sec. 2-431.2. Unlawful housing discrimination prohibited.

In accordance with 42 U.S.C. § 3604, 42 U.S.C. § 3605, and 42 U.S.C. § 3606, it shall be unlawful and a violation of this article for any person, partnership, corporation or other entity:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability.
(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability.
(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability, or an intention to make any such preference, limitation, or discrimination.
(d) To represent to any person because of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability, that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability.
(f) Furthermore, it shall be unlawful and a violation of this article for any person, partnership, corporation or other entity:
    (1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a disability of the following:
        (A) that buyer or renter;
        (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
        (C) any person associated with that buyer or renter.
    (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a disability of:
        (A) that person; or
        (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
        (C) any person associated with that person.

(3) For purposes of this subsection, discrimination includes:

(A) a refusal to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(C) in connection with the design and construction of covered multifamily dwellings for a failure to design and construct those dwellings in such a manner that:

(i) the public use and common use portions of such dwellings are readily accessible to and usable by people with disabilities;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by people with disabilities requiring the use of wheelchairs; and

(iii) all premises within such dwellings contain the following features of adaptive design:

a. an accessible route into and through the dwelling;

b. light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

c. reinforcements in bathroom walls to allow later installation of grab bars; and

d. usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of Sec. 2-431.2.(3).(C).(iii).

(A) As used in this subsection, the term "covered multifamily dwellings" means:

(i) buildings consisting of 4 or more units if such buildings have one or more elevators; and

(ii) ground floor units in other buildings consisting of 4 or more units.

(5) Nothing in this ordinance shall be construed to invalidate or limit any state or federal law or City ordinance that requires dwellings to be designed and constructed in a manner that affords people with disabilities greater access than is required by this subchapter.

(6) Nothing in this ordinance requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

(7) In general, it shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or

conditions of such a transaction, because of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability.

(8) As used in this section, the term "residential real estate-related transaction" means any of the following:

(A) The making or purchasing of loans or providing other financial assistance:

(i) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(ii) secured by residential real estate.

(B) The selling, brokering, or appraising of residential real property.

(9) Nothing in this section prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability.

(g) It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against an individual in the terms or conditions of such access, membership, or participation, on account of race, color, religion, national origin, sex, elderliness, familial status, source of funds, marital status, sexual orientation, gender identity, military status, or disability.

Sec. 2-431.3. Unlawful public accommodation, credit, and private education discrimination prohibited.

It shall be unlawful and a violation of this article for any person, partnership, corporation or other entity to engage in discrimination in public accommodations, credit, and private education on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability. The prohibited actions in this section shall include and have the meanings ascribed to them in Virginia Human Rights Act, Va. Code §§ 2.2-3900-3909., Va. Code § 15.2-965 as it relates to "Gender identity" "Military status" "Religion" "Sexual orientation", and 42 U.S.C. §§ 1981-2000h-6., as amended.

Sec. 2-432. Human Rights Commission.

(a) There is hereby created in the City of Charlottesville a Human Rights Commission ("Commission"), the members of which shall be appointed by the City Council. Effective March 1, 2022, the appointed membership of the Commission shall consist of nine (9) members. The Commission membership shall be broadly representative of the City's demographic composition, with consideration of racial, gender (including gender identity, transgender status, and sexual orientation), religious, ethnic, disabled, socio-economic, geographic neighborhood, and age groups; with priority given to City residents and to applicants with significant and demonstrable ties to the City. At least two members will have professional expertise in employment or housing discrimination, have personal experience with employment or housing discrimination, or identify as a member of a group that experiences discrimination. Of the members first appointed, at least three shall be appointed for terms of three years, at least three shall be appointed for terms of two years, and at least three shall be appointed for terms of one year. Thereafter members shall be appointed for terms of three years each. Any vacancy shall be filled by the City Council for the unexpired portion of a term. Following notice to the member, any member of the

Commission may be removed for good cause by a majority vote of City Council.

(b) The Commission shall elect from its members a chair, a vice-chair, and such other officers as the Commission may deem appropriate.

(c) Members of the Commission shall serve without compensation, but funds may be appropriated in the City's annual budget for reasonable and necessary expenses to be incurred by Commission in the conduct of its prescribed functions.

(d) All meetings of the Commission shall be advertised in advance and in the manner required by law and shall be open to the public except for meetings lawfully closed pursuant to the Virginia Freedom of Information Act. The Commission may adopt bylaws and procedures to govern the conduct of its meetings; provided, however, that at the beginning and at the end of each of its public meetings the Commission will receive public comment in accordance with City Council's adopted "Rules for Public Participation."

(e) The Commission may, in its discretion, delegate any of its duties or responsibilities hereunder to a panel of not less than three Commissioners.

(f) There shall be a full-time Director of the Commission, who shall be appointed by the City Manager with the advice and consent of the Commission and who shall serve full time in that capacity. A candidate proposed for appointment as the Director must demonstrate significant prior professional experience performing one or more of the activities or roles described in the code of the City of Charlottesville, Chapter 2, Article XV. The Director shall be responsible for and report to the Commission on the day-to-day operational conduct of the Human Rights Commission. The Director shall report directly to the Deputy City Manager for Social Equity for administrative and fiscal matters. The City Manager shall delegate to the Director the authority to employ such additional staff as authorized and funded by the City Council to allow the Commission to fulfill effectively its obligations under this Ordinance. In the absence of a Director, the City Manager shall transfer the Director's duties to qualified professional staff within the City to ensure the continuity of services provided by the Human Rights Commission and Office of Human Rights.

(g) The City Council shall establish policies and procedures for the performance by the Commission of the roles, duties and responsibilities set forth within this article ("operating procedures"). All City departments, boards and commissions shall cooperate with and assist the Commission, including the provision of information in response to reasonable requests from the Commission.

(h) Legal counsel shall be provided to the Commission and its staff through the Office of the City Attorney. The City Council hereby authorizes retention of outside counsel <u>for the prosecution of civil action regarding a finding of reasonable cause under this ordinance,</u> ~~where deemed appropriate~~ upon recommendation of the City Attorney.

(i) The Commission shall make quarterly reports to the City Council concerning the operation of the Commission and the status of the Commission's performance of the duties, responsibilities and roles set forth within this article. One of the required quarterly reports shall be an annual report. The schedule for submission of these reports, and the required contents of the reports, shall be as specified within the Commission's operating procedures.

Sec. 2-433. Role of the Human Rights Commission.

The role of the Human Rights Commission, with support from the Office of Human Rights, is to act as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights. The Commission will:

(a) Assist individuals who believe they are the victim of an act of unlawful discrimination within

the jurisdiction of the City;

(b) Collaborate with the public and private sectors to provide awareness, education and guidance on methods to prevent and eliminate discrimination citywide;

(1) The Commission shall serve as a forum for the discussion of human rights issues and be responsible for conducting ongoing efforts to engage community members in an open, honest, and creative dialogue regarding issues of equity and opportunity, including but not limited to issues considered by the City's Dialogue on Race initiative.

(2) The Commission shall conduct or engage in educational and informational programs for the promotion of mutual understanding, reconciliation, and respect between all classes of individuals protected by this ordinance and the larger Charlottesville community.

(c) Identify and review systemic issues, policies, and practices of the City of Charlottesville and advise its boards, commissions, and other public agencies within the City on issues related to human rights;

(1) Such policies, practices, and systems may include those of an institutional nature that:

(A) May be unlawful discriminatory practices; or

(B) May not constitute unlawful discriminatory practices but nevertheless produce disparities that adversely impact individuals in accordance with the protected classes identified within this ordinance.

(2) Any review undertaken pursuant to this section may be initiated at the request of any other public or private entity, or by the Commission on its own initiative.

(3) The Commission may conduct its own research and review of existing studies and literature, collaborate with other research organizations, organize public focus groups, and hold such hearings as may be necessary to identify policies, practices and systems as referenced above. For each such identified policy, practice or system, the goal of the Commission will be to formulate recommendations and to propose to City Council concrete, actionable reforms that will eliminate discriminatory practices or the adverse effects of lawful other practices. The Commission will report the status of its ongoing project(s) or review(s) to City Council within its quarterly and annual reports.

(d) Seek a Fair Employment Practices Agency (FEPA) workshare agreement with the Equal Employment Opportunity Commission (EEOC) and a Fair Housing Assistance Program (FHAP) workshare agreement with the Department of Housing and Urban Development (HUD) to conduct investigations of employment and housing discrimination on their behalf and enter into such agreement(s) subject to approval of City Council upon a finding that the agreement(s) would be in the best interest of the City;

(e) Make recommendations regarding the City's annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination; and

(f) Prepare policy or procedure recommendations to City Council which the Commission believes are necessary for the performance of the roles, duties, and responsibilities assigned to the Commission within this article, and for modifications of operating procedures approved by City Council.

Sec. 2-434. Office of Human Rights.

(a) There is hereby created in the City of Charlottesville an Office of Human Rights ("Office"), which is a division of the City Manager's Office.

(b) The Director of the Human Rights Commission will be responsible for, and report to the Commission on, the day-to-day operational conduct of the Office of Human Rights.

(c) The Director may hire additional staff, as approved by the City Manager and funded by City Council, to fulfill the roles designated within this ordinance. Such staff shall report to the Director.

Sec. 2-435. Role of the Office of Human Rights.

The role of the Office of Human Rights is to:

(a) Provide administrative support to the Human Rights Commission;

(b) Receive individual complaints of discrimination within the jurisdiction of the City of Charlottesville, and attempt to resolve such complaints through alternative dispute resolution or by investigating and issuing findings on whether there is reasonable cause to believe a violation of this ordinance has occurred;

(1) Provide referrals to appropriate services for inquiries that do not involve a jurisdictional complaint of discrimination.

(c) Conduct community outreach related to human rights. Such outreach may include:

(1) Providing information to the public regarding the services provided by the Office of Human Rights and the Human Rights Commission;

(2) Hosting or participating in educational events for the purpose of raising public awareness around issues of human rights, discrimination, and/or equity;

(3) Facilitating, leading, or participating in collaborative meetings and events with community partners for the purpose of addressing issues of human rights, discrimination, and/or equity.

Sec. 2-436. Reserved.

Sec. 2-437.1. Investigation of individual employment discrimination complaints and issuance of findings.

(a) Complaints and answers

(1) The Director shall develop and implement a central intake procedure to be used by the Office of Human Rights for receiving and processing individual inquiries that allege an unlawful, discriminatory employment practice ~~within the jurisdiction of the City~~.

(2) Upon the receipt of such inquiry, the Director or other designated professional staff shall conduct an initial assessment to determine if the inquiry is jurisdictional ~~and presents a prima facie case of discrimination~~. The inquiry may be dismissed by the Director without further action if it ~~fails to adequately allege a violation of this ordinance,~~ is non-jurisdictional~~, or is otherwise deficient on its face~~.

