

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on November 1, 2023, at 1:00 p.m. in Lane Auditorium on the Second Floor of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902.

BOARD MEMBERS PRESENT: Mr. Jim Andrews, Mr. Ned Gallaway, Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, and Ms. Donna P. Price.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeff Richardson; County Attorney, Steve Rosenberg; Clerk, Claudette Borgersen; and Senior Deputy Clerk, Travis Morris.

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

Ms. Price said the following Albemarle County Police Officers were at the meeting: Officer Andy Muncy and Lieutenant Angela Jamerson.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Ms. Mallek **moved** to adopt the final agenda as presented.

Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

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

Ms. LaPisto-Kirtley said that she wanted to mention that she had recently attended the MicroCAT opening with some of her colleagues, which they would discuss in more detail later. She said that she had participated in the Stony Point Fire Rescue Department's annual meeting alongside Chief Eggleston. She said that the Albemarle County Parks Foundation was almost ready to launch. She said that there had been a first meeting to determine the meeting times and finalize the MOA (Memorandum of Agreement) and the bylaws.

Mr. Andrews said that he was present at the MicroCAT launch and found it quite enjoyable to witness the large crowd and the enthusiasm of the press afterward. He said that as for other events, there was a composting of pumpkins. He said he hoped everyone had a Happy Halloween. He said that McIntire was hosting the Great Pumpkin Smash until November 7, so people should feel free to bring their pumpkins there.

Ms. McKeel said that during the meeting, she wanted to remind everyone of a crucial issue: The leading cause of death among American children is now gun violence. She noted that Albemarle County's Triple Triple A credit rating was confirmed by Moody's, S&P Global, and Fitch, which benefitted the County's citizens and residents.

Ms. McKeel said that they had an excellent kickoff event for MicroCAT, an Uber-like service designed to provide free, on-demand transportation for citizens residing in the Pantops area and the 29 North area, extending from the city limits in certain ways. She said that an app was available for download, but those who did not use apps could call a designated number to access the service.

Ms. Mallek said that if one did not wish to bring their pumpkins to the Smash, if they had a compost pile, wild creatures would love to eat every scrap of the inside meat in the pumpkins. She said that it had been a very successful apple butter season, and they had a great turnout in White Hall Village on Friday and Saturday, completely selling out of all the apple butter. She said she would read the 9th anniversary recognition for the Earlysville Exchange, as they had done an exceptional job.

"In honor of your 9th anniversary, to the Earlysville Exchange, I can't believe those planning meetings were 11 years ago. Congratulations to all citizens supporting the great success of the Earlysville Exchange over the last nine years. You have raised and returned more than \$210,000 to the community to date. The goal for this year, 2023, is \$20,000. The Exchange is the perfect example of the power of one. One person with an idea, Benny Clark, who brought this idea here from Colorado. One family to support that person. One neighborhood and one congregation to take on the challenge. And one community who bands together to strengthen the whole and to help individuals. Many more than one were also involved. Many other neighborhoods and congregations who joined in this effort. Many families who have been restored and equipped following a fire or disaster. Individuals who have found friendship and connections here, and individuals who have found job training and employment here. For many successful days and

years ahead, we all thank you."

Ms. Mallek said that they held a volunteer's luncheon on Saturday, which was great fun. She asked everyone to get some green light bulbs and hang them on their fences in honor of their veterans.

Ms. Price said that in doing some research for the launch of MicroCAT, she learned that in the past, public transportation did not been viable until there were about 10,000 people per square mile. She said that the City of Charlottesville covered approximately 10 square miles and had a population of around 50,000, which is half of what was normally needed for a strong public transit system.

Ms. Price said that the County's urban ring occupied about 30 square miles and had a population of roughly 50,000, so fixed transportation was not going to be sustainable for that area. She said that consequently, many people in the urban ring had forgotten about the availability of public transit. She said that with the introduction of 29 North and Pantops' on-demand MicroCAT service, these areas could now be connected and enjoy interconnection. She said that it was important for the community to change that mindset and start using this wonderful service.

Ms. Price said that she had downloaded the app and planned to visit the area soon to try out MicroCAT. She said that she hoped others would do the same. She said that she wanted to acknowledge Garland Williams, the Director of CAT (Charlottesville Area Transit), for managing an efficient system in a region with half the population density typically required for a fixed route system.

Ms. Price said that the Triple Triple A bond rating was quite rare among the approximately 3400 counties in the United States; fewer than 50 had achieved this rating. She said that the County was extremely blessed because it was difficult for a medium-sized county to attain such a high bond rating, as they lacked the expansive economy of larger counties like Fairfax.

Ms. Price said that Mr. Richardson, Mr. Sumner, and everyone on the Budget and Finance team, as well as everyone who worked for the County, their efforts to maintain financial stability and preserve the bond rating were critical for the County's ability to continue funding the things they needed to achieve in the County.

Ms. Price said that in the time between now and their next board meeting, many of them would attend the annual VACo (Virginia Association of Counties) conference. She said that this was an important opportunity for them to interact with members of boards of supervisors and executive teams from other counties, and planning district commissions. She said that it was an important time for learning and sharing knowledge gained through their experiences. She said that the conference would take place on November 12 through November 14.

Ms. Price said that if people had not already voted early, there were still a few days left to do so. She said that the election was next week, and it was an important election, and she wanted to encourage everyone to participate. She said that government worked best when more people participated.

