



City Council Meeting Agenda

January 5, 2026

City Hall Council Chamber
605 E. Main St.
Charlottesville, VA 22902

Jen Fleisher
Natalie Oschrin
Michael K. Payne
J. Lloyd Snook, III
Juandiego R. Wade
Kyna Thomas, Clerk

4:00 PM Opening Session (led by City Manager)

- I. Call to Order/Roll Call
- II. Agenda Approval
 - 1. ORGANIZATIONAL MEETING
- III. Reports
 - 2. Report: Environmental Regulations and Policy Review Project
 - 3. Report: Rivanna Authorities Presentation

5:30 PM Closed Meeting (Appointments for the Board of Architectural Review)

6:30 PM Business Session

- IV. Moment of Silence
- V. Announcements
- VI. Recognitions/Proclamations
 - Proclamation: In Honor of Eddie Harris
- VII. 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.
- VIII. 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.
 - 4. Minutes: December 9 joint CIP public hearing with Planning Commission; December 15 regular meeting; December 18 joint meeting with School Board
 - 5. Resolution: Resolution to Grant \$50,000 to the Residential Energy Retrofit Mini-Grant Program (2nd reading)
 - 6. Resolution: Resolution to appropriate \$303,660.00 from the Building Resilient Infrastructure and Communities (BRIC) Grant Program for the City of Charlottesville - Rock Creek Watershed Management Plan (2nd reading)
 - 7. Resolution: Resolution to appropriate Stormwater Local Assistance Grant Fund for the Rivanna Restoration at Riverview Park in the amount of \$607,610.00 (1 of 2 readings)
- IX. City Manager Report
 - Report: City Manager Report

X. Action Items

- 8. Resolution: Resolution to establish days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2026
- 9. Resolution: Approving a resolution authorizing the acceptance and installation of a city-sponsored commemorative display recognizing the 100th Anniversary of Jefferson High School
- 10. By Motion: Board and Commission Appointments for City Council

XI. General Business

- 11. Report: Report and Discussion on Request for Investment in Housing Development Projects and Off Cycle Funding Requests

XII. Community Matters (2)**XIII. Adjournment**

MEETING GUIDELINES

- 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.
- The presiding officer shall ensure that individuals address their comments to City Council at appropriate times, in accordance with the meeting agenda and Council's Rules of Procedure.
- No person who is not a member of the city council shall orally address it until leave to do so has been granted by the city council or until invited to do so by the mayor. (City Code sec.2-71)
- Remarks and actions that disrupt the progress of the Council meeting, and remarks from persons other than councilors, the City Manager, the City Attorney, or a presenter for an Agenda Item are not permitted.
- The presiding officer shall call an individual to order, including a councilor, when that individual goes afoul of these rules. The following are examples of remarks and behavior that are not permitted:
 - i. Interrupting a speaker who is addressing Council at the speaker's microphone, or interrupting a speaker who has otherwise been invited to address Council during Community Matters or a Public Hearing
 - ii. Interrupting a councilor who is speaking
 - iii. Shouting, and talking (either individually or in concert with others) in a manner that prevents a speaker or a Councilor from being heard or that otherwise hinders the progress of the meeting
 - iv. Blocking paths for emergency exit from the meeting room; engaging in any conduct that prevents a member of the audience from seeing or hearing councilors during a meeting; standing on chairs or tables within the Council meeting room
 - v. Threats or incitement of violence toward councilors, City staff or members of the public
 - vi. Engaging in conduct that is a criminal offense under the City Code or the Virginia Code
 - vii. Campaigning for elected office
 - viii. Promotion of private business ventures
 - ix. Using profanity or vulgarity
 - x. Personal attacks against Councilors, City staff or members of the public
 - xi. Behavior which tends to intimidate others
- During a City Council meeting the presiding officer shall have control of the Council Chambers and the connecting halls and corridors within City Hall, and any other venue where a Council meeting is being held. In case of any conduct described above, the presiding officer may take measures deemed appropriate, including but not limited to suspending the meeting until order is restored, ordering areas to be cleared by the Sergeant at Arms, or requiring any individual to exit the meeting room and adjacent premises (connecting halls and corridors.)

Policy Briefing Summary

City Council



| | |
|---------------------------------|--|
| Regarding: | Environmental Regulations and Policy Review Project |
| Staff Contact(s): | Victoria Kanellopoulos, City Planner |
| Presenter: | Victoria Kanellopoulos, City Planner |
| Date of Proposed Action: | January 5, 2026 |

Issue

The Environmental Regulations and Policy Review Project ("Project") will develop new policies, implementation recommendations, and regulatory revisions to align the City of Charlottesville, Virginia's ("City"), policies and regulations for natural resources with the City's Comprehensive Plan ("CP"). City Neighborhood Development Services ("NDS") Staff has developed a draft Project scope and identified several recommended topic areas. City NDS Staff is asking for City Council's input on the proposed Project phasing and recommended areas of study, organized by topic.

Background / Rule

The City's CP implementation priorities include both supporting housing choice and affordability and protecting the natural environment. Since the City's new Development Code ("DC") was adopted in 2023, there have been multiple challenges with implementing these CP priorities, especially for smaller infill sites, where it is difficult to accommodate both by-right dwelling units and required grey and green infrastructure (including stormwater management and trees).

In June 2025, this Project was identified as part of the NDS FY 26 Work Plan. As NDS leads updates to the DC and the City's CP, this Project is an opportunity to collaborate across City Departments on a variety of related City plans and programs, including Resilient Together, the Community Flood Preparedness Fund Grant, and the Urban Forest Management Plan.

Additional information is available on the Project and is included on the City's website, including an overview presentation of existing conditions and recommended areas of study (also provided as Attachment 2).

Analysis

This Project supports multiple Strategic Outcome Areas including Climate & Sustainability, Housing, and Economic Prosperity. This Project will also inform updates to the City's CP through the five (5)-year review.

While scoping this Project, City NDS Staff identified six (6) topic areas: stormwater management, floodplain management, tree canopy, stream buffers, critical slopes, and energy efficiency. City NDS Staff has also conducted an extensive assessment of existing conditions to identify key issues and opportunities. Recommended areas of study and a proposed grouping and phasing of topics have been identified based on input from City Staff, alignment with related plans and programs, and impact on the City's CP implementation. Many of these topic areas overlap and can be addressed simultaneously.

City NDS Staff asked for the Planning Commission's ("PC") feedback on this Project at its October 28, 2025, Work Session, and will provide a summary of the PC's feedback during this Work Session (see Attachment 3).

During the Work Session, City NDS Staff's presentation slides will be the same as Attachment 1. Attachment 2 is provided as additional background information.

Financial Impact

There is no immediate financial impact. Project work is being completed by City NDS Staff and allocated Capital Improvement Program ("CIP") funding will likely be used for the Project. There may be requests for additional funding for consultants as the Project progresses. A request for \$1.5 million of CIP Contingency Funds to be used for Project consultants and a Mobility Policy Plan was made on October 6, 2025, with a Second Reading held on October 20, 2025.

Recommendation

City NDS Staff requests direction on the draft scope and Project topics from City Council, using the following questions to guide the Work Session discussion:

1. Do the "recommended areas of study" in Attachment 1 capture the key areas of needed study for the six (6) topics identified for this Project?; and
2. Are there additional topics or supporting information that should be included?

Recommended Motion (if Applicable)

Not applicable. For informational and discussion purposes only.

Attachments

1. Environmental Regulations and Policy Review Project Presentation, January 5, 2026
2. Environmental Regulations and Policy Review Project Existing Conditions and Recommended Areas of Study
3. Summary of Planning Commission Feedback, October 28, 2025 Work Session



Work Session

Environmental Regulations and Policy Review Project

January 5, 2026

Agenda



- Project Objectives
- Project Background
- Related City plans and programs
- Overview of each project topic
 - Stormwater management
 - Floodplain management
 - Tree canopy
 - Stream buffers
 - Critical slopes
 - Energy efficiency
- Feedback on draft project phasing and topics
- Next steps

Project Objectives

- Objectives
 - Balance community and Comprehensive Plan priorities of housing/by-right density with protecting the natural and built environments
 - Increase community resilience, including to increased flooding and extreme heat risks
 - Ensure alignment between regulations across topics (e.g., stormwater management and floodplain management)
 - Use an equitable framework for prioritization and implementation
- Potential project outcomes
 - City Code updates, including the Development Code
 - Updated policies for the 5-year Comprehensive Plan review
 - Updates to City programs and policies
 - Coordination on related projects and plans



Project Background

- Comprehensive Plan implementation priorities include:
 - Implement zoning changes to support housing choice and affordability throughout the city, protect the natural environment, mitigate the effects of climate change, increase walkability
 - Implement the Climate Action Plan
 - Preserve and enhance the natural environment
 - Prioritize locations for green infrastructure
 - Increase and protect urban tree canopy cover
- New Development Code adopted in 2023 to implement the updated Comprehensive Plan
 - Challenges with implementation of by-right development, especially on smaller infill sites with less room for grey/green infrastructure
- Other identified challenges and opportunities include:
 - Mitigate and prepare for the impacts of climate change
 - Plan for relevant infrastructure replacement and upgrades needed in the next 5-10 years
 - Implement and coordinate on related City plans and policies

Project Background

| NDS Work Plan Priority | Status and Anticipated Completion | Strategic Outcome Areas |
|--|---|--|
| <u>Environmental Policy Review and Ordinance Revisions:</u> Develop a new policy framework, implementation recommendations, and regulatory revisions to align the City's regulations for natural resources with the Comprehensive Plan | Complete scoping effort in Summer 2025; Anticipated 2 years | Climate & Sustainability Housing Economic Prosperity |

- Departments collaborating on this project include:
 - Neighborhood Development Services
 - Office of Sustainability
 - Public Works / Engineering
 - Utilities / Stormwater Management
 - Parks and Recreation
 - Additional departments involved at key points



Adopted and Ongoing Related Plans and Programs

Water Resources Protection Program (WRPP)

- Includes Stormwater Utilities/fee, addressing the aging stormwater infrastructure system, using Green Stormwater Infrastructure, water quality/quantity management, and resource stewardship

Stormwater Management Program / MS4 permit compliance

- 6 key elements for MS4 permit: education on stormwater pollution prevention, community involvement in pollution prevention programs, programs for detecting and eliminating illicit discharge, stormwater runoff control requirements, post-construction stormwater management program, and pollution prevention program for local government operations

CityGreen initiative (launched 2016) / GreenPrint 1.0 (published 2020)

- Highlights watershed protection and increased tree canopy as key tools for managing runoff and improving urban resilience; shows opportunities for tree planting locations

Climate Action Plan (adopted 2023)

- Framework to reach carbon neutrality by 2050: buildings + energy, transportation, waste, nature-based solutions
- Actions include code updates and coordination on land use/transportation planning

Flood Resilience Plan (adopted 2023)

- Including DCR grant to support an updated floodplain management program
- Stormwater modeling: Moore's Creek watershed complete, Meadow Creek and Rivanna River in progress



Concurrent Related Plans and Programs

Resilient Together Initiative (in progress, anticipated adoption in 2026)

- Actionable and equitable strategies to strengthen community adaptation resilience, adapt to the effects of climate change, improve public health/ecosystems/economic vitality, & reduce greenhouse gas emissions

Community Flood Preparedness Fund Grant (awarded fall 2025)

- Conduct a program review of the City's current Floodplain Management Program, assist in program administration, and update the Flood Resilience Plan with the goal of building a more robust, future-forward, climate-informed program

Urban Forest Management Plan (in progress)

- Existing conditions analysis and recommendations to increase tree canopy (on both public and private land), remove and prevent invasive species, and find ways to fit street trees into constrained right of ways

5-Year Comprehensive Plan Review (scoping underway, with review in 2026)

- This project will inform updated Comp Plan policies

Code Amendments (in progress/ongoing)

- Coordination on ongoing Development Code Tier 1-3 updates
- This project will likely inform updates to portions of the Development Code and other sections of City code



Stormwater Management: Recommended Areas of Study

Review and consider updates to the City's stormwater management requirements

- For by-right infill development, the smaller lots requiring stormwater management (ones that have a land disturbance of 6,000 sq ft or more) may not be large enough to add additional housing units and lot coverage allowed by the Development Code and fit required on-site stormwater management infrastructure
- Developers can buy offsite nutrient credits to meet water quality requirements. This benefits large watersheds overall, but not necessarily the city's waterways/water quality

Evaluate stormwater management infrastructure needs

- The 2023 Flood Resilience Plan identified potential stormwater management infrastructure needs, including drainage, erosion, and water quality improvements. Stormwater utility fee funds alone may not be sufficient to meet needs
- Nuisance flooding and drainage complaints already occur, and could increase with projected increases in rainfall volumes due to climate change



Floodplain Management: Recommended Areas of Study

Evaluate the City's floodplain management program

- Opportunity for cross-departmental coordination on the DCR Community Flood Preparedness Fund Grant to build a more robust floodplain management program

Review and consider updates to the City's floodplain development regulations

- City requirements comply with FEMA minimum requirements for the National Flood Insurance Program (NFIP). The City cannot go below these standards without risking compliance with NFIP
- The City can adopt higher standards, which would need to consider other City policies and goals.
 - Currently, no new construction is allowed in the 100-year floodplain unless it is demonstrated that the cumulative effect of the proposed development will not increase the Base Flood Elevation (BFE) by more than 1 foot anywhere in the city
- Mapped flood zones impact less than 7% of City parcels. However, there are areas outside of mapped flood zones that flood, due to topography, inadequate drainage infrastructure, and other factors
 - FEMA floodplains do not account for 'urban' or pluvial flooding when stormwater infrastructure is overwhelmed; they are focused on riverine flooding



Tree Canopy: Recommended Areas of Study

Review and consider updates to the City's requirements for tree canopy, street trees, and tree preservation with development

- Development community concerns with fitting required trees (to meet tree canopy requirements) into smaller infill sites. Canopy cover percentages are regulated by zoning district (e.g. 10% in Corridor Mixed Use district) and maximum percentages are set by State Code.
- Improved guidance is needed for tree protection/preservation including during construction
- Current tree preservation incentives (1.5x canopy % bonus) do not seem sufficient to the development community to choose tree preservation over planting new trees

Use data, findings, and recommendations from the Urban Forest Management Plan

- Cross-departmental coordination on updated Urban Forest Management Plan
- Tree canopy and urban heat island effect vary significantly by neighborhood
 - Energy cost burdens also vary by neighborhood, which can be mitigated by shade from trees
- Analysis so far indicates significant spatial constraints for planting more street trees in the public right of way; updated Plan will provide recommendations for street tree opportunities and tree preservation



Stream Buffers: Recommended Areas of Study

Review and consider updates to Water Protection Ordinance (WPO) regulations for stream buffers

- WPO stream buffers for three waterways: Rivanna River, Meadow Creek, and Moore's Creek
 - WPO buffers must be at least 100 feet wide on each side of the stream and must be maintained and incorporated into land development design
- Potential updates to WPO buffers would need data-driven rationale (e.g., U.S. Geological Survey or other reliable data source) and need to consider administration, enforcement, and property/development impacts

Evaluate if additional incentives and voluntary measures are needed to protect stream buffers

- Many other waterways have existing buffers (i.e., existing vegetation and trees), though they are not regulated by the WPO
 - Based on GreenPrint 1.0, about half of all 100-foot stream buffers in the city are protected in some form: WPO buffer, located in a City park or conservation easement, or critical slopes
- Voluntary measures/incentives are especially useful for the many streams and stream buffers within private property, which may not develop/redevelop and therefore would not activate WPO buffer requirements, or which are not within designated WPO buffers and therefore have no requirements

Critical Slopes: Recommended Areas of Study

Review and consider updates to the City's critical slopes regulations

- Critical slopes definition includes 25% grade or greater, an area of 6,000+ square feet, and within 200 feet of a waterway/shown on critical slopes map
- Standards for development
 - No buildings, structures, improvements, or land disturbance within critical slopes
 - All lots must have a buildable area outside of slopes/floodplain/WPO stream buffers
 - Some exemptions where no reasonable alternative exists, e.g., for driveways and utilities
 - Can request a special exception
- Special exception process: review criteria should be updated to be more objective and clear

Review and consider updates to Comprehensive Plan guidance

- Only one Comprehensive Plan recommendation related to critical slopes and the value of slopes is not clearly defined
 - For example, there is no distinction between human-made and natural slopes



Energy Efficiency: Recommended Areas of Study

Update energy efficiency standards for public/local government buildings

- City is working on establishing High Performance Building Standards for public buildings
 - Will include updates to the energy and water management policy and the 2008 Green Building Policy

Evaluate potential updates to energy efficiency tax credits and guidance for private development

- City has existing local tax incentives for certain energy efficient buildings and solar
 - Changes to tax incentives at the federal level may limit or slow the uptake of energy efficiency projects and products, especially solar
- Virginia localities cannot require energy efficiency requirements more stringent than the Building Code, though they can have higher standards for projects that require legislative approval

Use the forthcoming Community EV Charging Plan to inform potential regulatory or policy changes

- City is working with a consultant on an EV charging plan in anticipation of continued increasing demand for EV charging
- EV charging cables crossing public right of way (PROW) can pose a safety hazard when not properly covered. Other localities have been adopting PROW cord policies, as dwelling units without driveways often do not have another option for EV charging at home



Summary of Potential Project Outcomes

| Topic | Potential Outcomes |
|------------------------------|--|
| Stormwater Management | <ul style="list-style-type: none">Updates to stormwater management regulations that improve the feasibility of infill development while also increasing the use of onsite measures for water quality (e.g. rain barrels, green roofs)Data to support future infrastructure needs and a long-range Stormwater Capital Improvement Plan |
| Floodplain Management | <ul style="list-style-type: none">Coordination on Community Flood Preparedness Fund grant for a more robust floodplain management programUpdated regulations and standards for development in the floodplainParticipation in the Community Rating System |
| Tree Canopy and Preservation | <ul style="list-style-type: none">Updated landscaping requirements such as tree canopy, street trees, and tree preservation bonusUpdated guidance for tree planting, preservation, and healthRecommendations to increase the number of street trees in coordination with the Urban Forest Management Plan |
| Stream Buffers | <ul style="list-style-type: none">Updates to the Water Protection Ordinance requirementsAdditional or revised incentives and voluntary measures to protect existing trees and vegetation along waterways and to plant additional trees and vegetation |
| Critical Slopes | <ul style="list-style-type: none">Updated review criteria for critical slopes special exceptionsMore clear guidance in the Comprehensive Plan, which could inform updates to critical slopes regulations |
| Energy Efficiency | <ul style="list-style-type: none">High Performance Building Standards / update to the 2008 Green Building PolicyCommunity Electric vehicle (EV) charging planPublic right of way policy for EV charging |

Project Phasing Considerations

All six Project Topics relate to the **Comprehensive Plan** 5-Year Review and Implementation as well as the **Climate Action Plan** and **Resilient Together**; additional plan and program overlaps for each topic are shown below.

| Project Topic | Related In-Progress or Ongoing Plans and Programs | Comp Plan Implementation Impact | Regulatory Complexity | Timeline Considerations |
|------------------------------|--|---|--|---|
| Stormwater | <ul style="list-style-type: none"> Stormwater & other infrastructure modeling Community Flood Preparedness Fund (CFPF) grant |  High |  High | <ul style="list-style-type: none"> Results from stormwater modeling and broader infrastructure study to inform infrastructure needs and utilities standards - likely available mid-2026 Incorporate relevant recommendations from CFPF - multi-year process State Water Resources Board must review and approve certain regulation changes |
| Floodplain Management | <ul style="list-style-type: none"> Stormwater Modeling CFPF grant |  High |  High | <ul style="list-style-type: none"> CFPF recommendations may include changes to the City's Floodplain Management Program and floodplain regulations - multi-year process, with scoping currently underway |
| Tree Canopy | <ul style="list-style-type: none"> Urban Forest Management Plan (UFMP) |  Moderate |  Moderate | <ul style="list-style-type: none"> UFMP (in progress) will provide updated data and recommendations for tree canopy and street trees. Certain regulation updates and tree preservation guidance could move forward prior to UFMP completion New Zoning Inspector will ensure tree preservation plans are followed |
| Stream Buffers | <ul style="list-style-type: none"> Regulations for critical slopes |  Moderate |  Moderate | <ul style="list-style-type: none"> Coordinate review of regulations and policies with critical slopes and tree canopy topics |
| Critical Slopes | <ul style="list-style-type: none"> Regulations for stream buffers, stormwater management, and erosion and sediment control |  Lower |  Moderate | <ul style="list-style-type: none"> Coordinate review of regulations and policies with stream buffers topic |
| Energy Efficiency | <ul style="list-style-type: none"> High Performance Building Standards EV Charging Study |  Lower |  Moderate | <ul style="list-style-type: none"> EV Charging Infrastructure Study will provide updated data and implementation recommendations - anticipated completion in 2026 Updates to High Performance Building Standards for public buildings est. 2026 |



Summary of Planning Commission Feedback

- Additional topics to incorporate
 - Drought mitigation planning
 - Wildfire risks
 - Infrastructure + community resilience
- Regional coordination will be important for this project
 - Albemarle County, University of Virginia, Planning District Commission, Rivanna Water and Sewer Authority, and others
- Project topic grouping and phasing
 - Align project topics and their timing with the ongoing plans and studies mentioned (e.g. Community Flood Preparedness Fund grant and Urban Forest Management Plan)
 - Consider pairing critical slopes and stream buffers topics
 - Consider 'quick wins' earlier in the process



Council Discussion and Feedback

1. Do the 'recommended areas of study' in Attachment 1 capture the key areas of needed study for the six (6) topics identified for this project?
2. Are there additional topics or supporting information that should be included?



Next Steps

- Anticipated to be approximately 2-year process, moving parallel with related plans and programs
- Scope more detailed work plans by topic, based on topic grouping/phasing
- Establish staff internal stakeholder groups/technical committees
 - Technical expertise, data and best practices, develop and review draft recommendations
 - Participate in Planning Commission and City Council work sessions and community engagement
- Develop public engagement plan

Thank You!





Environmental Regulations and Policy Review Project: Existing Conditions and Recommended Areas of Study

Background

Comprehensive Plan implementation priorities include:

- Implement zoning changes to support housing choice and affordability throughout the city, protect the natural environment, mitigate the effects of climate change, increase walkability
- Implement the Climate Action Plan
- Preserve and enhance the natural environment
- Prioritize locations for green infrastructure
- Increase and protect urban tree canopy cover

New Development Code adopted in 2023 to implement the updated Comprehensive Plan

- Challenges with implementation of by-right development, especially on smaller infill sites with less room for grey/green infrastructure

Other identified challenges and opportunities include:

- Mitigate and prepare for the effects of climate change
- Plan for relevant infrastructure replacement and upgrades needed in the next 5-10 years
- Implement and coordinate on related City plans and policies

Project Objectives

Objectives

- Balance community and Comprehensive Plan priorities of housing/by-right density with protecting the natural and built environments
- Increase community resilience, including to increased flooding and extreme heat risks
- Ensure alignment between regulations across topics (e.g. stormwater management and floodplain management)
- Use an equitable framework for prioritization and implementation

Potential project outcomes

- City Code updates, including the Development Code
- Updated policies for the 5-year Comprehensive Plan review
- Updates to City programs and policies
- Coordination on related projects and plans



Comprehensive Plan: Balancing Priorities

Housing & Land Use Recommendations include:

- Support a wide range of rental and homeownership **housing choices** throughout the city, incorporating walkability/bikeability and access to transit, food, jobs, parks, libraries, and other resources
- Increase the **energy and water efficiency** of housing throughout the city
- Encourage **infill** in existing neighborhoods at an appropriate scale and help preserve existing units

Environmental & Land Use Recommendations include:

- Require zoning changes to **preserve and enhance natural resources and sensitive environmental areas, designated flood plain areas, steep slopes, rivers, and streams**
- Incentivize **green infrastructure** in development projects
- Increase **tree canopy** protection and replacement, incorporating **urban heat island** analyses into the process
- Balance the **competing priorities** for properties adjacent to the **Rivanna River** and other **stream corridors**
- **Regional collaboration**



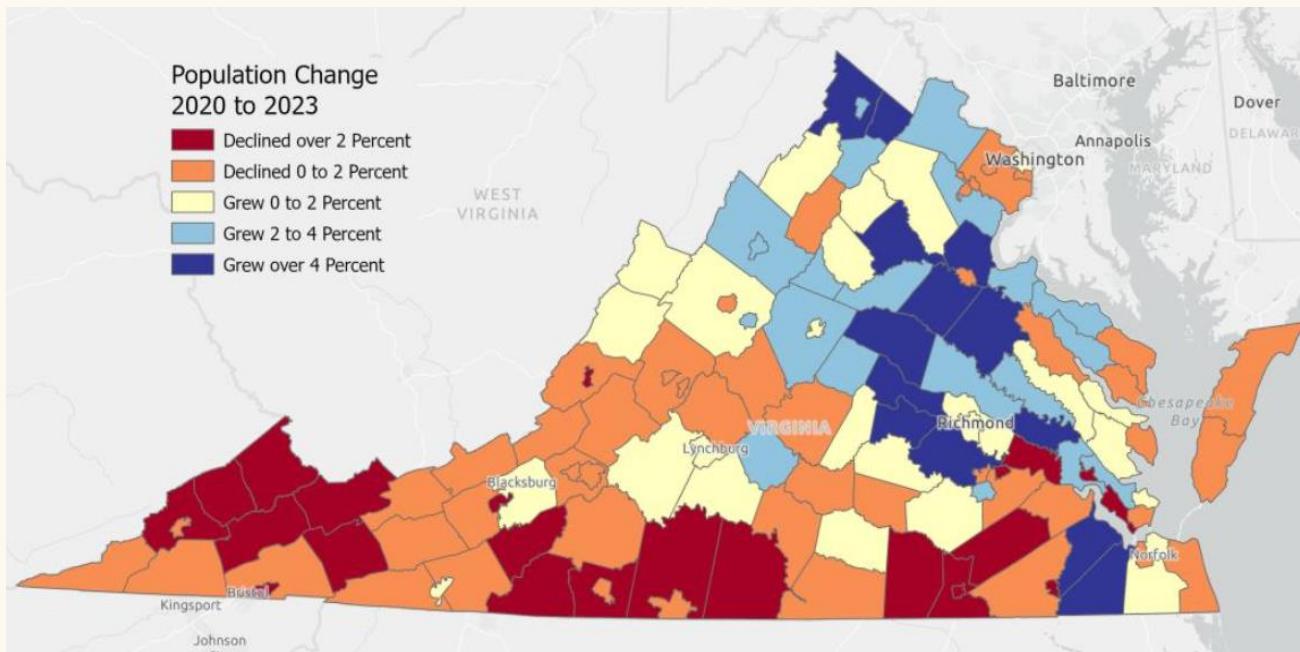
Comprehensive Plan: Implementation

Comp Plan implementation priorities include:

- Implement zoning changes to: support housing choice and affordability throughout the city; protect the natural environment; mitigate the effects of climate change; increase walkability
- Implement the Climate Action Plan
- Preserve and enhance wetlands, floodplains, and other features that provide natural resilience to climate impacts.
- Continue to advance the understanding of best policy and practice related to the City's public/private stormwater conveyance system with the goal of integrating public responsibility and private needs and incorporating green infrastructure wherever feasible.
- Value and protect the Rivanna River and watershed as a major natural resource for the city and region.
- Prioritize locations for green infrastructure improvements, including strategies outlined in GreenPrint 1.0
- Monitor, protect, and expand the urban tree canopy cover both at citywide and neighborhood levels
- Identify and prioritize acquisition of properties that can serve a cross functional purpose as parkland/public space and provide an opportunity to enhance environmental performance including through green infrastructure investments

Regional Considerations

- Charlottesville and Albemarle County are projected to continue to grow (see [Weldon Cooper Center](#))
 - As employers also add jobs, surrounding counties will also continue to build housing, especially Louisa, Fluvanna, and Greene
- If population growth cannot be accommodated within the city/urban areas, other counties will likely accommodate some of that demand instead, resulting in longer commute times and less walkable and connected development. Urban/connected growth also protects farmland, forests, and other ecosystems in the rural areas.
- The City and Albemarle County have shared and overlapping systems and resources, including watersheds. An analysis by the EPA's Smart Growth Program found that when growth is not accommodated in more urban locations, it typically moves to suburban/rural areas, but is often within the same watershed



Source: Weldon Cooper Center

- There could be opportunities for regional collaboration within shared watersheds and other natural systems



Adopted and Ongoing Related Plans and Programs

Water Resources Protection Program (WRPP)

- Includes Stormwater Utilities/fee, addressing the aging stormwater infrastructure system, using Green Stormwater Infrastructure, water quality/quantity management, and resource stewardship

CityGreen initiative (launched 2016) / GreenPrint 1.0 (published 2020)

- Highlights watershed protection and increased tree canopy as key tools for managing runoff and improving urban resilience; shows opportunities for tree planting locations

Climate Action Plan (adopted 2023)

- Framework to reach carbon neutrality by 2050: buildings + energy, transportation, waste, nature-based solutions
- Actions include code updates and coordination on land use/transportation planning

Flood Resilience Plan (adopted 2023)

- Including DCR grant to support an updated floodplain management program
- Stormwater modeling: Moore's Creek watershed complete, Meadow Creek and Rivanna River in progress

Stormwater Management Program / MS4 permitting

- 6 key elements for MS4 permitting: education on stormwater pollution prevention, community involvement in pollution prevention programs, programs for detecting and eliminating illicit discharge, stormwater runoff control requirements, post-construction stormwater management program, and pollution prevention program for local government operations



Concurrent Related Plans and Programs

Resilient Together Initiative (in progress, anticipated adoption in 2026)

- Actionable and equitable strategies to strengthen community adaptation resilience, adapt to the effects of climate change, improve public health/ecosystems/economic vitality, & reduce greenhouse gas emissions

Community Flood Preparedness Fund Grant (awarded fall 2025)

- Conduct a program review of the City's current Floodplain Management Program, assist in program administration, and update the Flood Resilience Plan with the goal of building a more robust, future-forward, climate-informed program

Urban Forest Management Plan (in progress)

- Existing conditions analysis and recommendations to increase tree canopy, remove and prevent invasive species, and find ways to fit street trees into constrained right of ways

5-Year Comprehensive Plan Review (will be completed in 2026)

- This Environmental Review project will inform updated Comp Plan policies

Code Amendments (in progress/ongoing)

- Coordination on ongoing Development Code Tier 1-3 updates
- This Environmental Review project will likely inform updates to portions of the Development Code and other sections of City code



Stormwater Management



Stormwater Management: Comprehensive Plan Recommendations

Chapter 7 Environment

- Value and protect the Rivanna River and watershed as a major natural resource for the city and region
- Continue to implement the Water Resources Protection Program (WRPP) to meet a range of water resources goals and challenges, including regulatory compliance, stormwater conveyance infrastructure rehabilitation, drainage issues, and water quality stewardship.
- Implement the Water Resources Master Plan capital improvement programs to make drainage and water quality improvements and comply with TMDL.
- Repair, enhance, and maintain City-owned stormwater management and conveyance infrastructure, utilizing green stormwater infrastructure where practicable.
 - Consider the impacts of climate change and changes in impervious surfaces from density
 - Discourage stream piping and encourage stream daylighting
 - Explore watershed scale compliance strategies to meet project/site SWM requirements
- Encourage property owners to implement water resources stewardship practices through educational materials and incentives, with a focus on retrofitting sites that lack adequate stormwater treatment.
- Prioritize locations for green infrastructure improvements (including from Greenprint 1.0) to improve stormwater management, flood mitigation, air and water quality, and habitats.



Stormwater Management: Comprehensive Plan Recommendations

Chapter 9 Community Facilities and Services

- Inventory the stormwater conveyance network and assess conditions; use inventory to inform needed improvements
 - Consider gathering community input during this process
- Modernize and repair infrastructure
- Improve water quality where feasible when improvements are made to infrastructure
- Integrate public responsibility and private need for the City's public and private stormwater conveyance system
- Incorporate green infrastructure where feasible
 - Consider GreenPrint 1.0 green infrastructure guide
 - Add open space for neighborhoods where feasible
- Incorporate stormwater management into parks planning
- 'Dig Once' policy for utilities and street projects



Stormwater Management: Definitions

- **Adequate channel:** A channel that will convey the designated frequency storm event without overtopping the channel bank nor causing erosive damage to the channel bed or banks.
- **Agreement in Lieu of Plan:** A contract between the VESMP administrator and a property owner that specifies methods that shall be implemented to comply with the requirements of the VESMA and this article for the construction of a single-family detached residential structure or a farm building/structure with an impervious cover of less than 5%.
- **Storms:** 10-year storms have a 10% probability of being equaled or exceeded in any given year. 2-year storms have a 50% chance.
- **Best Management Practice (BMP):** Structural or non-structural methods used to control both quantity and quality of runoff generated by a development. Most land development projects (residential and commercial) provide a BMP onsite prior to receiving approval. Examples include detention ponds, biofilters, rain gardens, and underground storage tanks. The onsite BMPs usually address water quantity, with the majority of developers using off-site nutrient credits to satisfy water quality requirements.



