



City Council Meeting Agenda
September 21, 2026
City Hall Council Chamber
605 E. Main St.
Charlottesville, VA 22902

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

4:00 PM Opening Session

I. Call to Order/Roll Call

II. Agenda Approval

III. Reports

1. Presentation: Parks & Recreation Master Plan Updates
2. Report: Historic Resources Committee Annual Report

5:30 PM Closed Meeting (if called)

6:30 PM Business Session

IV. Moment of Silence

V. Announcements

VI. Recognitions/Proclamations

- Proclamation: Week Without Driving: October 1-8

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.

3. Resolution: Resolution to Appropriate \$450,707 in Dockless Mobility Revenue for Bicycle Programming (2nd reading)
4. Resolution: FY 2027 Budget Amendments and Appropriation of \$300,252 of Additional General Fund Revenue (2nd reading)
5. Resolution: Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) \$452,704 (2nd reading)
6. Resolution: Resolution for the Draft Program Year 2025-26 ("PY25") Consolidated Annual Performance and Evaluation Report ("CAPER") (2nd reading)
7. Ordinance: Ordinance amending City Code Chapter 2, Article XVI. - Police Civilian Oversight Board (2nd reading)
8. Resolution: Resolution to Authorize a Special Exception Permit for Roof-Mounted Equipment (323 2nd Street SE)

9. Resolution: Resolution to Appropriate \$200,000 in TAP Grant Funding from the Virginia Department Transportation (VDOT) Funding for the Meadowcreek Trail Project (1 of 2 readings)
10. Resolution: Resolution to appropriate funds from the Virginia Department of Housing and Community Development - Virginia Homeless Solutions Program - \$441,796 (1 of 2 readings)
11. Resolution: Resolution to appropriate State Historic Resources Grant Funds to Jefferson School African American Heritage Center - \$500,000 (1 of 2 readings)
12. Resolution: Resolution to appropriate funds from the Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$227,892 (1 of 2 readings)

IX. City Manager Report

- Report: City Manager Report
- a. Report: Participatory Budgeting Pilot Update

X. Action Items

13. Public Hearing/Res.: Public Hearing and Resolution for the Draft Program Year 2025-26 ("PY25") Consolidated Annual Performance and Evaluation Report ("CAPER") (2nd reading)
14. Public Hearing/Res.: Public Hearing for a Proposed CDBG-Funded Activity, the 2026 BEACON Kitchen Accessibility Enhancements Project, a Substantial Amendment to the Program Year 2026-27 Annual Action Plan, in the Amount of \$55,000 (2nd reading)
15. Public Hearing/Res.: Public Hearing for a Proposed CDBG-Funded Activity, the 2026 IX Arts Foundation Accessibility Enhancements Planning Grant, a Substantial Amendment to the Program Year 2026-27 Annual Action Plan in the Approximate Amount of \$25,000.00 (2nd reading)
16. Resolution: Resolution to Appropriate Revenue from Participation in Energy Load Reduction Program in the Amount of \$12,375.53 (1 of 2 readings)
17. Resolution: Resolution to Temporarily Reallocate \$1,000,000 from the Kindlewood Phase 3 Project to Piedmont Housing Alliance (PHA) for a Loan Payment for Carlton Mobile Home Park Loan

XI. General Business

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:	Parks & Recreation Master Plan Updates
Staff Contact(s):	Riaan Anthony, Director of Parks & Recreation, Katie Lockhart, Deputy Director of Parks
Presenter:	Riaan Anthony, Director of Parks & Recreation
Date of Proposed Action:	September 21, 2026

Issue

Parks & Recreation Master Plan updates and look ahead.

Background / Rule

Analysis

Financial Impact

N/A; staff report to Council. Financial impact will include any funds appropriated for Master Plan project work.

Recommendation

Receive as information.

Recommended Motion (if Applicable)

N/A; staff report to Council

Attachments

1. Parks & Recreation Master Plan Updates

CITY COUNCIL WORK SESSION

Parks & Recreation Master Plan Updates

September 21, 2026

A 10-year framework for equitable, resilient and joyful public spaces.

Meeting Agenda



01 Welcome and Background

02 Mission, vision, and values

03 10 –Year CIP

04 Expanded Service Projects

05 Visionary Projects

06 Non-Resident Fees



Executive Summary

A concise view of the adopted plan, investment horizon and decisions ahead.

\$78.2M

10-year capital program

3

project tiers

10 YEARS

adopted April 7, 2025

SCOPE

Strategic framework • Financial plan • Major projects • Fee policy

Plan lens

Equity Resiliency Sustainability Community engagement

Mission, Vision, and Values

MISSION

To serve and enhance our community through inclusive spaces, recreational experiences, and exceptional public service.

VISION

Creating a happy, healthy community for all.

VALUES

- Professionalism
- Accountability
- Respect
- Knowledge
- Service



Executive Summary

A concise view of the adopted plan, investment horizon and decisions ahead.

\$78.2M

10-year capital program

3

project tiers

10 YEARS

adopted April 7, 2025

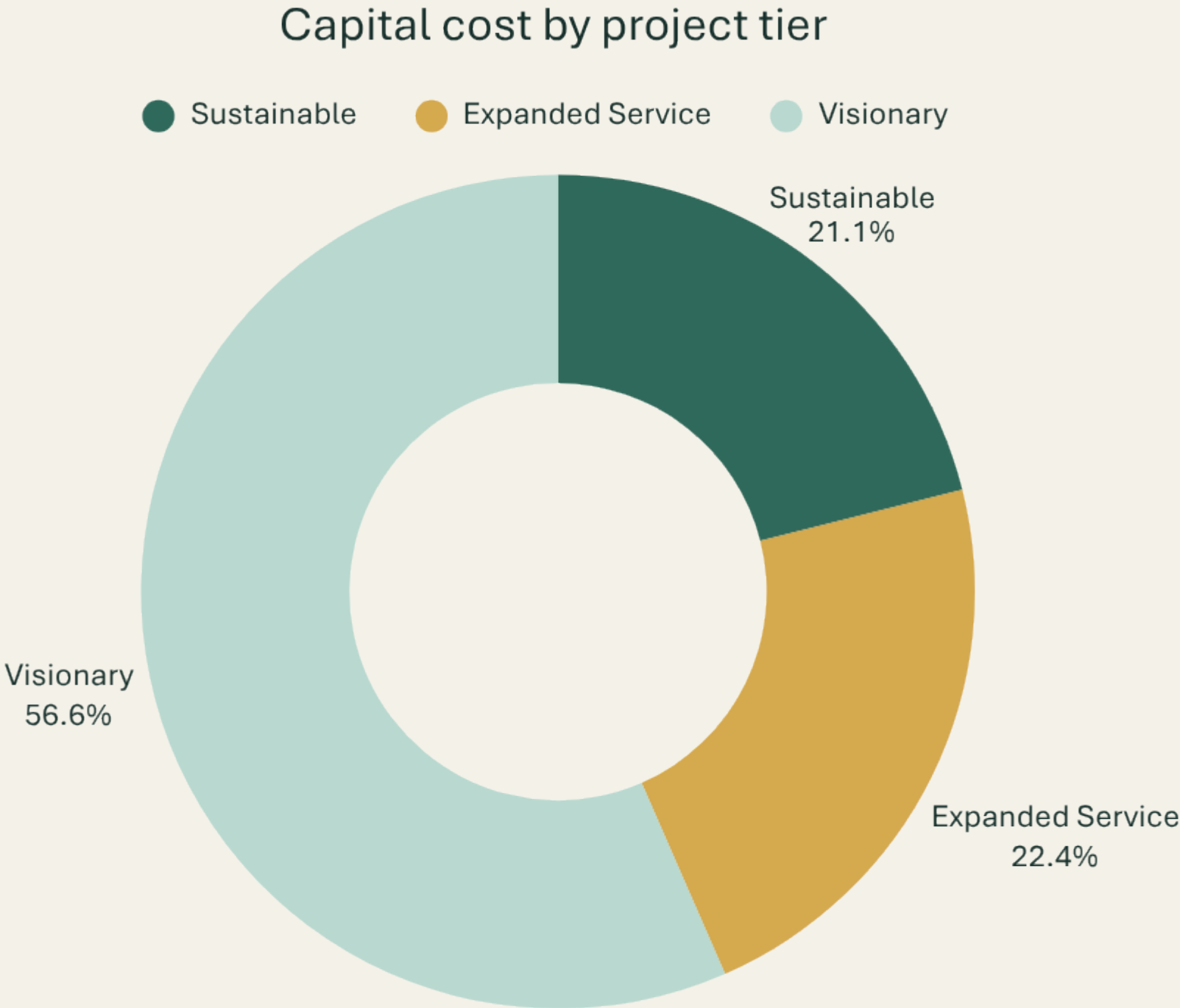
SCOPE

Strategic framework • Financial plan • Major projects • Fee policy

Plan lens

Equity Resiliency Sustainability Community engagement

\$78.18M across three ambition tiers



21%

SUSTAINABLE
Maintain core assets and service

22%

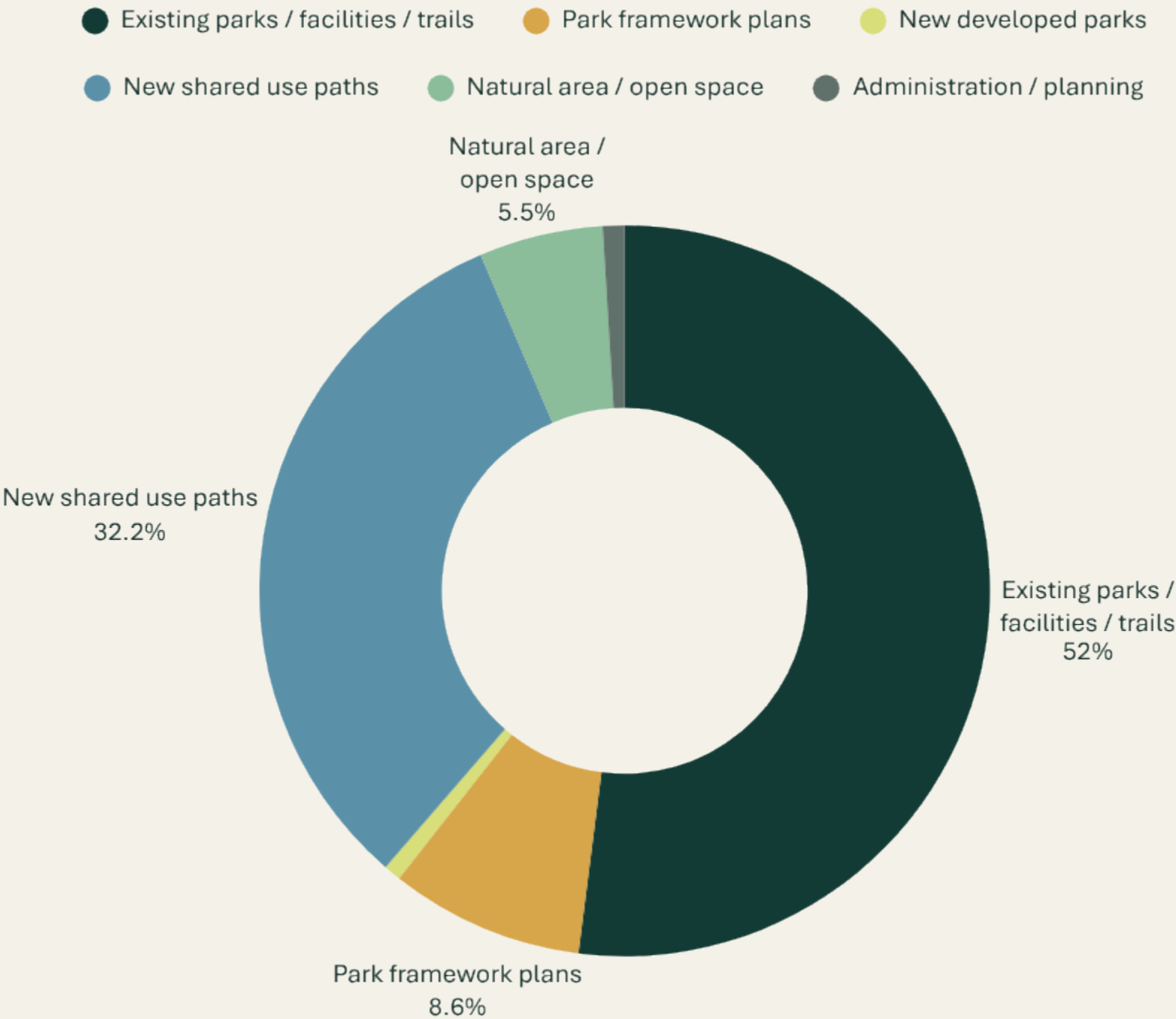
EXPANDED SERVICE
Increase reach and quality

57%

VISIONARY
Transformative long-range concepts

Bucket	Estimated Total Cost	Percentage of Total
Sustainable Projects	\$ 16,468,750	21%
Expanded Service Projects	\$ 17,491,750	22%
Visionary Projects	\$ 44,219,172	57%
Total	\$ 78,179,672	100%

Capital Improvement by Project Type



52%

Existing developed parks, facilities & trails

32%

New shared use paths

Project Type	Estimated Total Cost	Percentage of Total
Existing Developed Parks/Facilities/Trails	\$ 40,667,000	52%
Park Framework Plans	\$ 6,697,500	9%
New Developed Parks	\$ 600,000	1%
New Shared Use Paths	\$ 25,174,172	32%
Natural Area/Open Space Parks	\$ 4,291,000	5%
Administrative/Planning	\$ 750,000	1%
Total	\$ 78,179,672	100%



10-Year Capital Improvement Plan

FY27–FY31 | First five years

Project	FY27	FY28	FY29	FY30	FY31
Downtown Mall Tree Management Plan, Phase 1: A1	\$ 591,250	\$ 1,773,750	\$ 476,967	\$ 953,934	\$ 476,967
Master Plan (S): Washington Park Restroom Renovation	\$ 500,000	\$ -	\$ -	\$ -	\$ -
Master Plan (E): Washington Park Master Planning and Implementation	\$ -	\$ 250,000	\$ 500,000	\$ 500,000	\$ -
Master Plan (E): Market Street Park Master Planning	\$ -	\$ 300,000	\$ 656,250	\$ 250,000	
Pen Park Sewer Connection	\$ -	\$ 592,000	\$ 660,000	\$ 167,000	\$ -
Pen Park Tennis Courts Reconstruction	\$ -	\$ 572,500	\$ 385,000	\$ -	\$ -
Meadowcreek Gardens Plot Renovation	\$ -	\$ 240,000	\$ -	\$ -	\$ -
Master Plan (S): Forest Hill Park Restroom Upgrades	\$ -	\$ 200,000	\$ -	\$ -	\$ -
Master Plan (V): Adaptive Center Feasibility Study	\$ -	\$ 200,000	\$ -	\$ -	\$ -
Master Plan (S): Greenleaf Park Improvements	\$ -	\$ -	\$ 531,250	\$ -	\$ -
Master Plan (E): Meadow Creek Valley New Playground	\$ -	\$ -	\$ 312,500	\$ -	\$ -
New Dog Park	\$ -	\$ -	\$ 150,000	\$ -	\$ -
Master Plan (S): Forest Hills Park Lighting Improvements	\$ -	\$ -	\$ 62,500	\$ -	\$ -
Master Plan (S): Starr Hill Park Improvements	\$ -	\$ -	\$ -	\$ 106,250	\$ -
Master Plan (E): Azalea Park West Master Plan	\$ -	\$ -	\$ -	\$ 93,750	\$ -
Master Plan (S): Fifeville Park Fitness Court	\$ -	\$ -	\$ -	\$ -	\$ 235,000
Master Plan (S): Rives Park Improvements	\$ -	\$ -	\$ -	\$ -	\$ 503,750
TOTAL	\$ 1,091,250	\$ 4,128,250	\$ 3,734,467	\$ 2,070,934	\$ 1,215,717



10-Year Capital Improvement Plan

FY27–FY31 | First five years

Project	FY32	FY33	FY34	FY35	FY36
Downtown Mall Tree Management Plan, Phase 1: A1	\$ 476,967	\$ 506,000	\$ 1,012,000	\$ 506,000	\$ 506,000
Master Plan (E): Tonsler Park Master Planning	\$ 250,000	\$ 727,500	\$ 727,500	\$ -	\$ -
Master Plan (S): McGuffey Park Basketball Court Conversion	\$ 77,500	\$ -	\$ -	\$ -	\$ -
Master Plan (S): Meade Park Restroom Improvements	\$ 775,000	\$ -	\$ -	\$ -	\$ -
Master Plan (S): Belmont Park Improvements	\$ -	\$ 718,750	\$ 718,750	\$ -	\$ -
Master Plan (E): Pen Park Pickleball Courts	\$ -	\$ -	\$ 750,000	\$ -	\$ -
Master Plan (E): Court Square Master Planning	\$ -	\$ -	\$ 250,000	\$ 340,000	\$ 340,000
Master Plan (E): Azalea Park West Improvements	\$ -	\$ -	\$ -	\$ 581,250	\$ 581,250
Begin Master Plan Update	\$ -	\$ -	\$ -	\$ 500,000	\$ -
Master Plan (E): Ragged Mountain Canoe/Kayak Launch	\$ -	\$ -	\$ -	\$ -	\$ 775,000
TOTAL	\$ 1,579,467	\$ 1,952,250	\$ 3,458,250	\$ 1,927,250	\$ 2,202,250

FY27 Low-Cost / High-Impact

Early investments that improve comfort, identity and everyday use.

01 **Washington Park Restroom**
Schematic design finalized; completion Spring 2026.



02 **Signage Plan**
Three monument sign designs with Burruss Signs.



03 **Site Furnishings**
Benches, picnic tables, grills, trash and dog-waste stations.



Playground Highlights

FY27–FY33 investment sequence



Project	FY27	FY28	FY29	FY30	FY31	FY32	FY33
Greenbrier Elementary	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Master Plan: Fifeville Park	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Meade Park: Surfacing	TBD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Master Plan: Forest Hills Park	\$ -	\$ 700,000	\$ -	\$ -	\$ -	\$ -	\$ -
Summit Elementary	\$ -	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ -
Riverview Park	\$ -	\$ -	\$ -	\$ 250,000	\$ -	\$ -	\$ -
Master Plan: McIntire Park	\$ -	\$ -	\$ -	\$ -	\$ 175,000	\$ -	\$ -
Master Plan: McGuffey Park	\$ -	\$ -	\$ -	\$ -	\$ 175,000	\$ -	\$ -
Master Plan: Jackson-Via Elementary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 387,500	\$ -
Master Plan: Tall Oaks Elementary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 387,500
TOTAL	\$ 300,000	\$ 700,000	\$ 250,000	\$ 250,000	\$ 350,000	\$ 387,500	\$ 387,500

Connect the missing links

\$4.54M

Meadow Creek Valley Trail • FY27

- YMCA Link / 250 Bypass — \$376K FY27
- Pollocks Branch Bridge — \$440K FY27
- West McIntire Trail — \$500K FY28
- Holmes to Park Street — \$500K FY31

Charlottesville Shared Use Paths Project Status - 2026 -

- Active Trails (Near Construction)**
A - Lower Meadow Creek - .5
B - YMCA Link - 250 Bypass - .1
C - Upper Meadow Creek - 1 mile
F- Jordan Park (Middle Moores)
- Developing Trails (In design)**
A - River Link - .2 mile
B - Michie Drive/Hydraulic - .25 mile
C - Railroad Tunnel
D - 5th Street (VDOT)

Legend

City Trails STATUS

Active (construction with 1 year)

Developing (Engineering phase)

Existing Trails

Azalea Park, Existing

Forest Hills - Orangedale, Existing

Greenbrier Crossing, Existing

1 - 250 Bypass - 1.5 mile

2 - Water Street - .25 mile

3 - Coal Tower - .25 mile

4 - Meade Avenue - .3 mile

5 - Rivanna River Trail - 2 mile

6 - Schenks Branch - .25 mile

7 - McIntire Road - .25 mile

8 - John Warner Parkway - 1.5 mile

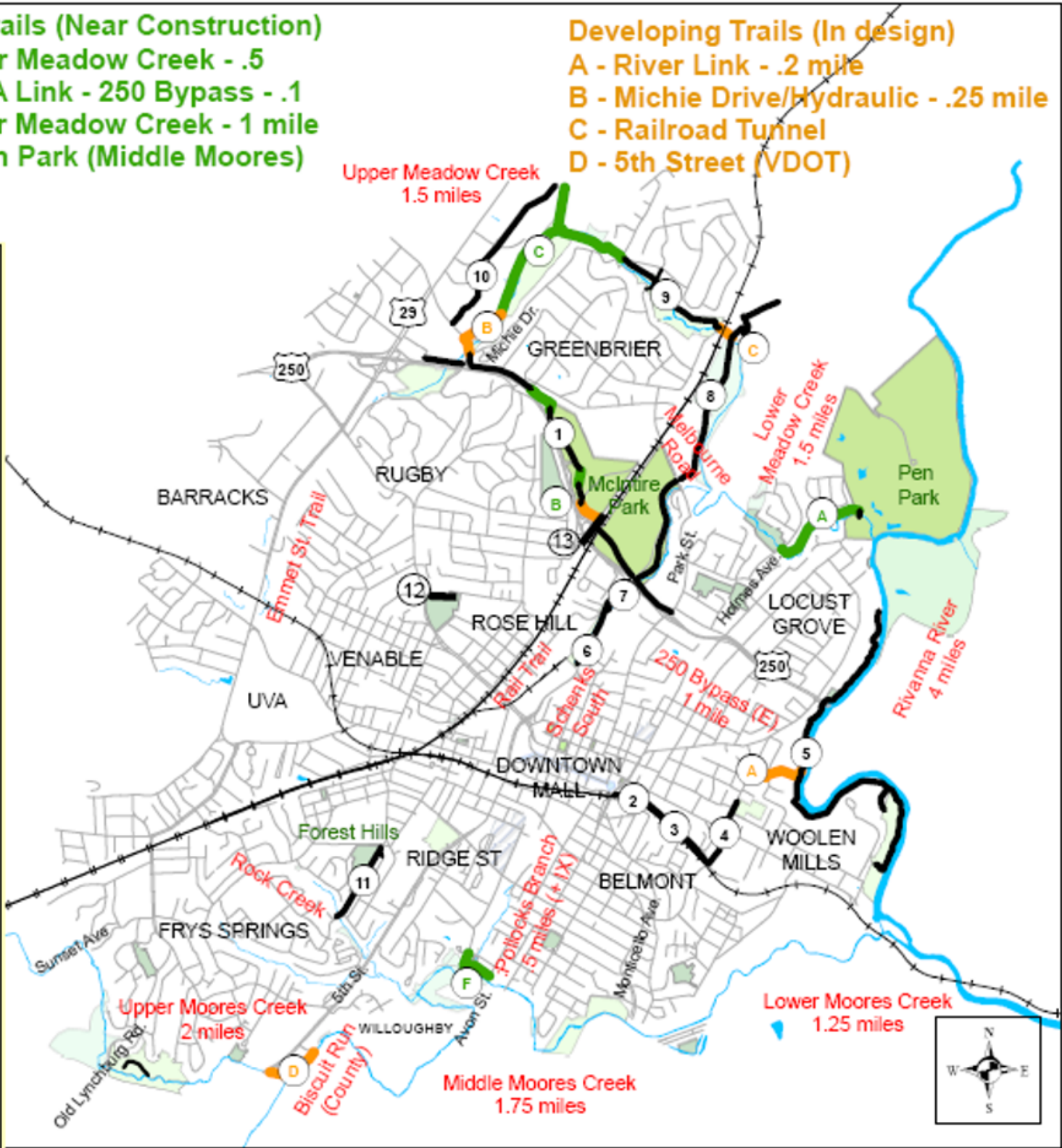
9 - Meadow Creek - .5 mile

10 - Hillsdale Drive - .75 mile

11 - Forest Hills Trail - .25 mile

12 - Washington Park - .1 mile

13 - Rugby Ave - .2 mile



This map is for planning purposes only and is not official, nor does it provide legal information

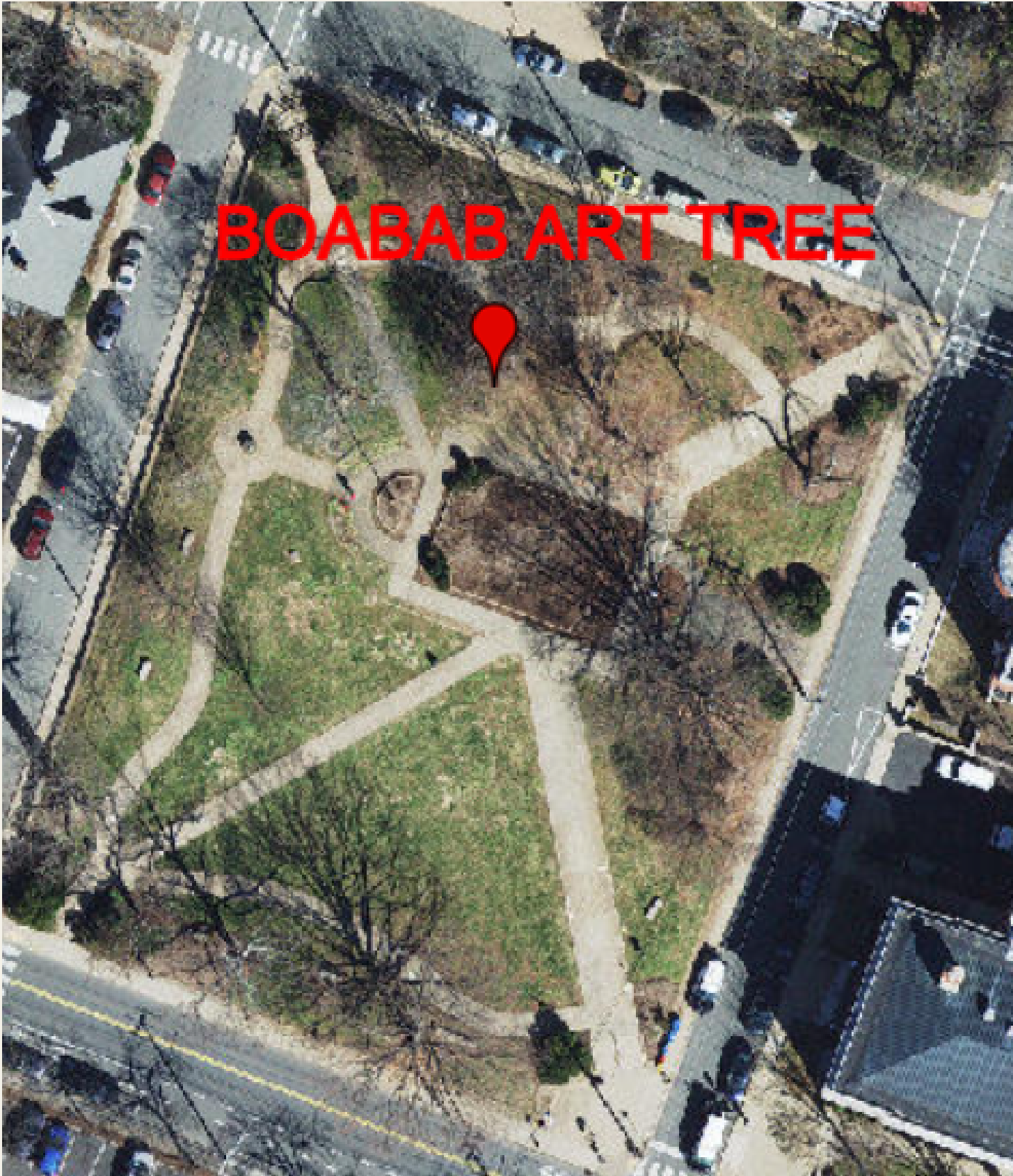
Connect the missing links



Project	FY27	FY28	FY29	FY30	FY31
YMCA Link for 250 Bypass Trail	\$ 375,800	\$ -	\$ -	\$ -	\$ -
Lower Meadow Creek Trail	\$ 455,352	\$ -	\$ -	\$ -	\$ -
Pollocks Branch Bridge	\$ 440,376	\$ -	\$ -	\$ -	\$ -
Meadow Creek Valley Trail	\$ 4,542,308	\$ -	\$ -	\$ -	\$ -
West McIntire Trail A&E and construction	\$ -	\$ 500,000	\$ -	\$ -	\$ -
Cedar Hill Park improvements	\$ -	\$ 125,000	\$ -	\$ -	\$ -
Botanical Garden Segment	\$ -	\$ 301,700	\$ -	\$ -	\$ -
Land Acquisition	\$ -	\$ 75,000	\$ -	\$ -	\$ -
Michie Drive ADA trail A&E and construction	\$ -	\$ -	\$ 400,000	\$ -	\$ -
Culvert improvements Hydraulic and 250	\$ -	\$ -	\$ 75,000	\$ -	\$ -
Railroad tunnel study advancement	\$ -	\$ -	\$ 60,000	\$ -	\$ -
Kenwood Drive	\$ -	\$ -	\$ 10,000	\$ -	\$ -
Land Acquisition	\$ -	\$ -	\$ 75,000	\$ -	\$ -
Holmes to Park Street A&E and stone dust trail	\$ -	\$ -	\$ -	\$ 75,000	\$ -
Land Acquisition	\$ -	\$ -	\$ -	\$ 75,000	\$ -
Construct Holmes to Park street trail and bridge	\$ -	\$ -	\$ -	\$ -	\$ 500,000
Disc Golf suspension bridge	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Land Acquisition	\$ -	\$ -	\$ -	\$ -	\$ 75,000
TOTAL	\$ 5,813,836	\$ 1,001,700	\$ 620,000	\$ 150,000	\$ 625,000

Market Street Park: fruit, seeds and civic life

BOABAB TREE



fruit, seeds and civic life

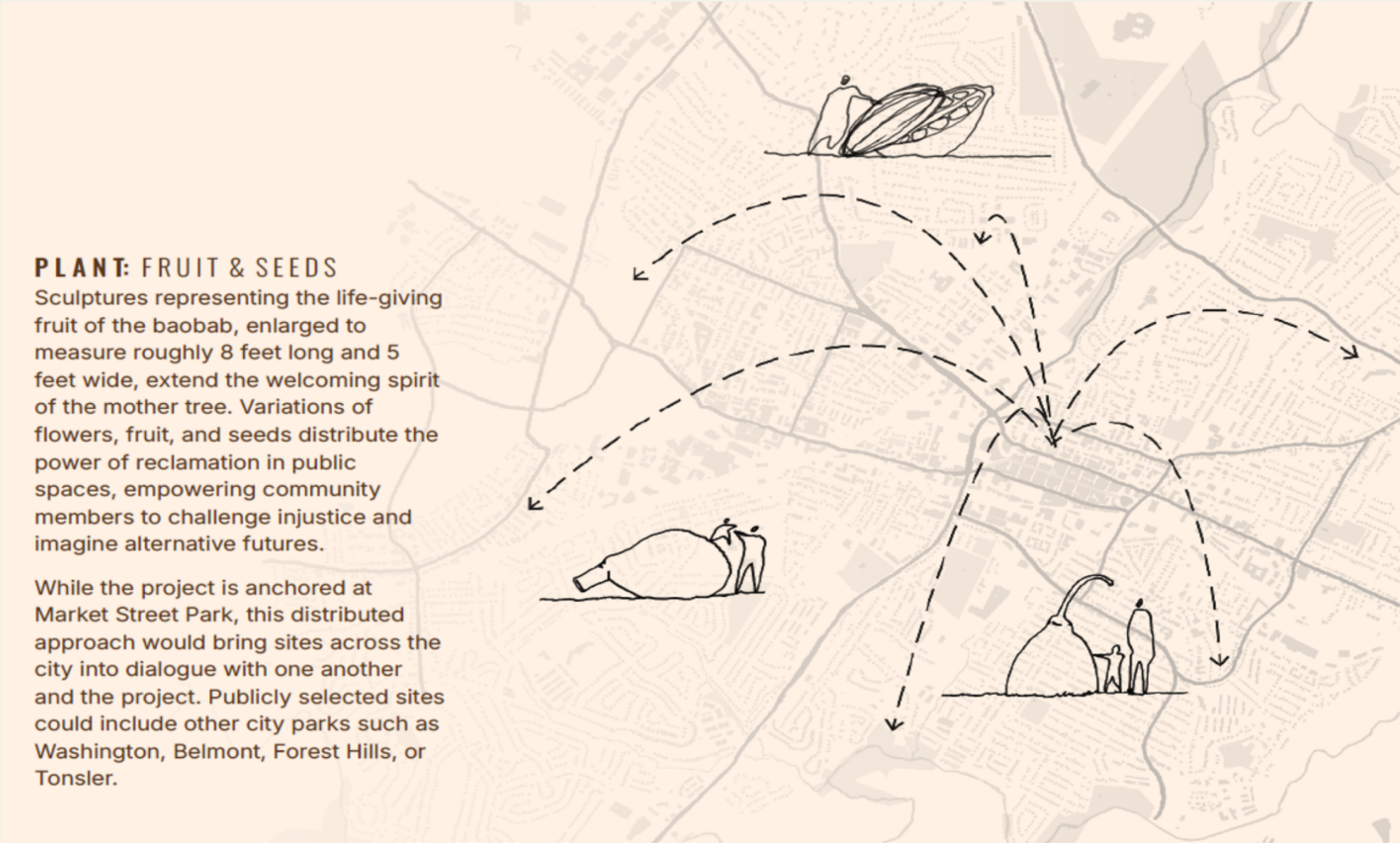
FRUIT & SEEDS



PLANT: FRUIT & SEEDS

Sculptures representing the life-giving fruit of the baobab, enlarged to measure roughly 8 feet long and 5 feet wide, extend the welcoming spirit of the mother tree. Variations of flowers, fruit, and seeds distribute the power of reclamation in public spaces, empowering community members to challenge injustice and imagine alternative futures.

While the project is anchored at Market Street Park, this distributed approach would bring sites across the city into dialogue with one another and the project. Publicly selected sites could include other city parks such as Washington, Belmont, Forest Hills, or Tonsler.



Swords into plowshares



BELMONT PARK

Baobab Art Seed • a place for reflection and community healing



FOREST HILLS PARK

A richer park experience through art, shade and gathering

Adaptive Recreation Center

Not a committed construction project.

A study of joyful, barrier-free recreation: splash pad, sensory and hide-and-seek play, adaptive swings, balance challenge, adult mobility area, treehouse, ground-level merry-go-round, ziplines and freestyle track / play tower.

Accessibility is the design brief—not an add-on.





Resident vs. Non-Resident Fee Parity

A consistent policy for equity, clarity and predictability



Staff found gaps in shelters, facility rentals, adult leagues and some admissions.
Most programs already use separate rates.
The Advisory Board supported advancing this community-input item.

QUESTIONS

THANK YOU

Policy Briefing Summary

City Council



Regarding:	Historic Resources Committee Annual Report
Staff Contact(s):	Jeffrey Werner, Historic Preservation and Design Planner
Presenter:	Julie Basic
Date of Proposed Action:	September 21, 2026

Issue

Annual report by the Historic Resources Committee on their work over the past year.

Background / Rule

Presentation will be provided by Julie Basic, current chair of the Historic Resources Committee (HRC). Ms Basic will be presenting the HRC's work from the past year as well as the current work program.

Analysis

N/A

Financial Impact

N/A

Recommendation

N/A

Recommended Motion (if Applicable)

Attachments

None

CITY OF CHARLOTTESVILLE



Proclamation

WEEK WITHOUT DRIVING OCTOBER 1–8, 2026

WHEREAS transportation is essential to full participation in community life, connecting people to workplaces, schools, health care, businesses, family, friends, and the many opportunities that make a community vibrant and connected; and

WHEREAS approximately one-third of people in the United States are nondrivers, including older adults, people with disabilities, and individuals who cannot afford the increasing costs of vehicle ownership, fuel, insurance, and maintenance, yet many communities continue to be designed around the assumption that everyone drives; and

WHEREAS **Week Without Driving** invites residents to experience their community from the perspective of a nondriver by choosing, whenever possible, to walk, bike, scooter, ride public transportation, or ask for a ride for a single trip, a day, or the entire week; and

WHEREAS the Charlottesville region offers a diverse range of transportation options, including public bus service through Charlottesville Area Transit (CAT), the Afton Express, Jaunt Connect, and the Virginia Breeze intercity bus routes; on-demand rideshare services such as MicroCAT; alternative commuting programs including Wahoo Commute and RideShare’s carpool matching, vanpool coordination, and emergency ride home services; transportation information and referral assistance through the Thomas Jefferson Planning District Commission’s Partnership for Accessible Transportation Help (PATH), with a focus on older adults and people with disabilities; and active transportation options including walking, biking, eBiking, and scooters, supported by local bike rentals, lending libraries, and community bike resources; and

WHEREAS, launched in 2021 by author and disability advocate Anna Zivarts, Week Without Driving has grown into an international effort, with more than 800 community organizations, public officials, and transit agencies across all fifty states, Canada, and Australia participating in activities that promote awareness, accessibility, and understanding of transportation challenges; and

WHEREAS the City of Charlottesville recognizes that learning from the experiences of nondrivers can build empathy, illuminate transportation gaps, and inspire continued investment in a more accessible, equitable, and connected community where everyone has the opportunity to move, participate, and thrive;

NOW, THEREFORE, BE IT PROCLAIMED that the Charlottesville City Council hereby recognizes **October 1–8, 2026, as “Week Without Driving”** in the City of Charlottesville and encourages community members to participate by choosing an alternative to driving when possible, supporting transportation options that strengthen accessibility, independence, and connection throughout our community, while also helping to achieve the city’s climate goals.

Signed and dated the 21st day of September 2026.

Juandiego Wade, Mayor

Kyna Thomas, Clerk

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate \$450,707 in Dockless Mobility Revenue for Bicycle Programming (2nd reading)
Staff Contact(s):	Ben Chambers, Transportation Planning Manager, Thomas Robert Safranek
Presenter:	Ben Chambers, Transportation Planning Manager, Thomas Robert Safranek
Date of Proposed Action:	September 21, 2026

Issue

Revenues from the Dockless Mobility Permit Program have been held aside for use for bicycle infrastructure and programming. However, these funds were never appropriated to a specific account. Revenues collected to-date from the Dockless Mobility Permit Program total \$410,707. Spending on bicycle infrastructure and programming has previously been funded in the Capital Improvement Plan through the Bicycle Infrastructure account. This account receives bonded revenues, which should be spent on infrastructure and assets only. To provide funding for bicycle programs, like Bike Month programming and promotion, updates to BikeCville.com, helmet giveaways for CCS students, and supporting a regional bike and pedestrian counter system, staff is recommending the creation of a new account, Bicycle Programming. Revenues from the Dockless Mobility Permit Program would be assigned to this account going forward. From the \$410,706.80 in existing revenues, a portion (\$184,909) would be assigned to the Bicycle Infrastructure account to cover expenses incurred since the beginning of the Dockless Mobility Permit Program, in 2019. The remaining revenues (\$225,798) would be assigned to the new Bicycle Programming account.

Background / Rule

Since 2019, the Dockless Mobility Permit Program has created \$410,707. Prior to 2023, the City's permit regulations required additional per-vehicle fees and higher per-ride fees, earning an average of \$58,000 per year. With changes to the permit regulations adopted in 2023, revenues have lowered to \$41,327 in 2024 and \$42,128 in 2025. Assuming consistent demand and continued service from the current provider, Veo, staff would anticipate the City would continue to see revenues from this program consistent with more recent years. Staff estimates \$40,000 will be collected for FY 2027.

While the Dockless Mobility Permit pilot did identify the revenues from the program as being dedicated to bicycle infrastructure and programming, these revenues were never specifically appropriated to any budget for bicycle infrastructure. The Dockless Mobility Permit Revenues were also not appropriated to the general fund. Bicycle infrastructure and programs have, since the initial hiring of a bicycle and pedestrian coordinator in 2012, been funded using the Bicycle Infrastructure CIP account. However, the revenues from this account are bonded, which means they should be used for infrastructure and assets, and not programming needs.

Analysis

Rather than review all past purchase orders to determine which past expenses should be funded with bonded revenues and which should be funded with the Dockless Mobility Permit Program revenues, staff summarized all expenses for the Bicycle Infrastructure account and recommends that the full amount of these expenses (\$184,909) be appropriated from the Dockless Mobility Permit Program revenues to the balance of the Bicycle Infrastructure CIP account. These expenses include \$59,909 in purchases through the account, as well as re-appropriations of \$75,000 in 2025 and \$50,000 in 2026 of

funds to the E-bike Voucher Program account. Future uses of this account would be restricted to bicycle infrastructure, including implementation of protected bicycle facilities, long-term and short-term bicycle parking, and expansion of the city's school bike fleet. The remaining \$225,798 would be appropriated into the new Bicycle Programming CIP account. These funds would be used for programming associated with events like Bike Month and e-bike demonstrations, community resources like helmet giveaways for City students and updates to BikeCville.com, and supporting the development of a regional bicycle and pedestrian counter system. Revenues from the Dockless Mobility Permit Program would continue to support this new account and no additional funding requests would be anticipated outside that revenue source.

Financial Impact

This action seeks to appropriate \$450,707 in dockless mobility permit revenue collected in prior years and \$40,000 anticipated to be collected in FY 2027. \$265,798 will be appropriated to a new Bicycle Programming account and \$184,909 will be appropriated to Bicycle Infrastructure account. The funds will be used to support bicycle programming and ensure that the City is following best practices in the use of bonded revenues. No impacts to the City's general fund or capital budget revenues are anticipated from this action.

Recommendation

Staff recommends the creation of the Bicycle Programming CIP account, the appropriation of existing Dockless Mobility Permit Program revenues to the Bicycle Infrastructure account and this new Bicycle Programming account, and the continued future appropriation of Dockless Mobility Permit Program revenues to the new Bicycle Programming account.

Recommended Motion (if Applicable)

Attachments

1. Resolution to Appropriate \$450,707 in Dockless Mobility Revenue



RESOLUTION #R-__ - __

Resolution to Appropriate \$450,707 in Dockless Mobility Revenue for Bicycle Programming

WHEREAS, the City of Charlottesville created a Dockless Mobility Permit Program in 2019 and has collected \$410,706.80 in revenue since inception; and

WHEREAS, these revenues have not previously been appropriated although the original pilot permit program identified these revenues as being dedicated to bicycle infrastructure and programming;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville that \$410,707 in previously collected revenue will be appropriated from the fund balance of the Capital Projects fund and \$40,000 in revenue anticipated to be collected during FY 2027 is hereby appropriated in the following manner:

Revenue:

\$40,000	Fund: 426	WBS Element: P-01141	G/L Account: 422150
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Expenditure:

\$265,798	Fund: 426	Funded Program: P-01141	G/L Account: 599999
\$184,909	Fund: 426	Funded Program: CP-083	G/L Account: 599999

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville that all future revenues generated by this program shall be appropriated to the Bicycle Programming account unless further action is taken by City Council.

Date Adopted:

Certified:

Clerk of Council

Policy Briefing Summary

City Council



Regarding:	FY 2027 Budget Amendments and Appropriation of \$300,252 of Additional General Fund Revenue (2nd reading)
Staff Contact(s):	Krisy Hammill, Director of Budget
Presenter:	Krisy Hammill, Director of Budget
Date of Proposed Action:	September 21, 2026

Issue

Since the adoption of the FY 2027 budget, the City has received \$300,252 in unanticipated revenue that needs to be appropriated, and funds previously appropriated for the City's Grand Illumination celebration need to be moved from the City's Communication and Public Engagement department to Parks and Recreation.

Background / Rule

Ordinance #0-26-44 sets the City of Charlottesville's budget and spending plan for the fiscal year ending June 30, 2027. The ordinance outlines both revenue and expenses to promote transparency and accountability. If the City receives any extra revenue during the year that was not part of the original ordinance, Council approval is required before it can be spent. Similarly, any changes to departmental budget totals must be appropriated by Council.

Analysis

Appropriation of Additional Revenue

As part of the FY 2026 closeout, Jaunt has remitted \$225,252 to the City as its share of excess funds. Furthermore, City Council recently adopted resolution #R-26-116, approving an agreement for legal services between the City of Charlottesville and the Charlottesville-Albemarle Airport Authority, which includes a \$75,000 fee for those services. These two items together contribute \$300,252 in revenue that was not reflected in the annual budget ordinance. Staff recommends these funds be appropriated to the Citywide Reserve account within the General Fund, making these resources available to the City Manager for addressing unforeseen needs during the fiscal year.

Budget Amendments

The FY 2027 Communications and Public Engagement budget included an appropriation of \$25,000 for expenses associated with the Grand Illumination event, which is hosted annually by the City. Management responsibility for this event has since transitioned to Parks and Recreation, and staff is requesting that the corresponding budget allocation be transferred to reflect this change.

Financial Impact

We aim to keep \$500,000 in the Citywide Reserve account. The FY 2027 proposed budget included \$417,771 for replenishment, but after Council changes, the reserve was reduced to \$187,032, with no carryover expected from FY 2026. Adding these funds will bring the unallocated reserve balance to \$487,284. Moving the \$25,000 Grand Illumination budget between departments has no financial impact.

Recommendation

Staff recommends approval of the resolution.

Recommended Motion (if Applicable)

Attachments

1. Resolution to Allocate \$300,252 to the Citywide Reserve



RESOLUTION #R-__ - __
FY 2027 Budget Amendments and Appropriation of \$300,252 of Additional General Fund Revenue

WHEREAS, the City of Charlottesville, VA will receive a total of \$300,252 from Jaunt (\$225,252) and the Charlottesville-Albemarle Airport Authority (\$75,000) that was not previously appropriated as part of the FY 2027 budget; and

WHEREAS, the FY 2027 adopted budget included \$25,000 for the Grand Illumination event which was appropriated to the Communications and Public Engagement department that will now be reallocated to the Parks and Recreation budget;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that funds in the amount of \$300,252 be appropriated to the Citywide Reserve account and \$25,000 be re-allocated as follows:

Revenue:

\$ 225,252	Fund: 105	WBS: 9723001000	G/L Account: 451050
\$ 75,000	Fund: 105	WBS: 1701001000	G/L Account: 434820

Expense:

\$ 300,252	Fund: 105	WBS: 1631001000	G/L Account: 599999
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Budget Reallocation From:

\$25,000	Fund: 105	WBS: 1601003000	G/L Account: 599999
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Budget Reallocation To:

\$25,000	Fund: 105	WBS: 3681004000	G/L Account: 599999
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Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) \$452,704 (2nd reading)
Staff Contact(s):	Misty Graves, Director of Human Services, Reginald Allen, Human Services Planner
Presenter:	
Date of Proposed Action:	September 21, 2026

Issue

Resolution to appropriate funds

Background / Rule

In July 2010, the City of Charlottesville became the fiscal agent for the Virginia Juvenile Community Crime Control Act (V.J.C.C.C.A.) funds for both Charlottesville and Albemarle County. This funding stream was established by the 1995 Virginia General Assembly to create balanced, community-based systems of sanctions, programs and services for juvenile offenders. These funds are used to support the Community Attention programs. In Fiscal Year 2027, \$292,058 in V.J.C.C.C.A.funds will be received from the Virginia Department of Juvenile Justice, with a required local maintenance of effort of \$52,231 from Albemarle County and \$108,415 from the City for a total of \$452,704. The grant period is from July 1, 2026, through June 30, 2027

Analysis

The VJCCCA grant funds the delinquency prevention and youth development services provided by The Department of Human Services for Charlottesville/Albemarle youth involved in the juvenile justice system. These services include the following programs: the Teens GIVE service learning program that provides community service opportunities during both the school year and the summer; the Community Support Services, which provides pro-social skills training like anger management, individual and group support services and services for youth on electronic monitoring; the Community Attention Youth Internship Program (C.A.Y.I.P.) which provides paid internship opportunities; the Check and Connect Program provides evidence-based, school engagement programs.