Ms. Price said that a significant accomplishment by employees of the County was noteworthy. She said that the Senior Deputy Clerk, Mr. Travis Morris, had recently earned his Master Municipal Clerk certification. She said that the designation was one of the two professional certifications granted by the International Association of Municipal Clerks. She said that to qualify for this designation, one must first obtain the Certified Municipal Clerk (CMC) designation and commit to lifelong learning through attending advanced education programs. She said that those who achieved the MMC designation demonstrated that they had pursued educational and professional activities while staying informed about current socio-political, cultural, and economic issues affecting local governments and municipalities today. She said that perhaps the most important was the integrity that these individuals brought to government service. She said she wanted to congratulate Mr. Morris for his dedicated work.

Agenda Item No. 6. Proclamations and Recognitions.
Item No. 6.a. Proclamation Recognizing Veterans Day.

Ms. Price **moved** to adopt the proclamation recognizing Veterans Day.

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

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

Proclamation Recognizing Veterans Day

WHEREAS, throughout our Nation's history, the United States of America has called on its citizens in uniform to serve and protect our national security; and

WHEREAS, at home and abroad, generations of American patriots have defended the freedoms and American values of equality, democracy and justice for all; and

WHEREAS, November 11, 2023, marks the 85th anniversary of Veterans Day being recognized as a

national holiday. On this day (and every day), we remember the millions of patriots who have served and sacrificed for the betterment of our nation; and

WHEREAS, many veterans continue to serve their country in public schools and government as public officials, teachers, police officers, fire rescue, and other professions providing services to all community members; and

WHEREAS, with a profound debt of gratitude, we recognize the veterans employed by Albemarle County Public Schools and Local Government for their continued service.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize November 11, 2023, as Veterans Day and celebrate all who have served our country around the world and continue to serve as veterans employed by Albemarle County local government and public schools.

Mr. Trevor Henry, Deputy County Executive, thanked the Board for honoring veterans for the community and for those who were employed as public service, and for sponsoring the facility on Veterans Day for a commemorative ceremony. He said the event would take place on November 11 at 11 a.m. He said that he believed that over 200 employees in Local Government and Schools had previously served in the military. He said that upon completing their service through retirement or obligation, they chose to continue their careers as public servants. He said that the community within their community held great significance, and he was grateful for those who had dedicated themselves to public service.

Mr. Henry said he would like to introduce three employees, two from Local Government and one from Schools, who were representative of the employees. He noted that there were several individuals in the room who had also formally served; however, he would specifically acknowledge three of them. He said that the first person was Sergeant Dale Shoope, who served in the United States Army from 1983 to 1986. He said that during Mr. Shoup's tenure, he was stationed at Fort Benning, Georgia. He said highlights of Mr. Shoup's career included attending Aberdeen Proving Grounds in Maryland, where he tested the advanced infantry anti-tank weaponry system for ballistics and mobility; completing airborne school; and participating in multiple live patrols in Nicaragua.

Mr. Henry said that additionally, Mr. Shoope served in Korea, attached to the headquarters company of the 1st and 31st, also known as Head Hunters. He said that as an armorer during this hardship tour, Mr. Shoup was stationed at Warrior Base for 120 days on the 38th parallel, conducted 13 combat patrols along the DMZ (demilitarized zone), and earned the infamous Engine Warrior status. He said that other awards included the Good Conduct Service Medal, Expert Infantry Badge, Overseas Medal, Expert Shooter in Anti-Tank Weaponry, and Grenadier. He said that Mr. Shoope currently worked in the Community Development Department (CDD) as a commercial combination inspector.

Mr. Henry said that in 2002, Sergeant Roger Snodgrass enlisted in the U.S. Coast Guard and served on active duty as a gunner's mate, specializing in maritime law enforcement, interdiction, and small arms instruction. He said Mr. Snodgrass left the Coast Guard in 2007 and joined the U.S. Army. He said that he served in active duty with the 19th Delta Cavalry Scout and held various roles such as squad leaders, section sergeant, senior scout, and master gunner. He said that Mr. Snodgrass was deployed on several rotations to Operation Iraqi Freedom and Operation Enduring Freedom. He said he left active duty in 2014 to relocate back home and continued to serve his community. He said that Mr. Snodgrass joined the County as a police officer in 2014 and currently held the rank of sergeant on evening shift patrol.

Mr. Henry said that Mr. Reynaldo "Rey" Ovalle enlisted in the U.S. Army and U.S. Army Reserve as a bridge crew member on July 28, 1995, and served with the 299th Engineer Company Multiple World Bridge out of Fort Belvoir. He said that he spent three weeks in Guatemala for humanitarian efforts. He said that he was deployed to Kuwait and Iraq from 2002 to 2003. He said he served in Iraq in 2010 and 2011. He said that during the first deployment to Iraq, his unit placed two bridges over the Euphrates River for combat operations. He said that the second time, his unit was responsible for maintaining the bridges, training Iraqi engineers, and removing six bridges for retrograde operations.

Mr. Henry said that Mr. Ovalle spent two years with the training battalion as an SSG (staff sergeant), training ROTC (Reserve Officers' Training Corps) cadets, served multiple roles as an assistant squad leader up to platoon sergeant and recon sergeant. He said he retired as an SFC (sergeant first class) in November 2015. He said Mr. Ovalle joined the County School Department Building Services in August, 2006. He said that Mr. Ovalle was an HVAC (heating, ventilation, and air conditioning) mechanic and held the position of Senior Energy Management Technician.