(3) If the inquiry is not dismissed, ~~the Director shall authorize the aggrieved individual to file a formal complaint of discrimination with the Office of Human Rights.~~

(4) ~~Upon receiving authorization from the Director to file,~~ any person claiming to be

aggrieved by an unlawful discriminatory employment practice may file a complaint in writing with the Office of Human Rights not more than 180 calendar days following the alleged discriminatory act. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful discrimination.

(5) For complaints alleging an unlawful discriminatory employment practice within the jurisdiction of the City, ~~defined herein as within the corporate limits of the City and as authorized by state and federal statutes,~~ the Director or other designated professional staff are authorized to undertake further action as detailed in Sec. 2-437.1.(b).

(6) For inquiries alleging an unlawful discriminatory employment practice that falls outside the jurisdiction of the City, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(7) If the City of Charlottesville is the named respondent in an inquiry of employment discrimination received by Office of Human Rights, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(8) If a current or former City of Charlottesville Human Rights Commissioner is a party to an inquiry of employment discrimination received by the Office of Human Rights, and the case is jurisdictional ~~and presents a prima facie case of discrimination~~, the Director may ~~authorize the filing of a complaint and~~ attempt to resolve ~~it~~ the complaint through alternative dispute resolution~~, and/or~~. If the complaint cannot be resolved through alternative dispute resolution, the Director shall administratively close the case and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(9) Upon the filing of a ~~formal~~ complaint of discrimination, ~~if the complainant wishes to pursue further action, and further action is authorized by the Director,~~ the Director shall serve notice of the complaint on the complainant and each respondent named therein. Said notice shall be served in a timely manner specifying the allegation, citing the evidence that supports further action, ~~and~~ advising ~~the complainant~~ all parties of the time limits and choice of forums under this ordinance, and indicating the action to be taken.

(b) Further action

(1) Further action for employment discrimination complaints, as authorized by this ordinance, may include informal dialogue, mediation, and/or ~~formal~~ investigation of the complaint~~, as deemed appropriate by the Director~~.

(2) ~~If the Director determines that further action on a complaint is appropriate, during the period beginning with the filing of such complaint and ending with the rendering of a determination or a dismissal by the Director, the Director or their designee shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.~~

(3) It shall be the responsibility of the aggrieved individual to provide current and updated contact information to the Office of Human Rights from the date of filing through the completion of any further action.

(4) If, during the process of informal dialogue, mediation, or investigation, the

complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within thirty (30) calendar days of the date written notice is issued.

(5) The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within one hundred and eighty (180) calendar days of the alleged discriminatory event detailed in the original complaint.

(6) If, during the process of informal dialogue, mediation, or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director may serve written notice on the respondent that the investigation may proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.

(c) Alternative dispute resolution

(1) <u>During the period beginning with the filing of such complaint and ending with the rendering of a determination or a dismissal by the Director, the Director</u> ~~or their designee~~ <u>shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.</u>

(2) The Director shall propose an initial meeting between the parties for the purpose of exploring alternative dispute resolution of the complaint through voluntary informal dialogue or mediation.

(A) For the purposes of this section, informal dialogue shall refer to a voluntary meeting between the complainant and respondent to explore resolution that does not result in a written settlement agreement.

(B) For the purposes of this section, mediation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent and complainant.

(3) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, or any other resolution efforts.

(4) Materials used and communications made during informal dialogue or mediation concerning a complaint of unlawful discrimination shall be confidential and shall not be disclosed to the public by the Director, the Commission, or Office of Human Rights staff unless disclosure is authorized in writing by all parties to the dispute.

(5) If informal dialogue is concluded, the complaint shall be considered resolved upon the complainant's written or verbal withdrawal of the complaint.

(6) If the mediation is concluded to the satisfaction of both parties, the complaint shall be considered resolved upon the parties' execution of a written settlement agreement. Unless all parties agree otherwise, the execution of a written agreement is solely for the purpose of settling a disputed claim and does not constitute an admission by any party that the law or this ordinance has been violated. No further action on the initial complaint shall be taken by the Commission or the Office of Human Rights staff once the agreement is executed.

(7) If informal dialogue or mediation is not successful, ~~and the complainant wishes to~~

~~pursue further action,~~ the Director or designee ~~may~~ shall conduct an ~~formal~~ investigation.

(8) ~~If further investigation is not warranted, the Director may dismiss the complaint as not constituting a violation and promptly serve written notice of the dismissal on the complainant and respondent.~~

(d) Investigation

(1) ~~If the Director determines that a formal investigation into the complaint is warranted,~~ Upon the filing of a complaint under this section, the Director shall assign an Investigator to make an investigation of the alleged discriminatory practice for the purpose of rendering a written determination as to whether there is reasonable cause to believe a violation of this ordinance occurred and the facts supporting such determination.

(2) The Investigator shall complete such investigation within one hundred and eighty (180) calendar days after the filing of the complaint unless it is impracticable to do so. If the Investigator is unable to complete the investigation within one hundred and eighty (180) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.

(3) Statements received by the Investigator from the complainant, respondents, and witnesses as part of ~~a formal~~ an investigation shall be under oath or affirmation and may be reasonably and fairly amended at any time.

(4) When conducting an investigation of a complaint filed under this ordinance, the Investigator shall have the right to interview any person who may have any information which may further ~~its~~ the investigation and to request production of any records or documents for inspection and copying in the possession of any person which may further the investigation. Such persons shall be interviewed under oath. The Director or ~~its~~ designated subordinates shall have the authority to collect, inspect, and copy records under this ordinance.

(5) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, or other tangible evidence or refuses to appear as a witness for the gathering of evidence necessary to determine whether a violation of this ordinance has occurred, the Director, after a good faith effort to obtain such evidence or attendance of witnesses, may ~~request the City Attorney to~~ petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.

(A) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.

(B) For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.

~~(C) Neither the Commission nor the Office shall have the power itself to issue~~

~~subpoenas under this article.~~

(D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.

(E) Any witness subpoena issued under this section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.

(F) Any person failing to comply with a subpoena issued under this section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the Charlottesville Circuit Court ~~court~~ to quash the subpoena.

(G) In case of refusal or neglect to obey a subpoena, the Director may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.

(6) Upon the conclusion of the ~~formal~~ investigation, the Investigator shall prepare an investigative report for submission to the Director.

(e) Reasonable cause determination and effect

(1) Upon completion of ~~a formal~~ an investigation and submission of the investigative report, the Director shall render a written determination of whether there is reasonable cause to believe a violation of this ordinance has been committed and the facts supporting such determination. The written determination shall promptly be served on the parties.

(2) If the Director determines that there is reasonable cause to believe that a violation of this ordinance has been committed, the Director shall immediately endeavor to eliminate any alleged unlawful discriminatory practice through informal dialogue or mediation.

(3) If the complaint cannot be resolved through informal dialogue or mediation, the Director shall proceed with the preparation of materials for consideration by the Commission for the purpose of holding a vote on whether to conduct a public administrative hearing on the complaint.

(4) Such materials shall include a copy of the written determination with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.

(5) Upon request by the Commission, the Director shall provide a copy of the full investigative report with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.

(6) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has been committed, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of the notice of dismissal, the complainant files with the Commission a request for a review of the determination of the Director.

(f) Contracted services

(1) In order to fulfill the requirements of this section, the City Manager or their designee is authorized to contract on behalf of the City with any objective, neutral

third party qualified to assess allegations of discrimination under this section for the purpose of receiving complaints, conducting investigations, rendering written determinations of whether there is reasonable cause to believe a violation of this ordinance has occurred, conducting informal dialogues or mediations of complaints, and advising the Director of the Commission of the results of any investigation, informal dialogue, or mediation of complaints.

Sec. 2-437.2. Investigation of individual housing discrimination complaints and issuance of findings.

(a) Complaints and Answers (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. § 115.204)

(1) The Director shall develop and implement a central intake procedure to be used by the Office of Human Rights for receiving and processing individual inquiries that allege an unlawful, discriminatory housing practice ~~within the jurisdiction of the City~~.

(2) Upon the receipt of such inquiry, the Director or other designated professional staff shall conduct an initial assessment to determine if the inquiry is jurisdictional ~~and presents a prima facie case of discrimination~~. The inquiry may be dismissed by the Director without further action if it ~~fails to adequately allege a violation of this ordinance,~~ is non-jurisdictional~~, or is otherwise deficient on its face~~.

(3) If the inquiry is not dismissed, ~~the Director shall authorize the aggrieved individual to file a formal complaint of discrimination with the Office of Human Rights.~~

(4) ~~Upon receiving authorization from the Director to file,~~ any person claiming to be aggrieved by an unlawful discriminatory housing practice may file a complaint in writing with the Office of Human Rights not more than one year (365 calendar days) following the alleged discriminatory act. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful discrimination.

(5) ~~Upon a majority vote of its members, the Human Rights Commission may request the Director of the Commission to file a complaint of an identified systemic, discriminatory housing practice despite there being no named complainant, but factual evidence exists to support a prima facie case of practice to have occurred. The Director shall follow the complaint and investigation procedures for fair housing complaints under this section.~~ Where the Commission identifies a systemic, discriminatory housing practice, the Commission may, upon majority vote of its members, request that the Director file a complaint of housing discrimination in situations where there is no named complainant. The Director, on the Director's own initiative, may also file such a complaint.

(6) The Director may also investigate housing practices to determine whether a complaint should be brought under this section.

(7) If the City of Charlottesville is the named respondent in an inquiry of housing discrimination received by Office of Human Rights, the Director shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(8) If a current or former City of Charlottesville Human Rights Commissioner is a party to an inquiry of housing discrimination received by the Office of Human Rights, and the case is jurisdictional ~~and presents a prima facie case of discrimination~~, the Director may ~~authorize the filing of a complaint and~~ attempt to resolve ~~it~~ the complaint through alternative dispute resolution~~, and/or~~. If the complaint cannot be

resolved through alternative dispute resolution, the Director shall administratively close the case and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(9) Upon the filing of such a complaint,

(A) ~~If the complaint is not dismissed, the complainant wishes to pursue further action, and further action is authorized by the Director, the~~ The Director shall serve notice upon the aggrieved person acknowledging such filing and advising the aggrieved person of the time limits and choice of forums provided under this ordinance.

(B) The Director shall, not later than ten (10) calendar days after such filing or the identification of an additional respondent ~~under section 2-437.2.(a)(10)~~, serve on the respondent a notice identifying the alleged discriminatory housing practice and advising such respondent of the procedural rights and obligations of respondents under this ordinance, together with a copy of the original complaint.

(C) Each respondent may file, not later than ten (10) calendar days after receipt of notice from the Director, an answer to such complaint.

(D) The Office of Human Rights shall commence proceedings with respect to the complaint before the end of the thirtieth (30th) calendar day after receipt of the complaint.

(10) Complaints and answers shall be under oath or affirmation and may be reasonably and fairly amended at any time.