Financial Impact

The VJCCCA grant aligns with the City of Charlottesville's goal of improving community health and safety outcomes by connecting residents with effective resources. Community Attention's VJCCCA-funded programs provide community-based services that prevent delinquency and promote the healthy development of youth. Expected outcomes include decreased delinquent behavior during and after program participation.

Recommendation

Staff recommends approval and recommendations of funds.

Recommended Motion (if Applicable)

Staff recommends a motion to adopt the resolutions as written.

Attachments

1. RES_Appropriate \$452,704 VJCCCA funds



#R-__-__
RESOLUTION

**TO APPROPRIATE \$452,704 IN GRANT FUNDING FROM THE VIRGINIA DEPARTMENT
OF JUVENILE JUSTICE AND LOCAL FUNDS PURSUANT TO THE VIRGINIA JUVENILE
COMMUNITY CRIME CONTROL ACT**

WHEREAS, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice for uses consistent with the VJCCCA; and

WHEREAS, this grant requires local maintenance of effort funds in the amount of \$52,231 from Albemarle County and \$108,415 from the City; and

WHEREAS, the grant award covers the period from July 1, 2026, through June 30, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that the sum of \$452,704 is hereby appropriated in the following manner:

Revenue - \$452,704

\$292,058	Fund: 220	Cost Center: 3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center: 3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center: 3523001000	G/L Account: 498010

Expenditures - \$452,704

\$103,704	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$343,000	Fund: 220	Cost Center: 3523001000	G/L Account: 599991

BE IT FURTHER RESOLVED that this appropriation is subject to the receipt of \$292,058 from the Virginia Department of Juvenile Justice and \$52,231 from Albemarle County. All funds hereby appropriated shall be accounted for and expended in accordance with requirements of the VJCCCA grant program.

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution for the Draft Program Year 2025-26 ("PY25") Consolidated Annual Performance and Evaluation Report ("CAPER") (2nd reading)
Staff Contact(s):	Anthony Warn, Grants Analyst, Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Anthony Warn, Grants Analyst
Date of Proposed Action:	September 21, 2026

Issue

The City of Charlottesville ("City") is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program administered by the U.S. Department of Housing and Urban Development ("HUD"). The City is also a contributing member of the Thomas Jefferson HOME Consortium ("TJHC") in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME Investments Partnership Program ("HOME") program.

Background / Rule

HUD guidance requires PJs to review and report on an annual basis progress made in the preceding program year in carrying out their strategic and annual action plans. This Consolidated Annual Performance and Evaluation Report ("CAPER") is a required element for continued participation in HUD-funded programs like CDBG & HOME. Each year, city staff and staff from the Thomas Jefferson Planning District Commission ("TJPD") collaborate to prepare the CAPER.

Analysis

During Program Year 2025-26 ("PY25"), the City awarded CDBG funds to eight (8) Charlottesville-based nonprofits in support of: two (2) economic development activities; one (1) accessibility-focused public facilities & infrastructure activity; one (1) affordable housing activity, and; three (3) public services activities. Similarly, through its participation in the HOME Consortium, the City awarded HOME funds to one (1) local nonprofit in support of income-eligible city residents and continues to work with another on refining their proposal for an affordable home rehabilitation activity. Due to the nature of the applications received for HOME funding, a small pool of HOME funds remains available to support suitable eligible activities.

The draft PY25 CAPER will be available online for a 15-day public comment period at <https://tjpd.org/our-work/thomas-jefferson-regional-home-consortium/> from September 1 through September 16, 2026, or by contacting Laurie Jean Talun, LJTalun@tjpd.org (434-422-4080), and/or Anthony Warn, warna@charlottesville.gov (434-906-2582).

Financial Impact

Approval of the CAPER does not involve the appropriation of funds from the city's General Fund. As such, no adverse impacts to the City's budget are anticipated. Rather, approval of the CAPER is an important step in ensuring the City's continued ability to participate in the CDBG and HOME programs and, by extension, the ability of our Consortium partners to participate in the HOME program as well.

Recommendation

Based on the demonstrated benefits to the Charlottesville community and to the communities served by the HOME Consortium, staff recommends that Council approve the PY25 CAPER as presented before Council.

Staff further recommends that Council establish its priorities to guide the work of the CDBG/HOME Taskforce in preparing funding recommendations for Program Year 2027-28 CDBG and HOME activities.

Recommended Motion (if Applicable)

I move that Council approve the RESOLUTION now before us to approve the Program Year 2025-26 Consolidated Annual Performance and Evaluation Report (“CAPER”).

and

I move that Council approve the RESOLUTION now before us to establish certain priorities to guide the work of the CDBG/HOME Taskforce in preparing funding recommendations for Program Year 2027-28 CDBG and HOME activities.

Attachments

1. PY25 CAPER Resolution to Approve
2. PY25 CAPER Charlottesville-TJPDC Draft
3. CDBG & HOME Proposed Council Priorities 2027-28



RESOLUTION R#-__-__

Resolution to Approve the Program Year 2025-26 ("PY25") Consolidated Annual Performance and Evaluation Report ("CAPER") for the Community Development Block Grants and HOME Investment Partnerships Programs

WHEREAS the City of Charlottesville ("City") is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program administered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS the City is a contributing member of the Thomas Jefferson HOME Consortium ("TJHC") in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME Investment Partnerships Program ("HOME"); and

WHEREAS City Council approved a 5-Year Consolidated Plan covering program years 2023-2027 at a public hearing held on May 1, 2023 (#R-23-065) and the associated 1-Year Annual Action Plan ("AAP") for PY25 at a public hearing on May 5, 2025 (#R-25-038); and

WHEREAS HUD requires all localities receiving HUD funds to report on their annual accomplishments for the prior program year through the CAPER;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlottesville, Virginia, hereby approves the city's PY25 CAPER report, as presented here before us.

Date Adopted:

Certified: _____
Clerk of Council



Thomas
Jefferson
Planning District Commission

Program Year 2025 CAPER
Consolidated Annual Performance Evaluation Report

for the

City of Charlottesville

and the

**Thomas Jefferson
HOME Consortium**



Adopted by the Thomas
Jefferson Planning District
Commission:

Adopted by Charlottesville
City Council:

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The HOME program's goals are to assist first-time homebuyers, preserve existing housing stock by rehabilitating owner-occupied homes, and develop new housing units for home ownership or rental. HOME Consortium activities are carried out through nonprofit housing foundations in the region: the Albemarle Home Improvement Program (AHIP), the Fluvanna/Louisa Housing Foundation (F/LHF), the Nelson County Community Development Foundation (NCCDF), and Skyline CAP (serving Greene County). HOME funds are often combined with other funding, extending the reach and effectiveness of the program.

The current Consolidated Plan, which is a five-year plan that consolidates CDBG and HOME Consortium activities, began in 2023. The following charts show progress made based on the initial goals set at that time.

The HOME Consortium has completed a large number of homeowner rehabilitations, and is in the process of purchasing and developing several rental units. Due to the cost of construction labor and materials, the total amount of funding is being used strategically to have the greatest impact possible, within a challenging housing and construction economy.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

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Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Energy efficiency and environmental stewardship	Affordable Housing Non-Housing Community Development		Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	500	6	1.20%			
Enhance and improve access to transportation	Non-Housing Community Development		Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	500	65	13.00%			
Ensure housing access for low income residents	Affordable Housing		Direct Financial Assistance to Homebuyers	Households Assisted	22	0	0.00%	2	0	0.00%
Ensure housing access for low income residents	Affordable Housing		Tenant-based rental assistance / Rapid Rehousing	Households Assisted	24	13	54.17%	6	0	0.00%
Expand the affordable housing stock	Affordable Housing		Rental units constructed	Household Housing Unit	37	1	2.70%	10	0	0.00%

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Expand the affordable housing stock	Affordable Housing		Homeowner Housing Added	Household Housing Unit	10	6	60.00%	2	1	50.00%
Expand the affordable housing stock	Affordable Housing		Homeowner Housing Rehabilitated	Household Housing Unit	0	19		0	19	
Foster small and local business development	Non-Housing Community Development		Businesses assisted	Businesses Assisted	40	117	292.50%			
Increase access to jobs that pay a living wage	Non-Housing Community Development		Jobs created/retained	Jobs	50	65	130.00%			
Preserve existing supply of affordable housing	Affordable Housing		Rental units rehabilitated	Household Housing Unit	1	1	100.00%	0	1	
Preserve existing supply of affordable housing	Affordable Housing		Homeowner Housing Rehabilitated	Household Housing Unit	116	41	35.34%	24	16	66.67%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0		1	153	15,300.00%

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Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	0	0		4	0	0.00%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Jobs created/retained	Jobs	0	0		13	0	0.00%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Businesses assisted	Businesses Assisted	0	0		8	7	87.50%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Housing for Homeless added	Household Housing Unit	0	0		10	0	0.00%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Other	Other	0	0				

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Support homeless and transition to independence	Affordable Housing Homeless		Homelessness Prevention	Persons Assisted	6	258	4,300.00%			
Support investments that aid fair housing choice	Non-Homeless Special Needs Non-Housing Community Development		Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	5	0	0.00%			
Support the expansion of mental health services	Non-Homeless Special Needs		Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	50	0	0.00%			
Support the provision of supportive housing	Affordable Housing Non-Homeless Special Needs		Other	Other	1	0	0.00%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

As in previous years, Charlottesville continues to carefully direct investments of its limited CDBG and HOME funds to address pressing needs within our community. For example, investments of our limited CDBG funds were successful in leveraging more than \$300,000 in non-federal funds, an amount equal to more than 64.53% of our total PY25 CDBG allocation.

The lack of affordable housing options, both homeownership and rental, continues to be a significant challenge for our region, as it is in most metropolitan areas across the country. Specifically, the presence of substandard housing continues to be a pressing need within our community, which we have attempted to address through, among other efforts: support for the work of the Albemarle Housing Improvement Partnership (AHIP) to provide emergency and critical rehabs for income-eligible homeowners; support for energy-efficiency upgrades for income-eligible homeowners through the Local Energy Alliance Program (LEAP) to prepare their homes for free solar panels from Dominion Energy.

In addition, we have continued to try to enlist new partners in this work and are very excited to announce that we been able to award both CDBG and HOME homeowner rehabilitation funds to a new partner, the Building Goodness Foundation (“BGF”) for the 2026-27 program year.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG	HOME
White	106	13
Black or African American	161	19
Asian	3	0
American Indian or American Native	2	0
Native Hawaiian or Other Pacific Islander	1	0
Total	273	32
Hispanic	60	0
Not Hispanic	213	32

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

With HOME funds, the HOME Consortium served a large number of individuals and households; over half of the beneficiaries identify as Black or African American.

According to Census data, approximately 11% of the population of the Charlottesville Metropolitan Statistical Area is at or below the federal poverty level. Of these, approximately: 7.5% identify as White/Not Hispanic; 26.4% identify as Black/African American; 26.7 identify as Asian; 17.5% identify as Latino/Hispanic; with the rest identifying as Other/Multiracial. In the TJPDC, non-white/other race households have low-incomes at a 22% higher rate than white households. About one third (37%) of households led by someone who identifies as white have incomes equal to or less than 80% area median income. In contrast, over half (59%) of households led by someone who identifies themselves as included in another racial group have incomes equal to or less than 80% AMI.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	445,452	171,317
HOME	public - federal	4,316,160	1,359,140

Table 3 - Resources Made Available

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
10th and Page			
Albemarle County	14	14	
City of Charlottesville	14	14	
Fifeville			
Fluvanna County	14	14	
Greene County	30	30	Greene County was the CHDO recipient this year
Louisa County	14	14	
Nelson County	14	14	
Ridge			

Table 4 – Identify the geographic distribution and location of investments

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The city also continues to work closely with its partners to utilize sources of non-federal funds that can be leveraged to support its HUD-funded activities. For example, the city awarded \$50,000 in CDBG funding to support long hoped for accessibility enhancements at the site of one of Charlottesville’s oldest youth-serving nonprofits, funds which the subrecipient used to help secure private philanthropic donations well in excess of the funds awarded, resulting a greater than 1:1 leveraged match ratio. Similarly, CDBG-funded activities in PY25 leveraged more than \$580,000 in non-federal funds (or \$1.25 leveraged for each \$1 of CDBG funds utilized).

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	10,094,576
2. Match contributed during current Federal fiscal year	684,003
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	10,778,578
4. Match liability for current Federal fiscal year	339,785
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	10,438,793

Table 5 – Fiscal Year Summary - HOME Match Report

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Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Foregone Taxes, Fees, Charges	Appraised Land/Real Property	Required Infrastructure	Site Preparation, Construction Materials, Donated labor	Bond Financing	Total Match
AHIP Repair	05/04/2026	166,800	0	0	0	0	0	166,800
Habitat Core 2026	05/04/2026	286,027	0	0	0	0	0	286,027
PHA 1025 Park	05/04/2026	231,176	0	0	0	0	0	231,176

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at begin-ning of reporting period \$	Amount received during reporting period \$	Total amount expended during reporting period \$	Amount expended for TBRA \$	Balance on hand at end of reporting period \$
113,119	39,948	20,249	0	212,510

Table 7 – Program Income

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Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	Minority Business Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Contracts						
Dollar Amount	214,282	0	0	39,475	8,600	166,207
Number	19	0	0	2	1	16
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0
	Total	Women Business Enterprises	Male			
Contracts						
Dollar Amount	217,380	20,000	197,380			
Number	20	1	19			
Sub-Contracts						
Number	0	0	0			
Dollar Amount	0	0	0			

Table 8 - Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	Minority Property Owners				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 9 – Minority Owners of Rental Property

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Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition						
Parcels Acquired		0		0		
Businesses Displaced		0		0		
Nonprofit Organizations Displaced		0		0		
Households Temporarily Relocated, not Displaced		0		0		
Households Displaced	Total	Minority Property Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 10 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	43	20
Number of Special-Needs households to be provided affordable housing units	0	0
Total	43	20

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	6	0
Number of households supported through The Production of New Units	11	1
Number of households supported through Rehab of Existing Units	24	19
Number of households supported through Acquisition of Existing Units	2	0
Total	43	20

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

During this program year, the HOME Consortium continued the development of rental units, which will be completed in the coming program year. During the program year, 16 low-income households received rehabilitation of their homes, and one household purchased a unit. Due to the current cost of construction and other aspects of producing homes, this is a reasonable number of completed activities, based on the total amount of funding available.

To complete the CDBG efforts in the Consolidated Plan, through its close partnership with TJPDC, the City continues to seek out additional opportunities to blend funding from multiple sources to deliver benefits to our community.

Discuss how these outcomes will impact future annual action plans.

We anticipate a higher rate of completed rental units in the coming year, as the result of advancements made this year in the production of the planned rental units.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	6
Low-income	3	8
Moderate-income	0	3
Total	3	17

Table 13 – Number of Households Served

Narrative Information

HOME funding is intended to assist households at various low levels of income. By assisting primarily low income and extremely low income households, funding in our region met needs for crucial home repairs, and produced one additional unit available at an affordable rent.

The challenges we have experienced related to affordable housing have informed our work in many years, notably by leading us to a renewed effort to try to help subrecipients connect to additional funding sources that can extend their impact. For example, the city is working to support subrecipients in their applications to related city programs, like the Charlottesville Affordable Housing Fund (CAHF) or funding opportunities available throughout city departments, like Economic Development of Human Services.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Blue Ridge Area Coalition for the Homeless (BRACH) Continuum of Care maintains a coordinated system of care so that homelessness in our region is rare, brief, and nonrecurring when possible. BRACH connects individuals and families experiencing homelessness to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, or service participation requirements.

A Community Case Review convenes 2 times a month to provide a problem-solving body to area providers working with individuals and families experiencing homelessness. The Community Case Review consists of a convener appointed by BRACH and staffed by representatives from anchor agencies, including PACEM, The Haven, Region Ten, On Our Own, and area Departments of Social Services. Each meeting, the Community Case Review works through the community's By-Name List of everyone known to be experiencing homelessness in the area and documents action steps aimed at quickly resolving homelessness for each person reviewed. There is now additionally a Community Case Review for chronic cases, and a separate Community Case Review for veteran cases for veterans of the military.

Particularly complex cases are referred to the Community Case Review for solution-focused discussion designed to resolve homelessness quickly and effectively. A coordinated assessment process is used to determine eligibility for available services, collect required data, and develop case plans for individuals and families experiencing homelessness. Coordinated assessment is available every day at The Haven. Households can call the Haven's Homeless Information Line (HIL) to schedule a homeless intake appointment.

BRACH homelessness service providers collect required data elements and enter data into HMIS on a weekly basis to ensure close to real-time community level data and on-time reporting to local, state and federal stakeholders.

BRACH is pairing HOME-ARP funding with capacity building funding from the City, to hire a staff member who will continue to enhance outreach beyond the urban center of the region, and also partner with SupportWorks Housing at Vista 29, to help prepare beneficiaries to live in permanent supportive housing.

BRACH, Region Ten PATH Program, and On Our Own provide street outreach to individuals and families experiencing homelessness, with a focus on those who do not have shelter, to provide them with information and access to services. Region Ten conducts in-reach with Western State Hospital to assist

DRAFT FOR PUBLIC COMMENT

with transitions and community reintegration – clients can come to Region Ten for support. Region Ten PATH program conducts in-reach at The Haven, Mohr Center and SupportWorks Housing to engage guests in mental health treatment and care.

SupportWorks Housing provides supportive housing in the region, addressing the long-term needs of chronically homeless households and individuals. The Vista 29 project, which used HOME-ARP funds, among many other sources, has transformed a hotel into Permanent Supportive Housing, and construction is near completion.

Addressing the emergency shelter and transitional housing needs of homeless persons

Community leaders are working together to provide a year-round, overnight shelter, in partnership with multiple nonprofits and the City of Charlottesville. The City of Charlottesville continued to seek out novel ways to use HUD funding to support programs serving the area's unhoused population, such as through continued support for the Coordination of Community Service Providers work being done by a Charlottesville-based nonprofit, The Haven at First & Market.

The City of Charlottesville purchased for \$6.2MM an approximately 27,000 square foot building on 3.8 acres of land, commonly referred to as 2000 Holiday Drive, on which to develop a year-round, low-barrier overnight shelter and source of wraparound services for persons experiencing homelessness. The city also helped coordinate over the past year the work of a team of nonprofit community organizations dedicated to supporting the unhoused, including BRACH, The Haven, and PACEM, and Central Arizona Shelter Services (CASS), an experienced shelter management provider, to develop a coordinated plan to transform the property into a usable site. The City also worked closely during the program year with state legislators to secure a special appropriation of \$7MM from the Virginia General Assembly in FY27[AW3.1] to support the expansion of services for the unhoused, including \$3MM to the Salvation Army to help them expand the capacity of their high-barrier shelter and additional funds to support the rehabilitation of the 2000 Holiday Drive facility and to move work forward on preparing to provide services at the location.

The City of Charlottesville purchased a building and land to develop a year-round, low-barrier overnight shelter for people experiencing homelessness. The past year has involved a great deal of stakeholder effort to develop plans to develop the property into a usable site. Key leaders involved include City of Charlottesville staff, BRACH, The Haven, and PACEM. The City was awarded state level funding to rehabilitate the building and move forward with preparing to provide services on location.

PACEM provides a seasonal, low-barrier emergency shelter to individuals from late October to mid-April using host church sites for shelter and meals. PACEM provides coordinated assessment services to those individuals and families that seek shelter but have not completed a coordinated assessment through Coordinate Entry.

ACPS McKinney-Vento Connection (formerly Families in Crisis) provides emergency hotel/motel

vouchers to families experiencing homelessness and complete a coordinated assessment packet, and assists McKinney-Vento Coordinators in the region with addressing the needs of families identified by schools as at risk of homelessness.

Salvation Army provides high-barrier emergency shelter services year-round for individuals and families experiencing homelessness that can maintain sobriety and are looking for work or are working. Salvation Army is currently developing additional beds. The City has coordinated with Salvation Army staff to expand capacity, including coordination with the Virginia legislature to secure \$3 million, paired with \$3 million invested from the City's budget.

The Shelter for Help in Emergency (SHE) provides emergency shelter services year-round for women and children fleeing domestic violence, referred by other emergency shelters and emergency room staff.

Monticello Area Community Action Agency (MACAA) Hope House provides transitional housing and supportive services with a preference for households with children where one adult is working.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Existing rental assistance resources include Pathways through the United Way, the Network2Work Emergency Fund, The Haven, PHA eviction reduction programs, HOPWA through the Blue Ridge Health Department, the Charlottesville Supplemental Rental Assistance Program (CSRAP) through the City of Charlottesville and CRHA, the Albemarle County Emergency Relief Program (ACERP) through Albemarle County, and Housing Choice Vouchers in various counties. The Haven served 152 individuals representing 94 households during this period, using the Laura DeLapp fund.

Prevention staff at The Haven, PACEM, and McKinney Vento services in schools, coordinate activities in communication with area emergency assistance providers including Alliance for Interfaith Ministries (AIM), Pathways Fund, Love, Inc., departments of social services, and area churches whenever possible. Monthly case management is provided to develop and implement a housing stability plan.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

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The Haven provides housing navigation services through the Rapid Rehousing program to assist individuals and families experiencing homelessness to identify available low-income housing resources and negotiate leases. Rapid Rehousing Case Managers serve as a housing navigator to develop relationships with area landlords and provides education on available rental subsidy programs to housing organizations. The Haven provides rapid re-housing services to quickly connect individuals and families experiencing literal homelessness to permanent housing. Rental arrearages and utility bills may be paid if they represent an actual barrier to permanent housing. Rental subsidies may be provided to ensure housing stability. Ongoing eligibility is determined every 90 days. Monthly case management is provided to develop and implement a housing stability plan.

Region Ten operates a HUD-funded permanent supportive housing program for about 33 chronically homeless individuals. Community Case Review prioritizes the most vulnerable individuals with the longest histories of homelessness for this program when there are openings. SupportWorks Housing's The Crossings provides 30 units of permanent supportive housing for chronically homeless individuals in partnership with the Albemarle County Department of Housing and the Charlottesville Redevelopment and Housing Authority (CRHA). The Continuum of Care now includes 153 Permanent Supportive Housing beds, including 25 units that service Veterans, and 38 that are run by Region Ten and funded through HUD.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Charlottesville Redevelopment and Housing Authority (CRHA) prioritizes individuals with greatest need in our community, 40% of new admissions to public housing each year are considered “extremely low-income families.” The PHA has three self-sufficiency programs (ROSS, FSS, and Jobs Plus) that provide opportunities for residents to gain economic independence and encourage healthy living. The CRHA is also in the process of redeveloping two sites (South First Street, Phase II and Sixth Street, Phase I). The PHA anticipates developing 40-65 affordable new units with a mix of 1-5 bedroom units.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The CRHA continues to involve residents in long-term planning, self-determined programs, and site modernization via Resident Planners and the Public Housing Association of Residents (PHAR). The PHA has a housing counselor on staff that has been working with FSS participants on opportunities for homeownership. The CRHA has received down-payment assistance funds that will help these individuals in their homebuying process.

Actions taken to provide assistance to troubled PHAs

CRHA is the only PHA in the region and is not troubled.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

During the 2025-26 program year, the City of Charlottesville and its partners continued their shared work of addressing forthrightly and proactively our shared history and the resulting barriers to affordable housing through, in part, its commitment to preserve and expand affordable housing opportunities for our neighbors who need them most. For example, City Council continues its commitment of no less than \$10MM per year to support a wide range of affordable housing activities, from the construction of new units, the preservation and rehabilitation of existing units (including Kindewood, CRHA, LEAP, and Building Goodness units), to supporting a range of eviction prevention and downpayment assistance/counseling services. The city also continues to support the growth of a community land trust that can work in conjunction with our nonprofit partners as well as a targeted tax abatement strategy to further support the development of affordable housing opportunities.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

One of the biggest steps taken by the city in recent years to remove obstacles to the development of affordable housing is the development of a new, more inclusive zoning code. While great challenges in this work remain, the new zoning code, with its removal of requirements for single-family residences in all neighborhoods and features that allow developers the ability to develop additional units in certain circumstances if they also deliver a certain number of affordable units (or pay a fee in lieu), offers great promise in addressing the areas housing shortage. Additionally, the city and TJPDC continue to coordinate closely to design and implement HUD-funded programs that address the needs of the largest number of underserved individuals possible, including activities that have the potential of leveraging non-federal funds.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The city continues to work with its partners, including AHIP, LEAP, the Piedmont Housing Alliance, Habitat for Humanity, and the Building Goodness Foundation (“BGF”), to identify and remove lead-based paint hazards wherever they may be encountered. The HOME Consortium completes reduction of lead-based paint hazards through partnerships with AHIP in Albemarle County, NCCDF in Nelson County, and Fluvanna-Louisa Housing Foundation.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Charlottesville continues to provide significant financial resources to help reduce the number of poverty-level families in the City, including by providing CDBG funds to support of financial literacy

programs provided by one of the region's most active affordable housing developers and adult/workforce literacy tutoring for adults experiencing literacy issues. Similarly, the city continues its commitment to assist families at risk of eviction or other adverse actions through a commitment of local funds in excess of \$130,000 to the Charlottesville Supplemental Rental Assistance Program ("CSRAP") in FY26 and additional commitments of grant funds through other programs (e.g., CDBG, HOME, VCF, etc.).

Fluvanna-Louisa Housing Foundation, Nelson County Community Development Foundation, and Skyline Community Action Partnership, along with AHIP, provide extensive services related to housing for low-income households. As a result of their services, families facing poverty experience greater housing safety and stability.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City and TJPDC continue to emphasize the development and refinement of tightly integrated systems to support our shared strategic goals. Charlottesville, TJPDC and the members of the Thomas Jefferson HOME Consortium (TJHC) work closely together to promote regional cooperation and the creative use of funds to maximize the impact of our many programs.

The city also continues to offer unused city office space to area nonprofits, such as the Blue Ridge Area Coalition for the Homeless (BRACH), at below-market rates as a way of supporting their work. This helps integrate these entities into the other work the city is doing while at the same time allowing them to develop a great portion of their scarce resources on their core missions.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The Regional Housing Partnership meets quarterly, and engages over 22 organizations who represent public, private, citizen, and for-profit sectors of those working to provide affordable housing in the TJPDC region.

The city and TJPDC work closely together to support social service and housing agencies that are involved in serving special needs populations, including the Jefferson Area Board for Aging (JABA), the Arc of the Piedmont for people with developmental disabilities, Region Ten Community Services Board for people with mental illness and substance abuse and the Independence Resource Center. The Jefferson Area Board for Aging (JABA) assists elderly persons with long-term health care needs and serves the TJPDC region. JABA partners with senior housing providers in Charlottesville (Timberlake Place, Woods Edge, and Park View Apartments) and in Nelson County (Ryan School Apartments). Regular JABA health screenings and services are provided by JABA nurses at Park View at South Pantops, Ryan School Apartments and Woods Edge Apartments.

The City continues its work to implement and refine its new inclusive Zoning Ordinance and on an update to its citywide Comprehensive Plan Update, coordinating with partners from the Charlottesville

City School Board, Albemarle County, the University of Virginia, a range of nonprofit organizations, Neighborhood Leaders Group, the Charlottesville Redevelopment and Housing Authority (“CRHA”), the Blue Ridge Area Homelessness Consortium (“BRACH”), among many others..

The Region Ten Community Services Board provides comprehensive diagnosis, treatment and training for persons with Serious Mental Illness and chemical dependence for persons within the Planning District. Region Ten administers Continuum of Care (CoC) Permanent Supportive Housing projects, using a scattered site model. Region Ten also serves people with housing in apartments or Single Room Occupancy (SRO) units with funding through the Virginia Department of Behavioral Health and Developmental Services (DBHDS). Region Ten administers about 220 Housing Choice Vouchers. Region Ten provides case management services.

For people with disabilities, housing foundations in the Counties and projects funded through the Charlottesville Affordable Housing Fund (CAHF) in the City include necessary accessibility features as part of the scope of work for rehabilitation and emergency repair projects.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

One of the greatest insights from the regional Community Needs Assessment conducted during the development of the current FY 2022-2027 Consolidated Plan is the several lack of affordable rental units, both in the city and across the larger metropolitan area served by the Thomas Jefferson HOME Consortium members. This condition is greatly exacerbated by the significant rise of home prices during the course of the COVID pandemic that has driven the median purchase price within the city up on average 3.5% year-over-year, up from approximately \$360,000 in June of 2020 to a little over \$456,000 in June of 2023 according to Redfin calculations of home sales data from MLS and/or public records.

Based on these insights, the city has reemphasized its efforts to preserve and expand the current stock of affordable rental units. For example, the city is in the final stages of approval for funding agreements that will direct our portion of the recent HOME-ARP award to supporting critical rehabilitations necessary to preserve and maintain 7 or more residential rental units as affordable to households at or below 60% of the local Area Median Income (AMI).

Land use and zoning policies have historically been discriminatory in Charlottesville, a practice that has severely limited residential development and the overall supply of housing, especially for residents at the lower end of the income spectrum. These policies are further compounded by community resistance to change the land use policies that reinforce and prioritize preserving existing single-family neighborhoods over the development of new affordable housing that would provide and expand housing options in the community. As mentioned above, the city continues working to implement and refine its new Zoning Ordinance that will emphasize new inclusionary policies and other provisions designed to eliminate long-standing barriers to affordable housing.

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TJPDC has developed the PATH, which connects riders with accessible rides throughout the region, allowing access to transportation particularly for those who are most greatly disadvantaged. This allows those who live in more challenging locations for transportation, due to housing costs, to be more connected to the places they need to be.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The HOME Consortium maintains annual monitoring plans. This year included desk reports from rental providers, as well as a site visit to Habitat for Humanity of Greater Charlottesville (Habitat), to review their files, procedures, and the housing units they have developed for low-income homebuyers. Habitat was found to have excellent files and records, and have completed countless impactful projects in their region.

TJPDC carries out HOME desk reviews throughout the year, with oversight from the Finance Director and Executive Director. On-site visits are not required for subrecipients with no staffing changes, with no significant change in the type of projects carried out, and who have no outstanding findings from previous monitoring visits or financial audits. No sub-recipient will go more than three years without an on-site monitoring visit.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

(Will be completed after public comment is complete.)

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City of Charlottesville continues its commitment to internalizing the growing understanding of the depth and breadth of needs within our community referenced in previous CAPER reports, including the broader regional nature of many of the challenges we face and the consequent importance of fostering strong regional partnerships through, for example, the Thomas Jefferson Planning District Commission, the Thomas Jefferson HOME Consortium ("TJHC"), regional economic partnerships, among many others. The high cost of housing and, consequently, the limited affordable options for many people who work in the city but who cannot afford to own or rent here, continues to be a significant challenge for our community, as it does for so many communities across the country. We are also increasingly seeking out opportunities to strengthen our local childcare/early learning ecosystem.

The city and its many housing-focused partners continue seeking to enhance our understanding of community needs and, more importantly, the steps needed to address them in a productive manner that brings results for those in our community who need them the most. One significant outgrowth of this developing awareness can be seen in City Council's commitment to commit at least \$10 million per year to support affordable housing initiatives, a commitment that is being delivered upon but which would be challenging even for city's much larger than Charlottesville. (As noted elsewhere in this CAPER, the City of Charlottesville continued in its annual commitment of more than \$10MM to support a variety of affordable housing initiatives in 2025.) Similarly, the city continues to work to refine its new inclusive zoning code that removes single-family zoning requirements from all residential neighborhoods and that increases the by-right development options available to homeowners seeking to expand residential density and affordable housing options.

The 2025-26 program year planning process reinforces our understanding of how the level of need within our community exceeds the limited funds available. Consequently, continued emphasis will be placed on seeking out opportunities to develop activities that can further leverage the city's investment of scarce CDBG funds.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

CR-50 - HOME 24 CFR 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in 24 CFR §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

HOME-assisted rental units are owned and managed by sub-recipients of the Charlottesville HOME Consortium. Sub-recipients share a role in the implementation of the HOME program, including inspection of rental units. For units with tenants using Housing Choice Vouchers, which constitute the majority of rental units, Charlottesville HOME Consortium Sub-recipients have reciprocal agreements to perform inspections on units owned and managed by another subrecipient. For HOME-assisted units with no rental assistance, the sub-recipient performs inspections at least annually to identify any maintenance issues, and to replace smoke detectors and filters. Inspections may be done more frequently, if there is a concern about the tenant. Some subrecipients, such as AHIP, have inspectors on staff. Others hire inspectors to identify the outcomes of contractors' work. All rental units are inspected annually.

TJPDC conducts site visits, including visits to affordable housing units, with subrecipients. This year, TJPDC visited properties developed by Habitat for Humanity of Greater Charlottesville, Nelson County Community Foundation, and Fluvanna-Louisa Housing Foundation. The sites were maintained in good condition. No issues were detected.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 24 CFR 91.520(e) and 24 CFR 92.351(a)

All HOME projects are carried out by HOME Consortium subrecipients. These organizations have developed extensive networks with agencies and organizations in their localities to create a steady stream of referrals for HOME programs. Public outreach is carried out through a variety of means. The HOME Consortium maintains its Affirmative Marketing Policy, which applies to all projects that involve 5 or more units.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

Program Income information is collected quarterly from subrecipients. Not all subrecipients collect Program Income, because some primarily provide grants or conduct home repairs. Only the City of Charlottesville transfers PI back to TJPDC for use with their specific subrecipients. The HOME Consortium permits county-based non-profits to utilize Program Income for purposes of advancing

affordable housing, and reports all receipts and expenditures to HUD through IDIS.

**Describe other actions taken to foster and maintain affordable housing. 24 CFR 91.220(k)
(STATES ONLY: Including the coordination of LIHTC with the development of affordable
housing). 24 CFR 91.320(j)**

Subrecipient organizations maintain continual contact with their local community members, assessing the needs for affordable housing units, homeowner rehabilitation for low-income households, and other needs. The Program Manager at TJPDC attends regular meetings, listening to the needs and opportunities expressed by service providers, community members, locality staff, and leaders in housing and homelessness efforts. TJPDC participates in the USDA Housing Preservation Grant, allowing subrecipients to increase their rates of rehabilitating low-income housing. TJPDC also has distributed funding from the Virginia Department of Environmental Quality to improve homeowner septic systems. The City of Charlottesville provides extensive funding to affordable housing efforts, as evidenced in section 15 of this report, regarding Match funds. Through the RHP, TJPDC hosts summits every two years to increase the connection between private, public, and for-profit organizations that are focused on housing needs.



RESOLUTION R#-__-__

Resolution to Establish Council Priorities for the Program Year 2027-28 Community Development Block Grant & HOME Investment Partnerships Programs

WHEREAS the City of Charlottesville ("City") is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program administered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS the City is a contributing member of the Thomas Jefferson HOME Consortium ("TJHC") in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program; and

WHEREAS in accordance with the city's Citizen Participation Plan ("CPP"), the volunteer members of the CDBG/HOME Taskforce will be called on to review requests for funding for potential CDBG- and/or HOME-funded activities and to make subsequent funding recommendations to Council for Program Year 2027-28;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the Program Year 2027-28 CDBG & HOME programs shall prioritize to the degree possible:

- A continued emphasis on expanding access to affordable housing opportunities, including but not limited to low-income housing redevelopment, downpayment assistance, homeowner rehabilitations and/or energy-efficiency upgrades for income-eligible homeowners
- Workforce development, including but not limited to efforts to bolster Section 3 training opportunities and/or other economic development activities
- Microenterprise assistance, including through financial literacy, business education, mentoring, networking, and microloan supports
- Access to quality and affordable childcare
- Improvements to public infrastructure designed to eliminate or reduce barriers to access to public amenities for mobility-impaired residents
- Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent

For Program Year 2027-28, the CDBG Admin & Planning budget shall be set at 20% of the City's CDBG Allocation from HUD.

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Ordinance amending City Code Chapter 2, Article XVI. - Police Civilian Oversight Board (2nd reading)
Staff Contact(s):	James Walker, PCOB Executive Director
Presenter:	James Walker, PCOB Executive Director
Date of Proposed Action:	September 21, 2026

Issue

The proposed revisions to City Code Chapter 2, Article XVI transition the Charlottesville Police Civilian Oversight Board ("PCOB") from a model focused on independent investigations to a "Monitor, Audit, and Review" model that strengthens oversight by aligning the Board's authority with what it can legally and operationally deliver. Council received a high-level overview of the proposed direction and a matrix of proposed changes at the joint work session held May 18, 2026. Legal review by the City Attorney's Office and by the Board's independent counsel has since been completed. Presented for Council's consideration is the complete revision: a clean copy of the proposed ordinance, a redline against the last Council-approved version, and the matrix of revisions presented on May 18, 2026. The revisions resulting from legal review are documented in the presentation accompanying this item. Staff requests that Council consider the proposed revisions for adoption following two readings.

Background / Rule

The PCOB was established pursuant to Virginia Code § 9.1-601 and is governed by Chapter 2, Article XVI of the City Code. The Article was last substantively amended in 2021; the most recent Council-approved revision took effect in November 2025 and serves as the baseline for the redline presented with this item. As currently written, the ordinance authorizes the Board to receive and investigate complaints, investigate incidents, hold hearings, recommend discipline in individual cases, and compel testimony through subpoena. Since the Office of Police Civilian Oversight ("the Office") became formalized, implementation has revealed structural tensions between several of these authorities and the legal framework governing police administrative investigations, including the Law-Enforcement Officers Procedural Guarantee Act (Virginia Code § 9.1-500 et seq.), the protections established in *Garrity v. New Jersey*, 385 U.S. 493 (1967), the Charlottesville Police Department ("CPD") Collective Bargaining Agreement, and the Chief of Police's exclusive disciplinary authority. These tensions have limited the Board's practical capacity to fulfill its existing primary oversight expectation of conducting independent investigations. The revision now before Council is the product of work undertaken by the Board and the Office beginning in late 2025:

- November 2025: Last Council-approved revision to Chapter 2, Article XVI takes effect.
- Late 2025 – April 2026: The Board and Office review implementation barriers and draft the proposed transition to a Monitor, Audit, and Review model.
- May 18, 2026: Joint work session with City Council; Council receives the overview presentation and the matrix of proposed changes.
- May – August 2026: Section-by-section legal review conducted by the City Attorney's Office and by the Board's independent counsel.
- September 8, 2026: Complete ordinance text, redline, and the May 18 revision matrix presented to Council for first reading; the legal review revisions are documented in the presentation.

Analysis

The proposed ordinance revision restates the Board's purpose as supporting community well-being and safety by advancing the quality of policing in the City of Charlottesville through civilian-led transparency and accountability under a "Monitor, Audit, and Review" model of oversight. This transition preserves every function the Board currently performs effectively while removing authorities that cannot be implemented within existing legal and operational constraints. Rather than narrowing oversight, the revision solidifies it by expanding underdeveloped authorities into fully articulated functions with clear procedures and public reporting obligations. Three directional shifts frame the proposed revisions.

1. *From independent investigation to monitored investigation with substantive review:* The revised ordinance replaces the Board's independent investigation authority with a receive-and-refer process under which CPD conducts the administrative investigation with concurrent monitoring by the Office. The Board retains and strengthens its authority to review completed investigations for accuracy, completeness, and impartiality, and to issue findings that may include non-concurrence, identification of investigative deficiencies, or recommendations for systemic change. The Director's monitoring authority is newly codified in detail, including observation of internal affairs interviews, review of investigative plans and evidence, and post-interview feedback.
2. *From hearings on individual complaints to hearings on policy, practice, and systemic concerns:* The revised ordinance refocuses Board hearings on examining department policies, practices, procedures, audit findings, and patterns of concern, rather than adjudicating individual complaints. This aligns hearing practice with the Board's capacity as a volunteer body and produces systemic accountability outputs that apply across the department.
3. *From case-specific disciplinary recommendations to disciplinary policy review:* The Board's authority to recommend discipline in individual cases is replaced with authority to render opinions on the appropriateness of discipline imposed by the Chief of Police and to recommend changes to the department's disciplinary matrix. This reorientation addresses practical barriers, including compressed disciplinary timelines, the exclusion of Board recommendations from grievance proceedings under Sec. 29.8(G) of the CPD Collective Bargaining Agreement, and confidentiality constraints on individual personnel matters. The revision allows the Board to produce recommendations with broader and more durable impact.

Legal review, May – August 2026

Following the May 18 work session, the full revision underwent legal review by the City Attorney's Office and by the independent counsel retained by the Board earlier in 2026. Both reviews responded to a single section-by-section set of questions extending through the entire ordinance revision, and each returned clear recommendations with stated reasoning. Where the two reviews diverged, the position of the City Attorney's Office took precedence; the independent counsel's recommendation was taken into consideration to shape the final language. The Board voted at its May 2026 meeting to adopt these revisions, and any modifications required by the legal review. The vast majority of revisions made as a result of legal review were for clarification, specificity, and alignment with state code, the City Code, and the CPD Collective Bargaining Agreement. These revisions did not substantively change or alter any of the proposed powers, duties, or activities of the Board and Office as presented in the matrix of changes at the May 18, 2026 work session. The revisions were limited enough in number and scope to be presented in full; they are logged section by section in the presentation accompanying this item, and appear in the redline.

Financial Impact

The proposed ordinance revisions carry no financial impact. No new appropriation is required, and the revisions are implementable within the existing budget of the Office of Police Civilian Oversight.

Recommendation

Staff recommends that Council receive the presentation, consider the proposed revisions to Chapter 2, Article XVI on first reading, and adopt the revised Article following the second reading. The Director is available to respond to Council's questions at tonight's meeting and in the period between readings.

Recommended Motion (if Applicable)

Attachments

1. 9-8-26 Presentation to Council - PCOB Proposed Ordinance Revisions
2. 9-8-26 Preamble - PCOB Proposed Ordinance Revisions
3. 9-8-26 Clean Version - PCOB Proposed Ordinance Revisions
4. 9-8-26 Redline Version - PCOB Proposed Ordinance Revisions
5. 5-18-26 Changelog Prior to Legal Review - PCOB Proposed Ordinance Revisions



POLICE CIVILIAN OVERSIGHT BOARD

Eyes, Ears, and Voice of the Community



**CITY OF CHARLOTTESVILLE
CITY COUNCIL**

Police Civilian Oversight Board

Proposed revisions to Chapter 2, Article XVI of the
City Code

FIRST READING

September 8, 2026

PRESENTED BY

James Walker, Director

ACTION ITEM

Tonight's Request

Council is asked to consider the proposed revisions to Chapter 2, Article XVI, Police Civilian Oversight Board for adoption following two readings.

Materials Before Council

01 Clean copy of the proposed ordinance

The full text as proposed for adoption

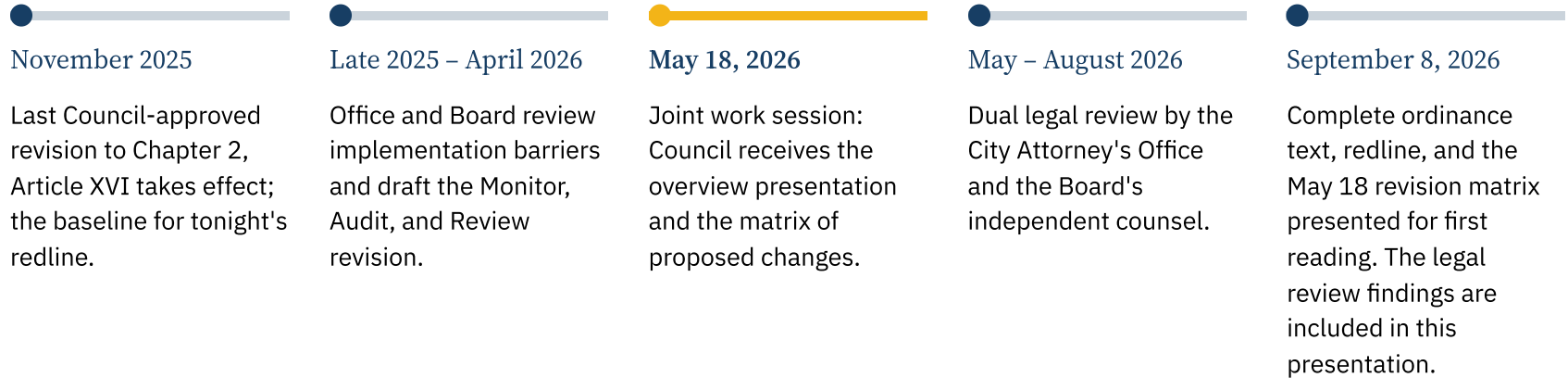
02 Redline version

Every change since the November 2025 Council-approved revision

03 Matrix of revisions

The section-by-section change log presented May 18, 2026

Revision Timeline



The Monitor, Audit, and Review Model

Monitor

Real-time observation of internal affairs investigations, interviews, briefings, training, data systems, and budget; codified in detail rather than left to practice.

Audit

A formal process with published audit plans, department cooperation standards, structured findings, and public audit reports.

Review

Substantive review of completed investigations for accuracy, completeness, and impartiality, with findings that include non-concurrence.

The Board's purpose statement is restated around these functions: advancing the quality of policing through civilian-led transparency and accountability.

WHAT CHANGES IN PRACTICE

Three Directional Shifts

CURRENT ORDINANCE

Independent investigation by the Board and Office

Hearings that adjudicate individual complaints

Disciplinary recommendations in individual cases

PROPOSED REVISION

Receive and refer, with concurrent monitoring and substantive review of the completed investigation

Hearings on policy, practice, audit findings, and patterns of concern

Opinions on discipline imposed and recommendations to the disciplinary matrix

Legal Review: Scope and Method

City Attorney's Office

Review of the full revision for legal sufficiency, consistency with state code, and the City's position as employer.

Board's Independent Counsel

Retained earlier in 2026; review of the same revision from the perspective of the Board's oversight authority.

METHOD

Both reviews responded to a single section-by-section set of questions extending through the full ordinance revision, and each returned clear recommendations with stated reasoning.

Legal Review: Reconciling the Two Reviews

- 01 Both reviews answered the same questions, section by section, across the whole revision.
 - 02 Where the reviews aligned, the recommendation was adopted into the text.
 - 03 Where they diverged, the City Attorney's Office position took precedence, and independent counsel's reasoning was used to shape the final language.
-

SINCE MAY 18

Legal Review: Nature of the Changes

The oversight model presented on May 18 is unchanged. What the Board can reach was expanded, and how it must act was tightened.

Expanded Reach

Jurisdictional exclusions cut from seven to three; the misconduct standard broadened.

Legal Soundness

Subpoena, conflict-of-interest, and training provisions rewritten to operate correctly under state law.

Alignment

Language conformed to the Code of Virginia, the City Code, and the Collective Bargaining Agreement.

What Changed Substantively

SEC. 2-459(C)

Jurisdictional Exclusions

Seven exclusions reduced to three. The one-year lookback, the civil-proceeding bar, the complainant opt-out, and the policy-violation test are gone.

SEC. 2-453(E)

Records Management

New: all Board and office records are public records under the Virginia Public Records Act, retained on Library of Virginia schedules.

SEC. 2-451

Misconduct Standard

The nine-item list becomes one standard: significant violations of city policy, general orders, and SOPs. Protected classes tracked to the Virginia Human Rights Act.

SEC. 2-455(D)

Term Limit

Eight consecutive years, stated explicitly. Unexpired terms do not count; prior service is credited; no entitlement to reappointment.