Mr. Dale Shoope, CDD, acknowledged that his great-grandfather, grandfather, and uncle served in the Royal Air Force, Royal Army, Royal Navy of Great Britain and England, and his father, who serviced in the United States Army, and his son, who served in the United States Army, and who continued to serve in the intelligence sector.

Mr. Roger Snodgrass, ACPD, said that although he had multiple friends and family members in other local governments, he could confidently say that the County was a high-performing organization. He said that with the Board of Supervisors, the County Executive's Office, and the command staff at the ACPD, they enabled them to consistently provide exceptional customer service. He said that this dedication was evident.

Mr. Reynaldo Ovalle, ACPS, said that as a third-generation veteran, he appreciated the proclamation.

Ms. Price presented the Proclamation to Mr. Henry, and requested for any other veterans in the audience to stand so that they could be acknowledged for their service.

Ms. LaPisto-Kirtley said that she was proud of all of them who had served in the military in any capacity. She said that she was from a military family but had not served in the military herself. She said that it was something that they did for them to keep the democracy and the people safe. She said that it was a solemn oath that they took to protect them. She said that she believed that all of America appreciated their service.

Mr. Andrews said that he wanted to express his appreciation for their service and for Mr. Henry's emphasis on the significant contributions made by veterans within their organization.

Mr. Gallaway said that a few weekends ago, he traveled back to his hometown to honor the final wishes of his parents, which included clearing out their home. He said that during this process, they discovered his father's formal dress uniform, which he had never seen. He said that his brother-in-law, who also served, guided him through the various patches and emblems on the uniform, explaining their significance.

Mr. Gallaway said that additionally, they found a trunk containing a collection of letters that his grandfather had written to his grandmother during the war. He said that among these letters, they discovered the official communication announcing his status as MIA (Missing in Action) before he was a prisoner of war. He said that fortunately, he was able to return at the end of World War II, after which he became a police officer. He said they found his cuffs, as well as a blackjack - an earlier version of mace. He said they were learning about how the blackjack was used to subdue people. He said that going through the memorabilia he had never seen before and to find that truly brought home the appreciation not only for his family but also for those who served.

Ms. McKeel said that according to the Region Ten organization, Virginia was home to more than 780,000 veterans, with Gulf War veterans being the largest veteran demographic in the state. She said that as Veterans Day approached, Region Ten shared information about various resources available for veterans. She said she was not aware of all these resources, so she was using this opportunity to learn more.

Ms. McKeel said that Region Ten currently had a partnership with Virginia Lock and Talk, providing resources for individuals, including veterans, to receive medical lock boxes and bags as well as trigger locks for firearms. She said this helped individuals and families in securing lethal means. She said that the Virginia Veterans Service Foundation had a homeless veterans fund and had been able to provide one-time assistance to homeless veterans to support them with rent, utilities, and rental deposits.

Ms. McKeel said that in recent years, Region Ten had hired a veteran peer engagement specialist named Alfredo Garcia Rodriguez to help bridge the gap between behavioral health services specialized for the veteran population. She said that one simple way Mr. Rodriguez supported veterans was by sharing a list of local businesses that offered discounts for service members. She noted there were quite a few organizations that did this as well as providing free admission to venues. She quoted Mr. Rodriguez, who said "I think of Memorial Day as remembering people who have given the ultimate sacrifice, but on Veterans Day, it's really more a celebration of people who survived and are still here, and to recognize them for their service."

Ms. Mallek said that she was honored to represent many constituents active in public service and in leadership with VFW posts such as 2044 in Earlysville and the American Legion Post 74 in Shadwell. She said that these organizations take care of their own, and they most recently purchased a medical transport van to help their fellows get to remote medical services at McGuire (Veterans Hospital) and Fort Gregg-Adams south of Richmond. She said that this led her to consider the importance of having a nearby medical clinic that could provide similar services for those who currently had to drive 90 miles one way to receive regular preventive dental care and things like that.

Ms. Mallek said that she always seized any chance she got to encourage family members, veterans themselves, or neighbors to please ask their veteran friends to reapply for benefits under the PACT (Promise to Address Comprehensive Toxins) Act if they had been previously denied. She said that the eligibility criteria had changed since August, and now the designation focused more on an individual's job rather than the location where they served. She said she urged people not to overlook this opportunity, and the benefits, if approved, would be retroactive to the date of application; therefore, it was very important not to delay the process.

Ms. Mallek said that she would like to acknowledge the families of those who served today and in the past, as they must maintain stability until their loved ones return home. She said that this adjustment affected not only children and spouses but also grandparents. She said that to support these families, numerous organizations existed in their area, such as Roll Call, which united various service agencies to facilitate access to resources for veterans.

Ms. Mallek said that Living Free Together was another organization offering an early Veterans Day event called "Ruck the Ridge" at Blue Ridge School, a family-oriented gathering featuring different

levels of trail hikes for participants to enjoy. She said that if anyone required more information about this event, they should not hesitate to ask, and she would be happy to assist them.