(11) A person who is not named as a respondent in a complaint, but who is identified as a respondent in the course of investigation, may be joined as an additional or substitute respondent upon written notice to such person, from the Director. Such notice shall explain the basis for the Director's belief that the person to whom the notice is addressed is properly joined as a respondent.

(12) Under this section, all decision-making authority with respect to acceptance and investigation of a complaint, approval of a conciliation agreement, dismissal of a complaint, final administrative disposition of a complaint, and/or decision-making regarding whether a particular matter will or will not be pursued shall be held by staff of the Office of Human Rights.

(b) Further action

(1) Further action for housing discrimination complaints, as authorized by this ordinance, may include informal dialogue, mediation, conciliation, and/or ~~formal~~ investigation of the complaint~~, as deemed appropriate by the Director~~.

(2) It shall be the responsibility of the aggrieved individual to provide current and updated contact information to the Office of Human Rights from the date of filing through the completion of any further action.

(3) If, during the process of informal dialogue, mediation, conciliation, or investigation, the complainant does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within thirty (30) calendar days of the date the written notice is issued.

(4) The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within three hundred sixty-five (365) calendar days of the alleged discriminatory event detailed in the original complaint.

(5) If, during the process of informal dialogue, mediation, conciliation, or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director may serve written notice on the respondent that the investigation may proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.

(c) Alternative dispute resolution (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) ~~If the Director determines that further action on a complaint is appropriate, during~~ During the period beginning with the filing of such complaint and ending with the filing of a charge or a dismissal by the Director, the Director ~~or their designee~~ shall, to the extent feasible, engage in informal dialogue, mediation, or conciliation with respect to such complaint.

(A) For the purposes of this section, informal dialogue shall refer to a voluntary meeting between the complainant and respondent to explore resolution that does not result in a written settlement agreement.

(B) For the purposes of this section, mediation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent and complainant.

(C) For the purposes of the section, conciliation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent, complainant, and the City, and such agreement shall be subject to approval by the Director.

(2) The Director shall propose an initial meeting between the parties for the purpose of exploring a resolution of the complaint through voluntary informal dialogue, mediation, or conciliation.

(3) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, conciliation, or any other resolution efforts.

(4) Materials used and communications made during informal dialogue, mediation, or conciliation concerning a complaint of unlawful discrimination shall be confidential and shall not be disclosed to the public by the Director, the Commission, or Office of Human Rights staff unless disclosure is authorized in writing by all parties to the dispute.

(5) If informal dialogue is concluded to the satisfaction of the complainant, the complaint will be considered resolved upon the complainant's written or verbal withdrawal of the complaint.

(6) If the mediation or conciliation is concluded to the satisfaction of both parties, the complaint will be considered resolved upon the parties' execution of a written settlement agreement. Unless all parties agree otherwise, the execution of a written agreement is solely for the purpose of settling a disputed claim and does not constitute an admission by any party that the law or this ordinance has been violated. No further action on the initial complaint will be taken by the Commission or the Office of Human Rights staff once the agreement is executed.

(7) If informal dialogue, mediation, or conciliation is not successful ~~and the complainant wishes to pursue further action~~, the Director or designee ~~may~~ shall conduct ~~a formal~~ an investigation.

(8) ~~If further investigation is not warranted, the Director may dismiss the complaint as not constituting a violation and promptly serve written notice of the dismissal on the complainant and respondent.~~

(9) Concurrent with the investigation or after release of the investigative report, a conciliation agreement arising out of such complaint shall be an agreement between the respondent, the complainant, and the City of Charlottesville, and shall be subject to approval by the Director.

(A) Each conciliation agreement shall be made public unless the parties otherwise agree and the Director determines that disclosure is not required to further the purposes of this Ordinance.

(B) Notwithstanding the foregoing requirements for mutual agreement to publication of a conciliation agreement, the City of Charlottesville may provide a copy of the conciliation agreement as otherwise required by operation of law.

(d) Failure to comply with conciliation agreement (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) Whenever the Director has reasonable cause to believe that a respondent has breached a conciliation agreement, the Director shall refer the matter to the City Attorney's Office for enforcement. The City Attorney is authorized by City Council to take such action as is necessary to enforce the agreement, including the hiring of an Attorney to enforce the rights granted under this ordinance in a Court of competent jurisdiction at the City's sole expense.

(e) Investigation (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) ~~If the Director determines that a formal investigation into the complaint is warranted,~~ Upon the filing of a complaint under this section, the Director shall assign an Investigator to make an investigation of the alleged discriminatory housing practice and complete such investigation within one hundred (100) calendar days after the filing of the complaint, unless it is impracticable to do so.

(2) If the Investigator is unable to complete the investigation within one hundred (100) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.

(3) Statements received by the Investigator from the complainant, respondents, and witnesses as part of ~~a formal~~ an investigation shall be under oath or affirmation and may be reasonably and fairly amended at any time.

(4) When conducting an investigation of a complaint filed under this ordinance, the Investigator shall have the right to interview any person who may have any information which may further ~~its~~ the investigation and to request production of any records or documents for inspection and copying in the possession of any person which may further the investigation. Such persons shall be interviewed under oath. The Director or ~~its~~ designated subordinates shall have the authority to collect, inspect, and copy records under this ordinance.

(5) In accordance with 42 U.S.C. §3611, if during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information,

documents, or other tangible evidence or refuses to appear as a witness for the gathering of evidence necessary to determine whether a violation of this ordinance has occurred, the Director, after a good faith effort to obtain such evidence or attendance of witnesses, may ~~request the City Attorney to~~ petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.

(A) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.

(B) For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.

(C) ~~Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.~~

(D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.

(E) Any witness subpoena issued under this section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.

(F) Any person failing to comply with a subpoena issued under this section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the Charlottesville Circuit Court ~~court~~ to quash the subpoena.

(G) In case of refusal or neglect to obey a subpoena, the Director may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.

(6) At the end of each investigation under this section, the Investigator shall prepare a final investigative report containing:

(A) the names and dates of contacts with witnesses;

(B) a summary and the dates of correspondence and other contacts with the aggrieved person and the respondent;

(C) a summary description of other pertinent records;

(D) a summary of witness statements; and

(E) answers to questions submitted during the course of the investigation, where applicable.

(7) A final report under this paragraph may be amended if additional evidence is later discovered.

(f) Prohibitions and requirements with respect to disclosure of information (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) Nothing said or done in the course of conciliation under this subchapter may be made public or used as evidence in a subsequent proceeding under this subchapter without the written consent of the parties to the conciliation.

(2) Notwithstanding Sec. 2-440., the Director shall make available to the aggrieved person and the respondent, at any time, upon request following completion of the investigation, information derived from an investigation and any final investigative report relating to that investigation, such information shall be redacted to exclude any personal identifying information protected from disclosure by state or federal law.

(g) Prompt judicial action (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) If the Director, in consultation with the City Attorney, concludes at any time following the filing of a complaint that prompt judicial action is necessary to carry out the purposes of this subchapter, the Director may refer the matter to the City Attorney with a request for appropriate temporary or preliminary relief pending final disposition of the complaint under this section. Upon receipt of authorization from the City Manager, the City Attorney shall promptly commence and maintain such an action, as needed. Any temporary restraining order or other order granting preliminary or temporary relief shall be issued in accordance with the authority granted by a Court of competent jurisdiction. The commencement of a civil action under this subsection does not affect the initiation or continuation of further action, as authorized by the Director under this ordinance.

(2) Whenever the Director, in consultation with the City Attorney, has reason to believe that a basis may exist for the commencement of proceedings against any respondent by any governmental licensing or supervisory authorities, the Director shall transmit the information upon which such belief is based to the City Attorney or to such other agency or authority with appropriate jurisdiction.

(h) Reasonable cause determination and effect (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) The Director shall, within one hundred (100) calendar days after the filing of the complaint, determine based on the facts whether reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, unless it is impracticable to do so, or unless the Director has approved a conciliation agreement with respect to the complaint. If the Director is unable to make the determination within one hundred (100) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.

(A) <u>The Commission and/or Office shall make a final administrative disposition of a complaint filed under this section within one year (365 calendar days) of the date of receipt of a complaint, unless it is impracticable to do so. If the Commission and/or Office is unable to do so, it shall notify the parties, in writing, of the reasons for not doing so.</u>

(2) If the Director determines that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, the Director shall, unless a resolution has been reached through informal dialogue, mediation, or conciliation, immediately render a determination on behalf of the aggrieved person.

(3) If the Director, in consultation with the City Attorney, renders a determination of reasonable cause on behalf of the aggrieved person, the Director shall issue a charge on behalf of the aggrieved person for further civil action proceedings. Such charge:

(A) shall consist of a short and plain statement of the facts upon which the Director has found reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur;

(B) shall be based on the final investigative report; and

(C) need not be limited to the facts or grounds alleged in the complaint filed under Sec. 2-437.2.(a).

(4) If the Director, in consultation with the City Attorney, determines that the matter involves the legality of any State or local zoning or other land use law or ordinance, the Director shall immediately refer the matter to the City Attorney with a recommendation for appropriate civil action instead of issuing such charge.

(5) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has been committed, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of the notice of dismissal, the complainant files with the Commission a request for a review of the determination of the Director.

(6) The Director may not issue a charge under this section regarding an alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved party under an Act of Congress or a State law, seeking relief with respect to that discriminatory housing practice.

(i) Service of copies of charge (in accordance with 42 U.S.C. § 3610 and 24 C.F.R. §115.204)

(1) After the Director issues a charge under this section, the Director shall cause a copy thereof, together with information as to how to make an election of judicial determination under this ordinance and the effect of such an election, to be served:

(A) on each respondent named in such charge, together with a notice of opportunity for ~~an appeal~~ a public administrative hearing by the Commission, under section 2-439.1 of this ordinance, at a time and place specified in the notice, unless that election is made; and

(B) on each aggrieved person on whose behalf the complaint was filed.

(j) Election of judicial determination (in accordance with 42 U.S.C. § 3612)

(1) When a charge is filed under section 2-437.2. of this ordinance, a complainant, a respondent, or an aggrieved person on whose behalf the complaint was filed, may elect to have the claims asserted in that charge decided in a civil action in lieu of a public administrative hearing by the Commission under Sec. 2-439.1. The election must be made not later than twenty (20) calendar days after the receipt by the electing person of service of copies of the charge or, in the case of the Director, not later than twenty (20) calendar days after such service. The person making such election shall give notice of doing so to the Director and to all other complainants and respondents to whom the charge relates.

(k) Civil action for enforcement when a charge is issued or election is made for such civil action (in accordance with 42 U.S.C. § 3612)

(1) If an election of judicial determination is made, ~~the Director shall authorize, not later than thirty (30) calendar days after the authorization or election is made,~~ the City Attorney ~~to~~ shall commence and maintain~~,~~ a civil action on behalf of the aggrieved person in a Court of competent jurisdiction seeking relief to this subsection, not later

than thirty (30) calendar days after the authorization or election is made~~,~~.