SEC. 2-458

Records Access

FOIA exemptions the department may invoke against the Board cut from thirteen to seven; unilateral withholding now runs through the city manager.

SEC. 2-456(C)

Meeting Trigger

Quorum stays at four, but three or more members discussing Board business now constitutes a meeting requiring notice.

Changes by Section: 2-451 – 2-455

SEC. 2-451

Definitions

Single misconduct standard replaces the nine-item list; protected classes expanded to immigration and military status and to perceived characteristics.

Immediate family member defined by Code of Virginia § 2.2-4368.

SEC. 2-454

Powers and Duties

Purpose statement expanded with community-voice and dignity language.

Reviewable incidents narrowed to the three statutory categories.

SEC. 2-453

Office Established

New records management subsection: Virginia Public Records Act coverage, Library of Virginia retention, Chief remains custodian of department originals.

SEC. 2-455

Membership, Appointment, Terms

Eight-year term limit stated; terms restaggered.

Conflict-of-interest self-deeming replaced with general compliance as applicable.

Changes by Section: 2-456 – 2-469

SEC. 2-456

Meetings

Quorum for voting clarified as distinct from the three-member threshold that triggers a public meeting.

SEC. 2-458

Records Access

Exemption list narrowed; the department’s unilateral withholding clause replaced by the city manager’s dispute process.

SEC. 2-459

Jurisdiction

Exclusions reduced from seven to three; the one-year lookback and its good-cause process removed.

SEC. 2-460

Subpoenas

Rewritten so the provision governs the Board’s request to the court rather than directing the court.

SEC. 2-462

Department Monitoring

Director’s activity access made expressly non-exhaustive; interview feedback limited to process observations.

SEC. 2-464 · 2-466 · 2-469

Review, Reports, Training

Deference broadened to operational and tactical decisions; hearings framed within the monitoring structure; training consolidated to six months and every two years.

IN SUMMARY

Twelve sections were touched after legal review. The full text of each change appears in the redline.

Adoption

Staff recommends that Council consider the proposed revisions to Chapter 2, Article XVI for adoption following two readings.

The Police Civilian Oversight Board voted to adopt these revisions, and any modifications required by the legal review, at its May meeting.

Discussion

The Director is available to answer any Council questions.

ORDINANCE #O-26-_____

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 2, ARTICLE XVI OF THE
CODE OF THE CITY OF CHARLOTTESVILLE TO TRANSITION THE POLICE
CIVILIAN OVERSIGHT BOARD AND THE OFFICE OF POLICE CIVILIAN
OVERSIGHT TO A MONITOR, AUDIT, AND REVIEW MODEL OF OVERSIGHT
AND TO MAKE OTHER CHANGES FOR CLARIFICATION AND CONSISTENCY**

WHEREAS, Chapter 2, Article XVI of the Charlottesville City Code, adopted pursuant to Code of Virginia § 9.1-601, establishes the Charlottesville Police Civilian Oversight Board and the Office of Police Civilian Oversight, and was last amended and reenacted in its entirety by Ordinance No. O-25-142, adopted November 17, 2025; and

WHEREAS, Chapter 2, Article XVI as presently written authorizes the Board to investigate complaints and incidents, to hold hearings on individual complaints, to recommend discipline in individual cases, and to compel statements from Department employees by subpoena, and implementation has revealed conflicts between these authorities and the law governing administrative investigations of law enforcement officers, including the Law-Enforcement Officers Procedural Guarantee Act (Code of Virginia §§ 9.1-500 et seq.), Garrity v. New Jersey, 385 U.S. 493 (1967), the Charlottesville Police Department collective bargaining agreement, and the exclusive disciplinary authority of the Chief of Police; and

WHEREAS, certain amendments to Chapter 2, Article XVI are necessary to align the Board's authority with the oversight it can lawfully and effectively perform, to fully articulate oversight functions the Article leaves undeveloped, to consolidate into the City Code the standard operating procedure and memorandum of understanding governing access to Department information, to align the Article with federal and state law, and to make minor changes for clarification and consistency; and

WHEREAS, these amendments replace independent investigation by the Board with referral of complaints to the Department, monitored by the Office and subject to substantive Board review; refocus hearings on policy, practice, and systemic concerns rather than individual complaints; replace case-specific disciplinary recommendations with review of the disciplinary matrix and its application; add provisions governing intake, monitoring, audits, reviews, and public reporting; expand the Board's access to Department records and activities; narrow the exclusions from the Board's jurisdiction; and revise Board membership, terms, and training; and

WHEREAS, the amendments were presented to the City Council at a joint work session held May 18, 2026, and reviewed between May and August 2026 by the City Attorney's Office and by independent counsel retained by the Board; and

WHEREAS, in a public meeting and by recorded vote on May 14, 2026, the Police Civilian Oversight Board recommended adoption of these amendments and of any modifications resulting from the legal review then pending;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 2, Article XVI of the Code of the City of Charlottesville is hereby amended and reenacted in its entirety as follows:

ARTICLE XVI. POLICE CIVILIAN OVERSIGHT BOARD¹

Sec. 2-450. Title.

This article shall be known as the Charlottesville Police Civilian Oversight Board Ordinance.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-451. Definitions.

- (a) *Authorized purpose.* Those powers and duties delineated in Sec. 2-454. The term *lawful purpose* used in Sec. 2-454(b)(8) specifically refers to Code of Virginia § 9.1-601.
- (b) *Closure letter.* For purposes of this article, a "closure letter" shall mean the written notification issued by the department at the conclusion of an internal affairs investigation that communicates the findings and determinations of the investigation to the complainant and, when applicable, to the director.
- (c) *Complainant.* For purposes of this article, a "complainant" shall mean any civilian who submits a complaint to the office or the department. A complainant need not be the individual directly affected by the alleged conduct.
- (d) *Complaint.* For purposes of this article, a "complaint" shall mean an allegation submitted by any civilian to the office or the department that a law enforcement officer or civilian employee of the department has engaged in misconduct. A complaint may be submitted in any form, either orally or in writing.
- (e) *Hearing.* For purposes of this article, a "hearing" shall be any public session conducted by the board to review the facts, issues, and implications of a department policy, practice, procedure, pattern, trend, audit report, systemic concern, or other matter within the board's authority. Hearings may also examine patterns in the findings, determinations, and disciplinary actions resulting from administrative investigations conducted by the department.
- (f) *Immediate family member.* For purposes of this article, "immediate family member" shall have the same meaning as that provided by Code of Virginia § 2.2-4368.
- (g) *In writing.* For purposes of this article, electronic mail (e-mail) shall constitute communication in writing.
- (h) *Personal information.* For purposes of this article, "personal information" shall have the same meaning as that provided by Code of Virginia § 2.2-3801.
- (i) *Records.* For purposes of this article, "records" shall be construed to broadly include writings, files, photographs, audio and visual recordings, and any other data, information, and evidence within the possession of the department requested by the director for an authorized purpose of the board, subject to limitations in this article.
- (j) *References.* For purposes of this article, the following references shall be used:
 - (1) *The board.* The established and authorized Charlottesville Police Civilian Oversight Board shall be referred to as "the board."
 - (2) *The chief.* The City of Charlottesville Chief of Police shall be referred to as "the chief."
 - (3) *The commander.* The Charlottesville Police Department's Commander of Internal Affairs shall be referred to as "the commander."
 - (4) *The department.* The Charlottesville Police Department shall be referred to as "the department."

¹Ord. No. O-25-142, adopted Nov. 17, 2025, amended Art. XVI in its entirety to read as herein set out. Former Art. XVI, §§ 2-450—2-468, pertained to similar subject matter, and derived from Ord. No. O-21-183, §§ 1, 2, adopted Dec. 20, 2021; Ord. No. O-22-164, §§ 1, 2, adopted Dec. 19, 2022; and Ord. No. O-24-155, adopted Nov. 18, 2024.

- (5) *The director.* The appointed Director of the Office of Police Civilian Oversight under the division of the City Manager's Office shall be referred to as "the director."
- (6) *The office.* The established and authorized Office of Police Civilian Oversight shall be referred to as "the office" for purposes of this article.
- (k) *Securely retained.* A physical or electronic storage format, location, or device to which access is restricted by physical or logical access controls and limited to the director and to staff of the office authorized by the director. Department records in the custody of the office shall not be accessed by any other person except in the presence of the director or authorized staff. Such records shall be maintained in accordance with the Virginia Public Records Act, Code of Virginia § 42.1-76 et seq., the records retention and disposition schedules issued by the Library of Virginia, and other applicable standards under state and federal law.
- (l) *Serious abuse of authority or misconduct.* For purposes of this article, "serious abuse of authority or misconduct" shall be defined as significant violations of city policies or procedures, including the department's general orders and any associated standard operating procedures. This includes, but is not limited to, harassment or discrimination against, or verbal or other conduct that maligns or shows hostility toward, an individual or group because of that individual's or group's actual or perceived: race; color; religion; national origin or ethnicity; immigration status; sex; sexual orientation; gender identity or expression; marital status; familial status; age; disability; or military or veteran status; or any other characteristic protected under the Virginia Human Rights Act (Code of Virginia § 2.2-3900 et seq.).

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-452. Police civilian oversight board established.

Pursuant to Code of Virginia § 9.1-601, there is hereby established a Charlottesville Police Civilian Oversight Board, with powers granted as provided in this article. The board is a body established and appointed by the city council of Charlottesville pursuant to Code of Virginia § 9.1-601(B) to perform functions authorized by the city council in accordance with Code of Virginia § 9.1-601(C). It shall not be able to bring suit or to be sued in its own name, except to the extent needed to request and defend subpoenas as authorized in this article.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-453. Office of police civilian oversight established.

- (a) *Office established.* There is hereby established an Office of Police Civilian Oversight, which is a division of the City Manager's Office, and shall have the powers granted as provided in this article to facilitate and support the authorized purpose of the board. The office shall have the authority to carry out its duties and responsibilities under this article with respect to all law enforcement activities and all sworn and civilian personnel operating under the authority of the department.
- (b) *Director.* There shall be a full-time director of the office. The director shall be responsible for and report to the board on the day-to-day operational activities of the board and the office. The director shall report to the city manager, and the city manager shall delegate to the director the authority to employ such additional staff as funded by the city council for the board to effectively fulfill its obligations under this article, and any such additional staff shall report to the director.
 - (1) *Appointment.* The city manager shall appoint a director with the approval of a majority vote of the city council.
 - (2) *Interview process.* As a part of the appointment process, the city manager shall convene an interview panel that includes two (2) members of the board. If those two (2) members recommend a candidate for appointment as director, the city manager shall provide a written justification to the board if a different candidate is appointed.
- (c) *Duties of the city manager.* The city manager shall have the following duties:
 - (1) *Operating procedures.* The city council authorizes the city manager to establish operating procedures for the performance of duties by the board and the office. Those procedures may be amended from time to time by the city council or by the city manager. The city council or the city manager, as applicable, shall consult with the board and the director before establishing or amending any such procedures.

- (2) *Supervision.* The city manager or a designee shall supervise the work of the director. The city manager's annual evaluation of the director's performance shall consider a written performance review submitted by the board to the city manager. The board may request that the city manager meet with the board's chair to discuss the director's performance.
- (3) *Vacancy.* If there is a vacancy in the position of director, the city manager may designate some other city employee who is not an employee of the department to act as director until a new director is appointed.
- (d) *Duties of the director.* The director shall have the following duties:
 - (1) *Duties.* The director shall support the board in the implementation and exercise of its oversight functions and undertake or ensure the performance of specific tasks assigned by majority vote of the board, pursuant to the powers and duties of the board authorized in this article. The director shall be responsible for management of all administrative and fiscal needs of the board and the office as authorized by the city manager.
 - (2) *Director's authority to conduct audits.* The director may conduct retrospective examinations and audits as provided in Sec. 2-463 of this article, including patterns in internal affairs investigations, arrests and detentions, department expenditures, and other public-police interactions pursuant to the authorized purpose of the board. The board may request the director to conduct additional audits by majority vote. The director shall provide a summary report of any audit conducted to the board and the city manager upon completion.
 - (3) *Director's authority to engage in oversight activities on behalf of the board.* The director may engage in additional oversight activities as provided in Sec. 2-462 which support and inform the functions of the board, consistent with the authorized purpose of the board. This may include, but is not limited to, review of department data systems, attendance at department meetings, review of department policies, practices, and procedures, participation in interviews of candidates for employment with the department, participation in use of force and similar conduct review panels, and other activities which are reasonably related to the board's authorized purpose. The board may request the director to conduct additional oversight activities by majority vote. The director shall report all activities to the board and the city manager in accordance with the limitations in this article.
- (e) *Records management.* All records created or received by the board, the director, or the office in the transaction of public business are public records within the meaning of the Virginia Public Records Act, Code of Virginia § 42.1-76 et seq., without regard to whether such records are exempt from disclosure under the Virginia Freedom of Information Act ("FOIA"). The director shall ensure that such records are retained, maintained, and disposed of in accordance with that Act and the records retention and disposition schedules and electronic records guidelines issued by the Library of Virginia, in coordination with the city's designated records officer under Code of Virginia § 42.1-85. Nothing in this subsection shall alter the chief's status as custodian of original department records.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-454. Powers and duties of the police civilian oversight board.

- (a) *Purpose.* The purpose of the board is to support community well-being and safety through civilian-led oversight that brings transparency and accountability to policing in the City of Charlottesville. The board provides the community with a direct voice in public safety and promotes policing that is lawful, fair, and respectful of the rights and dignity of all people. The board fulfills this purpose by monitoring, auditing, and reviewing department conduct, policies, practices, and procedures, and by issuing public reports with recommendations for corrective action and the adoption of best practices in policing.
- (b) *Powers and duties.* The board shall have the following powers and duties:
 - (1) To receive complaints from civilians regarding the conduct of law enforcement officers and civilian employees of the department, and to refer such complaints, at the request of the complainant, to the department for investigation with monitoring by the office on behalf of the board;
 - (2) To review and issue findings on department incidents, including the use of force by a law enforcement officer, death or serious injury to any individual held in custody, and serious abuse of authority or misconduct as defined in this article;

- (3) To review policies, practices, and procedures of the department and to make recommendations regarding changes to such policies, practices, and procedures;
- (4) To review investigations conducted internally by the department and to issue findings regarding the accuracy, completeness, and impartiality of the investigations and the sufficiency of any discipline resulting from such investigations;
- (5) To review reports of the annual expenditures of the department, and to make recommendations to the city council concerning future appropriations;
- (6) To make public reports on the activities of the board, including reviews, hearings, findings, determinations, recommendations, and oversight activities;
- (7) To hold hearings and if, after making a good faith effort to obtain the voluntary attendance of witnesses, with the exception of employees of the department, and the production of books, papers, and other records or evidence necessary to perform its duties, the board is unable to obtain such attendance or production, to apply to the Circuit Court of the City of Charlottesville for a subpoena compelling the attendance of such witness or the production of such books, papers, and other records or evidence; and
- (8) To undertake other duties, as reasonably necessary, for the board to effectuate its lawful purpose as provided in this article, including the delegation of administrative support functions, department monitoring, auditing, and other routine oversight activities to the office established in this article.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-455. Board membership, appointment, and terms.

- (a) *Objectivity.* In making appointments under this section, the city council shall seek members who are fair and objective, and who will be perceived as fair and objective, in the conduct of their duties.
- (b) *Appointment process.* The city council shall appoint the members of the board. City council shall announce a public application process with applications available online and by hardcopy for individuals interested in serving on the board. The application window shall remain open for a minimum of thirty (30) calendar days from the date of public announcement. City council shall seek to appoint members with a demonstrated commitment to community service who have training and experience, including lived experience, with topics relevant to the business of the board, including law, police practices, human resources practices and procedures, trauma-informed mental health issues, or the sociology of historically overpoliced communities.
- (c) *Board composition.* The board shall reflect the demographic diversity of the City of Charlottesville. The board shall be composed of seven (7) voting members and one (1) non-voting member. The members shall be removable by the city council for cause, including conduct specified in the board's code of ethics set forth in the board's operating procedures, violating the duty of confidentiality, failing to participate in required training, or other good cause.
 - (1) The seven (7) voting members of the board shall be residents of the City of Charlottesville or Albemarle County. Priority shall be given to city residents. Residents of Albemarle County appointed to membership on the board shall be employed in the City of Charlottesville or shall have significant and demonstrable ties to the city. If, after the defined public application process, the city council determines that there are insufficient eligible applicants who are residents of the City of Charlottesville or Albemarle County to fill a vacancy on the board, the city council may appoint a resident of the Commonwealth of Virginia who is employed in the City of Charlottesville or who has significant and demonstrable ties to the city.
 - (2) The non-voting member of the board shall be an individual with policing expertise or experience. The non-voting member may be a retired law enforcement officer who prior to retirement was employed in a locality similar to the City of Charlottesville.
 - (3) No board member shall be a current candidate for public office, a former member of the department, an immediate family member of a current department employee, or a current employee of a law enforcement agency, the fire department, the emergency communications center, or the sheriff's office. If the city council

considers appointing a board member who is employed by the City of Charlottesville, the city council shall seek to avoid potential conflicts of interests.

- (d) *Terms.* Each board member shall be appointed for a term of two (2) years. Except as otherwise provided in this section, appointments and terms shall be subject to the provisions of chapter 2, article I, § 2-8 of the city code. No person shall serve more than eight (8) consecutive years on the board, and no person shall be appointed or reappointed to a term that, if served to completion, would exceed that limit. Service in the unexpired portion of a term shall not be counted toward this limit. Service in a term under this article as it existed before the effective date of this amendment shall be credited as the number of years in that term. Members serving on the board as of the effective date of this amendment shall continue to serve the remainder of their current term. The composition requirements, term length, and term limit established by this section shall apply to all appointments and reappointments made on or after the effective date of this amendment. Nothing in this section shall entitle any person to reappointment.
- (e) *Conflicts of interests.* A board member shall not participate in any matter before the board under circumstances in which the objectivity of the board member could reasonably be questioned, including, without limitation, the consideration of a complaint of someone who is an immediate family member. All board members shall comply with the requirements of the Virginia State and Local Government Conflict of Interests Act, as applicable.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-456. Meetings.

- (a) *Number of meetings.* The board shall hold public meetings at least once per calendar quarter. Additional meetings may be called by the chair or any two (2) board members.
- (b) *FOIA.* The board shall comply with all applicable requirements of the Virginia Freedom of Information Act ("FOIA") pertaining to disclosure of public records and the conduct of its meetings.
- (c) *Quorum.* A quorum of the board for the transaction of business and the taking of any vote shall be four (4) members. However, for purposes of Virginia FOIA, a meeting of the board occurs whenever as many as three (3) members are gathered to discuss or transact the business of the board, and any such gathering shall be noticed and conducted in accordance with that Act.
- (d) *Minutes.* The board shall keep minutes of its meetings, which shall include:
 - (1) The date, time, and location of the meeting;
 - (2) The members present and absent;
 - (3) A summary of the discussion on matters proposed, deliberated, or decided; and
 - (4) A record of any votes taken.
- (e) *Rules and procedures.* Meetings of the board shall be conducted in accordance with Robert's Rules of Order or such other procedures as the board may adopt.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-457. Board legal counsel.

The director may retain independent legal counsel to advise and represent the board in connection with its oversight powers and duties, and in any other matters involving the interests of the board. Such independent legal counsel shall be chosen from a list of attorneys recommended by the city attorney. The director is authorized to execute a contract in the name of the board for legal services if the contract has first been approved by the board and endorsed by the city's finance director to verify that funding is available and has been appropriated to support performance of the payment obligations of the board under such contract. The board's legal counsel shall be paid only from funds that have been appropriated to the board's budget by city council. The board and the director are encouraged to consult the office of the city attorney for legal advice, except in matters involving potential conflicts of interests between the board and the department.

Sec. 2-458. Information access and limitations.

- (a) *Access to department information.* Subject to certain narrow limitations described in this article and through administration by the director, the board is authorized to receive, and shall be provided full access to, all department reports, files, and records determined by the board or the director to be necessary to carry out its authorized purpose. All records, documents, and materials in the possession of or provided to the board or the director shall be subject to the protection of confidential and personal information as defined in this article and the board's operating procedures.
- (b) *Records to be routinely provided.* The department shall provide the following records to the director within five (5) calendar days of the receipt or creation of the record by the department:
 - (1) Initial complainant contact letter;
 - (2) Complaint closure letter;
 - (3) Monthly report by the department's Fourth Amendment auditor; and
 - (4) Monthly report by the Office of Internal Affairs.
- (c) *Requests for department records.* The department shall provide all records specifically identified by the director, as well as those related to the subject matter and reasonably necessary to permit the board to review the identified subject matter. The director shall notify the chief or a designee in writing when the following occurs, as applicable, which shall constitute a request for records for purposes of this article:
 - (1) The review of an internal affairs investigation has been scheduled. The director shall provide sufficient information to allow the department to identify the investigation and any related complaints or disciplinary records.
 - (2) The review of a specific department policy, practice, or procedure. The director shall provide sufficient information to allow the department to identify records in its possession relevant to the review.
 - (3) An audit has been initiated by the director or requested by the board. The director shall provide the chief or a designee with a copy of the audit plan, which shall indicate the general nature of the contemplated audit such that the department may identify records relevant to the audit.
- (d) *Delivery of records.* Upon the provision of such written requests for records, the department shall provide the director with the requested records within five (5) calendar days of the director's request or, if applicable, within five (5) calendar days of the city manager's written ruling regarding a dispute about access to records. In either case, the director and the chief or a designee may agree to a different timeline for the delivery of the requested records. In the absence of a director or appointed designee, written requests shall be issued by the chair of the board with a majority vote of its members. The chief or a designee shall appoint an employee of the department to administer records access to the board until such time as a new director or designee is appointed to such role by the city manager.
- (e) *Format of department records.* The board shall be provided department records, administered by the director, in the following formats:
 - (1) *Body-worn and dashboard camera video.* The director shall be provided with independent access privileges to any relevant department systems to view all footage from cameras worn or operated by the department if relevant to the subject of an authorized purpose of the board. The director shall not share the access credentials with any other person, and the director shall not allow any person to view such video footage, other than a member of the board who has signed a confidentiality agreement, which the director shall certify, and in which case the board member may review the video footage only in the presence of the director.
 - (2) *Originals or exact copies.* The director shall be provided with the original version of the requested department records or, if feasible, may be provided copies of such records, at the department's discretion. If copies of the original records are provided to the director, they shall be exact duplicates of the original versions other than minor formatting or cosmetic differences that do not impact the content of the records.

- (3) *Secure retention, return, or destruction.* The original records and any copies thereof provided by the department to the director shall be returned to the chief or a designee as the custodian of the original records within five (5) calendar days of completion of the board review or audit, except that upon agreement in writing by the chief or a designee, copies of department video footage and records provided to the director may be securely retained for up to one (1) year or destroyed. A review or audit shall be deemed complete upon occurrence of the following, as applicable:
 - (i) Public release of the final findings, determinations, and recommendations of a review;
 - (ii) Presentation by the director of a final audit report to the board; or
 - (iii) In a case in which (i) or (ii) above does not apply, at such other time as the director notifies the chief or a designee in writing that the authorized purpose for which the records were requested is complete.
- (f) *Department information to which the board shall not have access.* The director and the board shall not have access to:
 - (1) Records that may reveal the identity or personal information of a confidential informant;
 - (2) Investigative files related to an active civil or criminal investigation by the Commonwealth's Attorney, the Virginia Attorney General, the Virginia State Police, or the United States Department of Justice;
 - (3) Files related to an active Equal Employment Opportunity Commission claim, Human Rights Commission investigation, or civil claim involving a department employee;
 - (4) Files containing information exempt from mandatory public disclosure or prohibited from public disclosure pursuant to Code of Virginia §§ 2.2-3706(B)(2), (3), (5), (8), (11); 2.2-3706(C); and 2.2-3706.1(E); and
 - (5) Any information that the department is not legally authorized to share.
- (g) *Disputes over access.* If the director and the board seek access to information the disclosure of which the department believes is outside the scope of, or expressly prohibited by the authority granted in this article, and the director and chief cannot resolve this dispute after mutual discussion and consultation, then the city manager shall resolve the dispute consistent with the purposes and provisions of this article. The city manager may conduct an informal hearing at which both the director and chief may be heard, and the city manager shall issue a written ruling within three (3) business days thereafter. If the board believes that the city manager is unreasonably withholding such information, the board may consider whether to seek a subpoena requiring the production of such information as provided in Sec. 2-460 of this article.
- (h) *Confidentiality.* Each member of the board and the director shall maintain the confidentiality of all personal information and confidential or privileged information, including, but not limited to:
 - (1) Materials from police internal investigative files;
 - (2) Disciplinary actions, memos, and reports;
 - (3) Statements of any police officer or civilian employee who was required by the department to give a statement;
 - (4) Criminal investigative files; and
 - (5) Any other information that the chief or city attorney's office has deemed confidential.

This requirement to maintain confidentiality continues indefinitely or until the information no longer meets the definition of confidential or privileged as defined in this article.
- (i) *Protocols to prevent improper dissemination.* The director and the board shall adhere to the following protocols to prevent improper dissemination of confidential records, including records containing personal or privileged information not subject to public release:
 - (1) The director and board shall not use or disseminate non-public personal information regarding any person, for any purpose or in any manner, other than as authorized by applicable state and federal law, local ordinances, and the authority to release public records defined in this article.

- (2) The director and board shall take all appropriate measures to maintain the security and confidentiality of all non-public personal information contained within department records to which access has been provided.
- (3) Within any written reports to be presented at a public meeting of the board or released to the public, and during any public comments about matters currently or likely in the future to be the subject of a review or audit by the board or director, the board and director may disclose the following personal information about any person, except as otherwise prohibited by state or federal law:
 - (i) Personal information previously publicly disclosed (by a party or parties other than the board or director); and
 - (ii) Non-public personal information regarding a department officer or employee with the prior written consent of the officer or employee.
- (4) In all other cases, written reports to be presented at a public meeting of the board or released to the public, and public comments about matters currently or likely in the future to be the subject of a review or audit by the board or director, shall refer only to anonymized information regarding any specific department officer or employee, and information that would not permit the particular officer or employee to be personally identified.
- (j) *Records to remain department records.* The chief, as the custodian of original department records, shall be responsible for decisions as to whether copies of such records (or information contained in such records) may be publicly disclosed, subject to the direction and control of the city manager. In the event of a request pursuant to Virginia FOIA for records in the possession of the board or director, the director, as applicable, shall consult with the city attorney's office and claim all relevant exemptions allowed by FOIA to withhold the records or portions thereof from public disclosure, except in cases where public disclosure is authorized in writing by either the chief or the city manager and is otherwise lawful. Nothing in this paragraph shall preclude the city manager from establishing guidelines in the operating procedures regarding public disclosure of certain types of information contained within department records.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-459. Exclusions, limitations, and suspension.

- (a) *Compliance.* Any oversight activities shall comply with all federal, state, and local laws, as well as with requirements for the conduct of the board's powers and duties described in this article and in accordance with the board's operating procedures.
- (b) *Compelled statements.* The board may not compel a statement from any department employee.
- (c) *Exclusions.* The board shall not consider complaints, incidents, claims, or issues involving the following:
 - (1) Matters that are the subject of a pending criminal proceeding in any trial court, or any pending City of Charlottesville grievance proceeding;
 - (2) An allegation of misconduct only by employees of law enforcement agencies other than the department. Such complainants shall be referred to the appropriate law enforcement agency; and
 - (3) Any other claim outside the scope of the board's authority expressly set forth in this article.
- (d) *Suspension of oversight activity.* If a complaint asserts criminal conduct by an employee of the department, or if at any point in the performance of oversight powers and duties, the board or director become aware that an employee may have committed a criminal offense, the board and the director shall suspend all oversight activity and notify the chief and Commonwealth's Attorney of the alleged conduct.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-460. Subpoenas.

- (a) *Application for subpoenas.* If the board determines that there are records, including witnesses, not within the control of the department that the board is unable to obtain voluntarily, the board by two-thirds ($\frac{2}{3}$) vote may authorize the

director, on behalf of the board, to apply to the Circuit Court of the City of Charlottesville for a subpoena compelling the production of such records, or the attendance of such witnesses to a public hearing held in accordance with Sec. 2-466(f) of this article.

- (b) *Requests for access.* If the director is denied access to material records within the control of the department that the director deems necessary to perform their duties and the duties of the board, the director may request the city manager to require the department to produce the requested records. No request shall include witnesses who are employees, sworn or civilian, of the department, and the board's authorized subpoena power shall not be used to compel attendance of or statements from department employees. The city manager or a designee shall not unreasonably deny such a request, but may place conditions on the production of the requested records as necessary to preserve confidentiality for the reasons set forth in this article. The city manager or a designee shall issue a decision on the director's request within five (5) business days of the date of that request.
- (c) *Scope of subpoenas.* If the city manager or a designee denies the director's request made pursuant to subsection (b) above, the board by two-thirds ($\frac{2}{3}$) vote may authorize the director, on behalf of the board, to apply to the Circuit Court of the City of Charlottesville for a subpoena compelling the production of such records. The board shall give the city manager and the department reasonable notice of its intent to subpoena such records and shall give the city attorney a copy of the request for subpoena. The board shall not unreasonably withhold its agreement to limitations on the scope of the subpoena requested by the city manager that may be necessary to protect confidential information. The parties may request that any hearing to be held in the Circuit Court of the City of Charlottesville on the request for a subpoena be conducted in a closed courtroom, to the extent permitted by state law. The board may request that all or any portion of the court file relating to any such application be placed under seal to the extent permitted by state law.
- (d) *Retention of subpoena records.* If a subpoena is granted which compels the production of records, the board shall provide the department with copies of any such records.
- (e) *Conduct of compelled attendance by witnesses.* If a subpoena is granted which compels the attendance of a witness or witnesses at a public hearing of the board, such attendance shall comply with the board's operating procedures, including a hearing manual adopted thereunder, and the following provisions:
 - (1) In any application for a witness subpoena under this section, the board shall request that the subpoena include a statement that any testimony provided shall be made under oath and that the witness is entitled to representation by an attorney. The board shall, in any event, provide such notice in writing to any witness subpoenaed under this section.
 - (2) Any witness failing to comply with a subpoena issued under this section may be subject to a charge of contempt by the issuing court as provided by law. Any witness so subpoenaed may petition the Circuit Court of the City of Charlottesville to quash the subpoena.
 - (3) In the case of refusal or neglect to comply with a subpoena, the board may petition for its enforcement in the Circuit Court of the City of Charlottesville.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-461. Intake and referrals.

All submissions of complaints, review requests, inquiries, recommendations, comments, and compliments shall be received and documented by the office in accordance with the procedures established in the board's operating procedures. The office shall provide a response to all submissions indicating receipt and advising on any next steps. The following actions shall be taken:

- (1) For all complaints related to the alleged misconduct of a department employee, the office shall establish communication with the complainant and collect all relevant information regarding the complaint and ascertain whether the complainant desires to have the department conduct an official investigation with monitoring by the director. If the complainant does not request a department investigation, the complaint shall be documented by the office and the information contained therein shall be available to the director for purposes

of monitoring, auditing, and other oversight activities authorized under this article. Additionally, the director shall:

- (i) Provide updates to the complainant, upon request, regarding whether an administrative investigation has commenced, is pending, or has concluded. Such updates shall not disclose any substantive information about the investigation, including its evidence, witnesses, findings, or determinations, and shall remain subject to the limitations in this article; and
 - (ii) Verify the complainant has received a closure letter from the commander at the conclusion of any investigation.
- (2) For all review requests of an internal affairs investigation previously concluded by the department, the office shall obtain a copy of the case closure letter and collect all relevant information regarding the original complaint, investigation, and reason for the review request.
 - (3) For all complaints received which allege misconduct by a city employee outside the department or an employee of another law enforcement jurisdiction, the director shall provide the complainant with contact information for the agency, office, or entity who may best assist the complainant.
 - (4) For all inquiries, recommendations, and comments related to the conduct, policies, practices, or procedures of the department, the office shall provide as much information as is readily known or obtain such information to provide in response.
 - (5) For all compliments or commendations, the office shall collect all relevant information and provide this information to the board.
 - (6) For any complaint, review request, inquiry, recommendation, comment, or compliment which is outside the scope of the board's authorized power and duties, the office shall provide the contact information for the agency, office, or entity who may best assist the individual.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-462. Conduct of department monitoring.

- (a) *Referral of complaints.* If a complainant asks that their complaint be investigated by the department, the complaint shall be investigated by the department with monitoring by the director.
- (b) *Monitoring of investigations and incidents.* The director may actively monitor investigations of complaints and incidents of alleged employee misconduct by the department and shall have access to records and witnesses to the same extent as the department, subject to the limitations or requirements set out in this article. Such monitoring may include:
 - (1) Reviewing the investigative plan of the department;
 - (2) Reviewing any records within the department's digital evidence management system;
 - (3) Reviewing any pertinent law enforcement records within the department's records management system;
 - (4) Observing any real-time interviews of witnesses by the department;
 - (5) Reviewing any recorded interviews; and
 - (6) Reviewing facts gained from investigation.

For active criminal investigations, the director shall be limited in participation to the same extent the department is limited in its participation in such investigations. The director may monitor the department's administrative investigation of alleged employee misconduct after the close of the active criminal investigation in the same manner as all other investigations of employee conduct handled by the department as described in this article. When monitoring department investigations, during the pendency of the investigations the director shall not disclose information about the investigation to any person other than as authorized in writing by the chief or the city manager.

- (c) *Observation of internal affairs interviews.* The director shall be authorized to observe real-time interviews conducted by the department as part of an administrative investigation in accordance with the board's operating procedures and the following provisions:
- (1) The commander shall notify the director, in writing, of all external complaints filed against or about department personnel immediately after receiving each such complaint, or by the next business day.
 - (2) The commander shall notify the director, in writing, of the date, time, and location of all scheduled interviews associated with the complaint. Unless exigent circumstances exist, the director shall be provided at least twenty-four (24) hours of advance notice of the interview. If, due to exigent circumstances, the director is provided with less than twenty-four (24) hours of advance notice, the commander shall include a description of such circumstances.
 - (3) If the director chooses to observe an interview, the director shall notify the commander in writing as soon as practically possible before the interview.
 - (4) The director shall be permitted to monitor the interview from a separate room, if possible, or from within the same room where the interview occurs. The director shall be able to clearly see and hear the interview as it occurs. The director shall not interfere with or interrupt the department's interview process.
 - (5) The director shall, at the conclusion of any observed interview, be afforded the ability to provide verbal feedback to the commander, and the assigned investigator if not the commander, regarding the impartiality and sufficiency of the interview conducted. Any feedback provided by the director shall be shared with the board if the investigation is reviewed by the board after the conclusion of the investigation. Nothing in this subsection shall require the Office of Internal Affairs to implement feedback provided by the director during the investigation. Any such feedback is limited to process-related observations and is not evidence or a recommendation on the merits of the complaint.
- (d) *General oversight of department operations.* In addition to the monitoring of investigations and incidents, the director may engage in ongoing monitoring and oversight activities to support and inform the functions of the board consistent with this article. The board may request the director to conduct additional monitoring or oversight activities by majority vote. The director shall report all activities conducted under this section to the board and the city manager in accordance with the information access and limitations established in Sec. 2-458 of this article.
- (1) *Director access.* The director may participate in or observe department activities, including but not limited to the following:
 - (i) Department staff meetings, command staff meetings, briefings, and roll calls;
 - (ii) Use of force review panels and similar internal conduct review processes;
 - (iii) Interviews of candidates for sworn and civilian employment with the department;
 - (iv) Department training sessions, including in-service and specialized training;
 - (v) Review of department data systems, reports, and performance metrics;
 - (vi) Review of current or proposed department policies, practices, procedures, and directives; and
 - (vii) Other activities reasonably necessary for the board to effectuate its authorized purpose under this article. The enumeration in this subsection is illustrative and not exhaustive, and shall not be construed to limit the director's access to other department activities. Access to activities under this subsection shall be limited only as provided in subsection (d)(3) or Sec. 2-458 of this article.
 - (2) *Notice.* The department shall provide the director with reasonable advance notice of the activities listed in subsection (d)(1)(i) through (vii), including the date, time, and location, sufficient to allow the director the opportunity to attend. The chief or a designee and the director may establish a standing schedule or notification protocol to satisfy this requirement.
 - (3) *Limitations on participation.* The director's participation under this section shall be in an observational and advisory capacity and shall not include authority to direct, countermand, or delay department operations or personnel decisions. The department may temporarily limit the director's access to a specific activity if the chief

or a designee determines in writing that the director's presence would compromise an active criminal investigation, officer safety during a tactical operation, or a legally protected proceeding. Any such limitation shall be narrowly tailored and shall expire when the stated justification no longer applies.

- (4) *Disputes.* If the director is denied access to any activity under this section and the director and the chief are unable to resolve the matter through mutual consultation, the dispute shall be resolved in accordance with the procedures established in Sec. 2-458(g) of this article.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-463. Conduct of department audits.

- (a) *Purpose and scope.* The director may conduct retrospective audits of department patterns, practices, procedures, data, and outcomes to provide relevant information to the board to effectuate its authorized purpose and to identify systemic changes that may improve police services to the community. Audit topics may include, but are not limited to, patterns in internal affairs investigations, use of force incidents, arrests and detentions, searches and seizures, department expenditures, implementation of policies and training directives, deployment of systems and technologies, and other public-police interactions. Audits shall not be used to adjudicate individual complaints or to make findings of misconduct against individual employees, but the director may refer information discovered during an audit to the department or the city manager if it suggests conduct warranting separate review. Audits shall be conducted in accordance with the board's operating procedures, which shall include an audit manual adopted thereunder.
- (b) *Initiation.* An audit may be initiated by the director or by majority vote of the board. If initiated by board vote, the request shall identify the general subject matter and purpose. The director shall commence the audit within ten (10) business days or provide the board a written explanation if the audit is not feasible within the limitations of available resources, in which case the board and director shall confer to resolve scheduling or scope.
- (c) *Audit plan.* Prior to any collection of data or requests for department records for the purpose of an audit, the director shall prepare a written audit plan and provide a copy to the chief or a designee and to the board. The plan shall include:
 - (1) The subject matter, scope, and time period to be examined;
 - (2) The categories of records, data, or other information anticipated to be necessary;
 - (3) The anticipated methodology for analysis; and
 - (4) An estimated timeline for completion.
- (d) *Department cooperation.* Upon receipt of the audit plan, the department shall provide records and data in accordance with this article within five (5) calendar days, designate a liaison to coordinate with the director for the duration of the audit, and make a good faith effort to respond to reasonable requests for additional records or clarification.
- (e) *Audit report.* Upon completion, the director shall prepare a written report and provide it to the board, the chief, and the city manager. The board shall review the report and may adopt, modify, or supplement the director's recommendations before issuing findings and recommendations pursuant to this article. The report shall include:
 - (1) A description of the scope, methodology, and time period examined;
 - (2) A summary of findings, including identified patterns, trends, or areas of concern;
 - (3) Recommendations, if any, for changes to department policies, practices, procedures, training, or resource allocation; and
 - (4) Any relevant response or information provided by the department during the audit.

Sec. 2-464. Conduct of board reviews.

- (a) *Purpose.* The board may conduct reviews of information provided by the department, the director, and other sources to fulfill its oversight functions authorized under this article. The board's reviews are intended to provide a civilian-led perspective on department conduct and operations, grounded in objective evidence, and to serve as the basis for the findings, determinations, and recommendations issued pursuant to Sec. 2-466 of this article.
- (b) *Matters subject to review.* The board may conduct reviews of any of the following:
 - (1) Internal affairs investigations, including the department's case file, investigative methodology, and resulting findings and disciplinary determinations;
 - (2) Department incidents, including use of force incidents, deaths or serious injuries of persons in custody, and other incidents identified in Sec. 2-454(b)(2) of this article;
 - (3) Audit reports prepared by the director pursuant to Sec. 2-463 of this article;
 - (4) Department policies, practices, procedures, and directives, whether existing or proposed;
 - (5) Department data, performance metrics, trends, and patterns identified through monitoring activities conducted pursuant to Sec. 2-462 of this article; or
 - (6) Any other matter within the scope of the board's authorized purpose regarding the conduct or operations of the department and department employees.
- (c) *Information provided to the board.* The director shall prepare and present to the board materials necessary to conduct a review, which may include written summaries, relevant records provided by the department subject to the limitations of Sec. 2-458 and Sec. 2-459, data analyses, research, and any other information obtained through the oversight activities authorized under this article. The director shall present information in a manner that protects personal information and maintains the confidentiality requirements established in Sec. 2-458 of this article.
- (d) *Evaluation and deliberation.* In evaluating matters under review, the board shall consider the totality of information available and shall base its findings, determinations, and recommendations on objective evidence. The board may consider any of the following in its deliberations:
 - (1) Records, data, and reports provided by the department through the director;
 - (2) The director's analysis, observations, and recommendations, including information obtained through monitoring and audit activities;
 - (3) Applicable department policies, general orders, training standards, and the disciplinary matrix;
 - (4) Applicable federal, state, and local law, including constitutional standards governing law enforcement conduct;
 - (5) Published research, professional standards, and best practices in law enforcement, including guidance from professional organizations such as the National Association for Civilian Oversight of Law Enforcement;
 - (6) Testimony or written statements from subject matter experts, community members, or other persons with relevant knowledge, received during a public meeting or hearing conducted pursuant to this article;
 - (7) Comparative practices of other law enforcement agencies; and
 - (8) Any other information the board determines to be relevant and reliable.

- (e) *Standard of review.* The board shall evaluate the matters before it based on the reasonableness of the department's actions, decisions, and policies in light of the totality of the circumstances and the information available. The board's role is to provide an informed civilian assessment, not to substitute its judgment for the operational or tactical decisions of sworn personnel. Where the board disagrees with the department's findings, determinations, or actions, the board shall articulate specific reasoning supported by the evidence and information considered.
- (f) *Department participation.* The board may request that the chief or a designee appear before the board during a review to present information, provide context, or respond to questions regarding the matter under review. Any such participation by department personnel shall be voluntary and shall not constitute a compelled statement for purposes of this article or applicable law. The board may also request written responses from the department on specific questions arising during the course of a review.
- (g) *Public participation.* The board may receive public comment relevant to a matter under review during any public meeting in accordance with the board's operating procedures. The board may establish reasonable time limits and guidelines for public comment. Public comment received by the board may be considered as part of the board's deliberations but shall not be the sole basis for any finding, determination, or recommendation.
- (h) *Procedures.* Reviews shall be conducted in accordance with the board's operating procedures, including a review manual adopted thereunder, which shall address scheduling and notice of reviews, the format for presentation of information to the board, procedures for deliberation and voting, and the documentation of the board's reasoning in support of its findings, determinations, and recommendations. All findings, determinations, recommendations, and any resulting resolutions of the board shall only be made by a majority vote of the board with an established quorum. Any portion of a review involving discussion or consideration of criminal investigative files, audit findings, or deliberations regarding police operations related to a specific complaint before the board, where the complaint involves an offense enumerated in Code of Virginia § 2.2-3711(A)(56), shall be conducted in closed session as authorized by that subdivision.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-465. Annual review of police budget and expenditures.

During the city manager's preparation of a proposed city budget, the budget office shall provide the director with annual expenditure estimates and future year projections for the department, itemized to the same level of detail as provided to the city manager. The estimates shall be presented to the board by the director. The board may review the estimates and may make budgetary recommendations to the city manager and to the city council during the annual budget process.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-466. Findings, determinations, recommendations, and public reporting.

- (a) *Board outcomes.* Upon the completion of a review, audit, or other oversight activity authorized under this article, the board may, by majority vote, issue findings, determinations, recommendations, resolutions, or public reports. Any such outcome shall be issued within thirty (30) calendar days of the board's vote. All outcomes shall be released publicly in accordance with subsection (i) and shall conform to the board's operating procedures.
- (b) *Outcomes related to review of internal affairs investigations.* Upon review of an internal affairs investigation conducted by the department, the board shall issue one of the following findings:
 - (1) The board concurs with the findings and determinations provided in the internal affairs case closure letter;

- (2) The board does not concur with some or all of the findings and determinations provided in the internal affairs case closure letter and shall provide specific reasoning as to why the findings and determinations are not supported by the information reasonably available to the department; or
- (3) The board finds that the investigation is incomplete or otherwise unsatisfactory and shall provide a detailed written explanation of the basis for such finding.

In review of any investigation in which the board issues a finding under subsection (b)(2) or (b)(3), the board may include determinations regarding systemic, policy, or procedural issues with the investigation and may make recommendations to the chief and to the city manager regarding further review, corrective action, or changes to investigative practices. Any resulting determinations or recommendations related to broader policies, practices, or procedures of the department, beyond the scope of the investigative process, shall be made in accordance with Sec. 2-466(d) and (e).

- (c) *Outcomes related to department incidents.* Upon review of an incident involving the department or actions of department employees, the board shall issue one of the following findings:

- (1) The incident does not merit a formal investigation;
- (2) The incident merits a formal investigation conducted by the department's Office of Internal Affairs with monitoring by the director, and the board shall provide specific reasoning for this finding; or
- (3) The board does not have enough relevant details about the incident to make a finding and may request additional information from the department or third parties before pursuing another review of the incident. The board, upon receiving such additional information, may determine no further review is necessary.

In review of any incident in which the board issues a finding under subsection (c)(2), the board may include determinations regarding systemic, policy, or procedural issues with the incident and may make recommendations to the chief and to the city manager regarding further review, corrective action, or changes to investigative practices related to incidents. Any resulting determinations or recommendations related to broader policies, practices, or procedures of the department, beyond the scope of the incident review, shall be made in accordance with Sec. 2-466(d) and (e).

- (d) *Outcomes related to disciplinary policy and application.* Upon making a finding as the result of a review of an internal affairs investigation or incident, the board may issue determinations and recommendations regarding the department's disciplinary policy and its application, in a manner that protects personal information regarding identifiable employees against public disclosure and in accordance with the information access and limitations established in Sec. 2-458 and Sec. 2-459 of this article. Such recommendations may include:

- (1) Proposed amendments to the department's disciplinary matrix or any related policies, practices, or procedures that had a direct impact on the disciplinary outcome under review; or
- (2) A recommendation to the chief regarding the consistent application of disciplinary sanctions as established in department policy.

- (e) *Outcomes related to audits, policies, practices, and procedures.* Upon board review of a completed audit conducted by the director, or a board review of department policies, practices, or procedures, the board may issue determinations, recommendations, or resolutions addressing identified patterns, trends, deficiencies, or opportunities for improvement. Determinations and recommendations may address changes to department policies, practices, procedures, training, resource allocation, equipment, or implementation of systems and technologies.