Stormwater Management - Definitions

- **Stormwater conveyance system:** A combination of drainage components that are used to convey stormwater discharge, either within or downstream of the land-disturbing activity. This includes:
 - **Manmade:** A pipe, ditch, vegetated swale, or other stormwater conveyance system constructed by man except for restored stormwater conveyance systems;
 - **Natural:** The main channel of a natural stream and the flood-prone area adjacent to the main channel;
 - **Restored:** A stormwater conveyance system that has been designed and constructed using natural channel design concepts. Restored stormwater conveyance systems include the main channel and the flood-prone area adjacent to the main channel.
- **Chapter 10 Administrators:**
 - Article II VESMP: Public Works Engineering
 - Article IV Stream Buffers: Neighborhood Development Services
 - Article V Storm Sewer Discharges and Article VI Stormwater Utility: Utilities

Water Resources Protection Program

- **Water resources protection fund:** the **stormwater utility fee** provides a dedicated funding source for the Water Resources Protection Program
- **Purpose** of Water Resources Protection Program: comply with federal and state stormwater regulations, rehabilitate the City's aging stormwater system, address drainage and flooding problems, and pursue environmental stewardship
- **Goals** are to address the following:
 - Aging and deteriorating stormwater system
 - Backlog of drainage and floodplain projects
 - Decades of water resources degradation
 - Increasingly stringent stormwater management regulations



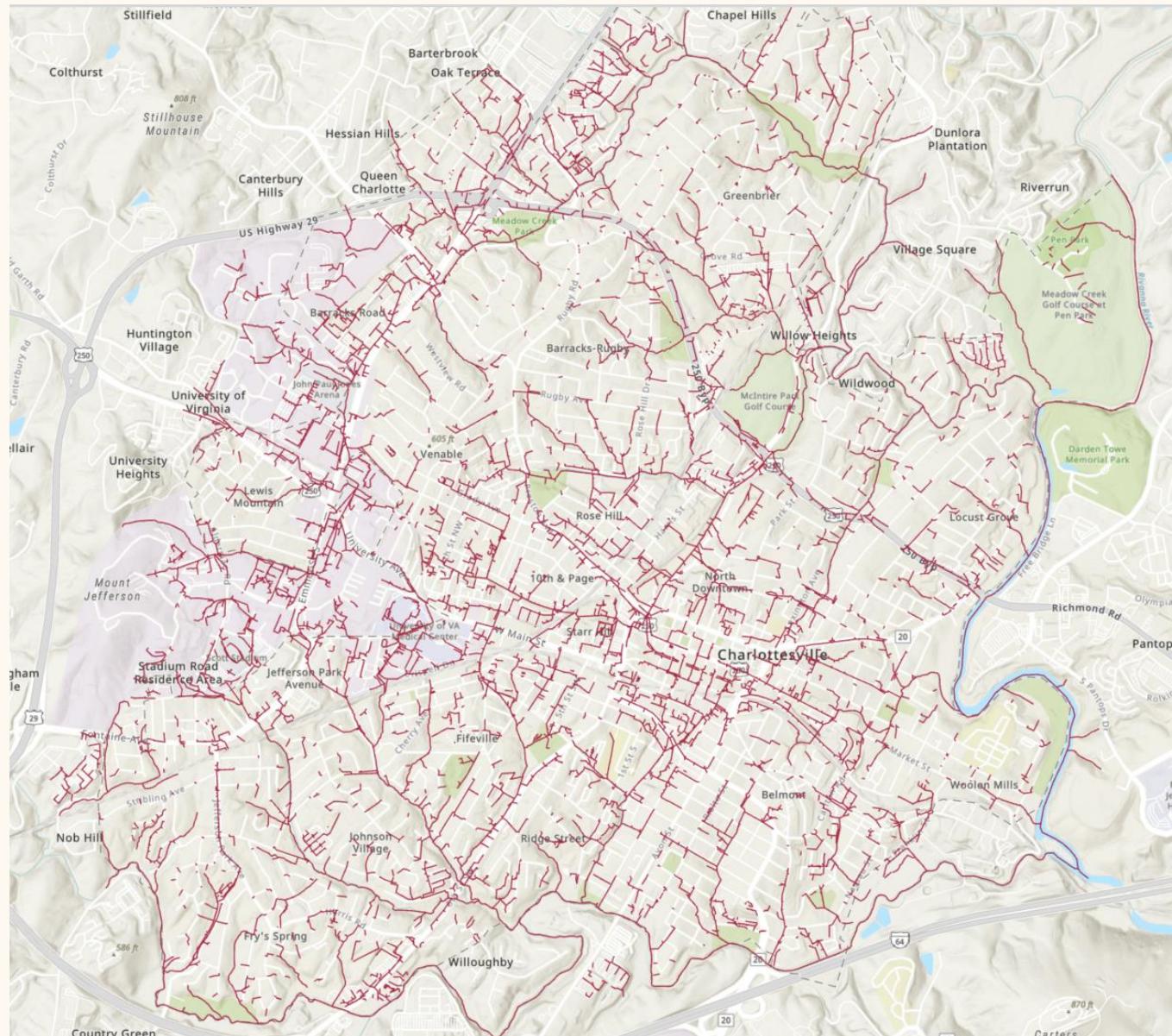
Infill development example in Charlottesville (Grove Street). Rain barrels and future green roofs over the porches (left side) and permeable paver driveways are being used to meet some stormwater management requirements onsite

Water Resources Protection Program: Stormwater Infrastructure

The stormwater infrastructure system (both grey and green and both public and private) includes:

- 35 miles of open waterways
- 130 miles of storm drains
- 8,250 stormwater structures (e.g. inlets, manholes, junction boxes)
- 460 outfalls
- 294 Best Management Practices (BMPs)
- 445 acres of zone AE floodplain

- **Flood Resilience Plan** compiles existing data sources
 - Historic stormwater CIP projects
 - Drainage complaint database
 - GIS inventory of SWM infrastructure, flood zones, public land, Streets That Work, etc.
 - CIP drainage and erosion issues prioritization matrix



Map of Stormwater Infrastructure Pipes. Source: City GIS OpenData

Stormwater Utility Fee



- Dedicated funding stream for Water Resources Protection Program
- Implemented in 2014
- Charges fee for each property based on the amount of impervious surface
 - \$1.20 per 500 sq ft of impervious surface area per month
- Can reduce bill by removing impervious surface area and/or receiving credit for operating and maintaining a stormwater management facility
 - To receive credit, the stormwater facility needs to have been installed and functioning properly
 - Property owner must maintain the facility and it must meet City design standards
 - Property owner must enter into maintenance agreement with the City
 - The maximum credit that a property owner may receive for a stormwater management facility required as a condition of development is a 40% credit of the fee for the impervious area treated. The maximum credit is 100% for the impervious area treated by a voluntary stormwater management facility.



Examples of practices that can receive credit – bioretention facility (top); cistern (middle); permeable pavement (bottom).



Stormwater Management Regulations: Chapter 10

- City's land disturbance threshold for stormwater management (SWM) is 6,000 sq ft. The following are scenarios for single-family detached homes:
 - **Single independent lot:** does not need to comply with SWM unless 1 acre or more of land disturbance occurs.
 - **Common Plan of Development or Sale** (e.g. Lochlyn Hill, PUD's) **or where there are 3 or more lots** with contiguous borders & under same ownership or unified control: SWM plan would need to be created for the whole development.
 - **Exemptions:** [10-27.\(c\).\(a\).](#) can only be applied to a single-family home on one lot, that is not part of a common plan of development. A single-family homes on adjacent lots (two total) could be built and not considered a common plan of development, but once the third lot with contiguous boarder is introduced, it becomes a common plan. Townhomes/duplexes (single family attached) structures do not qualify for the exemption.
- **State Code Requirements:**
 - Erosion and sediment control and SWM (quantity) required to be regulated at 10,000 sq ft or more
 - Changes to Chapter 10 VESMP requirements (including land disturbance thresholds) generally need to be approved by the State Water Resources Board



Meeting Stormwater Management Requirements

- **Plan elements:**
 - Control measures to minimize pollutants in stormwater discharges
 - Erosion and sediment control; protecting environment and other properties from negative impacts
 - Description of proposed stormwater management facilities, including location and acres treated
 - Calculations for stormwater quantity and quality
 - Provisions for long-term maintenance of facilities; must be recorded
 - Agreement in-lieu of plan: smaller developments under the common plan of development threshold can avoid full engineering
- **Water quality** addresses phosphorous (as a proxy for other pollutants) load entering waterways
 - Developers can buy off-site nutrient credits to meet water quality requirements. This benefits large watersheds overall, but not necessarily the city's waterways/water quality
 - Different standards for new development vs redevelopment (existing impervious surface)
 - Locality must allow nutrient credits in some cases, including when less than 5 acres of land will be disturbed
- **Water quantity** addresses channel protection and flood protection
 - Based on 1 and 2-year 24-hour storms for channel protection and 10-year 24-hour storms for flooding
 - Typically, underground detention BMPs are implemented for compliance with the water quantity standards listed in [9VAC25-875-600](#)

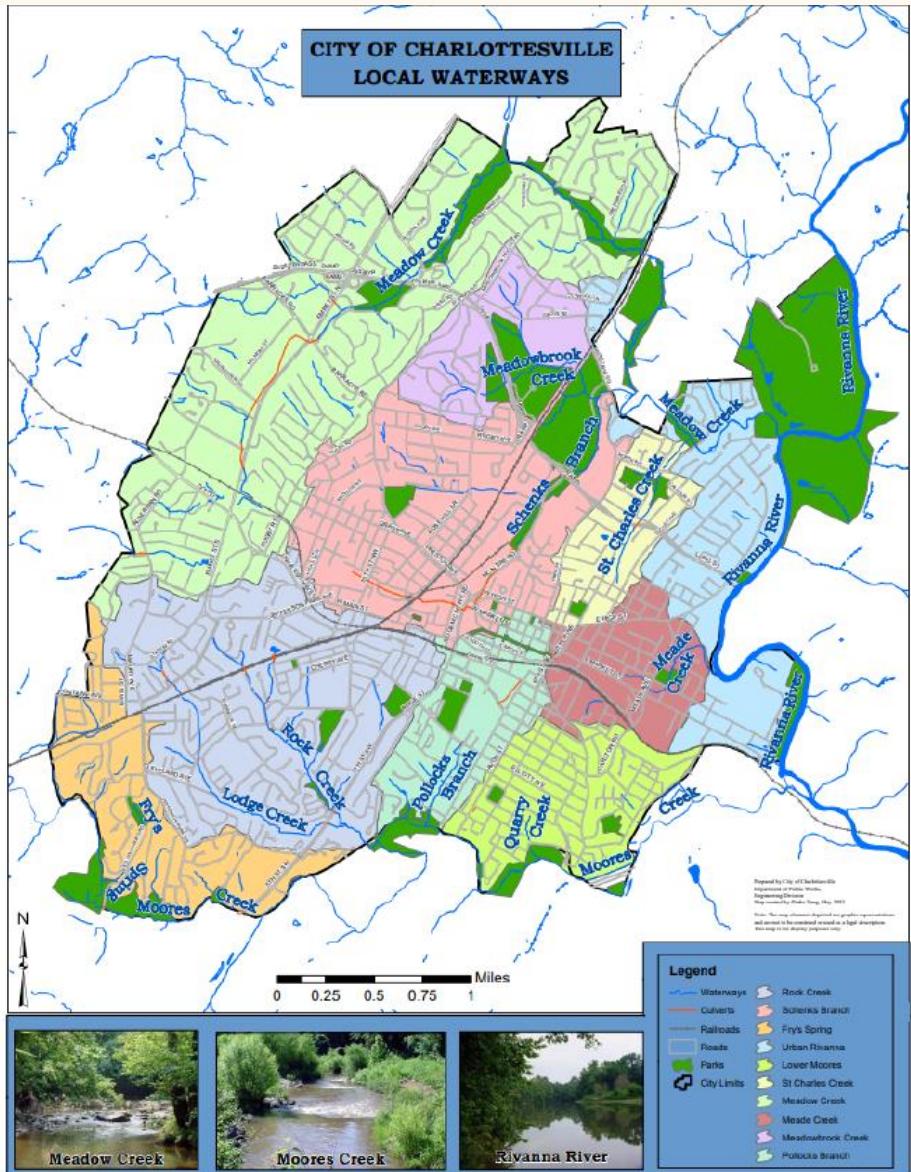
Stormwater Management & Flood Resilience Plan

The Flood Resilience Plan prioritizes 10 Watershed Management Areas and recommends **Watershed Management Plans**:

- Watershed-scale solutions that require planning & assessment for the entire watershed
 - Many of these are stormwater management projects
- Allows the City to assess the cumulative effect of watershed-scale and site-scale solutions and integrates watershed management with neighborhood and transportation planning
- Top 3 priority watersheds: Rock Creek, Schenks Branch, Meadow Creek

Stormwater issues identified in the Flood Resilience Plan:

- Flooding and erosion issues
- Issues of aging infrastructure and privately owned infrastructure
- Outdated and undersized infrastructure
- Stormwater utility fee funds not sufficient to meet needs; need to identify additional funding sources and possible public private partnerships



Stormwater Management and Infill Development

- 2023 Development Code allows for infill development throughout the city.
 - Development Code provisions allow for up to 65% lot coverage for 4+ units in R-A districts and up to 70% lot coverage for 8+ units in R-B and R-C districts
- The smallest lots requiring stormwater management may not be large enough to add additional housing units and lot coverage allowed by the Development Code and accommodate required on-site stormwater infrastructure

2.2.2. R-A RESIDENTIAL A

A. LOT



3. COVERAGE

Sec. 2.10.4.

| C | Building coverage (max) | |
|-----------------------------|-------------------------|--|
| Up to 2 units | 55% | |
| 3 to 4 units | 60% | |
| More than 4 units | 65% | |
| Building footprint (max) | 3,000 SF | |
| Outdoor amenity space (min) | None | |



Stormwater Management: Recommended Areas of Study

Review and consider updates to the City's stormwater management requirements

- For by-right infill development, the smaller lots requiring stormwater management (ones that have a land disturbance of 6,000 sq ft or more) may not be large enough to add additional housing units and lot coverage allowed by the Development Code and fit required on-site stormwater management infrastructure
- Developers can buy offsite nutrient credits to meet water quality requirements. This benefits large watersheds overall, but not necessarily the city's waterways/water quality

Evaluate stormwater management infrastructure needs

- Stormwater utility fee funds alone may not be sufficient to meet needs
 - Reference: 2023 Flood Resilience Plan for Charlottesville
- Nuisance flooding and drainage complaints already occur, and could increase with projected increases in rainfall volumes due to climate change



Floodplain Management



Flood Plains: Comprehensive Plan Recommendations

Chapter 4 Land Use, Urban Form, and Historic & Cultural Preservation

- Require that zoning changes preserve and enhance natural resources and sensitive environmental areas, designated floodplain areas, steep slopes, rivers, and streams.

Chapter 6 Transportation

- Develop policies and strategies to incorporate green infrastructure as an integral part of transportation planning, and ensure transportation projects are sited and designed to avoid sensitive environmental resources and natural resiliency features such as floodplains, stream buffers, and wetlands.

Chapter 7 Environment, Climate, and Food Equity

- Ensure the review of development proposals includes consideration and minimization of impacts to floodplains and other natural resiliency features.
- Prioritize locations for green infrastructure improvements, including strategies outlined in GreenPrint 1.0, to improve stormwater management, flood mitigation, air and water quality, habitat, species migration, connectivity, and livability.
- Acquire land and encourage conservation easements along stream buffers and in floodplains

Flood Plains: Definitions

Base flood elevation (BFE): The water surface elevations of the base flood in relation to the datum specified on the FIS/FIRM. This is the flood that has a 1% or greater chance of occurrence in any given year.

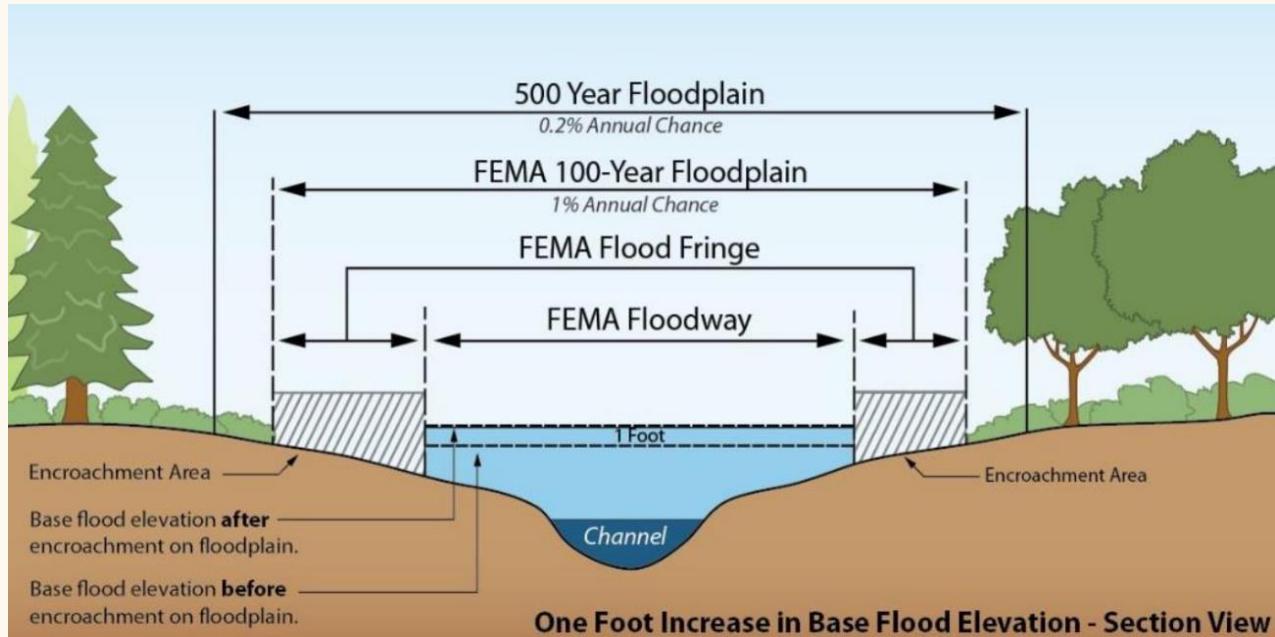
“AE” zone: The areas shown on the City’s FIS/FIRM as areas for which BFEs have been provided and the floodway has not been delineated.

Base flood: The flood having a 1% chance of being equaled or exceeded in any given year. Also known as “regulatory flood,” the “100-year flood,” and the “1%-annual-chance flood”.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to carry and discharge the base flood without increasing the water surface elevation more than 1 foot at any point.

Floodplain or “special flood hazard area”: Any land subject to 1% or greater chance of flooding in a given year.

Floodway fringe: Area within the floodplain but outside of the floodway.

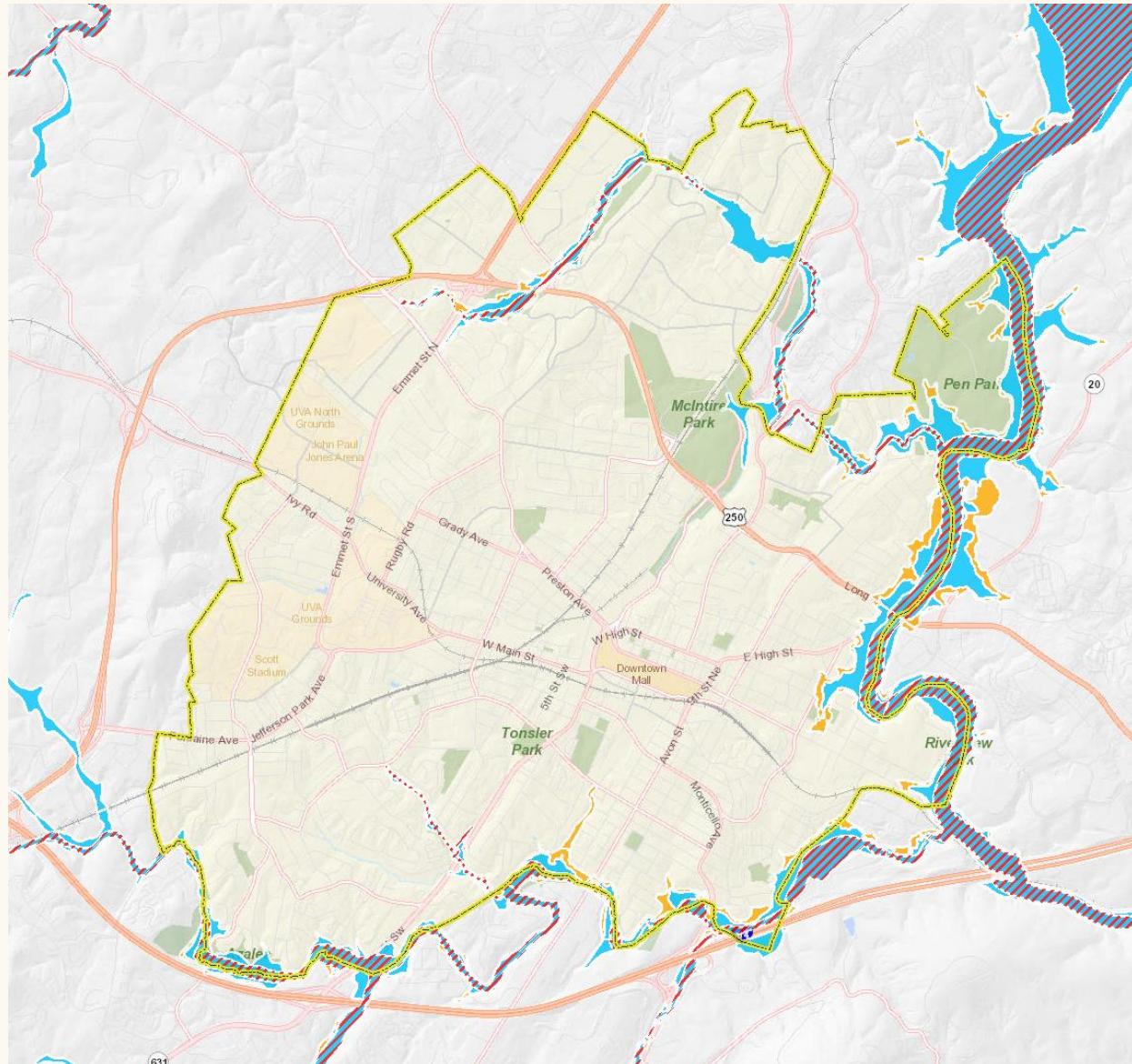


Flood Plains: Regulations

Div. 2.9.1. Flood Hazard Protection District

- *Intent:* prevent loss of life and property; deter the creation of health and safety hazards;
- Flood maps provided by the Federal Emergency Management Agency (FEMA) to the City.
- Local Floodplain Development Permit required for any development activity in a flood zone.
- **Zone AE requirements**
 - No new construction must be permitted, unless it is demonstrated that the cumulative effect of the proposed development will not increase the BFE more than 1 foot at any point within the City.
 - Approx 445 acres in the city, per the 2023 Flood Resilience Plan
- **Regulatory Floodway requirements**
 - No encroachments are permitted unless it has been demonstrated through hydrologic and hydraulic engineering analysis that the proposed encroachment will not result in any increased flood levels within the community (No Rise Certification).
- **No requirements for Zone X (Shaded / 500-year floodplain)**

Flood Plain: 100-year, 500-year, and Floodway



LEGEND

Orange – Zone X (Shaded, 500-year floodplain)
(0.2% annual flood chance)

Blue – Zone AE (100-year floodplain)
(1% annual flood chance)

Red Hatched – Regulatory Floodway



Flood Plains: Letter of Map Revision (LOMR) Process

- When development in the floodplain causes, or will cause, a change in any BFE, then the landowner, including any state or federal agency, must notify FEMA by applying for a CLOMR (conditional letter of map revision) and then subsequently, a LOMR (letter of map revision)

Examples of when a LOMR is needed include:

- Any project that causes an increase in the BFE's within a floodway
- Any project in Zones A and AE without a designated floodway, which will cause a rise of more than 1 ft in the BFE
- Any alteration or relocation of a stream, including but not limited to installing culverts, bridges, and crossings



City's Flood Resilience Plan

Phase 1 Flood Resilience Plan completed in 2023 as part of the Water Resources Protection Program:

- Makes the City eligible for funding/grants; City has been awarded DCR Community Flood Preparedness grants
- Flood threats primarily come from:
 - Riverine flooding
 - High intensity storm events, which can cause urban/flash flooding or 'pluvial flooding', which occurs when heavy rainfall overwhelms the capacity of drainage systems
 - Stormwater management challenges: older and/or privately owned infrastructure and inadequate conveyance and/or storage
- 3-prong approach for implementation
 - Projects
 - Improved conveyance and storage
 - Green infrastructure
 - Land management/acquisition
 - Programs
 - Floodplain development and stream buffer regulations
 - Community preparedness and education
 - Increased staff/funding for implementation
 - Planning tools
 - Watershed Management Area Plans; Rock Creek watershed highest priority



Floodplain Management: Recommended Areas of Study

Evaluate the City's floodplain management program

- Opportunity for cross-departmental coordination on the DCR Community Flood Preparedness Grant to build a more robust floodplain management program

Review and consider updates to the City's floodplain development regulations

- City requirements comply with FEMA minimum requirements for the National Flood Insurance Program (NFIP). The City cannot go below these standards without risking compliance with NFIP
- The City can adopt higher standards, which would need to consider other City policies and goals.
 - Currently, no new construction is allowed in the 100-year floodplain unless it is demonstrated that the cumulative effect of the proposed development will not increase the Base Flood Elevation (BFE) by more than 1 foot anywhere in the city
- Mapped flood zones impact less than 7% of City parcels. However, there are areas outside of mapped flood zones that flood, due to topography, inadequate drainage infrastructure, and other factors
 - FEMA floodplains do not account for 'urban' or pluvial flooding when stormwater infrastructure is overwhelmed; they are focused on riverine flooding



Tree Canopy

Tree Canopy: Comprehensive Plan Recommendations

Chapter 7 Environment

- Create, protect, and expand robust urban forests/tree canopy
- Implement Urban Forestry Management Plan
 - Use an environmental justice lens for equitable implementation, including by using tree canopy and heat index data
- Incorporate trees into streetscape plans
- Find ways to increase tree canopy on private land
- Use GreenPrint 1.0 map of possible planting areas
- Evaluate possible reforestation in City-owned parks/rec land

Chapter 4 Land Use

- Entrance Corridors: Incorporate street trees and landscaping along streetscapes for shade and buffering pedestrians from traffic
- Encourage retaining and replenishing shade trees, particularly large trees, in all historic neighborhoods.
- Pursue healthy, interconnected urban ecosystems that deliver valuable ecosystem services, and support diverse native plant communities and wildlife habitats.
- Contribute to the creation, protection, and expansion of robust urban forests

Tree Canopy (2023) and Heat Index (2021) by Neighborhood

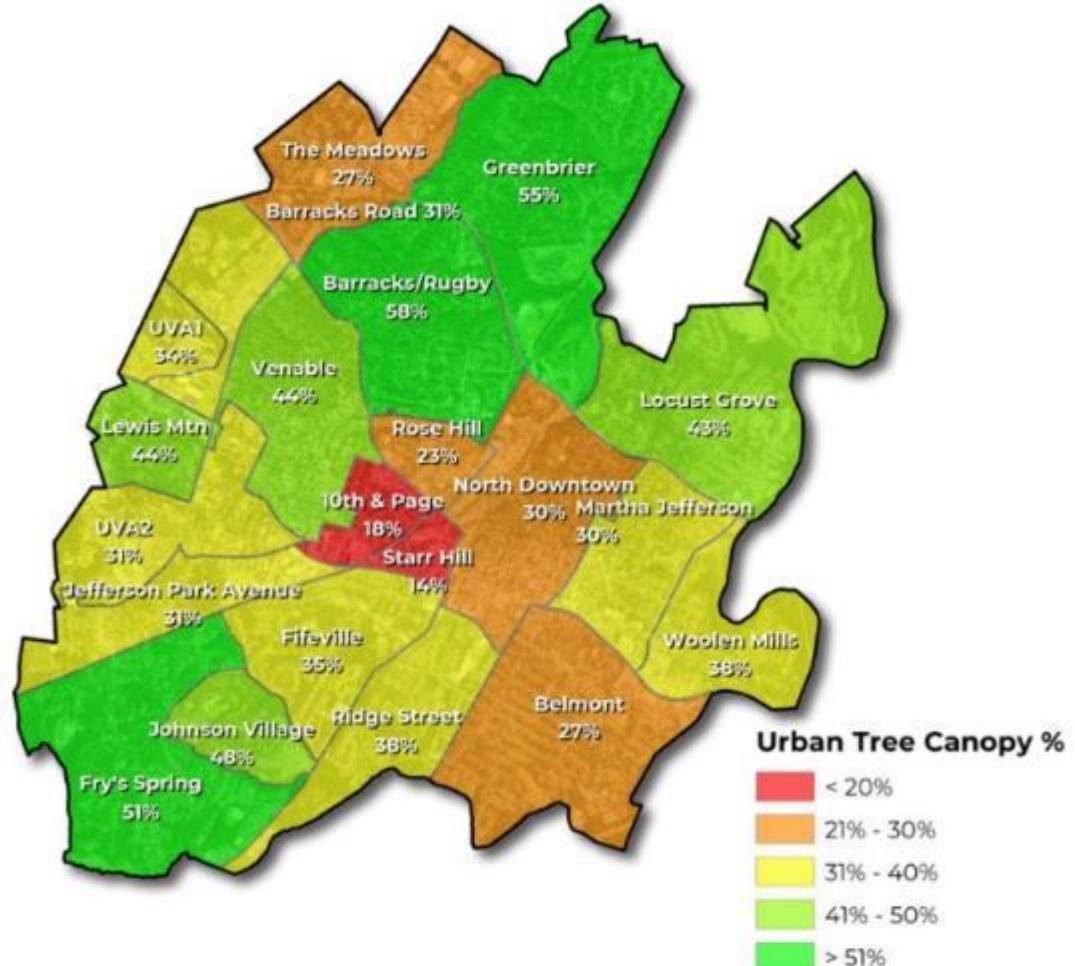
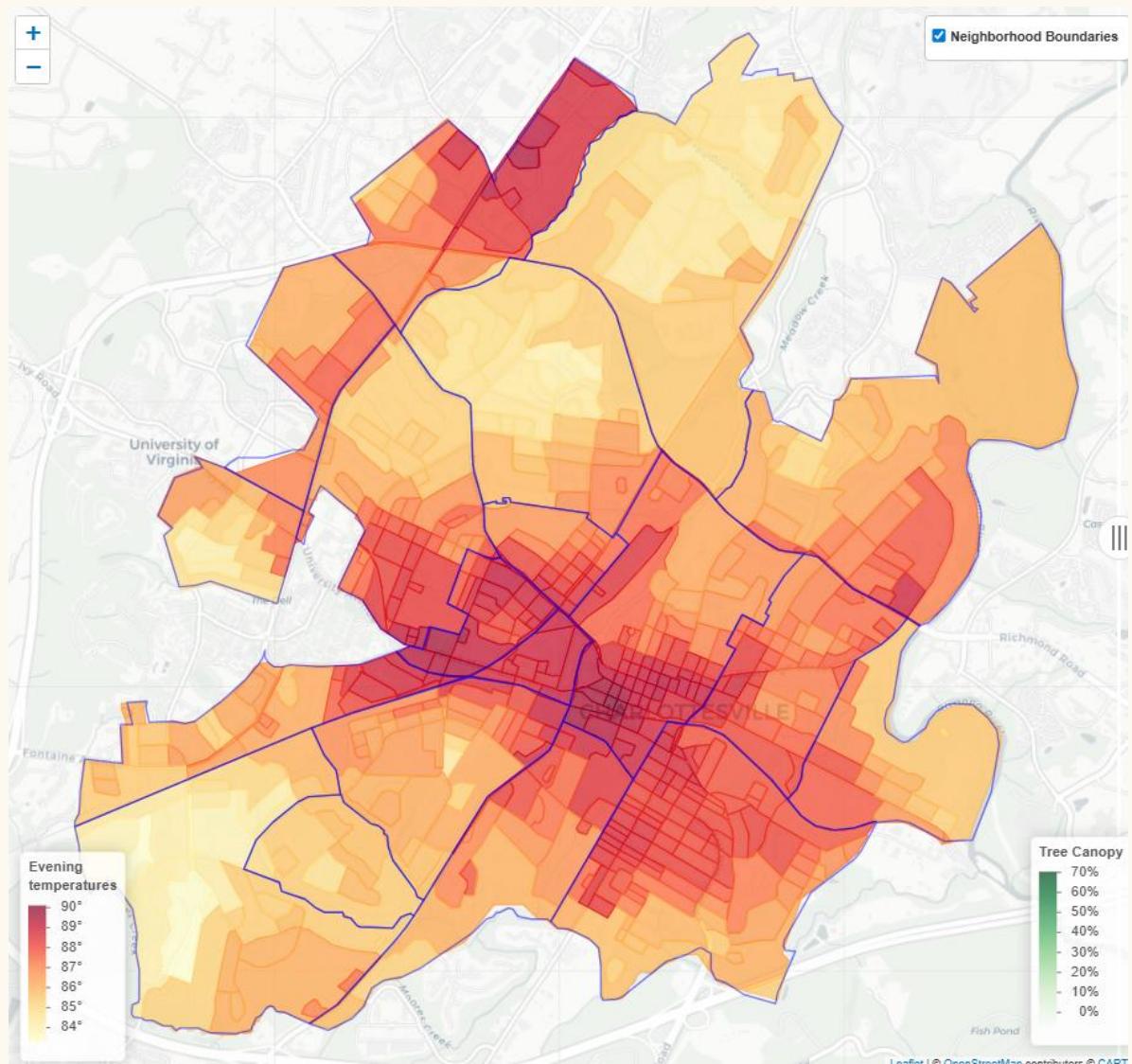