(A) For the purposes of pursuing a civil action under this section, the City Attorney is authorized to contract qualified legal counsel on behalf of the City at the City's sole expense.

(2) Any aggrieved person with respect to the issues to be determined in a civil action under this subsection may intervene as of right in that civil action.

(3) In a civil action under this subsection, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may grant as relief any relief with respect to such discriminatory housing practice in a civil action under 42 U.S.C. § 3613. Any relief so granted that would accrue to an aggrieved person in a civil action commenced by that aggrieved person under 42 U.S.C. § 3613 shall also accrue to that aggrieved person in a civil action under this subsection.

(l) Civil action by private persons (in accordance with 42 U.S.C. § 3613)

(1) An aggrieved person, regardless of the status of the complaint, may commence a civil action in a Court of competent jurisdiction within the City of Charlottesville not later than two (2) years after the occurrence or the termination of an alleged discriminatory housing practice, or the breach of a conciliation agreement entered into under this subchapter, whichever occurs last, to obtain appropriate relief with respect to such discriminatory housing practice or breach.

(2) The computation of such 2-year period shall not include any time during which an administrative proceeding under this subchapter was pending with respect to a complaint or charge under this subchapter based upon such discriminatory housing practice. This subparagraph does not apply to actions arising from a breach of a conciliation agreement.

(3) An aggrieved person may commence a civil action under this subsection whether or not a complaint has been filed under Sec. 2-437.2.(a) of this ordinance and without regard to the status of any such complaint, but if the Director has obtained a mediation or conciliation agreement with the consent of an aggrieved person, no action may be filed under this subsection by such aggrieved person with respect to the alleged discriminatory housing practice which forms the basis for such complaint except for the purpose of enforcing the terms of such an agreement.

(m) Relief which may be granted (in accordance with 42 U.S.C. § 3612 and 24 C.F.R. § 115.204)

(1) In a civil action under this ordinance, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may award to the plaintiff actual and punitive damages, and may grant as relief, as the court deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from engaging in such practice or ordering such affirmative action as may be appropriate).

(A) Such relief may include actual damages suffered by the aggrieved person and injunctive or other equitable relief. Such order may, to vindicate the public interest, assess a civil penalty against the respondent:

(i) in an amount not exceeding $10,000 if the respondent has not been adjudged to have committed any prior discriminatory housing practice;

(ii) in an amount not exceeding $25,000 if the respondent has been adjudged to have committed one other discriminatory housing

practice during the 5-year period ending on the date of the filing of this charge; and

(iii) in an amount not exceeding $50,000 if the respondent has been adjudged to have committed 2 or more discriminatory housing practices during the 7-year period ending on the date of the filing of this charge; except that if the acts constituting the discriminatory housing practice that is the object of the charge are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing practice, then the civil penalties may be imposed without regard to the period of time within which any subsequent discriminatory housing practice occurred.

(2) In a civil action, the court, in its discretion, may allow the prevailing party, other than the City of Charlottesville, a reasonable attorney's fee and costs.

(3) Relief granted under this section shall not affect any contract, sale, encumbrance, or lease consummated before the granting of such relief and involving a bona fide purchaser, encumbrancer, or tenant, without actual notice of the filing of a complaint with the Director or civil action under this subchapter.

(n) Intervention by the City

(1) Upon timely application, the City may intervene in a private civil action if the City certifies that the case is of general, public importance. Upon such intervention, the City may obtain such relief as would be available to the City under 42 U.S.C. § 3614 in a civil action to which such section applies.

(o) Contracted services

(1) In order to fulfill the requirements of this section, the City Manager or their designee is authorized to contract on behalf of the City with any objective, neutral third party ~~qualified to assess allegations of discrimination under this section~~ for the purpose of conducting informal dialogue or mediation with respect to resolution of ~~alternative dispute resolution of~~ complaints and advising the Director of the Commission of the results of such proceedings.

Sec. 2-437.3. Investigation of individual public accommodation, credit, or private education discrimination complaints and issuance of findings.

(a) Complaints and answers

(1) The Director shall develop and implement a central intake procedure to be used by the Office of Human Rights for receiving and processing individual inquiries that allege an unlawful, discriminatory public accommodation, credit, or private education practice ~~within the jurisdiction of the City~~.

(2) Upon the receipt of such inquiry, the Director or other designated professional staff shall conduct an initial assessment to determine if the inquiry is jurisdictional ~~and presents a prima facie case of discrimination~~. The inquiry may be dismissed by the Director without further action if it ~~fails to adequately allege a violation of this ordinance,~~ is non-jurisdictional~~, or is otherwise deficient on its face~~.

~~(3)~~ If the inquiry is not dismissed, ~~the Director shall authorize the aggrieved individual to file a formal complaint of discrimination with the Office of Human~~

~~Rights.~~

(4) ~~Upon receiving authorization from the Director to file,~~ any person claiming to be aggrieved by an unlawful, discriminatory public accommodation, credit, or private education practice may file a complaint in writing with the Office of Human Rights not more than 180 calendar days following the alleged discriminatory act. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful discrimination.

(5) For complaints alleging an unlawful, discriminatory public accommodation, credit, or private education practice within the jurisdiction of the City, ~~defined herein as within the corporate limits of the City and as authorized by state and federal statutes,~~ the Director or other designated professional staff are authorized to undertake further action as detailed in Sec. 2- 437.3.(b).

(6) For inquiries alleging an unlawful, discriminatory public accommodation, credit, or private education practice that falls outside the jurisdiction of the City, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(7) If the City of Charlottesville is the named respondent in an inquiry of public accommodation, credit, or private education discrimination received by Office of Human Rights, the Director or other designated professional staff shall dismiss the inquiry as non-jurisdictional and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(8) If a current or former City of Charlottesville Human Rights Commissioner is a party to an inquiry of public accommodation, credit, or private education discrimination received by the Office of Human Rights, and the case is jurisdictional ~~and presents a prima facie case of discrimination~~, the Director may ~~authorize the filing of a complaint and~~ attempt to resolve ~~it~~ the complaint through alternative dispute resolution~~, and/or~~. If the complaint cannot be resolved through alternative dispute resolution, the Director shall administratively close the case and inform the aggrieved individual of the option to file with an appropriate state or federal agency.

(9) Upon the filing of a ~~formal~~ complaint of discrimination, ~~if the complainant wishes to pursue further action, and further action is authorized by the Director,~~ the Director shall serve notice of the complaint on the complainant and each respondent named therein. Said notice shall be served in a timely manner and specify the allegation, citing the evidence that supports further action, advising all parties ~~the complainant~~ of the time limits and choice of forums under this ordinance, and indicating the action to be taken.

(b) Further action

(1) Further action for public accommodation, credit, or private education discrimination complaints, as authorized by this ordinance, may include informal dialogue, and/or ~~formal~~ investigation of the complaint~~, as deemed appropriate by the Director~~.

(2) ~~If the Director determines that further action on a complaint is appropriate, during the period beginning with the filing of such complaint and ending with the rendering of a determination or a dismissal by the Director, the Director or their designee~~

~~shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.~~

(3) It shall be the responsibility of the aggrieved individual to provide current and updated contact information to the Office of Human Rights from the date of filing through the completion of any further action.

(4) If, during the process of informal dialogue, mediation, the Director shall serve written notice on the complainant that the case will be administratively closed if the complainant does not respond within thirty (30) calendar days of the date written notice is issued.

(5) The complainant may, following the administrative closure of the case, re-file the complaint at a future date, provided that the complaint is filed within one hundred and eighty (180) calendar days of the alleged discriminatory event detailed in the original complaint.

(6) If, during the process of informal dialogue, mediation or investigation, the respondent does not respond to communication or requests for information from the Investigator for a period of thirty (30) calendar days, the Director may serve written notice on the respondent that the investigation may proceed without the requested information and that a determination on the case shall be rendered upon completion of the investigation.

(c) Alternative dispute resolution

(1) <u>During the period beginning with the filing of such complaint and ending with the rendering of a determination or a dismissal by the Director, the Director</u> ~~or their designee~~ <u>shall, to the extent feasible, engage in informal dialogue or mediation with respect to such complaint.</u>

(2) The Director shall propose an initial meeting between the parties for the purpose of exploring alternative dispute resolution of the complaint through voluntary informal dialogue or mediation.

(A) For the purposes of this section, informal dialogue shall refer to a voluntary meeting between the complainant and respondent to explore resolution that does not result in a written settlement agreement.

(B) For the purposes of this section, mediation shall refer to a facilitated dialogue resulting in a written settlement agreement between the respondent and complainant.

(3) Nothing herein shall be interpreted as requiring any party to participate in informal dialogue, mediation, or any other resolution efforts.

(4) Materials used and communications made during informal dialogue or mediation concerning a complaint of unlawful discrimination shall be confidential and shall not be disclosed to the public by the Director, the Commission, or Office of Human Rights staff unless disclosure is authorized in writing by all parties to the dispute.

(5) If informal dialogue is concluded, the complaint shall be considered resolved upon the complainant's written or verbal withdrawal of the complaint.

(6) If the mediation is concluded to the satisfaction of both parties, the complaint shall be considered resolved upon the parties' execution of a written settlement agreement. Unless all parties agree otherwise, the execution of a written agreement

is solely for the purpose of settling a disputed claim and does not constitute an admission by any party that the law or this ordinance has been violated. No further action on the initial complaint shall be taken by the Commission or the Office of Human Rights staff once the agreement is executed.

(7) If informal dialogue or mediation is not successful, ~~and the complainant wishes to pursue further action,~~ the Director or designee ~~may~~ shall conduct an ~~formal~~ investigation.

~~(8) If further investigation is not warranted, the Director may dismiss the complaint as not constituting a violation and promptly serve written notice of the dismissal on the complainant and respondent.~~

(d) Investigation

(1) ~~If the Director determines that a formal investigation into the complaint is warranted,~~ Upon the filing of a complaint under this section, the Director shall assign an Investigator to make an investigation of the alleged discriminatory practice for the purpose of rendering a written determination as to whether there is reasonable cause to believe a violation of this ordinance occurred and the facts supporting such determination.

(2) The Investigator shall complete such investigation within one hundred and eighty (180) calendar days after the filing of the complaint unless it is impracticable to do so. If the Investigator is unable to complete the investigation within one hundred and eighty (180) calendar days after the filing of the complaint, the Director shall notify the complainant and respondent in writing of the reasons for not doing so.

(3) Statements received by the Investigator from the complainant, respondents, and witnesses as part of ~~a formal~~ an investigation shall be under oath or affirmation and may be reasonably and fairly amended at any time.