- (f) *Hearings.* The board may hold public hearings to examine matters within the scope of its authorized purpose in greater depth than is afforded during regular public meetings. A hearing serves as a culminating oversight activity, drawing on the reviews, audits, and monitoring conducted under this article to develop the public record supporting

the findings, determinations, recommendations, and resolutions the board may issue under this section. Hearings shall be subject to the following provisions:

- (1) *Purpose and scope.* A hearing may be convened by majority vote of the board to examine a specific policy, practice, procedure, pattern, trend, audit report, systemic concern, or other matter within the board's authority. A hearing shall not be convened for the purpose of adjudicating an individual complaint or incident of alleged misconduct, or for the purpose of making findings of misconduct against an identified department employee.
- (2) *Participation.* The board may invite or receive participation from any of the following:
 - (i) Department representatives, including the chief or a designee, on a voluntary basis;
 - (ii) Members of the public with relevant knowledge or experience;
 - (iii) Subject matter experts, researchers, or professionals with expertise relevant to the hearing topic;
 - (iv) Representatives of community organizations, advocacy groups, or other public agencies; and
 - (v) Media representatives, for purposes of public transparency.
- (3) *Evidence and testimony.* The board may receive and consider documentary evidence, data, research, written statements, and oral testimony relevant to the hearing topic. The board may exercise its subpoena authority as provided in Sec. 2-460 of this article to compel the production of records or evidence from the department, and to compel the attendance of witnesses or the production of records or evidence from third parties. The board shall not exercise its subpoena authority to compel the attendance of or any statement by an employee of the department but may request voluntary participation by the department in the proceedings.
- (4) *Procedures.* Hearings shall be conducted in accordance with the board's operating procedures, including a hearing manual adopted thereunder, which shall address notice to the public, scheduling, order of proceedings, time allotments for participants, and the format for receiving evidence and testimony. All hearings shall comply with Virginia FOIA and limitations established in Sec. 2-458 and Sec. 2-459 of this article.
- (5) *Hearing outcomes.* At the conclusion of a hearing, the board may issue determinations, recommendations, or resolutions in accordance with subsection (i). The director shall prepare a written summary of the hearing, including testimony received and evidence considered, which shall be included in or appended to the board's published findings.
- (g) *Department response.* Within thirty (30) calendar days of receiving the board's findings, determinations, or recommendations issued under this section, the chief shall provide a written response to the board, the city manager, and the city council, as applicable, indicating acceptance, partial acceptance, or declination of such board outcomes with supporting rationale specific to address the board's stated reasoning and evidence for issuing each finding, determination, or recommendation. The chief's response shall be made available for public inspection.
- (h) *Follow-up.* The director may conduct follow-up monitoring at reasonable intervals to assess the department's implementation of accepted recommendations by the board. The results of any follow-up monitoring shall be reported to the board and included in the office's annual report.
- (i) *Public reporting.* All findings, determinations, recommendations, and resolutions issued by the board under this section shall be provided to the chief and the city manager, and shall be made available for public inspection, subject to applicable confidentiality protections and limitations of this article. When the director and chair of the board determine that an outcome has substantial relevance to matters of public policy, resource allocation, or systemic concern, such outcome shall also be provided to the city council. The director shall maintain a public record of all board outcomes issued under this section, including the department's written responses, and shall make such records accessible on the board's website.

- (j) *Annual report.* Each calendar year, the director shall provide the board, the city manager, and city council with an annual report of activities conducted during the preceding calendar year. The report shall be published and made available for public inspection on or about June 1 of each year for the preceding year and shall include:
- (1) Committees appointed and their actions;
 - (2) An overview of complaints and review requests received, including the number of complaints monitored, the number and content of audits conducted, the number of reviews conducted and any resulting outcomes, and the number of complaints deferred due to pending proceedings;
 - (3) Proposed amendments to department policies, practices, or procedures, and whether the department implemented them;
 - (4) The attendance by members of the board at public community listening sessions, community events, or other events which relate to the work of the board, including a summary of board actions or any public input and recommendations received;
 - (5) Other recommendations of the board regarding policing within the city;
 - (6) Training received by members of the board;
 - (7) Engagement in department collaboration in fulfillment of the board's oversight mandate; and
 - (8) Any other information necessary to provide an overview of board and office activities.

The board and the director may publish additional reports as deemed appropriate to provide transparency into oversight activities of the board and the office, including monthly and quarterly reports.

- (k) *Legislative recommendations.* The board may make recommendations to the city council of any proposed changes in state law, for the council's consideration to include in its annual legislative program to present to the General Assembly.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-467. Alternative resolution.

- (a) *Informal resolution.* Upon receiving a complaint or review request, the office may, before referring a complaint to the department or initiating a formal board review, offer the complainant information or referral to appropriate resources, including department programs, other city services, or community resources that may address the complainant's concerns. Any informal resolution shall be documented by the director and reported to the board. Nothing in this section shall prevent or discourage a complainant from filing or pursuing a formal complaint or review at any time, and the office shall inform the complainant of that right when offering informal resolution options.
- (b) *Mediation and alternative dispute resolution.* If the department maintains a mediation or alternative dispute resolution program, the office may inform the complainant of the availability of such program as an option. Participation in any such program shall be voluntary for all parties. A complainant's decision not to participate in mediation or alternative dispute resolution shall not affect the complainant's right to pursue remedies under other sections of this article, including a formal complaint or review request.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-468. Community engagement.

The board and the director shall engage in regular community outreach and collaboration to seek the assistance and input of community members and to provide education, awareness, and guidance on policing matters. The board may host public community listening and discussion sessions regarding policing matters of pressing public concern, such as questions about transparency, availability, legitimacy, mutual respect and trust, and community safety and order. The board and the

director may also host or participate in public police-community relations meetings focused on topics such as the impacts of local policing on historically disadvantaged communities that currently experience or traditionally have experienced disparate policing.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-469. Board member training.

Each board member shall receive training, provided or facilitated by the director, within six (6) months of the member's appointment and every two (2) years thereafter. The training shall be consistent with the board's purpose, this article, and the board's operating procedures, and shall include, at a minimum:

- (1) *NACOLE training.* At least four (4) hours of training using content from the National Association for Civilian Oversight of Law Enforcement, or a comparable professional organization.
- (2) *City and department training.* At least two (2) hours of training or information:
 - (i) Describing the legal and ethical obligations of members of a public board, including the need to comply with Virginia FOIA and other statutes and ordinances governing their service;
 - (ii) Explaining department policies, practices, and procedures;
 - (iii) Describing the substance of police department personnel record-keeping;
 - (iv) Describing such other city policies, procedures, and systems relevant to the duties of the board; and
 - (v) Explaining the board's operating procedures and code of ethics.
- (3) *Additional training.* As needed, the board may request additional relevant training by subject matter experts on subjects that may include mental health, trauma-informed policing, civil rights and constitutional law, race and racism, community outreach, mediation, investigation, and policing practices. The board may also request opportunities for ride-along experiences with the department and participation in the Community Police Academy. The director shall facilitate or provide this training as is feasible with available funding and other relevant considerations.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-470. Commendations for exceptional community service.

- (a) *Purpose.* The board recognizes that effective oversight includes acknowledging excellence in policing. Commendations issued under this section are intended to highlight conduct by department employees that exemplifies the principles of equitable, constitutional, and community-oriented policing.
- (b) *Bases for commendation.* The board may consider commendations for department employees based on any of the following:
 - (1) Conduct reflecting exceptional de-escalation, crisis intervention, or resolution of volatile situations in a manner that preserved the safety and dignity of all persons involved;
 - (2) Demonstrated commitment to community engagement, problem-solving, or relationship-building that has measurably strengthened trust between the department and the communities it serves;
 - (3) Actions taken to identify, report, or correct deficiencies in department policies, practices, or conduct that contributed to improved accountability or public safety outcomes;
 - (4) Performance during a critical incident, including life-saving actions, that demonstrated professionalism and adherence to department policy and training; or
 - (5) Other conduct that the board determines to be exemplary of the principles stated in subsection (a).
- (c) *Sources of information.* The board may identify commendation-worthy conduct through any of the following:

- (1) Written nominations from members of the public, provided that such nominations describe the specific conduct or incident forming the basis for the commendation;
 - (2) Information obtained by the director or the board in the course of performing oversight, audit, or review functions authorized under this article; or
 - (3) Data, reports, or records made available to the board in the ordinary course of the board's work.
- (d) *Review and issuance.* Before issuing a commendation, the board shall verify, to a reasonable extent using information available to the board, that the conduct forming the basis for the commendation is supported by more than a single unsubstantiated assertion. The board may consult with the chief regarding the conduct of individual employees under consideration for recognition in accordance with this section. The board may issue public citations or other forms of recognition, by majority vote, to department employees whose conduct meets the criteria in subsection (b). The board shall notify the chief and the city manager of any commendation prior to its public issuance.

(Ord. No. O-26-XXX, 09-21-26)

Secs. 2-471–2-479. Reserved.

ARTICLE XVI. POLICE CIVILIAN OVERSIGHT BOARD¹

Sec. 2-450. Title.

This article shall be known as the Charlottesville Police Civilian Oversight Board Ordinance.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-451. Definitions.

- (a) Authorized purpose. Those powers and duties delineated in Sec. 2-454. The term *lawful purpose* used in Sec. 2-454(b)(8) specifically refers to Code of Virginia § 9.1-601.
- (b) Closure letter. For purposes of this article, a "closure letter" shall mean the written notification issued by the department at the conclusion of an internal affairs investigation that communicates the findings and determinations of the investigation to the complainant and, when applicable, to the director.
- (c) Complainant. For purposes of this article, a "complainant" shall mean any civilian who submits a complaint to the office or the department. A complainant need not be the individual directly affected by the alleged conduct.
- (d) Complaint. For purposes of this article, a "complaint" shall mean an allegation submitted by any civilian to the office or the department that a law enforcement officer or civilian employee of the department has engaged in misconduct. A complaint may be submitted in any form, either orally or in writing.
- (e) Hearing. For purposes of this article, a "hearing" shall be any public session conducted by the board to review the facts, issues, and implications of a department policy, practice, procedure, pattern, trend, audit report, systemic concern, or other matter within the board's authority. Hearings may also examine patterns in the findings, determinations, and disciplinary actions resulting from administrative investigations conducted by the department.
- (f) Immediate family member. For purposes of this article, "immediate family member" shall have the same meaning as that provided by Code of Virginia § 2.2-4368.
- (g) In writing. For purposes of this article, electronic mail (e-mail) shall constitute communication in writing.
- (h) Personal information. For purposes of this article, "personal information" shall have the same meaning as that provided by Code of Virginia § 2.2-3801.
- (i) Records. For purposes of this article, "records" shall be construed to broadly include writings, files, photographs, audio and visual recordings, and any other data, information, and evidence within the possession of the department requested by the director for an authorized purpose of the board, subject to limitations in this article.
- (j) References. For purposes of this article, the following references shall be used:
 - (1) The board. The established and authorized Charlottesville Police Civilian Oversight Board shall be referred to as "the board."
 - (2) The chief. The City of Charlottesville Chief of Police shall be referred to as "the chief."
 - (3) The commander. The Charlottesville Police Department's Commander of Internal Affairs shall be referred to as "the commander."
 - (4) The department. The Charlottesville Police Department shall be referred to as "the department."

¹Ord. No. O-25-142, adopted Nov. 17, 2025, amended Art. XVI in its entirety to read as herein set out. Former Art. XVI, §§ 2-450—2-468, pertained to similar subject matter, and derived from Ord. No. O-21-183, §§ 1, 2, adopted Dec. 20, 2021; Ord. No. O-22-164, §§ 1, 2, adopted Dec. 19, 2022; and Ord. No. O-24-155, adopted Nov. 18, 2024.

(5) The director. The appointed Director of the Office of Police Civilian Oversight under the division of the City Manager's Office shall be referred to as "the director."

(6) The office. The established and authorized Office of Police Civilian Oversight shall be referred to as "the office" for purposes of this article.

(k) Securely retained. A physical or electronic storage format, location, or device to which access is restricted by physical or logical access controls and limited to the director and to staff of the office authorized by the director. Department records in the custody of the office shall not be accessed by any other person except in the presence of the director or authorized staff. Such records shall be maintained in accordance with the Virginia Public Records Act, Code of Virginia § 42.1-76 et seq., the records retention and disposition schedules issued by the Library of Virginia, and other applicable standards under state and federal law.

(l) Serious abuse of authority or misconduct. For purposes of this article, "serious abuse of authority or misconduct" shall be defined as significant violations of city policies or procedures, including the department's general orders and any associated standard operating procedures. This includes, but is not limited to, harassment or discrimination against, or verbal or other conduct that maligns or shows hostility toward, an individual or group because of that individual's or group's actual or perceived: race; color; religion; national origin or ethnicity; immigration status; sex; sexual orientation; gender identity or expression; marital status; familial status; age; disability; or military or veteran status; or any other characteristic protected under the Virginia Human Rights Act (Code of Virginia § 2.2-3900 et seq.).

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-4512. Police civilian oversight board established.

Pursuant to Code of Virginia § 9.1-601, there is hereby established a Charlottesville Police Civilian Oversight Board, ~~which shall be referred to as "the board,"~~ with powers granted as provided within this article. The board is a body established and appointed by the city council of Charlottesville pursuant to Code of Virginia § 9.1-601(B) to perform functions authorized by the city council in accordance with Code of Virginia § 9.1-601(C). It shall not be able to bring suit or to be sued in its own name, except to the extent needed to request and defend subpoenas as authorized ~~by~~ in this article.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-4523. Office of police civilian oversight established.

(a) Office established. There is hereby established an ~~o~~Office of ~~p~~Police ~~c~~Civilian ~~o~~Oversight, ~~which shall be referred to as "the office,"~~ which is a division of the ~~c~~City ~~m~~Manager's ~~o~~Office, and shall have the powers granted as provided within this article to facilitate and support the authorized ~~functions~~purpose of the board. The office shall have the authority to carry out its duties and responsibilities under this article with respect to all law enforcement activities and all sworn and civilian personnel operating under the authority of ~~the Charlottesville Police Department, which shall be referred to as "the department."~~

(b) Director. There shall be a full-time director of the office. The director ~~will~~shall be responsible for and report to the board on the day-to-day operational activities of the board and the office. The director shall report to the city manager, and the city manager shall delegate to the director the authority to employ such additional staff as funded by the city council for the board to effectively fulfill its obligations under this article, and any such additional staff shall report to the director.

(1) Appointment. The city manager shall appoint a director with the approval of a majority vote of the city council.

(2) Interview process. As a part of the ~~director~~ appointment process, the city manager shall convene an interview panel that includes two (2) members of the board. If those two (2) members recommend a candidate for appointment as director, the city manager shall provide a written justification to the board if a different candidate is appointed.

(c) Duties of the city manager. The city manager shall have the following duties:

(1) Operating procedures. The city council authorizes the city manager to establish operating procedures for the

performance of duties by the board and the office, ~~in consultation with the board and the director~~. Those procedures may be amended from time to time by the city council or by the city manager, ~~in consultation with the board and the director~~. The city council or the city manager, as applicable, shall consult with the board and the director before establishing or amending any such procedures.

- (2) *Supervision.* The city manager or a designee shall supervise the work of the director. The city manager's annual evaluation of the director's performance shall consider a written performance review submitted by the board to the city manager. The board may request that the city manager meet with the board's chair to discuss the director's performance.
 - (3) *Vacancy.* If there is a vacancy in the position of director, the city manager may designate some other city employee who is not an employee of the department to act as director until a new director is ~~hired~~ appointed.
- (d) *Duties of the director.* The director shall have the following duties:
- (1) *Duties.* The director shall support the board in the implementation and exercise of its oversight functions and undertake or ensure the performance of specific tasks assigned by majority vote of the board, pursuant to the powers and duties of the board authorized in this article. The director shall be responsible for management of all administrative and fiscal needs of the board and the office as authorized by the city manager.
 - (2) *Director's authority to conduct audits.* The director may conduct retrospective examinations and audits ~~of as provided in Sec. 2-463 of this article, including patterns in internal affairs investigations, arrests and detentions, department expenditures, and other public-police interactions pursuant to the powers and duties of the board authorized in this article~~ purpose of the board. The board may request the director to conduct additional audits by majority vote. The director ~~will~~ shall provide a summary report of any audit conducted to the board and the city manager upon completion.
 - (3) *Director's authority to engage in oversight activities on behalf of the board.* The director may engage in additional oversight activities as provided in Sec. 2-462 which support and inform the functions of the board, consistent with the ~~powers and duties of the board authorized in this article~~ purpose of the board. This may include, but is not limited to, review of department data systems, attendance at department meetings, review of department policies, practices, and procedures, participation in interviews of candidates for employment with the department, participation in use of force and similar conduct review panels, and other activities which are reasonably ~~necessary for the board to effectuate~~ related to the board's its lawful authorized purpose. The board may request the director to conduct additional oversight activities by majority vote. The director shall report all activities to the board and the city manager in accordance with the limitations ~~outlined in section 2-454 of this article~~.
- (e) *Records management.* All records created or received by the board, the director, or the office in the transaction of public business are public records within the meaning of the Virginia Public Records Act, Code of Virginia § 42.1-76 et seq., without regard to whether such records are exempt from disclosure under the Virginia Freedom of Information Act ("FOIA"). The director shall ensure that such records are retained, maintained, and disposed of in accordance with that Act and the records retention and disposition schedules and electronic records guidelines issued by the Library of Virginia, in coordination with the city's designated records officer under Code of Virginia § 42.1-85. Nothing in this subsection shall alter the chief's status as custodian of original department records.
- (Ord. No. ~~O-25-142, 11-17-2526-XXX~~, 09-21-26)

Sec. 2-4534. Powers and duties of the police civilian oversight board.

- (a) *Purpose.* ~~The purpose of the board is to establish and maintain trust between and among the department, the city council, the city manager, and the public.~~ support community well-being and safety through civilian-led oversight that brings transparency and accountability to policing in the City of Charlottesville. The board provides the community with a direct voice in public safety and promotes policing that is lawful, fair, and respectful of the rights and dignity of all people. The board fulfills this purpose by monitoring, auditing, and reviewing department conduct, policies, practices, and procedures, and by issuing public reports with recommendations for corrective action and the adoption of best practices in policing.

(b) *Powers and duties.* The board shall have the following powers and duties:

- (1) To receive, ~~investigate, and issue findings on~~ complaints from civilians regarding the conduct of law enforcement officers and civilian employees of the department, and to refer such complaints, at the request of the complainant, to the department for investigation with monitoring by the office on behalf of the board;
- (2) To ~~investigate~~ review and issue findings on department incidents, including the use of force by a law enforcement officer, death or serious injury to any individual held in custody, and serious abuse of authority or misconduct as defined in this ~~section~~ article, ~~allegedly discriminatory stops, and other incidents regarding the conduct of law enforcement officers and civilian employees of the department;~~
- ~~(3) At the conclusion of any investigation conducted pursuant to paragraphs (1) and (2), above, if the board has found that an employee has committed misconduct, to recommend disciplinary action to the chief of police;~~
- (43) To ~~investigate~~ review policies, practices, and procedures of the department and to make recommendations regarding changes to such policies, practices, and procedures;
- (54) To review investigations conducted internally by the department and to issue findings regarding the accuracy, completeness, and impartiality of the investigations and the sufficiency of any discipline resulting from such investigations;
- (65) To ~~request~~ review reports of the annual expenditures of the department, and to make recommendations to the city council concerning future appropriations;
- (76) To make public reports on the activities of the board, including investigations reviews, hearings, findings, ~~recommendations~~ determinations, ~~determinations~~ recommendations, and oversight activities;
- (87) To hold hearings and, if, after making a good faith effort to obtain the voluntary attendance of witnesses, with the exception of employees of the department, and the production of books, papers, and other records or evidence necessary to perform its duties, the board is unable to obtain such attendance or production, to apply to the Circuit Court ~~for~~ of the City of Charlottesville for a subpoena compelling the attendance of such witness or the production of such books, papers, and other records or evidence; and
- (98) To undertake other duties, as reasonably necessary, for the board to effectuate its lawful purpose as provided ~~for~~ in this article, ~~to effectively oversee the department, including the delegation of administrative support functions, department monitoring, auditing, and other routine oversight activities to the office established in this article.~~

(c) ~~Definition of "serious abuse of authority or misconduct."~~ "Serious abuse of authority or misconduct" shall include the following:

- ~~(1) Verbal or other conduct regarding an individual or group that maligns or shows hostility for the individual or group because of race, color, religion, gender, national origin, age, disability, sexual orientation, or gender identity and expression;~~
- ~~(2) Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability;~~
- ~~(3) Acting in a rude, careless, angry, retaliatory or threatening manner;~~
- ~~(4) Reckless endangerment of a citizen, detainee, or person in custody;~~
- ~~(5) Violation of laws or ordinances;~~
- ~~(6) Criminal or other misconduct occurring on or off the job which is related to job performance or is of such a nature that to continue the employee in the assigned position or in any city employment capacity would constitute negligence in regard to the city's duties to the public or to other city employees;~~
- ~~(7) In any matter within the jurisdiction of any officer, department or agency of the city:~~
 - a. ~~The knowing falsification, concealment or cover up of a material fact; and/or~~

~~b. The knowing making of any false, fictitious or fraudulent statement or representation, and/or the making or using of any writing or document knowing the same to contain a false, fictitious or fraudulent statement or entry;~~

~~(8) Sexual activity, including consensual sexual activity, on the job; and~~

~~(9) Other serious violations of Charlottesville or department policies or procedures, including the department code of conduct.~~

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-455. Board membership, appointment, and terms.

- (a) *Objectivity.* ~~It is of fundamental importance that members of the board be fair and objective in the conduct of their duties, and that they be perceived as fair and objective in the conduct of their duties.~~ In making appointments under this section, the city council shall seek members who are fair and objective, and who will be perceived as fair and objective, in the conduct of their duties.
- (b) *Appointment process.* The city council shall appoint the members of the board. ~~The city council shall announce a public application process with applications available online and by hardcopy in English and Spanish for individuals interested in serving on the board. The application window shall remain open for a minimum of thirty (30) calendar days from the date of public announcement. The city council will seek to appoint fair-minded and objective members with a demonstrated commitment to community service who have training and experience, including lived experience, with topics relevant to the business of the board, including law, police practices, human resources practices and procedures, trauma-informed mental health issues, and/or the sociology of historically overpoliced communities.~~
- (c) *Board composition.* The board shall reflect the demographic diversity of the City of Charlottesville. The board shall be composed of seven (7) voting members and one (1) non-voting member ~~appointed by the city council.~~ The members shall be removable by the city council for cause ~~as, including conduct specified in the board's code of ethics set forth in the board's operating procedures,~~ violating the duty of confidentiality, failing to participate in required training, or other good cause.
- ~~(1) Council shall appoint at least three (3) members who are residents of public housing or who come from historically disadvantaged communities that have traditionally experienced disparate policing.~~
- (1) The seven (7) voting members of the board shall be residents of the City of Charlottesville or Albemarle County. Priority shall be given to city residents. Residents of Albemarle County appointed to membership on the board shall be employed in the City of Charlottesville or shall have significant and demonstrable ties to the city. If, after the defined public application process, the city council determines that there are insufficient eligible applicants who are residents of the City of Charlottesville or Albemarle County to fill a vacancy on the board, the city council may appoint a resident of the Commonwealth of Virginia who is employed in the City of Charlottesville or who has significant and demonstrable ties to the city.
- ~~(2) Council may appoint one (1) member who represents an organization that seeks racial or social justice on behalf of historically disadvantaged communities.~~
- ~~(3) The non-voting member of the board shall be an individual with policing expertise or experience. The non-voting member may be a retired law enforcement officer who prior to his or her retirement was employed in a locality similar to the City of Charlottesville.~~
- ~~(4) The seven (7) voting members of the board shall be residents of, or shall be employed in, the City of Charlottesville or Albemarle County, with priority given to city residents and those with significant and demonstrable ties to the city.~~
- ~~(5) No board member shall be a current candidate for public office, a former member of the department, an immediate family member of a current department employee, or a current employee of a law enforcement agency, the fire department, the emergency communications center, or the sheriff's office. If the city council~~

considers appointing a board member who is employed by the City of Charlottesville, the city council will~~shall~~ seek to avoid potential conflicts of interests.

- (d) ~~Terms. Each board member shall be appointed for a term of three (3) years. Appointments and terms shall be subject to the provisions of chapter 2, article I, section 2-8 of the City Code.~~ Each board member shall be appointed for a term of two (2) years. Except as otherwise provided in this section, appointments and terms shall be subject to the provisions of chapter 2, article I, § 2-8 of the city code. No person shall serve more than eight (8) consecutive years on the board, and no person shall be appointed or reappointed to a term that, if served to completion, would exceed that limit. Service in the unexpired portion of a term shall not be counted toward this limit. Service in a term under this article as it existed before the effective date of this amendment shall be credited as the number of years in that term. Members serving on the board as of the effective date of this amendment shall continue to serve the remainder of their current term. The composition requirements, term length, and term limit established by this section shall apply to all appointments and reappointments made on or after the effective date of this amendment. Nothing in this section shall entitle any person to reappointment.
- (e) ~~Conflicts of interests. No~~ A board member may shall not participate in any matter before the board under circumstances in which the objectivity of the board member could reasonably be questioned, including, without limitation, the consideration of a complaint of someone who is an immediate family member. ~~For purposes of the Virginia State and Local Government Conflict of Interests Act, the board shall be deemed a "governmental agency" and each board member shall be an "officer," as those terms are defined in Code of Virginia, § 2-2-3101. All board members shall comply with the requirements of the Virginia State and Local Government Conflict of Interests Act, as applicable.~~

(Ord. No. O-~~25-142, 11-17-2526~~-XXX, 09-21-26)

Sec. 2-456. Meetings.

- (a) *Number of meetings.* The board shall hold public meetings at least once per calendar quarter. Additional meetings may be called by the chair or any two (2) board members.
- (b) *FOIA.* The board shall comply with all applicable requirements of the Virginia Freedom of Information Act ("FOIA") pertaining to disclosure of public records and the conduct of its meetings, ~~including the requirement that all meetings shall be open to the public except under circumstances when the topic is authorized by FOIA to be discussed in a closed meeting.~~
- (c) *Quorum.* ~~A quorum of the board shall be four (4) members.~~ A quorum of the board for the transaction of business and the taking of any vote shall be four (4) members. However, for purposes of Virginia FOIA, a meeting of the board occurs whenever as many as three (3) members are gathered to discuss or transact the business of the board, and any such gathering shall be noticed and conducted in accordance with that Act.
- (d) *Minutes.* The board shall keep minutes of its meetings, which shall include:
- (1) The date, time, and location of the meeting;
 - (2) The members present and absent;
 - (3) A summary of the discussion on matters proposed, deliberated, or decided; and
 - (4) A record of any votes taken.
- (e) *Rules and procedures.* Meetings of the board shall be conducted in accordance with Robert's Rules of Order or such other procedures as the board may adopt.

(Ord. No. O-~~25-142, 11-17-2526~~-XXX, 09-21-26)

Sec. 2-457. Board legal counsel.

The director may retain independent legal counsel to advise and represent the board in ~~all cases, hearings, controversies, or connection with its oversight powers and duties, and in any other~~ matters involving the interests of the board. Such independent legal counsel shall be chosen from a list of attorneys recommended by the city attorney. The

director is authorized to execute a contract in the name of the board for legal services if the contract has first been approved by the board and endorsed by the city's finance director to verify that funding is available and has been appropriated to support performance of the payment obligations of the board under such contract. The board's legal counsel shall be paid only from funds that have been appropriated to the board's budget by city council. The board and the director are encouraged to consult the office of the city attorney for legal advice, ~~except in cases, hearings, investigations, controversies that are before the board, or in any other matter in which the board's and the department's interests may conflict~~ matters involving potential conflicts of interests between the board and the department.

(Ord. No. ~~O-25-142, 11-17-2526~~-XXX, 09-21-26)

Sec. 2-4548. Information access and limitations.

- (a) Access to department information. ~~The board, administered by the director, the board is authorized to receive, and shall be provided full access to, all department reports, files, and records determined by the board or the director to be necessary to carry out its authorized powers and responsibilities purpose.~~ Subject to certain narrow limitations described in this article and through administration by the director, the board is authorized to receive, and shall be provided full access to, all department reports, files, and records determined by the board or the director to be necessary to carry out its authorized powers and responsibilities purpose. All records, documents, and materials in the possession of or provided to the board or the director shall be subject to ~~board procedures adopted for the protection of confidential and personal information as defined in such procedures~~ board procedures adopted for the protection of confidential and personal information as defined in this article and the board's operating procedures. ~~The city manager, in consultation with the chief of police and the board, shall establish a standard operating procedure setting forth how this access shall be given by the department to the board, how personal information shall be managed and protected by the board in accordance with the requirements of the Code of Virginia, § 2.2-3800 et seq., and under what circumstances or conditions it may be made available to the parties.~~
- (b) Records to be routinely provided. The department shall provide the following records to the director within five (5) calendar days of the receipt or creation of the record by the department:
- (1) Initial complainant contact letter;
 - (2) Complaint closure letter;
 - (3) Monthly report by the department's Fourth Amendment auditor; and
 - (4) Monthly report by the Office of Internal Affairs.
- (c) Requests for department records. The department shall provide all records specifically identified by the director, as well as those related to the subject matter and reasonably necessary to permit the board to review the identified subject matter. The director shall notify the chief or a designee in writing when the following occurs, as applicable, which shall constitute a request for records for purposes of this article:
- (1) The review of an internal affairs investigation has been scheduled. The director shall provide sufficient information to allow the department to identify the investigation and any related complaints or disciplinary records.
 - (2) The review of a specific department policy, practice, or procedure. The director shall provide sufficient information to allow the department to identify records in its possession relevant to the review.
 - (3) An audit has been initiated by the director or requested by the board. The director shall provide the chief or a designee with a copy of the audit plan, which shall indicate the general nature of the contemplated audit such that the department may identify records relevant to the audit.
- (d) Delivery of records. Upon the provision of such written requests for records, the department shall provide the director with the requested records within five (5) calendar days of the director's request or, if applicable, within five (5) calendar days of the city manager's written ruling regarding a dispute about access to records. In either case, the director and the chief or a designee may agree to a different timeline for the delivery of the requested records. In the absence of a director or appointed designee, written requests shall be issued by the chair of the board with a majority vote of its members. The chief or a designee shall appoint an employee of the department to administer records access to the board until such time as a new director or designee is appointed to such role by the city manager.
- (e) Format of department records. The board shall be provided department records, administered by the director, in the following formats:

- (1) Body-worn and dashboard camera video. The director shall be provided with independent access privileges to any relevant department systems to view all footage from cameras worn or operated by the department if relevant to the subject of an authorized purpose of the board. The director shall not share the access credentials with any other person, and the director shall not allow any person to view such video footage, other than a member of the board who has signed a confidentiality agreement, which the director shall certify, and in which case the board member may review the video footage only in the presence of the director.
 - (2) Originals or exact copies. The director shall be provided with the original version of the requested department records or, if feasible, may be provided copies of such records, at the department's discretion. If copies of the original records are provided to the director, they shall be exact duplicates of the original versions other than minor formatting or cosmetic differences that do not impact the content of the records.
 - (3) Secure retention, return, or destruction. The original records and any copies thereof provided by the department to the director shall be returned to the chief or a designee as the custodian of the original records within five (5) calendar days of completion of the board review or audit, except that upon agreement in writing by the chief or a designee, copies of department video footage and records provided to the director may be securely retained for up to one (1) year or destroyed. A review or audit shall be deemed complete upon occurrence of the following, as applicable:
 - (i) Public release of the final findings, determinations, and recommendations of a review;
 - (ii) Presentation by the director of a final audit report to the board; or
 - (iii) In a case in which (i) or (ii) above does not apply, at such other time as the director notifies the chief or a designee in writing that the authorized purpose for which the records were requested is complete.
- (bf) Department information to which the board ~~may~~ shall not have access. The director and the board shall not have access to:
- ~~(1)~~ Juvenile records;
 - ~~(21)~~ Records that may reveal the identity or personal information, as defined in the Code of Virginia, § 2.2-3801, of a confidential informant;
 - ~~(32)~~ Investigative files ~~for~~ related to an active civil or criminal investigation by the ~~e~~Commonwealth's ~~a~~Attorney, the Virginia Attorney General, the Virginia State Police, or the United States Department of Justice;
 - ~~(43)~~ Files related to an active ~~EEO~~Equal Employment Opportunity Commission claim, ~~h~~Human ~~R~~ights ~~e~~Commission investigation, or civil claim involving a department employee;
 - ~~(54)~~ Files containing information exempt from mandatory public disclosure or prohibited from public disclosure pursuant to the Code of Virginia, §§ 2.2-3706(B)(2), (3), ~~(4)~~, (5), ~~(6)~~, ~~(7)~~, (8), ~~(10)~~, (11); 2.2-3706(C); 2.2-3706.1(C)(1) through (C)(6); 2.2-3706.1(D); and 2.2-3706.1(E); ~~or~~ and
 - ~~(65)~~ Any information that the ~~police~~ department is not legally authorized to share.
- (eg) Disputes over access. If the director and the board seek access to information the disclosure of which the department believes ~~would compromise ongoing investigations, disclosure may be withheld until such time as the need for maintaining confidentiality is no longer present, or until the city manager has determined that the matter will not be compromised by the release of the information. If the board believes that the city manager is unreasonably withholding such information, the board may consider whether to seek a subpoena requiring the production of such information pursuant to section 2-459~~ is outside the scope of, or expressly prohibited by the authority granted in this article, and the director and chief cannot resolve this dispute after mutual discussion and consultation, then the city manager shall resolve the dispute consistent with the purposes and provisions of this article. The city manager may conduct an informal hearing at which both the director and chief may be heard, and the city manager shall issue a written ruling within three (3) business days thereafter. If the board believes that the city manager is unreasonably withholding such information, the board may consider whether to seek a subpoena requiring the production of such information as provided in Sec. 2-460 of this article.

(eh) *Confidentiality.* Each member of the board and the director shall maintain the confidentiality of all personal information and confidential or privileged information, including, but not limited to:

- (1) Materials from police internal investigative files;
- (2) Disciplinary actions, memos, and reports;
- (3) Statements of any police officer or civilian employee who was required by the department to give a statement;
- (4) Criminal investigative files; ~~or and~~
- (5) Any other information that the chief or city attorney's office has deemed confidential.

This requirement to maintain confidentiality continues indefinitely or until the information no longer meets the definition of confidential or privileged as defined in ~~relevant board procedures~~ this article.

(i) *Protocols to prevent improper dissemination.* The director and the board shall adhere to the following protocols to prevent improper dissemination of confidential records, including records containing personal or privileged information not subject to public release:

- (1) The director and board shall not use or disseminate non-public personal information regarding any person, for any purpose or in any manner, other than as authorized by applicable state and federal law, local ordinances, and the authority to release public records defined in this article.
- (2) The director and board shall take all appropriate measures to maintain the security and confidentiality of all non-public personal information contained within department records to which access has been provided.
- (3) Within any written reports to be presented at a public meeting of the board or released to the public, and during any public comments about matters currently or likely in the future to be the subject of a review or audit by the board or director, the board and director may disclose the following personal information about any person, except as otherwise prohibited by state or federal law:
 - (i) Personal information previously publicly disclosed (by a party or parties other than the board or director); and
 - (ii) Non-public personal information regarding a department officer or employee with the prior written consent of the officer or employee.
- (4) In all other cases, written reports to be presented at a public meeting of the board or released to the public, and public comments about matters currently or likely in the future to be the subject of a review or audit by the board or director, shall refer only to anonymized information regarding any specific department officer or employee, and information that would not permit the particular officer or employee to be personally identified.

(ej) *Records to remain department records.* ~~The chief of police, as the custodian of the original department records, shall be responsible for decisions as to whether copies of such records (or information contained in such records) may be publicly disclosed, subject to the direction and control of the city manager. In the event of a request pursuant to Virginia FOIA for records in the possession of the board or director, the director, as applicable, shall consult with the city attorney's office and claim all relevant exemptions allowed by FOIA to withhold the records or portions thereof from public disclosure, except in cases where public disclosure is authorized in writing by either the chief or the city manager and is otherwise lawful. Nothing in this paragraph shall preclude the city manager from including with the standard operating procedure guidelines for establishing guidelines in the operating procedures regarding public disclosure of certain types of information contained within department records. In the standard operating procedure, the city manager shall issue guidelines for what information may be included in board or office reports or otherwise publicly disclosed.~~

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-4589. ~~Investigation~~ Exclusions, limitations, and suspension.

(a) *Compliance.* Any ~~investigation~~ oversight activities shall comply with all federal, state, and local laws, as well as with requirements for the ~~initiation and conduct of investigation~~ the board's powers and duties described in ~~the~~

~~procedures promulgated by the city council as authorized in this article~~this article and in accordance with the board's operating procedures.

- (b) *Compelled statements.* The board may not compel a statement from any department employee,~~other than by means of its subpoena powers.~~
- (c) *Exclusions.* The board shall not consider complaints, incidents, claims, or issues involving the following:
- ~~(1) Any incident that occurred more than one (1) year before the filing of the complaint, or one (1) year before the board received notice of the incident, except as otherwise authorized by subsection (d) of this section;~~
 - ~~(2) Except as otherwise authorized by subsection (d) of this section, a matter that was the subject of an investigation where more than seventy five (75) days has elapsed since the department sent notice to the complainant informing the complainant that the department's internal affairs investigation is complete (unless the board determines that there is good cause to extend the filing deadline);~~
 - ~~(3) Matters that are the subject of a pending criminal proceeding in any trial court, a pending or anticipated civil proceeding in any trial court (as evidenced by a notice of claim or a filed complaint), or any pending City of Charlottesville grievance proceeding;~~
 - ~~(4) Any financial management related issue;~~
 - ~~(5) Any complaint, incident, claim or issue where the complainant requests that the board not have access to their files;~~
 - ~~(6) Any complaint, incident, claim or issue that has previously been the subject of an investigation by the board, unless substantial new information has come to the attention of the board;~~
 - ~~(7) An allegation of misconduct only by employees of law enforcement agencies other than the department. Such complainants should~~shall ~~be referred to the appropriate law enforcement agency; and~~
 - ~~(8) An allegation of conduct that does not violate the Charlottesville Police Policies and Guidelines, Disciplinary Orders, or Code of Conduct; This does not preclude violations of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service; and~~
 - ~~(9) Any other claim outside the scope of the board's authority expressly set forth within this article.~~
- ~~(d) Exceptions to time limits.~~ With the concurrence of the city manager, the board may review investigations and incidents beyond the time limits specified in subsections (c)(1) and (c)(2) if:
- ~~(1) The board determines that there is good cause for doing so; or~~
 - ~~(2) As part of an audit taking place under subsection~~Sec. 2-45263(d).
- ~~(e) Suspension of investigation~~oversight activity. If a complaint asserts criminal conduct by an employee of the department, or if at any point in an investigation of a complaint or incidentthe performance of oversight powers and duties, the board or director becomes aware that an employee may have committed a criminal offense, the board ~~shall~~and the director shall suspend all oversight activity and notify the chief and Commonwealth's Attorney of the alleged conduct.
- ~~(1) Suspend the investigation and notify the chief of police and commonwealth's attorney of the alleged conduct, ensuring that no statements obtained from the police department employee(s) whose actions are the subject of the matter are shared with criminal investigators or any prosecuting authority except in accordance with applicable law; and~~
 - ~~(2) Evaluate, in consultation with board legal counsel, the city attorney, and the commonwealth's attorney, whether competing public interests and civil rights involved permit the resumption of continued, parallel investigation by the board.~~

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-45960. Subpoenas.

- (a) *Application for subpoenas.* If the board determines that there ~~is evidence~~ are records, (including witnesses), not within the control of the department that the board is unable to obtain voluntarily, the board by two-thirds ($\frac{2}{3}$) vote may authorize the director, on behalf of the board, to apply to the Circuit Court of the City of Charlottesville Circuit Court for a subpoena compelling the production of such records, or the attendance of such witnesses to a public hearing held in accordance with Sec. 2-466(f) of this article ~~or the production of such books, papers, and other evidence.~~
- (b) *Requests for access.* If the director is denied access to material ~~witnesses, records, books, papers, and other evidence~~ within the control of the department that the director deems necessary to perform their duties and the duties of the board, the director may request the city manager to require the department to produce the requested ~~witnesses and documents~~ records. ~~No request shall include witnesses who are employees, sworn or civilian, of the department, and the board's authorized subpoena power shall not be used to compel attendance of or statements from department employees.~~ The city manager, or ~~their~~ a designee, shall not unreasonably deny such a request, but may place conditions on the production of the requested ~~witnesses and documents~~ records as necessary to preserve confidentiality for the reasons set forth in this article. The city manager, or ~~their~~ a designee, shall issue a decision on the director's request within five (5) business days ~~from~~ of the date of that request.
- (c) *Scope of subpoenas.* If the city manager, or ~~their~~ a designee, denies the director's request made pursuant to ~~paragraph~~ section (b) above, the board by two-thirds ($\frac{2}{3}$) vote may authorize the director, on behalf of the board, to apply to the Circuit Court of the City of Charlottesville Circuit Court for a subpoena compelling ~~the attendance of such witnesses or the production of such books, papers, and other evidence~~ records. The board shall give the city manager and the department reasonable notice of its intent to subpoena such ~~witness or~~ witness or records and shall give the city attorney a copy of the request for subpoena. The board shall not unreasonably withhold its agreement to limitations on the scope of the subpoena requested by the city manager that may be necessary to protect confidential information. The parties may request that any hearing to be held in the ~~Circuit Court of the City of Charlottesville~~ Circuit Court of the City of Charlottesville on the request for a subpoena be conducted in a closed courtroom, to the extent permitted by state law. ~~Upon request, the court file for any such subpoena request shall be kept under seal to the extent permitted by state law. The board may request that all or any portion of the court file relating to any such application be placed under seal to the extent permitted by state law.~~
- (d) *Retention of subpoena records.* If a subpoena is granted which compels the production of records, the board shall ~~digitally record any interviews or depositions conducted pursuant to the subpoena and shall make copies of any documents obtained by subpoena. The board shall provide the department with copies of any such interview/deposition recordings and documents. The board shall delegate its authority to subpoena and question witnesses to the director, who shall conduct any interviews, depositions, or questioning of witnesses in a non-public forum that adequately protects the privacy of the individual being subpoenaed, the confidentiality or sensitivity of information shared or sought, and the integrity of any pending or concurrent investigation~~ records.
- (e) *Conduct of compelled attendance by witnesses.* If a subpoena is granted which compels the attendance of a witness or witnesses at a public hearing of the board, such attendance shall comply with the board's operating procedures, including a hearing manual adopted thereunder, and the following provisions:
- (1) In any application for a witness subpoena under this section, the board shall request that the subpoena include a statement that any testimony provided shall be made under oath and that the witness is entitled to representation by an attorney. The board shall, in any event, provide such notice in writing to any witness subpoenaed under this section.
 - (2) Any witness failing to comply with a subpoena issued under this section may be subject to a charge of contempt by the issuing court as provided by law. Any witness so subpoenaed may petition the Circuit Court of the City of Charlottesville to quash the subpoena.
 - (3) In the case of refusal or neglect to comply with a subpoena, the board may petition for its enforcement in the Circuit Court of the City of Charlottesville.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-461. Intake and referrals.

All submissions of complaints, review requests, inquiries, recommendations, comments, and compliments shall be received and documented by the office in accordance with the procedures established in the board's operating procedures. The office shall provide a response to all submissions indicating receipt and advising on any next steps. The following actions shall be taken:

- (1) For all complaints related to the alleged misconduct of a department employee, the office shall establish communication with the complainant and collect all relevant information regarding the complaint and ascertain whether the complainant desires to have the department conduct an official investigation with monitoring by the director. If the complainant does not request a department investigation, the complaint shall be documented by the office and the information contained therein shall be available to the director for purposes of monitoring, auditing, and other oversight activities authorized under this article. Additionally, the director shall:
 - (i) Provide updates to the complainant, upon request, regarding whether an administrative investigation has commenced, is pending, or has concluded. Such updates shall not disclose any substantive information about the investigation, including its evidence, witnesses, findings, or determinations, and shall remain subject to the limitations in this article; and
 - (ii) Verify the complainant has received a closure letter from the commander at the conclusion of any investigation.
- (2) For all review requests of an internal affairs investigation previously concluded by the department, the office shall obtain a copy of the case closure letter and collect all relevant information regarding the original complaint, investigation, and reason for the review request.
- (3) For all complaints received which allege misconduct by a city employee outside the department or an employee of another law enforcement jurisdiction, the director shall provide the complainant with contact information for the agency, office, or entity who may best assist the complainant.
- (4) For all inquiries, recommendations, and comments related to the conduct, policies, practices, or procedures of the department, the office shall provide as much information as is readily known or obtain such information to provide in response.
- (5) For all compliments or commendations, the office shall collect all relevant information and provide this information to the board.
- (6) For any complaint, review request, inquiry, recommendation, comment, or compliment which is outside the scope of the board's authorized power and duties, the office shall provide the contact information for the agency, office, or entity who may best assist the individual.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-4602. Conduct of investigationsdepartment monitoring.

- (a) ~~Conduct of complaint investigations~~Referral of complaints. ~~If the~~a complainant asks that their complaint be investigated by the department, the complaint ~~will~~shall be investigated by the department with monitoring by the director. ~~When the department's investigation is concluded, the department will provide the complainant with a closure letter of its findings and the resolution of the complaint and will provide the board a summary of the department's resolution of the complaint.~~
- (b) ~~Monitoring of investigations.~~ ~~The director may actively monitor investigations of complaints of employee misconduct conducted by the department and shall have access to records and witnesses to the same extent as the department, subject to the limitations or requirements set out in this article. Such monitoring may include reviewing the investigative plan of the department, reviewing any records within the department's digital evidence management system, reviewing any pertinent law enforcement records within the department's records management system, observing any real-time interviews of witnesses with the department, reviewing any recorded interviews which the director chooses not to attend in real time, providing feedback during the interview to be relayed to department staff~~

conducting the interview, providing feedback to department staff in determining next steps in the investigative process, and reviewing facts gained from investigation. For active criminal investigations, the director shall be limited in their participation to the same extent the department is limited in its participation in such investigations. The director may monitor the department's administrative investigation of employee misconduct after the close of the active criminal investigation in the same manner as all other investigations of employee conduct handled by the department as described in this section. When monitoring department investigations, during the pendency of the investigations the director shall not disclose information about the investigation to the board, any board member, or any person other than as authorized in writing by the chief of police or the city manager.

- (c) Investigative reports. If the complainant asks that the complaint be investigated only by the board, the director shall initiate an investigation on behalf of the board. The director will provide the chief of police with enough identifying information to allow the department to give the director access to information, records and witnesses as may be relevant to the complaint. When the investigation is concluded, the director will provide the board, the complainant and the department with an investigative report that includes a summary of the circumstances of the incident(s) of alleged misconduct, the evidence related to whether there was any misconduct, and any suggested findings related to each allegation.
- (d) Conduct of incident investigations. If the board is investigating an incident, the board may request information from the department, may seek subpoenas as authorized above, and may conduct an investigation of the incident. When the investigation is concluded, the director will provide the board, the department, and (if a complaint has been filed) the complainant, with an investigative report that includes, at a minimum, a summary of the circumstances of the incident, the evidence related to whether the incident involved any police or employee misconduct, and any suggested findings related to the incident. The director may make recommendations as to whether an allegation, if substantiated, could constitute serious abuse of authority or misconduct as defined in subsection 2-453(c). The investigative report shall also be provided to any employees identified within the investigative report as having committed employee misconduct.
- (e) Duration of investigations. Investigations of complaints and incidents will be completed, and any investigative report will be submitted, within seventy five (75) days from the date the complaint is received, or the board received notice of the incident. The board may extend the seventy five day period upon request of the police chief or the director to protect an ongoing investigation or prosecution, or for other good cause, with notice to the complainant and the city manager.
- (b) Monitoring of investigations and incidents. The director may actively monitor investigations of complaints and incidents of alleged employee misconduct by the department and shall have access to records and witnesses to the same extent as the department, subject to the limitations or requirements set out in this article. Such monitoring may include:
 - (1) Reviewing the investigative plan of the department;
 - (2) Reviewing any records within the department's digital evidence management system;
 - (3) Reviewing any pertinent law enforcement records within the department's records management system;
 - (4) Observing any real-time interviews of witnesses by the department;
 - (5) Reviewing any recorded interviews; and
 - (6) Reviewing facts gained from investigation.