Figure 1: Map of Charlottesville Neighborhoods and Canopy Coverage.⁴

Source: City's 2023 State of the Forest Report



Source: UVA Center for Community Partnerships 2021 Analysis
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Tree Canopy and Landscaping Requirements: Development Code 4.9.1

- **Tree canopy requirements:**
 - **Canopy cover requirements** for each zoning district (e.g. 10% minimum canopy cover in Corridor Mixed Use districts)
 - Use the City's Master Tree List to calculate 10-year canopy
 - **Preservation** of existing trees counting toward canopy
 - Trees 8-inch+ diameter, ornamental trees (any size), trees in required setbacks or along boundaries, streams, and shade trees
 - 1.5x canopy bonus for existing trees
 - Administrative waiver for dedicated school sites/recreation areas, preserving wetlands, and unnecessary hardship
 - Streetscape, parking lot, and screening trees count toward total
- **Tree removal** permit required for 8-inch+ diameter trees
- **Reference** City's Best Management Practices for Tree Preservation, Transplanting, Removal and Replacement Manual to develop a **tree protection plan** for tree preservation to count toward canopy

Street Trees

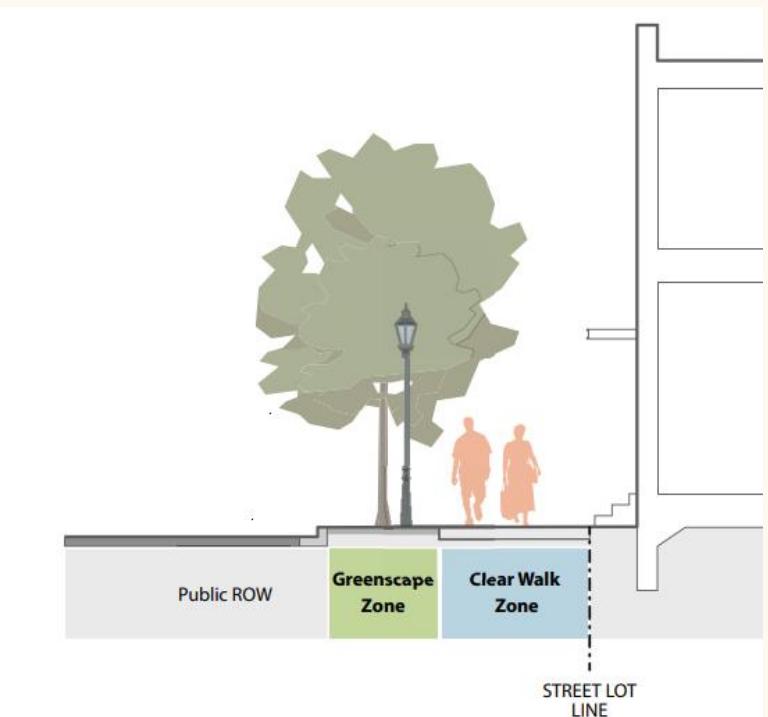
City Streetscape Requirements (Development Code 4.4.5)

- Greenscape width requirements based on street type (see table on the right)
 - To avoid underground utility conflicts, can use alternative layout, including smaller greenscape zone
- Large street trees required every 30 feet
 - To avoid aboveground utility conflicts, can plant small or medium trees every 15 feet
- Can be privately owned/maintained if outside public right of way
- In residential districts, if surrounding properties do not have an existing streetscape, developer can contribute to streetscape fund instead of planting street trees

Local challenges to increasing street trees

- Draft Urban Forestry Report findings (June 2025): City averages **fewer street trees per mile than the national average**
- City street tree planting faces spatial limitations**, with few right of way spaces suitable for large trees

| Street Classification | Width (min) | |
|-----------------------|-----------------|-----------------|
| | Clear Walk Zone | Greenscape Zone |
| Mixed Use Corridor | 8' | 12' |
| Mixed Use A | 7' | 8' |
| Mixed Use B | 7' | 6' |
| Downtown | 6' | 8' |
| Industrial | 6' | 6' |
| Neighborhood A | 6' | 5' |
| Neighborhood B | 6' | 5' |
| Local | 6' | 5' |





State Code Requirements and Limitations

- § 15.2-961 sets **tree canopy maximums (% canopy cover)**
 - State Code requires localities to include tree preservation as an option to meet at least part of the total required tree canopy
 - Must allow for exceptions for preserving wetlands or unnecessary/unreasonable hardship
 - In those cases, a tree canopy bank/offsite planting is allowed
 - § 15.2-961.1 allows higher tree canopy requirements (still up to a maximum) but only for Planning District 8 (Northern Virginia)
- § 10.1-1127.1 Can designate individual heritage, specimen, memorial, and street trees through a public hearing for **individual preservation; City has already adopted this ordinance**
 - **Maximum penalty for tree removal = \$2,500; City already meets**



Tree Canopy Issues Identified during Development and Construction

- Developer feedback has indicated that the updated tree list (per the 2023 Development Code) reduced canopy counts per tree significantly, resulting in a perception that too many trees are required within smaller sites to meet the required tree canopy total.
- Concern about tree damage/removal during construction
 - Note: A new Zoning Inspector will be hired to ensure compliance with approved site plans, including tree preservation plans, during construction
- Currently, developers only need to protect existing trees that are being counted toward the tree canopy counts; they do not need to show other existing trees on the site plan that are outside the public ROW (and can't be required to)
- There are limited options under State Code for tree preservation, but incentives rather than requirements could be options
- For existing trees that do count toward preservation for canopy totals, developers have provided feedback that the current best management practices are too stringent and make tree preservation on small sites infeasible
 - Updated benchmarks, measurement protocols, and preservation techniques could be developed



Tree Canopy and Landscaping: Recommended Areas of Study

Review and consider updates to the City's requirements for tree canopy, street trees, and tree preservation with development

- Development community concerns with fitting required trees (to meet tree canopy requirements) into smaller infill sites. Canopy cover percentages are regulated by zoning district (e.g. 10% in Corridor Mixed Use district) and maximum percentages are set by State Code.
- Improved guidance is needed for tree protection/preservation including during construction
- Current tree preservation incentives (1.5x canopy % bonus) do not seem sufficient to the development community to choose tree preservation over planting new trees

Use data, findings, and recommendations from the Urban Forest Management Plan

- Cross-departmental coordination on updated Urban Forest Management Plan
- Tree canopy and urban heat island effect vary significantly by neighborhood
 - Energy cost burdens also vary by neighborhood, which can be mitigated by shade from trees
- Analysis so far indicates significant spatial constraints for planting more street trees in the public right of way; updated Plan will provide recommendations for street tree opportunities



Waterways and Stream Buffers



Streams: Comprehensive Plan Recommendations

Chapter 4 Land Use

- Require that zoning changes preserve and enhance natural resources and sensitive environmental areas, designated flood plain areas, steep slopes, rivers, and streams.
- Pair development along the Rivanna River and stream corridors with park space and environmental protection features. Balance competing priorities for properties adjacent to the River and other stream corridors to allow an appropriate number of different uses without impacting environmental quality of waterways and riparian buffers.

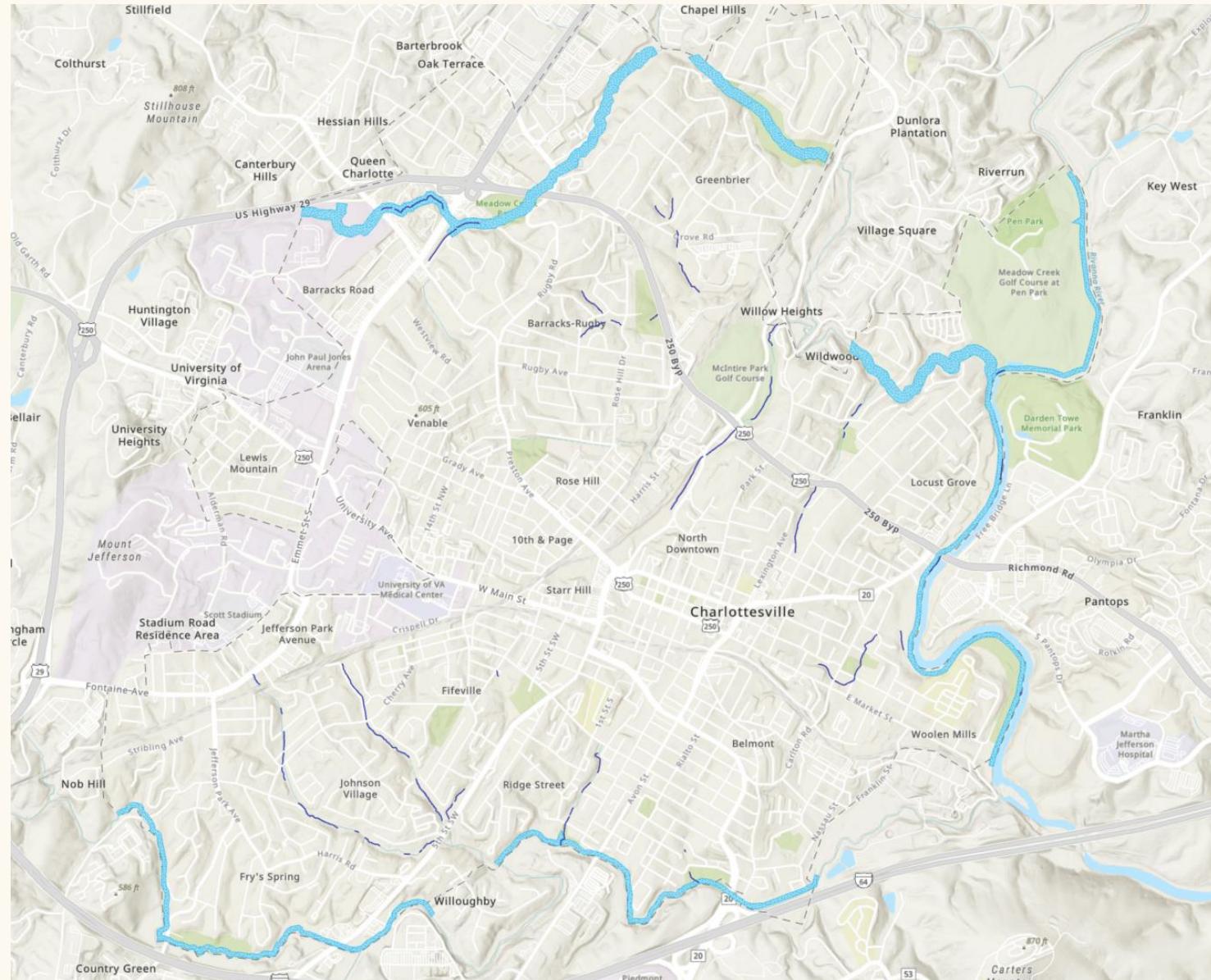
Chapter 6 Transportation

- Incorporate green infrastructure as an integral part of transportation planning and design projects to avoid sensitive/resilient environmental resources such as floodplains, stream buffers, and wetlands.

Chapter 7 Environment

- Enforce the 100' Water Protection Ordinance (WPO) stream buffer and consider locations for expansion of the buffer
- Improve stream and vegetated buffers to increase habitats and groundwater recharge/stream flow, improve water quality, and increase resilience
- Improve water quality and regional public access to the Rivanna River
- Implement the Rivanna River Corridor Plan

Streams and Stream Buffers



Stream Buffer: An area of land at or near a tributary streambank and/or nontidal wetland that has an intrinsic water quality value due to the ecological and biological processes it performs or is otherwise sensitive to changes which may result in significant degradation to the quality of state waters.

Map of waterways with a locally regulated buffer:

- Rivanna River
- Meadow Creek + branch
- Moore's Creek

LEGEND



Water Protection Ordinance (WPO) Stream Buffer



Waterway



Waterways without a WPO buffer



Water Protection Ordinance (WPO) Stream Buffers: Regulations (Chapter 10 Article IV)

- WPO stream buffers must be at least 100 feet wide on each side of the stream (measured from the top of the bank)
 - Must be maintained and incorporated into land development design
- Existing vegetation/trees in stream buffers must be retained for the 3 designated waterways
- Within a required WPO stream buffer, no indigenous vegetation shall be disturbed or removed, except:
 - Activities pertaining to the management of the stream buffer; requirements outlined in 10-72
 - Development activities authorized in a stream buffer, identified in section 10-74
 - Stormwater management facilities
 - Water dependent facilities, passive recreation access, paved trails 3+ feet, and historic preservation
 - There is no alternative option for a building site and/or driveway/roadway
 - Tilling, planting or harvesting of agricultural or horticultural crops in home gardens
 - Select utility work
- For allowed development activity, must have a mitigation plan:
 - Identify impacts, alternatives
 - Ensure minimal disruption
 - Use best practices to mitigate impacts

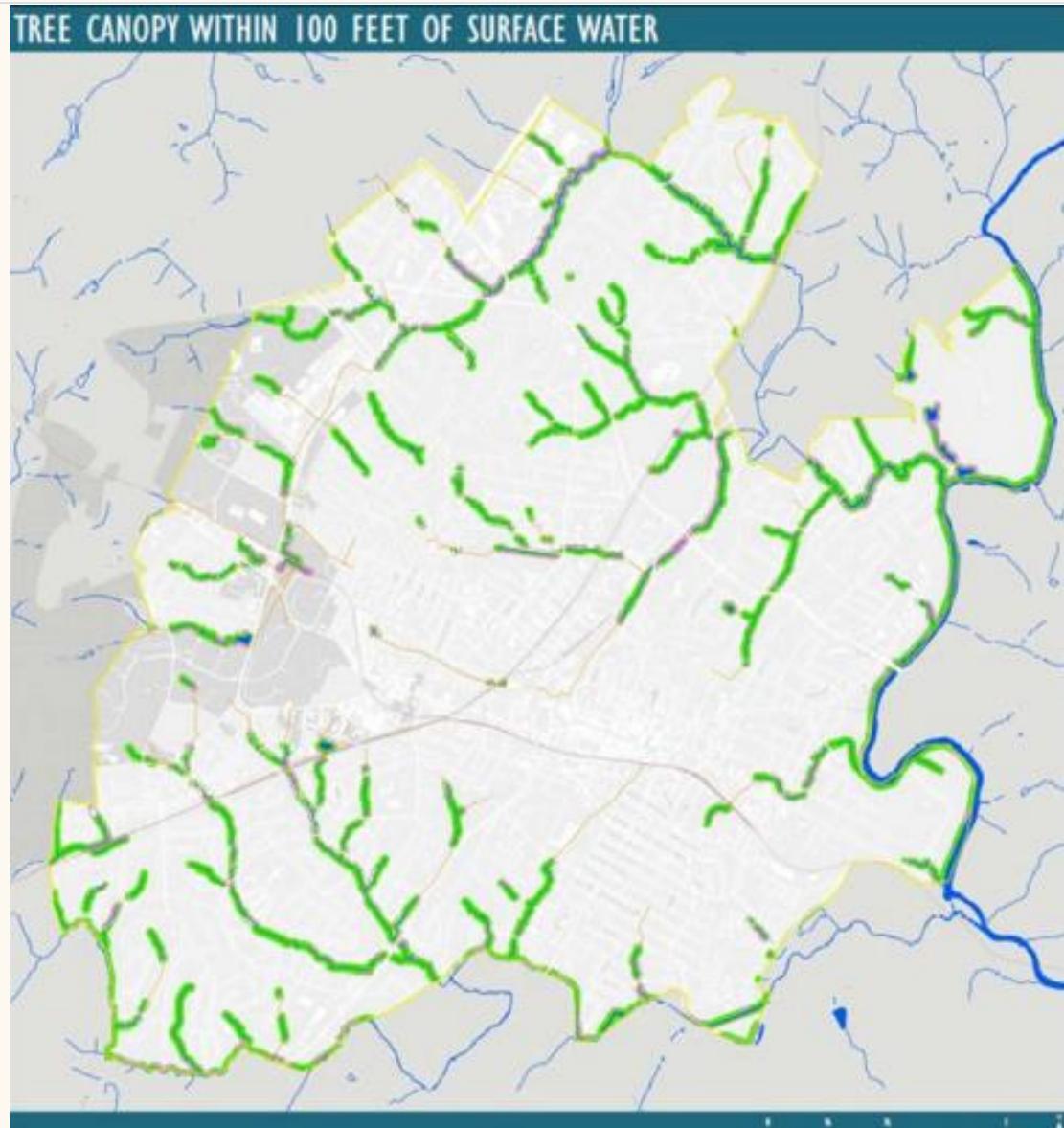
Streams: Resilience and Green Infrastructure

Flood Resilience Plan

- Stream buffers are included as part of the implementation strategy
 - Land management: Riparian buffer development, floodplain connection/benching, impervious cover disconnection, and urban reforestation
 - Policy recommendation: Expand requirements for stream buffers/setbacks for areas outside regulatory floodplains

Green Print 1.0

- Map 10 shows tree canopy coverage within the riparian buffer zone (defined here as 100 feet) in the city. Overall, these riparian buffer zones have tree canopy coverage of 71.4 percent. The three stream buffer zones that are protected in the city along the Rivanna, Moore's Creek, and Meadow Creek have a tree canopy coverage of 71.7 percent. **About half (52.6 percent) of all 100-foot stream buffers in the city are protected in some form, through either the stream buffer ordinance, steep slope ordinance, a conservation easement, or are within a City park.**



City Stream Restoration Projects

Meadow Creek Stream Restoration Project

- \$3.95M collaboration of the City, RWSA and the Nature Conservancy funded by the Virginia Aquatic Resources Trust Fund
- Restoration of 9,000 linear foot section with permanent protection of over 70 acres
- Planted more than 15,000 native trees and shrubs
- Selected to address increased sedimentation, stream bank erosion, and lack of healthy forested riparian buffers that posed a threat to the health of Meadow Creek and the Rivanna River
- Over 93% of the restoration area is on City parkland; more than 40 acres were added to the park system through this project



Schenks Branch Tributary Restoration

- Collaboration between City, consultants, DEQ, and Botanical Garden of the Piedmont
 - DEQ Stormwater Local Assistance Fund
- Restoration of 840 linear feet of stream, which also runs through the Botanical Garden
- Address active severe erosion which was sending excessive sediment and nutrients downstream
- A total of over 1,400 new native trees, shrubs, and herbaceous plants were installed





Streams Buffers: Recommended Areas of Study

Review and consider updates to Water Protection Ordinance (WPO) regulations for stream buffers

- Stream buffers help the City meet MS4 Permit requirements, make the City eligible for flood insurance points under the Community Rating System, and support Comp Plan goals
- Potential updates to WPO buffers would need data-driven rationale (e.g. U.S. Geological Survey or other reliable data source) and need to consider administration, enforcement, and property/development impacts

Evaluate if additional incentives and voluntary measures are needed to protect stream buffers

- Many other waterways have existing buffers (i.e. existing vegetation and trees), though they are not regulated by the WPO
 - Based on GreenPrint 1.0, about half of all 100-foot stream buffers in the city are protected in some form: WPO buffer, located in a City park or conservation easement, or critical slopes
- Voluntary measures/incentives are especially useful for the many streams and stream buffers within private property



Critical Slopes



Critical Slopes: Comprehensive Plan Recommendations

Chapter 4 Land Use

- Require that zoning changes preserve and enhance natural resources and sensitive environmental areas, designated flood plain areas, steep slopes, rivers, and streams.
- Refer to other recommendations related to stream buffers, since many steep slopes are along waterways



Critical Slopes: Regulations (Development Code 4.10.1)

Purpose: limit disturbance of steep slopes near waterways, adjacent properties, and environmentally sensitive areas to protect from impacts of erosion and stormwater and preserve habitats

Critical slopes criteria

- Grade of 25% or greater;
- A portion of the slope has a horizontal run of greater than 20 feet;
- An area of 6,000 square feet or greater; and
- A portion of the slope is within 200 feet of any waterway protected by the Standard and Design Manual or Chapter 10 of the Charlottesville Code of Ordinances, or shown on the map entitled “Properties Impacted by Critical Slopes”, maintained by the Neighborhood Development Services

Standards for development

- No buildings, structures, or other improvements within critical slopes
- No land disturbance within critical slopes
- Need to ensure all lots created have buildable area (outside slopes/floodplain/stream buffers)



Critical Slopes: Administrative Exemptions (Development Code 4.10.1)

The following are **exempt** from the requirements of this section when the Administrator determines there is no reasonable alternative locations or alignment and the applicant has identified protective and restorative measures:

- Driveways
- Public utility lines and appurtenances
- Stormwater management facilities
- Other public facilities necessary to allow the use of the parcel
- Environmental restoration projects



Critical Slopes: Special Exceptions (Development Code 5.2.16)

An applicant may seek a Critical Slopes Special Exception with 5.2.16 to allow encroachment into any area of a project site that meets the Applicability requirements of this Section. Planning Commission provides a recommendation and City Council approves or denies the Special Exception. There can be conditions for the Special Exception.

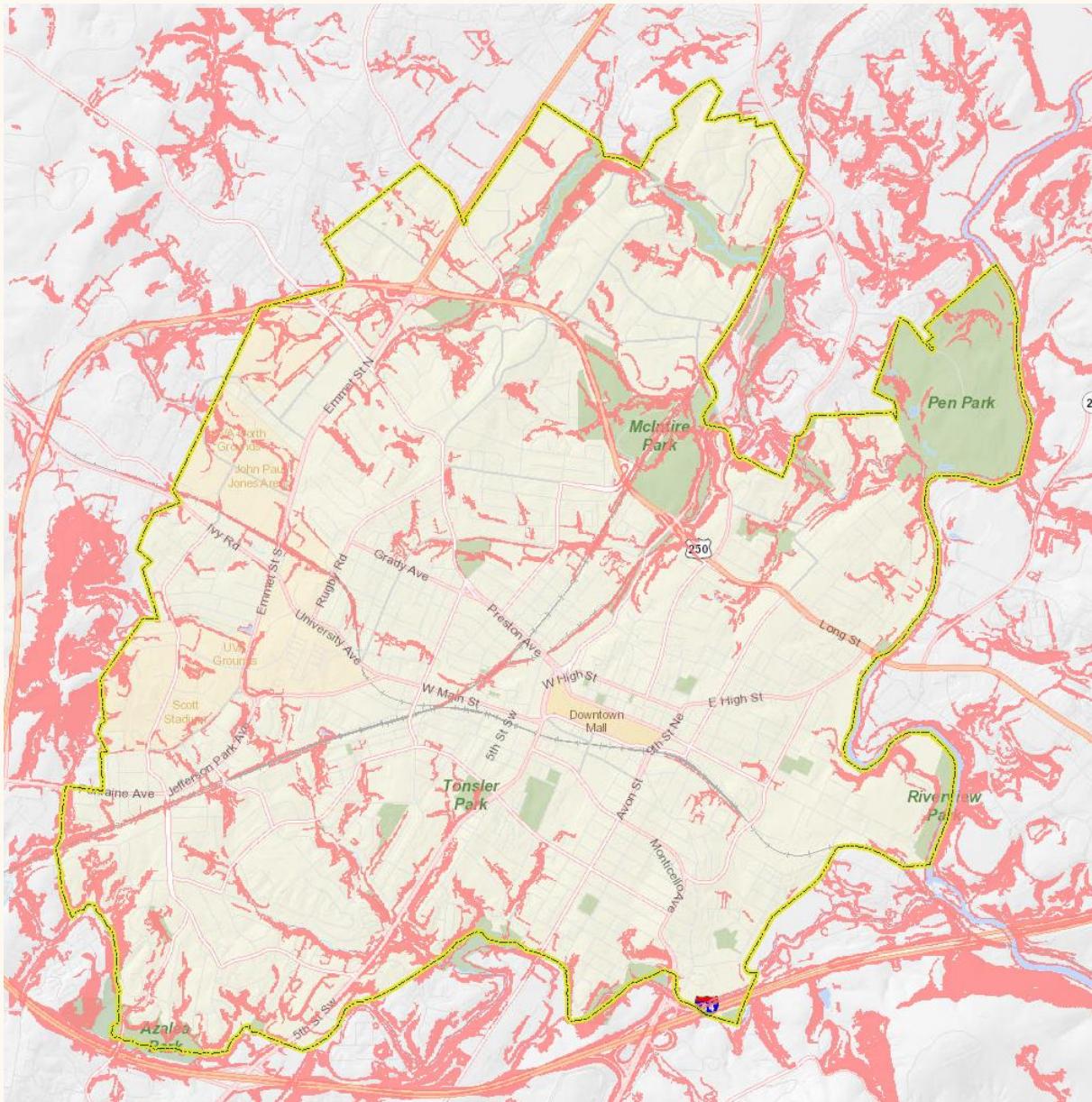
A Special Exception can be granted with either of the following findings:

- Due to unusual size, topography, shape, location, or other unusual characteristics, or existing development of a property, the requirements of 4.10.1 would effectively prohibit or unreasonably restrict the use of a property or would degrade adjacent properties, or
- The public benefit of the proposed encroachment outweighs the public benefit of protecting the area

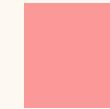
Review Criteria:

- Whether the amount of impact has been limited to the greatest extent possible
- Whether sufficient mitigation is proposed
- Whether steps have been taken to limit or prevent impacts to slopes with environmental or scenic value or vulnerability to disturbance
- Whether the project is consistent with the zoning district and Comp Plan

Critical Slopes

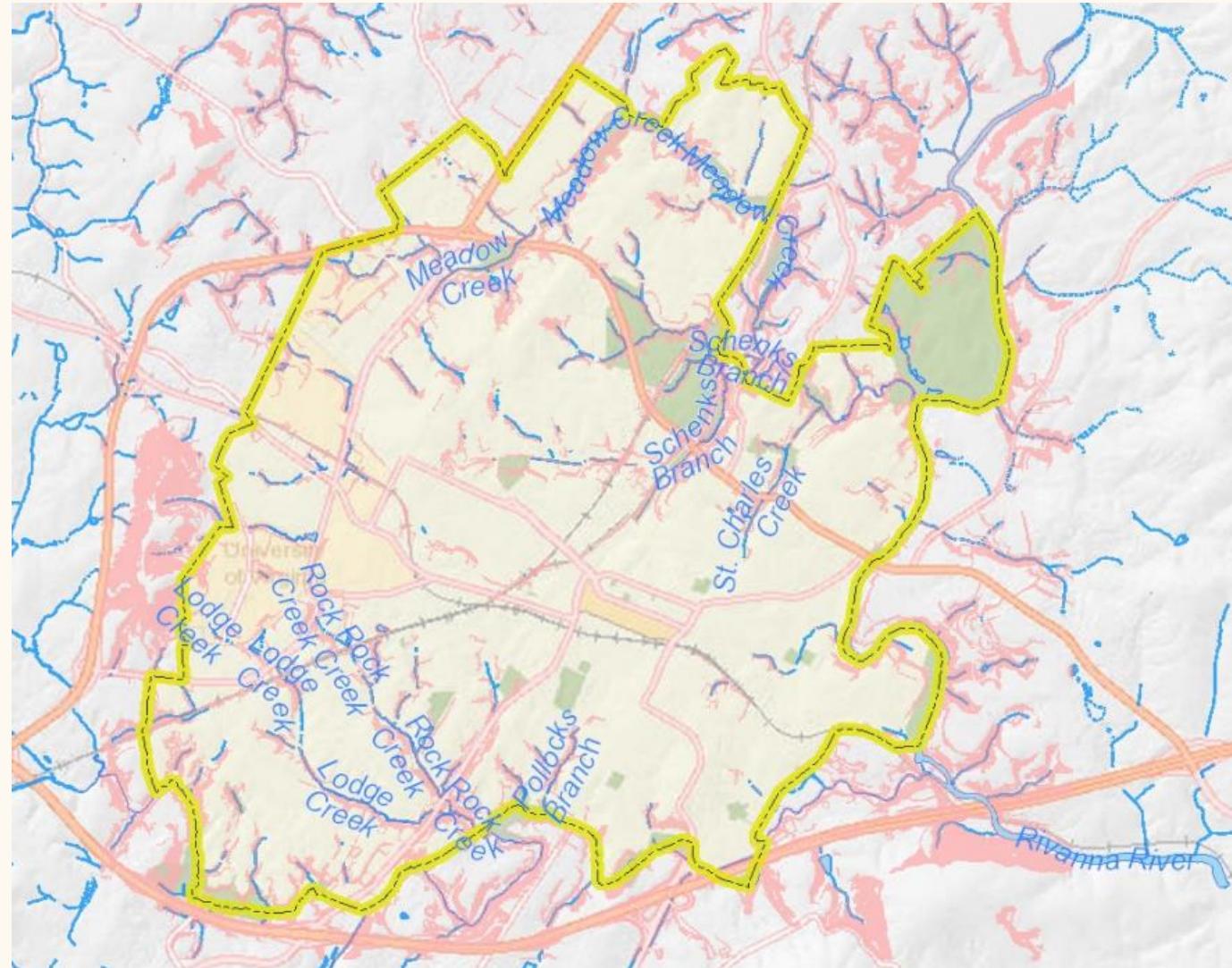


LEGEND



Critical slopes (greater than 25% grade)

Critical Slopes and Waterways



LEGEND

- Critical slopes (greater than 25% grade)
- Waterway



Critical Slopes: Recommended Areas of Study

Review and consider updates to the City's critical slopes regulations

- Special exception process: review criteria should be updated to be more objective and clear
- Consider different regulations for natural slopes vs human-made slopes

Review and consider updates to Comprehensive Plan guidance

- Only one Comprehensive Plan recommendation related to critical slopes and the value of slopes is not clearly defined
 - For example, there is no distinction between human-made and natural slopes



Energy Efficiency and Green Buildings



Energy Efficiency: Comprehensive Plan Recommendations

- **Chapter 5 Housing**
 - Energy and water efficiency programs to increase housing affordability
 - Encourage energy efficient buildings (e.g. LEED, Energy Star)
 - Promote existing Green Building incentives and programs
 - Encourage solar-ready and EV-ready building standards
- **Chapter 6 Transportation**
 - Use alternative energy sources as feasible to power City equipment, e.g. solar power and battery storage
 - Increase the use of electric vehicles and integrate EV charging infrastructure in the city
 - Design standards for EV charging
 - EV charging on City-owned land and at park and rides
 - Encourage and support EV charging throughout the city
 - Increase the use of fuel efficiency through fleet updates
- **Chapter 7 Environment**
 - Improve energy performance of existing and new buildings community-wide
 - Pursue cleaner energy sources/renewable energy
 - Similar to chapter 5, encourage high performance green buildings, e.g. LEED and Energy Star



Reduced Tax Rate for Certain Energy Efficient Buildings

- Buildings within the City of Charlottesville that meet the energy efficiency standards as described below are eligible for a reduced tax rate of 50% on the building value for one tax year.