(4) When conducting an investigation of a complaint filed under this ordinance, the Investigator shall have the right to interview any person who may have any information which may further ~~its~~ the investigation and to request production of any records or documents for inspection and copying in the possession of any person which may further the investigation. Such persons shall be interviewed under oath. The Director or ~~its~~ designated subordinates shall have the authority to collect, inspect, and copy records under this ordinance.

(5) If during an investigation any person refuses to comply with a request by the Director or Office staff to produce data, information, documents, or other tangible evidence or refuses to appear as a witness for the gathering of evidence necessary to determine whether a violation of this ordinance has occurred, the Director, after a good faith effort to obtain such evidence or attendance of witnesses, may ~~request the City Attorney to~~ petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.

(A) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.

(B) For purposes of this section, "person" includes any individual, partnership,

corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.

~~(C) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.~~

(D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.

(E) Any witness subpoena issued under this section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.

(F) Any person failing to comply with a subpoena issued under this section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the Charlottesville Circuit Court ~~court~~ to quash the subpoena.

(G) In case of refusal or neglect to obey a subpoena, the Director may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.

(6) Upon the conclusion of the ~~formal~~ investigation, the Investigator shall prepare an investigative report for submission to the Director.

(e) Reasonable cause determination and effect

(1) Upon completion of ~~a formal~~ an investigation and submission of the investigative report, the Director shall render a written determination of whether there is reasonable cause to believe a violation of this ordinance has been committed and the facts supporting such determination. The written determination shall promptly be served on the parties.

(2) If the Director determines that there is reasonable cause to believe that a violation of this ordinance has been committed, the Director shall immediately endeavor to eliminate any alleged unlawful discriminatory practice through informal dialogue or mediation.

(3) If the complaint cannot be resolved through informal dialogue or mediation, the Director shall proceed with the preparation of materials for consideration by the Commission for the purpose of holding a vote on whether to conduct a public administrative hearing on the complaint.

(4) Such materials shall include a copy of the written determination with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.

(5) Upon request by the Commission, the Director shall provide a copy of the full investigative report with the names and identifying information of the complainant, respondent, respondent's agents, and any witnesses redacted.

(6) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has been committed, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of the notice of dismissal, the

complainant files with the Commission a request for a review of the determination of the Director.

(f) Contracted services

(1) In order to fulfill the requirements of this section, the City Manager or their designee is authorized to contract on behalf of the City with any objective, neutral third party qualified to assess allegations of discrimination under this section for the purpose of receiving complaints, conducting investigations, rendering written determinations of whether there is reasonable cause to believe a violation of this ordinance has occurred, conducting informal dialogues or mediations of complaints, and advising the Director of the Commission of the results of any investigation, informal dialogue, or mediation of complaints.

Sec. 2-438. **Interference, coercion, intimidation, or retaliation prohibited.**

(a) In accordance with 42 U.S.C. § 3617, it shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account of having aided or encouraged any other person in the exercise or enjoyment of, or on account of having filed a complaint of discrimination regarding any right granted or protected by this ordinance.

(b) Any person experiencing such interference, coercion, intimidation, or retaliation in connection with a complaint of unlawful discrimination received or in process under this ordinance may file a retaliation complaint with the Office of Human Rights. The complaint shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged unlawful retaliation.

(c) Retaliation complaints shall be processed in the same manner as complaints of unlawful discrimination and such process shall be determined by the protected activity named in the original complaint to which the alleged retaliation is linked or by the protected activity in which the complainant was engaged and which was impacted by the alleged retaliation.

Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of discrimination.

(a) ~~Public~~ Administrative hearings generally

(1) The Commission shall serve as ~~a public~~ an administrative hearing body with the authority to review appeals and reasonable cause determinations for complaints of individual discrimination received and investigated by the Office of Human Rights.

(2) In complaints of housing discrimination, if the Director determines that there is reasonable cause to believe a violation did occur, a charge is filed, and either party elects to pursue judicial determination through a civil action in a court of competent jurisdiction, under Sec. 2-437.2. of this ordinance, the Commission shall not hold ~~a public~~ an administrative hearing and any proceedings in process shall cease. If an election is not made, the Commission shall hold an administrative hearing on behalf of the complainant.

(3) If ~~a~~ an administrative hearing is to be held, the Commission shall promptly notify the parties of the time, date, and location of the hearing and serve upon them a statement of the charges against the respondent, the Director's summary of the evidence and recommended remedies, and the issues to be considered at the hearing. The notice and statement shall be served no later than fourteen (14) calendar

days prior to the date of the hearing.

(4) The Commission shall have the option to consider all of the allegations and issues set forth in the complaint or, in its discretion, may limit the scope of the administrative hearing to one or more of the allegations or issues.

(5) ~~Hearings~~ Administrative hearings of the Commission may be held before the entire Commission or before designated hearing panels, consisting of three or more members of the Commission, as the Commission in its discretion may determine. The Chair or a Commissioner designated by the Chair shall preside over the ~~public~~ hearing, which shall be open to the public.

(6) Prior to the ~~public~~ administrative hearing, the Director shall provide the Commission with a copy of the investigative report and any findings or determinations resulting from the investigation. During ~~a public~~ an administrative hearing, the Commission shall base its findings and recommendations on a review of the existing record and any additional evidence acquired by the Commission, at its discretion through the Office of Human Rights, prior to the hearing. Neither party to the complaint shall be entitled to submit unsolicited written statements or arguments, present oral defense or documentary evidence, or conduct cross examinations during the ~~public~~ administrative hearing.

(7) Any investigative report, findings, determinations, or additional evidence provided to the Commission by the Office of Human Rights for purposes of ~~a public~~ an administrative hearing shall be redacted to remove any personal identifying information in accordance with Va. Code Ann. § 2.2-3800 et seq.

(8) The Commission shall keep a full record of the administrative hearing, and such record shall be public and open to inspection by any person unless otherwise provided by any applicable law or regulations. Any party may request that the Commission furnish such party a copy of the hearing record and shall reimburse the Commission for the cost of producing the copy.

(9) In matters where any party is represented by counsel, the office of the City Attorney shall provide an attorney as counsel to the Commission who will also assist the Director in preparing the case.

(10) Whenever the Commission requires additional evidence to determine whether reasonable cause exists to believe any person has engaged in or is engaging in any unlawful discriminatory practice, and the Commission, after a good faith effort to obtain such evidence or attendance of witnesses through the Office of Human Rights, may ~~request the City Attorney to~~ petition a court of appropriate jurisdiction for a subpoena against any such person refusing to produce such evidence or refusing to appear as a witness, and such court may, upon good cause shown, cause the subpoena to be issued.

(A) Said subpoenas and requests for information may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or requests for information were ordered or served as part of a civil action in the Commonwealth of Virginia.

(B) For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.

~~(C) Neither the Commission nor the Office shall have the power itself to issue subpoenas under this article.~~

(D) Neither the complainant nor the respondent shall have the right to demand that a subpoena be issued.

(E) Any witness subpoena issued under this section shall include a statement that any statements made will be under oath and that the respondent or other witness is entitled to be represented by an attorney.

(F) Any person failing to comply with a subpoena issued under this section shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may petition the Charlottesville Circuit Court ~~court~~ to quash the subpoena.

(G) In case of refusal or neglect to obey a subpoena, the Commission may petition for its enforcement in the Circuit Court of the City of Charlottesville. The Circuit Court of the City of Charlottesville will be requested to give these cases priority on the court docket.

(11) The Commission shall have the authority to grant relief, as permitted under Virginia law, or to issue recommendations for appropriate remedies, for complaints reviewed during ~~a public~~ an administrative hearing. If, after the hearing, the Commission determines by a preponderance of the evidence that the respondent has committed or is committing the alleged violation(s) of this ordinance, the Commission shall state its findings in a written resolution and may issue recommendations, to be served promptly on the parties. Such recommendations may include:

(A) the pursuit of remedies through alternative dispute resolution.

(B) a referral to the City Attorney for the consideration of potential civil action.

(C) notice to the respondent to cease and desist from such violation(s) and to take such action as may be authorized by law to effectuate the purpose of this ordinance, including but not limited to the payment by respondent of compensatory damages to any person or persons found by the Commission to be so entitled by reason of the violation(s) of this ordinance, or the placement or restoration of any person in or to such status in which the Commission finds they would be but for respondent's violation(s) of this ordinance.

(12) If, after receiving the evidence presented at the administrative hearing, the Commission finds that the respondent has not engaged in the alleged violation(s) of this ordinance, the Commission shall state its findings in a written resolution and shall dismiss the complaint. Prompt notice of such action shall be given to the parties, and such dismissal shall be final.

(13) Nothing herein shall be construed as authorizing the Commission to ~~issue subpoenas,~~ award damages, or grant injunctive relief.

(b) ~~Public~~ Administrative appeal hearings for ~~complainant appeals~~ determinations of no reasonable cause ~~determinations~~

(1) The Commission shall serve as a due process appellate body with the authority to hear appeals of determinations of no reasonable cause rendered by the Director on complaints of individual discrimination received and investigated by the Office of Human Rights.

(2) If the Director determines that there is insufficient reasonable cause to believe a violation of this ordinance has occurred, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) calendar days of receipt of notice of the dismissal, the complainant files with the Commission a request for a review of the determination of the Director.

(3) On written petition of the complainant, the Commission shall hold ~~a public~~ an administrative appeal hearing to review the Director's conclusion and shall either overrule or affirm the finding of no reasonable cause.

(4) If, at the conclusion of an administrative appeal hearing, the Commission determines by majority vote that reasonable cause exists, it shall prepare a written resolution that includes a summary of the evidence upon which the reversal of the Director's finding is based and recommendations for further action. The Director shall serve notice on both parties of the Commission's finding and pursue appropriate further action, per the Commission's resolution.

(5) If, at the conclusion of an administrative appeal hearing, the Commission determines by majority vote that no reasonable cause exists, it shall prepare a written resolution upholding the Director's dismissal of the complaint, and such dismissal shall be final.

(c) ~~Public~~ Administrative hearings for determinations of reasonable cause

(1) If the Director determines that there is reasonable cause to believe a violation did occur and either party declines to participate in alternative dispute resolution, or if such efforts are attempted but unsuccessful, the Director shall prepare a written summary of the evidence on which the determination of reasonable cause is based and shall recommend appropriate remedies for the discriminatory actions in a report to the Commission.

(2) For determinations of reasonable cause regarding complaints of employment, public accommodation, credit, or private education discrimination, ~~The~~ the Commission shall determine by majority vote whether to hold ~~a public~~ an administrative hearing on the complaint. The Commission shall base its determination on its judgment as to how enforcement of this ordinance would be best served. If the Commission determines not to hold ~~a public~~ an administrative hearing, it shall either dismiss the complaint or take such action as it deems appropriate and consistent with the purposes of this ordinance and the powers of the Commission hereunder.

(3) For determinations of reasonable cause regarding complaints of housing discrimination, the Commission shall proceed with an administrative hearing on behalf of the complainant if neither party elects to pursue judicial determination through a civil action in a court of competent jurisdiction.