For active criminal investigations, the director shall be limited in participation to the same extent the department is limited in its participation in such investigations. The director may monitor the department's administrative investigation of alleged employee misconduct after the close of the active criminal investigation in the same manner as all other investigations of employee conduct handled by the department as described in this article. When monitoring department investigations, during the pendency of the investigations the director shall not disclose information about the investigation to any person other than as authorized in writing by the chief or the city manager.

- (c) Observation of internal affairs interviews. The director shall be authorized to observe real-time interviews conducted by the department as part of an administrative investigation in accordance with the board's operating procedures and the following provisions:

- (1) The commander shall notify the director, in writing, of all external complaints filed against or about department personnel immediately after receiving each such complaint, or by the next business day.
 - (2) The commander shall notify the director, in writing, of the date, time, and location of all scheduled interviews associated with the complaint. Unless exigent circumstances exist, the director shall be provided at least twenty-four (24) hours of advance notice of the interview. If, due to exigent circumstances, the director is provided with less than twenty-four (24) hours of advance notice, the commander shall include a description of such circumstances.
 - (3) If the director chooses to observe an interview, the director shall notify the commander in writing as soon as practically possible before the interview.
 - (4) The director shall be permitted to monitor the interview from a separate room, if possible, or from within the same room where the interview occurs. The director shall be able to clearly see and hear the interview as it occurs. The director shall not interfere with or interrupt the department's interview process.
 - (5) The director shall, at the conclusion of any observed interview, be afforded the ability to provide verbal feedback to the commander, and the assigned investigator if not the commander, regarding the impartiality and sufficiency of the interview conducted. Any feedback provided by the director shall be shared with the board if the investigation is reviewed by the board after the conclusion of the investigation. Nothing in this subsection shall require the Office of Internal Affairs to implement feedback provided by the director during the investigation. Any such feedback is limited to process-related observations and is not evidence or a recommendation on the merits of the complaint.
- (d) *General oversight of department operations.* In addition to the monitoring of investigations and incidents, the director may engage in ongoing monitoring and oversight activities to support and inform the functions of the board consistent with this article. The board may request the director to conduct additional monitoring or oversight activities by majority vote. The director shall report all activities conducted under this section to the board and the city manager in accordance with the information access and limitations established in Sec. 2-458 of this article.
- (1) *Director access.* The director may participate in or observe department activities, including but not limited to the following:
 - (i) Department staff meetings, command staff meetings, briefings, and roll calls;
 - (ii) Use of force review panels and similar internal conduct review processes;
 - (iii) Interviews of candidates for sworn and civilian employment with the department;
 - (iv) Department training sessions, including in-service and specialized training;
 - (v) Review of department data systems, reports, and performance metrics;
 - (vi) Review of current or proposed department policies, practices, procedures, and directives; and
 - (vii) Other activities reasonably necessary for the board to effectuate its authorized purpose under this article. The enumeration in this subsection is illustrative and not exhaustive, and shall not be construed to limit the director's access to other department activities. Access to activities under this subsection shall be limited only as provided in subsection (d)(3) or Sec. 2-458 of this article.
 - (2) *Notice.* The department shall provide the director with reasonable advance notice of the activities listed in subsection (d)(1)(i) through (vii), including the date, time, and location, sufficient to allow the director the opportunity to attend. The chief or a designee and the director may establish a standing schedule or notification protocol to satisfy this requirement.
 - (3) *Limitations on participation.* The director's participation under this section shall be in an observational and advisory capacity and shall not include authority to direct, countermand, or delay department operations or personnel decisions. The department may temporarily limit the director's access to a specific activity if the chief or a designee determines in writing that the director's presence would compromise an active criminal investigation, officer safety during a tactical operation, or a legally protected proceeding. Any such limitation shall be narrowly tailored and shall expire when the stated justification no longer applies.

- (4) Disputes. If the director is denied access to any activity under this section and the director and the chief are unable to resolve the matter through mutual consultation, the dispute shall be resolved in accordance with the procedures established in Sec. 2-458(g) of this article.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-463. Conduct of department audits.

- (a) Purpose and scope. The director may conduct retrospective audits of department patterns, practices, procedures, data, and outcomes to provide relevant information to the board to effectuate its authorized purpose and to identify systemic changes that may improve police services to the community. Audit topics may include, but are not limited to, patterns in internal affairs investigations, use of force incidents, arrests and detentions, searches and seizures, department expenditures, implementation of policies and training directives, deployment of systems and technologies, and other public-police interactions. Audits shall not be used to adjudicate individual complaints or to make findings of misconduct against individual employees, but the director may refer information discovered during an audit to the department or the city manager if it suggests conduct warranting separate review. Audits shall be conducted in accordance with the board's operating procedures, which shall include an audit manual adopted thereunder.
- (b) Initiation. An audit may be initiated by the director or by majority vote of the board. If initiated by board vote, the request shall identify the general subject matter and purpose. The director shall commence the audit within ten (10) business days or provide the board a written explanation if the audit is not feasible within the limitations of available resources, in which case the board and director shall confer to resolve scheduling or scope.
- (c) Audit plan. Prior to any collection of data or requests for department records for the purpose of an audit, the director shall prepare a written audit plan and provide a copy to the chief or a designee and to the board. The plan shall include:
- (1) The subject matter, scope, and time period to be examined;
 - (2) The categories of records, data, or other information anticipated to be necessary;
 - (3) The anticipated methodology for analysis; and
 - (4) An estimated timeline for completion.
- (d) Department cooperation. Upon receipt of the audit plan, the department shall provide records and data in accordance with this article within five (5) calendar days, designate a liaison to coordinate with the director for the duration of the audit, and make a good faith effort to respond to reasonable requests for additional records or clarification.
- (e) Audit report. Upon completion, the director shall prepare a written report and provide it to the board, the chief, and the city manager. The board shall review the report and may adopt, modify, or supplement the director's recommendations before issuing findings and recommendations pursuant to this article. The report shall include:
- (1) A description of the scope, methodology, and time period examined;
 - (2) A summary of findings, including identified patterns, trends, or areas of concern;
 - (3) Recommendations, if any, for changes to department policies, practices, procedures, training, or resource allocation; and
 - (4) Any relevant response or information provided by the department during the audit.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-464. Conduct of board reviews.

- (a) *Purpose.* The board may conduct reviews of information provided by the department, the director, and other sources to fulfill its oversight functions authorized under this article. The board's reviews are intended to provide a civilian-led perspective on department conduct and operations, grounded in objective evidence, and to serve as the basis for the findings, determinations, and recommendations issued pursuant to Sec. 2-466 of this article.
- (b) *Matters subject to review.* The board may conduct reviews of any of the following:
- (1) Internal affairs investigations, including the department's case file, investigative methodology, and resulting findings and disciplinary determinations;
 - (2) Department incidents, including use of force incidents, deaths or serious injuries of persons in custody, and other incidents identified in Sec. 2-454(b)(2) of this article;
 - (3) Audit reports prepared by the director pursuant to Sec. 2-463 of this article;
 - (4) Department policies, practices, procedures, and directives, whether existing or proposed;
 - (5) Department data, performance metrics, trends, and patterns identified through monitoring activities conducted pursuant to Sec. 2-462 of this article; or
 - (6) Any other matter within the scope of the board's authorized purpose regarding the conduct or operations of the department and department employees.
- (c) *Information provided to the board.* The director shall prepare and present to the board materials necessary to conduct a review, which may include written summaries, relevant records provided by the department subject to the limitations of Sec. 2-458 and Sec. 2-459, data analyses, research, and any other information obtained through the oversight activities authorized under this article. The director shall present information in a manner that protects personal information and maintains the confidentiality requirements established in Sec. 2-458 of this article.
- (d) *Evaluation and deliberation.* In evaluating matters under review, the board shall consider the totality of information available and shall base its findings, determinations, and recommendations on objective evidence. The board may consider any of the following in its deliberations:
- (1) Records, data, and reports provided by the department through the director;
 - (2) The director's analysis, observations, and recommendations, including information obtained through monitoring and audit activities;
 - (3) Applicable department policies, general orders, training standards, and the disciplinary matrix;
 - (4) Applicable federal, state, and local law, including constitutional standards governing law enforcement conduct;
 - (5) Published research, professional standards, and best practices in law enforcement, including guidance from professional organizations such as the National Association for Civilian Oversight of Law Enforcement;
 - (6) Testimony or written statements from subject matter experts, community members, or other persons with relevant knowledge, received during a public meeting or hearing conducted pursuant to this article;
 - (7) Comparative practices of other law enforcement agencies; and
 - (8) Any other information the board determines to be relevant and reliable.
- (e) *Standard of review.* The board shall evaluate the matters before it based on the reasonableness of the department's actions, decisions, and policies in light of the totality of the circumstances and the information available. The board's role is to provide an informed civilian assessment, not to substitute its judgment for the operational or tactical

decisions of sworn personnel. Where the board disagrees with the department's findings, determinations, or actions, the board shall articulate specific reasoning supported by the evidence and information considered.

- (f) *Department participation.* The board may request that the chief or a designee appear before the board during a review to present information, provide context, or respond to questions regarding the matter under review. Any such participation by department personnel shall be voluntary and shall not constitute a compelled statement for purposes of this article or applicable law. The board may also request written responses from the department on specific questions arising during the course of a review.
- (g) *Public participation.* The board may receive public comment relevant to a matter under review during any public meeting in accordance with the board's operating procedures. The board may establish reasonable time limits and guidelines for public comment. Public comment received by the board may be considered as part of the board's deliberations but shall not be the sole basis for any finding, determination, or recommendation.
- (h) *Procedures.* Reviews shall be conducted in accordance with the board's operating procedures, including a review manual adopted thereunder, which shall address scheduling and notice of reviews, the format for presentation of information to the board, procedures for deliberation and voting, and the documentation of the board's reasoning in support of its findings, determinations, and recommendations. All findings, determinations, recommendations, and any resulting resolutions of the board shall only be made by a majority vote of the board with an established quorum. Any portion of a review involving discussion or consideration of criminal investigative files, audit findings, or deliberations regarding police operations related to a specific complaint before the board, where the complaint involves an offense enumerated in Code of Virginia § 2.2-3711(A)(56), shall be conducted in closed session as authorized by that subdivision.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-461. Matters on which the board may conduct hearings.

- (a) *Hearings.* Hearings of the board shall be conducted in accordance with board operating procedures.
 - (1) At the conclusion of an investigation of an incident or a complaint the board may conduct a review hearing whose scope and procedures are described in the board's operating procedures. Review hearings shall be defined as any hearing conducted by the board to review the facts, issues and findings of a closure letter of the department related to an internal affairs investigation, or of an investigative report of the director related to a complaint or incident investigation.
 - (2) The board may conclude that no hearing, or a hearing only on a limited issue, is necessary to support the board's decision related to a particular complaint or incident. If so, the board may issue a report without a hearing.
- (b) *Hearing findings.* Within thirty (30) days of a review hearing of an internal affairs investigation, the board shall report their findings publicly and to the city manager, the police chief, and the complainant with respect to each allegation or issue under review as follows:
 - (1) That the board finds that the investigation of the complaint was satisfactory, and the board concurs with the findings of the investigation;
 - (2) That the board finds that the investigation of the complaint was satisfactory, but the board does not concur with the findings of the investigation, in which case the board may make recommendations to the city manager concerning disposition of the review request; or
 - (3) That the board finds that the investigation is incomplete or otherwise unsatisfactory and provides a detailed written explanation of the basis for such finding.
- (c) *Independent investigation findings.* If the board makes a finding under subsection (b)(3) above, the board may conduct an independent investigation of the matter that is the subject of the complaint. The board shall report

publicly and to the city manager, the chief of police and the complainant that the board has made one (1) of the following findings:

- (1) ~~That the board now finds that, despite the defects in the original internal affairs investigation, the board's own investigation has produced no material evidence to dispute the original findings of the internal affairs department;~~
 - (2) ~~The board's independent investigation has produced substantive new information that causes them to disagree with the findings of the internal affairs investigation. In this case, the board shall make recommendations to the city manager concerning disposition of the complaint; or~~
 - (3) ~~That despite the board's best efforts, the evidence is insufficient to allow the board to determine whether the findings of the internal affairs investigative report are correct.~~
- (d) ~~*Allegation findings.* Within thirty (30) days of a review hearing of a complaint or incident investigation, the board shall report their findings publicly and to the city manager, the police chief, and the complainant with respect to each allegation or issue under review as follows:~~
- (1) ~~That the board finds that the department employee committed misconduct;~~
 - (2) ~~That the board finds that no department employee committed misconduct; or~~
 - (3) ~~That despite the board's best efforts, the evidence is insufficient to allow the board to determine whether any department employee committed misconduct.~~

(Ord. No. O 25 142, 11-17-25)

Sec. 2-464. Board review of law enforcement policies, practices and procedures.

The board may review and make recommendations regarding policies, practices, and procedures of the department, including written policies, procedures and standing orders. The board shall present in writing its findings and recommendations with supporting rationale to the city manager and chief of police. If the department declines to implement any changes recommended by the board, the chief of police shall explain in writing, which shall be made available for public inspection, why the department declines to implement the board's recommendation, unless the board instead withdraws the recommendation based on the rationale provided. The board's withdrawal of any such recommendation shall be made available for public inspection.

(Ord. No. O 25 142, 11-17-25)

Sec. 2-465. Request a Annual reports review of police budget and expenditures.

During the city manager's preparation of a proposed city budget, the budget office shall provide the director with annual expenditure estimates and future year projections for the department, itemized to the same level of detail as provided to the city manager. The estimates shall be presented to the board by the director. The board may review the estimates and may make budgetary recommendations to the city manager ~~or~~ and to the city council during the annual budget process.

(Ord. No. O ~~25 142, 11-17-25~~ 26-XXX, 09-21-26)

Sec. 2-466. Findings, determinations, recommendations, and public reporting.

- (a) *Board outcomes.* Upon the completion of a review, audit, or other oversight activity authorized under this article, the board may, by majority vote, issue findings, determinations, recommendations, resolutions, or public reports. Any such outcome shall be issued within thirty (30) calendar days of the board's vote. All outcomes shall be released publicly in accordance with subsection (i) and shall conform to the board's operating procedures.

(b) Outcomes related to review of internal affairs investigations. Upon review of an internal affairs investigation conducted by the department, the board shall issue one of the following findings:

- (1) The board concurs with the findings and determinations provided in the internal affairs case closure letter;
- (2) The board does not concur with some or all of the findings and determinations provided in the internal affairs case closure letter and shall provide specific reasoning as to why the findings and determinations are not supported by the information reasonably available to the department; or
- (3) The board finds that the investigation is incomplete or otherwise unsatisfactory and shall provide a detailed written explanation of the basis for such finding.

In review of any investigation in which the board issues a finding under subsection (b)(2) or (b)(3), the board may include determinations regarding systemic, policy, or procedural issues with the investigation and may make recommendations to the chief and to the city manager regarding further review, corrective action, or changes to investigative practices. Any resulting determinations or recommendations related to broader policies, practices, or procedures of the department, beyond the scope of the investigative process, shall be made in accordance with Sec. 2-466(d) and (e).

(c) Outcomes related to department incidents. Upon review of an incident involving the department or actions of department employees, the board shall issue one of the following findings:

- (1) The incident does not merit a formal investigation;
- (2) The incident merits a formal investigation conducted by the department's Office of Internal Affairs with monitoring by the director, and the board shall provide specific reasoning for this finding; or
- (3) The board does not have enough relevant details about the incident to make a finding and may request additional information from the department or third parties before pursuing another review of the incident. The board, upon receiving such additional information, may determine no further review is necessary.

In review of any incident in which the board issues a finding under subsection (c)(2), the board may include determinations regarding systemic, policy, or procedural issues with the incident and may make recommendations to the chief and to the city manager regarding further review, corrective action, or changes to investigative practices related to incidents. Any resulting determinations or recommendations related to broader policies, practices, or procedures of the department, beyond the scope of the incident review, shall be made in accordance with Sec. 2-466(d) and (e).

(d) Outcomes related to disciplinary policy and application. Upon making a finding as the result of a review of an internal affairs investigation or incident, the board may issue determinations and recommendations regarding the department's disciplinary policy and its application, in a manner that protects personal information regarding identifiable employees against public disclosure and in accordance with the information access and limitations established in Sec. 2-458 and Sec. 2-459 of this article. Such recommendations may include:

- (1) Proposed amendments to the department's disciplinary matrix or any related policies, practices, or procedures that had a direct impact on the disciplinary outcome under review; or
- (2) A recommendation to the chief regarding the consistent application of disciplinary sanctions as established in department policy.

(e) Outcomes related to audits, policies, practices, and procedures. Upon board review of a completed audit conducted by the director, or a board review of department policies, practices, or procedures, the board may issue determinations, recommendations, or resolutions addressing identified patterns, trends, deficiencies, or opportunities for

improvement. Determinations and recommendations may address changes to department policies, practices, procedures, training, resource allocation, equipment, or implementation of systems and technologies.

- (f) Hearings. The board may hold public hearings to examine matters within the scope of its authorized purpose in greater depth than is afforded during regular public meetings. A hearing serves as a culminating oversight activity, drawing on the reviews, audits, and monitoring conducted under this article to develop the public record supporting the findings, determinations, recommendations, and resolutions the board may issue under this section. Hearings shall be subject to the following provisions:
- (1) Purpose and scope. A hearing may be convened by majority vote of the board to examine a specific policy, practice, procedure, pattern, trend, audit report, systemic concern, or other matter within the board's authority. A hearing shall not be convened for the purpose of adjudicating an individual complaint or incident of alleged misconduct, or for the purpose of making findings of misconduct against an identified department employee.
 - (2) Participation. The board may invite or receive participation from any of the following:
 - (i) Department representatives, including the chief or a designee, on a voluntary basis;
 - (ii) Members of the public with relevant knowledge or experience;
 - (iii) Subject matter experts, researchers, or professionals with expertise relevant to the hearing topic;
 - (iv) Representatives of community organizations, advocacy groups, or other public agencies; and
 - (v) Media representatives, for purposes of public transparency.
 - (3) Evidence and testimony. The board may receive and consider documentary evidence, data, research, written statements, and oral testimony relevant to the hearing topic. The board may exercise its subpoena authority as provided in Sec. 2-460 of this article to compel the production of records or evidence from the department, and to compel the attendance of witnesses or the production of records or evidence from third parties. The board shall not exercise its subpoena authority to compel the attendance of or any statement by an employee of the department but may request voluntary participation by the department in the proceedings.
 - (4) Procedures. Hearings shall be conducted in accordance with the board's operating procedures, including a hearing manual adopted thereunder, which shall address notice to the public, scheduling, order of proceedings, time allotments for participants, and the format for receiving evidence and testimony. All hearings shall comply with Virginia FOIA and limitations established in Sec. 2-458 and Sec. 2-459 of this article.
 - (5) Hearing outcomes. At the conclusion of a hearing, the board may issue determinations, recommendations, or resolutions in accordance with subsection (i). The director shall prepare a written summary of the hearing, including testimony received and evidence considered, which shall be included in or appended to the board's published findings.
- (g) Department response. Within thirty (30) calendar days of receiving the board's findings, determinations, or recommendations issued under this section, the chief shall provide a written response to the board, the city manager, and the city council, as applicable, indicating acceptance, partial acceptance, or declination of such board outcomes with supporting rationale specific to address the board's stated reasoning and evidence for issuing each finding, determination, or recommendation. The chief's response shall be made available for public inspection.
- (h) Follow-up. The director may conduct follow-up monitoring at reasonable intervals to assess the department's implementation of accepted recommendations by the board. The results of any follow-up monitoring shall be reported to the board and included in the office's annual report.
- (i) Public reporting. All findings, determinations, recommendations, and resolutions issued by the board under this section shall be provided to the chief and the city manager, and shall be made available for public inspection, subject

to applicable confidentiality protections and limitations of this article. When the director and chair of the board determine that an outcome has substantial relevance to matters of public policy, resource allocation, or systemic concern, such outcome shall also be provided to the city council. The director shall maintain a public record of all board outcomes issued under this section, including the department's written responses, and shall make such records accessible on the board's website.

(j) *Annual report.* Each calendar year, the director shall provide the board, the city manager, and city council with an annual report of activities conducted during the preceding calendar year. The report shall be published and made available for public inspection on or about June 1 of each year for the preceding year and shall include:

- (1) Committees appointed and their actions;
- (2) An overview of complaints and review requests received, including the number of complaints monitored, the number and content of audits conducted, the number of reviews conducted and any resulting outcomes, and the number of complaints deferred due to pending proceedings;
- (3) Proposed amendments to department policies, practices, or procedures, and whether the department implemented them;
- (4) The attendance by members of the board at public community listening sessions, community events, or other events which relate to the work of the board, including a summary of board actions or any public input and recommendations received;
- (5) Other recommendations of the board regarding policing within the city;
- (6) Training received by members of the board;
- (7) Engagement in department collaboration in fulfillment of the board's oversight mandate; and
- (8) Any other information necessary to provide an overview of board and office activities.

The board and the director may publish additional reports as deemed appropriate to provide transparency into oversight activities of the board and the office, including monthly and quarterly reports.

(k) *Legislative recommendations.* The board may make recommendations to the city council of any proposed changes in state law, for the council's consideration to include in its annual legislative program to present to the General Assembly.

(Ord. No. O-26-XXX, 09-21-26)

Sec. 2-462~~7~~. Alternative resolution.

(a) *Mediation.* The board may propose procedures for the use of mediation or other alternative dispute resolution techniques to resolve complaints against employees of the department. Such procedures shall not affect the ability of complainants to pursue remedies under other sections of this article.

(b) *Informal resolution.* At any time after receiving a complaint and before issuance of the written findings required at the conclusion of a hearing, the board and any party may propose an informal resolution within the scope of the express authority granted to the board within this article, which informal resolution may be adopted if all parties and the board agree to such a resolution. At any time, the parties may agree to refer the matter to mediation or other alternative dispute resolution methods, without prejudice to the right to have a hearing on the review request.

(a) *Informal resolution.* Upon receiving a complaint or review request, the office may, before referring a complaint to the department or initiating a formal board review, offer the complainant information or referral to appropriate resources, including department programs, other city services, or community resources that may address the complainant's concerns. Any informal resolution shall be documented by the director and reported to the board.

Nothing in this section shall prevent or discourage a complainant from filing or pursuing a formal complaint or review at any time, and the office shall inform the complainant of that right when offering informal resolution options.

- (b) Mediation and alternative dispute resolution. If the department maintains a mediation or alternative dispute resolution program, the office may inform the complainant of the availability of such program as an option. Participation in any such program shall be voluntary for all parties. A complainant's decision not to participate in mediation or alternative dispute resolution shall not affect the complainant's right to pursue remedies under other sections of this article, including a formal complaint or review request.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-463. Disciplinary recommendations.

The board shall be authorized to make disciplinary recommendations regarding department employees in a manner that protects personnel information regarding identifiable employees against public disclosure, in accordance with the operating procedures established pursuant to subsection 2-452(c) and the standard operating procedures established pursuant to subsection 2-454(a). Subject to the foregoing provisions, the following process may be used, as appropriate:

- (a) Board recommendations for discipline. Upon making a finding that a department employee has engaged in a serious breach of departmental and professional standards, the board shall meet to discuss appropriate recommendations for disciplinary action. Prior to commencement of any such disciplinary deliberations, the subject employee shall be given notice of the proceedings and of the range of disciplinary actions under consideration for recommendation, and the employee shall be offered an opportunity to be heard. If permitted by FOIA, some or all of the disciplinary hearing may be held in closed session. No department employee, and no other city employee, shall be compelled to provide statements to the board during its deliberations. Disciplinary action to be considered for recommendation by the board shall only include those specified within any applicable disciplinary matrix utilized by the department. After considering these sources of information, the board may make a disciplinary recommendation to the department.
- (b) Decline of discipline recommendations. If the board makes a disciplinary recommendation to the department, and the department declines to implement the board's disciplinary recommendations, the chief of police shall, within thirty (30) days of the board's recommendation, provide a written explanation of the reason for declining to implement the board's recommendation. This explanation shall be made available to the board, the city council, the city manager, and the public.

(Ord. No. O-25-142, 11-17-25)

Sec. 2-4668. Community engagement, legislative recommendations, and reporting.

- (a) Community engagement. The board and the director shall engage in regular community outreach and collaboration to seek the assistance and input of community members and to provide education, awareness, and guidance on policing matters. The board may host public community listening and discussion sessions regarding policing matters of pressing public concern, such as questions about transparency, availability, legitimacy, mutual respect and trust, and community safety and order. The board and the director may also host or participate in public police-community relations meetings focused on topics such as the impacts of local policing on historically disadvantaged communities that currently experience or traditionally have experienced disparate policing.
- (b) Legislative recommendations. The board may make recommendations to city council of any proposed changes in state law, for the council's consideration to include in its annual legislative program to present to the General Assembly. These recommendations shall be presented to the city attorney's office by August 15 of each year.
- (c) Reporting. Each calendar year, the director shall provide the board and city council with an annual report of activities conducted during the preceding calendar year. The report shall detail activities of the board and the office in the prior calendar year, with sections related to the appointment of committees and their actions; the establishment of any community advisory panels; an overview of complaints received during the calendar year including the number of complaints, the complaints' findings, and the number of complaints deferred due to pending proceedings; the number and outcome of any independent investigations; an overview of proposed policy recommendations and amendments to department policies and whether the recommendations and amendments were implemented by the department;

the number, type, and attendance at community listening sessions; a summary of public input and recommendations of the public during those sessions; recommendations of the board about policing within the city; and any other information necessary to provide an overview of board and office activities. The director may provide the board, city council, and the city manager additional reports as deemed appropriate by the director to provide transparency into oversight activities of the board and the office.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-46769. Board member training.

Each board member shall receive training, provided or facilitated by the director, within six (6) months of the member's appointment and every two (2) years thereafter. The training shall be consistent with the board's purpose, this article, and the board's operating procedures, and shall include, at a minimum:

- (a1) *NACOLE training.* At least once every two (2) years, and within six (6) months of any new board appointments, the director shall facilitate or provide board members with at least four (4) hours of training, ~~presented using training content from the National Association for Civilian Oversight of Law Enforcement, or a comparable professional organization~~The training shall be consistent with the board's mission, this article, and the board's operating procedures.
- (b2) *City and CPD department training.* At least once every two (2) years, and within six (6) months of any new board appointments, the city, the director, and the chief of police or their respective designees, shall facilitate or provide board members with at least two (2) hours of training or information:
 - (1i) Describing the legal and ethical obligations of members of a public board, including the need to comply with Virginia FOIA and other statutes and ordinances governing their service;
 - (2ii) Explaining police department ~~procedures~~, policies, practices, and ~~regulations~~procedures;
 - (3iii) Describing the substance of police department personnel record-keeping;
 - (4iv) Describing such other city policies, procedures, and systems relevant to the duties of the board; and
 - (5v) Explaining the board's operating procedures and code of ethics.
- (e3) *Additional training.* As needed, the board may request additional relevant training by subject matter experts on subjects that may include mental health, trauma-informed policing, civil rights and constitutional law, race and racism, community outreach, mediation, investigation, and policing practices. The board may also request opportunities for ride-along experiences with the department and participation in the Community Police Academy. The director shall facilitate or provide this training as is feasible with available funding and other relevant considerations.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Sec. 2-46870. Commendations for exceptional community service.

- (a) ~~*Soliciting public comment.* The board may solicit comments from the public concerning incidents of exceptional performance by employees of the department.~~
- (b) ~~*Exemplary employees.* The board may consult with the chief of police regarding individual employees who have made outstanding contributions exemplary of equitable, just, and professional policing.~~
- (c) ~~*Recognition of outstanding contributions.* The board may issue public citations recognizing individuals deemed to have made such contributions.~~
- (a) *Purpose.* The board recognizes that effective oversight includes acknowledging excellence in policing. Commendations issued under this section are intended to highlight conduct by department employees that exemplifies the principles of equitable, constitutional, and community-oriented policing.
- (b) *Bases for commendation.* The board may consider commendations for department employees based on any of the following:

- (1) Conduct reflecting exceptional de-escalation, crisis intervention, or resolution of volatile situations in a manner that preserved the safety and dignity of all persons involved;
- (2) Demonstrated commitment to community engagement, problem-solving, or relationship-building that has measurably strengthened trust between the department and the communities it serves;
- (3) Actions taken to identify, report, or correct deficiencies in department policies, practices, or conduct that contributed to improved accountability or public safety outcomes;
- (4) Performance during a critical incident, including life-saving actions, that demonstrated professionalism and adherence to department policy and training; or
- (5) Other conduct that the board determines to be exemplary of the principles stated in subsection (a).
- (c) Sources of information. The board may identify commendation-worthy conduct through any of the following:
 - (1) Written nominations from members of the public, provided that such nominations describe the specific conduct or incident forming the basis for the commendation;
 - (2) Information obtained by the director or the board in the course of performing oversight, audit, or review functions authorized under this article; or
 - (3) Data, reports, or records made available to the board in the ordinary course of the board's work.
- (d) Review and issuance. Before issuing a commendation, the board shall verify, to a reasonable extent using information available to the board, that the conduct forming the basis for the commendation is supported by more than a single unsubstantiated assertion. The board may consult with the chief regarding the conduct of individual employees under consideration for recognition in accordance with this section. The board may issue public citations or other forms of recognition, by majority vote, to department employees whose conduct meets the criteria in subsection (b). The board shall notify the chief and the city manager of any commendation prior to its public issuance.

(Ord. No. O-25-142, 11-17-2526-XXX, 09-21-26)

Secs. 2-46971-2-479. Reserved.

PCOB Ordinance Revision Comparison Table

Updated May 1, 2026

Includes Appendices A–C with Detailed Reasoning on Core Model Revisions

Green rows = New sections or subsections | Pink rows = Struck or relocated sections | Blue rows = High impact sections

Original Section	New Section	New Title	Summary of Change	Reasoning
450	450	Title	No change.	N/A
(New Section)	451	Definitions	Add and consolidate defined terms: (a) authorized purpose, (b) closure letter, (c) complainant, (d) complaint, (e) hearing, (f) in writing, (g) personal information, (h) records, (i) references, (j) securely retained, and (k) serious abuse of authority or misconduct (relocated from former 453(c)).	Added for organization, clarity, and to consolidate definitions throughout the ordinance into a single location. Some definitions brought over from consolidation of the SOP and MOU. Definitions (b), (c), (d), and (j) are new to the ordinance.
451	452	Police civilian oversight board established	Section renumbered. Strike 'the board' and 'within' → 'in'. Strike and replace 'by' → 'in'.	Reference to 'the board' moved to Sec. 2-451. Revision made for internal consistency.
452	453	Office of police civilian oversight established	Section renumbered. No other change.	N/A
452(a)	453(a)	Office established	Strike 'the office' and 'the department'. Capitalize "City Manager's Office". Strike and replace 'functions' → 'purpose'. Strike 'within' → 'in'.	Reference to 'the office' and 'the department' moved to Sec 2-451. Revision made for internal consistency.
452(b)	453(b)	Director	Strike and replace 'will' → 'shall'.	Revision made for internal consistency.
452(b)(1)	453(b)(1)	Director — Appointment	No change.	N/A
452(b)(2)	453(b)(2)	Director — Interview process	Strike 'director'.	Revision made to improve grammar. Struck language implied by subsection (b) title.
452(c)	453(c)	Duties of the city manager	No change.	N/A
452(c)(1)	453(c)(1)	Duties of the city manager — Operating procedures	Strike and replace consultation clause to separate into its own sentence and expand application to both establishment and amendment of procedures, and to apply to both city council and city manager actions.	Revision made to improve clarity and grammar. Ensures the consultation obligation clearly applies to all scenarios.
452(c)(2-3)	453(c)(2-3)	Duties of the city manager — Supervision; Vacancy	No change.	N/A
452(d)	453(d)	Duties of the director	No change.	N/A

Original Section	New Section	New Title	Summary of Change	Reasoning
452(d)(1)	453(d)(1)	Duties of the director — Duties	No change.	N/A
452(d)(2)	453(d)(2)	Duties of the director — Director's authority to conduct audits	Add cross-reference 'as provided in Sec. 2-463 of this article, including'. Strike and replace 'powers and duties of the board ... in this' → '... purpose of the board' and 'will' → 'shall'.	Added cross-reference ties audit authority to new dedicated audit section. Revision made for internal consistency.
452(d)(3)	453(d)(3)	Duties of the director — Director's authority to engage in oversight activities on behalf of the board	Add cross-reference 'as provided in Sec. 2-462'. Strike and replace 'powers and duties of the board ... in this article' → '... purpose of the board' and 'lawful' → 'authorized'. Strike 'outlined ... § 2-454 of'.	Added cross-reference ties oversight authority to new dedicated monitoring section. Revision made for internal consistency. Removal of specific section reference replaced with general article reference.
453	454	Powers and duties of the police civilian oversight board	Section renumbered. No other change.	N/A
453(a)	454(a)	Purpose	Rewrite. Broad trust-based purpose replaced with community focused mission language: transparency, accountability, monitoring, audit, review, with issuance of public reports on recommendations and best practices.	Rewrite based on significant Board member discussion. The existing purpose statement is general, not focused on mission objectives for the Board, and emphasized an ideal outcome rather than actionable implementation of oversight. Moves community focus to the top.
453(b)	454(b)	Powers and duties	No change.	N/A
453(b)(1)	454(b)(1)	Powers and duties (receive complaints)	Strike ', investigate and issue findings on'. Add refer-and-monitor model language.	[See Appendix A for more detailed reasoning] Revision made to remove independent investigation model language and add monitoring model component. Independent investigations are not feasible for a range of reasons, including: (1) no ability to compel officer testimony; (2) resource and staffing constraints; (3) procedures of investigations defined in VA Code, CPD General Orders, and the CPD Collective Bargaining Agreement; (4) lack of a relevant binding outcome making an independent investigation ineffective as an oversight tool.
453(b)(2)	454(b)(2)	Powers and duties (review and issue findings on incidents)	Strike and replace 'investigate' → 'review' and 'section' → 'article'. Add 'department'.	Revision made to remove independent investigation model language and add review model component.
453(b)(3)	— (Struck)	Powers and duties (recommend disciplinary action)	Strike entirely. Replace with new Sec. 2-466(d) outcome-based disciplinary application assessment and policy recommendations.	[See Appendix B for more detailed reasoning] Strike made to remove specific disciplinary recommendations regarding the misconduct of a Department employee, which is not viable for reasons detailed in struck section 2-463 below.

Original Section	New Section	New Title	Summary of Change	Reasoning
453(b)(4)	454(b)(3)	Powers and duties (review policies, practices, procedures)	Subsection renumbered. Strike and replace 'investigate' → 'review'. Add ','.	Revision made to align language to review model component. Added ',' for internal consistency of grammar.
453(b)(5)	454(b)(4)	Powers and duties (review department investigations)	Subsection renumbered. No change.	N/A
453(b)(6)	454(b)(5)	Powers and duties (review annual expenditure reports)	Strike and replace 'request' → 'review'.	Revision made to align language to review model component.
453(b)(7)	454(b)(6)	Powers and duties (make public reports)	Strike and replace 'investigations' → 'reviews'.	Revision made to align language to review model component.
453(b)(8)	454(b)(7)	Powers and duties (hold hearings and subpoena authority)	Add 'with the exception of employees of the department' re: compelled attendance. Add 'records or' in two instances.	[See Appendix C for more detailed reasoning] Addition made to align language to review model component and clarify subpoenas. Using the subpoena power to compel testimony or statements from department employees is not viable for two reasons: (1) inherent conflict between the Board's ability to compel Department employees and the Board's ability to adhere to and provide protections guaranteed to law enforcement personnel under CPD General Orders, the CPD Collective Bargaining Agreement, and VA Code; (2) under a review model, this function would be generally irrelevant as disciplinary action would have already been taken, if any.
453(b)(9)	454(b)(8)	Powers and duties (undertake other duties)	Strike 'for'. Add clause authorizing delegation of admin support, monitoring, auditing to the office.	Revision made to clarify the role of the Office and Director to act on the Board's behalf to conduct monitoring, auditing, and other oversight functions authorized by the Board's powers and duties. Specifies the Office's authority as a support and advise function for the Board.
453(c)	— (Relocated)	Definition of serious abuse of authority or misconduct	Strike entirely. Relocate to new Sec. 2-451(k).	Strike and relocate made to consolidate internal definitions.
455	455	Board membership, appointment, and terms	Add ','.	Addition made for internal consistency of grammar.
455(a)	455(a)	Objectivity	Rewrite. Reframed as appointment directive to council.	Rewrite made to convert non-operative statement of importance into an operative appointment standard, tying objectivity directly to the council's selection duty under this

Original Section	New Section	New Title	Summary of Change	Reasoning
				section. Also aligns to internal consistency of grammar.
455(b)	455(b)	Appointment process	Add 'city' and 'the city'. Add 30-day minimum application window. Strike and revise 'will' → 'shall' and 'and' → 'or'. Strike 'fair-minded and objective'.	Additions and revision made for internal consistency. Added the thirty-day application window as a response to prior inconsistencies. In summer 2025, an application window for PCOB appointments, from the time of public notice to the time of application closure, was less than two weeks. Strike made to fair and objective language as redundant to (a). The 'and' to 'or' revision is intended to clarify an applicant does not need all listed experience.
455(c)	455(c)	Board composition	Strike 'as'. Add language of conduct and board's operating procedures.	Strike made for internal consistency of grammar. Addition made to clarify where the code of ethics resides and shifts removal-for-cause framing from exhaustive ('as specified in') to illustrative ('including conduct specified in'), consistent with the existing catch-all 'other good cause' provision.
455(c)(1)	— (Struck)	Board composition (public housing or disadvantaged community seats)	Strike entirely.	Strike made for legal concern of limiting criteria.
455(c)(2)	— (Struck)	Board composition (racial or social justice seat)	Strike entirely.	Strike made for legal concern of limiting criteria.
455(c)(3)	455(c)(2)	Board composition (non-voting member with policing expertise)	Subsection renumbered. Moved from (3) to (2). No change.	N/A
455(c)(4)	455(c)(1)	Board composition (residency or employment requirement)	Subsection renumbered. Moved to (1). Rewrite: City or Albemarle County resident priority; Albemarle must be employed in or tied to city. Priority first given to city residents. Add exception for VA residents if insufficient eligible applicants after public application process.	Rewrite based on significant Board member discussion. Rewrite made to clarify priority of member appointment. Resolves a concern about priority level but ultimately does not change the impact on eligibility.
455(c)(5)	455(c)(3)	Board composition (disqualifying affiliations)	Moved from (5) to (3). Minor edits: 'council' changed to 'the city council' (2 instances); 'will' changed to 'shall.'	Grammatical and terminology consistency.
455(d)	455(d)	Terms	Revised. 3-year terms → 2-year terms. Transition clause for current members. Prospective application of composition requirements, term length, and term limit.	Term lengths have often been cited by Board members as too long. Decreases length and increases number of terms possible (4). Does not affect current member term.
455(e)	455(e)	Conflicts of interest	No change.	N/A
456	456	Meetings	No change to entire section.	N/A

Original Section	New Section	New Title	Summary of Change	Reasoning
457	457	Board legal counsel	Strike and replace investigation-oriented language ('cases, hearings, controversies') with framing that describes the board's oversight powers and duties. Also simplifies the conflict-of-interest exception.	Revision made to reframe counsel's role around the board's oversight powers and duties, retaining a catchall for other matters involving the board's interests. The closing exception is clarified.
454	458	Information access and limitations	Section renumbered. No other change.	N/A
454(a)	458(a)	Access to department information	Rewrite. Strike SOP mandate and replace with SOP language in ordinance throughout section (see below). Add 'subject to narrow limitations' framing; 'authorized powers and responsibilities' → 'authorized purpose.' Clarify confidentiality provisions found in 'this article' and 'operating procedures.'	Rewrite and revision made to remove language related to the establishment of a Standard Operating Procedure (SOP) governing access to Department information as the language of the SOP has been consolidated into the ordinance itself. Additional revisions made for internal consistency.
(New)	458(b)	Records to be routinely provided	Add from SOP. Department must provide four record types to Director within 5 days: contact letter, closure letter, 4 th Amendment Auditor report, monthly IA report.	Additions made to consolidate existing SOP with the Department into ordinance. Defines how information access is provided, allowing for the agreement to become solidified into city code, rather than an extension of it. Creates a more robust framework to support the monitor, audit, review model of oversight beyond the current Chief of Police and Department culture, which provides broad access as a current practice.
(New)	458(c)	Requests for department records	Add from SOP and new language to support monitor, audit, review model. Formal written notification process for IA reviews, policy reviews, and audits.	
(New)	458(d)	Delivery of records	Add from SOP. Include 5-day delivery; alternative timelines by agreement; vacancy provisions; dept. liaison.	
(New)	458(e)	Format of department records	Add from SOP and new language to support monitor, audit, review model. BWC and dashcam access rules; originals or exact copies; secure retention, return, destruction.	
454(b)	458(f)	Dept. info. to which the board may not have access	Subsection renumbered. Strike (b)(1) juvenile records. Revise capitalization in (f)(2) to 'Commonwealth's Attorney'. Strike in (f)(4): '(1) through (C)(6)'. Strike in (f)(5) 'police'.	Strike to (f)(1) made to align with HB1476 signed by the Governor on April 13, 2026 which now allows oversight boards like the PCOB to obtain access to juvenile records as needed for its authorized purpose. Strike in (f)(4) to align with current VA Code. Revise and strike in (f)(2) and (f)(5) for internal consistency and grammar.
454(c)	458(g)	Disputes over access	Subsection renumbered. Strike 'pursuant to section 2-459'. Add director-chief consultation, city manager informal hearing, 3-day written ruling.	Addition provides process clarity from the SOP to situations in which there is a dispute over access to Department information.
454(d)	458(h)	Confidentiality	Subsection renumbered. Adds 'personal information' to scope. Subpoints unchanged. Closing paragraph strike and revise 'relevant board procedures' → 'this article.'	Add and revision made to clarify FOIA limitation and for internal consistency.

Original Section	New Section	New Title	Summary of Change	Reasoning
(New)	458(i)	Protocols to prevent improper dissemination	Add from SOP. Four-part: unauthorized use prohibition; security measures; limited exceptions (prior disclosure, employee consent); anonymization.	Additions made to consolidate existing SOP with the Department into ordinance.
454(e)	458(j)	Records to remain department records	Subsection renumbered. Strike 'of police'; 'the' → 'department'; 'standard'. Add from SOP the FOIA response provision requiring exemption claims.	Revision made for internal consistency. Additions made to consolidate existing SOP with the Department into ordinance.
458	459	Exclusions, limitations, and suspension	Section renumbered. Strike 'Investigation e'.	Revision made to align to monitor, audit, review model of oversight.
458(a)	459(a)	Compliance	Strike and revise of investigation language and replace with general oversight language. Strike and revise article and operating procedures reference.	Revision made to align to monitor, audit, review model of oversight and for internal consistency.
458(b)	459(b)	Compelled statements	Strike ', other than by means of its subpoena powers'.	[See Appendix C for more detailed reasoning] Strike made to remove the subpoena power specifically for compelling officer testimony, which was an existing contradiction in the hearings section. Officer testimony cannot be compelled for many of the same reasons independent investigations are not feasible. Primarily, however, neither the Board nor Office can extend civil and criminal liability protections guaranteed to officers when giving a compelled statement afforded to them as part of administrative investigations.
458(c)	459(c)	Exclusions	Subsections renumbered. Strike (c)(2) 75-day bar and (c)(6) prior investigation bar. Add potential violations not listed in policy as stated in CPD GO.320.7.	Revision made to align to monitor, audit, review model of oversight. Modified the limitation of violations of policy to adopt CPD language, which could include other violations not listed.
458(d)	459(d)	Exceptions to time limits	Strike reference to (c)(2). Add 'and incidents' after 'investigations.' Revise audit reference from 'subsection 2-452(d)' to 'Sec. 2-463'.	Revision made to address item no longer relevant as original reference language was also struck above. Addition of 'incidents' aligns with review model scope. Audit cross-reference updated to new dedicated section.
458(e)	459(e)	Suspension of oversight activity	Strike 'investigations' → 'powers and duties' or 'oversight activity.' Add 'director.' Strike subpoints (1)–(2) and consolidated into single provision.	Revision made to align to monitor, audit, review model of oversight.
459	460	Subpoenas	Section renumbered. No other change.	N/A
459(a)	460(a)	Application for subpoenas	Add 'to a public hearing held in accordance with Sec. 2-466(f) of this article'. Revise 'other evidence' → 'other records or evidence.'	Revision made to tie subpoena authority for witness attendance to the new hearing framework. 'Records or evidence' aligns terminology throughout the ordinance.

Original Section	New Section	New Title	Summary of Change	Reasoning
459(b)	460(b)	Requests for access	Add language that subpoena power cannot compel Department employee attendance or statements. Strike 'witness' references.	[See Appendix C for more detailed reasoning] Revision made to clarify the subpoena power to eliminate compelling officer testimony detailed above and in the appendix.
459(c)	460(c)	Scope of subpoenas	Strike 'witnesses' references. Revised 'other evidence' → 'other records or evidence.'	Revision made to align subpoena scope to model consistency above; witness compulsion addressed separately in 460(a) and limited to non-department witnesses at public hearings.
459(d)	460(d)	Retention of subpoena records	Rewrite. Strike original provisions for digital recording of interviews and depositions, delegation of subpoena authority to director, and non-public forum requirements. Add streamlined provision: if subpoena compels production of records, the board shall make and share copies with the department.	Revision made to resolve original language tied to independent investigation model and compelled testimony framework. Now aligns with review model where subpoena authority is focused on records production.
(New Section)	460(e)	Conduct of compelled attendance by witnesses	Add three provisions for subpoenaed witness attendance at public hearings: (1) subpoena must include statement that testimony is under oath and witness has right to attorney; (2) failure to comply subjects witness to contempt; witness may petition to quash; (3) board may petition Circuit Court for enforcement.	Addition made to establish procedural safeguards and enforcement mechanisms for the board's subpoena authority over non-department witnesses at public hearings.
(New Section)	461	Intake and referrals	Add comprehensive intake process with six categories: (1) complaint referral with monitoring and complainant updates; (2) review requests of concluded IA investigations; (3) non-department/other jurisdiction referrals; (4) inquiry, recommendation, and comment responses; (5) compliment and commendation routing; (6) out-of-scope referrals.	Addition made to clarify the role of the Office regarding the intake and referral of complaints or other submissions both within and outside of the Board's jurisdiction and authority.
460	462	Conduct of department monitoring	Section renumbered. Strike 'investigations' → 'department monitoring'.	Revision made to align to monitor, audit, review model of oversight.
460(a)	462(a)	Referral of complaints	Retitle. Strike redundant case closure letter sentence. Strike and revise 'will' → 'shall'.	Revision made to align to monitor, audit, review model of oversight. Strike of second sentence due to redundancy with other content in the ordinance. Revision made for internal consistency.
460(b)	462(b)	Monitoring of investigations and incidents	Retitle. Add 'and incidents'. Monitoring items broken into (1)–(6). Strike Director feedback provisions. Strike and revise 'section' → 'article' and 'board, any board member'.	Revision made due to model application consistency and legal conflict of compelling testimony. The role of feedback is altered to a retrospective action addressed later but removed in this context because internal affairs cannot act as an agent of the PCOB or Office during the investigation itself. The ability to provide feedback is retained at a later step in the review process and no longer resides in the monitoring phase. Revision to last line because

Original Section	New Section	New Title	Summary of Change	Reasoning
				it is inconsistent with the authorized role of the Board.
(New)	462(c)	Observation of internal affairs interviews	Add from consolidated MOU. 5-part: IA notification; 24-hr notice; director notice of intent; observation logistics; post-interview feedback (non-binding).	Addition made to consolidate language from the Memorandum of Understanding (MOU) which was an offshoot policy derived from the SOP. This provides a more robust and clearer ordinance and removes the need for secondary and tertiary policies.
460(c)	— (Struck)	Investigative reports	Strike entirely.	Revision made to align to monitor, audit, review model of oversight.
(New)	462(d)	General oversight of department operations	Add director observation of meetings, briefings, UoF panels, hiring, training, data, policies. Add notice requirements, observational/advisory limits, and dispute resolution.	Revision made to clarify aspects of the monitoring role of the PCOB Office and Director, which had already been implied in the ordinance when the Director acts on behalf of the Board, but creates more robust language defining the scope of that authority.
460(d)	— (Struck)	Conduct of incident investigations	Strike entirely.	Revision made to align to monitor, audit, review model of oversight.
460(e)	— (Struck)	Duration of investigations	Strike entirely.	Revision made to align to monitor, audit, review model of oversight.
(New Section)	463	Conduct of department audits	Add (a) purpose/scope; (b) initiation; (c) audit plan; (d) dept. cooperation; (e) audit report with 4 required elements.	Addition made to clarify aspects of the auditing role of the PCOB Office and Director, which had already been implied in the ordinance when the Director acts on behalf of the Board, but create more robust language defining the scope of that authority.
(New Section)	464	Conduct of board reviews	Add (a) purpose; (b) matters subject to review; (c) information provided to the board; (d) evaluation and deliberation; (e) standard of review; (f) department participation; (g) public participation; (h) procedures.	Addition made to clarify the review authority of the Board. The existing ordinance lacked a formal delineation of the board's review authority and how it is conducted at a broad level. With emphasis on a review model, this newly added section is critical to define the scope, authority, and conduct of a board review.
461	— (Struck)	Matters on which the board may conduct hearings	Strike entirely. Hearing authority reconceived in new Sec. 2-466(f).	Strike made to consolidate remaining aspects of hearings to newly created Sec. 2-466. See below for further details to amended content.
464	— (Struck)	Board review of policies, practices, procedures	Strike entirely. Review authority reconceived in new Sec. 2-464. Conduct of board reviews.	Strike made to remove redundant and unnecessary language; replaced under newly created sections detailing the conduct of review and reporting.