"Energy-Efficient Building" means any building that:

- Exceeds the energy efficiency standards prescribed in the Virginia Uniform Statewide Building Code by 30%,
- Meets or exceeds performance standards of the Green Globes Green Building Rating System of the Green Building Initiative,
- Meets or exceeds performance standards of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of the U.S. Green Building Council,
- Meets or exceeds performance standards or guidelines under the EarthCraft House Program, or
- Is a Home Performance with Energy Star qualified home, the energy efficiency of which meets or exceeds performance guidelines for energy efficiency under the Energy Star program developed by the United States Environmental Protection Agency



Energy Efficiency: Local Government (Public) Buildings

State Code requirements for Local Government Projects (§ 15.2-1804.1)

- VA HB2001 went into effect for Charlottesville in 2023. Requires local government new construction projects over 5,000 sq ft and renovations with a cost of 50%+ of the existing building value to meet energy efficiency requirements
- Minimum requirements include the following, and localities can adopt more stringent requirements:
 - Energy efficient standards (e.g. LEED)
 - Sufficient EV charging
 - Metered utilities to measure energy consumption and associated CO2 emissions
 - Resilience and distributed energy features (e.g. elevated building, resilience hub)
- Buildings or renovations less than 20,000 sq ft can choose to meet ENERGY STAR certification instead of meeting the above requirements

Office of Sustainability is leading development of High Performance Building Standards for Public Buildings

- This will update the City's Green Building Policy adopted in 2008, which is a resolution to implement green building practices for City construction projects; use LEED standard for all major City owned-buildings and renovations projects
- Will also update City Energy and Water Management Policy for City-owned buildings
- Locally, 7 public buildings are currently LEED certified



Energy Efficiency: Private Buildings

- Virginia localities cannot require energy efficient requirements more stringent than the Building Code, though they can have higher standards for projects that require legislative review and approval
- They can also **use tools to encourage the private sector** to meet higher energy efficiency standards, such as:
 - Bonus density
 - Tax abatement/credits
 - Reduced permit fees
 - Technical assistance and marketing
 - Local Green Development Zone per § 58.1-3854
 - Modeling best practices with public sector buildings

Solar Tax Credits



- Local tax credit for certified solar energy equipment, facilities or devices that are attached to real estate within the city. The tax credit applies a portion of the total cost of the solar equipment, facilities, or devices as a credit on the real estate tax bill for 5 years. As of 2025, this represents a credit equal to 4.9% of system costs.
- In 2024 approximately 100 properties received a solar energy abatement through this local program
- Solar equipment must be fully installed and inspected by Building Inspector before receiving tax credit
- Federal tax credits cover about 30% of the cost for rooftop solar for homeowners, but this tax credit will no longer be available starting at the end of this year (2025)

EV Charging

- **Development Code requirements:**
 - Where a parking lot with 6 or more spaces is provided, 20% of the parking spaces must be equipped with conduit and electrical capacity to accommodate the installation of electrical vehicle charging equipment.
 - Electric vehicle charging equipment, including pedestals, bollards, or cables, must not encroach into drive aisles or pedestrian walkways.
- Office of Sustainability is working with a consultant on an **EV Charging Plan** for the city
 - Preparing for an estimated increase of thousands of additional electric vehicles in the city by 2035
 - Regulations, incentives, and policies to proactively plan for this increase in EV's
 - Includes location gaps/recommendations
- One issue that has come up is **electric charging cables crossing the ROW** where people charging their cars do not have driveways (and therefore do not have an alternative way to charge their cars)



Energy Efficiency: Recommended Areas of Study

Update energy efficiency standards for public/local government buildings

- City is working on updated High Performance Building Standards

Evaluate potential updates to energy efficiency tax credits and guidance for private development

- City has existing local tax incentives for certain energy efficient buildings and solar
 - Changes to tax incentives at the federal level may limit or slow the uptake of energy efficiency projects and products, especially solar
- Virginia localities cannot require energy efficiency requirements more stringent than the Building Code, though they can have higher standards for projects that require legislative approval. They can also have incentives.

Use the forthcoming EV Charging Plan to inform potential regulatory or policy changes

- Continue working with the consultant on an EV charging plan in anticipation of continued increasing demand for EV charging
- EV charging cables crossing public right of way (PROW) can pose a safety hazard when not properly covered. Other localities have been adopting PROW cord policies, as dwelling units without driveways often do not have another option for EV charging at home

Summary of Planning Commission Feedback on the Environmental Review Project

October 28, 2025 Work Session

The following is a summary of Planning Commission feedback from their October 28, 2025 work session. Where staff provided additional information or context during the work session, a 'staff response' is included below the relevant item. Feedback is summarized by major themes. The full work session is recorded and available [here](#).

Additional topics to address with the Environmental Review Project

- Address drought mitigation planning.
 - Staff response: The City participates in Rivanna Water and Sewer Authority (RWSA) planning processes, which includes drought mitigation efforts. Staff can incorporate this information into the background materials and will continue to coordinate with RWSA. The City also submits a drought management plan to the Virginia Department of Environmental Quality (DEQ), which was done most recently in 2025.
- Address wildfire risks. There have been several recent wildfires in Albemarle County and other nearby localities.
- Incorporate infrastructure and community resilience to natural disasters and their effects, such as significant power outages.

Regional coordination and additional partners

- Regional coordination will be important for this project. Consider venues such as the Land Use and Environmental Planning Committee (LUEPC), which includes the City, Albemarle County, and the University of Virginia. Also consider regional data such as watersheds, tree coverage, and population growth.
 - Staff response: Regional coordination will be an important part of this project and also overlaps with the ongoing regional Resilient Together project.
- Coordinate with Fire/Rescue on street standards including street trees.
- Continue to coordinate with regional partners such as RWSA and the Thomas Jefferson Planning District Commission (TJPDC).
- Several Commissioners provided additional community members and organizations as recommended contacts, which staff has received and noted.

Community engagement

- The background materials for the work session are useful for the Planning Commission, but future materials for community members should be more accessible and use more graphics.

- Graphics could include a more equal weighting of project topics, instead of showing them as a numbered list. This could include showing risk, complexity, timelines, and other considerations.
- Consider engagement with schools and students.
- Consider technical assistance and templates for smaller builders, nonprofits, and land trusts.
- Many of these topics will be of significant community interest and will require balancing different viewpoints and priorities.
 - Staff response: There will be multiple opportunities for meaningful community participation during the Environmental Review Project. There are also existing initiatives where staff can engage and share information with community members, such as Resilient Together and the 5-Year Comprehensive Plan review. Staff will communicate how project topics are essential for a sustainable and resilient community.

Project phasing

- Align the project topics with the ongoing plans and studies mentioned in the presentation (e.g. Community Flood Preparedness Fund grant and Urban Forest Management Plan). It would be best to wait for data and results from these projects to make informed decisions rather than getting ahead of the ongoing initiatives.
- Consider pairing the critical slopes and stream buffer topics, since there is significant overlap.
- Since this is a two-year process with some longer-term components, consider what 'quick wins' may be feasible.

Comments on proposed project topics

- Evaluate opportunities in the public right of way (PROW), especially for stormwater management and tree canopy. Consider locations for bump-outs and bioswales. Seattle cited as an example. Need to address both new infrastructure and maintenance of existing infrastructure. Coordinate on upcoming citywide Mobility Plan.
 - Staff response: There are spatial constraints and high project costs associated with stormwater management infrastructure in the PROW. The City does not allow private stormwater management facilities within the PROW. The City evaluates all existing Best Management Practice (BMP) stormwater facilities, with City-owned facilities evaluated annually and privately-owned facilities evaluated on a rotating basis every 5 years. Over a multiyear upcoming study, the City is looking to identify all existing BMP's and evaluate what maintenance is needed to bring any deficient BMP's up to standard.

- Evaluate if the City could incentivize directing the purchase of offsite stormwater nutrient credits for water quality to upstream waterways to better benefit the city's waterways. Also evaluate incentives for more onsite water quality treatment.
 - Staff response: Staff will continue to explore options to encourage more onsite water quality treatment.
- Could Utilities share more information on stormwater management capacity so that developers are aware of potential constraints?
 - Staff response: Utilities is working with a consultant on a stormwater infrastructure capacity study, with the ability to input different assumptions into the model (e.g. different rainfall events). This will likely inform updates to utilities standards.
- For floodplain management, evaluate the existing development potential of properties within the floodplain.
- Noting it will be important to have updated data and findings on tree canopy from the Urban Forest Management Plan to inform recommendations.
- Evaluate where critical slopes may already be protected and regulated by erosion and sediment control and stormwater management requirements.

Policy Briefing Summary

City Council



| | |
|---------------------------------|--|
| Regarding: | Rivanna Authorities Presentation |
| Staff Contact(s): | Samuel Sanders, Jr., City Manager |
| Presenter: | Bill Mawyer, Rivanna Authorities Executive Director |
| Date of Proposed Action: | January 5, 2026 |
| | |

Issue

Background / Rule

Analysis

Financial Impact

Recommendation

Recommended Motion (if Applicable)

Attachments

1. Rivanna Authority Presentation_20250105Jan05

Review of the Rivanna Drinking Water/Wastewater and Refuse /Recycling Programs



PRESENTED TO THE CHARLOTTESVILLE CITY COUNCIL
BY BILL MAWYER, P.E., EXECUTIVE DIRECTOR
JANUARY 5, 2026



Rivanna Water and Sewer Authority

~Overview~

- Created in **1972** by joint action of the Charlottesville City Council and Albemarle County Board of Supervisors
- To acquire, finance, construct and maintain **major drinking water and wastewater infrastructure** for the public utility customers of the City and the County
- Currently produce about **10 million gallons** of drinking water each day to serve populations of about **50,000** in the City and **80,000** in the County. Treat similar amount of wastewater each day.
- **106** Employees
- **\$64 M** Annual Budget, **52% for bond debt payments**
- **\$560 M** 5-year Capital Improvement Budget
- **Funded by public drinking water and wastewater customer charges, no tax dollars**



Rivanna Water and Sewer Authority Board of Directors



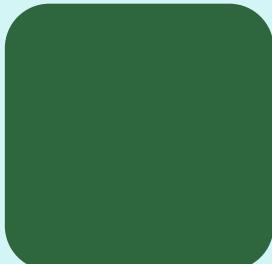
Mike Gaffney
Board Chair



Jeff Richardson, Vice-Chair
County Executive, Albemarle County



Sam Sanders, Secretary-Treasurer
City Manager, Charlottesville



Charlottesville City Council



Ann Mallek, Supervisor
Albemarle County Board of Supervisors



Lauren Hildebrand
Director of Utilities
City of Charlottesville



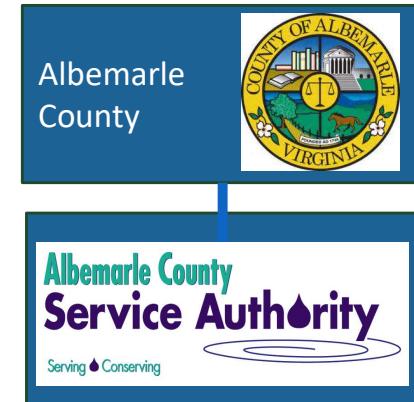
Quin Lunsford
Executive Director
Albemarle County Service Authority

RWSA provides Wholesale Drinking Water and Wastewater Treatment for Two Customers

City of Charlottesville Department of Utilities

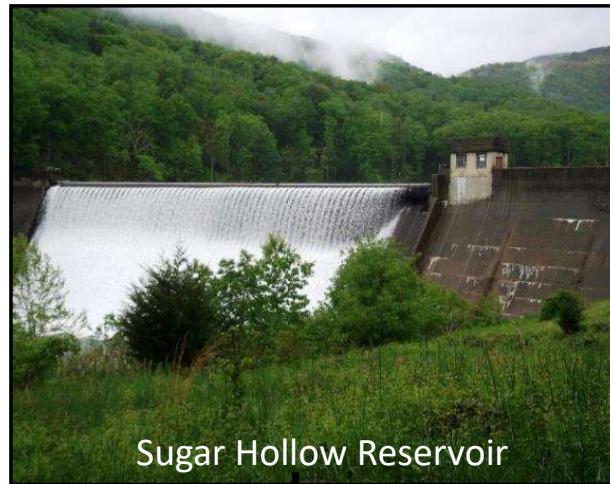


Albemarle County Service Authority





South Fork Rivanna Reservoir



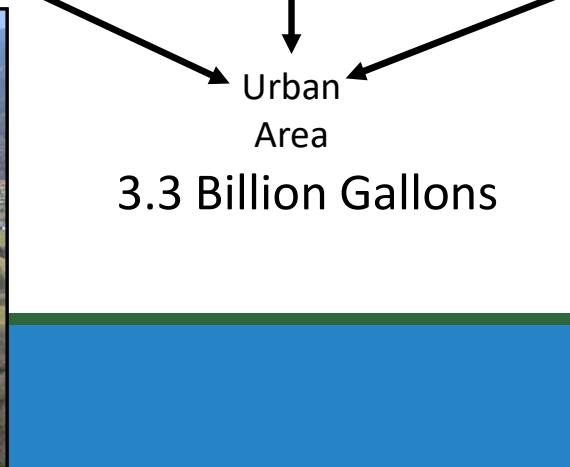
Sugar Hollow Reservoir



Ragged Mountain Reservoir

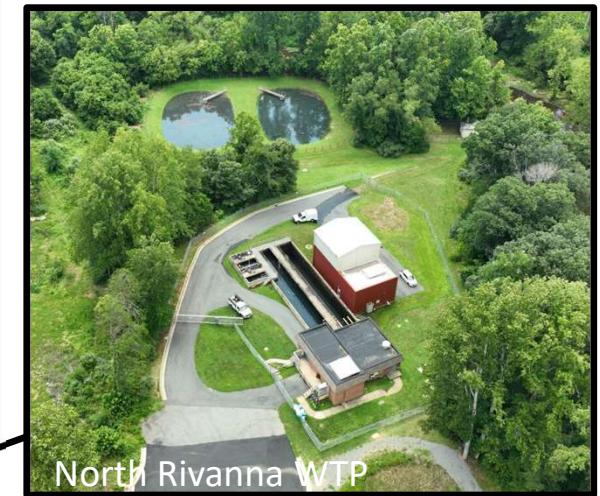


Beaver Creek Reservoir - Crozet



Totier Creek Reservoir - Scottsville

5 Water Supply Reservoirs



Urban
Area



6 Water Treatment Plants



4 Wastewater Treatment Plants

Drinking Water & Wastewater Laboratory



Monthly reports submitted to Virginia Department of Health include the following:

- Daily volume of water pumped in and out of each water plant
- Daily chemical dosage at each water plant (coagulant, lime, powder activated carbon, polymer, corrosion inhibitor, chlorine, and fluoride)
- Filter turbidity, water temperatures (raw and finished), and pH reports
- Finished water chlorine residuals and disinfection calculations
- Total Coliform sample results for all 4 water systems
- Safe Drinking Water Act posted to EPA central data exchange website

Granular Activated Carbon Filters

*to Remove
Contaminants from
Drinking Water*



Biological Wastewater Treatment

*enhanced
nutrient removal
by microbes in
aeration basins*





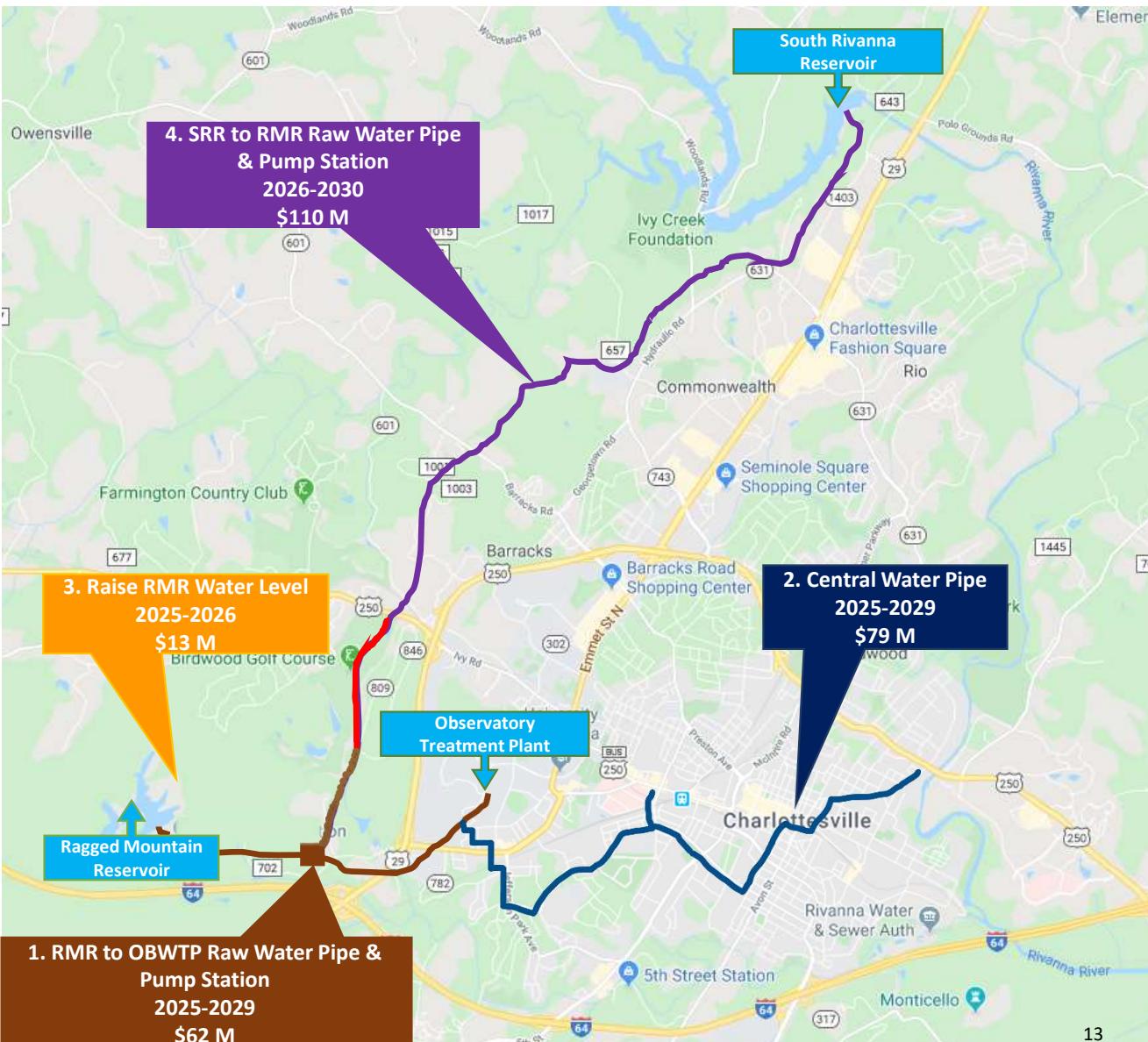
Dewatered Biosolids

*Moores Creek generated
approx. 15,000 tons of
biosolids in 2024.
Hauled to Waverly, Va
daily*



Outfall to Moores Creek





Water Supply Projects

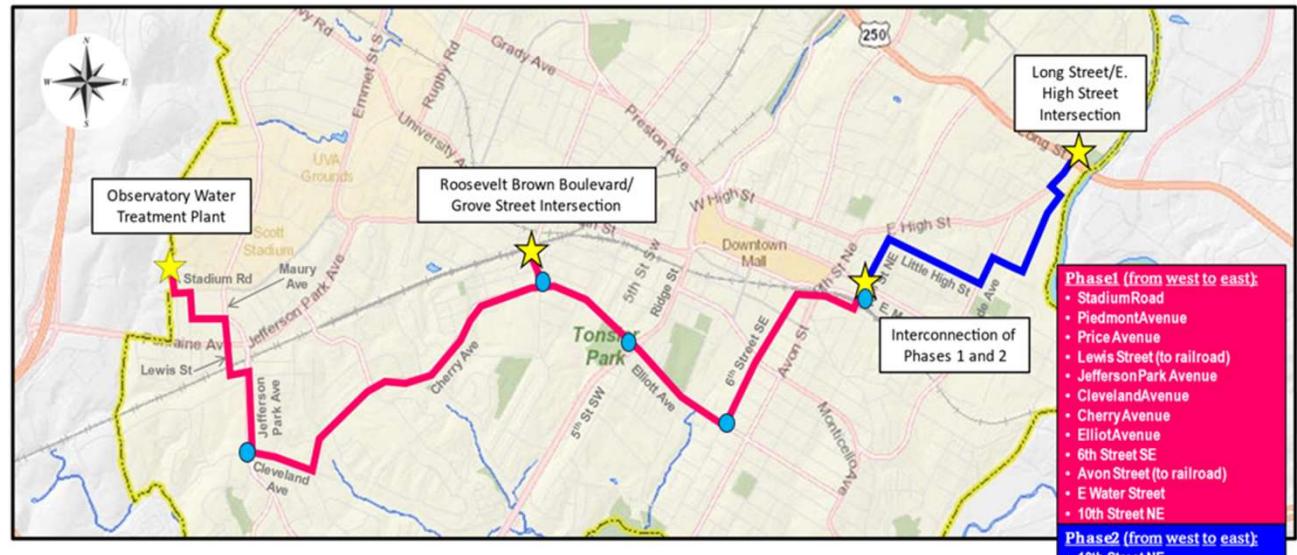
(January 1, 2026)

| Total Project Cost | |
|---|-------------------|
| 1. RMR to OBWTP Raw Water Pipe & Pump Station 2025-2029: <i>Awarded Oct 2024</i> Pipe: 80% ACSA / 20% City PS: 72% ACSA / 28% City | \$62 M |
| 2. Central Water Pipe 2025-2029: <i>Phase 1: Awarded June 2025: \$58 M</i> <i>Phase 2: Award 2026: \$21 M</i> 52% ACSA / 48% City | \$79 M |
| 3. Raise RMR Water Level 2025-2026: <i>Awarded June 2025</i> 80% ACSA / 20% City | \$13 M |
| 4. SRR to RMR Raw Water Pipe 2026-2030: <i>Awarded Dec 2025</i> 80% ACSA / 20% City (incl Birdwood WL: 2019; \$3 M; 1 mile) | \$110 M |
| ACSA City Utilities | \$187 M \$77 M |
| | \$264 M |

Central Water Line Project



Lewis Street 10/27/2025



CENTRAL WATER LINE PROJECT PHASING MAP

- PHASE 1 – Hereford Drive to E. Market Street
- PHASE 2 – E. Market Street to E. High Street
- CWL Connection to City Water Pipe

- Improve water flow, pressure, redundancy in Urban System
- 5 miles of 24 & 30" pipe; 2 crossings under railroad
- Construction for Phase 1: Oct 2025 – Dec 2029

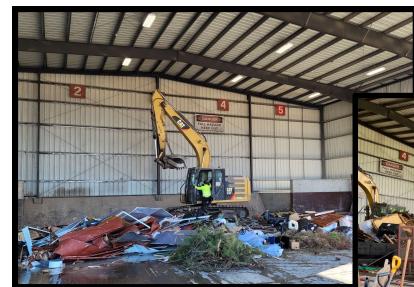
Rivanna Solid Waste Authority

~ Overview ~

- Created in **1990** by joint action of the Charlottesville City Council and Albemarle County Board of Supervisors
- to acquire, finance, design, construct, operate, and maintain facilities **to maintain a regional refuse disposal system** in compliance with regulatory mandates for **reduction, recycling** and disposal of solid waste.
- **130 M** pounds of refuse transferred to a private landfill in Henrico County in FY 24
- **20 M** pounds of waste diverted for reuse or recycling in FY 24
- **28** Employees
- **\$10 M** Budget, **funded by disposal charges + tax allocations** from Albemarle County and the City of Charlottesville



Services we provide for our community



Refuse Disposal



Post-closure Landfill Care



Ivy SWRC

Recycling



Southern Albemarle Convenience Center



McIntire Recycling



Transfer Station

Mulch



Vegetative Debris



Ivy Convenience Center



Paint Collection

Questions?





CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING MINUTES

Joint Public Hearing with Planning Commission

Capital Improvement Program 2027-2031

December 9, 2025 at 6:00 PM

Council Chamber

The Charlottesville City Council met in a special meeting on Tuesday, December 9, 2025, joining the Charlottesville Planning Commission in a public hearing on the City's Capital Improvement Program (CIP) for Fiscal Years 2027-2031.

The Planning Commission meeting already underway, Mayor Juandiego Wade called the City Council meeting to order with the following councilors present: Mayor Juandiego Wade and Councilors Natalie Oschrin, Michael Payne and Lloyd Snook. Vice Mayor Brian Pinkston gave prior notice of his absence.

Krisy Hammill, Director of the Office of Budget and Performance Management, presented the proposed FY 2027-2031 Charlottesville Capital Improvement Program for Planning Commission and City Council consideration. Specific priority areas noted were Affordable Housing, Education, Public Safety & Justice, Facilities Management, Transportation & Access, Parks & Recreation, and Technology Infrastructure. A copy of the proposed CIP was made available prior to the meeting at:

<https://stories.opengov.com/charlottesvilleva/7a255557-28b2-47c8-8be2-703d36aad7f/published/O8kIyOWJj?currentPageId=68922e28465c7854b62242f8>.

Ms. Hammill, Deputy Public Works Director Mike Goddard, and Deputy City Manager James Freas, answered clarifying questions from the Planning Commission about funding from prior years, the timeline for the Oak Lawn project and Westhaven redevelopment, solar projects, the Affordable Housing Plan, and the objectives of a CIP.

Councilor Oschrin asked for clarity in presentation of information related to bike infrastructure and projects that overlap; about quick-build projects associated with transportation; about affordable housing project capacity versus spending, and about the need for more permanent supportive housing among other housing needs. Ben Chambers, Transportation Planning Manager, stated that quick-build projects are under evaluation through the winter and spring, and funding is available for hardening some of the projects. Ms. Hammill stated that while the debt level is not at capacity, the affordability of the CIP is becoming an issue.

Councilor Payne asked about expected funding requests from CATEC (Charlottesville Area Technical Education Center). Mr. Goddard stated the scale of future requests is unknown. Regarding a potential one percent sales tax proposal in the General Assembly, Mr. Goddard stated that there would be a list of priorities to work from related to school infrastructure projects should the referendum be approved. Regarding inclusionary zoning, Mr. Payne encouraged payment in lieu of taxes (PILOT) fees be added to the \$10 Million commitment to affordable housing. He asked about performance measures for bike infrastructure spending, and Ben Chambers outlined evaluation metrics. Director Kellie Brown stated that the addition of the Transportation Plan will be a way to measure success.

Councilor Snook asked about funding set aside for Dominion power pole replacement, and right-of-way

appurtenance. Brennen Duncan, City Engineer, stated that in instances when the pole can't be moved, the City will use the funds for mitigation to comply with ADA requirements. Regarding affordable housing, Mr. Snook suggested creating a list of projects for using any potential PILOT fees, and he recommended not earmarking funds just for buildings, but to help with affordability in a variety of ways. Concerning the status Carlton Mobile Home Park, Mr. Snook asked if funding set aside is sufficient. Staff stated that a principal payment on the loan was made this year and agreement was to give residents of the mobile home park to remain in their homes for up to three years before the commencement of redevelopment should anyone choose to move. Mr. Snook requested a presentation of the proposed budget in a way that shows programmatic consistencies and overlaps, look at funds as direct expenses as well as their indirect impact, and looks at affordable housing and poverty in a broader capacity. Regarding CATEC, he asked operational questions related to evaluation of impact. Mr. Snook expressed a desire to have a list to show how funds would be spent should the General Assembly authorize a one percent local sales tax referendum.

Mayor Wade mentioned a meeting he had earlier in the day as Council representative on the workforce development committee (Virginia Career Works), where the school division hired Sarah Morton to work on programming at CATEC. On the purchase of a building for shelter, he mentioned the financial impact of renovations and operation. He expressed the need to be mindful of the costs to maintain aging infrastructure.

Commissioner Stolzenberg cautioned against repurposing proffered funds for affordable housing.

Chair Carl Schwarz opened the public hearing.

- Won An spoke about bike infrastructure and against building projects that no one will use, encouraging building safe connected pathways for bicycling. He spoke about benefits of bicycling over driving cars, and the positive return on investment and he spoke about a need for traffic calming measures to make biking safer.
- Terry Tyree, city resident, asked about the cost for a Pre-K center. She asked about investment in Westhaven redevelopment and a timeline, a decrease in funds for the redevelopment project, the need for the pedestrian bridge over US29 and related costs. She expressed a desire to see a simplified and clarified budget for the public, and she asked other budgeting questions about CIP rollOver funds and a list for potential one percent sales tax expenditures.
- Angela Carr, city resident, spoke about the need to redevelop the Westhaven neighborhood. She asked the reasons for recent infrastructure projects such as the pedestrian bridge over US29 and the interchange at US29 and Hydraulic. She expressed concerns about the sinking park at Westhaven.
- Mike Bodette, city resident, spoke about inadequacies in bike and pedestrian infrastructure in the city. He recommended additional funding for safe and connected bicycle and pedestrian infrastructure, and investment in Westhaven redevelopment, including bike lanes.
- Peter Krebs, speaking on behalf of Piedmont Ability Alliance, spoke about the importance of the CIP to show the specific projects. He stated that the line item for milling and paving does not create bike infrastructure. Regarding the Parks Master Plan, he asked for increased funding to

make it more feasible to implement. He asked that the budget show two years of funding for bike infrastructure and quick-builds.

- James van Rink, city resident and Co-Chair of the Bicycle and Pedestrian Committee, asked that bike projects be better delineated in the CIP and city budget. Regarding operational expenses, he spoke about lost opportunities because of lack of communication or inadequate staffing to complete projects requested. He applauded the success of temporary quick-build traffic safety projects and asked for additional funding to make these permanent.
- Chris Meyer, city resident, expressed concern about school infrastructure and the need for significant investment to improve school buildings for the benefit of students having adequate learning spaces.

With no additional speakers, the public hearing was closed.

Councilor Snook asked for clarity regarding who is responsible for the park at Westhaven. It was clarified that CRHA (Charlottesville Redevelopment and Housing Authority) is responsible for the park infrastructure.

Commissioners engaged in discussion and voted on moving the CIP forward for Council consideration with clarifying language.

Mr. Freas stated that a specific list of projects will be inserted into the CIP.

Mayor Wade adjourned City Council at 8:17 p.m. and he, along with other councilors, thanked Commissioner Rory Stolzenberg during his final official meeting for contributions he made during his years of service on the Planning Commission.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

December 15, 2025 at 4:00 PM

Council Chamber

The Charlottesville City Council held a regular meeting on Monday, December 15, 2025. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrin, Michael Payne and Lloyd Snook.

On motion by Snook, seconded by Oschrin, Council by a vote of 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none) adopted the meeting agenda.

REPORTS

1. REPORT: Emergency Management Update

John Oprandy, Emergency Management Coordinator, presented an overview of the City's current and future approach to managing complex emergencies and disasters, with a focus on the roles and coordination of key stakeholders.

The City's ability to effectively manage complex emergencies and disasters depends on a strong, coordinated framework that brings together planning, operational readiness, and leadership engagement. The presentation provided a high-level overview of that framework, beginning with our foundational Emergency Operations Plan (EOP) and Continuity of Operations Plan (COOP). It outlined how the Emergency Operations Center (EOC) is activated, the structure and function of local and regional Multi-Agency Coordination (MAC) groups, and how to ensure that timely and accurate information flows to City leadership during a crisis. It also highlighted ongoing investments in preparedness through training and exercises, and the critical role elected officials play in setting the tone for the community before, during, and after a disaster.

Mr. Oprandy stated that there will be a recruitment process for the Incident Management Team, needing about 30 people to cover all roles and to account for redundancy. Regarding communication with local residents, Mr. Oprandy encouraged residents to do a website search for CUA911 Alerts, and the page will guide them through the process for signing up for emergency alerts.

Councilor Snook asked Mr. Oprandy to look into VOIP (Voice Over Internet Protocol) service for CUA911 Alerts on home telephones.

2. REPORT: Housing Budget Brief

City Manager Samuel Sanders, Jr., provided a high-level overview to touch on the different affordable housing related investments being considered for meeting City Council's identified objectives. City Council identified Affordable Housing as a high priority and high impact issue area within the strategic plan. Past budgets have included significant investments and an array of affordable housing projects and programs including ongoing efforts to fund the reconstruction and improvement of the Charlottesville Housing Authority's properties, various supports to help keep residents in their homes, and investments to help address the homelessness issue in our community.