Ms. Price said that it was important to recognize that military service encompassed not only those who served in the military but also those who served with the military and those who accompanied them. She said that this included uniformed personnel, civilians, contractors, and family members. She said that as a service member herself, she found it easier to be the one on the road accomplishing the mission rather than the one left at home taking care of the family when unexpected issues arose, such as a broken car or refrigerator. She said that it was important to acknowledge how much other service member families helped those who were in a similar situation.

Ms. Price said that military service had been a family affair since the Civil War, World War I, World War II, Korea, Vietnam, the Gulf War, and up to today. She said that her 97-year-old father, a Navy combat veteran from World War II, and her son, a major in the Marine Corps, herself with her own service, that that was frequently the case. She said that it was common for those who worked with or served the County to have relatives who also contributed to public service. She said that today they particularly recognized military members for their service.

Agenda Item No. 7. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Sally James, White Hall District, said that in previous discussions, she had addressed the need for improvement in the real estate tax relief program for low-income elderly and disabled homeowners. She said she requested the elimination of the net worth criteria. She said that since the meeting in April, she had spoken with numerous individuals about their individual situations. She said that as she discussed her own circumstances, she asked them to understand that she represented hundreds of people from various areas of the County who were in similar situations.

Ms. James said that she and her husband resided on two acres north of White Hall in a home that, in part, she designed and constructed herself with some assistance when she was still a single parent. She said they had cultivated gardens and maintained their simple homestead with pride, and she had always intended to remain in this home for the rest of her life. She said that throughout most of her life, she had been self-employed, and her small business had experienced sufficient success to cover their expenses. She said that at the age of 71, she was finally winding down her work and hoping to have some healthy years to do the many things that she enjoyed.

Ms. James said that having been self-employed, she did not have a pension; instead, she had only a small IRA and Social Security income. She said that she had diligently saved enough money to cover normal expenses, but in the last two years, her real estate taxes were no longer normal. She said that they had increased for her by 37% in those two years. She noted that quite timely, they received their real estate tax bill on Monday, which confirmed this hike. She said it would now cost her all of three and a half months of her Social Security check to pay the year's real estate taxes. She said that was nearly a third of that income, and this was not a sustainable budget.

Ms. James said that if the net worth requirement was eliminated from the tax relief program, then people like her who had tried to save enough to live out their lives would not be penalized by having to spend that savings to pay real estate tax. She said that raising the limit last year from \$200,000 to \$250,000 was not practically helpful. She said that continuing to raise real estate taxes would drive many people, particularly lower-income seniors, out of the County. She said there would be a loss of capable individuals with time and experience who could volunteer, offer years of wisdom and continuity, and help build a community rooted in long-term relationships of all kinds. She said she urged them to eliminate the net worth requirement and improve the relief program.

Mr. John Hall, Frye Spring neighborhood in Charlottesville, said that he had a poster demonstrating a solar shelter at the bottom right, where Dominion Energy had a program called Strategic Underground. He said that this program aimed to address outages caused by overhead transformers. He said he had another portion of the presentation, which he referred to as the "Street Walk of Tomorrow," where attendees could observe the current situation with overhead power lines and media, as well as telephone poles obstructing sidewalks alongside numerous fire hydrants and other obstacles that hindered pedestrian travel.

Mr. Hall said that during a visit to Hollywood, California, he noticed the use of underground tunnels for media and power lines. He said that the layout consisted of streets, sidewalks, and manholes leading to underground tunnels. He said that the media occupied one side while power lines were on the other. He said that similar implementations were observed in other major cities like Los Angeles and New York City. He said they should consider this approach for future projects and obtaining a patent, and it could be one of his patents.

Agenda Item No. 8. Consent Agenda.

Ms. McKeel **moved** to approve the consent agenda.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following

recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

Item No. 8.1. Approval of Minutes: March 16, March 14, March 17, and March 23, 2022.

Mr. Andrews had read the minutes of March 14, 2022, and found them to be in order.

Mr. Gallaway had read the minutes of March 16, 2022, and found them to be in order.

Ms. LaPisto-Kirtley had read the minutes of March 17, 2022, and found them to be in order.

Ms. Price had read the minutes of March 23, 2022, and found them to be in order.

By the above-recorded vote, the Board approved the minutes of March 16, March 14, March 17, and March 23, 2022.

Item No. 8.2. Fiscal Year 2024 Appropriations.

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

The total change to the Fiscal Year 2024 (FY24) budget due to the appropriations itemized in Attachment A is \$1,412,593. A budget amendment public hearing is not required because the amount of the cumulative appropriations does not exceed one percent of the currently adopted budget.

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

Appropriation #2024014

Sources:	Charlottesville Albemarle Convention and Visitor’s Bureau (CACVB) Fund’s fund balance	\$129,119
Uses:	CACVB Operating Fund	\$129,119
Net Change to Appropriated Budget:		\$129,119

Description:

This request is to appropriate \$129,119 in CACVB fund balance to provide increased advertising for tourism initiatives. The County serves as the fiscal agent for CACVB.