Original Section	New Section	New Title	Summary of Change	Reasoning
465	465	Annual review of police budget and expenditures	Revise title only: 'Request annual reports' → 'Annual review of police budget and expenditures.' No content change.	Aligns title to review model language.
(New Section)	466	Findings, determinations, recommendations, and public reporting	Add to replace aspects of old Secs. 2-461 & 2-463. Eleven subsections: (a) outcomes framework; (b) internal affairs outcomes; (c) incident outcomes; (d) disciplinary policy outcomes; (e) audit and policy outcomes; (f) hearings; (g) department response; (h) follow-up monitoring; (i) public reporting; (j) annual report; (k) legislative recommendations.	Addition made to clarify the outcomes and public reporting of the Board and Office. The existing ordinance lacked a formal delineation of the outcomes available to the board and the reporting of such outcomes to various stakeholders. This section is added to consolidate existing language which contains this content and add a more robust framework to it for clarity of the Board's role in making findings, determinations, and recommendations. Also clarifies public reporting authority.
462	467	Alternative resolution	Section renumbered. No other changes.	N/A
462(a)	467(a)	Informal resolution	Rewrite. New early resolution: info, education, referral before formal investigation. Right to formal complaint preserved.	Rewrite made to replace existing content to allow for more realistic options for alternative resolution and moved voluntary mediation to next section.
462(b)	467(b)	Mediation and alternative dispute resolution	Rewrite. Limited to informing complainant of dept. programs. Voluntary. Non-participation protections.	Rewrite made to resolve conflict that mediation cannot be compelled by the Board, but rather an offering of CPD, if available, to which the Board or Director can refer a complainant. The Board can recommend and advocate for such a program but not compel it. Aligns language to this scope of authority.
463	— (Struck)	Disciplinary recommendations	Strike entirely. Replaced by new Sec. 2-466(d).	[See Appendix B for more detailed reasoning] Strike made to resolve existing conflict. Case-specific disciplinary recommendations are not feasible for two reasons: (1) timeline of when a case is closed and when discipline is determined by the Chief is unrealistic for the Board to meet on such short notice (by CPD policy and collective bargaining); and (2) Sec. 29.8(G) of the CPD Collective Bargaining Agreement removes Board recommendations from any appeal or grievance proceeding, limiting the role of Board input, especially in high-profile cases, and creating an appeal incentive. The replacement for this is instead focused on: (1) the application of discipline by the Chief; and (2) the Disciplinary Matrix within CPD General Orders. This has been moved to the newly created public reporting section.

Original Section	New Section	New Title	Summary of Change	Reasoning
466	468	Community engagement	Section renumbered. Title change: Strike 'legislative recommendations and reporting' and strike section (b) 'Legislative recommendations' → 2-466(k); strike (c) 'Reporting' → Sec. 2-466(j).	Revision and strike made to consolidate all reporting to one section, including annual reporting previously in this section and legislative recommendations as a product of the Board to Sec. 2-466.
467	469	Board member training	Section renumbered. No other change.	N/A
467(a)	469(a)	NACOLE training	Strike ','.	Strike made for grammatical accuracy.
467(b)	469(b)	City and department training	Strike and revise title 'City and CPD training' → 'City and department training.' Rewrite subsection (b)(2) 'Explaining police department procedures, policies, and regulations' changed to 'Explaining department policies, practices, and procedures.' Add comma.	Revision made to align terminology: 'CPD' replaced with 'department' for consistency; 'regulations' replaced with 'procedures' to match ordinance terminology throughout. 'Practices' added.
467(c)	469(c)	Additional training	No change.	N/A
468	470	Commendations for exceptional community service	Section renumbered. Rewrite all subsections: (a) purpose; (b) 5 bases for commendation; (c) 3 info sources; (d) verification/issuance procedures.	Rewrite made to clarify what constitutes a commendation and how the Board is to arrive at that conclusion.
469–2-479	471–2-479	Reserved	Renumbered.	N/A

Appendix A: Independent Investigations

Overview

The existing ordinance authorizes the Board to “receive, investigate, and issue findings on complaints” and to “investigate and issue findings on incidents.” The revised ordinance replaces this independent investigation authority with a receive-and-refer model in which complaints are routed to the Charlottesville Police Department (CPD) for internal affairs investigation, with concurrent monitoring by the Office of Police Civilian Oversight. The Board retains the authority to review completed investigations and to issue findings regarding their accuracy, completeness, and impartiality. This appendix sets forth the legal, operational, and structural reasons for this change.

1. Inability to Compel Officer Testimony

The most fundamental barrier to independent investigations is the Board’s inability to compel statements from officers of the Department. Under the current ordinance, Section 2-458(b) (renumbered 2-459(b)) expressly states that the Board may not compel a statement from any department employee. The revised ordinance strengthens this limitation by removing the prior qualifier “other than by means of its subpoena powers,” which created an internal contradiction with the practical and legal constraints on subpoena authority discussed in Appendix C.

Without compelled testimony, any independent investigation conducted by the Board would be structurally incomplete. Officers are under no obligation to participate voluntarily, and the practical likelihood of voluntary cooperation is low given the protections afforded to officers under both the Charlottesville Police Department Collective Bargaining Agreement and the Law-Enforcement Officers Procedural Guarantee Act (Virginia Code §§ 9.1-500 et seq.). An investigation that cannot obtain statements from the officers whose conduct is at issue cannot produce findings sufficient to support disciplinary action or to provide meaningful accountability.

2. Conflict with Existing Investigative Frameworks

Administrative investigations of law enforcement officer conduct are governed by multiple overlapping frameworks that define the scope, process, and protections applicable to such investigations. These include:

Virginia Code §§ 9.1-500 through 9.1-507 (Law-Enforcement Officers Procedural Guarantee Act): This chapter establishes procedural requirements for investigations that could lead to dismissal, demotion, suspension, or transfer for punitive reasons. Section 9.1-501 requires that questioning occur at a reasonable time and place, that the officer be informed of the investigating officer's identity and the nature of the investigation, and prescribes procedures for specimen collection. Section 9.1-502 requires written notice of charges and an opportunity to respond before any adverse action may be imposed. While there is an exception for law-enforcement oversight boards in Section 9.1-507(B), due to the obligations of Article Four of the CPD Collective Bargaining Agreement, independent investigation by the Board would need to comply with these procedural requirements to produce findings actionable for discipline, but the Board lacks the institutional framework to do so and lacks binding disciplinary authority.

Garrity v. New Jersey, 385 U.S. 493 (1967): Under *Garrity*, statements compelled from public employees during administrative investigations cannot be used against them in criminal proceedings. The Department's internal affairs process is structured to provide these protections as part of its administrative investigation framework. The Board has no authority to extend *Garrity* protections, meaning that any statement an officer provides to the Board, even if obtained through subpoena, could lack the evidentiary protections that would otherwise apply in an internal affairs investigation, creating both legal risk for the officer and procedural vulnerability for any resulting disciplinary action.

CPD General Orders and Collective Bargaining Agreement: The CPD's internal affairs procedures, codified in its General Orders, define the investigative process for complaints of officer misconduct. The Collective Bargaining Agreement further defines the procedural rights of officers during investigations and the disciplinary process. An independent investigation by the Board would operate outside both of these frameworks, and its findings would lack standing in any subsequent disciplinary or grievance proceeding.

3. Resource and Structural Constraints

The Board is a volunteer body that meets on a periodic basis. The existing ordinance required investigations to be completed within seventy-five days of receipt of a complaint or notice of an incident. Conducting a thorough administrative investigation within this timeline requires full-time investigative staff, access to forensic and evidentiary resources, and the capacity to schedule and conduct witness interviews on short notice. The Office of Police Civilian Oversight, while providing professional staff support to the Board, is not resourced or structured to serve as an independent investigative agency. Directing limited staff resources toward duplicative investigations that cannot produce binding outcomes diverts those resources from monitoring, auditing, and review functions that can produce systemic improvements.

4. Absence of a Binding Outcome

Even if the Board could overcome the testimony, procedural, and resource barriers described above, the findings of an independent investigation would remain advisory. Virginia Code § 9.1-601(C)(3) authorizes civilian oversight bodies to make "binding disciplinary determinations" only "concordant with any investigation conducted" and "after consultation with such officer's or employee's direct supervisor or commander." While the statute authorizes this possibility, the operational and legal constraints specific to Charlottesville, including the Collective Bargaining Agreement and the exclusive disciplinary authority of the Chief of Police, make binding determinations impracticable in practice. Section 29.8(G) of the Collective Bargaining Agreement excludes Board findings and recommendations from any grievance or dispute proceeding, further severing independent investigation findings from the disciplinary process.

5. The Review Model as a More Effective Alternative

The revised ordinance replaces independent investigations with a structured review model that leverages the Board's institutional strengths: the ability to evaluate completed investigations for thoroughness, accuracy, and impartiality; the authority to conduct audits of patterns in complaints, use of force, and other police-community interactions; and the capacity to issue public findings and recommendations that address systemic issues rather than

individual case outcomes. This model is consistent with the approach taken by several Virginia comparator jurisdictions, including Fairfax County, whose Police Civilian Review Panel reviews completed internal administrative investigations rather than conducting independent ones.

Appendix B: Disciplinary Recommendations

Overview

The existing ordinance, at Section 2-463, authorized the Board to make case-specific disciplinary recommendations regarding individual department employees following a finding of misconduct. The revised ordinance strikes this section and replaces it with a disciplinary policy outcome framework in new Section 2-466(d), which authorizes the Board to issue recommendations regarding the application of discipline by the Chief of Police and the adequacy of the Department's Disciplinary Matrix within its General Orders. This appendix sets forth the reasons for this shift from case-specific to policy-level disciplinary recommendations.

1. Exclusive Disciplinary Authority of the Chief of Police

Under Virginia law and the City of Charlottesville's municipal structure, the Chief of Police holds exclusive authority to impose discipline on department employees. Virginia Code § 15.2-1722 charges the chief of police with maintaining records related to law enforcement activity, and the Chief's disciplinary authority derives from the broader delegation of police management authority under the city's charter and municipal code. The Board's recommendations are, by their nature, advisory. The existing ordinance acknowledged this reality at Section 2-463(b), which required the Chief to provide a written explanation if declining to implement the Board's disciplinary recommendations. However, the advisory nature of these recommendations means that the process of formulating case-specific recommendations consumes significant Board time and resources for outcomes that the Chief may decline to implement without further recourse.

2. Collective Bargaining Agreement Limitations

The CPD operates under a Collective Bargaining Agreement (CBA) with its officers. Section 29.8(G) of the CBA explicitly excludes Board findings and recommendations from any appeal or grievance proceeding. This provision has two significant consequences for case-specific disciplinary recommendations:

First, it eliminates any practical weight the Board's recommendations might carry in the disciplinary process. If an officer grieves a disciplinary action, the Board's recommendation that discipline be imposed cannot be cited, referenced, or relied upon in the grievance proceeding. This creates a structural asymmetry: the Board's recommendation may prompt the Chief to impose discipline, but the recommendation itself is inadmissible in any subsequent challenge to that discipline.

Second, the exclusion creates a perverse incentive in high-profile cases. Where the Board has publicly recommended discipline, an officer may be more likely to grieve the resulting disciplinary action precisely because the Board's recommendation, which may have generated public pressure for discipline, cannot be introduced in the grievance proceeding, potentially weakening the Department's position.

3. Timeline and Operational Infeasibility

Under CPD General Orders and the Collective Bargaining Agreement, the disciplinary process operates on defined timelines following the completion of an internal affairs investigation. The Chief must make a disciplinary determination within a prescribed window from the time the complaint was received and an investigation started. The Board, as a volunteer body that meets periodically, cannot reliably convene, review an investigative file, deliberate, and issue a case-specific recommendation within the operational timelines required by the Department's disciplinary process. The existing ordinance's requirement that the Board provide notice to the subject employee and offer an opportunity to be heard prior to deliberation further extends the timeline.

In practice, this means the Board's recommendation would frequently arrive after the Chief has already made a disciplinary determination, rendering the recommendation moot.

4. Confidentiality Constraints on Public Accountability

Case-specific disciplinary recommendations necessarily involve identifiable employee personnel matters. Virginia Code §§ 2.2-3705.1 and 2.2-3711(A)(1) provide exemptions from public disclosure for personnel records and authorize closed sessions for discussion of specific employees' performance, but there is legal ambiguity as to whether the Board can claim this exemption without having authority over personnel decisions for Department employees. While the existing ordinance required the Board to protect personnel information against public disclosure, this requirement is in tension with the Board's core transparency function. A case-specific disciplinary recommendation that must be discussed in closed session, if allowed by law, and reported in a manner that protects employee identity provides limited public accountability value compared to a policy-level recommendation that can be fully discussed, deliberated, and reported in public.

5. The Policy-Level Alternative

The revised ordinance's approach in new Section 2-466(d) refocuses disciplinary recommendations at the policy level. Rather than recommending specific discipline for individual officers, the Board may evaluate whether discipline imposed by the Chief in a given case was consistent with the Department's Disciplinary Matrix and General Orders, and may issue recommendations regarding the adequacy and consistency of the Disciplinary Matrix itself. This approach offers several advantages:

It applies across the Department rather than to a single case, producing systemic accountability improvements. It can be conducted and reported publicly without the confidentiality constraints that attend individual personnel matters. It does not depend on meeting the compressed timelines of the case-specific disciplinary process. And its recommendations address the standards and policies that govern all future disciplinary decisions, rather than a single past decision that may already be the subject of grievance proceedings from which the Board's input is excluded.

This approach is consistent with the direction taken by comparator jurisdictions. Fairfax County's Police Civilian Review Panel does not make case-specific disciplinary recommendations; it reviews completed investigations and recommends policy changes. Arlington County's ordinance conditions disciplinary recommendations on legislative change empowering the Board to meet in closed session to discuss investigative and personnel records (Arlington County Code § 69-9(c)(vii)), effectively deferring this function pending future enabling authority provided by amended Virginia Code.

Appendix C: Subpoenas

Overview

The existing ordinance grants the Board subpoena authority pursuant to Virginia Code § 9.1-601(D), which authorizes civilian oversight bodies to apply to the circuit court for subpoenas compelling the attendance of witnesses and the production of documents after making a good faith effort to obtain voluntary cooperation. The revised ordinance retains this subpoena authority but narrows its application to exclude the compelled attendance or testimony of employees of the Department. This appendix sets forth the reasons for this limitation.

1. Conflict with Officer Procedural Protections

Using the subpoena power to compel testimony from department employees creates an inherent conflict with the procedural protections guaranteed to law enforcement officers under multiple overlapping legal frameworks:

Law-Enforcement Officers Procedural Guarantee Act (Virginia Code §§ 9.1-500 et seq.): The Act establishes specific procedural requirements for investigations of officer conduct that may lead to adverse employment actions. Section 9.1-501 prescribes the conditions under which an officer may be

questioned, including requirements regarding the time, place, and manner of questioning, and the officer's right to be informed of the investigating officer's identity and the nature of the investigation. Section 9.1-502 requires written notice of charges and an opportunity to respond before any discipline may be imposed. A Board subpoena compelling officer testimony operates outside this procedural framework. Officer statements obtained through Board subpoena, rather than through the Department's internal affairs process, would not carry the procedural protections that the Act requires for statements to be used in disciplinary proceedings.

***Garrity v. New Jersey*, 385 U.S. 493 (1967):** As discussed in Appendix A, the *Garrity* doctrine protects public employees from the use of compelled administrative statements in criminal proceedings. The Department's internal affairs process is structured to provide these protections. The Board lacks the institutional authority to extend *Garrity* protections to officers compelled to testify before it. An officer subpoenaed by the Board faces a dilemma: testimony given under subpoena may not carry *Garrity* protection, potentially exposing the officer to criminal liability based on compelled statements. This creates both a legal risk for the officer and a due process vulnerability that could undermine any subsequent disciplinary or legal proceeding.

CPD Collective Bargaining Agreement: The Collective Bargaining Agreement defines the procedural rights of officers during administrative investigations, including the right to representation, advance notice requirements, and limitations on the scope and manner of questioning. Board subpoenas directed at department employees would operate outside the CBA framework, creating a parallel process that does not afford officers the contractual protections negotiated through collective bargaining, which includes a provision in Article Four guaranteeing adherence to the forementioned Law-Enforcement Officers Procedural Guarantee Act, regardless of the exception for oversight bodies which exists in the Act.

2. Functional Irrelevance Under a Review Model

Under the revised ordinance's review model, the Board's primary function with respect to individual complaints and incidents is to review completed internal affairs investigations for accuracy, completeness, and impartiality. By the time a matter reaches the Board for review, the Department's investigation has concluded and disciplinary action, if any, has been determined by the Chief of Police. In this posture, compelling officer testimony serves limited purpose: the relevant officer statements have already been obtained through the internal affairs process under appropriate procedural protections, and those statements are available to the Board as part of the investigative file, subject to the confidentiality provisions of the ordinance.

The Board's subpoena authority remains available for its intended and effective purpose: compelling the attendance of non-department witnesses and the production of documents from third parties that the Board is unable to obtain voluntarily. This may include testimony or records from community members, businesses, or other entities relevant to the Board's review of systemic policing issues, policy evaluations, or audits. The Board's subpoena authority to obtain Department records in its possession also remains, but is a final and secondary step which can only be engaged after an initial dispute resolution process administered and determined by the Charlottesville City Manager.

3. Existing Internal Contradiction in the Ordinance

The existing ordinance contained an internal inconsistency regarding compelled officer statements. Section 2-458(b) (now renumbered 2-459(b)) stated that the Board "may not compel a statement from any department employee, other than by means of its subpoena powers." Simultaneously, the subpoena provision at Section 2-459 (now 2-460) authorized the Board to seek subpoenas for "the attendance of such witness or the production of such books, papers, and other evidence." Read together, these provisions created ambiguity about whether the Board could, in fact, compel officer testimony through subpoena, despite the express prohibition on compelled statements.

The revised ordinance resolves this contradiction by removing the subpoena qualifier from the compelled statements provision (Section 2-459(b) now states that the Board may not compel a statement from any department employee, without exception) and by adding an express exclusion in the subpoena and hearings provisions clarifying that the subpoena power and compelled attendance authority do not extend to employees of the Department.

4. Comparator Jurisdiction Approaches

The limitation on compelling officer testimony is consistent with the approach taken by comparable Virginia jurisdictions. Fairfax County's Police Civilian Review Panel bylaws expressly provide that the Panel "shall not take testimony or receive evidence" at review meetings (Fairfax County PCRP Bylaws, Article VI.F.1.(e)), relying instead on completed investigative files and presentations by department representatives.

A common recognition exists among Virginia civilian oversight bodies that compelling officer testimony raises legal and procedural complications that are best addressed through the existing internal affairs framework, with the civilian oversight body's role focused on monitoring, reviewing, and evaluating the adequacy of that framework and its outcomes.

Policy Briefing Summary

City Council



Regarding:	Resolution to Authorize a Special Exception Permit for Roof-Mounted Equipment (323 2nd Street SE)
Staff Contact(s):	Benjamin Koby, Planner II, Matthew Alfele, City Planner
Presenter:	Benjamin Koby, Planner II
Date of Proposed Action:	September 21, 2026

Issue

Consideration of SEP Application

Background / Rule

Brian Jones, with 3TWENTY3 OWNER, LLC ("Applicant"), is requesting a Special Exception Permit ("SEP") to reduce the screening requirements for roof-mounted equipment for property located at 323 2nd Street SE ("Subject Property"). Per Sec. 34- 4.7.4.C.2.a of the City's Development Code ("CDC"), roof-mounted equipment must be screened six inches (6") higher than the highest point of the equipment. This Application is to reduce the roof mounted mechanical screening requirement from the required screening six inches (6") taller than the mechanical equipment to forty-eight inches (48") in height, to match the existing parapet wall ringing the roof. The proposed mechanical equipment will be sixty-four inches (64") in height at its highest point, so screening of seventy inches (70") would be required. This Application proposes no additional screening, just to allow the existing parapet wall to function as the screening.

The subject building is nine (9) stories tall with the vertical rooftop appurtenance. Functionally, the rooftop is ten (10) stories above street level. The neighboring apartment building complexes, those who will be impacted the most, do not exceed four (4) stories in height. The new proposed mechanical equipment will be located on the northeastern corner of their building, directly abutting the railroad and their own parking lot. Considering the impact of the proposed equipment on the neighboring parcels will be negligible, there will be no adverse impact on the neighboring buildings or public realm.

Analysis

Considering the relative height of the building compared to its neighbors and the height of the equipment and parapet wall, there will be little to no impact on pedestrians or neighbors downtown. Also, there is a general benefit to allowing a new tenant to reuse an existing office space near downtown. The Staff Report presented to the Planning Commission ("PC") on August 11, 2026, can be found here:

[Link to Staff Report and Application Material](#)

The PC held a hybrid virtual and in-person regular meeting on August 11, 2026, on this matter. The PC reviewed the Application based on the standard of review under CDC Sec. 34-5.2.15 and had no concerns with the request. The PC recommended approval of the SEP with no added conditions. A link to the recording of the Meeting can be found here:

[Link to Recording of the PC Regular Meeting](#)

Financial Impact

None.

Recommendation

The PC unanimously recommended approval of the SEP. City NDS Staff also recommends approval of the SEP.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution approving the SEP requested for the Subject Property as presented."

Attachments

1. RESOLUTION - SEP-323 Second Street SE

RESOLUTION RECOMMENDING APPROVAL OF A REQUEST FOR A SPECIAL EXCEPTION PERMIT (“SEP”) FOR PROPERTY LOCATED AT 323 2nd STREET SE

WHEREAS, 323 Owner LLC (“Landowner”), is the current owner of a lot identified on 202 City Tax Map as Parcel (City Parcel Identification No. 280113001), having an area of approximately 0.73 acres (31,800 square feet); (“Subject Property”); and

WHEREAS, Landowner desires to install new mechanical equipment on the roof of the Subject Property and utilize existing screening that is insufficient under current regulations (“Project”); and

WHEREAS, therefore, the Landowner is requesting a SEP pursuant to City Code §§ 34-4.7.4.C.2. (Roof Mounted Equipment Screening) and 34-5.2.15, which states a SEP may be granted to alter physical dimensional standards; and

WHEREAS, specifically, Landowner is seeking allowance for installation of rooftop-mounted mechanical equipment by granting a modification to City Code § 34-4.7.4.C.2, reducing the required screening height from six (6) inches above the tallest point of the equipment to the height of the existing forty-eight (48)-inch parapet wall; and

WHEREAS, the Project is described in more detail within Landowner’s application materials submitted in connection with Application PL-26-0084 (“Application”), as required by City Development Code § 34-5.2.15.B.2 (collectively, "Application Materials").

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Planning Commission of the City of Charlottesville, Virginia (“PC”), upon consideration of the recommendation in the City Staff Report discussing the Application, the Application Materials, and the factors set forth within City Development Code § 34-5.2.15.D, that it finds and determines that recommending approval of the proposed SEP to the Council of the City of Charlottesville, Virginia, would serve the public necessity, convenience, general welfare, or good zoning practice; and

BE IT FINALLY RESOLVED, by the PC that it formally recommends City Council approve the Application allowing the installation of rooftop-mounted mechanical equipment by granting a modification to City Code § 34-4.7.4.C.2, reducing the required screening height from six (6) inches above the tallest point of the equipment to the height of the existing forty-eight (48)-inch parapet wall, subject to the following condition:

a. The size and location of the equipment will be consistent with the materials submitted in Applications BC-26-0035 and BC-26-0037 dated March 4th, 2026, and March 5th, 2026, respectively.

Adopted by PC
August 11, 2026



PC Clerk

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate \$200,000 in TAP Grant Funding from the Virginia Department Transportation (VDOT) Funding for the Meadowcreek Trail Project (1 of 2 readings)
Staff Contact(s):	Steven Hicks, Director of Public Works, Krisy Hammill, Director of Budget
Presenter:	Krisy Hammill, Director of Budget
Date of Proposed Action:	September 21, 2026

Issue

\$200,000 in VDOT TAP Grant Funds need to be appropriated to the Meadowcreek Trail Project

Background / Rule

The Meadowcreek Trail project provides a trail connection from Greenbrier Dr in Albemarle County to Brandywine Drive in the City of Charlottesville and includes 2 pedestrian bridges. It has been in varying stages of design for multiple years and is complicated by significant issues related to existing infrastructure and terrain. Cost escalation has been an ongoing issue for this project with multiple actions taken to secure additional funding. This action is the final step to appropriating all the sources of funding.

Analysis

The project has been funded using multiple funding sources including funding from VDOT. The total project budget is \$4.5 million which has all been previously appropriated with the exception of the \$200,000 TAP grants funds that this resolution seeks to appropriate.

Financial Impact

These additional project funds are VDOT grant funds. No new City funds are being requested.

Recommendation

Staff recommends approval of the resolution.

Recommended Motion (if Applicable)

Attachments

1. RES_Appropriate \$200,000 VDOT TAP Grant Funds to Meadowcreek



#R-__-__
RESOLUTION

**To Appropriate \$200,000 in TAP Grant Funding from the Virginia Department
of Transportation (VDOT) Funding for the Meadowcreek Trail**

WHEREAS, the City of Charlottesville, VA, was awarded \$200,000 in TAP Grant funds that was not previously appropriated as part of the total funding from the Virginia Department of Transportation (VDOT) for the Meadowcreek Trail Project;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$200,000 is hereby appropriated in the following manner:

Revenues

\$200,000	Fund 426	WBS: P-00995	G/L Account: 430120
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Expenditures

\$200,000	Fund 426	WBS: P-00995	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Virginia Department of Transportation.

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to appropriate funds from the Virginia Department of Housing and Community Development - Virginia Homeless Solutions Program - \$441,796 (1 of 2 readings)
Staff Contact(s):	Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Date of Proposed Action:	September 21, 2026

Issue

The City of Charlottesville has been awarded a grant in the amount of \$441,796 to support our Continuum of Care's homeless emergency crisis response system.

Background / Rule

The Office of Budget and Grants Management, in coordination with the Blue Ridge Area Coalition for the Homeless (B.R.A.C.H.), applied for and received a grant from the Virginia Department of Housing and Community Development (DHCD). The Virginia Homeless Solutions Program award is \$441,796 and funds are to be expended between July 1, 2026 and June 30, 2027.

Analysis

The City of Charlottesville has staff from the Office of Budget and Grants Management and the Department of Human Services serving on the B.R.A.C.H. Board of Directors. The Virginia Homeless Solutions Program (V.H.S.P.) is an important resource in our community's effort to end homelessness. Included in the amount of \$440,885 in state general funds, of which \$116,027 is for State Rapid Rehousing. The balance of the funds is split among the other eligible categories which provide service at various points along the local continuum of services:

1. Coordinated Assessment: The Haven serves as the physical front door to the homelessness system of care, using an evidence-based tool for determining priority access to available resources.
2. Emergency Low Barrier Shelter: P.A.C.E.M. provides low barrier shelter for adults using rotating local churches for support.
3. Rapid Re-housing: The Haven screens and administers rapid re-housing assistance, housing navigation, and case management services to households experiencing homelessness.
4. Targeted Prevention: The Haven administers the Targeted Prevention program, which assists households who are 14 days or less to entering homelessness either locate housing or maintain their current housing.
5. Homeless Management Information System (H.M.I.S.): B.R.A.C.H. ensures that data is entered into the H.M.I.S. system, which is a well-populated database for individuals experiencing homelessness. H.M.I.S. collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among B.R.A.C.H. Continuum of Care Service Providers expedites communication and reduces the need to interface disparate documentation systems.
6. CoC Planning (Coalition Coordination): B.R.A.C.H. provides leadership and coordination for the required local homelessness continuum of care.

7. Administration: The City of Charlottesville, as the award recipient, is eligible for administrative fee. Staff proposes that we pass these funds through to B.R.A.C.H. (as we have done in prior years) in recognition of staff time spent processing checks and managing this grant process.

Financial Impact

There is no budgetary impact for the City of Charlottesville, as this grant consists of state funds from the Virginia Department of Housing and Community Development. The match requirement is made through previously appropriated City funds awarded to B.R.A.C.H.

Recommendation

Staff recommends the appropriation of \$441,796 from DHCD's VHSP.

Staff recommends City Manager execute the VHSP Grant Agreement and subsequent amendments as necessary and applicable for the administration of the VHSP grant.

Recommended Motion (if Applicable)

I move to adopt the resolution appropriating \$441,796 from the Virginia Department of Housing and Community Development's Virginia Homeless Solutions Program.

I move to approve the City Manager's authority to execute the VHSP Grant Agreement and subsequent amendments as applicable and necessary for the administration of the VHSP grant.

Attachments

1. VHSP FY27 Resolution 441,796 State Funds
2. FY27 VHSP Grant Agreement

RESOLUTION

Appropriating Funding in the Amount of \$441,796 To Be Received from the Virginia Department of Housing and Community Development's Virginia Homeless Solutions Program

WHEREAS, The City of Charlottesville, through the Office of Budget and Grants Management has been notified that it will be awarded a grant from the Virginia Homeless Solutions Program (V.H.S.P.). of the Virginia Department of Housing and Community Development in the amount of \$441,796.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the VHSP funding the Commonwealth of Virginia, said funding, anticipated in the sum of \$441,796, is hereby appropriated in the following manner:

Revenues

\$441,796	Fund 209	Order 1900740	G/L 430110 State Grant
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Expenditures

\$441,796	Fund 209	Order 1900740	G/L 530550 Contractual Services
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BE IT FUTHER RESOLVED that this appropriation is conditioned upon receipt of \$441,796 in funds from the Virginia Department of Housing and Community Development.



VIRGINIA HOMELESS SOLUTIONS PROGRAM

Grant Agreement

Program Year 2026–2027

Grant Number: 27-VHSP-008

AGREEMENT

This Agreement, entered into on July 23, 2026, by and between the **Virginia Department of Housing and Community Development (hereinafter referred to as “DHCD”)** and **City of Charlottesville (hereinafter referred to as “Grantee”)**, establishes the terms and conditions governing the **Virginia Homeless Solutions Program (VHSP) grant for the 2026–2027 program year.**

Grant Period: July 1, 2026 – June 30, 2027

Total Award Amount: \$441,796

State General Funds Included: \$441,796

Funds may be used for outreach, emergency shelter operations, targeted prevention, rapid re-housing, centralized/coordinated entry, CoC planning, HMIS, and/or administration, as approved in the DHCD Continuum of Care (CoC) Year One Funding Request.

Rapid Re-housing Allocation

Rapid Re-housing	Allocation	Performance Period
State Rapid Re-housing	\$116,027	July 1, 2026 – June 30, 2027

I. Scope of Services

The VHSP goals are to assist households experiencing homelessness to quickly regain stability in permanent housing and to prevent households from becoming homeless. This funding will support coordinated community-based activities that are designed to reduce the overall length of homelessness in the community, the number of households becoming homeless, and the overall rate of formerly homeless households returning to homelessness.

VHSP funds may be used for one or more of the following activities as detailed in the HSNH guidelines and must coincide with the year one request submitted by the CoC/LPG lead agency and approved by DHCD:

- Outreach
- Centralized or Coordinated Assessment/Entry System
- Targeted Prevention
- Emergency Shelter Operations
- Rapid Re-housing
- CoC Planning
- HMIS
- Administration

II. Conditions

A. Service Provision

The Grantee is responsible for coordination of VHSP activities with other CoC/LPG VHSP Grantees and mainstream resources. The Grantee must assure non-duplication of services with other VHSP Grantees.

B. Reimbursement

Funds are disbursed on a reimbursement basis. Grantees must submit remittances in DHCD's CAMS and be able to provide documentation that the work, services, or cost occurred within the grant period and the expenses were paid appropriately by the Grantee.

Grantees may elect to submit remittances on a monthly or bi-monthly basis. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

Remittance Submission Schedule

Payment Period	Remittance Submission Timeframe
July 1-31, 2026	August 1-31, 2026
August 1-31, 2026	September 1-30, 2026
September 1-30, 2026	October 1-31, 2026
October 1-31, 2026	November 1-30, 2026
November 1-30, 2026	December 1-31, 2026
December 1-31, 2026	January 1-31, 2027
January 1-31, 2027	February 1-28, 2027
February 1-28, 2027	March 1-31, 2027
March 1-31, 2027	April 1-30, 2027
April 1-30, 2027	May 1-31, 2027
May 1-31, 2027	By June 5, 2027
June 1-30, 2027 (projection)	By June 5, 2027

C. Reporting

Grantees must submit reports as required by DHCD. Such reports may include, but are not limited to, outcomes and performance reports. Any required reports and their due dates will be announced by DHCD along with any relevant instruction. Submission of reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the reports.

D. Continuum of Care Participation

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional Continuum of Care or Balance of State Local Planning Groups. In addition, Grantees must assure full participation in annual point-in-time and housing inventory counts.

E. Accounting Requirements

The Grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Grantee shall record in its accounting system all grant payments received pursuant to the grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

F. DHCD Notification

Grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, Grantee must notify DHCD should any other local, federal or state agency uncover evidence of any potentially illegal act.

Grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the Grantee, the de-obligation of current funding and the preclusion of future funding.

G. Audit Requirements

All grantees, sub-grantees, CHDOs, localities, developers, or any other organizations that receive funding during a program year and/or have projects in progress are required to submit financial statements to DHCD. For further detail, please refer to DHCD Audit Policy, available through the following web address: <https://www.dhcd.virginia.gov/sites/default/files/Docx/audit-policy/dhcd-audit-policy.pdf>.

H. Suspension and Debarment

Grantees must comply with 2 CFR Part 180 regarding debarment and suspension.

I. Compliance

Grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will work with all interested parties toward the resolution of unresolved matters, where appropriate.

J. Record Maintenance

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

K. Costs Incurred Prior To Grant Agreement Execution

No costs incurred prior to the start of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD

L. Expenditure Review

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.

M. Termination or Suspension

If through any cause, the Grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

N. Subsequent Contracts

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for

which this assistance is being provided under this Agreement are carried out in accordance with the Grantee's Assurances and Certifications

O. Default

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

- (1) direct the Grantee to submit progress schedules for completing approved activities;
- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

P. Conflict of Interest

Grantees and partners must maintain written conflict of interest policies that clearly prohibit personal gain or benefit and must comply with 2 CFR 200.112 regarding conflicts of interest. Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

Q. Religious Influence

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under VHSP. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under VHSP and participation must be voluntary for program participants.

III. Additional Assurances

- A.** Grantee will give the DHCD, the Virginia State Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B.** In accordance with federal law, grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

IV. Additional Certifications

The Grantee certifies compliance with:

- i. Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;
- ii. Virginia Fair Employment Contracting Act;
- iii. Virginia Fair Housing Law (Va. Code Ann. § 36-96.1) to provide fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability.
- iv. Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
 - a. 24 CFR 100 (discriminatory conduct under Fair Housing Act);
 - b. Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);
 - c. 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
 - d. Title VIII of the Civil Rights Act of 1968, as amended, also known as the Fair Housing Act, prohibits discrimination in housing based on race, color, religion, sex, disability, familial status, or national origin.
- v. The Violence Against Women Act (VAWA), Title IV of the Violent Crime Control and Law Enforcement Act of 1994 and implementing the regulations at:
 - a. 28 CFR 90 Violence Against Women
- vi. Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:
 - a. 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
 - b. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- vii. 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);
- viii. 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);

- ix. Encourage participation of locally-owned enterprises in connection with funded activities;
- a. McKinney-Vento Homeless Assistance Program Regulations;
 - b. Anti-lobbying Certification;
 - c. Drug Free Workplace

If requested:

- A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.

All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

Signatures and Date

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

**Virginia Department of Housing and
Community Development**

City of Charlottesville

Signature: _____

Signature: _____

Printed Name/Title:

Printed Name/Title:

Sandra Powell, Sr. Deputy Director

Date: _____

Date: _____

Policy Briefing Summary

City Council



Regarding:	Resolution to appropriate State Historic Resources Grant Funds to Jefferson School African American Heritage Center - \$500,000 (1 of 2 readings)
Staff Contact(s):	Taylor Harvey-Ryan, Grants Program Manager, Krisy Hammill, Director of Budget
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Date of Proposed Action:	September 21, 2026

Issue

The City of Charlottesville has received notification of an award of \$500,000 for the Jefferson School African American Heritage Center from the Virginia Department of Historic Resources.

Background / Rule

The City of Charlottesville serves as the fiscal agent for the Jefferson School African American Heritage Center for funds from the Department of Historic Resources. We have received notice that JSAAHC has been awarded \$500,000 from DHR to support their operating cost and staffing for the Center for Local Knowledge.

Analysis

The Department of Historic Resources (DHR) is the State Historic Preservation Office of the Commonwealth. DHR fosters, encourages, and supports the stewardship and use of Virginia's significant architectural, archaeological, and historic resources as valuable assets for the economic, educational, social, and cultural benefit of citizens and communities. A significant responsibility is the administration and review of state and federal historic preservation grant programs for financial and programmatic compliance. DHR is authorized to administer state grants to non-state agencies under the Code of Virginia.

Located in the Jefferson School City Center, The Jefferson School African American Heritage Center's mission is to honor and preserve the rich heritage and legacy of the African-American community of Charlottesville-Albemarle, Virginia and to promote a greater appreciation for, and understanding of, the contributions of African Americans and peoples of the Diaspora locally, nationally and globally. The Center features a permanent historical exhibit, a rotating contemporary art gallery, and a robust calendar of events, all of which combine to highlight Charlottesville's African American history and culture of the African diaspora.

The Commonwealth of Virginia through the Department of Historic Resources will provide \$500,000 to the Jefferson School African American Heritage Center for the exclusive support of the Jefferson School African American Heritage Center Operations and Center for Local Knowledge project.

Funds will be used to support operating cost and for staffing for the Center for Local Knowledge. The JSAAHC's programs acknowledge the reciprocal relationship that give rise to local public history while emphasizing the reality that our research into our community narrative must have an impact on social change. A core purpose of the Center for Local Knowledge is to give voice to local authority by uplifting and amplifying local custodians of the history, memory and lived experiences. We understand that our past informs our present and our future. Thus, JSAAHC endeavors to make our research accessible

and useful to improving the lives of local residents while enriching the sense of place in the region and our nation.

Financial Impact

There is no budget impact to the City as these funds will be provided by the State as pass-thru funds to be distributed to JSAAHC.

Recommendation

Staff recommends the appropriation of the \$500,000 from the Department of Historic Resources to support the Jefferson School African American Heritage Center.

Recommended Motion (if Applicable)

I move to approve the resolution appropriating \$500,000 from the Department of Historic Resources to support the Jefferson School African American Heritage Center.

Attachments

1. DHR JSAAHC Resolution

RESOLUTION
Appropriating funds from the Virginia Department of Historic Resources
(DHR) for the Jefferson School African American Heritage Center
\$500,000

WHEREAS, the City of Charlottesville through the Department of Historic Resources has received a grant award of \$500,000 to be given to the Jefferson School African American Heritage Center (JSAAHC) to be used to support operating cost and for staffing for the Center for Local Knowledge.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$500,000 received from the Virginia Department of Historic Resources is hereby appropriated in the following manner:

Revenues - \$500,000

\$500,000 Fund: 209 Internal Order: 1900741 G/L Code: 430110

Expenditures - \$500,000

\$500,000 Fund: 209 Internal Order: 1900741 G/L Code: 540100

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of \$500,000 from the Virginia Department of Historic Resources.

Approved by Council

Kyna Thomas, CMC
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to appropriate funds from the Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$227,892 (1 of 2 readings)
Staff Contact(s):	Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Date of Proposed Action:	September 21, 2026

Issue

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court has received a Supreme Court of Virginia Drug Treatment Court Grant in the amount of \$227,892.00 for operations of the drug court program, which is operated by Offender Aid and Restoration (OAR). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Drug Treatment Court Docket Grant.

Background / Rule

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court has received a Supreme Court of Virginia Drug Treatment Court Grant in the amount of \$227,892.00 for operations of the drug court program, which is operated by Offender Aid and Restoration (OAR). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Drug Treatment Court Docket Grant.

Analysis

In its twenty-ninth year of operation, the Charlottesville/Albemarle Adult Recovery Court is a supervised 12 month drug treatment program that serves as an alternative to incarceration for offenders. Recovery Court is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult felony offenders with moderate to severe substance use disorders. The program uses the power of the court to assist non-violent offenders to achieve recovery through a collaborative system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The total program budget is **\$396,030** and includes three funding sources:

Supreme Court of VA - \$227,892

City of Charlottesville: \$106,139, which has already been appropriated

Albemarle County: \$61,999, which has already been appropriated

This relates to providing support for persons interacting with the legal or criminal justice system and the City of Charlottesville's priority Public Safety. Recovery Court directly affects the community by reducing recidivism among Recovery Court participants and graduates. Additionally, Recovery Court mitigates risk by reducing drug and alcohol use among program participants and graduates. Reduction of drug and alcohol use fosters participant rehabilitation, public safety, and participant accountability; all of which are factors in helping the community achieve its stated goals. Reduced recidivism results in reduced public cost associated with re-arrest and incarceration, a reduction in potential victims of crime, and overall enhanced quality of life for community residents. As the writers of the Adult Drug Court Best Practice Standards state, "Drug Courts improve communities by successfully getting justice-involved individuals clean and sober, stopping drug-related crime, reuniting broken families, ... and

preventing impaired driving” Not only is Recovery Court an effective agent of change, it is an extremely cost effective approach. Numerous meta-analyses have concluded that Recovery Courts produce an average return on investment of \$2 to \$4 for every \$1 invested. Because of the above, ensuring that the 28 year old Recovery Court program remains available to residents of the City of Charlottesville and Albemarle County will help the community achieve its goals.

The Recovery Court is a direct service provider and is engaged daily with non-violent criminal offenders with drug driven crimes who are at a high level of risk for reoffending due to active addictions and long standing patterns of criminal behavior. By collaborating with the Court system, Region Ten Community Services Board, Addiction Allies, and the Sheriff's department, the Recovery Court provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Recovery Court through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the Circuit Court. If they successfully complete the program which takes a minimum of 12 months, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Recovery Court participants return the community's investment in them by maintaining full time, tax paying employment, providing for and taking care of their children and families including paying off back child support, behaving as good role models in the community, and supporting the recovery community in Charlottesville.

Financial Impact

There is no financial impact to the City, as the required match for this grant is \$106,139 which was appropriated as a part of the Fy 2027 Council Approved Budget as a part of the City's contribution to Offender Aid and Restoration.

Recommendation

Staff recommends the appropriation of the \$227,892.00 from the Supreme Court of Virginia to support the Charlottesville/ Albemarle Adult Recovery Court.

Recommended Motion (if Applicable)

I move to approve the resolution appropriating \$227,892 from the Supreme Court of Virginia to support the Charlottesville/ Albemarle Adult Recovery Court.

Attachments

1. FY27 Adult Recovery Court Resolution

APPROPRIATION
Charlottesville/Albemarle Adult Recovery Court Grant Award
\$227,892.00

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Recovery Court Docket Grant in the amount of \$227,892 for the Charlottesville/Albemarle Recovery Court in order to fund salaries, benefits, and operating expenses; and

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

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$168,138; and

WHEREAS, the grant award covers the period July 1, 2026 through June 30, 2027.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, which the sum of \$227,892, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$227,892 Fund: 209 Internal Order: 1900739 G/L Account: 430120

Expenditures

\$227,892 Fund: 209 Internal Order: 1900739 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$227,892 from the Supreme Court of Virginia.



City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials*

9-21-2026

City Manager – Sam Sanders (he/him)

- September 9:
 - Participated in a meeting ahead of the Chamber 2 Chamber Visit scheduled for September 26-28 when a delegation for Chapel Hill-Carrboro, North Carolina will visit Charlottesville to learn about our efforts to build community.
 - Held a monthly meeting with Jeff Richardson to discuss collaborative priorities, including planning for the October 6 joint meeting with City Council and Board of Supervisors.
- September 11:
 - Met with Courtney Cacation to discuss matters of importance with the Charlottesville Albemarle Convention and Visitors Bureau.
- September 14:
 - Met with Eddie Howard to discuss community programming at Abundant Life Ministries.
 - Chief Michael Kochis was sworn in as the new Chairman of the Virginia Law Enforcement Professional Standards Commission which certifies law enforcement agencies for meeting the highest standards of professionalism and service to their communities. I am proud of our chief and express my sincere congratulations to him for his steadfast leadership and commitment to serving Charlottesville with compassion.

Communications & Public Engagement (CAPE) - Director Afton Schneider (she/her)

- Rivanna Riverfront Transition:
 - CAPE provided communications support throughout the Rivanna Riverfront encampment transition, including at the Emergency Operations Center, onsite, and at 2000 Holiday Drive. CAPE continues to share updates on the City's behalf to keep the community informed.
- Community Engagement:
 - Upcoming events include a ReadyKids ribbon cutting for its new accessible playground on Friday, September 25, and the annual Loop de 'Ville Trail Fest on Sunday, September 27. CAPE is supporting communications and promotion for both events.
- Crisis Communications:
 - CAPE staff will participate in a crisis communications simulation this week to strengthen coordination and preparedness for future emergencies.
- Employee Recognition:
 - Congratulations to Multimedia Coordinator Remy Trail, one of eight employees selected for a Thrive! Award. Remy was recognized for exemplifying the City's core value of collaboration.