Supporting the construction of new affordable housing units has been a primary focus of the City. The overview looked at existing programs and accomplishments including the funding for several critical housing projects and the different relief programs the City supports. The presentation reviewed several

new funding requests related to new affordable housing proposals and possible new investments at the Kindlewood development.

CLOSED MEETING

On motion by Oschrin, 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 2.2-3712 for the following reason:

1. Pursuant to 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:
 - a. Board of Zoning Appeals
 - b. Charlottesville Affordable Housing Fund (CAHF) Committee
 - c. Charlottesville Albemarle Convention & Visitors Bureau (CACVB) Board
 - d. Charlottesville Redevelopment and Housing Authority (CRHA) Board
 - e. Community Development Block Grant (CDBG) & HOME Taskforce
 - f. Historic Resources Committee
 - g. Housing Advisory Committee
 - h. Human Rights Commission
 - i. Local Board of Building Code Appeals
 - j. Minority Business Commission
 - k. Personnel Appeals Board
 - l. Piedmont Family YMCA Board of Directors
 - m. Sister Cities Commission
 - n. Social Services Advisory Board
 - o. Thomas Jefferson Water Resources Protection Foundation
 - p. Towing Advisory Board
 - q. Tree Commission
 - r. Vendor Appeals Board
 - s. Youth Council

On motion by Oschrin, seconded by Snook, Council by a vote of 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none) certified 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.

On motion by Pinkston, seconded by Snook, Council by a vote of 5-0 appointed the following members to city boards and commissions:

- Charlottesville Affordable Housing Fund Committee: Sarah Malpass - At-Large; Jamaala Hamilton - Affordable Housing Beneficiary
- Charlottesville-Albemarle Convention & Visitors Bureau Board: Brad Uhl - Food and Beverage; Zarina Yafizova - Accommodations
- Community Development Block Grant & HOME Taskforce: Syleethia Carr – Rose Hill; Jamaala Hamilton - Fifeville
- Historic Resources Committee: Jennifer Trompetter
- Human Rights Commission: Hannah Langlet, Callum McCain von Schill

- Local Board of Building Code Appeals: Robert Pineo
- Personnel Appeals Board: Rafiullah Daudzai, Adam Hastings
- Sister Cities Commission: Huehuetenango Representative: Kristen Petros de Guex, rescinding her appointment as the CSCC Business Representative and appoint her as the Huehue Representative.

BUSINESS SESSION

The business session of the meeting began with a moment of silence.

ANNOUNCEMENTS

Mayor Wade announced a new parking technology system in the Downtown parking garages, commencing the following day.

RECOGNITIONS/PROCLAMATIONS

Mayor Wade presented a plaque to Vice Mayor Pinkston in honor of his years of service from January 1, 2022 to December 31, 2025, on City Council.

Vice Mayor Pinkston made remarks commemorating his years of service on City Council.

Councilor Snook commended Vice Mayor Pinkston for his suggestions and guidance on moving building renovations forward for Buford Middle School, now Charlottesville Middle School, after years of there being no solid plan. Other councilors thanked Mr. Pinkston for his important contributions to many issues facing Charlottesville.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Rebecca Ellison, city resident and Director of Advancement representing VIA Centers for Neurodevelopment, expressed the importance of VIA's services in the Charlottesville region, and thanked Council for their support and partnership.
2. Wendy Gao, Friends of PHAR (Public Housing Association of Residents), spoke in opposition to luxury student housing developments and their negative impacts on historically Black and Brown residents. She shared historical information about Gospel Hill, which no longer exists in the area of West Main Street. She mentioned The Mark project on 7th Street being presented to the Board of Architectural Review (BAR) on December 16, and requested denial as well as zoning protections for historically Black neighborhoods.
3. Alicia Lenahan, Albemarle County resident, spoke in support of a Resolution to Unmask ICE, and she addressed concerns that have been raised since the proposal of the resolution to City Council earlier in the year.
4. Paul Reeder, city resident, applauded City Council on holding a future work session to discuss student housing development. He stated that he was correcting a statement made to City Council by the Director of Neighborhood Development Services on November 3 regarding the boundaries of UVA Grounds and said that he plans to appeal to the BAR the Zoning Administrator's definition of proposed 7th Street luxury student housing proposal, which he believes was based on incorrect criteria and past practice. He invited Council members to attend the BAR meeting on December 16 to hear resident arguments on both sides of the issue involving luxury student housing.

CONSENT AGENDA

Clerk Thomas read the following Consent Agenda items into the record, and on motion by Pinkston, seconded by Oschrin, Council unanimously adopted the Consent Agenda (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none), with Payne expressing concerns about Item #4, as stated in the December 1 City Council meeting.

3. MINUTES: October 20, November 3, November 17, and December 1 regular meetings
4. RESOLUTION to Amend the FY 2026 Contribution to the Charlottesville-Albemarle Convention and Visitor's Bureau (CACVB) - \$167,867 (2nd reading)

Resolution to Amend the FY 2026 Contribution to the Charlottesville-Albemarle Convention and Visitor's Bureau (CACVB) - \$167,867

WHEREAS, the City of Charlottesville is party to a funding agreement for the Charlottesville-Albemarle Convention and Visitor's Bureau; and

WHEREAS, the City of Charlottesville's FY 2026 budgeted contribution for CACVB was incorrectly calculated;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that funds in the amount of \$167,867 be transferred from previously appropriated funds in the citywide reserve account as follows:

Transfer From:

\$ 167,867 Fund: 105 WBS: 1631001000 G/L Account: 599999

Transfer To:

\$ 167,867 Fund: 105 WBS: 9783004000 G/L Account: 540090

5. RESOLUTION to appropriate Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$25,000 (2nd reading)

RESOLUTION

Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$25,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$25,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2025 through September 30, 2026;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$25,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 25,000

Fund: 209 Internal Order: 1900619 G/L: 430120

Expenditures - \$25,000

Fund: 209

Internal Order: 1900619

G/L: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$25,000 from the Virginia Department of Education Special Nutrition Program.

6. ORDINANCE Amending City Code to Define School Zones for all Schools and Reflect their Current Names (2nd reading)

ORDINANCE AMENDING AND RE-ORDAINING SECTION 15-98 OF THE CHARLOTTESVILLE CITY CODE, "MAXIMUM LIMITS IN SCHOOL ZONES," TO INCLUDE ALL CHARLOTTESVILLE CITY SCHOOL DIVISION SCHOOLS WITHIN CITY BOUNDARIES AND TO REFLECT THEIR CURRENT NAMES

7. ORDINANCE granting a Franchise Agreement to MCI Communication Services, LLC (2nd reading)

AN ORDINANCE GRANTING A FRANCHISE TO MCI COMMUNICATIONS SERVICES LLC., ITS SUCCESSORS AND ASSIGNS TO USE THE STREETS AND OTHER PUBLIC PLACES OF THE CITY OF CHARLOTTESVILLE, VIRGINIA FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES, FOR A PERIOD OF FIVE (5) YEARS

8. ORDINANCE Amending City Code Section 2-38 — Organizational meeting (2nd reading)

ORDINANCE AMENDING CITY CODE SECTION 2-38 - ORGANIZATIONAL MEETING

9. RESOLUTIONS to 1) Dissolve the Regional Transit Partnership and 2) approve a Memorandum of Understanding for administration of the Charlottesville-Albemarle Regional Transit Authority by the Thomas Jefferson Planning District Commission

**RESOLUTION
To Dissolve the Regional Transit Partnership**

WHEREAS, the City Council made and entered into a Memorandum of Understanding establishing the Jefferson Area Regional Transit Partnership on October 30, 2017; and

WHEREAS, on December 16, 2024, City Council approved a resolution to join the Charlottesville-Albemarle Regional Transit Authority (CARTA); and

WHEREAS, over the past year CARTA has been activated and will serve as the primary forum for regional transit discussions and decision making; and

WHEREAS, the City Council finds it in the best interest of the County to dissolve the Jefferson Area Regional Transit Partnership;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlottesville, Virginia, hereby authorizes the City manager to execute a revised Memorandum of Understanding on behalf of the City, dissolving the Jefferson Area Regional Transit Partnership, once the revised Memorandum has been approved as to substance and form by the City Attorney.

RESOLUTION
To Approve a Memorandum of Understanding on
The Charlottesville-Albemarle Regional Transit Authority

WHEREAS, on December 16, 2024, City Council approved a resolution to join the Charlottesville-Albemarle Transit Authority (CARTA); and

WHEREAS, Council finds it in the best interest of the City to approve a Memorandum of Understanding to establish a framework for collaboration and cooperation between the Thomas Jefferson Planning District Commission (TJPDC), the County of Albemarle, and the City of Charlottesville regarding the administration, coordination, and support of CARTA, identifying the payment terms, roles, and responsibilities of each party.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlottesville, Virginia hereby approves a Memorandum of Understanding on the Charlottesville-Albemarle Regional Transit Authority and authorizes the City Manager to execute the Memorandum of Understanding on behalf of the City once it has been approved as to substance and form by the City Attorney.

10. RESOLUTION to Grant \$50,000 to the Residential Energy Retrofit Mini-Grant Program (layover)

11. RESOLUTION to Accept Huntley Avenue and Morgan Court into City Street System

RESOLUTION
ACCEPTING HUNTLEY AVENUE AND MORGAN COURT IN THE HUNTLEY
SUBDIVISION INTO THE CITY STREET SYSTEM FOR MAINTENANCE

WHEREAS, Huntley of Charlottesville, LTD, submitted to the City of Charlottesville, Virginia (“City”), Department of Public Works (“Department”) a subdivision plan (“Huntley PUD”) for approval; and

WHEREAS, the Huntley PUD was originally approved by the Department on March 3, 2004; and

WHEREAS, Huntley Avenue and Morgan Court (“Streets”), located in the Huntley PUD, have been substantially completed; and

WHEREAS, to help facilitate the completion of the Streets in the Huntley PUD, the City has agreed to accept a one (1)-time financial contribution of \$300,000 from Huntley of Charlottesville, LTD, to facilitate the City’s assumption of maintenance responsibility for the Streets; and

WHEREAS, the City’s Public Services Manager requested the City accept the Streets into the City’s Street System for maintenance; and

WHEREAS, City Staff have inspected the subject Streets of the Huntley PUD and recommend the acceptance into the City’s Street System for maintenance; and

WHEREAS, the City accepts this infrastructure, with all known and unknown defects, and the acceptance will conclude all outstanding matters related to the Huntley PUD.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the Department that the Streets located in the Huntley PUD, as shown on the

attached drawing, are hereby formally accepted into the City Street System for maintenance.

12. RESOLUTION for Compromise of Claim: Water and Wastewater Leak Credit of \$10,707.03 for Melbourne Park Owners Association

RESOLUTION

Approval of a Compromise of Claim in the Form of a Leak Credit of \$10,707.03 for Water and Wastewater Charges to the Utility Account of “Melbourne Park Owners Association”

WHEREAS, the Director of Finance, City Attorney, and City Manager concur that circumstances associated with a leak at 104/101 Melbourne Park Circle warrant a credit in the amount of \$10,707.03 for water and wastewater charges, and in accordance with City Code Sec. 11-132(4), City Council has authority to grant such a compromise of claim; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Director of Finance is hereby authorized to apply a credit of \$10,707.03 to the utility account of “Melbourne Park Owners Association”.

13. RESOLUTION for Compromise of Claim: Water and Wastewater Leak Credit of \$12,454.93 for McGuffey Homeowners Association

RESOLUTION

Approval of a Compromise of Claim in the Form of a Leak Credit of \$12,454.93 for Water and Wastewater Charges to the Utility Account of McGuffey Homeowners Association”

WHEREAS, the Director of Finance, City Attorney, and City Manager concur that circumstances associated with a leak at 301 2nd Street NW warrant a credit in the amount of \$12,454.93 for water and wastewater charges, and in accordance with City Code Sec. 11-132(4), City Council has authority to grant such a compromise of claim; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the Director of Finance is hereby authorized to apply a credit of \$12,454.93 to the utility account of “McGuffey Homeowners Association”.

14. RESOLUTION to appropriate \$303,660.00 from the Building Resilient Infrastructure and Communities (BRIC) Grant Program for the City of Charlottesville - Rock Creek Watershed Management Plan (layover)

CITY MANAGER REPORT

City Manager Samuel Sanders, Jr. reported an update on the City’s use of the Flock system, stating that while the police department reported some success with solving cases using information from the license plate reader technology, the one-year pilot ended in October, and for a variety of reasons City Councilors requested not moving forward with implementing the program. He shared that cameras are being removed and a technology work session will be scheduled for 2026.

A tentative work session to discuss the approach to student housing is scheduled for the January 20 City Council meeting.

A City Manager budget series of three budget work sessions is being scheduled for January 13, 14 and 15 around the city.

Mr. Sanders announced new hires. Abigail Wade will join on January 5th as the new Economic Mobility Officer. Evan Pilachowski will join on January 5th as an Assistant City Manager. Samuel Roman will join on February 2nd as an Assistant City Manager.

ACTION ITEMS

15. ORDINANCE to vacate Clarke Court, a City-maintained street (2nd reading)

John Maddux, City Attorney. Provided an update on negotiations for the terms regarding vacation of Clarke Court. He recommended approval of the ordinance to vacate Clarke Court, with a proposed amendment as requested during the meeting by the Applicant.

Scott Rainey with Flora & Pettit, representing the Applicant, explained the need for amendment to the ordinance to remove specific measurements and to reference vacating property between two properties owned by the Applicant.

Following clarifying questions from Councilors, Councilor Payne expressed concerns that he considered “odd” about the transaction.

On motion by Pinkston, seconded by Snook, Council voted 3-2 (Ayes: Pinkston, Snook, Wade; Noes: Oschrin, Payne) to adopt the ordinance:

ORDINANCE CLOSING, VACATING, AND DISCONTINUING THE PUBLIC ROAD KNOWN AS CLARKE COURT ON CITY REAL ESTATE TAX MAP 17

16. BY MOTION: Dairy Road Bridge Public Hearing Summary Presentation for Endorsement

Michael Goddard, Deputy Public Works Director, presented the summary from a Dairy Road Bridge Public Hearing, requesting Council’s approval to move forward with the design phase.

The City of Charlottesville Department of Public Works received \$12,620,000 in grant funding through the Virginia Department of Transportation (VDOT) to reconstruct the Dairy Road bridge over the Route 250 bypass. The existing bridge has reached the end of its useful life. Recent inspection data dated March 6, 2025, shows the overall condition of the bridge as “poor.” A full replacement of the bridge is necessary and has been funded through VDOT’s State of Good Repair (SGR) program using a combination of state and federal dollars, with no local match required.

A design public hearing was held on July 15, 2025, at Walker Upper Elementary School to inform the public and adjacent neighborhoods about the project needs, background, and construction impacts. A 10-day comment period was provided after the meeting to allow any citizen to provide comment on the project. A total of 16 formal comments were received in writing or orally through the City-provided court reporter present at the public hearing. In general, feedback was focused on the inconvenience of the detour, the appearance of the bridge, and the duration of construction and detour.

A second public meeting is planned in mid-2026 prior to construction to update the public on the project’s progress, provide a rendering of the proposed bridge, and hear comments regarding the project and detour.

Brennen Duncan, City Engineer, shared responses to questions from Councilor Snook regarding costs of inconvenience caused by the project, in addition to the contract cost of the project, and several scenarios for costs related to length of time for constructing the bridge.

Councilor Oschrin confirmed that the pedestrian bridge will remain open while the Dairy Road Bridge is being constructed.

Council and staff engaged in further discussion and John Oliver with Kimely Horn Associates clarified that a portion of the funds from VDOT can be used to incentivize the contractor to complete the project sooner than the projected 14 months.

On motion by Pinkston, seconded by Oschrin, Council voted 5-0 (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none) to endorse the Dairy Road Bridge project, voicing a preference to make an effort to incentivize a shorter disruption period.

GENERAL BUSINESS

17. REPORT: Presentation of the FY25 audit results by the City's auditors

Chris Cullinan, Director of Finance, introduced Michael Lupton, representing the city's auditing firm Robinson, Farmer, Cox and Associates, who presented the audit report for Fiscal Year 2025 (July 1, 2024 - June 30, 2025). He stated that the auditors are working to finalize their results but expect to issue an Unmodified rating. The Code of Virginia requires that localities have their accounts and records audited annually as of June 30 by an independent certified public accountant in accordance with the specifications furnished by the Auditor of Public Accounts (APA).

Mr. Cullinan stated that there is a concerted effort to provide the report on the city's website by December 31, 2025. Once the audit is finished, a year-end appropriation request will be presented to City Council.

COMMUNITY MATTERS (2)

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

ADJOURNMENT

On motion by Pinkston, seconded by Oschrin, Council voted unanimously to adjourn the meeting at 8:00 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



**CHARLOTTESVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
School Board / City Council Joint Work Session
December 18, 2025, at 5:00 p.m.**

Walker Upper Elementary School Cafeteria, 1564 Dairy Road, Charlottesville, VA

The December 18, 2025, joint work session of the Charlottesville City Council and the Charlottesville City School Board was called to order by Chair Emily Dooley.

Deputy School Board Clerk Leslie Thacker called the roll for School Board Members, establishing a quorum, and Clerk of Council Kyna Thomas called the roll for City Council, noting the following members present: Mayor Juandiego Wade and Councilors Natalie Oschrin and Lloyd Snook. Councilor Brian Pinkston gave advance notice of his absence.

Chair Dooley called a vote for agenda approval, and the agenda was adopted unanimously.

Dr. Royal Gurley, Superintendent of Charlottesville City Schools (CCS), introduced Schools staff in attendance and City Manager Samuel Sanders, Jr. introduced City of Charlottesville staff.

Dr. Gurley began the presentation of City Schools FY27 budget priorities and estimates, as required by statute, and Councilor Payne joined the meeting at 5:06 p.m. Dr. Gurley stated that he has asked staff to evaluate barriers to success for Black students, and through continuous implementation of solutions, outcomes are beginning to improve. Regarding accountability and student outcomes, Dr. Gurley mentioned that it seems when improvements are apparent for students, particularly for students of color, the benchmarks for achievement seem to change, and funding is usually not available to meet the needs of students with the greatest challenges.

Mr. Gurley's presentation covered the topics of budget priorities, student demographics, Virginia's new accountability implications for 2026-2027, instructional funding next steps, staff allocation, salaries and benefits, and early childhood education. Budget priorities include:

- Staffing, Compensation, and Retention
- Student Support, Achievement, and Well-Being
- Facilities, Maintenance, and Capital Improvements
- Early Childhood Education

Kim Powell, Chief Operating Officer for CCS, presented on facilities maintenance operation costs, capital improvements, and the ongoing pupil driver shortage.

Renee Hoover, Director of Finance for CCS, reviewed Fiscal Year 2027 revenues, next steps before the School Board budget work session on January 22, 2026, and budget considerations.

Dr. Gurley and staff answered clarifying questions for Council.

City Manager Sanders summarized his understanding of the request presented for \$6.4 Million above the previous year's budgeted amount.

Chair Dooley opened the floor for comments from members of the community, and the following individuals spoke:

- Nikuyah Walker spoke about items she heard during discussion regarding salaries, outcomes

City Council – School Board Joint Meeting – December 18, 2025

for students whose families are not in middle class, children with behavioral issues, and in opposition to the impending School Resource Officers (SROs) Memorandum of Understanding with the Charlottesville Police Department. She questioned why Schools were asking for additional funding if outcomes have not shown improvement. She asked for accountability, and why White student outcomes can offset scores for other students.

- Dr. RaShell Brackney, former Charlottesville Police Chief, spoke as an educator, and about successful models for educating poor and Black and Brown children. She encouraged using the term “successful” versus “proficient” when talking about outcomes for children. She gave an example of a successful program in Harlem schools. She expressed that the metrics for success changed across the State, and not just for Charlottesville. Regarding school transportation, she suggested using the public transportation system and contracting with churches to use church vans. She asked what problems are Schools attempting to solve by placing SROs in schools.
- Zyahna Bryant, member-elect to the Charlottesville School Board, stated that conversations about student outcomes tend to be circular and not productive. She expressed concerns about advanced classes tending to not have students of color enrolled, and about missed opportunities to provide wrap-around services that would help various students to be successful. She suggested connecting with local agencies to provide services in schools.

Chair Dooley gave closing remarks, listed future meetings, and adjourned the meeting at 6:59 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

Policy Briefing Summary

City Council



| | |
|---------------------------------|---|
| Regarding: | Resolution to Grant \$50,000 to the Residential Energy Retrofit Mini-Grant Program (2nd reading) |
| Staff Contact(s): | Emily Irvine, Climate Program Manager, Kristel Riddervold, Director of the Office of Sustainability |
| Presenter: | Emily Irvine, Climate Program Manager |
| Date of Proposed Action: | January 5, 2026 |

Issue

The Office of Sustainability recommends supplementing the Residential Energy Retrofit Mini-Grant program through a \$50,000 grant to the Local Energy Alliance Program (LEAP). Since its launch in July 2025, the program has been successful in supporting more than 50 Charlottesville households in making energy-saving upgrades to their homes. Without additional funds, the program will be paused.

Background / Rule

In July of 2025, in partnership with LEAP, the Office of Sustainability launched the *Residential Energy Retrofit Mini-Grant Program*, which is designed to lower barriers for community members in accessing energy-saving home improvements by providing personalized energy audit support and up to \$2,000 per household in direct financial support. The program is open to community members of all income levels and supports the following home energy upgrades:

- Energy Star or Cold-Climate Heat Pump Installation \$1,000
- Electric heat pump water heaters \$800
- Attic insulation with air sealing \$500
- Foundation insulation with air sealing \$500
- Additional wiring or electrical work \$250
- Duct Sealing \$250
- Energy Audit Reimbursement \$250

Since its launch, this program has been extremely popular and the original funding (\$58,000 for mini-grants + \$15,357 for audit support) has been nearly exhausted. The original funding has so far supported 56 households in making energy-saving upgrades to their home. The Office of Sustainability recommends supplementing the program with an additional \$50,000 so that it can continue to support community members for the remainder of the fiscal year.

Analysis

Approximately 95% of Charlottesville's greenhouse gas (GHG) emissions are attributable to non-municipal, community-based activities. Of this share, approximately 30% come from residential buildings. Climate Program staff recognize that community members need support in reducing emissions from their homes. The same actions that reduce emissions also result in reduced energy use, lower utility bills, and safer, healthier homes – all important benefits in a time of rising costs.

The Mini-Grant program has been delivered through LEAP and was designed to leverage the Community Energy Resource Hub by providing an extra layer of incentive for people to take action towards reducing their home energy usage. Program funds can be stacked with other local, state,

federal, or utility-funded initiatives. These funds will either bridge the gap to the availability of federal energy efficiency funding (HOMES and HEAR programs) or help fill the gap should those programs be rescinded.

This program supports implementation of the City's Climate Action Plan. It also contributes to one of the Strategic Outcome Areas (Climate Action) of the 2023 City Strategic Plan Framework.

Financial Impact

There is no budgetary impact to the City. The proposed funds to be added to the Residential Retrofit Mini-Grant Program are previously appropriated FY26 Climate Initiative Funds.

Recommendation

Staff recommends adoption of the Resolution.

Recommended Motion (if Applicable)

Motion to approve the resolution granting \$50,000 to support the Residential Energy Retrofit Mini-Grant Program.

Attachments

1. 2025 Residential Retrofits Supplemental Funds_Resolution

RESOLUTION #R-__-__

**TRANSFERRING FUNDS TO SUPPLEMENT
ENERGY RETROFIT MINI-GRANT PROGRAM**

WHEREAS, the City of Charlottesville has adopted climate goals for the Charlottesville community, which include 45% reduction by 2030 and carbon neutrality by 2050; and

WHEREAS, the City has established that approximately 30% of greenhouse gas emissions are associated with the residential sector, and has identified that climate action in the residential sector involves implementing energy efficiency measures, and

WHEREAS, the City of Charlottesville has worked with the Local Energy Alliance Program (LEAP) for over a decade in delivering energy efficiency and other clean energy initiatives; and

WHEREAS, LEAP is currently providing Home Energy Audits to Charlottesville homeowners, is a key partner in the recently-launched Community Energy Resource Hub, and has been successfully delivering the Residential Energy Retrofit Mini-Grant Program; and

WHEREAS, the Residential Energy Retrofit Mini-Grant Program has been designed to address barriers to implementing energy efficiency improvements in the residential sector; and

WHEREAS, City Council has previously appropriated funding for clean energy actions in the Climate Action Initiatives Fund and the Residential Energy Retrofit Mini-Grant Program is an initiative that aligns with the intended use of those funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$50,000 from previously appropriated funds is hereby approved to be granted to LEAP to further support the Residential Energy Retrofit Mini-Grant Program, and the City Manager is hereby authorized to execute an agreement with the Local Energy Alliance Program to govern the use of the funds.

Policy Briefing Summary

City Council



| | |
|---------------------------------|--|
| Regarding: | Resolution to appropriate \$303,660.00 from the Building Resilient Infrastructure and Communities (BRIC) Grant Program for the City of Charlottesville - Rock Creek Watershed Management Plan (2nd reading) |
| Staff Contact(s): | Taylor Harvey-Ryan, Grants Program Manager |
| Presenter: | Donald Schrager, Stormwater Utility Administrator |
| Date of Proposed Action: | January 5, 2026 |

Issue

Appropriate grant funds from the Virginia Department of Emergency Management and execute the grant agreement to support the Rock Creek Watershed Management Plan.

Background / Rule

The Department of Public Utilities was notified of a grant award from the Virginia Department of Emergency Management's Building Resilient Infrastructure and Communities (BRIC) Grant Program in the amount of \$303,660 to support the Rock Creek Watershed Management Plan for February 17, 2024, to February 16, 2027.

Analysis

The City of Charlottesville was awarded \$231,360 in FEMA funds through the Virginia Department of Emergency Management to support the Rock Creek Watershed Management Plan. The grant requires a 25% match in the amount of \$72,300. These funds will be used to develop a Watershed Management Plan (WMP) to investigate options, identify solutions, and optimize benefits regionally. Potential techniques to be evaluated for the WMP include, but are not limited to the following:

- Programmatic solutions for flood resiliency including:
 - Stream monitoring
 - Floodplain ordinance recommendations
 - Strategy for participating in the Community Rating System (CRS) program
- Infrastructure improvements to reduce flooding and increase flood resilience:
 - Floodplain storage/ Reconnected floodplains
 - Existing stormwater management facility retrofits
 - New stormwater management facilities on public and undeveloped land
 - Site-scale stormwater management for local drainage issues
 - Property buyouts
 - Improved conveyance of the local drainage system, primarily culverts
 - Reduced or disconnected impervious cover
 - Increased tree canopy
- Infrastructure improvements that improve conveyance and reduce nutrient removal efficiency in existing systems will be offset with nature-based solutions such as:
 - Stream stabilization and restoration
 - Green infrastructure integration into traffic calming devices
 - Public land retrofits

In addition to building flood resilience across the watershed, the above suite of solutions will improve ecological function of the City's waterways, create and connect habitat corridors, and improve public health and safety. The WMP will be developed in seven distinct phases, as described below:

1. Data Development

Existing FEMA and City of Charlottesville stormwater models (1D/2D SWMM, HEC-RAS) will be modified to expand coverage areas and refine input data. The updated models will allow the City to assess flood risk across the watershed using regulatory design storms and climate-influenced events represented with Chesapeake Bay Watershed IDF Curve data developed by MARISA. The models will also consider potential increases to impervious cover by incorporating the City's recently developed future land use maps.

Other data to be reviewed and integrated into the management plan include the City's floodplain ordinance and the Thomas Jefferson Planning District Commission (TJPDC)'s Natural Hazard Mitigation Plan.

2. Pilot Project Field Investigations

Site surveys will be conducted to verify site conditions and eligibility for potential improvements. This may include topographic survey, boundary survey, photographs, geotechnical investigation, environmental impact assessments, and field work reports, as necessary.

3. Conceptual Design and Modeling

Desktop GIS investigations, field investigations, and the City's Streets that Work plan will be used to identify locations and techniques across the watershed to address known drainage and erosion issues, ranging from site-scale to watershed-scale.

4. 2D Model Verification

The proposed improvements included in the conceptual design will be added to the City's 2D SWMM model (draft available in Summer 2023) to verify the cumulative effects across the Rock Creek watershed. Based on the results of the 2D model, an iterative approach between 1D and 2D modeling may be necessary.

5. Permitting/Cost/Phasing Recommendations

Any improvements proposed in public right of way will require coordination with City staff and a preliminary review of permitting requirements. Conceptual designs will be shared with Public Works and Neighborhood Development Services to address feasibility issues not identified during field investigations and conceptual design.

6. Public Engagement / Stakeholder Identification

Community meetings will be scheduled to communicate the conceptual watershed management plan with a focus on how the plan is integrated with goals from the City's comprehensive plan and applicable small neighborhood plans. Depending on the locations of the proposed improvements, stakeholders may include the City of Charlottesville Parks Department, the University of Virginia, neighborhood associations, and private property owners.

7. Final Report and Model

Models will be revised based on feedback from public and stakeholder engagement, resulting in a final model, final reports, and preliminary construction documents.

Developing a watershed management plan prior to constructing improvements in the watershed is the most cost-effective approach to building flood resiliency in the City's systems and operations. This

approach avoids band-aid solutions that will not provide prolonged or comprehensive flood mitigation and resilience. It allows the City to assess the cumulative effect of watershed-scale and site-scale solutions and integrates watershed management with neighborhood and transportation planning. The result of this work will prepare the City for the next phase of FEMA funding for design and build.

Financial Impact

There is no financial impact to the City, as the match funds will be paid using previously appropriated funds in the Stormwater CIP budget.

Recommendation

Staff recommends the appropriation of the grant funds in the amount of \$231,360 from FEMA and the local match of \$72,300 to support the City of Charlottesville- Rock Creek Watershed Management Plan project. Staff recommends the City Manager execute the grant agreement between VDEM and the City of Charlottesville to support the Rock Creek Watershed Management Plan project.

Recommended Motion (if Applicable)

I move to approve the resolution appropriating \$303,660.00 to support the City of Charlottesville Rock Creek Watershed Management Plan project.

I move to approve the City Manager execute the grant agreement between the Virginia Department of Emergency Management and the City of Charlottesville and any subsequent amendments for the Rock Creek Watershed Management Plan.

Attachments

1. BRIC Resolution
2. BRIC 2022 Charlottesville Award Package (3)

RESOLUTION

Appropriating Funding in the Amount of \$303,660 To Be Received from the Virginia Department of Emergency Management's Building Resilient Infrastructure and Communities Grant Program

WHEREAS, The City of Charlottesville has been notified that it will be awarded a grant from the Building Resilient Infrastructure and Communities (B.R.I.C.) grant program from the Virginia Department of Emergency Management in the amount of \$303,660.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the B.R.I.C. funding the Commonwealth of Virginia, said funding, anticipated in the sum of \$303,660, is hereby appropriated in the following manner:

Revenues

| | | | |
|-----------|----------|----------------|------------|
| \$231,360 | Fund 209 | Order: 1900621 | G/L 430120 |
| 72,300 | Fund 209 | Order: 1900621 | G/L 498641 |

Expenditures

| | | | |
|-----------|----------|---------------|------------|
| \$303,660 | Fund 209 | Order 1900621 | G/L 530550 |
|-----------|----------|---------------|------------|

Transfer of Previously Appropriated Funds

| | | | |
|----------|----------|----------------|------------|
| \$72,300 | Fund 643 | CC: 6431001000 | G/L 561209 |
|----------|----------|----------------|------------|

BE IT FUTHER RESOLVED that this appropriation is conditioned upon receipt of \$231,360 in funds from the Commonwealth of Virginia.



COMMONWEALTH OF VIRGINIA

Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

SHAWN G. TALMADGE
State Coordinator of
Emergency Management

March 19, 2024

Mr. Samuel Sanders, Jr.
City Manager
City of Charlottesville
605 E. Main Street
Charlottesville, VA 22902-5337

RE: City of Charlottesville – Rock Creek Watershed Management Plan
EMP-2022-BR-006-0008

Dear Mr. Sanders:

I am pleased to notify you that the Federal Emergency Management Agency (FEMA) has approved the project titled "City of Charlottesville – Rock Creek Watershed Management Plan." The funds have been obligated through the Building Resilient Infrastructure and Communities grant program. Attached you will find the grant award package. Please read all documents carefully prior to initiating your project. As funded, the federal share is 75% of the total project costs, and management costs will be funded with 100% federal funds.