Appropriation #2024015

Sources:	Reserve for Contingencies (currently appropriated)	\$15,000
Uses:	Virginia Festival of the Book Front Porch	\$12,500 \$2,500
Net Change to Appropriated Budget:		\$0

Description:

This request is to appropriate \$12,500 to the Virginia Festival of the Book and \$2,500 to the Front Porch from the Reserve for Contingencies. During the FY 24 budget process, a technology issue on the County’s end resulted in these applications not being received. While the majority of agencies impacted by this issue were subsequently reviewed in the spring of 2023, these two agencies contacted staff after the adoption of the budget. Staff has confirmed the applications were submitted on time, that they would have been recommended for funding as part of the FY 24 Recommended Budget if received, and that no other agency funded in FY 23 had a missing FY 24 application. For the FY 25 budget process, staff has changed the platform for receiving requests so that technology issue does not repeat.

Appropriation #2024016

Sources:	State Revenue	\$1,283,474
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Uses: Virginia Opioid Abatement Authority Grants for Cooperative Partnerships \$1,283,474

Net Change to Appropriated Budget: **\$1,283,474**

Description:

This request is to appropriate a total of \$1,283,474 in State revenue for the Virginia Opioid Abatement Authority Grant Award for Cooperative Partnerships for the following grants:

- \$448,500 as a pass-through grant for cooperative partnerships to expand the Blue Ridge Center Community Response and Community Drop In. This grant is in partnership among Albemarle County, Region Ten, Nelson County, Louisa County, Greene County, Fluvanna County, and the City of Charlottesville. Albemarle County is acting as fiscal agent. Programming of this grant will commence upon a signed memorandum of agreement by all parties.
- \$834,974 as a pass-through grant to Region Ten Community Service Board to expand their Crisis Intervention Team Assessment Center (CITAC). This grant is in partnership among Albemarle County, Region Ten, Nelson County, Louisa County, Greene County, Fluvanna County, and the City of Charlottesville. Albemarle County is acting as fiscal agent. Programming of this grant will commence upon a signed memorandum of agreement by all parties.

By the above-recorded vote, the Board adopted the resolution as presented in Attachment B to approve the appropriations for County government projects and programs described in Attachment A:

**RESOLUTION TO APPROVE
ADDITIONAL FY 2024 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2024014; #2024015; and #2024016 are approved;
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2024.

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APP#	Account String	Description	Amount
2024014	3-4600-73000-352000-510100-9999	SA2024014 CACVB (Visitor's Bureau) Fund Balance	\$129,118.34
2024014	4-4600-73000-481000-379300-9999	SA2024014 Advertising	\$129,118.34
2024016	3-5330-51100-324000-240500-9999	SA2024016 State Revenue	\$448,500.00
2024016	4-5330-51100-452000-593000-9999	SA2024016 Pass Through Grant	\$448,500.00
2024016	3-5331-51100-324000-240500-9999	SA2024016 State Revenue	\$834,974.00
2024016	4-5331-51100-452000-593000-9999	SA2024016 Pass Through Grant	\$834,974.00

Item No. 8.3. Personnel Policy Amendments.

The Executive Summary as forwarded to the Board states that Albemarle County ended the shared service Human Resources (HR) model in Fiscal Year 2023 (FY 23) and approved the formation of a Human Resources Department dedicated to local government operations. Foundational work in establishing a government-focused HR Department includes a full review and revision of all County Personnel Policies, which is now underway. During this review, staff identified opportunities to modernize existing Personnel Policies to align with changes in legislation and public sector best practices.

Under the County Code, personnel policies and amendments are adopted by the Board of Supervisors.

Staff is proposing updates to the following Personnel Policies. The policies have been renumbered, as indicated below, to improve ease of use and accessibility for all County staff. These policies also utilize a new template, which will be used for all future proposed personnel policy updates in an effort to standardize these policies.

§P-34 Grievance, which was previously § P-03 Employee Grievance Procedures (Attachment A)

§P-38 Separation of Employment, which was previously § P-26 Termination of Employment (Attachment B).

Below is a summary of the proposed changes for each policy:

§ P-34: Added sections for Roles and Responsibilities and Definitions; removed administrative instructions and processes; updated response time between grievance steps to reflect changes in Virginia Code; named department of Human Resources as administrator of the process, rather than the County Executive.

§ P-38: Added sections for Roles and Responsibilities and Definitions; added requirements for providing notice of resignation; added accountability for not returning County property; added provisions for pay for final hours worked; added provisions for rehire eligibility.

There is no budget impact associated with the proposed adoption of these amendments.

Staff recommends that the Board adopt the Resolution (Attachment C), to amend personnel policies § P-34 and § P-38.

By the above-recorded vote, the Board adopted the resolution as presented in Attachment C to amend personnel policies § P-34 and § P-38:

RESOLUTION

WHEREAS, the Board of Supervisors may adopt Personnel Policies under Albemarle County Code §2-901; and

WHEREAS, the Board desires to amend and re-number the following Policies: §P-03 Employee Grievance Procedures as §P-34 Grievance and §P-26 Termination of Employment as §P-38 Separation of Employment.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Albemarle County, Virginia, hereby approves the renumbering and amendment to the County's Personnel Policies as set forth in the documents attached hereto.

Item No. 8.4. Schedule a Public Hearing for an Ordinance to Delegate Appointing Authority.

The Executive Summary as forwarded to the Board states that throughout its existence, the Albemarle County Board of Supervisors has occasionally delegated its authority to various County officers and employees to carry out essential government operations on its behalf.

To set out clearly how appointments in the County's administrative service are made, an ordinance (Attachment A) and an organizational chart (Attachment B) have been established for the Board's consideration.