- **Multimedia:**
 - Recent filming and editing included the CFD Recruit Academy Graduation, Chamber Economic Forum, On the Spot with SROs, City Hall Selfie Day, NextGen Trades Day, a 2000 Holiday Drive tour, Parks and Recreation quarterly update, and Loop de 'Ville preview. These and other City stories are featured on Inside Charlottesville and distributed across Charlottesville TV10 and streaming platforms.
- **Community Media Center:**
 - The Charlottesville Community Media Center supported livestreaming and video archival for the 25th Anniversary 9/11 Memorial Ceremony at Fontaine Fire Station. Recent community-produced programming includes Open Mic, Open Hearts, Feeling Good & Looking Great, and Excursions with Bob Bennetta. The CCMC continues to provide residents and organizations with resources to produce and share local programming.

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

- The Office of Economic Development is pleased to welcome Roberta Pomponio to the team as the City's new Talent Network Coordinator. Working within the new Cville Talent Network, Roberta will engage with jobseekers and employers to help make career connections that will provide meaningful employment opportunities for residents while helping our businesses access the talent they need to continue growing in Charlottesville. She will be one of the primary points-of-contact through the Cville Talent Network's "no wrong door" approach, providing navigation and connection assistance with other partners as needed.
- A Charlottesville resident, Roberta comes to the City with a background in public education and extensive experience working in private sector workforce development and training. We look forward to the community having an opportunity to meet Roberta and engage with her during one of our upcoming networking and open house style events. In the meantime, feel free to reach out to her at pomponior@charlottesville.gov or 434-970-3009.

City Treasurer – Jason Vandever (he/him)

- The Treasurer's Office is wrapping up zone parking permit renewals, which were due on September 1. The biggest upcoming project will be real estate and personal property tax billing in October, which will be due December 5. The Treasurer's Office would like to encourage residents to enroll in e-billing by visiting www.charlottesville.gov/753/Pay to ensure timely receipt of tax bills. It's free and easy to use! Taxpayers can contact the Treasurer's Office at citytreas@charlottesville.gov or 434-970-3146 for help.

Commissioner of Revenue – Todd Divers (he/him)

- The Personal Property Tax team is working to close the fall supplement related to tax years 2026, 2025, 2024, and 2023. Bills are projected to be in the mail in the first or second week of October.
- Beginning this past weekend on September 20 through Wednesday, September 23 the City of Charlottesville will be hosting the 107th annual conference of the Commissioners of the Revenue Association of Virginia at the UVA Guesthouse Hotel and Conference Center. The Association holds a conference in a different region of the Commonwealth annually for the purpose of education, discussion of significant issues, and election of officers. The event culminates on Tuesday evening with the annual banquet and Installation of officers where Charlottesville Commissioner Todd Divers will be sworn in as the Association President.

Budget & Grants Management – Director Krisy Hammill (she/her)

- The FY 2028 budget season has begun. Departments began developing and submitting their budget proposals on September 1. Capital Improvement Program (CIP) budget requests are due October 2, while operating budget requests are due October 18. Meetings between departments, the City Manager, and the Budget Team are scheduled throughout November. City Council will receive additional information about the FY 2028 budget process during the City Manager's report during the October 5 meeting.

Office of Emergency Management (OEM) – Emergency Coordinator John Oprandy (he/him)

- On September 9, OEM and its partners conducted a full-day shelter management tabletop exercise, facilitated by Virginia Department of Emergency Management (VDEM) Region 3 staff. The exercise drew strong participation across the City — the Departments of Social Services and Human Services, Parks & Recreation, OEM, the Police Department, CAPE, and Charlottesville City Schools — alongside a robust turnout from Albemarle County and key regional and community partners, including the Thomas Jefferson Planning District Commission, UVA Emergency Management, the Blue Ridge Health District, and the American Red Cross. Participants worked through a full scenario, benchmarked the response against the City's existing policies, and identified a number of corrective actions that will be captured in a final after-action report in the coming weeks.
- The Meridian Barriers approved by City Council have been delivered and received by Public Works, and deployment training has been completed. Training on writing plans that incorporate the barriers for public safety will take place in the coming weeks, and OEM remains on target to have the barriers field-deployable by December 1.

- OEM's Emergency Coordinator continues to serve on the planning team for the Virginia Unified Readiness Summit, a Commonwealth-wide working summit in Richmond on Wednesday, October 7. More than 760 preparedness leaders have registered. Rather than a conference of presentations, the day will convene leaders from across Virginia to identify practical solutions to shared communications, planning, operational capacity, and workforce challenges, with an opening charge from Governor Abigail Spanberger, regional readiness findings from Secretary of Public Safety and Homeland Security Stanley Meador, and a keynote from General Stanley McChrystal (Ret.).

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

- An energy performance improvement project to upgrade lighting in CATEC, Tall Oaks Elementary, Sunrise Elementary, Summit Elementary, and Trailblazer Elementary Schools begins this month. This will include upgrading lighting to LEDs, zoning for greater control in classrooms, and installing occupancy and dimming controls.
- LED Streetlight Upgrade Project - Progress Update:
 - The City of Charlottesville has been working with Dominion Energy to upgrade streetlights to LED lighting on major roadways across the City. Completed work includes the 250 Bypass from the Barracks Road exit to River Road, Emmet Street from Angus Road to JPA, and Ivy Road to West Main Street. 5th Street from I-64 to Preston Avenue is being scheduled for construction.
- Charlottesville's Climate Program Manager joined the Neighborhood Development Services Long-Range Planner in attending the Piedmont Region Wildfire Risk and Resilience Workshop hosted by UVA's Environmental Institute and the Pacific Northwest National Lab to learn about growing wildfire risk in the Eastern United States.
- The Water Conservation Program, in partnership with the Rivanna Stormwater Education Partnership, successfully hosted a fall rain barrel workshop in the City of Charlottesville. 15 attendees learned the importance of rain barrels and their role in reducing stormwater runoff. The City continues to offer [\\$30 rain barrel rebates](#) for installing rain barrels at their homes. A spring rain barrel workshop is being planned.
- The Water Conservation Program, in collaboration with regional partners has kicked off the 12th annual Imagine a Day without Water (IADWW) Art Contest, challenging youth to showcase the scale and impact water can have through this year's theme: "Small Drop, Big Difference." The contest is open to all youth in grades K – 12th living in the City of Charlottesville and Albemarle County. Art submissions will be accepted now through October 26. Original two-dimensional creations (including

photography) can be submitted via mail, digitally, or at Central, Northside, and Crozet Library branches. More info is at Charlottesville.gov/ArtContest.

- The Office of Sustainability attended the third annual Veg Fest and engaged over 60 attendees of the free community event. In partnership with the Local Energy Alliance Program (LEAP), staff promoted the Energy Resource Hub and enrollment in Shared Solar. Sustainability has been represented at VegFest for all three years it has been active.
- The Office of Sustainability participated in the City's Reverse Vendor Fair held on September 15. Conversations focused on what goods and services vendors offer that would align with sustainable ("green") purchasing principles (e.g., local, recycled content, recyclable or compostable, water or energy efficient, reduced packaging, eco-labeled, vegetarian options, fair trade, B-corp.).
- Sustainability staff supported LEAP on September 19 to deliver City water and energy saving resources to attendees of C'ville Sabroso, the annual Latin American culture festival.
- The Office of Sustainability will attend Charlottesville Pride on September 26 for the third year in a row and will seek input on the Climate Adaptation and Resilience Plan from attendees of the festival through various interactive activities. Programs like IADWW Art Contest, Biophilic Cities, and the City's designation as a Bee City will also be promoted.
- The Office of Sustainability will host the annual meeting of the Virginia Energy and Sustainability Peer Network (VESPN) on Thursday, September 24 and is looking forward to welcoming local government sustainability professionals from across the State to learn from one another, network, and share best practices for protecting Virginia's environment and natural resources.
- And, to wrap up the month of September, sustainability staff will attend the Rivanna River Basin Commission Annual Conference. The conference brings together technical experts, local stewards, policymakers, and community stakeholders to discuss watershed stewardship and access, share innovative approaches to protecting our waterways, and strengthen regional collaboration in support of a healthy Rivanna River Basin.

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

- During their regular meeting on August 20, Human Rights Commissioners adopted a slate of legislative recommendations for City Council's legislative agenda. The slate of recommendations was submitted to Council on August 24. At their regular meeting on September 17, Commissioners shifted their focus to developing City policy recommendations informed by community stakeholder meetings and research reports by Human Rights Interns Kattalin Bennett and Shounak Reza.

- Haadiya Ahmed will begin service as the Human Rights Policy & Impact Analyst on September 28. This role advances the work of the Office of Human Rights and Human Rights Commission by researching and compiling information regarding policy and systemic issues, proposing strategies informed by study of current trends and best practices to mitigate individual and community harms, providing administrative support to the Human Rights Commission and conducting community engagement efforts to understand current and emerging community issues related to human and civil rights.
- The Office of Human Rights currently has 26 open discrimination complaint cases: one is awaiting a response to an offer of alternative dispute resolution, seven are in the process of alternative dispute resolution, eight are under investigation, nine are under review for determination after investigation, and one was recently reopened for further investigation following a public hearing by the Commission on August 27.

Public Works – Director Steven Hicks (he/him)

- VDOT/City Project Award:
 - Public Works participated in the 2026 VTCA–VDOT Consultant Forum, focused on transportation investment, innovation, and project delivery across Virginia. The Hydraulic Road/US 29 project received the VTCA Transportation Engineering Award in the Design-Build category for projects valued between \$20 million and \$100 million. The award recognizes the significant planning, engineering, and coordination among the City, VDOT, and project partners that delivered the new US 29 pedestrian bridge, roundabout, and multimodal improvements.
- CAT Transit Bus Chargers:
 - Installation and commissioning of CAT's electric bus charging infrastructure have been completed. Dominion installed the transformer and completed the electrical, grid, and metering connections needed to place the system into operation. The new infrastructure can charge four transit buses simultaneously. Equipment to support four additional buses is on order, with underground conduit and equipment pads already in place for the future expansion.
- Snow Equipment:
 - Public Works Fleet Division will receive a new front-end loader and snow blower in November to strengthen the City's winter weather response capabilities. The additional equipment will support snow removal along priority routes and improve the department's ability to respond efficiently during significant winter weather events. More information will be provided at Council's October 5 work session on the City's Snow Operation Plan.

- ADA Transition Plan:
 - Public Works continues implementation of the City's ADA Transition Plan, with 27 new ADA-compliant curb ramps scheduled for completion along High Street between Preston Avenue and Park Avenue by the end of September. The improvements continue the City's progress toward improving accessibility and pedestrian connectivity.
- Montrose Avenue Sidewalk Connectivity:
 - Public Works' in-house concrete crew completed approximately 250 feet of new sidewalk and associated ADA ramps along Montrose Avenue between 718 and 736. The project closes an existing sidewalk gap and improves pedestrian connectivity and accessibility within the neighborhood.
- Street Paving Program:
 - Public Works continues to advance the City's annual paving program. Paving has been completed on 10th Street NW from Grady Avenue to Wertland Avenue and Paoli Street from 10th Street NW to 9th Street NW. The work supports the City's ongoing investment in maintaining roadway conditions and extending pavement life.
- Huntley Subdivision Street Acceptance:
 - Public Works has completed the remaining improvements associated with bringing the Huntley subdivision into the City's street network, including sidewalk work and paving along Huntley Avenue. The work concludes a long-standing coordination effort following challenges with the original development and allows the City to move forward with ongoing maintenance of the completed infrastructure.
- Public Works Leadership Transitions:
 - Public Works Deputy Director Michael Goddard will transition to serve as Acting Director of Neighborhood Development Services. During his tenure in Public Works, Michael has provided leadership across Capital Development and other key operational areas and has been instrumental in strengthening the City's capital improvement program and successfully delivering numerous major projects, including significant school construction projects such as the recently completed Charlottesville Middle School. He has also helped advance Public Works' strategic performance plan and strengthen the use of key performance indicators to measure progress, accountability, and service delivery. Michael's leadership, coaching and mentoring skills, and ability to bring teams together around practical solutions have been a tremendous asset to Public Works and will continue to benefit the organization in his new role.
 - City Engineer Brennen Duncan will be leaving the City to serve as Public Works Director for the City of Staunton. During his time with Charlottesville, Brennen has served in both the City Traffic Engineer and City Engineer

leadership roles and has been instrumental in reshaping the City's approach to mobility and transportation safety. He has also helped improve the development review process through a practical, solutions-oriented approach to complex engineering issues. Brennen's technical expertise, leadership, and collaborative approach will be missed, and Public Works wishes him continued success in his new leadership role.

Neighborhood Associations/Leaders Questions and Feedback (Q3 – 2026)

September 14, 2026

Barracks – Rugby

- 1) I've gotten some questions about the Barracks-Emmett streetscape Smart Scale project. It seems like maybe this has been reworked and put out for bid? Can we get more details on what the final shape of the plan looks like, the timing, and anything you know so far about detours/closures.
 - a. *The plan includes the full replacement of the traffic signal along with intersection/pedestrian improvements, paving, and marking. As of this writing, Public Works traffic engineering has not received any maintenance of traffic plans or construction schedule.*
- 2) We have a couple of households with residents who use wheelchairs. One of those households shared with us the problems they face getting around when sidewalks are consistently blocked by improperly parked (well, really carelessly dumped) Veo scooters. We pulled data from Accela (the backend that MyCville uses) and found nearly 700 reports of improperly parked scooters, and we know many are not reported. I would also note that I have seen that the city has designated some former on-street parking spaces (e.g. on West Main) as designated Veo parking spots, which seems like a great idea. Is there any chance of expanding that program (and designating some spaces along the heavier trafficked streets in/near our neighborhood)? Also, is the city holding Veo to the terms of its concession agreement and aggressively fining Veo for these infractions in line with the franchise agreement? (Note that at least one city, Ft Wayne, kicked Veo out for its refusal to rectify precisely this issue).
 - a. *City staff are working with Veo to identify additional designated parking areas, especially in areas where there has been a pattern of improper parking that is impacting the mobility of pedestrians and bicyclists. Designated parking locations along Rugby Rd, Gordon Ave, and Grady Ave will be activated this Fall, along with locations that will be added along major corridors Citywide throughout the coming year. Unlike some of the designated locations the City has installed in the past, these parking spots will not be painted, but are shown virtually in Veo's app, which means they can be more easily adjusted to address any ongoing concerns at a specific location. Veo will be responsible for instructing their users on how to park in these new designated locations and providing education and enforcement for users who are not parking properly.*

- b. *Veo has been generally responsive to any reports of improperly parked vehicles. The City has used its regulatory ability to fine Veo for not moving a reported parking violation, but this has only occurred a handful of times. The City has also requested a reduction in Veo's fleet size during periods when the local operations team was not fully staffed, to ensure that Veo could be responsive to the parking challenges.*
- 3) Some folks in the neighborhood have asked about the emergency shelter set to open at Holiday Dr. I think most everyone here recognizes the need for this shelter and understands that this is a good location for it. It is, though, closer to our neighborhood than any previous shelter and folks wanted to know who our point of contact should be if we do see problematic behavior in the neighborhood and more generally whether there is a plan to monitor and mitigate any impacts on surrounding neighborhoods.
 - a. *During the September 16 Convening Transition Update, staff will provide more information.*

Greenleaf Terrace

- 1) What is the status of the Dairy Road bridge replacement project?
 - a. *The project is anticipated to begin this winter/early spring.*
- 2) There are parts of Rugby Road between the four way stop with Gentry Lane and Dairy Road and the 250 bypass where there is serious, unchecked overgrowth of kudzu, bushes and trees right up the pavement edge and onto the powerlines. The leggy greenery forces cars further into the center of the road on those blind curves. Especially in view of the increased traffic on that road that will happen once the Dairy Road bridge replacement gets underway, does the city plan on addressing this situation? This area of citation and abatement is outside the scope of work for the Property Maintenance contractor. Work would require closing the street(s) and hiring a certified/licensed tree company (flagmen needed, etc.) to trim the vegetation away from the ROW. Currently, the City is not enforcing the removal of kudzu or other vegetation growing up into powerlines and/or on trees.
 - a. *The City maintains the sections of guardrails along that part of Rugby Road and will address the overgrown areas as soon as possible.*
- 3) Can you ask Brennen Duncan when they expect to have a follow-up meeting regarding the status of the bollards?
 - a. *The flex posts are expected to remain in place until funding is obtained to design and construct the necessary intersection improvements.*

- 4) I'm glad they put the stop signs back—I feel like that was a great improvement. I'd also like to know when the City and the community can sign off on the “quick fix” and agree on the final layout so we can move on and start advocating for the permanent solution.

a. The flex posts are expected to remain in place until funding is obtained to design and construct the necessary intersection improvements. A CIP request for these funds will be included in this year's budget but will be up to City Manager/Council to decide if it is funded.

- 5) I have citywide concerns about the quantity of young people who are renting the scooters and small bikes but do not ride them safely.
- 6) Too large of a majority of riders appear to be young people who have not yet gone through any drivers education and obviously do not know traffic rules of the road. Like right of way., who goes first at a stop. Or even if the stop truly means stop. The majority are not wearing helmets. Many are wearing sandals or flip flops.
- 7) There is a reason that motorcycle riders wear leathers and boots. A couple of Fridays ago we were driving home from a music gig at about 11:30pm. On Main and 10th we were turning left at a light onto 10th. Two young kids, maybe 10-12, dressed in black, no helmets, were stopped on the right curb. When the light changed, they crossed in front of two lanes of cars that also had a green light. They simply went first. They were lucky that the car drivers had seen them. We passed them on 10th and stopped at the light to turn left at Rose Hill from Preston. Shortly after that they showed up in the center lane of that intersection. Preston Ave is far too busy at any hour for uneducated drivers wearing black on tiny scooters to be running with car traffic without obeying traffic laws. This situation is not safe. They need to know to stay in the bike lanes, wear full reflective clothing and shoes and helmets, and have some knowledge of rules of the road. BEFORE they can rent one of those e-scooters or bikes. It is a scary situation.

a. Combined answer for 5, 6, and 7:

- i. Veo only rents their vehicles to people over the age of 18 years old. That said, City staff are aware that younger people are able to get access to scooters and e-bikes through a variety of means, whether it is a parent or relative renting a Veo scooter or it is a scooter or e-bike that is owned by the family. Making sure the young people traveling in the community are aware of the rules of the road and understand the risks of their decisions is a critical piece to making biking and walking safer for everyone. The City's Safe Routes to School program has been supporting biking education in City schools for 9 years now, providing bikes, helmets, and instructional materials for PE classes. This year, Charlottesville Middle School's PE teachers are expanding*

their biking education curriculum and creating an intramural sport club for biking, partly in response to community concerns about young people in street traffic noted here. Students around the age of the young people described in the incident on Preston Avenue will be instructed on exactly the kind of information requested and taken out on the streets of Charlottesville with their teachers to experience real world challenges of safe biking in the City.

Kellytown

- 1) Could you update us on the effort to start work on the Emmett and Barracks intersection improvement and sidewalks project? I think I saw the bids came in too high. Will there be a delay?
 - a. The project documents have been clarified for contractors and put back out for bid. We are hopeful that this next round will produce lower bid numbers with the clarifications provided.
- 2) I expect Sam or someone from the team will update us on how the opening of the low-barrier shelter has gone, but perhaps as part of that he could talk about:
 - a. will City Council consider adopting an ordinance that limits camping in public spaces in other parts of the City, or will the new restrictions only apply to the Rivanna Trail / Free Bridge area?
 - b. what is being done to make sure the new residents of the low barrier shelter can navigate this area on foot safely (in every direction, the area is surrounded by roads that are dangerous to cross).
- 3) Residents who live near the intersection of Rugby Rd / Barracks Rd / Mason Lane are concerned about speeding, especially by cars that come up Preston and drive onto Rugby Rd Extended at the Y. Cars coming up Mason Lane have nearly been hit by drivers speeding onto Rugby Rd Extended there. So have pedestrians (including kids walking to school) who come to that intersection and are squeezed onto a narrow sidewalk where vehicles sometimes misjudge how narrow it is and hit the sidewalk. Is it true, as one neighbor was told by City staff, that “there are plans for a roundabout there.” If so, when might the safety of this intersection be improved? Perhaps we can get a police car ticketing people who speed and go through red lights in the meantime.
 - a. *The signal at this location is under contract to be reconstructed, Improvements include modified traffic patterns and enhanced pedestrian accommodations.*

- 4) This is a question to Chris Gensic about the narrow steel bridge in the woods behind the YMCA. The bridge is on a spur of the Rivanna Trail and is also the main connection to the Triangle Trails, which are directional bike trails popular with kids and mountain bikers. The bridge, however, is too narrow for bikes. Riders have to dismount and roll bikes while also getting themselves over the bridge, but this is quite difficult. Is there a plan to replace this bridge with one that is wide enough for bikes and will accommodate all trail users?
- a. We recognize the importance of this bridge as a connection between the Rivanna Trail and the Triangle Trails, particularly given how frequently the area is used by cyclists, mountain bikers, children, hikers, and other trail users. We understand the concern that the existing bridge is narrow and can be difficult for cyclists to navigate safely while carrying or walking their bikes across. At this time, we will look into the condition and configuration of the bridge and assess what options may be available to address the needs of the various trail users. This will include evaluating the feasibility of replacing or modifying the bridge to provide a safer and more accessible crossing while considering site conditions, funding, environmental requirements, and the overall trail system.*
- 5) Are we still on track to pave and restripe Rose Hill next summer? I know the planning process moved along quickly but was unsure if any budget or other complications have emerged.
- a. Yes.*
- 6) Charlottesville purchased software some time ago to coordinate all traffic lights on the major corridors in the City. Is it being put to use anywhere? We do not see any evidence of coordination on Preston, for example.
- a. Yes. In some cases, it continues to be more efficient to go by a demand-based operation. The system is also used to monitor equipment failures and allows for real-time complaint investigation.*
- 7) We noticed that the County just released a benchmarks analysis of how they are doing on their Comprehensive Plan goals. Will the City do something similar, specifically in regards to the goals on creating more housing in general and affordable housing in particular? We see some updates on how much money is being spent on housing (\$10 million a year goal is being exceeded) but how many added units has this produced?
- a. The FY2026 Affordable Housing Report was presented to City Council on September 8, 2026 and is available [here](#). This report contains updates on both investments and units added and preserved.*

- 8) Does the City have plans to tackle kudzu overgrowth extending out of public lands into pedestrian and vehicle space? There is overgrowth coming out of the creek at the bottom of Rose Hill that has blocked the sidewalk, and this was reported on MyCville app a month ago. There is also kudzu and other vines growing into electricity lines and narrowing the roadway at the bottom of Rugby Rd (where it leads to the stop light at the 250 Bypass).
- a. *Property Maintenance can check for vegetation extending over the sidewalk if coming from private properties and cite accordingly. Currently, the City is not enforcing the removal of kudzu or other vegetation growing up into powerlines and/or on trees.*
 - b. *Kudzu is very difficult to control and is growing widespread throughout the City. We attempt to control it where we can on public land and in the public right-of-way. Depending on the location, the responsibility to keep it cut off the sidewalk may be with the owner of the property, and the vegetation growing onto utility poles and lines is with the utility company. We will look into the specific site on Rose Hill to determine how to address it.*
- 9) What is the status of the boarded-up construction project at 624 Booker that was shut down for being out of compliance with the old zoning code?
- a. *The property located at 624 Booker Street is currently boarded up and being monitored by the Property Maintenance Division to ensure that the property is not overgrown and remains properly secured. The future use of the property will be required to comply with the regulations set forth in the Development Code for properties zoned RN-A. No plans have currently been submitted.*
- 10) Could you tell us if there is a plan for culling deer in the Oxford Road area. We have seen more this spring and summer than we have seen in several years, almost every day or night in the last few months—although there are always a few every year. I expect the Food Bank could use more venison."
- a. *We recognize that residents have noticed a higher number of deer in the area this spring and summer. We are working closely with our deer-culling contractor to determine how we may be able to increase culling efforts in the Oxford Road area. There is parkland nearby, including Greenleaf and the Meadow Creek Gardens and Disc Golf Course, that may provide opportunities for additional management efforts. At the same time, there are limitations to where the contractor can conduct this work. The contractor is not permitted to cull deer on private property, so we will need to look carefully at the available park property and develop a plan that is safe, responsible, and consistent with applicable requirements. The venison harvested through*

the culling program is donated to Hunters for the Hungry, which then distributes the venison on a rotating basis to local and regional food banks and community organizations, including the Blue Ridge Area Food Bank, Union Baptist Church in Yancey, and Bread of Life in Scottsville, among others. Our goal is to balance responsible wildlife management with the safety and quality of life of our residents while also supporting efforts that provide food to individuals and families in our community. We appreciate residents bringing these concerns forward and helping us identify areas where additional attention may be needed.

Fry's Spring

1. Will the City be holding Stanley Martin accountable for the release of sediment into the spring that flows specifically through City property near Azalea Park? If so, what is anticipated to be done to address erosion and sedimentation damage done to the spring and wetlands in Azalea Park? How will taxpayers' investment in the wetland be compensated? Does the wetland forebay need to be cleaned out?
 - a. *Yes, the City will be issuing a consent order (fine) for the sediment discharge. Part of the money within that consent order will be used to remediate issues at the wetland. Yes, this will include cleaning out of the forebay.*
2. What is the City's progress on securing the ROW's needed for the Stribling sidewalk project. We were told on 8/12/26 that only 2 of the 19 parcels from JPA to Huntley have reached an agreement. Has there been progress since then? What is a realistic time frame of when the project will begin?
3. What transportation opportunities are available for the elderly to get around town for appointments, etc.
 - a. *Jaunt is probably the best way.*
4. How does the City anticipate UVA's data center at Fontaine to affect City residents?

Lewis Mountain

- 1) Any updates on traffic calming on Thomson Road? What are the next steps?
 - a. *There is no active application for traffic calming on Thompson Road.*
- 2) What are the plans to manage students walking from the new private apartment building (Blume, 640 beds) and the new UVA dorm (800 beds) along Alderman Road

to the AFC, Biology and Chemistry buildings, Scott Stadium? The current sidewalk is very narrow and full of telephone poles. The cars, trucks, bikes, scooters and pedestrians share a very limited space. The cars and trucks almost always far exceed the speed limit. In a year, there will be 1500 students walking back and forth on Alderman Road. What will be done before an accident occurs?

a. Alderman Road splits jurisdiction between the City and the County just south of Thomson Road. There currently are no plans for sidewalk projects along Alderman Road. The roadway does not have a consistent width throughout the corridor. The main section with power pole obstructions is between Ivy and Kent Street where there are 8 obstructions and a 5' sidewalk. In order to widen the sidewalk or move the poles, right of way would need to be obtained.

3) Are there any regulations for cutting down trees greater than 8 inch diameter? Our tree canopy in the LMN (& all over the City) is disappearing. Re-Leaf C'ville is re-planting. Could developers/owners be required to replant a native tree for every one cut down no matter the reason? What is the disincentive for cutting a tree down? A \$50 fine is nothing to a developer.

a. A tree permit is required to cut down a tree that is more than 8 inches in diameter. The fee for the permit is \$25 before the removal and a \$50 permit fee is charged for after the fact violations. However, if a property owner refuses to get a permit, the City can take the violator to court to seek additional fines through the notice of violation process. The purpose of the tree permit is to be able to track the canopy loss so that the City can track the canopy loss. This information will help us ensure we are meeting our overall tree canopy goals. New projects that are required to go through development review must maintain at least 10% canopy coverage.

b. A tree removal permit is required for the removal of any tree within the City-limits if it is 8" or greater unless it's dead or hazardous. This permit process is administered by Neighborhood Development Services. The City of Charlottesville has little control regarding how a homeowner manages their property/landscape, and there is no current ordinance or regulation that regulates what kinds of vegetation can be grown on private property. If a project is large enough and requires a development plan and a site plan, there are detailed requirements for the type and number of trees planted. These requirements for canopy coverage are found in the City's Development Code.

4) Would the City consider offering a city-wide property tax incentive (tax rebate, reduction or refund) for hiring licensed contractors to remove English ivy, porcelain

berry and poison ivy from trees which are likely to die from the proliferation of these invasive species?

- a. *A change in taxes would come from City Council and the public process required to make those changes. The problem of invasive plants is widely known on private and public property in Charlottesville, but the City does not have legal authority to control invasive plants on private property. One solution some community members have used is to organize through the Charlottesville Invasive Plant Partnership (CHIPP) which helps organize and mobilize the community to remove invasive plants in their own neighborhoods. CHIPP website: <https://linktr.ee/cvillechipp>*

- 5) The vacant lot at 111 Cameron Lane is awaiting development. The weeds & grass are out of control. It has been reported several times to the City. What can be done? It is attracting undesirable 4-legged creatures. The City claims it is a "natural habitat area" and does not meet the criteria for an overgrown or neglected lot. If there was a house on it, it would meet the criteria as "neglected". A neighbor was cited and threatened with a fine or jail time if a small pile of sticks was not removed from their property as it would "attract rodents". Yet, is an empty overgrown lot not a concern? A "natural habitat area" would seem to apply to those who purposefully plant a meadow of native plants rather than grass. Does the zoning code need to be amended?

- a. *This property has been cited and if not completed by the owner, our contractor has been instructed to cut the vegetation 3 to 4 feet back/away from the City right-of-way (ROW). The City does not maintain the cutting of overgrown on undeveloped properties (natural areas).*

- 6) The City fire marshal said he would not permit any additional parking on Cameron Lane and Bollingwood Road to accommodate the development of 111 Cameron Lane. The streets are narrow, and the fire trucks need access. Will that limit the scope of the multiple housing units proposed for that site? There is no parking planned on site. And students do have cars.

- a. *No, it would not limit the development as the new zoning code has no parking minimums.*

- 7) What is being done to enforce AirBnB regulations now that the City Council turned down the well-thought-out plan that was proposed?

- a. *The City Zoning Division is enforcing illegally operated homestays in the City. The City has contracted with the software company Granicus to help locate and track the operations of all short-term rentals in the City. 150 homestay permits have been issued this year. Letters of violation to illegal operators will*

be going out this month. If there is a complaint about a specific property, a complaint can be made through the mycville app. Use the following link to place a complaint or download the app onto your apple device:

<https://charlottesville.gov/666/Service-Request>

North Downtown

- 1) A few years ago there was on the books an ordinance that each solicitors going door to door had to be register with the police department. A criminal check would be done and if no issues came up a permit would be issue to the individual. They had to wear the permit so it was clearly visible.
 - a. We have people going door to door for Ecoshield, Brightspeed and others. In some cases they go into people backyard and even opening screen door porches.
 - b. A concern of mine beside the nuisance factor is who these people are and if they checking the property for a possible crime.
 - c. If this ordinance is still on the books who is enforcing it

Rose Hill

- 1) Over the summer I became aware of two instances where residents were cited and fined for failing to clear yard debris. In both cases (one is a friend of mine who owns a business in Rose Hill, the other a Rose Hill resident who I had not met before) the residents claim that they never received a mailed letter warning them before the City hired a contractor to remove the debris and charged the residents for the removal as well as a fine. After becoming aware of the second instance, and during my internship in the NDS Housing division, I offered to Missy Graves to design door hangers that City staff could leave at a residence in order to ensure that residents are aware of a pending action in a timely manner. I never received a response to this offer. What if any changes to the process of notifying residents about pending actions like these have been made? Has the City stepped up yard inspections and citations over the last year, or was my learning about these instances just a coincidence?
 - a. *There are now 3 inspectors able to perform this work so more proactive inspections are able to occur in addition to complaint response. At the beginning of the summer, a press release was sent to remind the community of this ordinance and information on how it is enforced.*

- 2) Is there a reason staff would prefer not to leave a simple notice at a property in addition to mailing a letter?
- a. *If property maintenance enforcement were a “complaint only” inspections system, this could potentially be possible. However, loose dogs/animals in yards, locked gates, no trespassing signs posted, etc. could put the inspectors in a potentially unsafe position. Per current City Code (for trash, weeds and unlicensed vehicles), property owners are allowed 10 days for abatement. An affidavit of mailing is signed and notarized by the NDS staff person that processes the mail.*
- 3) What is the status of the Albemarle Street sidewalk project listed on the City website (<https://charlottesville.gov/1764/Sidewalk-Priorities>)? Is there a projected start date or upcoming project milestones? Does the scope still extend from Dale to Rivanna Ave? Does the project envision sidewalk improvements on each side of the street or just one? Would street parking be added, adjusted, or subtracted after the project is complete?
- a. *The FY2027 five-year capital improvement plan budgeted funds in fiscal year 2028 (beginning July 2027) for designing around 1,300 feet of sidewalk on the northwest side of Albemarle St. Impacts to parking, utilities, and drainage will be determined through the design process.*
- 4) I recently received an email from Stony Point Development announcing a community meeting for their Dairy Central Phase 3 project. Is this meeting required as part of the Development Review process? If so, which requirement(s) is it meeting and what information is the developer required to present to the public?
- a. *Yes, a community meeting is required when project requires a Traffic Demand Management (TDM) Plan per Development Review Procedures Manual Section 5.3. A TDM Plan is required when a project proposes over 50,000 square feet of gross area per City Code Section 34-4.5.4.C.1. The purposes of the meeting are to inform and receive feedback from community members on applications for development. Per Development Review Procedures Manual Section 5.1, the applicant will attend the community meeting and present the details of the proposed application. The applicant must be prepared to explain all the details of the proposed development, and to answer questions from residents.*
- 5) After an inquiry regarding the Core Neighborhood Corridor Overlay in the context of the proposed building at 601 Albemarle St, NDS staff informed me that their interpretation of current affordability requirements means that building here in

zone CX-3 needs to provide 10% of units at 50% AMI (or pay an in-lieu fee) to achieve the bonus height of 5 stories, yet getting to 7 stories under the Overlay rules only requires those same 10% of units be rented at 60% AMI (or pay an in-lieu fee). Further, in each case, the in-lieu fee does not increase as the height of the building does, making it unlikely that a developer would choose to provide affordable units. While the in-lieu fee doesn't scale directly with building height, it does scale with the number of units. In practice, developers typically pursue additional height because it allows them to build more units, and the in-lieu fee increases as that unit count goes up. Because of this, the financial tradeoff between providing on-site affordable units and paying the fee becomes more significant as a project grows. Is City Council a) aware of these inconsistencies, and b) actively considering altering these requirements to increase in-lieu fees as bonus heights increase, c) actively considering bringing the Overlay AMI from 60% to 50%, and d) actively considering subsidizing the construction of required affordable units in Core Neighborhoods?

a. *Staff can't speak for Council's awareness or future policy direction. At this time, we're not aware of any active Council initiatives to change in-lieu fees based on building height, adjust AMI levels, or create subsidy programs for required affordable units in Core Neighborhoods.*

6) Among current projects in development, which have selected to pay an in-lieu fee and which have selected to provide affordable units?"

a. *There are currently four projects in the development review process with approved Affordable Dwelling Unit Certifications. Of those, two have elected to pay the in-lieu fee and two have elected to provide on-site affordable units.*

7) The original City Council resolution approving Dairy Central Phase 2 called for 20 affordable units. That resolution was amended the next year and the number was decreased to 15. Can staff confirm how many affordable units are currently rented at affordable levels, what level(s) those are, and why the number of affordable units was decreased? If staff knows the details on the lease terms of each unit, can they also notify Core Neighborhood leaders when an affordable unit in this or other projects is coming available to lease so we can let our residents know?

a. *The applicant originally committed to 20 units over the entire project. The Revised SUP indicated that 15 units were to be located in Phase 2 and 5 in Phase 3. There are currently 15 units rented at rates affordable to households at 80% of the area median income. Annual reporting for the project does not include detailed lease terms for individual units, but it*

does indicate whether any affordable units are vacant. When we receive notice of vacancies, we can share that information with Neighborhood Leaders so they can help connect eligible residents with available units.

Policy Briefing Summary

City Council



Regarding:	Public Hearing and Resolution for the Draft Program Year 2025-26 ("PY25") Consolidated Annual Performance and Evaluation Report ("CAPER") (2nd reading)
Staff Contact(s):	Anthony Warn, Grants Analyst, Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Anthony Warn, Grants Analyst
Date of Proposed Action:	September 21, 2026

Issue

The City of Charlottesville ("City") is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program administered by the U.S. Department of Housing and Urban Development ("HUD"). The City is also a contributing member of the Thomas Jefferson HOME Consortium ("TJHC") in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME Investments Partnership Program ("HOME") program.

Background / Rule

HUD guidance requires PJs to review and report on an annual basis progress made in the preceding program year in carrying out their strategic and annual action plans. This Consolidated Annual Performance and Evaluation Report ("CAPER") is a required element for continued participation in HUD-funded programs like CDBG & HOME. Each year, city staff and staff from the Thomas Jefferson Planning District Commission ("TJPD") collaborate to prepare the CAPER.

Analysis

During Program Year 2025-26 ("PY25"), the City awarded CDBG funds to eight (8) Charlottesville-based nonprofits in support of: two (2) economic development activities; one (1) accessibility-focused public facilities & infrastructure activity; one (1) affordable housing activity, and; three (3) public services activities. Similarly, through its participation in the HOME Consortium, the City awarded HOME funds to one (1) local nonprofit in support of income-eligible city residents and continues to work with another on refining their proposal for an affordable home rehabilitation activity. Due to the nature of the applications received for HOME funding, a small pool of HOME funds remains available to support suitable eligible activities.

The draft PY25 CAPER will be available online for a 15-day public comment period at <https://tjpd.org/our-work/thomas-jefferson-regional-home-consortium/> from September 1 through September 16, 2026, or by contacting Laurie Jean Talun, LJTalun@tjpd.org (434-422-4080), and/or Anthony Warn, warna@charlottesville.gov (434-906-2582).

Financial Impact

Approval of the CAPER does not involve the appropriation of funds from the city's General Fund. As such, no adverse impacts to the City's budget are anticipated. Rather, approval of the CAPER is an important step in ensuring the City's continued ability to participate in the CDBG and HOME programs and, by extension, the ability of our Consortium partners to participate in the HOME program as well.

Recommendation

Based on the demonstrated benefits to the Charlottesville community and to the communities served by the HOME Consortium, staff recommends that Council approve the PY25 CAPER as presented before Council.

Staff further recommends that Council establish its priorities to guide the work of the CDBG/HOME Taskforce in preparing funding recommendations for Program Year 2027-28 CDBG and HOME activities.

Recommended Motion (if Applicable)

I move that Council approve the RESOLUTION now before us to approve the Program Year 2025-26 Consolidated Annual Performance and Evaluation Report (“CAPER”).

and

I move that Council approve the RESOLUTION now before us to establish certain priorities to guide the work of the CDBG/HOME Taskforce in preparing funding recommendations for Program Year 2027-28 CDBG and HOME activities.

Attachments

1. PY25 CAPER Resolution to Approve
2. PY25 CAPER Charlottesville-TJPDC Draft
3. CDBG & HOME Proposed Council Priorities 2027-28



RESOLUTION R#-__-__

Resolution to Approve the Program Year 2025-26 ("PY25") Consolidated Annual Performance and Evaluation Report ("CAPER") for the Community Development Block Grants and HOME Investment Partnerships Programs

WHEREAS the City of Charlottesville ("City") is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program administered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS the City is a contributing member of the Thomas Jefferson HOME Consortium ("TJHC") in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME Investment Partnerships Program ("HOME"); and

WHEREAS City Council approved a 5-Year Consolidated Plan covering program years 2023-2027 at a public hearing held on May 1, 2023 (#R-23-065) and the associated 1-Year Annual Action Plan ("AAP") for PY25 at a public hearing on May 5, 2025 (#R-25-038); and

WHEREAS HUD requires all localities receiving HUD funds to report on their annual accomplishments for the prior program year through the CAPER;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlottesville, Virginia, hereby approves the city's PY25 CAPER report, as presented here before us.

Date Adopted:

Certified: _____
Clerk of Council



Thomas
Jefferson
Planning District Commission

Program Year 2025 CAPER
Consolidated Annual Performance Evaluation Report

for the

City of Charlottesville

and the

**Thomas Jefferson
HOME Consortium**



Adopted by the Thomas
Jefferson Planning District
Commission:

Adopted by Charlottesville
City Council:

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The HOME program's goals are to assist first-time homebuyers, preserve existing housing stock by rehabilitating owner-occupied homes, and develop new housing units for home ownership or rental. HOME Consortium activities are carried out through nonprofit housing foundations in the region: the Albemarle Home Improvement Program (AHIP), the Fluvanna/Louisa Housing Foundation (F/LHF), the Nelson County Community Development Foundation (NCCDF), and Skyline CAP (serving Greene County). HOME funds are often combined with other funding, extending the reach and effectiveness of the program.

The current Consolidated Plan, which is a five-year plan that consolidates CDBG and HOME Consortium activities, began in 2023. The following charts show progress made based on the initial goals set at that time.

The HOME Consortium has completed a large number of homeowner rehabilitations, and is in the process of purchasing and developing several rental units. Due to the cost of construction labor and materials, the total amount of funding is being used strategically to have the greatest impact possible, within a challenging housing and construction economy.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

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Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Energy efficiency and environmental stewardship	Affordable Housing Non-Housing Community Development		Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	500	6	1.20%			
Enhance and improve access to transportation	Non-Housing Community Development		Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	500	65	13.00%			
Ensure housing access for low income residents	Affordable Housing		Direct Financial Assistance to Homebuyers	Households Assisted	22	0	0.00%	2	0	0.00%
Ensure housing access for low income residents	Affordable Housing		Tenant-based rental assistance / Rapid Rehousing	Households Assisted	24	13	54.17%	6	0	0.00%
Expand the affordable housing stock	Affordable Housing		Rental units constructed	Household Housing Unit	37	1	2.70%	10	0	0.00%

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Expand the affordable housing stock	Affordable Housing		Homeowner Housing Added	Household Housing Unit	10	6	60.00%	2	1	50.00%
Expand the affordable housing stock	Affordable Housing		Homeowner Housing Rehabilitated	Household Housing Unit	0	19		0	19	
Foster small and local business development	Non-Housing Community Development		Businesses assisted	Businesses Assisted	40	117	292.50%			
Increase access to jobs that pay a living wage	Non-Housing Community Development		Jobs created/retained	Jobs	50	65	130.00%			
Preserve existing supply of affordable housing	Affordable Housing		Rental units rehabilitated	Household Housing Unit	1	1	100.00%	0	1	
Preserve existing supply of affordable housing	Affordable Housing		Homeowner Housing Rehabilitated	Household Housing Unit	116	41	35.34%	24	16	66.67%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0		1	153	15,300.00%

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Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	0	0		4	0	0.00%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Jobs created/retained	Jobs	0	0		13	0	0.00%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Businesses assisted	Businesses Assisted	0	0		8	7	87.50%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Housing for Homeless added	Household Housing Unit	0	0		10	0	0.00%
Strengthen living environment & expand opps	Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Other	Other	0	0				

DRAFT FOR PUBLIC COMMENT CAPER

5

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Support homeless and transition to independence	Affordable Housing Homeless		Homelessness Prevention	Persons Assisted	6	258	4,300.00%			
Support investments that aid fair housing choice	Non-Homeless Special Needs Non-Housing Community Development		Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	5	0	0.00%			
Support the expansion of mental health services	Non-Homeless Special Needs		Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	50	0	0.00%			
Support the provision of supportive housing	Affordable Housing Non-Homeless Special Needs		Other	Other	1	0	0.00%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

As in previous years, Charlottesville continues to carefully direct investments of its limited CDBG and HOME funds to address pressing needs within our community. For example, investments of our limited CDBG funds were successful in leveraging more than \$300,000 in non-federal funds, an amount equal to more than 64.53% of our total PY25 CDBG allocation.

The lack of affordable housing options, both homeownership and rental, continues to be a significant challenge for our region, as it is in most metropolitan areas across the country. Specifically, the presence of substandard housing continues to be a pressing need within our community, which we have attempted to address through, among other efforts: support for the work of the Albemarle Housing Improvement Partnership (AHIP) to provide emergency and critical rehabs for income-eligible homeowners; support for energy-efficiency upgrades for income-eligible homeowners through the Local Energy Alliance Program (LEAP) to prepare their homes for free solar panels from Dominion Energy.

In addition, we have continued to try to enlist new partners in this work and are very excited to announce that we been able to award both CDBG and HOME homeowner rehabilitation funds to a new partner, the Building Goodness Foundation (“BGF”) for the 2026-27 program year.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG	HOME
White	106	13
Black or African American	161	19
Asian	3	0
American Indian or American Native	2	0
Native Hawaiian or Other Pacific Islander	1	0
Total	273	32
Hispanic	60	0
Not Hispanic	213	32

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

With HOME funds, the HOME Consortium served a large number of individuals and households; over half of the beneficiaries identify as Black or African American.

According to Census data, approximately 11% of the population of the Charlottesville Metropolitan Statistical Area is at or below the federal poverty level. Of these, approximately: 7.5% identify as White/Not Hispanic; 26.4% identify as Black/African American; 26.7 identify as Asian; 17.5% identify as Latino/Hispanic; with the rest identifying as Other/Multiracial. In the TJPDC, non-white/other race households have low-incomes at a 22% higher rate than white households. About one third (37%) of households led by someone who identifies as white have incomes equal to or less than 80% area median income. In contrast, over half (59%) of households led by someone who identifies themselves as included in another racial group have incomes equal to or less than 80% AMI.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	445,452	171,317
HOME	public - federal	4,316,160	1,359,140

Table 3 - Resources Made Available

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
10th and Page			
Albemarle County	14	14	
City of Charlottesville	14	14	
Fifeville			
Fluvanna County	14	14	
Greene County	30	30	Greene County was the CHDO recipient this year
Louisa County	14	14	
Nelson County	14	14	
Ridge			

Table 4 – Identify the geographic distribution and location of investments

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The city also continues to work closely with its partners to utilize sources of non-federal funds that can be leveraged to support its HUD-funded activities. For example, the city awarded \$50,000 in CDBG funding to support long hoped for accessibility enhancements at the site of one of Charlottesville's oldest youth-serving nonprofits, funds which the subrecipient used to help secure private philanthropic donations well in excess of the funds awarded, resulting a greater than 1:1 leveraged match ratio. Similarly, CDBG-funded activities in PY25 leveraged more than \$580,000 in non-federal funds (or \$1.25 leveraged for each \$1 of CDBG funds utilized).

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	10,094,576
2. Match contributed during current Federal fiscal year	684,003
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	10,778,578
4. Match liability for current Federal fiscal year	339,785
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	10,438,793

Table 5 – Fiscal Year Summary - HOME Match Report

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Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Foregone Taxes, Fees, Charges	Appraised Land/Real Property	Required Infrastructure	Site Preparation, Construction Materials, Donated labor	Bond Financing	Total Match
AHIP Repair	05/04/2026	166,800	0	0	0	0	0	166,800
Habitat Core 2026	05/04/2026	286,027	0	0	0	0	0	286,027
PHA 1025 Park	05/04/2026	231,176	0	0	0	0	0	231,176

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at begin-ning of reporting period \$	Amount received during reporting period \$	Total amount expended during reporting period \$	Amount expended for TBRA \$	Balance on hand at end of reporting period \$
113,119	39,948	20,249	0	212,510

Table 7 – Program Income

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Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	Minority Business Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Contracts						
Dollar Amount	214,282	0	0	39,475	8,600	166,207
Number	19	0	0	2	1	16
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0
	Total	Women Business Enterprises	Male			
Contracts						
Dollar Amount	217,380	20,000	197,380			
Number	20	1	19			
Sub-Contracts						
Number	0	0	0			
Dollar Amount	0	0	0			

Table 8 - Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	Minority Property Owners				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 9 – Minority Owners of Rental Property

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Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition						
Parcels Acquired		0		0		
Businesses Displaced		0		0		
Nonprofit Organizations Displaced		0		0		
Households Temporarily Relocated, not Displaced		0		0		
Households Displaced	Total	Minority Property Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 10 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	43	20
Number of Special-Needs households to be provided affordable housing units	0	0
Total	43	20

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	6	0
Number of households supported through The Production of New Units	11	1
Number of households supported through Rehab of Existing Units	24	19
Number of households supported through Acquisition of Existing Units	2	0
Total	43	20

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

During this program year, the HOME Consortium continued the development of rental units, which will be completed in the coming program year. During the program year, 16 low-income households received rehabilitation of their homes, and one household purchased a unit. Due to the current cost of construction and other aspects of producing homes, this is a reasonable number of completed activities, based on the total amount of funding available.