Your project cannot begin until the authorized agent has signed the grant award package. No reimbursements will be made until the award package is signed and received by the Virginia Department of Emergency Management. Please sign the attached grant agreement and scan and email it to Trina Addison, Hazard Mitigation Grant Administrator. Congratulations on the approval of this project. If you have questions regarding this award or the implementation of your project, please contact Trina Addison at (804) 267-7734 or by e-mail at Trina.Addison@vdem.virginia.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl J. Adkins".

Cheryl J. Adkins
CFO, Deputy State Coordinator

Enclosures

CJA/KV/ta



COMMONWEALTH OF VIRGINIA

Department of Emergency Management

9711 Farrar Court, Suite 200, North Chesterfield, Virginia 23236
TEL 804.267.7600 TDD 804.674.2417 FAX 804.272.2046

SHAWN G. TALMADGE
State Coordinator of
Emergency Management

Building Resilient Infrastructure and Communities (BRIC) Grant Program

Grant Agreement
EMP-2022-BR-006-0008

This Agreement is made as of this 17th day of February 2024, by and between the Virginia Department of Emergency Management, hereinafter called "VDEM," and the City of Charlottesville herein after called the "Sub-grantee." The UEI-EFT number for the City of Charlottesville is **C6VFXLAFKEY1**.

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

(1) GENERAL PROVISIONS:

This Agreement is a sub-grant award of federal funds from VDEM to the sub-grantee. VDEM has received a grant from the Department of Homeland Security, Federal Emergency Management Agency's Building Resilient Infrastructure and Communities Grant Program, Catalog of Federal Domestic Assistance Number 97.047. The sub-grantee shall implement the project as set forth in the grant Agreement documents. These documents consist of:

- (1) Executed Grant Agreement;
- (2) Scope of Services, Attachment A;
- (3) Project Budget, Attachment B;
- (4) Milestone Table, Attachment C; and
- (5) Grant Assistance Agreements and VDEM-FEMA General Terms and Conditions and Assurances; Attachment D.

State agencies acting as the sub-grantee shall report all federal funds received as part of this Agreement as federal pass-thru funds on their agency's Schedule of Federal Assistance.

Nothing in this Agreement shall be construed as authority for either party to make commitments, which will bind the other party beyond the Scope of Work contained herein. Furthermore, the sub-grantee shall assign, sublet, or subcontract any work related to this Agreement or any interest it may have herein with full compliance with federal and state procurement regulations. The schedule of service set forth in the Scope of Work and Milestone Table shall be deemed to have been consented to, as required by the preceding sentence, upon the execution of this Agreement by VDEM.

(2) SCOPE OF SERVICES:

The sub-grantee shall provide the service to VDEM set forth and summarized in the Scope of Work (Attachment A) and Milestone Table (Attachment C). All deliverables shall conform to accepted standards and practices. If there is any change in the original scope of work, a formal request must be made to VDEM for review and approval prior to implementing the change. These attachments are consistent with the original VDEM-FEMA (Federal Emergency Management Agency) grant project application. The sub-grantee shall provide VDEM with quarterly reports and a final report on the progress of work set forth in the Scope of Work. The quarterly reports and final report shall contain the following components: (1) a narrative describing in detail the progress of the sub-grantee in fulfilling the provisions of the Scope of Work; (2) Reimbursement Requests as needed that itemize the expenses incurred by the sub-grantee, including separate columns for the federal, state, and the sub-grantee's matching contribution to the total cost of services as reflected in the Project Budget - Attachment B; and (3) the schedule of specific project tasks with target completion dates and actual completion dates (Milestone Table – Attachment C). The first quarterly report is due to VDEM at the end of the first complete quarter following the award of the grant.

Reporting Period

January 1 – March 31
April 1 – June 30
July 1 – September 30
October 1 – December 31

Report Due to VDEM

no later than April 15
no later than July 15
no later than October 15
no later than January 15

(3) TIME OF PERFORMANCE:

The services of the sub-grantee shall begin on the date of sub-grantee's signature of this document and terminate on **02-16-2027**, unless otherwise altered through provisions of this Agreement or extended by written authorization of VDEM. Requests for a time of performance extension must be received in writing by VDEM within 75 days of termination date with reasons for the requested time of performance extension and a revised Milestone Table – Attachment C. All time limits stated are of essence of this Agreement. All funds must be obligated no later than the project completion date. The final request for reimbursement must be received no later than 60 days after the completion date for the project.

(4) COMPENSATION:

The total project award from VDEM is **\$303,660** provided through the Building Resilient Infrastructure and Communities Grant Program. FEMA shall provide funds for the project identified in the Scope of Work (Attachment A) totaling **\$216,900**. FEMA shall also provide sub-recipient management cost funds in the amount of **\$14,460**. The sub-grantee agrees to provide a match in the amount of **\$72,300**. The sub-grantee is aware of and shall comply with cost-sharing requirements of federal and state mitigation grant assistance; specifically, that federal assistance is limited to 75 percent of the eligible expenditures, and the sub-grantee shall provide from the sub-grantee's funds 25 percent of the eligible costs. The non-federal funds must be from a non-federal funding source and can be completely fulfilled by in-kind services as long as financial records document them as such.

VDEM shall release the grant award to the sub-grantee on a cost-reimbursement basis upon receipt and approval of the sub-grantee's quarterly and final reports and deliverables as required by this Agreement or at other times agreed to by VDEM. Any cost overruns incurred by the sub-grantee during the time of performance shall be the responsibility of the sub-grantee. The sub-grantee shall

spend the funds according to the specified categories of the contract budget. The sub-grantee shall use mitigation grant funds solely for the purposes for which these funds are provided and as approved by FEMA and VDEM. General policies for determining allowable costs are established in 2 Code of Federal Regulations (CFR), Part 200, subpart E (included in Attachment D) and the appropriate OMB circulars that identify cost principles for different kinds of organizations. Minor shifts of the funds among categories by the sub-grantee, not to exceed 10 percent of any budget line item are permissible, but in no case can the total expenditures exceed the amount provided by this contract. Shifts in funds exceeding 10 percent among budget line items must be approved in writing by VDEM.

(5) ASSISTANCE:

VDEM agrees upon request of the sub-grantee to furnish, or otherwise make available to the sub-grantee, copies of existing non-proprietary materials in the possession of VDEM that are reasonably related to the subject matter of this Agreement and are necessary to the sub-grantee for completion of its performance under this Agreement. VDEM Grants Division staff will provide technical support to the sub-grantee and make periodic site visits to monitor progress.

(6) ACKNOWLEDGEMENTS:

The role of the Virginia Department of Emergency Management (VDEM) and the Federal Emergency Management Agency (FEMA) must be clearly stated in all press releases, news articles, and request for proposals, bid solicitations and other documents describing this project, whether funded in whole or part.

Acknowledgement of financial assistance, with VDEM and FEMA logos, must be printed on all reports, studies, web sites, and other products (including map products) supported, in whole or in part, by this award or any sub-award. The sub-grantee is responsible for contacting VDEM staff in adequate time to obtain the logo in camera-ready or digital form. The final draft must be approved by VDEM staff prior to production. The acknowledgement should read as follows:

This report was funded by the Federal Emergency Management Agency through the Virginia Department of Emergency Management, via Grant Agreement Number EMP-2022-BR-006-0008 for \$303,660.

(7) CREATION OF INTELLECTUAL PROPERTY:

To the extent that the copyright to any copyrightable material created pursuant to this Agreement is owned by the sub-grantee and/or the sub-grantee is empowered to license its use, VDEM agrees to grant to the sub-grantee, and hereby does grant to the sub-grantee, a license to use the materials so owned for public, not-for-profit purpose within the territory of the Commonwealth and shall execute and deliver such further documents as the Commonwealth may reasonably request for the purpose of acknowledging or implementing such license.

A copyright notice shall be placed in an appropriate location on any copyrightable material being distributed or published. Such notice shall include (1) either the symbol “©”, the word "Copyright", or the abbreviation "Copr."; (2) the year of first publication; and (3) the name of the copyright owner (the Commonwealth of Virginia). This information shall be followed by the words, "all rights reserved."

(8) STRUCTURAL MITIGATION REQUIREMENTS:

Specific requirements must be adhered to for structural mitigation projects such as structural relocation, property acquisition and demolition, and structural retrofitting or improvement as detailed in Attachment D. These requirements can include deed restrictions, operation and maintenance plans, and insurance requirements, as dictated by the specific grant and project requirements.

(9) BREACH AND TERMINATION:

In the event of breach by the sub-grantee of this Agreement, VDEM shall provide written notice to the sub-grantee specifying the manner in which the Agreement has been breached. If a notice of breach is given and the sub-grantee has not substantially corrected the breach within 60 days of receipt of the written notice, VDEM shall have the right to terminate the Agreement. The sub-grantee shall be paid for no service rendered or expense incurred after receipt of the notice of termination, except such fees and expenses incurred prior to the effective date of termination that are necessary for curtailment of its work under the Agreement. Termination of this Agreement can occur as an effect of one of two results: First, as a result of the proper completion and closeout of this project. Second, termination may occur as a result of *Termination for Convenience* or other termination as allowed or required by 2 CFR 200.339 for projects which cannot be completed as described in the FEMA-approved grant project application and the Scope of Services – Attachment, herein. Communication of this decision and information related to the project termination will be provided to the sub-grantee in coordination with FEMA through registered mail.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by the following duly authorized officials:

Sub-grantee:

City of Charlottesville

By:

Date:

Authorized Sub-grantee Signatory

Grantor:

Virginia Department of Emergency Management

By:

Cheryl Adkins

Date:

3/19/2024

Cheryl Adkins - CFO, Deputy State Coordinator

Attachment A

EMP-2022-BR-006-0008

Project Scope of Work

Project Sponsor: City of Charlottesville**Project Title: City of Charlottesville – Rock Creek Watershed Management Plan****Project Description from BRIC application:**

The City will develop a Watershed Management Plan (WMP) to investigate options, identify solutions, and optimize benefits regionally. Potential techniques to be evaluated for the watershed management plan include, but are not limited to, the following:

- Programmatic solutions for flood resiliency including:
 - Stream monitoring
 - Floodplain ordinance recommendations
 - Strategy for participating in the community rating system (CRS) program
- Infrastructure improvements to reduce flooding and increase flood resilience:
 - Floodplain storage / Reconnected floodplains
 - Existing stormwater management facility retrofits
 - New stormwater management facilities on public and undeveloped land
 - Site-scale stormwater management for local drainage issues
 - Property buyouts
 - Improved conveyance of the local drainage system, primarily culverts
 - Reduced or disconnected impervious cover
 - Increased tree canopy
- Infrastructure improvements that improve conveyance and reduce nutrient removal efficiency in existing systems will be offset with nature-based solutions such as:
 - Stream stabilization and restoration
 - Green infrastructure integration into traffic calming devices
 - Public land retrofits

In addition to building flood resilience across the watershed, the above suite of solutions will improve ecological function of the City's waterways, create and connect habitat corridors, and improve public health and safety. The WMP will be developed in seven distinct phases, as described below.

1. Data Development

Existing FEMA and City of Charlottesville stormwater models (1D/2D SWMM, HEC-RAS) will be modified to expand coverage areas and refine input data. The updated models will allow the City to assess flood risk across the watershed using regulatory design storms and climate-influenced events represented with Chesapeake Bay Watershed IDF Curve data developed by MARISA. The models will also consider potential increases to impervious cover by incorporating the City's recently developed future land use maps.

Other data to be reviewed and integrated into the management plan include the City's floodplain ordinance and the Thomas Jefferson Planning District Commission (TJPDC)'s Natural Hazard Mitigation Plan.

2. Pilot Project Field Investigations

Site surveys will be conducted to verify site conditions and eligibility for potential improvements. This may include topographic survey, boundary survey, photographs, geotechnical investigation, environmental impact assessments, and field work reports, as necessary.

3. Conceptual Design and Modeling

Desktop GIS investigations, field investigations, and the City's Streets that Work plan will be used to identify locations and techniques across the watershed to address known drainage and erosion issues, ranging from site-scale to watershed-scale.

4. 2D Model Verification

The proposed improvements included in the conceptual design will be added to the City's 2D SWMM model (draft available in Summer 2023) to verify the cumulative effects across the Rock Creek watershed. Based on the results of the 2D model, an iterative approach between 1D and 2D modeling may be necessary.

5. Permitting / Cost / Phasing Recommendations

Any improvements proposed in public right of way will require coordination with City staff and a preliminary review of permitting requirements. Conceptual designs will be shared with Public Works and Neighborhood Development Services to address feasibility issues not identified during field investigations and conceptual design.

6. Public Engagement / Stakeholder Identification

Community meetings will be scheduled to communicate the conceptual watershed management plan with a focus on how the plan is integrated with goals from the City's comprehensive plan and applicable small neighborhood plans. Depending on the locations of the proposed improvements, stakeholders may include the City of Charlottesville Parks Department, the University of Virginia, neighborhood associations, and private property owners.

7. Final Report and Model

Models will be revised based on feedback from public and stakeholder engagement, resulting in a final model, final reports, and preliminary construction documents.

Developing a watershed management plan prior to constructing improvements in the watershed is the most cost-effective approach to building flood resiliency in the City's systems and operations. This approach avoids band-aid solutions that will not provide prolonged or comprehensive flood mitigation and resilience. It allows the City to assess the cumulative effect of watershed-scale and site-scale solutions and integrates watershed management with neighborhood and transportation planning. The result of this work will prepare the City for the next phase of FEMA funding for design and build.

Attachment B

EMP-2022-BR-006-0008

Project Budget

Project Awarded Budget – Funding Source BRIC:

| | |
|--------------------------------|-------------------|
| Federal Project Funds (75%) | \$ 216,900 |
| Local Project Funds (25%) | \$ 72,300 |
| Sub-recipient Management Costs | \$ 14,460 |
| Total Project Funds | \$ 303,660 |

Project Budget from VDEM-FEMA BRIC application:

| Cost Type | Quantity | Unit Cost Average | Total |
|------------------------------------|-----------------|--------------------------|------------------|
| Data Review & Development | 1 | \$16,000 | \$16,000 |
| Pilot Project Field Investigations | 1 | \$48,200 | \$48,200 |
| Conceptual Design and Modeling | 1 | \$110,000 | \$110,000 |
| 2D Model Verification | 1 | \$18,000 | \$18,000 |
| Program Recommendations | 1 | \$21,000 | \$21,000 |
| Phasing and Cost Estimates | 1 | \$12,000 | \$12,000 |
| Public Engagement | 1 | \$28,000 | \$28,000 |
| Final Report and Model | 1 | \$36,000 | \$36,000 |
| Total Project Costs | | | \$289,200 |

| Cost Type | Quantity | Unit Cost Average | Total |
|--------------------------------|-----------------|--------------------------|--------------|
| Sub-Recipient Management Costs | 1 | \$14,460 | \$14,460 |

Attachment C

EMP-2022-BR-006-0008

Project Milestone Table

| Project Milestone | Estimated Time to Complete |
|--|----------------------------|
| Project Implementation with VDEM | 90 days |
| Data Development | 90 days |
| Pilot Project Field Investigations | 180 days |
| Conceptual Design and Modeling | 210 days |
| 2D Modeling Verification | 90 days |
| Program Development | 90 days |
| Permitting/Cost/Phasing Recommendations | 30 days |
| Public Engagement/Stakeholder Identification | 90 days |
| Final Report and Model | 120 days |
| Closeout with VDEM | 90 days |
| TOTAL Days | 1095 days |

Attachment D**Administrative Requirements and Guidance****Federal Administration and Guidance Documents:**

1. 2 CFR Part 200 Cost Principles for State, Local, Indian Tribal Governments
2. CATEX documentation (where required)
3. Structural Mitigation Project Requirements (where required)
4. Current Hazard Mitigation Assistance (HMA) Guidelines
5. FEMA Award Package

Federal Emergency Management Agency (FEMA) Contact:

Alexis Malehorn
FEMA Region III
One Independence Mall, 6th Floor
615 Chestnut Street
Philadelphia, PA 19106-4404
Mobile: (202) 919-1628
alexis.malehorn@fema.dhs.gov

Attachment E

EMP-2022-BR-006-0008

Hazard Mitigation Assistance
Non-Supplanting Certification

I certify that any funds awarded under the Building Resilient Infrastructure and Communities (BRIC) grant program will be used to supplement existing funds for program activities and will not replace (supplant) non-federal funds.

Designated Agent

Name

Signature

Title

Agency

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 02/16/2024



Debbie Messmer
EMERGENCY MGMT DEPARTMENT OF
9711 FARRAR COURT STE 200
NORTH CHESTERFIELD, VA 23236
EMP-2022-BR-006

Dear Debbie Messmer,

\$850,041.75 in Federal Funding.

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year 2022 Building Resilient Infrastructure and Communities funding opportunity has been approved in the amount of \$850,041.75 in Federal Funding.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Award Summary
- Agreement Articles
- Obligating Document
- FY 2022 BRIC Notice of Funding Opportunity (NOFO)

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A photograph of a handwritten signature in black ink on a light-colored rectangular background. The signature appears to read "Maryann Tierney". Below the signature, the words "Regional Administrator" are printed in a smaller, sans-serif font.

Maryann Tierney
Regional Administrator

Award Summary

Program: Fiscal Year 2022 Building Resilient Infrastructure and Communities

Recipient: EMERGENCY MGMT DEPARTMENT OF

UEI-EFT: F2G3FMDN23M4-

DUNS number: 809740020

Award number: EMP-2022-BR-006

Summary description of award

The purpose of the Building Resilient Infrastructure and Communities (BRIC) grant program is to provide grants to States and Indian Tribal government or territory that, in turn, provide Subawards to local governments for cost-effective mitigation activities. Funds will be used to implement a sustained pre-disaster natural hazard mitigation program to reduce overall risk to the population and structures, while also reducing reliance on funding from actual disaster declarations.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2022 Building Resilient Infrastructure and Communities funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

| Object Class | Total |
|-----------------|----------------|
| Personnel | \$73,626.00 |
| Fringe benefits | \$0.00 |
| Travel | \$0.00 |
| Equipment | \$0.00 |
| Supplies | \$0.00 |
| Contractual | \$0.00 |
| Construction | \$0.00 |
| Other | \$1,011,260.00 |

| Object Class | Total |
|------------------|----------------|
| Indirect charges | \$0.00 |
| Federal | \$850,041.75 |
| Non-federal | \$234,844.25 |
| Total | \$1,084,886.00 |

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, as appropriate, per 2 C.F.R. § 200.308 and the FY 2022 BRIC NOFO.

The terms of the approved application materials submitted by the recipient for the following subawards and activities are incorporated into the terms of this Federal award, subject to the additional descriptions and limitations stated in this award package, and subject to the limitations stated in subsequent approvals by FEMA of changes to the prime award, subawards, or activities. Post-award documents uploaded into the FEMA GO system for this award are also incorporated into the terms and conditions of this Federal award, subject to any limitations stated in subsequent approvals by FEMA of changes to the prime award, subawards, or activities. Subawards or activities not listed in this award package are not approved for funding under this award.

Approved request details:

FEMA's Subgrant ID: EMP-2022-BR-006-0005
Subrecipient: THE VIRGINIA DEPARTMENT OF ENERGY

Cost estimate

Item : Other (Explain)

Lead Geologist Fringe Benefits

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|-----------------|
| 3 | Each | \$43,400.00 | \$130,200.00 | No | Fringe benefits |

CHANGE FROM APPLICATION

Name of cost item from Geologist Fringe Benefits to Lead Geologist Fringe Benefits

Quantity from 1 to 3

Unit price from \$184,808.00 to \$43,400.00

JUSTIFICATION

Updated to match budget breakdown

Item : Other (Explain)

Geologist Fringe (Match)

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|-----------------|
| 1 | Each | \$54,608.00 | \$54,608.00 | No | Fringe benefits |

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

Updated to match budget breakdown

Item : Other (Explain)

Geologist Technician Fringe Benefits

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|-----------------|
| 3 | Each | \$20,250.00 | \$60,750.00 | No | Fringe benefits |

CHANGE FROM APPLICATION

Quantity from 1 to 3

Unit price from \$60,750.00 to \$20,250.00

JUSTIFICATION

Updated to match budget breakdown

Item : Other (Explain)

Geologist Technician

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|--------------|
| 3 | Each | \$45,000.00 | \$135,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Quantity from 1 to 3

Unit price from \$135,000.00 to \$45,000.00

JUSTIFICATION

Updated to match budget breakdown

Item : Other (Explain)

Lead Geologist Wage

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|--------------|--------------|-----------|--------------|
| 1 | Each | \$187,280.00 | \$187,280.00 | No | Personnel |

CHANGE FROM APPLICATION

Name of cost item from Geologist Wage to Lead Geologist Wage

Unit price from \$269,619.00 to \$187,280.00

JUSTIFICATION

Updated to match budget breakdown

Item : Other (Explain)

Lead Geologist (Match)

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$82,339.00 | \$82,339.00 | No | Personnel |

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

Updated to match budget breakdown

Management cost

Item : Salaries

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$32,423.00 | \$32,423.00 | No | Personnel |

FEMA's Subgrant ID: EMP-2022-BR-006-0008

Subrecipient: CITY OF CHARLOTTESVILLE

Management cost

Item : Salaries

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$14,460.00 | \$14,460.00 | No | Personnel |

Cost estimate

Item : Other (Explain)

Phasing and Cost Estimates

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$12,000.00 | \$12,000.00 | No | Other |

Item : Other (Explain)**Program Recomendations**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$21,000.00 | \$21,000.00 | No | Other |

Item : Other (Explain)**Final Report and Model**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$36,000.00 | \$36,000.00 | No | Other |

Item : Other (Explain)**DATA REVIEW AND DEVELOPMENT**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$16,000.00 | \$16,000.00 | No | Other |

Item : Other (Explain)**Conceptual Design and Modeling**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|--------------|--------------|-----------|--------------|
| 1 | Each | \$110,000.00 | \$110,000.00 | No | Other |

Item : Other (Explain)**Public Engagement**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$28,000.00 | \$28,000.00 | No | Other |

Item : Other (Explain)**2D Model Verification**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$18,000.00 | \$18,000.00 | No | Other |

Item : Other (Explain)**Pilot Project Field Investigations**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$48,200.00 | \$48,200.00 | No | Other |

FEMA's Subgrant ID: EMP-2022-BR-006-0022

Subrecipient: EMERGENCY MGMT DEPARTMENT OF

Cost estimate**Item : Other (Explain)****Grants Management System Enhancements & Management**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|--------------|--------------|-----------|--------------|
| 1 | Each | \$350,000.00 | \$350,000.00 | No | Contractual |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)

Grant Staff - Salary and Benefits

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$73,626.00 | \$73,626.00 | No | Personnel |

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

This is a portion of the salary and benefits that were originally requested with the application as FEMA awards projects.

Item : Other (Explain)

Contract Support Application and Grants Management

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|----------------|----------------|-----------|--------------|
| 1 | Each | \$3,000,000.00 | \$3,000,000.00 | No | Contractual |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Salary-Benefits for Grants Manager 4yrs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|--------------|
| 4 | Each | \$50,000.00 | \$200,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Salary-Benefits for Deputy SHMO 4yrs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|--------------|
| 4 | Each | \$40,000.00 | \$160,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Salary-Benefits for 5 Grants Administrators 4yrs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|--------------|--------------|-----------|--------------|
| 4 | Each | \$170,000.00 | \$680,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Salary-Benefits for Grants Program Support 4yrs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|--------------|
| 4 | Each | \$80,000.00 | \$320,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Salary-Benefits for Grants Division Director 4yrs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|--------------|
| 4 | Each | \$45,000.00 | \$180,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Salary-Benefits for State Hazard Mit Planner 4yrs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|--------------|-----------|--------------|
| 4 | Each | \$90,000.00 | \$360,000.00 | No | Personnel |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Office Supplies and Equipment**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$50,000.00 | \$50,000.00 | No | Equipment |

CHANGE FROM APPLICATION

Item marked deferred**JUSTIFICATION**

Deferred until additional projects are awarded.

Item : Other (Explain)**Agency Costs - Direct Costs**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|-------------|-------------|-----------|--------------|
| 1 | Each | \$25,000.00 | \$25,000.00 | No | Other |

CHANGE FROM APPLICATION

Item created**JUSTIFICATION**

This is a portion of the agency costs that were originally requested with the application as FEMA awards projects.

Item : Other (Explain)**Agency Costs (5 years)**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|--------------|----------------|-----------|--------------|
| 4 | Each | \$500,000.00 | \$2,000,000.00 | No | Other |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Loss Avoidance Studies**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE-AWARD | BUDGET CLASS |
|----------|-----------------|--------------|--------------|-----------|--------------|
| 1 | Each | \$300,000.00 | \$300,000.00 | No | Contractual |

CHANGE FROM APPLICATION

Item marked deferred

JUSTIFICATION

Deferred until additional projects are awarded.

Item : Other (Explain)**Travel and Training**

| QUANTITY | UNIT OF MEASURE | UNIT PRICE | TOTAL | PRE- AWARD | BUDGET CLASS |
|----------|--------------------|---------------|--------------|---------------|-----------------|
| 1 | Each | \$100,000.00 | \$100,000.00 | No | Travel |

CHANGE FROM APPLICATION**Item marked deferred****JUSTIFICATION**

Deferred until additional projects are awarded.

Agreement Articles

Program: Fiscal Year 2022 Building Resilient Infrastructure and Communities

Recipient: EMERGENCY MGMT DEPARTMENT OF

UEI-EFT: F2G3FMDN23M4-

DUNS number: 809740020

Award number: EMP-2022-BR-006

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Article 1 Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

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| Article 2 | General Acknowledgements and Assurances |
| | <p>All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made.</p> <p>Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool. DHS Civil Rights Evaluation Tool Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.</p> |
| Article 3 | Acknowledgement of Federal Funding from DHS |
| | <p>Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.</p> |
| Article 4 | Activities Conducted Abroad |
| | <p>Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.</p> |

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| Article 5 | Age Discrimination Act of 1975 |
| | Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance. |
| Article 6 | Americans with Disabilities Act of 1990 |
| | Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. |
| Article 7 | Best Practices for Collection and Use of Personally Identifiable Information |
| | Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively. |
| Article 8 | Civil Rights Act of 1964 – Title VI |
| | Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7. |
| Article 9 | Civil Rights Act of 1968 |
| | Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.) |

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| Article 10 | Copyright Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards. |
| Article 11 | Debarment and Suspension Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. |
| Article 12 | Drug-Free Workplace Regulations Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106). |
| Article 13 | Duplication of Benefits Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. |
| Article 14 | Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19. |

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| Article 15 | <p>E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety</p> <p>Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.</p> |
| Article 16 | <p>Energy Policy and Conservation Act</p> <p>Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.</p> |
| Article 17 | <p>False Claims Act and Program Fraud Civil Remedies</p> <p>Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)</p> |
| Article 18 | <p>Federal Debt Status</p> <p>All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)</p> |
| Article 19 | <p>Federal Leadership on Reducing Text Messaging while Driving</p> <p>Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.</p> |
| Article 20 | <p>Fly America Act of 1974</p> <p>Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.</p> |

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| Article 21 | Hotel and Motel Fire Safety Act of 1990 |
| | <p>Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a</p> |
| Article 22 | John S. McCain National Defense Authorization Act of Fiscal Year 2019 |
| | <p>Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons</p> |
| Article 23 | Limited English Proficiency (Civil Rights Act of 1964, Title VI) |
| | <p>Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov.</p> |
| Article 24 | Lobbying Prohibitions |
| | <p>Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.</p> |
| Article 25 | National Environmental Policy Act |
| | <p>Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans</p> |

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| Article 26 | <p>Nondiscrimination in Matters Pertaining to Faith-Based Organizations It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.</p> |
| Article 27 | <p>Non-Supplanting Requirement Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.</p> |
| Article 28 | <p>Notice of Funding Opportunity Requirements All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.</p> |
| Article 29 | <p>Patents and Intellectual Property Rights Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.</p> |
| Article 30 | <p>Procurement of Recovered Materials States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.</p> |
| Article 31 | <p>Rehabilitation Act of 1973 Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.</p> |

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| Article 32 | Reporting of Matters Related to Recipient Integrity and Performance General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions. |
| Article 33 | Reporting Subawards and Executive Compensation Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions. |

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| Article 34 | Required Use of American Iron, Steel, Manufactured Products, and Construction Materials Recipients must comply with the “Build America, Buy America” provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the “Build America, Buy America” provisions. Recipients should |
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refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

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| Article 35 | SAFECOM Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. |
| Article 36 | Terrorist Financing Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws. |
| Article 37 | Trafficking Victims Protection Act of 2000 (TVPA) Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference. |
| Article 38 | Universal Identifier and System of Award Management Requirements for System for Award Management and Unique Entity Identifier Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference. |
| Article 39 | USA PATRIOT Act of 2001 Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. |
| Article 40 | Use of DHS Seal, Logo and Flags Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials. |
| Article 41 | Whistleblower Protection Act Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310. |

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| Article 42 | Environmental Planning and Historic Preservation (EHP) Review |
| | <p>DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website at: https://www.fema.gov/grants/guidance-tools/environmental-historic. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archaeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.</p> |
| Article 43 | Applicability of DHS Standard Terms and Conditions to Tribes |
| | <p>The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.</p> |
| Article 44 | Acceptance of Post Award Changes |
| | <p>In the event FEMA determines that an error in the award package has been made, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please call FEMA Grant Management Operations at (866) 927-5646 or via e-mail to: ASK-GMD@fema.dhs.gov if you have any questions.</p> |

| | |
|-------------------|--|
| Article 45 | Disposition of Equipment Acquired Under the Federal Award For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state sub-recipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state sub-recipients must follow the disposition requirements in accordance with state laws and procedures. |
| Article 46 | Prior Approval for Modification of Approved Budget Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval. |
| Article 47 | Indirect Cost Rate 2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file. |

Obligating document

| | | | | |
|--|---|--|-----------------------------------|--|
| 1. Agreement No. EMP-2022-BR-006 | 2. Amendment No. N/A | 3. Recipient No. 546002286 | 4. Type of Action AWARD | 5. Control No. PX00004N2024T, PX00001N2024T |
| 6. Recipient Name and Address EMERGENCY MGMT DEPARTMENT OF 9711 FARRAR CT NORTH CHESTERFIELD, VA 23236 | | 7. Issuing FEMA Office and Address FEMA Region III One Independence Mall, 6th Floor 615 Chestnut Street Philadelphia, Pennsylvania 19106-4404 215-931-5500 | | 8. Payment Office and Address FEMA Finance Center P.O. Box 9001 Winchester, VA 22604 (540) 504-1900 |
| 9. Name of Recipient Project Officer Debbie Messmer | 9a. Phone No. 8042677732 | 10. Name of FEMA Project Officer Building Resilient Infrastructure and Communities Program | | 10a. Phone No. 770-220-5200 |
| 11. Effective Date of This Action 02/16/2024 | 12. Method of Payment OTHER - FEMA GO | 13. Assistance Arrangement COST SHARING | | 14. Performance Period 02/17/2024 to 02/16/2027 Budget Period 02/17/2024 to 02/16/2027 |

| 15. Description of Action a. (Indicate funding data for awards or financial changes) | | | | | | |
|--|--------------------------------|-----------------------------------|--------------------------|--|----------------------------|--|
| Program Name Abbreviation | Assistance Listings No. | Accounting Data(ACCS Code) | Prior Total Award | Amount Awarded This Action + or (-) | Current Total Award | Cumulative Non-Federal Commitment |
| BRIC | 97.047 | 2024-6M-GN22BR-R032-xxxx-4101-D | \$0.00 | \$98,626.00 | \$98,626.00 | See Totals |
| BRIC | 97.047 | 2024-6N-IJ22BR-R032-xxxx-4101-D | \$0.00 | \$751,415.75 | \$751,415.75 | See Totals |
| | | | Totals | \$0.00 | \$850,041.75 | \$850,041.75 |
| b. To describe changes other than funding data or financial changes, attach schedule and check here: | | | | | | |
| N/A | | | | | | |
| 16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) | | | | | | |
| This is not applicable for digitally signed grant agreements. | | | | | | |
| 17. RECIPIENT SIGNATORY OFFICIAL (Name and Title) | | | | | | DATE |
| 18. FEMA SIGNATORY OFFICIAL (Name and Title) | | | | | | DATE |
| Maryann Tierney, Regional Administrator | | | | | | 02/16/2024 |

Policy Briefing Summary

City Council



| | |
|---------------------------------|---|
| Regarding: | Resolution to appropriate Stormwater Local Assistance Grant Fund for the Rivanna Restoration at Riverview Park in the amount of \$607,610.00 (1 of 2 readings) |
| Staff Contact(s): | Taylor Harvey-Ryan, Grants Program Manager |
| Presenter: | Dan Frisbee, Water Resource Specialist |
| Date of Proposed Action: | January 5, 2026 |

Issue

Appropriate grant funds from the Virginia Department of Environmental Quality (DEQ) and execute the grant agreement to support the Rivanna Restoration at Riverview Park.