Sec. 2-439.2. Enforcement authority – Court enforcement regarding individual complaints of employment, public accommodation, credit, or private education discrimination.

(a) If the Commission finds that a respondent has committed a violation of this ordinance and determines that appropriate remedial measures have not been taken, the Commission, through the City Attorney, and subject to approval by the City Council, may file an appropriate action in any court of competent jurisdiction to prove, *de novo*, that the respondent violated this chapter; secure compliance with this chapter; and/or obtain

appropriate relief available under any applicable federal or state statute or regulation including, but not limited to an award of injunctive relief, compensatory and / or punitive damages and a recovery of costs and attorney's fees for any person, including the City, injured as a result of a violation of this chapter.

(b) If the City Council approves the institution of any proceeding in court, the proceeding shall be brought in the name of the City Council and the Human Rights Commission of the City of Charlottesville.

Sec. 2-440. Confidentiality.

It shall be unlawful for any Commissioner, officer, employee, contractor or staff member of the Commission or Office of Human Rights to disclose or make public any complaints, investigative notes, or other correspondence and information furnished to the Commission or its staff in confidence with respect to a complaint, an investigation, or alternative dispute resolution process involving an alleged unlawful discriminatory practice. A violation of this section shall be a Class 3 misdemeanor.

Sec. 2-441. Annual Report.

The Commission shall make an annual comprehensive report to City Council that outlines its efforts during the preceding year in the areas of identifying and addressing systemic or institutional discrimination; processing individual complaints of unlawful discrimination; and facilitating a community dialogue regarding issues of human rights. The report shall also outline the Commission's work plan for the ensuing year, which shall be subject to approval or modification by City Council.

Sec. 2-442. Severability.

The provisions of the Article are severable, and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Article, or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Article would have been adopted if such illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included therein, and if the person or circumstances to which the chapter or any part thereof is inapplicable had been specifically exempted therefrom.

Sec. 2-443. ~~Reserved.~~ No waiver of other legal rights.

(a) Any person who is aggrieved by an unlawful discriminatory practice may bring an appropriate action in a court of competent jurisdiction, including but not limited to a judicial review of a final decision made by the Commission or Office, as provided for by any other applicable law.

(b) Nothing in this Chapter shall prevent any person from exercising any right or seeking any remedy to which the person might otherwise be entitled; nor shall any person be required to pursue any remedy set forth herein as a condition of seeking relief from any court or other agency, except as is otherwise provided by applicable Virginia or federal law.

Proposed Amendments to the Charlottesville Human Rights Ordinance

Presented by Todd Niemeier
Director, Human Rights Commission

City Council Regular Meeting January 6, 2024

1



Why are we amending the Human Rights Ordinance?

- To meet the requirements to enter a Fair Housing Assistance Program (FHAP) workshare with the HUD Fair Housing Office.

General document revisions

- Revised Secs. 2-437.1-3. so that basic investigation procedures are substantially equivalent to federal fair housing law, are not unnecessarily burdensome to complainants, and all decision making related to complaints are made by staff of the Office of Human Rights.
- Revised Sec. 2-439.1. to ensure substantial equivalence to federal fair housing law in administrative hearing procedures.
- Added Sec. 2-443 to ensure access to judicial review and no waiver of other legal rights.

2



Sec. 2-437.1. Investigation of individual employment discrimination complaints

- Removed language that placed undue burden on complainants.
- Made minor revisions to text organization.
- Modified the subpoena clause to match Sec. 2-437.2.

3



Sec. 2-437.2. Investigation of individual housing discrimination complaints

- Removed language that placed undue burden on complainants.
- Modified clause regarding agency-initiated complaints.
- Added additional timeframes and procedures required for substantial equivalence.
- Made minor revisions to text organization.
- Modified the subpoena clause for substantial equivalence.
- Clarified circumstances under which services can be contracted vs. internal

4



Sec. 2-437.3. Investigation of individual public accommodation, credit, and private education discrimination complaints

- Removed language that placed undue burden on complainants.
- Made minor revisions to text organization.
- Modified the subpoena clause to match Sec. 2-437.2.

5



Sec. 2-439.1. Enforcement authority – The role of the Commission regarding individual complaints of discrimination.

- Added “administrative” as a descriptor for hearings by the Commission.
- Clarified that a public hearing shall proceed for findings of reasonable cause in housing cases when neither party elects judicial determination.
- Amended subpoena clauses for substantial equivalence.

Sec. 2-443. No waiver of other legal rights.

- Clarified that the ordinance does not preclude anyone from pursuing judicial review of an unlawful discriminatory practice.

6



7

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	Establish regular meeting dates for 2025
Presenter:	Juandiego Wade - Mayor
Staff Contacts:	Kyna Thomas, Clerk of Council
Title:	**Resolution to establish days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2025**

Background

Pursuant to Virginia Code Sec. 15.2-1416 local governing bodies shall convene in open meeting to approve a regular meeting schedule for the ensuing months, establishing the dates, times, and place(s) for regular meetings. Future meetings shall be held on such days as may be prescribed by resolution of the governing body but in no event shall less than six meetings be held in each fiscal year.

Discussion

Regularly scheduled Charlottesville City Council meetings take place on the first and third Mondays of each month in Council Chamber at City Hall, 605 E. Main Street. If a regularly scheduled Council meeting falls on a holiday, then the meeting will take place on Tuesday, the following business day. Meetings generally begin at 4:00 p.m. with a work session for hearing reports and presentations that do not require a vote, followed by a closed session (if needed), and a 6:30 p.m. business meeting.

The proposed schedule includes variances according to holidays, and Council may choose to make adjustments. Council in prior years chosen to take a summer break and has discussed holding only one meeting in months with major holidays such as November and December. The regular Council meeting schedule for 2025 may be modified after Council discussion. The approved schedule will be posted on the city website, in the local newspaper as the official public notice for City Council meetings, as well as at the Office of the Clerk of Council in City Hall.

Alignment with City Council's Vision and Strategic Plan

The timely discussion and public notice of meeting dates, times and location(s) aligns with the City's strategic outcome area of Organizational Excellence.

Community Engagement

n/a

Budgetary Impact

n/a

Recommendation

"I move the RESOLUTION establishing days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2025 with amendments as discussed."

Alternatives

none

Attachments

1. RES_2025 Regular City Council Meeting Dates

RESOLUTION
Establishing Days, Times and Places of Regular Meetings of the Charlottesville City Council During Calendar Year 2025

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, THAT pursuant to Virginia Code Sec. 15.2-1416, the regular meetings of the Charlottesville City Council shall be conducted on the following days, times, and places during calendar year 2025:

DATES		
January 6, 2025 (continued to January 21)	May 5, 2025	September 2, 2025 (*Tuesday)*
January 21, 2025 *(Tuesday)*	May 19, 2025	September 15, 2025
February 3, 2025	June 2, 2025	October 6, 2025
February 18, 2025 *(Tuesday)*	June 16, 2025	October 20, 2025
March 4, 2025 *(Tuesday)*	July 7, 2025	November 3, 2025
March 17, 2025	July 21, 2025	November 17, 2025
April 7, 2025	August 4, 2025	December 1, 2025
April 21, 2025	August 18, 2025	December 15, 2025

TIME: 4:00 p.m. work session
5:30 p.m. closed meeting (if called)
6:30 p.m. business meeting upon conclusion of the closed meeting agenda

LOCATION: City Hall Council Chamber
605 E. Main Street, 2nd Floor
Charlottesville, VA

BE IT FURTHER RESOLVED THAT any regular meeting may be adjourned from day to day, or from time to time, or from place to place, not beyond the day and time fixed by this resolution for the next regular meeting, until the business before this City Council is completed. Notice of any regular meeting continued in this manner shall be reasonable under the circumstances and shall be given as provided in subsection D of Virginia Code Section 2.2-3707.

BE IT FURTHER RESOLVED THAT, in the event that the Mayor, or the Vice Mayor if the Mayor is unavailable or otherwise unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend a regular meeting, that regular meeting shall be continued to the next business day on which the said hazardous conditions no

longer exist or to the next regular meeting date. Such finding and declaration shall be communicated to all city councilors and to the press as promptly as possible, along with the date and time on which the continued meeting will commence. All public hearings and other agenda matters previously advertised shall be conducted at the continued meeting with no further advertisement.

	Aye	No
Payne		
Pinkston		
Snook		
Wade		
Oschrin		

Approved by Council

January ____, 2025

_____

Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that the resolution is APPROVED.

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	No Action Required
Presenter:	Chris Cullinan, Director of Finance
Staff Contacts:	Chris Cullinan, Director of Finance
Title:	**Report regarding the FY24 Financial Audit results**

Background

At City Council's December 16, 2024 meeting, the City's auditors (Robinson, Farmer, Cox and Associates) gave a verbal confirmation of an unmodified (i.e. clean) opinion regarding the accounting and reporting of the City's finances for the fiscal year ending June 30, 2024 (FY24). They have since issued written confirmation of this opinion. The Finance Department has completed all required disclosures to various regulatory agencies and published the Annual Comprehensive Financial Report (ACFR). The ACFR is available on the Finance Department's webpage with hard copies available upon request. The Finance Department has also submitted the ACFR to the Government Finance Officers Association (GFOA) for the "Certificate of Achievement for Excellence in Financial Reporting" program

Discussion

For FY24, the General Fund ended $22,386,718 in excess of the 17% fund balance policy. This amount represents 9.8% of the Adopted FY24 Budget.

Revenues performed better than expected. Total GF revenues were approximately $12.5M over budget. The big drivers for this number include:

- Real Estate Taxes = $3.5M
- Interest Income = $2.9M
- Personal Property Taxes = $1.7M
- Business Licenses = $1.2M
- Meals Taxes = $1.0M
- Sales Taxes = $0.8M

Expenditures were approximately $9.2M under budget.

The majority of this number is the result of total salary and benefits coming in $5.9M under budget. A secondary effect of this is that a number of non-personnel line-items were also under budget likely due to positions not being filled.

Another source of underspending is the result of funds from prior year's surplus being added to departments for one-time uses in anticipation of their current year's budget not being sufficient. These departments budget came in under budget with the additional funds from prior year's surpluses added in.

Alignment with City Council's Vision and Strategic Plan

This report aligns with the Strategic Outcome Area of Organizational Excellence.

Community Engagement

None at this time. The forthcoming year-end appropriation will include a public hearing.

Budgetary Impact

No budgetary impact with this agenda item. For purposes of the forthcoming year-end appropriation, funds from the year-end surplus are considered to be a one-time revenue and should be limited to one-time uses or projects.

Recommendation

There is no recommendation at this time. The forthcoming year-end appropriation will include a recommendation to adhere to existing financial policy which states the surplus in excess of the fund balance should be placed in the CIP Contingency account.

Alternatives

N/A.