The Albemarle County Attorney's office has prepared an ordinance (Attachment A) and an organizational chart (Attachment B) for the Board's consideration. The attachments outline the proposed manner in which appointments shall be made.

At this meeting, Staff is requesting that the Board schedule a public hearing to consider adoption of the proposed ordinance and resolution at a future Board meeting.

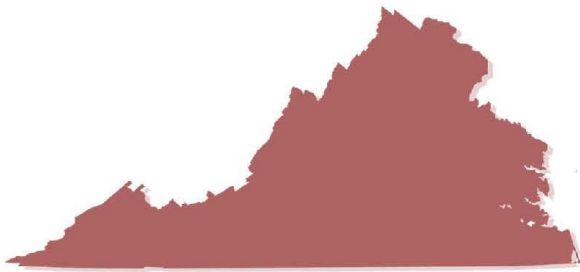
There is no anticipated budget impact.

Staff recommends that the Board schedule a public hearing to consider adoption of the attached proposed ordinance (Attachment A) and organizational chart (Attachment B) at a future Board meeting.

By the above-recorded vote, the Board directed staff to schedule a public hearing to consider adoption of the attached proposed ordinance as presented in Attachment A and organizational chart as presented in Attachment B at a future Board meeting.

Item No. 8.5. 2024 Thomas Jefferson Planning District (TJPD) Legislative Program.

By the above-recorded vote, the Board adopted the 2024 Thomas Jefferson Planning District (TJPD) Legislative Program:



Thomas Jefferson Planning District
2024 LEGISLATIVE PROGRAM

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

November 2023
DRAFT

Ned Gallaway, Chair
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

The State will spend billions of dollars on direct aid to public education in the current biennium. While we appreciate additional state teacher salary and other one-time and ongoing education dollars approved during the current biennium, we continue to believe that the State should increase its commitment to K-12 education in a manner that reflects the true costs of K-12 education. This belief was supported this past summer with the release of the Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding, which found that public education in Virginia is underfunded, noting that local school divisions receive less K-12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately-defined SOQ so that state funding better aligns with prevailing local practice in schools that drives the additional local dollars. This could include recognizing additional instructional positions and increasing state-funded staffing ratios for various non-instructional positions in the education funding formula.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation. 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State continues to fine-tune revenue and spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. Especially in these critical times, the State should not expect local governments to pay for new funding requirements or to expand existing ones on locally-delivered services, without a commensurate increase in state financial assistance.

We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We support the legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness. The State should not eliminate or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes Communications Sales and Use Tax Trust Fund dollars, the local share of recordation taxes, and any state-mandated exemptions to the local option sales tax, unless a viable revenue-replacement to local governments is established.

Land Use and Growth Management

PRIORITY: The Planning District’s member localities encourage the State to resist preempting or circumventing existing land use authorities, and to support local authority to plan and regulate land use.

In the past, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local authority to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support broader impact fee authority for facilities other than roads, authority that should provide for calculating the cost of all public infrastructure, including local transportation and school construction needs caused by growth.
- We support changes to provisions of the current proffer law that limit the scope of impacts that may be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We request state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and support greater flexibility for all localities in the preservation and management of trees.

LEGISLATIVE POSITIONS

Broadband

The Planning District’s member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas. While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we believe state and federal support for broadband expansion that utilizes both fiber and wireless technologies, public/private partnerships and regulated markets should include the following:

- Support for cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.
- The ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.

Children’s Services Act

The Planning District’s member localities urge the State to be partners in containing Children’s Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the state maintaining cost shares on a sum sufficient basis by both the State and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children.
- We support the State being proactive in making residential facilities, services and service providers available, especially in rural areas, and in supporting locality efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District’s member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state’s efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

Education

The Planning District’s member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities, we appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded. We also support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities. The State also should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
- The State must continue to be a partner in sharing costs with localities for children served in private special education placements.
- We support 1) amending the LCI formula to recognize the land use taxation value, rather than the true value, of real property; and 2) preserving current Code provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Environmental and Water Quality

The Planning District’s member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental

resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area.* Instead, we urge the State to provide legal, financial and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund to assist localities with much-needed stormwater projects and in response to any new regulatory requirements. Any such requirements should be balanced, flexible and not require waiver of stormwater charges.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.
- The State should not impose a fee, tax or surcharge on water, sewer, solid waste or other local services to pay for state environmental programs.
- We support local authority to address choices and impacts associated with utility-scale installation of clean energy resources. As the move to non-carbon sources of energy continues, we support the creation of stronger markets for distributed solar and authority for local governments to install small solar facilities on government-owned property and use the electricity for schools or other government-owned buildings located nearby.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing and regulation, whether they are traditional, electronic, internet-based, virtual or otherwise, while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.*
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant

local dollars and additional personnel beyond those funded by the State. We also support the use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.

- We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag behind the need. We request adequate funding for costs associated with voting equipment, registrar offices, early voting requirements and election security standards.
- We urge state funding necessary for agencies to carry out tasks such as processing applications, reviewing permits and other critical administrative functions.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation and other procedures. Also, any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; and 3) provisions concerning the creation of customized records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
- We support enhanced state funding for local and regional libraries.
- We support expanding local authority to regulate smoking in public places.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Transparent state policies and funding for at-risk individuals and families to access appropriate services are critical. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care that helps divert people from needing a state hospital level of care, as well as having services such as outpatient and permanent supportive housing available. We also support measures to address census pressures at state hospitals that will enable them to receive admissions of individuals subject to temporary detention orders without delays.
- The State should ensure that stable, predictable funding through state and federal appropriations is available to help low-income families with children achieve economic self-sufficiency.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).

Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe and sanitary housing. The State, regions and localities should work to promote affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households.

- We support the following: 1) local authority to promote and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist localities in fostering housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; and 4) measures to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally-funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders, given the ever-increasing importance they play in local communities.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We support changes to the Line of Duty Act (LODA) to afford officers employed by private police departments the benefits available under LODA.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices on locally-designated highway segments.

Transportation

The Planning District’s member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia’s well-documented transportation challenges; for attracting and retaining businesses, residents and tourism; and for keeping pace with growing public needs and expectations. We encourage the State to prioritize funding for local and regional transportation needs. Accordingly, we take the following positions:

- As the State continues to adjust the “Smart Scale” prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Item No. 8.6. Letter of Support for the Virginia Association of Planning District Commissions Funding.

The Executive Summary as forwarded to the Board states that at the October 18 work session on the 2024 Legislative Priorities and Legislative Positions & Policy Statements, the Board shared their interest in providing a letter of support for the Virginia Association of Planning District Commissions’ (VAPDC) request for enhanced state funding.

The attached draft letter of support (Attachment A) has been prepared in response to the Board’s interest in supporting the VAPDC request for enhanced state funding.

The request for enhanced funding is to the Governor for state funding. There is no local budget impact associated with this letter of support.

Staff recommends that the Board authorize the Chair to sign the draft letter of support.

By the above-recorded vote, the Board authorized the Chair to sign the draft letter of support.



Beatrice (Bea) LaPisto-Kirtley
Rivanna

Donna P. Price
Scottsville

Ann H. Mallek
White Hall

COUNTY OF ALBEMARLE
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Diantha H. McKeel
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Samuel Miller

Ned L. Gallaway
Rio

November 1, 2023

The Honorable Glenn Youngkin, Governor
Commonwealth of Virginia
P. O. Box 1475
Richmond, VA 23218

Dear Governor Youngkin:

On behalf of the Albemarle County Board of Supervisors, I write to express strong support for increased funding for Planning District Commissions (PDC) in your biennial budget for FY25/26. State funding of an additional \$150,000 per PDC per year in Virginia is critically needed to enhance the capacity of PDCs to support and assist both the State and their communities.

In Albemarle County, the Thomas Jefferson Planning District Commission provides professional, reliable, and trusted support. The TJPDC is uniquely situated to serve as a convener of its member localities to navigate difficult challenges that cross jurisdictional lines – for example, affordable housing, broadband development, and transit. TJPDC staff provide efficient support that otherwise would either need to be absorbed locally, adding pressure to local staff resources, or simply not be addressed. TJPDC’s role as the Metropolitan Planning Organization, the convener of the Regional Housing Partnership and Regional Transit Partnership, the grant lead on a transformational Virginia Telecommunication Initiative broadband infrastructure grant, and other emerging needs, is a critical asset for our local governments.

We feel strongly that the TJPDC has been a critical partner to help our community and region to proactively address collective challenges. But there is more that can be done. We are at an opportune time with the availability of grant funding being available; adding resources to PDCs will help bring federal dollars to the state and regions. This additional state funding being requested

November 1, 2023
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also could be used to extend PDC staff capacity to assist the State and to prepare and execute additional projects with their member local governments, driving more effective and efficient local government.

We appreciate the efforts of the Youngkin Administration to work alongside localities to promote and enhance efficiency in government. On behalf of Albemarle County, thank you for your consideration of these views and this request. Your support and favorable action would be greatly appreciated.

Respectfully,

Donna P. Price
Chair, Albemarle County Board of Supervisors

CC:
Albemarle County Board of Supervisors
Jeffrey B. Richardson, County Executive
Steve Rosenberg, County Attorney

Item No. 8.7. SE202300032 Sentara Martha Jefferson Hospital Early Learning Center (Front-Maximum Setback Waiver) Special Exception.

The Executive Summary as forwarded to the Board states that the applicant requests a special exception to waive the maximum front setback required by County Code §18-4.20 as it applies to Parcel ID 07800-00-00-03110. This parcel is zoned Planned Development Mixed Commercial (PDMC). Because the application plan does not specify setback requirements, the setbacks for commercial districts found in County Code §18-4.20 apply. Under Albemarle County Code § 18-4.20, both a minimum front setback of 10 feet and a maximum front setback of 30 feet are required from the right-of-way or the exterior edge of the sidewalk if the sidewalk is outside of the right-of-way. The proposed special exception would waive the maximum front setback requirement of 30 feet to allow the proposed building to be set back between 90-120 feet from the right-of-way of Martha Jefferson Drive. Application materials are provided in Attachment A and detailed staff analysis is provided in Attachment B.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve a special exception to waive the 30-foot maximum front setback requirement for the subject parcel.