Background / Rule

The Department of Public Utilities was notified of a grant award from the Virginia Department of Environmental Quality to support the Rivanna Restoration at Riverview Park.

Analysis

The City of Charlottesville was awarded \$607,610.00 from the Virginia Department of Environmental Quality to support the Rivanna Restoration at Riverview Park. This project aims to restore an 880-foot section of the Rivanna riverbank around the existing public access stairs and a 200-foot section of a dangerously eroding stormwater outfall channel nearby. Using appropriate natural stream restoration approaches, the project will:

- Protect the land, tree, and trails from erosion
- Reduce water pollution
- Improve opportunities for boating, wading, and observing wildlife
- Enhance habitat for birds, fish, and other wildlife
- Protect public safety and existing infrastructure.

The primary design goal for the main stem of the Rivanna is to halt excessive streambank erosion, a major source of water quality impairment. The primary design goal for the outfall is to reverse the impacts of stream bed and bank degradation and prevent further erosion while treating stormwater runoff before it enters the Rivanna.

Financial Impact

There is no financial impact to the City.

Recommendation

Staff recommends the appropriation of the grant funds in the amount of \$607,610 from the Virginia Department of Environmental Quality to support the Rivanna Restoration at Riverview Park.

Staff recommends the City Manager execute the grant agreement between DEQ and the City of Charlottesville to support the Rivanna Restoration at Riverview Park project.

Recommended Motion (if Applicable)

I move to approve the resolution appropriating \$607,610 to support the Rivanna Restoration at Riverview Park project and to authorize the City Manager to execute the grant agreement between the Virginia Department of Environmental Quality and the City of Charlottesville and any subsequent amendment for the Rivanna Restoration at Riverview Park.

Attachments

1. S.L.A.F. Resolution Rivanna Restoration at Riverview Park
2. SLAF #25-14 Grant Agreement_DEQ

RESOLUTION

Appropriating Funding in the Amount of \$607,610 To Be Received from the Virginia Department of Environmental Quality's Stormwater Local Assistance Fund

WHEREAS, The City of Charlottesville has been notified that it will be awarded a grant from the Stormwater Local Assistance Fund (S.L.A.F.) grant program from the Virginia Department of Environmental Quality in the amount of \$607,610.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the S.L.A.F. funding the Commonwealth of Virginia, said funding, anticipated in the sum of \$607,610, is hereby appropriated in the following manner:

Revenues

| | | | |
|-----------|----------|----------------|------------|
| \$607,610 | Fund 209 | Order: 1900620 | G/L 430110 |
|-----------|----------|----------------|------------|

Expenditures

| | | | |
|-----------|----------|---------------|------------|
| \$607,610 | Fund 209 | Order 1900620 | G/L 599999 |
|-----------|----------|---------------|------------|

BE IT FUTHER RESOLVED that this appropriation is conditioned upon receipt of \$607,610 in funds from the Commonwealth of Virginia.

**STORMWATER LOCAL ASSISTANCE FUND
GRANT AGREEMENT
SLAF Grant No.: 25-14**

THIS AGREEMENT is made as of this _____ day of _____, 2025 by and between the Virginia Department of Environmental Quality (the “Department”), and the City of Charlottesville, Virginia (the “Grantee”).

Pursuant to Item 360 in Chapter 860 of the 2013 Acts of Assembly (the Commonwealth’s 2013-14 Budget) (the “Act”), the General Assembly created the Stormwater Local Assistance Fund (the “Fund”). The Department is authorized, pursuant to Item 365 C in Chapter 2 of the 2024 Acts of Assembly, Special Session I, to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads.

The Grantee has been approved by the Department to receive a Grant from the Fund subject to the terms and conditions herein to finance fifty percent (50%) of the cost of the Eligible Project, which consists of the planning, design and implementation of best management practices for stormwater control as described herein. The Grantee will use the Grant to finance that portion of the Eligible Project Costs not being paid for from other sources as set forth in the Total Project Budget in Exhibit B to this Agreement. Such other sources may include, but are not limited to, the Virginia Water Facilities Revolving Fund, Chapter 22, Title 62.1 of the Code of Virginia (1950), as amended.

This Agreement provides for payment of the Grant, design and construction of the Eligible Project, and development and implementation by the Grantee of provisions for the long-term responsibility and maintenance of the stormwater management facilities and other techniques installed under the Eligible Project. This Agreement is supplemental to the State Water Control Law, Chapter 3.1, Title 62.1 of the Code of Virginia (1950), as amended, and it does not limit in any way the other water quality restoration, protection and enhancement, or enforcement authority of the State Water Control Board (the “Board”) or the Department.

**ARTICLE I
DEFINITIONS**

1. The capitalized terms contained in this Agreement shall have the meanings set forth below unless the context requires otherwise:

(a) “Agreement” means this Stormwater Local Assistance Fund Grant Agreement between the Department and the Grantee, together with any amendments or supplements hereto.

(b) “Authorized Representative” means any member, official or employee of the Grantee authorized by resolution, ordinance or other official act of the governing body of the Grantee to perform the act or sign the document in question.

(c) “Capital Expenditure” means any cost of a type that is properly chargeable to a capital account (or would be so chargeable with (or but for) a proper election or the application of the definition of “placed in service” under Treasury Regulation Section 1.150-2(c)) under general federal income tax principles, determined at the time the expenditure is paid.

(d) “Eligible Project” means all grant eligible items of the particular stormwater project described in Exhibit A to this Agreement to be designed and constructed by the Grantee with,

among other monies, the Grant, with such changes thereto as may be approved in writing by the Department and the Grantee.

(e) “Eligible Project Costs” means costs of the individual items comprising the Eligible Project as permitted by the Act with such changes thereto as may be approved in writing by the Department and the Grantee. All Eligible Project Costs shall be Capital Expenditures and no Eligible Project Costs shall be Working Capital Expenditures.

(f) “Extraordinary Conditions” means unforeseeable or exceptional conditions resulting from causes beyond the reasonable control of the Grantee such as, but not limited to fires, floods, strikes, acts of God, and acts of third parties that singly or in combination cause material breach of this Agreement.

(g) “Grant” means the particular grant described in Section 4.0 of this Agreement, with such changes thereto as may be approved in writing by the Department and the Grantee.

(h) “Total Eligible Project Budget” means the sum of the Eligible Project Costs as set forth in Exhibit B to this Agreement, with such changes thereto as may be approved in writing by the Department and the Grantee.

(i) “Total Project Budget” means the sum of the Eligible Project Costs (with such changes thereto as may be approved in writing by the Department and the Grantee) plus any ineligible costs that are solely the responsibility of the Grantee, as set forth in Exhibit B to this Agreement.

(j) “Project Engineer” means the Grantee’s engineer who must be a licensed professional engineer registered to do business in Virginia and designated by the Grantee as the Grantee’s engineer for the Eligible Project in a written notice to the Department.

(k) “Project Schedule” means the schedule for the Eligible Project as set forth in Exhibit C to this Agreement, with such changes thereto as may be approved in writing by the Department and the Grantee. The Project Schedule assumes timely approval of adequate plans and specifications and timely reimbursement in accordance with this Agreement by the Department.

(l) “Working Capital Expenditure” means any cost that is not a Capital Expenditure. Generally, current operating expenses are Working Capital Expenditures.

(m) “VPBA” means the Virginia Public Building Authority, a political subdivision of the Commonwealth of Virginia.

(n) “VPBA Bonds” means (i) the Virginia Public Building Authority Public Facilities Revenue Bonds, Series 2013A, which were issued by VPBA on February 21, 2013, (ii) any other bonds issued by VPBA, the proceeds of which are used in whole or in part to provide funds for the making of the Grant, and (iii) any refunding bonds related thereto.

ARTICLE II **SCOPE OF PROJECT**

2. The Grantee will cause the Eligible Project to be designed, constructed and placed in operation as described in Exhibit A to this Agreement.

ARTICLE III

SCHEDULE

3. The Grantee will cause the Eligible Project to be designed, constructed and placed in operation in accordance with the Project Schedule in Exhibit C to this Agreement. The Grantee agrees that the Grant may only be used to cover costs incurred and expended during the period beginning **May 1, 2024** and ending **April 30, 2026**.

ARTICLE IV COMPENSATION

4.0. Grant Amount. The total Grant award from the Fund under this Agreement is up to **\$607,610.00** and represents the Commonwealth's fifty percent (50%) share of the Total Eligible Project Budget. Any material changes made to the Eligible Project after execution of this Agreement, which alters the Total Eligible Project Budget, will be submitted to the Department for review of grant eligibility. The amount of the Grant award set forth herein may be modified from time to time by agreement of the parties to reflect changes to the Eligible Project or the Total Eligible Project Budget.

4.1 Project Budget Changes. Project Budget changes that exceed the lesser of \$100,000 or 10% of the Project Budget total must be approved in advance in writing by the Department through a formal Agreement modification issued in accordance with Section 7.3. The Grantee must notify the Department in advance via email of any Project Budget changes that do not exceed this threshold. This threshold is cumulative of all Project Budget changes made over time. Any Project Budget changes must be otherwise in accordance with this Agreement. The Department is under no obligation to reimburse any expenses that do not satisfy this provision.

4.2. Payment of Grant. Disbursement for professional services (planning and design) can commence upon execution of the Grant, with reimbursement available for expenses up to twenty-five (25%) of physical construction costs. Disbursement for the remaining reimbursable costs can commence once the final project budget, based on as-bid or contractual costs, is approved and a grant modification is executed. The Department will notify the Grantee when the eligibility to submit reimbursement requests has been approved. Disbursement of the Grant will be conducted in accordance with the payment provisions set forth in Section 4.2 herein and the eligibility determinations made in the Total Project Budget (Exhibit B).

4.3. Disbursement of Grant Funds. Disbursement requests shall be submitted no less than once every forty-five (45) calendar days while the project is incurring eligible expenses specific to the grant referenced herein. Any alternative schedule request must be received in writing and approved by the Department prior to the disbursement request receipt deadline. The Department will disburse the Grant to the Grantee no more frequently than once per calendar month for approved eligible reimbursements, with a minimum reimbursement amount of ten thousand (\$10,000.00) dollars (excluding initial professional services payments and the final payment), upon receipt by the Department of the following:

(a) A requisition for approval by the Department, signed by the Authorized Representative and containing all receipts, vouchers, statements, invoices or other evidence that costs in the Total Eligible Project Budget, including the applicable local share for the portion of the Eligible Project covered by such requisition, have been incurred or expended and all other information called for by, and otherwise being in the form of, Exhibit D to this Agreement.

(b) If any requisition includes an item for payment for labor or to contractors, builders or material men, a certificate, signed by the Project Engineer, stating that such work was actually

performed or such materials, supplies or equipment were actually furnished or installed in or about the construction of the Eligible Project.

Upon receipt of each such requisition and accompanying certificate(s) and schedule(s), the Department shall request disbursement of the Grant to the Grantee in accordance with such requisition to the extent approved by the Department.

Except as may otherwise be approved by the Department, disbursements shall be held at ninety-five percent (95%) of the total Grant amount to ensure satisfactory completion of the Eligible Project. Satisfactory completion includes the submittal to the Department the Responsibilities & Maintenance Plan required by Section 5.1 herein. Upon receipt from the Grantee of the certificate specified in Section 4.5 and a final requisition detailing all retainage to which the Grantee is then entitled, the Department, subject to the provisions of this section and Section 4.3 herein, shall request disbursement to the Grantee of the final payment from the Grant.

4.4. Application of Grant Funds. The Grantee agrees to apply the Grant solely and exclusively to the reimbursement of Eligible Project Costs. The Grantee represents and warrants that the average reasonably expected economic life of the assets to be financed with the Grant is set forth in Exhibit E attached hereto.

4.5. Agreement to Complete Project. The Grantee agrees to cause the Eligible Project to be designed and constructed, as described in Exhibit A to this Agreement, and in accordance with (i) the schedule in Exhibit C to this Agreement and (ii) plans and specifications prepared by the Project Engineer and approved by the Department.

4.6. Notice of Substantial Completion. When the Eligible Project has been completed, the Grantee shall promptly deliver to the Department a certificate signed by the Authorized Representative and by the Project Engineer stating (i) that the Eligible Project has been completed substantially in accordance with the approved plans and specifications and addenda thereto, and in substantial compliance with all material applicable laws, ordinances, rules, and regulations; (ii) the date of such completion; (iii) that all certificates of occupancy and operation necessary for start-up for the Eligible Project have been issued or obtained; and (iv) the amount, if any, to be released for payment of the final Eligible Project Costs.

4.7. Source of Grant Funds; Reliance. The Grantee represents that it understands that the Grant funds are derived from the proceeds of the VPBA Bonds, the interest on which must remain excludible from gross income for federal income tax purposes (that is, "tax- exempt") pursuant to contractual covenants made by VPBA for the benefit of the owners of the VPBA Bonds. The Grantee further represents that (a) the undersigned Authorized Representative of the Grantee has been informed of the purpose and scope of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended, as they relate to the VPBA Bonds and the Grant, and (b) the representations and warranties contained in this Agreement can be relied on by VPBA and bond counsel to VPBA in executing certain documents and rendering certain opinions in connection with the VPBA Bonds.

ARTICLE V **RESPONSIBILITIES AND MAINTENANCE PLAN**

5.0 Plan Submittal. No later than thirty (30) days from the date of the Notice of Substantial Completion, the Grantee shall submit to the Department a Responsibilities and Maintenance Plan for the Eligible Project.

5.1 Plan Elements. The plan required by Section 5.0 shall include a description of the project type, a recommended schedule of inspection and maintenance, and the identification of a person, persons or position within an organization responsible for administering and maintaining the plan for the useful service life of the installed facilities. If the Eligible Project includes construction on private property, the plan shall document the Grantee's right to access the Eligible Project for purposes of implementing the plan required by Section 5.0.

5.2 Recordation. Long-term responsibility and maintenance requirements for stormwater management facilities located on private property shall be set forth in an instrument recorded in the local land records and shall be consistent with 9VAC25-875-130 of the Virginia Erosion and Stormwater Management Regulation.

5.3 Project Verification Process. Upon completion of the Project's third full year of operation, the Department shall complete a Verification Inspection of the project to document any deficiencies warranting repair. If the Verification Inspection indicates deficiencies warranting repair exist, the Department will provide notice of such deficiencies to the Grantee.

(a) The Grantee may elect to either correct the deficiencies and provide the Department evidence of the correction or repay the entirety of the Grant funds.

(b) If the Grantee elects to correct the deficiencies, the deficiency repair shall commence no later than 30 days after the notice of deficiency by the Department and shall be completed within 120 days of the notice of deficiency, or in compliance with a plan and schedule approved by the Department.

(c) Upon completion of the deficiency repair, the Department shall complete a Final Inspection of the deficiency repair. The Department may elect to conduct a Verification Inspection three year(s) following completion of the deficiency repair. If the Verification Inspection indicates deficiencies warranting repair exist, the Department will provide notice of such deficiencies to the Grantee, and the Grantee and the Department will proceed through actions pursuant to Section 5.3(a) through 5.3(c) until completion of the Project is approved by the Department.

(d) Noncompliance with the deadlines described in Section 5.3(b) may result in a material breach as described in Section 6.0.

ARTICLE VI MATERIAL BREACH

6.0. Material Breach. Any failure or omission by the Grantee to perform its obligations under this Agreement, unless excused by the Department, is a material breach.

6.1. Notice of Material Breach. If at any time the Grantee determines that it is unable to perform its obligations under this Agreement, the Grantee shall promptly provide written notification to the Department. This notification shall include a statement of the reasons it is unable to perform, any actions to be taken to secure future performance and an estimate of the time necessary to do so.

6.2. Monetary Assessments for Breach. In no event shall total Monetary Assessments for Breach pursuant to this Agreement exceed the grant amount. In case of Material Breach, Grant funds will be re-paid into the State Treasury and credited to the Fund. Within 90 days of receipt of written demand from the Department, the Grantee shall re-pay the Grant funds for the corresponding material breaches of this Agreement unless the Grantee asserts a defense pursuant to the requirements of Section 6.3 herein.

(a) Noncompliance with deadlines established pursuant to Section 5.3 shall result in a monetary assessment of \$500 per day for the first 10 days of noncompliance, and \$1,000 for each day of noncompliance thereafter.

6.3 Extraordinary Conditions. The Grantee may assert, and it shall be a defense to any action by the Department to collect Grant funds or otherwise secure performance of this Agreement that the alleged non-performance was due to Extraordinary Conditions, provided that the Grantee:

(a) takes reasonable measures to effect a cure or to minimize any non-performance with the Agreement, and

(b) provides written notification to the Department of the occurrence of Extraordinary Conditions, together with an explanation of the events or circumstances contributing to such Extraordinary Conditions, no later than 10 days after the discovery of the Extraordinary Conditions.

If the Department disagrees that the events or circumstances described by the Grantee constitute Extraordinary Conditions, the Department must provide the Grantee with a written objection within sixty (60) days of Grantee's notice under paragraph 6.3(b), together with an explanation of the basis for its objection.

6.4 Resolution and Remedy. If no resolution is reached by the parties, the Department may immediately bring an action in the Circuit Court of the City of Richmond to recover part or all of the Grant funds. In any such action, the Grantee shall have the burden of proving that the alleged noncompliance was due to Extraordinary Conditions. The Grantee agrees to venue to any such action in the Circuit Court of the City of Richmond, either north or south of the James River in the option of the Department.

6.5 Indemnification. To the extent permitted by law and subject to legally available funds, the Grantee shall indemnify and hold the Department, the Fund, VPBA and the owners of the VPBA Bonds, and their respective members, directors, officers, employees, attorneys and agents (the "Indemnitees"), harmless against any and all liability, losses, damages, costs, expenses, penalties, taxes, causes of action, suits, claims, demands and judgments of any nature arising from or in connection with any misrepresentation, breach of warranty, noncompliance or default by or on behalf of the Grantee under this Agreement, including, without limitation, all claims or liability (including all claims of and liability to the Internal Revenue Service) resulting from, arising out of or in connection with the loss of the excludability from gross income of the interest on all or any portion of the VPBA Bonds that may be occasioned by any cause whatsoever pertaining to such misrepresentation, breach, noncompliance or default, such indemnification to include the reasonable costs and expenses of defending itself or investigating any claim of liability and other reasonable expenses and attorneys' fees incurred by any of the Indemnitees in connection therewith. This paragraph shall not constitute an express or implied waiver of any applicable immunity afforded the Grantee.

ARTICLE VII **GENERAL PROVISIONS**

7.0. Effect of the Agreement on Permits. This Agreement shall not be deemed to relieve the Grantee of its obligations to comply with the terms of its Virginia Pollutant Discharge Elimination System (VPDES) and/or Virginia Water Protection (VWP) permit(s) issued by the Board. This Agreement does not obviate the need to obtain, where required, any other State or Federal permit(s).

7.1. Disclaimer. Nothing in this Agreement shall be construed as authority for either party to make commitments which will bind the other party beyond the covenants contained herein.

7.2. Non-Waiver. No waiver by the Department of any one or more defaults by the Grantee in the performance of any provision of this Agreement shall operate or be construed as a waiver of any future default or defaults of whatever character.

7.3. Integration and Modification. This Agreement constitutes the entire Agreement between the Grantee and the Department. No alteration, amendment or modification of the provisions of this Agreement shall be effective unless reduced to writing, signed by both the parties and attached hereto. This Agreement may be modified by agreement of the parties for any purpose.

7.4. Collateral Agreements. Where there exists any inconsistency between this Agreement and other provisions of collateral contractual agreements which are made a part of this Agreement by reference, the provisions of this Agreement shall control.

7.5. Non-Discrimination. In the performance of this Agreement, the Grantee warrants that it will not discriminate against any employee, or other person, on account of race, color, sex, religious creed, ancestry, age, national origin or other non-job related factors. The Grantee agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

7.6. Conflict of Interest. The Grantee warrants that it has fully complied with the Virginia Conflict of Interest Act as it may apply to this Agreement.

7.7. Applicable Laws. This Agreement shall be governed in all respects whether as to validity, construction, capacity, performance or otherwise, by the laws of the Commonwealth of Virginia. The Grantee further agrees to comply with all laws and regulations applicable to the Grantee's performance of its obligations pursuant to this Agreement.

7.8. Records Availability. The Grantee agrees to maintain complete and accurate books and records of the Eligible Project Costs, and further, to retain all books, records, and other documents relative to this Agreement for three (3) years after the final Verification Inspection. The Department, its authorized agents, and/or State auditors will have full access to and the right to examine any of said materials during said period. Additionally, the Department and/or its representatives will have the right to access work sites during normal business hours, after reasonable notice to the Grantee, for the purpose of ensuring that the provisions of this Agreement are properly carried out.

7.9. Severability. Each paragraph and provision of this Agreement is severable from the entire Agreement; and if any provision is declared invalid, the remaining provisions shall nevertheless remain in effect.

7.10. Notices. All notices given hereunder shall be in writing and shall be sent by United States certified mail, return receipt requested, postage prepaid, and shall be deemed to have been received at the earliest of: (a) the date of actual receipt of such notice by the addressee, (b) the date of the actual delivery of the notice to the address of the addressee set forth below, or (c) five (5) days after the sender deposits it in the mail properly addressed. All notices required or permitted to be served upon either party hereunder shall be directed to:

Department: Virginia Department of Environmental Quality
Clean Water Financing and Assistance Program
P.O. Box 1105
Richmond, VA 23218
Attn: CWFAP Deputy Director

Grantee: City of Charlottesville
PO Box 911
Charlottesville, Virginia 22902
Attn: Dan Frisbee, Water Resource Specialist
Frisbee@charlottesville.gov

7.11. Successors and Assigns Bound. This Agreement shall extend to and be binding upon the parties hereto, and their respective legal representatives, successors and assigns.

7.12. Exhibits. All exhibits to this Agreement are incorporated herein by reference.

ARTICLE VIII **COUNTERPARTS**

8. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

ARTICLE IX **CREDIT GENERATION**

9. Any land area generating stream or wetland mitigation credits from the Eligible Project is not eligible for the generation of any other environmental credits, including credits associated with nonpoint source nutrient banks, either upon completion of the project or anytime thereafter. Any project designs approved by the Department under the Grant may not meet the design requirements for approval from other State or Federal water programs. The Grantee is responsible for obtaining information on design and permit requirements for the type of environmental credit they are seeking.

WITNESS the following signatures, all duly authorized.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Edwards Alvie
xqp92569
By: _____ Date: _____

Digitally signed by: Edwards Alvie
xqp92569
DN: CN = Edwards Alvie xqp92569
OU = COV-Users, End-Users, DEQ
Date: 2025.05.27 13:49:14 -04'00'

Alvie Edwards
Director of Administration
(804) 898-9883
alvie.edwards@deq.virginia.gov

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____ Date: _____

Samuel Sanders Jr.
City Manager
(434) 970-3106
sanderss@charlottesville.gov

EXHIBIT A

ELIGIBLE PROJECT DESCRIPTION

Grantee: City of Charlottesville, Virginia

SLAF Grant No.: 25-14

Rivanna Restoration at Riverview Park: The project aims to restore an 880-foot section of the Rivanna's riverbank around the existing public access stairs and a 200-foot section of a dangerously eroding stormwater outfall channel nearby. Using appropriate natural stream restoration approaches, the project will: Protect the land, trees, and trails from erosion, Reduce water pollution, improve opportunities for boating, wading, and observing wildlife, enhance habitat for birds, fish, and other wildlife, protect public safety and existing infrastructure. The primary design goal for the main stem of the Rivanna is to halt excessive streambank erosion, a major source of water quality impairment. The primary design goal for the outfall is to reverse the impacts of stream bed and bank degradation and prevent further erosion while treating stormwater runoff before it enters the Rivanna.

City of Charlottesville, Virginia (SLAF #25-14)

EXHIBIT B

TOTAL PROJECT BUDGET

Grantee: City of Charlottesville, Virginia

SLAF Grant No.: 25-14

The following budget reflects the estimated costs associated with eligible cost categories of the project.

| Project Category / Project Name | Project Cost | SLAF Eligible | Grant % | Grant Amount |
|---------------------------------------|-----------------------|-----------------------|---------|---------------------|
| Design Engineering | | | | |
| Rivanna Restoration at Riverview Park | \$148,490.00 | \$0.00 | 50.00% | \$0.00 |
| | | | | |
| | | | | |
| Sub-Total | \$148,490.00 | \$0.00 | | \$0.00 |
| Construction | | | | |
| Rivanna Restoration at Riverview Park | \$1,112,709.00 | \$1,112,709.00 | 50.00% | \$556,354.50 |
| | | | | |
| | | | | |
| Sub-Total | \$1,112,709.00 | \$1,112,709.00 | | \$556,354.50 |
| Other | | | | |
| Rivanna Restoration at Riverview Park | | | | |
| Project Inspection Fees | \$54,300.00 | \$54,300.00 | 50.00% | \$27,150.00 |
| Construction Contingencies | \$48,210.00 | \$48,211.00 | 50.00% | \$24,105.50 |
| | \$0.00 | \$0.00 | 50.00% | \$0.00 |
| | | | | |
| | | | | |
| Sub-Total | \$102,510.00 | \$102,511.00 | | \$51,255.50 |
| TOTALS | \$1,363,709.00 | \$1,215,220.00 | | \$607,610.00 |

EXHIBIT C

PROJECT SCHEDULE

Grantee: City of Charlottesville, Virginia

SLAF Grant No.: 25-14

The Grantee has proposed the following schedule of key activities/milestones as a planning tool which may be subject to change. Unless authorized by a grant modification, it is the responsibility of the Grantee to adhere to the anticipated schedule for the Eligible Project as follows:

| Project Name | Project Description / Milestone | Schedule / Timeline |
|---------------------------------------|---------------------------------|---------------------|
| Rivanna Restoration at Riverview Park | Start Planning | May 2024 |
| | Complete Planning | July 2025 |
| | Start Construction | September 2025 |
| | Complete Construction | April 2026 |

The Grantee has proposed the following estimates for the grant funds for which it will request reimbursement:

| Quarter | Estimated Amount of Grant Funds to be Requested for Reimbursement |
|--------------------------------|--|
| April – June 2025 | \$0 |
| July – September 2025 | \$0 |
| October – December 2025 | \$100,000 |
| January – March 2026 | \$225,000 |
| April – June 2026 | \$282,610 |
| July – September 2026 | \$0 |
| October – December 2026 | \$0 |
| January – March 2027 | \$0 |
| April – June 2027 | \$0 |
| July – September 2027 | \$0 |
| October – December 2027 | \$0 |

EXHIBIT D

REQUISITION FOR REIMBURSEMENT (To be on Grantee's Letterhead)

Department of Environmental Quality
Clean Water Financing and Assistance Program
P.O. Box 1105
Richmond, VA 23218
Attn.: CWFAP Deputy Director

RE: **Stormwater Local Assistance Fund Grant**

SLAF Grant No.: 25-14
Rivanna Restoration at Riverview Park

Dear Deputy Director:

This requisition, Number , is submitted in connection with the referenced Grant Agreement, dated as of *[insert date of grant agreement]* between the Virginia Department of Environmental Quality and . Unless otherwise defined in this requisition, all capitalized terms used herein shall have the meaning set forth in Article I of the Grant Agreement. The undersigned Authorized Representative of the Grantee hereby requests disbursement of grant proceeds under the Grant Agreement in the amount of \$, for the purposes of payment of the Eligible Project Costs as set forth on Schedule I attached hereto.

Copies of invoices relating to the items for which payment is requested are attached.

The undersigned certifies that the amounts requested by this requisition will be applied solely and exclusively to the reimbursement of the Grantee for the payment of Eligible Project Costs that are Capital Expenditures.

This requisition includes (if applicable) an accompanying Certificate of the Project Engineer as to the performance of the work.

Sincerely,

Date: _____
(Authorized Representative of the Grantee)

City of Charlottesville, Virginia (SLAF # 25-14)

**CERTIFICATE OF THE PROJECT ENGINEER
FORM TO ACCOMPANY REQUEST FOR REIMBURSEMENT**

Grantee: City of Charlottesville, Virginia

SLAF Grant No.: 25-14

This Certificate is submitted in connection with Requisition Number _____, dated _____, 20____, submitted by the _____ (the "Grantee") to the Virginia Department of Environmental Quality. Capitalized terms used herein shall have the same meanings set forth in Article I of the Grant Agreement referred to in the Requisition.

The undersigned Project Engineer for _____ hereby certifies that insofar as the amounts covered by this Requisition include payments for labor or to contractors, builders or material men, such work was actually performed or such materials, supplies, or equipment were actually furnished to or installed in the Eligible Project.

(Project Engineer)

(Date)

SCHEDULE 1
STORMWATER LOCAL ASSISTANCE FUND
FORM TO ACCOMPANY REQUEST FOR REIMBURSEMENT

REQUISITION # _____

Grantee: City of Charlottesville

SLAF Grant No.: 25-14 **CERTIFYING SIGNATURE:** _____ **DATE:** _____ **TITLE:** _____

| Cost Category | Total Project Budget | SLAF Eligible Project Budget | SLAF Grant Budget | Eligible Expenditures This Period | Current Grant Payment | Previous Grant Disbursements | Total Grant Payments to Date | SLAF Grant Balance |
|---------------------------------------|-----------------------|------------------------------|---------------------|-----------------------------------|-----------------------|------------------------------|------------------------------|---------------------|
| Design Engineering | | | | | | | | |
| Rivanna Restoration at Riverview Park | \$148,490.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Sub-Total | \$148,490.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Construction | | | | | | | | |
| Rivanna Restoration at Riverview Park | \$1,112,709.00 | \$1,112,709.00 | \$556,354.50 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$556,354.50 |
| Sub-Total | \$1,112,709.00 | \$1,112,709.00 | \$556,354.50 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$556,354.50 |
| Other | | | | | | | | |
| Rivanna Restoration at Riverview Park | | | | | | | | |
| Project Inspection Fees | \$54,300.00 | \$54,300.00 | \$27,150.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$27,150.00 |
| Construction Contingencies | \$48,210.00 | \$48,211.00 | \$24,105.50 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$24,105.50 |
| | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Sub-Total | \$102,510.00 | \$102,511.00 | \$51,255.50 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$51,255.50 |
| Totals | \$1,363,709.00 | \$1,215,220.00 | \$607,610.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$607,610.00 |

| | |
|----------------------------------|---------------------|
| Total Grant Amount: | <u>\$607,610.00</u> |
| Previous Disbursements: | <u>\$0.00</u> |
| This Request: | <u>\$0.00</u> |
| Grant Proceeds Remaining: | <u>\$607,610.00</u> |

EXHIBIT E

DETERMINATION OF AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

Grantee: City of Charlottesville, Virginia

SLAF Grant No.: 25-14

The Internal Revenue Code of 1986, as amended, limits the length of average maturity for certain tax-exempt bonds, such as the VPBA Bonds, to no more than 120% of the average reasonably expected economic life of the assets being financed with the proceeds of such bonds. This life is based on Revenue Procedure 62-21 as to buildings and Revenue Procedures 83-35 and 87-56 as to equipment and any other assets. In this Exhibit, the Grantee will certify as to the average reasonably expected economic life of the assets being financed by the Grant.

Please complete the attached chart as follows:

Step 1. Set forth in Column II the corresponding total cost of each type of asset to be financed with the Grant.

Step 2. Set forth in Column III the economic life of each type of asset listed in accordance with the following:

Land. Exclude the acquisition of any land financed with a portion of the Grant funds from the economic life calculation.

Land Improvements. Land improvements (i.e., depreciable improvements made directly to or added to land) include sidewalks, roads, canals, waterways, site drainage, stormwater retention basins, drainage facilities, sewers (excluding municipal sewers), wharves and docks, bridges, fences, landscaping, shrubbery and all other general site improvements, not directly related to the building. Buildings and structural components are specifically excluded. 20 years is the economic life for most stormwater projects.

Buildings. Forty years is the economic life for most buildings.