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To complete the CDBG efforts in the Consolidated Plan, through its close partnership with TJPDC, the City continues to seek out additional opportunities to blend funding from multiple sources to deliver benefits to our community.

Discuss how these outcomes will impact future annual action plans.

We anticipate a higher rate of completed rental units in the coming year, as the result of advancements made this year in the production of the planned rental units.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	6
Low-income	3	8
Moderate-income	0	3
Total	3	17

Table 13 – Number of Households Served

Narrative Information

HOME funding is intended to assist households at various low levels of income. By assisting primarily low income and extremely low income households, funding in our region met needs for crucial home repairs, and produced one additional unit available at an affordable rent.

The challenges we have experienced related to affordable housing have informed our work in many years, notably by leading us to a renewed effort to try to help subrecipients connect to additional funding sources that can extend their impact. For example, the city is working to support subrecipients in their applications to related city programs, like the Charlottesville Affordable Housing Fund (CAHF) or funding opportunities available throughout city departments, like Economic Development of Human Services.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Blue Ridge Area Coalition for the Homeless (BRACH) Continuum of Care maintains a coordinated system of care so that homelessness in our region is rare, brief, and nonrecurring when possible. BRACH connects individuals and families experiencing homelessness to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, or service participation requirements.

A Community Case Review convenes 2 times a month to provide a problem-solving body to area providers working with individuals and families experiencing homelessness. The Community Case Review consists of a convener appointed by BRACH and staffed by representatives from anchor agencies, including PACEM, The Haven, Region Ten, On Our Own, and area Departments of Social Services. Each meeting, the Community Case Review works through the community's By-Name List of everyone known to be experiencing homelessness in the area and documents action steps aimed at quickly resolving homelessness for each person reviewed. There is now additionally a Community Case Review for chronic cases, and a separate Community Case Review for veteran cases for veterans of the military.

Particularly complex cases are referred to the Community Case Review for solution-focused discussion designed to resolve homelessness quickly and effectively. A coordinated assessment process is used to determine eligibility for available services, collect required data, and develop case plans for individuals and families experiencing homelessness. Coordinated assessment is available every day at The Haven. Households can call the Haven's Homeless Information Line (HIL) to schedule a homeless intake appointment.

BRACH homelessness service providers collect required data elements and enter data into HMIS on a weekly basis to ensure close to real-time community level data and on-time reporting to local, state and federal stakeholders.

BRACH is pairing HOME-ARP funding with capacity building funding from the City, to hire a staff member who will continue to enhance outreach beyond the urban center of the region, and also partner with SupportWorks Housing at Vista 29, to help prepare beneficiaries to live in permanent supportive housing.

BRACH, Region Ten PATH Program, and On Our Own provide street outreach to individuals and families experiencing homelessness, with a focus on those who do not have shelter, to provide them with information and access to services. Region Ten conducts in-reach with Western State Hospital to assist

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with transitions and community reintegration – clients can come to Region Ten for support. Region Ten PATH program conducts in-reach at The Haven, Mohr Center and SupportWorks Housing to engage guests in mental health treatment and care.

SupportWorks Housing provides supportive housing in the region, addressing the long-term needs of chronically homeless households and individuals. The Vista 29 project, which used HOME-ARP funds, among many other sources, has transformed a hotel into Permanent Supportive Housing, and construction is near completion.

Addressing the emergency shelter and transitional housing needs of homeless persons

Community leaders are working together to provide a year-round, overnight shelter, in partnership with multiple nonprofits and the City of Charlottesville. The City of Charlottesville continued to seek out novel ways to use HUD funding to support programs serving the area's unhoused population, such as through continued support for the Coordination of Community Service Providers work being done by a Charlottesville-based nonprofit, The Haven at First & Market.

The City of Charlottesville purchased for \$6.2MM an approximately 27,000 square foot building on 3.8 acres of land, commonly referred to as 2000 Holiday Drive, on which to develop a year-round, low-barrier overnight shelter and source of wraparound services for persons experiencing homelessness. The city also helped coordinate over the past year the work of a team of nonprofit community organizations dedicated to supporting the unhoused, including BRACH, The Haven, and PACEM, and Central Arizona Shelter Services (CASS), an experienced shelter management provider, to develop a coordinated plan to transform the property into a usable site. The City also worked closely during the program year with state legislators to secure a special appropriation of \$7MM from the Virginia General Assembly in FY27[AW3.1] to support the expansion of services for the unhoused, including \$3MM to the Salvation Army to help them expand the capacity of their high-barrier shelter and additional funds to support the rehabilitation of the 2000 Holiday Drive facility and to move work forward on preparing to provide services at the location.

The City of Charlottesville purchased a building and land to develop a year-round, low-barrier overnight shelter for people experiencing homelessness. The past year has involved a great deal of stakeholder effort to develop plans to develop the property into a usable site. Key leaders involved include City of Charlottesville staff, BRACH, The Haven, and PACEM. The City was awarded state level funding to rehabilitate the building and move forward with preparing to provide services on location.

PACEM provides a seasonal, low-barrier emergency shelter to individuals from late October to mid-April using host church sites for shelter and meals. PACEM provides coordinated assessment services to those individuals and families that seek shelter but have not completed a coordinated assessment through Coordinate Entry.

ACPS McKinney-Vento Connection (formerly Families in Crisis) provides emergency hotel/motel

vouchers to families experiencing homelessness and complete a coordinated assessment packet, and assists McKinney-Vento Coordinators in the region with addressing the needs of families identified by schools as at risk of homelessness.

Salvation Army provides high-barrier emergency shelter services year-round for individuals and families experiencing homelessness that can maintain sobriety and are looking for work or are working. Salvation Army is currently developing additional beds. The City has coordinated with Salvation Army staff to expand capacity, including coordination with the Virginia legislature to secure \$3 million, paired with \$3 million invested from the City's budget.

The Shelter for Help in Emergency (SHE) provides emergency shelter services year-round for women and children fleeing domestic violence, referred by other emergency shelters and emergency room staff.

Monticello Area Community Action Agency (MACAA) Hope House provides transitional housing and supportive services with a preference for households with children where one adult is working.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Existing rental assistance resources include Pathways through the United Way, the Network2Work Emergency Fund, The Haven, PHA eviction reduction programs, HOPWA through the Blue Ridge Health Department, the Charlottesville Supplemental Rental Assistance Program (CSRAP) through the City of Charlottesville and CRHA, the Albemarle County Emergency Relief Program (ACERP) through Albemarle County, and Housing Choice Vouchers in various counties. The Haven served 152 individuals representing 94 households during this period, using the Laura DeLapp fund.

Prevention staff at The Haven, PACEM, and McKinney Vento services in schools, coordinate activities in communication with area emergency assistance providers including Alliance for Interfaith Ministries (AIM), Pathways Fund, Love, Inc., departments of social services, and area churches whenever possible. Monthly case management is provided to develop and implement a housing stability plan.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

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The Haven provides housing navigation services through the Rapid Rehousing program to assist individuals and families experiencing homelessness to identify available low-income housing resources and negotiate leases. Rapid Rehousing Case Managers serve as a housing navigator to develop relationships with area landlords and provides education on available rental subsidy programs to housing organizations. The Haven provides rapid re-housing services to quickly connect individuals and families experiencing literal homelessness to permanent housing. Rental arrearages and utility bills may be paid if they represent an actual barrier to permanent housing. Rental subsidies may be provided to ensure housing stability. Ongoing eligibility is determined every 90 days. Monthly case management is provided to develop and implement a housing stability plan.

Region Ten operates a HUD-funded permanent supportive housing program for about 33 chronically homeless individuals. Community Case Review prioritizes the most vulnerable individuals with the longest histories of homelessness for this program when there are openings. SupportWorks Housing's The Crossings provides 30 units of permanent supportive housing for chronically homeless individuals in partnership with the Albemarle County Department of Housing and the Charlottesville Redevelopment and Housing Authority (CRHA). The Continuum of Care now includes 153 Permanent Supportive Housing beds, including 25 units that service Veterans, and 38 that are run by Region Ten and funded through HUD.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Charlottesville Redevelopment and Housing Authority (CRHA) prioritizes individuals with greatest need in our community, 40% of new admissions to public housing each year are considered “extremely low-income families.” The PHA has three self-sufficiency programs (ROSS, FSS, and Jobs Plus) that provide opportunities for residents to gain economic independence and encourage healthy living. The CRHA is also in the process of redeveloping two sites (South First Street, Phase II and Sixth Street, Phase I). The PHA anticipates developing 40-65 affordable new units with a mix of 1-5 bedroom units.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The CRHA continues to involve residents in long-term planning, self-determined programs, and site modernization via Resident Planners and the Public Housing Association of Residents (PHAR). The PHA has a housing counselor on staff that has been working with FSS participants on opportunities for homeownership. The CRHA has received down-payment assistance funds that will help these individuals in their homebuying process.

Actions taken to provide assistance to troubled PHAs

CRHA is the only PHA in the region and is not troubled.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

During the 2025-26 program year, the City of Charlottesville and its partners continued their shared work of addressing forthrightly and proactively our shared history and the resulting barriers to affordable housing through, in part, its commitment to preserve and expand affordable housing opportunities for our neighbors who need them most. For example, City Council continues its commitment of no less than \$10MM per year to support a wide range of affordable housing activities, from the construction of new units, the preservation and rehabilitation of existing units (including Kindewood, CRHA, LEAP, and Building Goodness units), to supporting a range of eviction prevention and downpayment assistance/counseling services. The city also continues to support the growth of a community land trust that can work in conjunction with our nonprofit partners as well as a targeted tax abatement strategy to further support the development of affordable housing opportunities.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

One of the biggest steps taken by the city in recent years to remove obstacles to the development of affordable housing is the development of a new, more inclusive zoning code. While great challenges in this work remain, the new zoning code, with its removal of requirements for single-family residences in all neighborhoods and features that allow developers the ability to develop additional units in certain circumstances if they also deliver a certain number of affordable units (or pay a fee in lieu), offers great promise in addressing the areas housing shortage. Additionally, the city and TJPDC continue to coordinate closely to design and implement HUD-funded programs that address the needs of the largest number of underserved individuals possible, including activities that have the potential of leveraging non-federal funds.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The city continues to work with its partners, including AHIP, LEAP, the Piedmont Housing Alliance, Habitat for Humanity, and the Building Goodness Foundation (“BGF”), to identify and remove lead-based paint hazards wherever they may be encountered. The HOME Consortium completes reduction of lead-based paint hazards through partnerships with AHIP in Albemarle County, NCCDF in Nelson County, and Fluvanna-Louisa Housing Foundation.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Charlottesville continues to provide significant financial resources to help reduce the number of poverty-level families in the City, including by providing CDBG funds to support of financial literacy

programs provided by one of the region's most active affordable housing developers and adult/workforce literacy tutoring for adults experiencing literacy issues. Similarly, the city continues its commitment to assist families at risk of eviction or other adverse actions through a commitment of local funds in excess of \$130,000 to the Charlottesville Supplemental Rental Assistance Program ("CSRAP") in FY26 and additional commitments of grant funds through other programs (e.g., CDBG, HOME, VCF, etc.).

Fluvanna-Louisa Housing Foundation, Nelson County Community Development Foundation, and Skyline Community Action Partnership, along with AHIP, provide extensive services related to housing for low-income households. As a result of their services, families facing poverty experience greater housing safety and stability.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City and TJPDC continue to emphasize the development and refinement of tightly integrated systems to support our shared strategic goals. Charlottesville, TJPDC and the members of the Thomas Jefferson HOME Consortium (TJHC) work closely together to promote regional cooperation and the creative use of funds to maximize the impact of our many programs.

The city also continues to offer unused city office space to area nonprofits, such as the Blue Ridge Area Coalition for the Homeless (BRACH), at below-market rates as a way of supporting their work. This helps integrate these entities into the other work the city is doing while at the same time allowing them to develop a great portion of their scarce resources on their core missions.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The Regional Housing Partnership meets quarterly, and engages over 22 organizations who represent public, private, citizen, and for-profit sectors of those working to provide affordable housing in the TJPDC region.

The city and TJPDC work closely together to support social service and housing agencies that are involved in serving special needs populations, including the Jefferson Area Board for Aging (JABA), the Arc of the Piedmont for people with developmental disabilities, Region Ten Community Services Board for people with mental illness and substance abuse and the Independence Resource Center. The Jefferson Area Board for Aging (JABA) assists elderly persons with long-term health care needs and serves the TJPDC region. JABA partners with senior housing providers in Charlottesville (Timberlake Place, Woods Edge, and Park View Apartments) and in Nelson County (Ryan School Apartments). Regular JABA health screenings and services are provided by JABA nurses at Park View at South Pantops, Ryan School Apartments and Woods Edge Apartments.

The City continues its work to implement and refine its new inclusive Zoning Ordinance and on an update to its citywide Comprehensive Plan Update, coordinating with partners from the Charlottesville

City School Board, Albemarle County, the University of Virginia, a range of nonprofit organizations, Neighborhood Leaders Group, the Charlottesville Redevelopment and Housing Authority (“CRHA”), the Blue Ridge Area Homelessness Consortium (“BRACH”), among many others..

The Region Ten Community Services Board provides comprehensive diagnosis, treatment and training for persons with Serious Mental Illness and chemical dependence for persons within the Planning District. Region Ten administers Continuum of Care (CoC) Permanent Supportive Housing projects, using a scattered site model. Region Ten also serves people with housing in apartments or Single Room Occupancy (SRO) units with funding through the Virginia Department of Behavioral Health and Developmental Services (DBHDS). Region Ten administers about 220 Housing Choice Vouchers. Region Ten provides case management services.

For people with disabilities, housing foundations in the Counties and projects funded through the Charlottesville Affordable Housing Fund (CAHF) in the City include necessary accessibility features as part of the scope of work for rehabilitation and emergency repair projects.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

One of the greatest insights from the regional Community Needs Assessment conducted during the development of the current FY 2022-2027 Consolidated Plan is the several lack of affordable rental units, both in the city and across the larger metropolitan area served by the Thomas Jefferson HOME Consortium members. This condition is greatly exacerbated by the significant rise of home prices during the course of the COVID pandemic that has driven the median purchase price within the city up on average 3.5% year-over-year, up from approximately \$360,000 in June of 2020 to a little over \$456,000 in June of 2023 according to Redfin calculations of home sales data from MLS and/or public records.

Based on these insights, the city has reemphasized its efforts to preserve and expand the current stock of affordable rental units. For example, the city is in the final stages of approval for funding agreements that will direct our portion of the recent HOME-ARP award to supporting critical rehabilitations necessary to preserve and maintain 7 or more residential rental units as affordable to households at or below 60% of the local Area Median Income (AMI).

Land use and zoning policies have historically been discriminatory in Charlottesville, a practice that has severely limited residential development and the overall supply of housing, especially for residents at the lower end of the income spectrum. These policies are further compounded by community resistance to change the land use policies that reinforce and prioritize preserving existing single-family neighborhoods over the development of new affordable housing that would provide and expand housing options in the community. As mentioned above, the city continues working to implement and refine its new Zoning Ordinance that will emphasize new inclusionary policies and other provisions designed to eliminate long-standing barriers to affordable housing.

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TJPDC has developed the PATH, which connects riders with accessible rides throughout the region, allowing access to transportation particularly for those who are most greatly disadvantaged. This allows those who live in more challenging locations for transportation, due to housing costs, to be more connected to the places they need to be.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The HOME Consortium maintains annual monitoring plans. This year included desk reports from rental providers, as well as a site visit to Habitat for Humanity of Greater Charlottesville (Habitat), to review their files, procedures, and the housing units they have developed for low-income homebuyers. Habitat was found to have excellent files and records, and have completed countless impactful projects in their region.

TJPDC carries out HOME desk reviews throughout the year, with oversight from the Finance Director and Executive Director. On-site visits are not required for subrecipients with no staffing changes, with no significant change in the type of projects carried out, and who have no outstanding findings from previous monitoring visits or financial audits. No sub-recipient will go more than three years without an on-site monitoring visit.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

(Will be completed after public comment is complete.)

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City of Charlottesville continues its commitment to internalizing the growing understanding of the depth and breadth of needs within our community referenced in previous CAPER reports, including the broader regional nature of many of the challenges we face and the consequent importance of fostering strong regional partnerships through, for example, the Thomas Jefferson Planning District Commission, the Thomas Jefferson HOME Consortium ("TJHC"), regional economic partnerships, among many others. The high cost of housing and, consequently, the limited affordable options for many people who work in the city but who cannot afford to own or rent here, continues to be a significant challenge for our community, as it does for so many communities across the country. We are also increasingly seeking out opportunities to strengthen our local childcare/early learning ecosystem.

The city and its many housing-focused partners continue seeking to enhance our understanding of community needs and, more importantly, the steps needed to address them in a productive manner that brings results for those in our community who need them the most. One significant outgrowth of this developing awareness can be seen in City Council's commitment to commit at least \$10 million per year to support affordable housing initiatives, a commitment that is being delivered upon but which would be challenging even for city's much larger than Charlottesville. (As noted elsewhere in this CAPER, the City of Charlottesville continued in its annual commitment of more than \$10MM to support a variety of affordable housing initiatives in 2025.) Similarly, the city continues to work to refine its new inclusive zoning code that removes single-family zoning requirements from all residential neighborhoods and that increases the by-right development options available to homeowners seeking to expand residential density and affordable housing options.

The 2025-26 program year planning process reinforces our understanding of how the level of need within our community exceeds the limited funds available. Consequently, continued emphasis will be placed on seeking out opportunities to develop activities that can further leverage the city's investment of scarce CDBG funds.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

CR-50 - HOME 24 CFR 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in 24 CFR §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

HOME-assisted rental units are owned and managed by sub-recipients of the Charlottesville HOME Consortium. Sub-recipients share a role in the implementation of the HOME program, including inspection of rental units. For units with tenants using Housing Choice Vouchers, which constitute the majority of rental units, Charlottesville HOME Consortium Sub-recipients have reciprocal agreements to perform inspections on units owned and managed by another subrecipient. For HOME-assisted units with no rental assistance, the sub-recipient performs inspections at least annually to identify any maintenance issues, and to replace smoke detectors and filters. Inspections may be done more frequently, if there is a concern about the tenant. Some subrecipients, such as AHIP, have inspectors on staff. Others hire inspectors to identify the outcomes of contractors' work. All rental units are inspected annually.

TJPDC conducts site visits, including visits to affordable housing units, with subrecipients. This year, TJPDC visited properties developed by Habitat for Humanity of Greater Charlottesville, Nelson County Community Foundation, and Fluvanna-Louisa Housing Foundation. The sites were maintained in good condition. No issues were detected.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 24 CFR 91.520(e) and 24 CFR 92.351(a)

All HOME projects are carried out by HOME Consortium subrecipients. These organizations have developed extensive networks with agencies and organizations in their localities to create a steady stream of referrals for HOME programs. Public outreach is carried out through a variety of means. The HOME Consortium maintains its Affirmative Marketing Policy, which applies to all projects that involve 5 or more units.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

Program Income information is collected quarterly from subrecipients. Not all subrecipients collect Program Income, because some primarily provide grants or conduct home repairs. Only the City of Charlottesville transfers PI back to TJPDC for use with their specific subrecipients. The HOME Consortium permits county-based non-profits to utilize Program Income for purposes of advancing

affordable housing, and reports all receipts and expenditures to HUD through IDIS.

**Describe other actions taken to foster and maintain affordable housing. 24 CFR 91.220(k)
(STATES ONLY: Including the coordination of LIHTC with the development of affordable
housing). 24 CFR 91.320(j)**

Subrecipient organizations maintain continual contact with their local community members, assessing the needs for affordable housing units, homeowner rehabilitation for low-income households, and other needs. The Program Manager at TJPDC attends regular meetings, listening to the needs and opportunities expressed by service providers, community members, locality staff, and leaders in housing and homelessness efforts. TJPDC participates in the USDA Housing Preservation Grant, allowing subrecipients to increase their rates of rehabilitating low-income housing. TJPDC also has distributed funding from the Virginia Department of Environmental Quality to improve homeowner septic systems. The City of Charlottesville provides extensive funding to affordable housing efforts, as evidenced in section 15 of this report, regarding Match funds. Through the RHP, TJPDC hosts summits every two years to increase the connection between private, public, and for-profit organizations that are focused on housing needs.



RESOLUTION R#-__-__

Resolution to Establish Council Priorities for the Program Year 2027-28 Community Development Block Grant & HOME Investment Partnerships Programs

WHEREAS the City of Charlottesville ("City") is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program administered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS the City is a contributing member of the Thomas Jefferson HOME Consortium ("TJHC") in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program; and

WHEREAS in accordance with the city's Citizen Participation Plan ("CPP"), the volunteer members of the CDBG/HOME Taskforce will be called on to review requests for funding for potential CDBG- and/or HOME-funded activities and to make subsequent funding recommendations to Council for Program Year 2027-28;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the Program Year 2027-28 CDBG & HOME programs shall prioritize to the degree possible:

- A continued emphasis on expanding access to affordable housing opportunities, including but not limited to low-income housing redevelopment, downpayment assistance, homeowner rehabilitations and/or energy-efficiency upgrades for income-eligible homeowners
- Workforce development, including but not limited to efforts to bolster Section 3 training opportunities and/or other economic development activities
- Microenterprise assistance, including through financial literacy, business education, mentoring, networking, and microloan supports
- Access to quality and affordable childcare
- Improvements to public infrastructure designed to eliminate or reduce barriers to access to public amenities for mobility-impaired residents
- Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent

For Program Year 2027-28, the CDBG Admin & Planning budget shall be set at 20% of the City's CDBG Allocation from HUD.

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Public Hearing for a Proposed CDBG-Funded Activity, the 2026 BEACON Kitchen Accessibility Enhancements Project, a Substantial Amendment to the Program Year 2026-27 Annual Action Plan, in the Amount of \$55,000 (2nd reading)
Staff Contact(s):	Anthony Warn, Grants Analyst, Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Anthony Warn, Grants Analyst
Date of Proposed Action:	September 21, 2026

Issue

The BEACON Commercial Kitchen is a very successful initiative of the New Hill Development Corporation ("NHDC"), such that the space they have built is now being used by the beneficiaries of the city's previous investment of CDBG funds on, at times, a 24-hour basis. The final stage of BEACON's ambitious plans for this space focus on renovating a severely dilapidated store front at the front of the building to house a space in which BEACON clients can showcase their products and provide them for resale by BEACON staff. Fundraising for this stage of the work is challenging in the current economic environment. A new investment of CDBG funds will provide important financial support for several accessibility-related features, including a new accessibility ramp and accessible restrooms, among other proposed enhancements.

Background / Rule

The City of Charlottesville is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program offered by the U.S. Department of Housing and Urban Development ("HUD") and, as such, is the periodic recipient of federal funds to support eligible community development, affordable housing and planning activities. HUD regulations permit PJs to award CDBG funds to support certain activities designed to support economic development and/or to improve public facilities and infrastructure, such as by removing barriers to access, objectives which would both be supported by the proposal under consideration.

Analysis

This proposed new activity builds on this previous investment by supporting accessibility enhancements to the last remaining portion of the original building, a space designed to provide the BEACON team new opportunities to support the economic development and education of their members.

The NHDC & BEACON teams have demonstrated admirable success with this project to date. The next stage of BEACON's buildout focuses on creating a new space in which their clients can showcase their goods for sale. This will provide their clients with a new opportunity to increase their sales. This space will also be used by the BEACON team as a teaching space in which to train clients in the financial/management aspects of maintaining a viable commercial food industry enterprise.

Financial Impact

There is no adverse financial impact to this proposed action, as the funds to be used are non-local funds allocated to the City by HUD to support community development and planning activities, and, as such, do not draw from the city's General Fund. Rather, use of these funds as recommended here will

serve to address important community needs while at the same time supporting the city's continued eligibility to participate in HUD programs through the timely expenditure of CDBG funds.

Recommendation

Based on the anticipated benefits for Charlottesville community of the proposed activity presented here today, staff recommends that Council approve the proposal as well as the associated appropriation of funds within the CDBG Fund needed to implement the proposed activity and related enhancements.

Recommended Motion (if Applicable)

I move that Council approve the RESOLUTION to approve the BEACON Kitchen Accessibility Enhancements project and to award up to \$55,000 in CDBG funds to implement the proposal presented here before us today.

Attachments

1. BEACON PY26 Council Resolution to Approve



RESOLUTION R#-__-__

Resolution to Approve the 2026 BEACON Kitchen Accessibility Enhancements Project and to Appropriate Associated CDBG Funds, a Substantial Amendment to the City's 2026-27 Annual Action Plan in the Amount of \$55,000

WHEREAS the City of Charlottesville is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program offered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS activities that foster economic development within entitlement communities are a core priority for HUD and constitute a major category of eligible activities for CDBG programs; and

WHEREAS City Council has previously approved the appropriation of certain sums of federal grant receipts in support of eligible CDBG activities within the CDBG Fund; and

WHEREAS the City now has the opportunity to reprogram some of these funds in support of a new economic development and public facilities & infrastructure project to be undertaken by the New Hill Development Corporation in support of the BEACON Commercial Kitchen that is designed to support the economic development of the local community with specific benefits for low- and moderate-income city residents seeking to obtain or enhance employment opportunities within the food and beverage industry;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the proposed CDBG-funded activity presented here today is approved and that the Office of Budget & Grants Management is hereby authorized to begin work to implement said activity.

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

<i>Fund</i>	<i>SAP Expenditure Account(s)</i>	<i>Proposed Reduction(s)</i>
218	3914001000	-\$55,000.00

<i>Fund</i>	<i>SAP Revenue Account(s)</i>	<i>SAP Account</i>	<i>Proposed Addition(s)</i>
218	1900737	FY27 BEACON Accessibility PY26	\$55,000.00

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

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

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

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

Date Adopted:

Certified:

Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Public Hearing for a Proposed CDBG-Funded Activity, the 2026 IX Arts Foundation Accessibility Enhancements Planning Grant, a Substantial Amendment to the Program Year 2026-27 Annual Action Plan in the Approximate Amount of \$25,000.00 (2nd reading)
Staff Contact(s):	Anthony Warn, Grants Analyst, Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Anthony Warn, Grants Analyst
Date of Proposed Action:	September 21, 2026

Issue

The IX Arts Foundation (IAF) is the primary steward of outdoor space located just south of the city's historic Downtown Mall and adjacent to two newly redeveloped publicly supported housing developments, Kindlewood and Crescent Halls. IAF manages this space as the host site for multiple popular community activities, including a popular weekly Farmer's Market, community concerts and events, and a public playspace, among others. While the space IAF manages is heavily utilized for these activities, it is not generally considered to be accessible, and several notable barriers exist that make accessing this space by mobility-impaired visitors challenging.

Background / Rule

The City of Charlottesville is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program offered by the U.S. Department of Housing and Urban Development ("HUD") and, as such, is the periodic recipient of federal funds to support eligible community development, affordable housing and planning activities. HUD regulations permit PJs to award CDBG funds to support certain activities designed to support economic development and/or to improve public facilities and infrastructure, such as by removing barriers to access, objectives which would both be supported by the proposal under consideration.

Analysis

CDBG-funded planning grants are a tool commonly used by PJs in HUD programs, including the Virginia Department of Housing and Community Development ("DHCD"). With support from DHCD staff and building on recent examples of CDBG-funded subrecipients like ReadyKids to use their awards to leverage additional funds from non-city sources, the proposed planning grant has been designed to support the development of a comprehensive plan for the financing and development of accessibility-related enhancements to the IX Arts Park.

This investment of CDBG funds is designed to build the capacity of IAF staff to develop a comprehensive development plan, in part by funding their work with landscape designers with experience in accessible design. In addition, if approved, program staff would continue to work with DHCD staff to plan the implementation of the planning grant, as they have significant experience in this area and have offered their continued support.

Financial Impact

There is no adverse financial impact to this proposed action, as the funds to be used are non-local funds allocated to the City by HUD to support community development and planning activities, and, as such, do not draw from the city's General Fund. Rather, use of these funds as recommended here will

serve to address important community needs while at the same time supporting the city's continued eligibility to participate in HUD programs.

Recommendation

Based on the anticipated benefits for Charlottesville community of the proposed activity presented here today, staff recommends that Council approve the proposal as well as the associated appropriation of funds within the CDBG Fund needed to implement the proposed program and related enhancements.

Recommended Motion (if Applicable)

I move that Council approve the RESOLUTION approving the proposed CDBG-funded planning grant to the IX Arts Foundation and to appropriate up to \$25,000 in CDBG funds to implement the proposal presented here before us today.

Attachments

1. CDBG PY26 IX Arts Council Resolution to Approve
2. CDBG PY26 IX Art Park Slide Deck WEB



RESOLUTION R#-__-__

Resolution to Approve the 2026 IX Arts Foundation Accessibility Enhancements Planning Grant and to Appropriate Associated CDBG Funds, a Substantial Amendment to the City's 2026-27 Annual Action Plan, in the Amount of \$25,000

WHEREAS the City of Charlottesville is an active 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") program offered by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS activities that foster economic development within entitlement communities are a core priority for HUD and constitute a major category of eligible activities for CDBG programs; and

WHEREAS the City now has the opportunity to reprogram some of these funds in support of a new economic development and public facilities & infrastructure planning activity to be undertaken by the IX Arts Foundation in support of much-needed accessibility enhancements to a highly utilized public space within the city limits;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the proposed CDBG-funded activity presented here today is approved and that the Office of Budget & Grants Management ("BGM") is hereby authorized to begin work to implement said activity.

BE IT FURTHER RESOLVED that, in support of this CDBG-funded activity, appropriations made to the following expenditure account(s) in the CDBG Fund be amended by the respective amounts shown below and that the balance accumulated in the Fund as a result of these adjustments be hereby appropriated to the receiving account(s) indicated below:

<i>Fund</i>	<i>SAP Expenditure Account(s)</i>	<i>Proposed Reduction(s)</i>
218	3914001000	-\$25,000

<i>Fund</i>	<i>SAP Revenue Account(s)</i>	<i>SAP Account</i>	<i>Proposed Addition(s)</i>
218	1900738	FY27 IX Arts PY26	\$25,000

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

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

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

Date Adopted:

Certified: _____
Clerk of Council



IX Arts Park Foundation Accessibility & Infrastructure

A Proposal for a New CDBG-Funded Planning Grant

A Public Hearing before the City of Charlottesville City Council
September 8, 2026

Office of Budget & Grants Management
City of Charlottesville

<https://www.charlottesville.gov/678/CDBG-HOME-Programs>

Anthony Warn, Grants Analyst
warna@charlottesville.gov

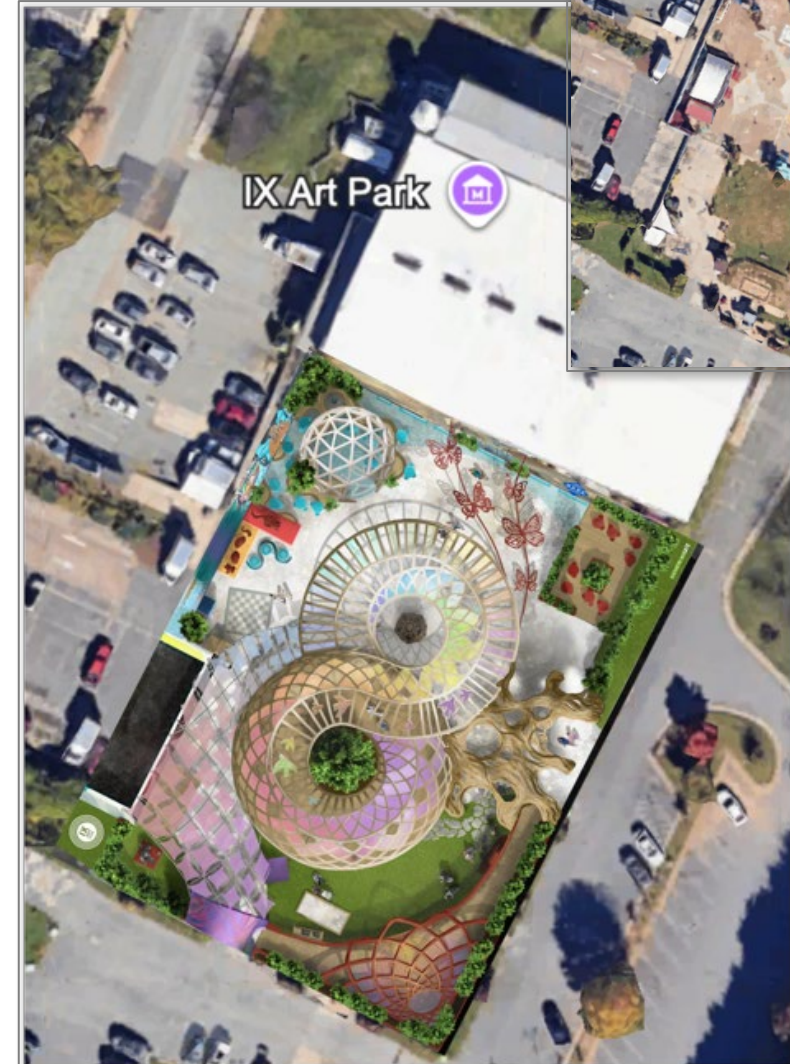
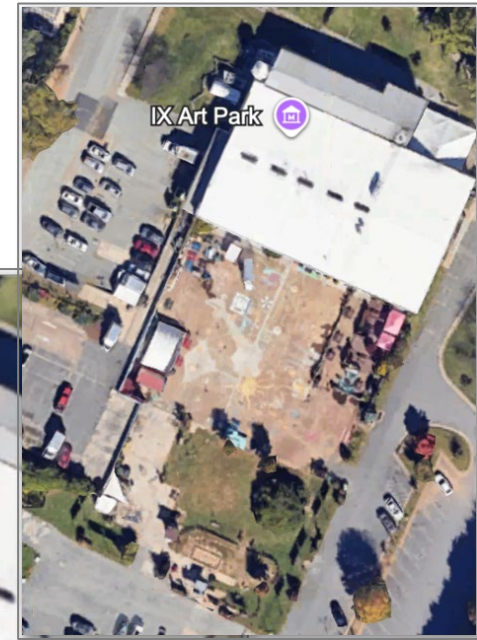
Background on Planning Grants

CDBG-funded planning grants “increase the potential for project success and impact. These grants aid in developing clearly articulated strategies for addressing a locality’s greatest community development needs following meaningful citizen participation.”

[Virginia DHCD](#)

- Planning grants can provide valuable support to smaller nonprofits to do work they would otherwise not be able to do
- The Virginia Department of Housing and Community Development (“DHCD”) frequently utilizes planning grants as a capacity building tool, awarding \$700,000 to support eleven organizations in their most recent funding round
- Planning grants can help organizations develop plans that can be used to support third-party fundraising efforts, much like ReadyKids leveraged city CDBG funds to secure substantial philanthropic funding for the same activity, thereby expanding greatly what they could accomplish for their clients

What is ➡



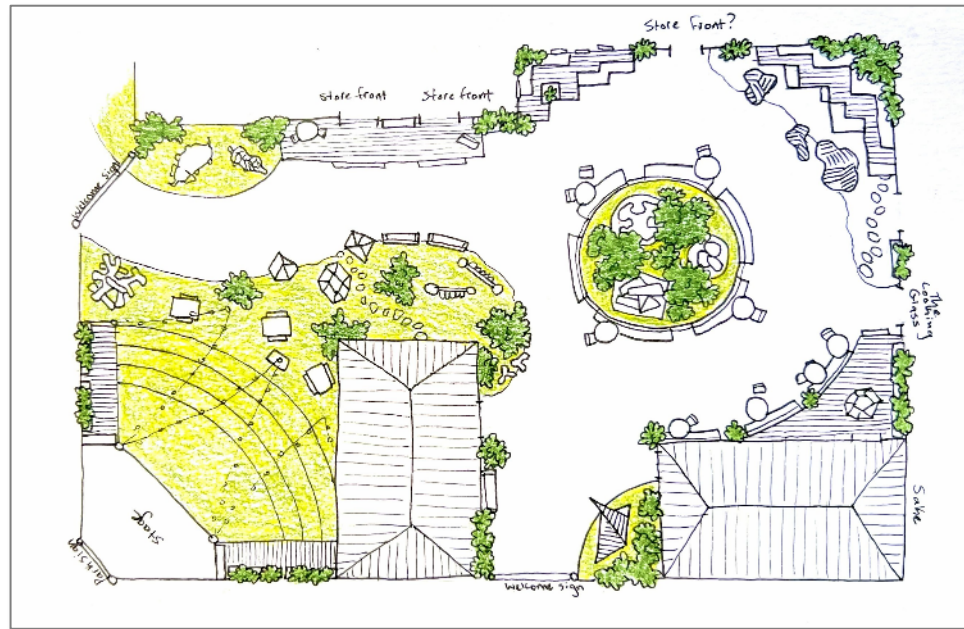
What could be ➡



Benefits of a Planning Grant

CDBG-funded planning grants “increase the potential for project success and impact. These grants aid in developing clearly articulated strategies for addressing a locality’s greatest community development needs following meaningful citizen participation.”

Virginia DHCD



A planning grant will provide IAF with the financial capacity to work with experienced accessibility-focused landscape architects to build their initial vision ...



... into formal architectural plans created with accessibility in mind and that build on recent advances in accessible design

(Note that this professional-quality rendering was submitted during IAF's pre-bid conversations with experienced landscape architects, thereby showing that this process has already generated concrete benefits for IAF)

**Design
Considerations
That Can Be
Addressed
Through a
Planning Grant**



Through the support made possible by this award, IAF staff will be able to plan for the removal of much-used but inaccessible features, like the performance stage, and their replacement by new features designed with accessibility in mind



IAF staff will also be able to plan for the replacement of the existing ad hoc playspace with a new playspace which is designed from the beginning for accessibility, much like was done recently through CDBG funding to ReadyKids



Additional
Design
Considerations
That Can Be
Addressed
Through a
Planning Grant

KEY ELEMENTS TO ADDRESS

- Shade!
- Accessible structures
- New stage
- Seating + tables
- Maintaining plantlife
- Opportunities/space for new art
- Interactivity
- Lighting for safety + Wayfinding
- Power outlets



Considerations for the Scope of Work

*CDBG-funded activities
build on a Scope of
Work agreement to be
developed between
program staff and the
subrecipient.*

Period of Performance: July 1, 2026, to June 30, 2027

Proposed Award: \$25,000

Proposed Source: CDBG Program (Fund 218)

2010 ADA Design Standards to Consider*:

- [§36.402](#) Alterations
- [§36.403](#) Alterations: Paths of travel
- [§503](#) Passenger Loading Zones
- **Public Right-of-Way Accessibility Guidelines (PROWAG) to Consider*:**
 - [R202.3](#) Existing Physical Constraints
 - [R302.2](#) Continuous Clear Width
 - [R302.3](#) Passing Spaces
 - [R302.4](#) Grade
 - [R407.2](#) Ramps/Running Slope
 - [R407.4](#) Ramps/Clear Width
- **Key Deliverable(s):**
 - A detailed design, funding & proposed development plan
 - Documentation of key consultations (e.g., community visioning meetings, design professionals, potential third-party funders, applicable grants to apply for, etc.)

**To the maximum extent possible, the design plan to be developed shall (a) adopt the conventions and accepted definitions specified in the 2010 ADA Standards for Accessible Design and PROWAG accessibility standards and will (b) consider certain accessibility design standards including but not limited to those listed herein.*



**Thank you for
your interest in
the City of
Charlottesville's
CDBG program.**

Any questions?



Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate Revenue from Participation in Energy Load Reduction Program in the Amount of \$12,375.53 (1 of 2 readings)
Staff Contact(s):	Kirk Vizzier, Kristel Riddervold, Director of the Office of Sustainability
Presenter:	Kirk Vizzier, City Energy Management Coordinator
Date of Proposed Action:	September 21, 2026

Issue

In March 2025, the City of Charlottesville enrolled in the Emergency Load Response Program (ELRP) with PJM Interconnection, LLC (electric grid operator) as part of their demand response offerings. Through this program, the City of Charlottesville can earn revenue by temporarily reducing energy usage at participating sites/facilities to reduce the energy load on the PJM electric grid.

Background / Rule

An Energy and Water Management Program (EWMP) was created in June 2020 for the appropriation of revenue generated from energy management and water management projects/programs. The City participates in other PJM energy management programs including the Energy Efficiency Program where past revenue earned has been appropriated to the EWMP Fund. The Emergency Load Response Program offers another source of revenue from energy management practices that is to be paid out on an annual (sometimes quarterly) basis.

- From October 2019 – November 2025, the City earned \$3,770 from the PJM Energy Efficiency Program, which was appropriated to the Energy and Water Management Fund.
- In August 2026, the City received payment in the amount of \$12,375.53 in the PJM Emergency Load Response Program for reducing energy usage at participating sites during the May 2025 – April 2026 year.

It is recommended that revenue generated from the PJM Emergency Load Response Program and all other PJM energy management programs be appropriated to the EWMP Fund.

Analysis

Participation in PJM energy management programs supports the goals of Climate Action, which is a strategic outcome area of the City's Strategic Plan and the Climate Action Plan is part of the City's Comprehensive Plan. Climate Action includes efforts related to climate adaptation and resilience planning. PJM programs provide a mechanism for the City to support the stability of the electricity grid, improving electricity resilience throughout the Charlottesville area. In addition, reduced energy usage at City facilities will achieve greenhouse gas reductions bringing the City closer to meeting its Climate Action goals.

Financial Impact

These funds, received through the City's participation in the PJM energy management programs, will support energy and water efficiency measures.

Recommendation

Staff recommends City Council adoption of the attached Resolution.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution appropriating PJM Energy Management Programs Revenue to the Energy and Water Management Program Fund."

Attachments

1. RESOLUTION ELRP Revenue Appropriation



RESOLUTION #R-__-__
APPROPRIATING PJM ENERGY MANAGEMENT PROGRAM REVENUE TO THE
ENERGY AND WATER MANAGEMENT PROGRAM FUND

WHEREAS, PJM is the regional transmission organization that coordinates the movement of wholesale electricity; and

WHEREAS, the City of Charlottesville has been participating in PJM energy management programs, including the Emergency Load Response Program and the Energy Efficiency Program, that provide a mechanism for the City to support the stability of the electricity grid, improving electricity resilience throughout the Charlottesville area.

WHEREAS, participation in these PJM energy management programs results in payment to the City by PJM; and

WHEREAS, the City of Charlottesville has recently received a payment of \$12,375.53 from PJM Interconnection, LLC from participation in PJM energy management programs; and

WHEREAS, this revenue is intended to be used for further energy and water management projects that support City Climate Action goals;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that the recently earned revenue from PJM Interconnection, LLC., in the sum of \$12,375.53, and any additional revenue received from PJM energy management programs during the fiscal year is hereby automatically appropriated as follows:

Revenues:

\$12,375.53 Fund: 105 Internal Order: 2000157 G/L Account: 451020

Expense:

\$12,375.53 Fund: 105 Internal Order: 2000157 G/L Account: 599999

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to Temporarily Reallocate \$1,000,000 from the Kindewood Phase 3 Project to Piedmont Housing Alliance (PHA) for a Loan Payment for Carlton Mobile Home Park Loan
Staff Contact(s):	Madelyn Metzler, Housing Compliance Coordinator, Sunshine Mathon, PHA Executive Director
Presenter:	Krisy Hammill, Director of Budget
Date of Proposed Action:	September 21, 2026

Issue

In August 2024, the City Council approved an Ordinance to provide financial assistance to support residential rental housing at Carlton Mobile Home Park (CMHP) for persons of low and moderate income and authorizing the City Manager to execute and deliver a Support Agreement in connection with the same, following a request from Piedmont Housing Alliance (PHA) and Greater Charlottesville Habitat for Humanity (GCHH) to the City to provide annual support over the next five years. PHA/GCHH created a special purpose entity for this project, Habitat Carlton Alliance, LLC (HCA). HCA has received financing approval and is now the bona fide owner of the property.

PHA is the fiduciary agent for HCA with all funding going to PHA. The Carlton Mobile Home Park Loan agreement was approved by the City Council on September 16, 2024, which provided a forgivable loan to Piedmont Housing Alliance, for the benefit of providing funding for property acquisition. According to the terms of the agreement, the loan proceeds are to be paid out annually (subject to appropriation) in an amount equivalent to the amount that will be paid by PHA on behalf of HCA in the given year. The amount appropriated in the FY 27 CIP was an amount sufficient to cover only an interest payment.

Background / Rule

The funding agreement approved by City Council included a schedule for how the loan proceeds were to be disbursed and which included an amount that was equivalent to a principal and interest payment. However, the agreement also noted that the amounts were subject to change pending a final loan agreement.

Analysis

The FY26 CIP budget included five years of payments for the CMHP loan based on amortization schedules provided by PHA that included annual principal and interest payments. For FY27, the City requested an updated amortization schedule from PHA. PHA understood the request to be for an updated schedule reflecting changes to the interest payments, as the annual principal payment requirements had not changed. The updated schedule provided therefore only reflected the updated interest payments but did not separately reflect the annual \$1,000,000 principal paydowns as it was assumed this remained unchanged. Unfortunately, the misunderstanding in scope between what was being requested and what was provided resulted in a CIP schedule change that does not fit the loan repayment requirements.

When PHA contacted staff to initiate the payment due to them for FY 27, the misunderstanding was identified. This resolution seeks to transfer funds from the Kindewood Phase 3 project, which is also a PHA project, to cover the principal payment due on the CMHP loan by October 1, 2027.

Financial Impact

The City's funding to PHA for the CMHP loan is provided through cash appropriated annually as a transfer from the General Fund. For FY 27, the funds will be reallocated from another PHA project previously included in the City's CIP, and the budgets for both the Kindewood Phase 3 and Carlton Mobile Home Park projects will be re-adjusted during the FY 28 CIP annual budget process.

Recommendation

Staff recommends approval of the resolution with a 4/5 vote.

Recommended Motion (if Applicable)

"I move for approval of the resolution to temporarily reallocate \$1,000,000 from the Kindewood Phase 3 project to the Carlton Mobile Home project with a 4/5 vote"

Attachments

1. Reallocation of \$1M to CMHP



RESOLUTION #R-__ - __

Resolution to Temporarily Re-Allocate \$1,000,000 from the Kindlewood Phase 3 Project to the Carlton Mobile Home Park Project

WHEREAS the Council of the City of Charlottesville's passed an ordinance on September 16, 2024 approving a forgivable loan to Piedmont Housing Alliance from which the loan proceeds were to be paid out annually (subject to appropriation) in an amount equivalent to the amount that will be paid by PHA in the given year; and

WHEREAS the amount appropriated as part of the City's FY 2027 budget was not sufficient;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$1,000,000 is hereby reallocated as follows:

Transfer from:

Fund: 426 Funded Program: 1000021 GL Code: 599999

Transfer to:

Fund: 426 Funded Program: 1000049 GL Code: 599999

Date Adopted:

Certified: _____
Clerk of Council