Attachments

None

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	No Action Required
Presenter:	Kellie Brown, Director of NDS
Staff Contacts:	Kellie Brown, Director of NDS James Freas, Deputy City Manager
Title:	**Report on Neighborhood Development Services Work Plan**

Background

With multiple priorities emerging from adoption of the Development code in December 2024, this report provides a mid-year update on the FY25 NDS workplan and look ahead to potential priorities to plan for FY26.

Discussion

The presentation will provide an overview of the NDS organizational structure, accomplishments, key workplan considerations, workplan priorities, a look ahead to potential items for plan for in FY26.

Alignment with City Council's Vision and Strategic Plan

The NDS workplan is focused on achieving the goals of the Comprehensive Plan. while NDS engages in efforts that touch all strategic outcome areas, specific priorities are grouped by strategic outcome areas including organizational excellence, economic prosperity, climate and sustainability, housing, and transportation.

Community Engagement

Staff presented this work plan to Planning Commission on December 10, 2024. Comments and questions focused on monitoring development trends following adoption of the new Development Code.

Budgetary Impact

The NDS workplan includes potential consulting needs some of which has already been accounted for in the FY25. If additional funding is needed, they will be subject to approval as part of the FY26 adopted budget.

Recommendation

Alternatives

Attachments
None

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA

Agenda Date:	January 21, 2025
Action Required:	None
Presenter:	Ben Chambers, Transportation Planning Manager, Brennen Duncan, Traffic Engineer
Staff Contacts:	Ben Chambers, Transportation Planning Manager Brennen Duncan, Traffic Engineer
Title:	**Report on Urgent Infrastructure Projects**

Background

Following a fatal pedestrian crash at 1st & Elliot on October 3rd, City staff took action to identify and implement a set of quick build safety improvements. The City Manager then directed staff to identify more permanent safety improvements for this location as well as safety improvements for locations throughout the City, identified as an urgent infrastructure project list.

Discussion

Following the direction to identify more opportunities to make urgent permanent improvements, staff both worked to identify specific project locations, but also opportunities to merge this effort with other existing projects and planning efforts. These include commitments to conduct testing of traffic calming devices, to lower speed limits on City streets, and to develop a new generation of citywide transportation plans that would update priorities for new projects throughout the transportation network. These programs, along with existing projects and the new investment in urgent transportation improvements at intersections, are the basis of a more comprehensive Safer Streets strategy. This strategy employs a variety of temporary and permanent-concrete interventions, planning processes, public engagements, and policy updates over the course of the next five years to allow the City and its residents to work together to make significant change happen in this community.
Staff will present this overall Safer Streets strategy with examples of projects.

Alignment with City Council's Vision and Strategic Plan

Aligns with Transportation Strategic Outcome Area

Community Engagement

Each program described under the Safer Streets strategy, including the deployment of "urgent transportation improvements" at intersections, will include opportunities to engage the community to receive feedback. Successful execution of the strategy will depend on providing clear and regular

communications to the community through both existing and new venues and outlets for information sharing.

Budgetary Impact
The initial phase of this Safer Streets strategy includes existing, funded projects and programs, as well as those recommended to the City Manager for budgetary consideration as "urgent transportation improvements". Future phases and their associated projects/programs are not currently funded as identified and would be submitted to the City Manager as items for consideration in the development of future budgets.

Recommendation

Alternatives

Attachments
None

RIVANNA AUTHORITIES
RIVANNA SOLID WASTE AUTHORITY
RIVANNA WATER & SEWER AUTHORITY
695 Moores Creek Lane
Charlottesville, Virginia 22902-9016
434.977.2970
434.293.8858
www.rivanna.org

January 10, 2025

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

Re: Quarterly Update – January

Councilors:

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

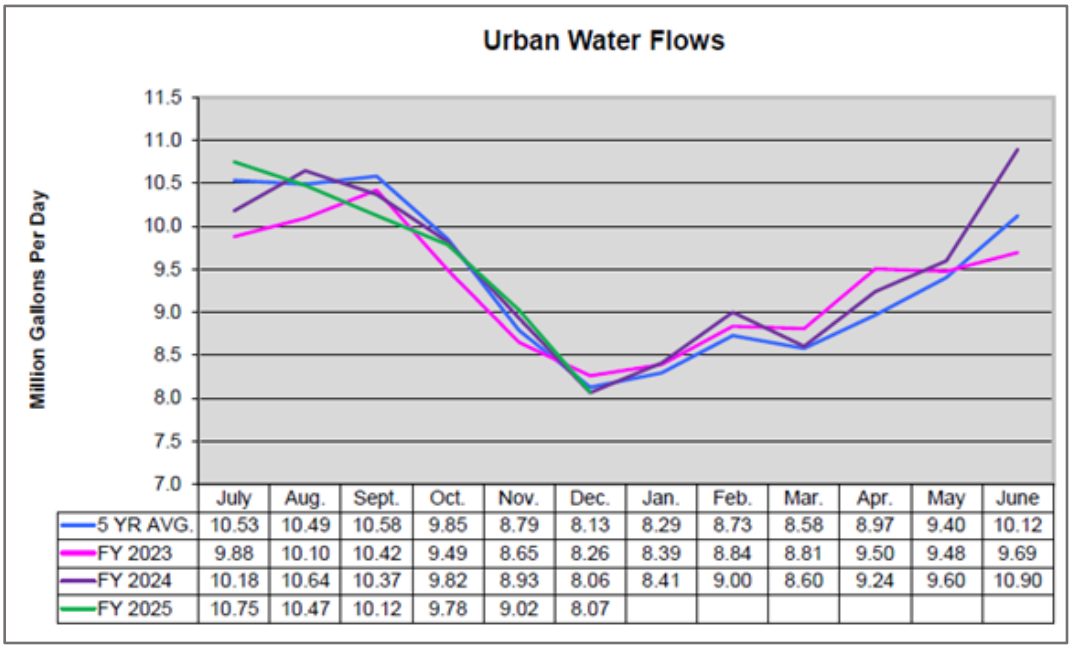
1. Drinking Water Supply:

   a. Our Urban reservoirs (Sugar Hollow, South Rivanna, Ragged Mountain) are 95% full and in good condition. The water level in Sugar Hollow Reservoir was recently lowered about 5 feet to support work being completed on the pneumatic piping which pressurizes the inflatable rubber bladder on top of the concrete dam. Work on the piping will be completed by April.

   b. Beaver Creek Reservoir (Crozet) is 100% full with 500 million gallons of water available for use. Water demand in the Crozet area averaged 0.70 million gallons per day in September.

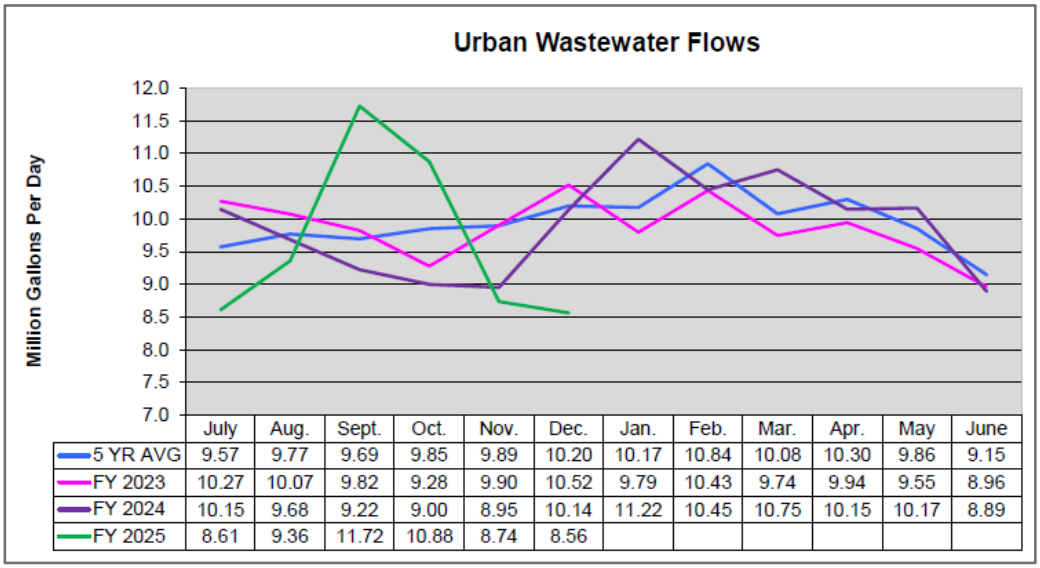
   c. Totier Creek Reservoir (Scottsville) is 100% full with 155 million gallons of water available for use. Water demand in the Scottsville area averaged 57,000 gallons per day in September.

2. The production of drinking water for the Urban area averaged 8.07 million gallons per day (MGD) in December 2024 (FY 2025), which is slightly less than the five-year average for December (8.13 MGD) as shown by the following graph:



	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June
5 YR AVG.	10.53	10.49	10.58	9.85	8.79	8.13	8.29	8.73	8.58	8.97	9.40	10.12
FY 2023	9.88	10.10	10.42	9.49	8.65	8.26	8.39	8.84	8.81	9.50	9.48	9.69
FY 2024	10.18	10.64	10.37	9.82	8.93	8.06	8.41	9.00	8.60	9.24	9.60	10.90
FY 2025	10.75	10.47	10.12	9.78	9.02	8.07						

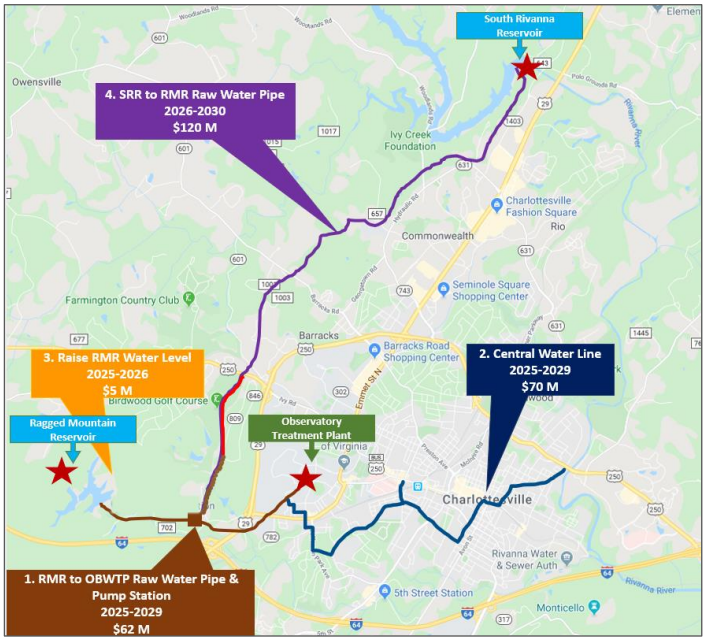
3. Urban wastewater flow for December 2024 (8.56 MGD), including flows from Crozet but not from Scottsville, was below the five-year average for December (10.20 MGD), as shown by the graph below:



	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June
5 YR AVG	9.57	9.77	9.69	9.85	9.89	10.20	10.17	10.84	10.08	10.30	9.86	9.15
FY 2023	10.27	10.07	9.82	9.28	9.90	10.52	9.79	10.43	9.74	9.94	9.55	8.96
FY 2024	10.15	9.68	9.22	9.00	8.95	10.14	11.22	10.45	10.75	10.15	10.17	8.89
FY 2025	8.61	9.36	11.72	10.88	8.74	8.56						

4. <u>Repairs to the Rivanna Wastewater Pump Station at Moores Creek</u>
Replacement of the pumps and removal of the temporary bypass pumping system will be completed by April, with final completion of the repairs by October 2025. This work will restore normal operation of the pump station which became submerged during a significant storm event in January 2024. An independent engineering firm completed an assessment of the submergence and determined the primary cause of the submergence was a malfunction of the complex automated pump control system. We continue to coordinate with our property insurance company to recover restoration costs totaling about $10 million. The project will also include costs of about $12 million for improvements to the pump station.