Equipment. Please select an Asset Depreciation Range (“ADR”) midpoint or class life for each item of equipment to be financed. The tables of asset guideline classes, asset guideline periods and asset depreciation ranges included in IRS Revenue Procedures 83-35 and 87-56 may be used for reference. To use the tables, you should first determine the asset guideline class in which each item of equipment falls. General business assets fall into classes 00.11 through 00.4 to the extent that a separate class is provided for them. Other assets, to the extent that a separate class is provided, fit into one or more of classes 01.1 through 80.0. Subsidiary assets (jigs, dies, molds, patterns, etc.) are in the same class as are the other major assets in an industry activity unless the subsidiary assets are classified separately for that industry. Each item of equipment should be classified according to the activity in which it is primarily used. If the equipment is not described in any asset guideline class, its estimated economic life must be determined on a case by case basis.

Contingency. Any amounts shown on the Project Budget as “contingency” should be assigned to the shortest-lived asset. For example, contingency for a stormwater project should likely be given an economic life of 20 years.

Step 3. Set forth in Column IV the date each asset is expected to be placed in service. An asset

City of Charlottesville, Virginia (SLAF # 25-14)

is first placed in service when it is first placed in a condition or state of readiness and available for a specifically assigned function. For example, the placed in service date for a stormwater project is likely the project's expected completion date.

Step 4. Determine the adjusted economic life of the asset in Column V by adding the amount of time between February 21, 2013 (the earliest date upon which the VPBA Bonds were issued) and the specified placed in service date from Column IV. For example, if a stormwater project with an economic life of 20 years will be placed in service 2 years after February 21, 2013, then the adjusted economic life for such stormwater project should be 22.

Step 5. For Column VI, multiply the Total Costs Financed with the Grant from Column II by the Adjusted Economic Life from Column V for each type of asset.

Step 6. Total all the entries in Column II and in Column VI.

Step 7. Divide the total of Column VI by the total of Column II. The quotient is the average reasonable expected economic life of the assets to be financed with the Grant.

AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

| Column I | Column II | Column III | Column IV | Column V | Column VI |
|-------------------|---------------------------------------|----------------------|-------------------------------------|-------------------------------|-----------------------------|
| <u>Asset</u> | <u>Total Cost Financed with Grant</u> | <u>Economic Life</u> | <u>Date Asset Placed in Service</u> | <u>Adjusted Economic Life</u> | <u>Column II x Column V</u> |
| Land Improvements | \$1,363,709 | 20 years | April 30, 2026 | 33 years | \$45,002,397 |
| Building | | | | | |
| Equipment | | | | | |
| Contingency | | | | | |
| TOTAL | <u>\$1,363,709</u> | | | | <u>\$45,002,397</u> |

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 33



City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials*

1-5-2026

City Manager – Sam Sanders (he/him)

- Hosted a holiday breakfast for the Extended LEADTeam (75 leaders across the City organization representing directors, deputies and assistants, managers, and constitutional officers).
- Attended holiday gatherings for the Utilities Department, Charlottesville Area Transit, and the City Manager's Office Team.
- December 16: Attended the Rivanna Water & Sewer Authority Board Meeting.
 - Approved multiple contracts to move approved infrastructure projects forward.
 - The projects are all included in the Community Water Plan.
 - The Board also acknowledged Councilor Brian Pinkston's service as Charlottesville City Council representative as he departed service on December 31.
- December 17: Met with representatives from BerryDunn, a firm hired by the City to conduct a Procurement Assessment.
 - This engagement is aimed at helping to confirm best practices, review policies and procedures, and to make recommendations.
 - We are striving to check and verify key systems that support the staff's ability to achieve all metrics to our overall process where necessary. The assessment will occur over the next three months.
- December 18: Attended the Emergency Communications Center Management Board Meeting.
- December 18: Joined Council and the School Board in their annual budget preview meeting to review priorities and discuss operations for the current and next year.
 - Budget Ask: \$6.4M to support increases in compensation, healthcare, facilities maintenance, and pupil transportation.
 - The School Board will meet to finalize their operating budget in early February.
 - Superintendent Gurley will present the FY27 Charlottesville City Schools budget on March 2 ahead of the City budget presentation.
- December 31: Attended the Charlottesville Chapter of The Links, Incorporated annual fundraiser to celebrate Mayor Juandiego Wade as the 2025 G.R. I.T. Honoree.

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

- Charlottesville's 28th Grand Illumination was held on Wednesday, December 10. It was well-attended and enjoyed by many members of the community. Thank you to all City departments and partners for another successful community tree lighting!

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

- Water works hard for you, your family, your community, and the planet. Our 11th annual Imagine a Day without Water Art Contest youth submissions did a great job capturing this theme across 530 submissions! Winners for the art contest were announced in December and can be viewed in the [City's News Flash](#) and [video announcement](#). Check out all the winners for the art contest and hopefully these images inspire you to save water!
- The Water Efficiency Program Coordinator was accepted to the 2026 Transformative Water Leadership Academy, a program that prepares tomorrow's utility leaders to address emerging water issues and opportunities.
- The third project under the City's Energy Performance Contract is reaching the final stages. The scope includes plumbing upgrades, LED lighting upgrades, and a rooftop heat pump replacement at City Hall, City Hall Annex, and the Herman Key Jr. Recreation Center. The project started in September, and final completion is expected for this month. The upgrades are projected to reduce electricity by nearly 150,000 kWh (equivalent to ~75 MtCO2e) and water by 46,600 cubic feet, resulting in annual utility savings to the City of nearly \$22,000.
- OS staff wrapped up the year giving various presentations to the Charlottesville High School Green Bacon Club, the Epsilon Eta Career Panel, a work group of the Southeast Sustainability Directors Network, and the UVA Sustainability Advocates.

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

- On Friday, December 19, alumni of the Ready to Work (RTW) program came together to share their experiences with the program, provide updates on their current employment, and discuss ways in which those who have successfully completed RTW can stay better connected in a way that offers long-term peer support. A collaborative program involving the City's Office of Economic Development and the local Virginia Career Works office, run by Rappahannock Goodwill, RTW provides jobseekers with free soft skills and career readiness training. Upon completion, participants are matched with a local employer offering a guaranteed interview. Stay tuned for future RTW updates as we continue to modify the program to meet the needs of employers and jobseekers in an everchanging workforce landscape.

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

- The Office of Human Rights currently has 19 open discrimination complaint cases: seven are in the process of alternative dispute resolution, nine are under investigation, and three are under review for determination after investigation.

Policy Briefing Summary

City Council



| | |
|---------------------------------|---|
| Regarding: | Resolution to establish days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2026 |
| Staff Contact(s): | Kyna Thomas, Clerk of Council |
| Presenter: | Kyna Thomas, Clerk of Council |
| Date of Proposed Action: | January 5, 2026 |

Issue

Establishing days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2026 per Virginia State Code

Background / Rule

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.

Analysis

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, Charlottesville, Virginia 22902. If a regularly scheduled City 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 (however, City Council has authority per Sec. 15.2-1415 to vote when a quorum is present), 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 has 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.

Financial Impact

n/a

Recommendation

Adopt the annual regular meetings calendar.

Recommended Motion (if Applicable)

"I move adoption of the RESOLUTION establishing days, times and places of Regular Meetings of the Charlottesville City Council during Calendar Year 2026 with amendments as discussed."

Attachments

1. RES_2026 Regular City Council Meeting Dates



**#R- -
RESOLUTION**

**Establishing Days, Times and Places of Regular Meetings of the
Charlottesville City Council During Calendar Year 2026**

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 2026:

| CITY COUNCIL REGULAR MEETING DATES | | |
|---|-----------------|--------------------------------------|
| January 5, 2026 | May 4, 2026 | September 8, 2026 (<i>Tuesday</i>) |
| January 20, 2026 (<i>Tuesday</i>) | May 18, 2026 | September 21, 2026 |
| February 2, 2026 | June 1, 2026 | October 5, 2026 |
| February 17, 2026 (<i>Tuesday</i>) | June 15, 2026 | October 19, 2026 |
| March 2, 2026 | July 6, 2026 | November 2, 2026 |
| March 16, 2026 | July 20, 2026 | November 16, 2026 |
| April 6, 2026 | August 3, 2026 | December 7, 2026 |
| April 20, 2026 | August 17, 2026 | December 21, 2026 |

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.

Date Adopted:

Certified:

Clerk of Council

Policy Briefing Summary

City Council



| | |
|---------------------------------|--|
| Regarding: | Approving a resolution authorizing the acceptance and installation of a city-sponsored commemorative display recognizing the 100th Anniversary of Jefferson High School |
| Staff Contact(s): | Steven King, Assistant to the City Manager, Samuel Sanders, Jr., City Manager |
| Presenter: | Steven King, Assistant to the City Manager |
| Date of Proposed Action: | January 5, 2026 |

Issue

The City has been asked to support the recognition of the Jefferson School's 100th Anniversary through the acceptance and installation of commemorative banners to be placed along West Main Street and McIntire Road as a tribute to generations of Black excellence. The Jefferson School African American Heritage Center has proposed a series of banners featuring historic photographs of former students of Jefferson High School to commemorate the school's centennial anniversary. The City has determined that City-owned streetlight poles are not generally available for the posting of private signage, banners, or displays, and that their use does not constitute a public forum.

Background / Rule

The City has supported the preservation of the Jefferson School's place in Charlottesville's history through a variety of actions, including direct support for the establishment of the Jefferson School City Center with additional support for the Jefferson School Foundation and Jefferson School African American Heritage Center. This celebration of the legacy of the Jefferson School aligns with the City Council's vision to be a place where everyone thrives and support for culture and heritage efforts are relative to that desire.

Analysis

The City Council may, on a limited and case-by-case basis, authorize the use of City property for artwork or commemorative displays selected by the City Council to express the City's own message.

Financial Impact

The financial impact is an inkind contribution by Public Service staff for the installation, maintenance, and take down of the yearlong display.

Recommendation

Resolution approval

Recommended Motion (if Applicable)

I move approval of the RESOLUTION authorizing the City Manager to enter into an agreement for acceptance and installation of a city-sponsored commemorative display recognizing the 100th Anniversary of Jefferson High School.

Attachments

1. Revised Jefferson School Banners Resolution
2. JSAAHC100th anniv spec sheet

3. Non-Profit Centennial Flag Sponsorship Package

**A Resolution Authorizing a City-Sponsored Commemorative Display Recognizing the
100th Anniversary of Jefferson High School**

WHEREAS, the City of Charlottesville recognizes the historic significance of Jefferson High School and its lasting contributions to the African American community and to the City as a whole; and

WHEREAS, the City Council desires to commemorate the 100th anniversary of Jefferson High School through a temporary, City-authorized commemorative display reflecting the City's history, values, and commitment to racial equity and reconciliation; and

WHEREAS, the City Council has determined that City-owned streetlight poles are not generally available for the posting of private signage, banners, or displays, and that their use does not constitute a public forum; and

WHEREAS, the City Council may, on a limited and case-by-case basis, authorize the use of City property for artwork or commemorative displays selected by the City Council to express the City's own message; and

WHEREAS, the Jefferson School African American Heritage Center has proposed a series of banners featuring historic photographs of former students of Jefferson High School to commemorate the school's centennial anniversary; and

WHEREAS, City Council has reviewed representative images proposed for the commemorative display and finds that the images portray individuals and events directly related to the City's history, are consistent with the aesthetics and character of Main Street, and effectively communicate the City Council's Vision of a community committed to mutual respect, racial and cultural diversity, inclusion, racial reconciliation, economic justice, and equity; and

WHEREAS, City Council intends that the authorized banners constitute a City-sponsored commemorative display expressing the City's viewpoint, and not the creation of a public forum for private expression;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the City Manager is hereby authorized to enter into an agreement with the Jefferson School African American Heritage Center to install and display a temporary series of commemorative banners on designated City-owned streetlight poles along Main Street for the period from February 20, 2026, through February 20, 2027, with installation commencing on or after February 1, 2026; and

BE IT FURTHER RESOLVED that the content, design, placement, duration, and maintenance of the commemorative display shall be subject to City approval and oversight, and that the City retains the right to remove or modify the display if it no longer satisfies the purposes and criteria set forth in this Resolution; and

BE IT FURTHER RESOLVED that this authorization is limited to the commemorative display described herein and shall not be construed to create a policy, precedent, or public forum requiring the City to permit other private signs, banners, or displays on City-owned streetlight poles or other City property; and

BE IT FURTHER RESOLVED that City Council may, by future resolution, authorize other City-sponsored artwork or commemorative displays on City property when such displays are selected by the City Council and are intended to communicate the City's own message consistent with the City Council's Vision and the City's historical and cultural values.

Jefferson School 100th Anniversary

1926–2026



Celebrate the anniversary and command attention with proven street-smart advertising!

Lamp post banner
approximately 21x48"

Posted duration
1 year from 20 February 2026

Additional recognition
JSAAHC's website and social media

Pledge date
31 November 2025

Payment date
15 December 2025

For more information

Name Surname
434.000.0000 or xxxxxxxxxxxxxxxx@email.com

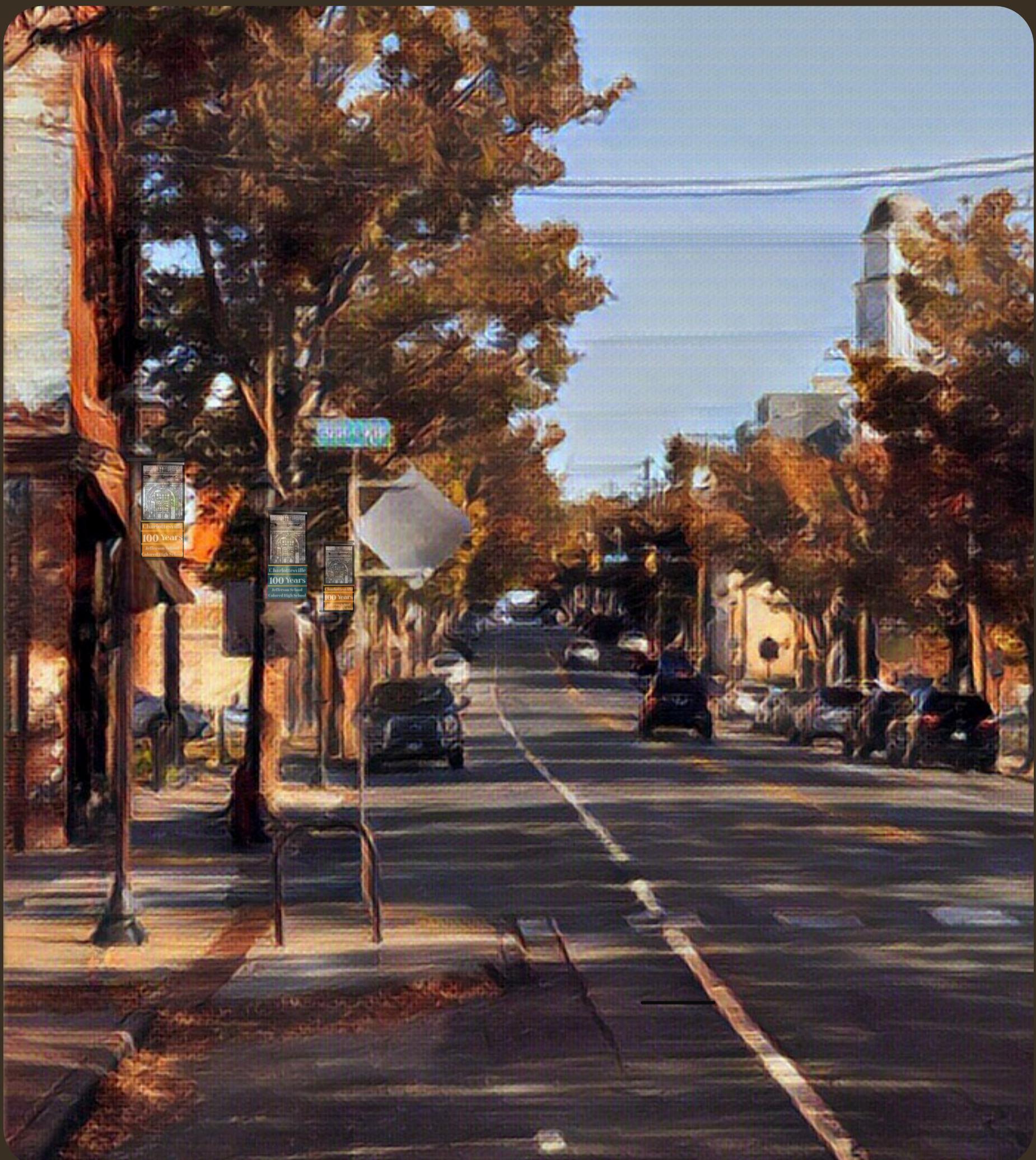


Sponsorship options

Specific
Business logo on an JSAAHC image
\$

Generic banner
Sponsoring the Heritage Center
\$

 **JSAAHC**
jeffschoolheritagecenter.org
233 4th St NW, Charlottesville, VA 22903



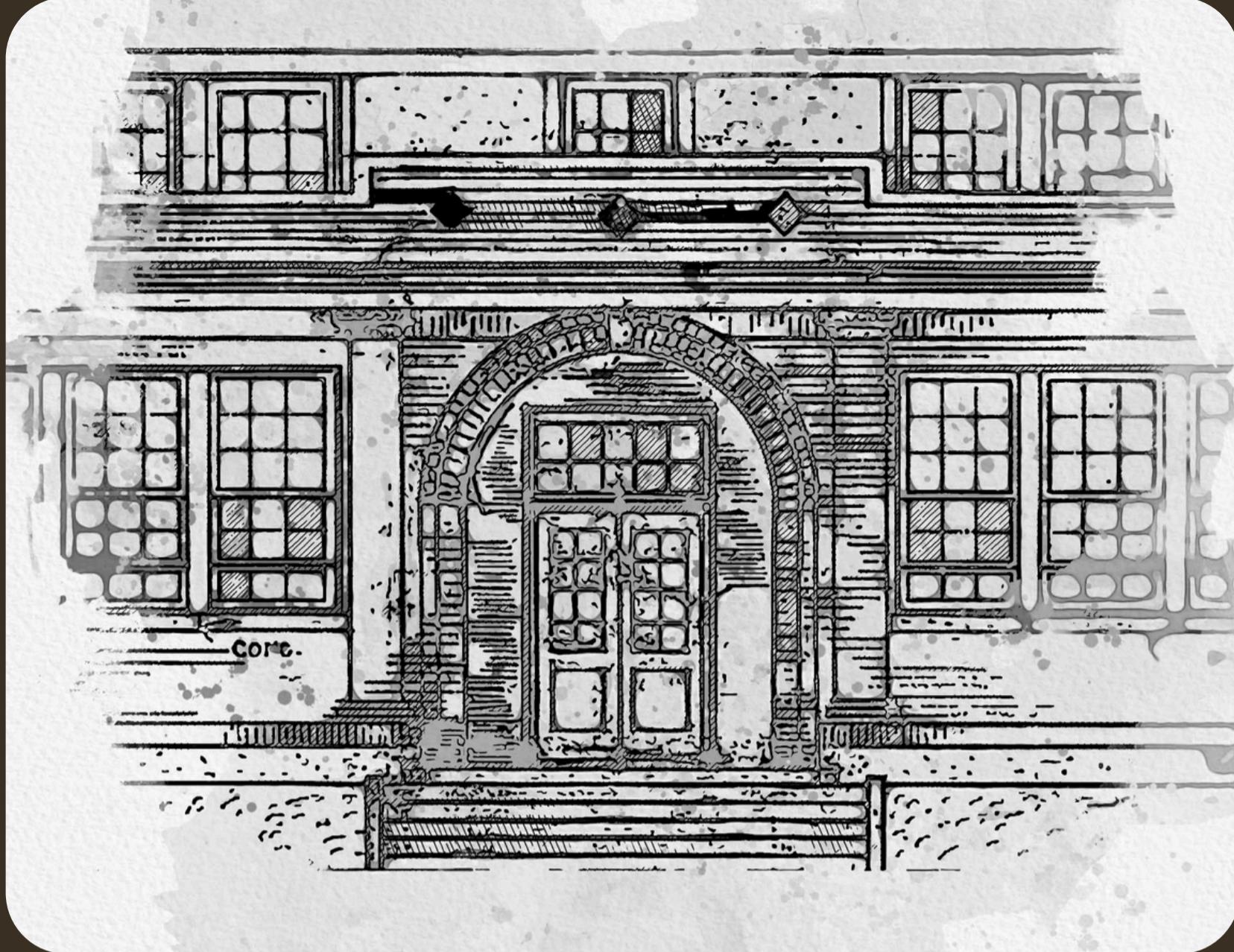
CELEBRATING COMMUNITY HERITAGE

100 Years

Sponsorship
Opportunities

Local Impact

Join Us



WHY CELEBRATE THE LEGACY?

As you move down Main Street in Charlottesville, you're surrounded by historic Black communities that helped shape the soul of our city. The streets here echo with stories of education, strength, and pride—and at the center stands the Jefferson School.

In 1926, Jefferson High School first opened its doors, which means that next year will mark an extraordinary milestone—the 100th anniversary of a space that has been so much more than a school.

To honor this legacy, the Jefferson School African American Heritage Center, aided by the City of Charlottesville, is installing 18 illuminated, double-sided commemorative flags along West Main Street and McIntire Road—a vibrant tribute to generations of Black excellence.

These are not temporary displays. Each professionally designed banner will shine for **365 days**, symbolizing a century of light and leadership—with **your logo prominently displayed**.

A CENTURY OF LEGACY

SPONSORSHIP OPPORTUNITIES

BRONZE SPONSOR

\$500

- 1 double-sided, lighted flag w/ organization logo
- Recognition on JSAAHC website
- 1 Social media thank-you post
- Tax acknowledgment letter

Churches • Small Nonprofits • Community Groups

JOIN US IN CELEBRATING 100 YEARS OF LEGACY TOGETHER

WHY SPONSOR A CENTENNIAL FLAG?

Aided by the City of Charlottesville, these flags will fly from January through December 2026, symbolizing 100 years of strength, community, and legacy.

By sponsoring a flag, your organization becomes part of a citywide centennial celebration that honors where we've been and boldly embraces where we're going.

- A personalized, illuminated commemorative flag featuring your logo alongside JSAAHC's
- Recognition on the **JSAAHC website, social media, and in press materials**
- Visibility during the **Reflector Awards and Centennial Celebration on February 20, 2026**
- **Celebration tickets** and a **tax acknowledgment letter** from JSAAHC

Your support fuels our mission to preserve, uplift, and celebrate the African American experiences in Charlottesville and beyond. Together, we can illuminate our vital history and inspire the next generation to continue the work of learning, leading, and building community.



Be a part of history. Become a part of the future.

Join us in lifting this centennial legacy even higher.

Warmly,

Andrea Douglaa

Andrea Douglaa
Executive Director

THANK YOU



We've included a menu of sponsorship packages designed to offer visibility at every level. We're happy to follow up with a call at your convenience to answer any questions or tailor a package to your needs.

Thank you for considering this opportunity. We'd be honored to partner with you.

CONTACT

WEBSITE

<https://jeffschoolheritagecenter.org/>

EMAIL ADDRESS

advancement@jeffschoolheritagecenter.org

PHONE NUMBER

434-688-6854

Policy Briefing Summary

City Council



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| Regarding: | Board and Commission Appointments for City Council |
| Staff Contact(s): | Kyna Thomas, Clerk of Council |
| Presenter: | Mayor |
| Date of Proposed Action: | January 5, 2026 |

Issue

City Council member appoints to boards and commission

Background / Rule

City Council members serve on a variety of local and regional boards and commissions ("boards"). Following the Organizational Meeting, City Council will discuss and appoint by motion its members to selected boards.

Analysis

Financial Impact

n/a

Recommendation

Appoint councilors to fill board seats, including alternates as prescribed.

Recommended Motion (if Applicable)

"I move that City Council members be appointed to boards and commissions as will be outlined in the following discussion."

Attachments

1. COUNCIL BOARD Appointments

List of Boards for City Councilor(s) Appointment 2026

| LOCAL BOARDS |
|--|
| Charlottesville Redevelopment & Housing Authority (CRHA) Board |
| Historic Resources Committee |
| Housing Advisory Committee (HAC) |
| Legislative Committee* |
| Minority Business Commission |
| Retirement Commission |
| School Capital Projects |
| Social Services Advisory Board |
| REGIONAL BOARDS |
| Albemarle-Charlottesville Regional Jail Authority Board |
| Charlottesville Albemarle Convention and Visitors Bureau (CACVB) |
| Charlottesville-Albemarle Regional Transit Authority (CARTA) |
| Charlottesville Community Scholarship Program |
| Darden Towe Memorial Park Committee |
| Jefferson Area Board for Aging (JABA) Board of Directors |
| Jefferson Area Community Criminal Justice Board |
| Local Energy Alliance Program Governance Board (LEAP) |
| Metropolitan Planning Organization (MPO)* |
| Piedmont Housing Alliance - Kindlewood Advisory Committee |
| Regional Housing Partnership* |
| Rivanna River Basin Commission |
| Rivanna Solid Waste Authority (RSWA) |
| Rivanna Water and Sewer Authority (RWSA) |
| Thomas Jefferson Planning District Commission (TJPDC) |
| Virginia Career Works-Piedmont Region |
| Virginia First Cities* |

Asterisk (*) denotes alternate appointee required

Boards in **bold** denotes two council seats

Policy Briefing Summary

City Council



| | |
|---------------------------------|---|
| Regarding: | Report and Discussion on Request for Investment in Housing Development Projects and Off Cycle Funding Requests |
| Staff Contact(s): | Samuel Sanders, Jr., City Manager, James Freas, Deputy City Manager, Kellie Brown, Director of NDS, Madelyn Metzler, Housing Compliance Coordinator |
| Presenter: | Samuel Sanders, Jr., City Manager |
| Date of Proposed Action: | January 5, 2026 |

Issue

Request for Investment

The 2026 Request for Investment round produced three requests for investment consideration by Council. The projects reflect affordable housing needs in the community, but collectively extend well beyond the commitment of \$10 million per year for 10 years as outlined in the Affordable Housing Plan. The collective impact of the projects also does not fully address the recent reporting that the City's efforts are not fully reaching the area median income targets identified in the Plan. And to that end, Council may consider only supporting the project(s) that advance the closure of the gap as additional investment at this time. The attached summary outlines the three projects reviewed and offered by staff for Council's consideration.

Piedmont Housing Alliance also needs reconsideration of the plan for Phase 4 of the Kindlewood Development. Currently, there is a \$4.5M commitment from the City which will produce approximately 90 units. 131 units are needed to meet the original commitment of at least 425 units. To produce that number of units, an additional \$3M is needed to offset the budget gap that exists today. An alternative is the reduction of units delivered and additional targeting to the lowest AMI to connect to the gap in the achievements of the Affordable Housing Fund. Discussion and direction is needed as options exist and next steps are imminent and further complicate delivery until decisions are made.

Piedmont Housing Alliance has requested additional investment in the previously funded 501Cherry development project. The request includes additional tax abatement totaling \$1 million over the performance period and \$700,000 cash to support an April 2026 closing for construction to begin in 2026.

Piedmont Housing Alliance has confirmed a rental arrears priority at Kindlewood, in both new housing units and existing. The persistence of arrears suggests a critical financial assessment and counseling intervention is needed, and an ask for consideration of a \$85,000 grant to pilot the program delivery through the PHA Financial Opportunity Center along with a fund to retire arrears for successful program participants has been proposed in the amount of \$220,000.

Off Cycle Request

Emergency funding requests were received from PACEM for \$65,000 to fill a current year operating gap, Piedmont Family YMCA for \$45,000 to address state-mandated physical improvements to continue operations, and BRACH for up to \$250,000 projected budget erasure in support of approximately 30 local households for BRACH due to federal changes to the Permanent Supportive Housing program managed by HUD.

The Salvation Army also advanced a Family Shelter initiative with support from Albemarle County and

the Perry Foundation to renovate space for immediate implementation of facilities to support 24 occupants at full capacity (5 2BR apartments and one 1BR apartment w/shared kitchen, laundry, storage, and common space). The request is for annual operational support with a priority for securing \$340,000 to cover the first year operating expenses so the spaces can be utilized in January 2026.

Background / Rule

Request for Investment

Annually, the City of Charlottesville, through a published Notice of Funding Opportunity, announces to the public the availability of funding for competitive grants to fund the priority of the preservation and production of affordable housing. One of the Request for Proposal (RFP) rounds is a Request for Investment, where developers of proposed projects can submit project details along with a request for Council to consider making a direct investment. The results of this annual round is reviewed by staff and provided to Council for consideration in the development of the next fiscal year budget.

Off Cycle Grant Requests

The City of Charlottesville offers multiple competitive grant rounds annually, but there are times with the schedules and deadlines do not align with priority matters or emergency situations. Council has therefore agreed to have the City Manager bring forward requests on a quarterly basis that meet an urgency requirement such that the next available competitive grant round will not be able to address the priority.

Analysis

Financial Impact

The financial impact will be directly considered by Council's indication of interest in supporting the outlined projects as a funding source will be identified. The use of a combination of Council Strategic Initiatives Funds, CIP Contingency (resulting from the FY25 Budget Surplus), reallocating current year unspent funds, or inclusion of items in the FY27 - FY30 CIP are available options.

Recommendation

Discuss and identify the projects of interest for funding. A future action item will be presented to council.

Recommended Motion (if Applicable)

Attachments

1. RFI Submissions

Highest Funding Priority

Applicant: Community Services Housing, Inc. (CSH)

Project: Northeast 11th Street Housing

Funding Request: \$900,000

Affordable Units: 40 units with income limits ranging from 40-60% AMI

Project Summary: This project involves rehabilitation of and re-syndication of low income housing tax credits (LIHTC) for a 40 unit affordable housing community owned and operated by CSH. CSH partners with Region Ten and primarily serves persons with disabilities with its 125 affordable housing units in Charlottesville. CSH serves households with incomes up to 60% AMI, though most of its residents earn less than 30% AMI and rely on voucher assistance Region Ten. The project leverages federal, state, and private investment but still has a gap in financing. The applicant is requesting city funding to close that gap and to meet one of its funder's local match requirement. A \$900,000 investment in this project equates to a local subsidy of \$22,500 per ADU for LIHTC preservation.

Other Considerations: CSH serves a specific vulnerable population that most of the other affordable housing nonprofits we partner with do not. The City regularly makes smaller investments to CSH through CAHF grants and have demonstrated having the capacity and experience to successfully execute similar projects. Without a local match, this project will be unable to move forward with the current timeline or anticipated funding sources.

Medium Funding Priority

Applicant: Brick Lane Better Communities (Brick Lane)

Project: Palms Charlottesville

Funding Request: \$1,750,000

Affordable Units: 127 units with income limits ranging from 60-80% AMI

Project Summary: This project involves a conversion of a hotel to multifamily apartments. Brick Lane plans to convert existing hotel rooms and first floor of the hotel into 192 studio, one-bedroom, and two-bedroom apartments. By using an existing structure and incorporating a mix of market-rate units, the applicant aims to provide residents access to higher-end finishes and community amenities that are typically not feasible when developing affordable housing communities. The project will be funded through a construction loan and private investment but still has a gap in financing. The applicant is requesting city funding to close that gap while ensuring the rental limits will remain in place for 99 years. A \$1,750,000 investment in this project equates to \$13,780 per ADU for creation of new affordable units.

Other Considerations: The 19 units proposed at 60% AMI are required under the development code as a project creating more than 10 units of housing. The applicant is proposing to include 108 units at 80% AMI and 19 units at 120% AMI, which are not required under the development code. These higher income ranges, while not assigned the highest priority level in the Affordable Housing Plan, are still below market rate and contribute to the goal of increasing new affordable housing. Without city investment, the project would likely move forward with fewer units affordable to households at or below 80% and 120% AMI and more market rate units.

Lowest Funding Priority

Applicant: Preservation of Affordable Housing (POAH)

Project: Wertland and 10th

Funding Request: \$3,000,000

Affordable Units: 170 units with a 60% AMI income limit

Project Summary: This project involves new construction of a 100% affordable multifamily apartment building. The project also incorporates commercial activity at the ground level. The site consists of land donated by the University of Virginia for the purpose of creating affordable housing in alignment with UVA's Affordable Housing Initiative. The project anticipates being funded through a federal and state investment and is requesting a city investment. A \$3,000,000 investment in this project equates to \$17,647 per ADU for creation of new affordable units.

Other Considerations: This project's affiliation with UVA brings with it a perception, expressed by staff and CAHF Committee members at various points, that the University could or should be contributing more to the project and that City investment should not be necessary. The project does align with the City's affordable housing goals and would contribute to the creation of new affordable units. However, the materials submitted by the applicant did not articulate a clear funding gap for the project.