5. A general overview of significant current and future drinking water, wastewater and solid waste Capital Improvement Projects is provided below. Cost allocations between the Charlottesville Department of Utilities (non-general Utility funds) and the Albemarle County Service Authority (ACSA), are identified for each project. Many of these projects are part of the community's Water Supply Plan established in 2012 to increase the capacity of our drinking water reservoirs and infrastructure, as shown by the map below.



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

Scope: Replace 4 miles of 36" ductile iron water pipe and pumping stations which convey untreated water from the Ragged Mtn Reservoir to the Observatory WTP. These facilities have reached the end of their service lives and require replacement to reliably provide untreated water to the upgraded Observatory WTP. A project information meeting with neighbors bordering the work will be held on January 29th.

Completion:	February 2025 – June 2029
Cost:	$62 million: 52% ACSA / 48% City Utilities

b. South Rivanna River Crossing

Scope: Provide a second pipe (24" diameter; 2900 feet long) to convey treated drinking water under the river using trenchless technology. The second pipe will provide a redundant water supply and increase capacity to serve the northern area of the Urban Water System.

Completion:	January 2025 – January 2027
Cost:	$7 million: 100% ACSA

c. Urban Area "Central Water Line"

Scope: Provide large diameter piping (24" and 36" ductile iron) to strengthen and more efficiently distribute drinking water for the benefit of City and County residents and businesses. This five-mile-long piping project with two railroad crossings will extend from the Stadium Road area to the Long Street / E. High Street bridge. The eastern end of the route was recently revised due to underground conflicts in E. High Street. Information meetings will be scheduled with neighborhoods along the revised route before construction begins. The route includes Stadium Road, Piedmont Avenue, Price Avenue, Lewis Street, Jefferson Park Avenue, Cleveland Avenue, Cherry Avenue, Elliott Avenue, 6th Street SE, South Street, Avon Street, 10th Street, Little High Street, Meade Avenue, Fairway Avenue, and property near the river to E. High Street near the Long Street bridge.

Completion:	May 2025 – July 2029
Cost:	$70 million: 52% ACSA / 48% City Utilities

d. Baling Facility, Ivy Solid Waste and Recycling Center

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

Completion:	May 2025 – December 2026
Cost:	$6.4 million: 70% Albemarle County / 30% City

e. Red Hill Water Treatment Plant Upgrade

Scope: Provide additional space to house water treatment equipment including a granular activated carbon filter.

Completion: January 2025 – June 2026
Cost: $2 million: 100% ACSA, with partial grant from County

f. Moores Creek Structural and Concrete Rehabilitation

Scope: Complete repairs to concrete basins and wastewater treatment facilities constructed in the late 1970's.

Completion: May 2025 – May 2027
Cost: $14 million: 52% ACSA / 48% City Utilities

g. Crozet Wastewater Pump Stations Rehabilitation

Scope: Replace pumps, valves, and electrical gear in four pump stations constructed in the 1980's which convey wastewater from Crozet to the Moores Creek Treatment Plant.

Completion: May 2025 – September 2027
Cost: $12 million: 52% ACSA / 48% City Utilities

h. Moores Creek Administration Building Renovation and Addition

Scope: Renovate the existing administration building constructed in the 1980's, including improvements to the Laboratory and Information Technology spaces. The project will also include a building addition to provide spaces for a community education area, staff currently housed in temporary trailers, as well as future staffing.

Completion: June 2025 – December 2027
Cost: $25 million: 52% ACSA / 48% City Utilities

i. Crozet Water Treatment Plant GAC Expansion

Scope: Provide additional facilities and equipment to increase the water treatment capacity of the granular activated carbon filter system from 1 to 2 million gallons per day.

Completion: August 2025 – March 2027
Budget: $9.5 million: 100% ACSA with VDH grant

j. Ragged Mtn Reservoir Water Level Increase

Scope: This project will include clearing of vegetation around the reservoir and minor modifications to the intake tower as necessary to increase the normal pool elevation 12 feet and provide 700 million gallons of additional water storage capacity in the reservoir.

Completion: September 2025 - September 2026
Cost: $5 million: 80% ACSA / 20% City Utilities

k. South Rivanna Reservoir to Ragged Mountain Reservoir Pipe and Pump Station

Scope: Construct a 6.5 mile long, large diameter pipe (36") and pump station to transfer untreated water between the South Rivanna and Ragged Mtn Reservoirs, as required by the community's drinking water supply plan. Complete intake tower modifications and perimeter clearing at the Ragged Mtn Reservoir, as well as a new raw water intake and pump station at the South Rivanna Reservoir. This infrastructure will increase the water storage capacity of the Ragged Mtn Reservoir from 1.4 to 2.1 billion gallons.

Completion: February 2026 – December 2030
Cost: $120 million: 80% ACSA / 20% City Utilities

l. Beaver Creek Dam, Pump Station and Piping Improvements

Scope: Replace the spillway, which protects the reservoir dam, along with the water pump station and piping which conveys untreated water to the Crozet Water Treatment Plant.

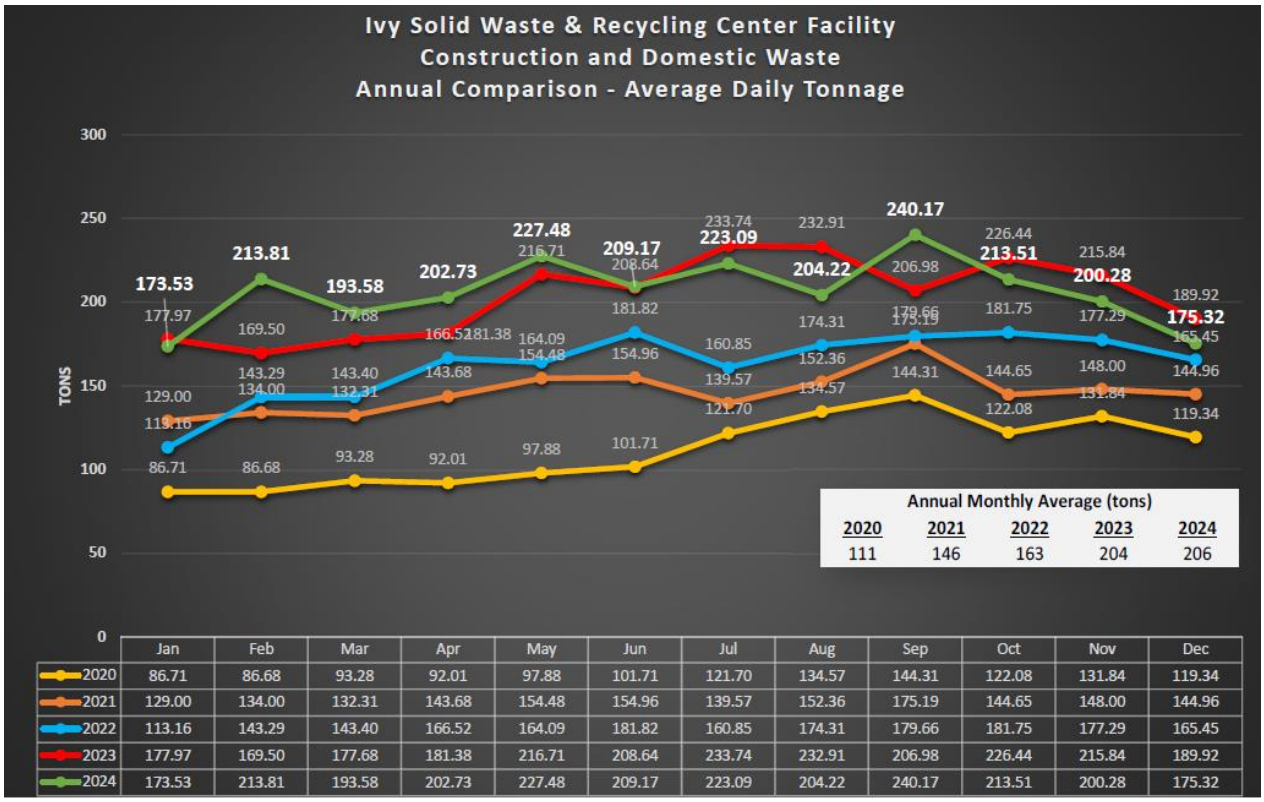
Completion: May 2026 – January 2030
Cost: $62 million: 100% ACSA with partial federal NRCS grant

m. Upper Schenks Branch Wastewater Piping Replacement, Phase II

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

Completion: TBD
Cost: $10 million: 100% City Utilities

6. Average daily refuse volume at the Ivy Transfer Station has increased from 119 tons per day in December 2020 to 175 tons per day in December 2024, as shown below. Our contract hauler is driving about 15 trailer loads of refuse to Henrico County for disposal each day, Monday – Friday.



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2020	86.71	86.68	93.28	92.01	97.88	101.71	121.70	134.57	144.31	122.08	131.84	119.34
2021	129.00	134.00	132.31	143.68	154.48	154.96	139.57	152.36	175.19	144.65	148.00	144.96
2022	113.16	143.29	143.40	166.52	164.09	181.82	160.85	174.31	179.66	181.75	177.29	165.45
2023	177.97	169.50	177.68	181.38	216.71	208.64	233.74	232.91	206.98	226.44	215.84	189.92
2024	173.53	213.81	193.58	202.73	227.48	209.17	223.09	204.22	240.17	213.51	200.28	175.32

7. Electronic Waste Collection
   The Ivy Solid Waste and Recycling Center will be the site for our Spring 2025 e-Waste Collection on Saturday, April 19th. This event provides free disposal of electronic waste for residents of Albemarle County and the City of Charlottesville. Pre-registration is required, and a link will be provided at: www.rivanna.org/ewaste on March 19th. Space is limited for this event.

Please let me know if you have any questions.

Sincerely,



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

cc: RSWA Board of Directors
RWSA Board of Directors