By the above-recorded vote, the Board adopted the Resolution (Attachment C) to approve a special exception to waive the 30-foot maximum front setback requirement for the subject parcel:

**RESOLUTION TO APPROVE
SE 2023-00032 SENTARA MARTHA JEFFERSON HOSPITAL
EARLY LEARNING CENTER**

WHEREAS, upon consideration of the staff reports prepared for SE2023-00032 Sentara Martha Jefferson Hospital Early Learning Center and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.20 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that:

1. The maximum front setback should be increased by special exception to accommodate unique parking or circulation plans on the subject parcel; and
2. The proposed special exception is consistent with the intent of the Planned Development Mixed Commercial (PDMC) zoning district and the Neighborhood Model Principles of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to waive the 30-foot maximum front setback requirement of County Code § 184.20 on Parcel 07800-00-00-03110.

Item No. 8.8. Proclamation Celebrating National Native American Heritage Month.

By the above-recorded vote, the Board adopted the proclamation celebrating Native American Heritage Month:

Proclamation Celebrating Native American Heritage Month

WHEREAS, November 2023 marks the 33rd anniversary of National American Indian Heritage Month (also known as Native American Heritage Month) being federally recognized; and

WHEREAS, Since time immemorial, Native Americans have been active stewards of North American land; and

WHEREAS, Native American Heritage Month is a time to celebrate the traditions, languages, and stories of Native American, Alaska Native, Native Hawaiian, and Island communities to ensure their rich histories and contributions continue to thrive with each passing generation; and

WHEREAS, the Monacan Indian Nation is known to be the indigenous stewards of presentday Albemarle County; and

WHEREAS, through the resilience and perseverance of the Monacan Indian Nation maintaining their culture and traditions for centuries and ensuring the continuity of their long history, the Monacan Indian Nation was recognized by the state of Virginia in 1989, and received federal recognition in 2018.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Albemarle County Board of Supervisors, do hereby recognize November as Native American Heritage Month, and extend our further commitment to strengthen relationships with the Monacan Indian Nation to create a more equitable and inclusive community.

Item No. 8.9. AC44 Phase 2: Draft Goals and Objectives, **was received for information.**

Item No. 8.10. Albemarle Broadband Authority Quarterly Report, **was received for information.**

Item No. 8.11. Board to Board, October 2023, A Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. **Discussion Item:** Transit Governance Study.

Ms. Sandy Shackelford, Director of Planning and Transportation for TJPDC, said that a couple of colleagues in the audience had contributed substantially to the project: Lucinda Shannon was the project manager, and Christine Jacobs and David Blount were also present. She said that Dr. Stephanie Amoaning-Yankson, the project manager from the AECOM team, would be doing most of the presentation. She said that the Regional Transit Governance Study was initiated as a follow-up to the Regional Transit Vision Plan, which the TJPDC had completed approximately one year ago.

Ms. Shackelford said that the Regional Transit Vision Plan established a unified vision for transit service throughout their region. She said that the intention of the governance study was to help identify opportunities to more formally coordinate regional transit services and dedicate funding to support the realization of transit operations identified in the vision plan.

Ms. Shackelford thanked the County, the City, and the Department of Rail and Public

Transportation (DRPD) for their financial support of this initiative. She said that there was another transit presentation later on the agenda today, and County staff would be providing additional clarification on the specific purpose, goals, and findings from that locally initiated transit analysis during their presentation.

Ms. Amoaning-Yankson said that the purpose of the meeting was to provide the Board with an overview of the study and their current progress, and would use the bulk of the time to receive feedback from them on the topics of the transit governance that they would discuss, and to discuss any priorities or concerns that they may have as they moved forward. She said the study emerged from the Transit Vision Plan, which was a Region Ten initiative funded by the TJPDC and involved a collaborative effort. She said that the objective of the plan was to create a collaborative vision for transit that could be supported by the entire region.

Ms. Amoaning-Yankson said that consequently, certain visions were proposed, such as creating a region that could work in a collaborative manner, an inclusive manner, and using an equitable process to provide a transit system that addressed urban and rural needs. She said that part of the outcomes included two networks: one being the constrained network, based on the assumption that a regional entity that could generate additional revenue for transit purposes could be developed within the Charlottesville region. She said that the network aimed to support increasing the amount of service within the urban core and rural areas.

Ms. Amoaning-Yankson said that within the urban network, this would involve increasing the days of service, with all services running seven days a week, reducing headways to make passengers wait only about 20 to 30 minutes for a bus, and providing specific types of other services to specific jurisdictions. She said that the increase in service would represent an approximately 113% expansion of CATS' current service.

Ms. Amoaning-Yankson said that for the rural network, the focus would be on providing more hours of service in a day, reducing the waiting time for a bus to arrive, as well as having more services throughout the week and additional routes to enhance accessibility to the jurisdictions. She said that this would represent approximately a 154% increase in Jaunt's current service. She said that the estimated operational cost for this initiative was around \$35 million. She said that the primary goal of the study was to initiate the process of examining an entity - a regional body - that could identify areas where revenue could be increased dedicated to transit investment and establish a governance structure to oversee the funding mechanism and to serve as a regional planning body. She asked the Board for feedback on a regional approach for transit governance.

Ms. Mallek said it was important to link decision-making and funding, and it was important to involve all relevant stakeholders in the decision-making and planning stages.

Ms. Price said that she agreed with a coordinated approach. She said that she had lived in the Virginia Beach area for 18 years and they referred to it as the Seven Sisters, which included the seven cities of Virginia Beach, Norfolk, Portsmouth, Suffolk, Chesapeake, Hampton, and others. She said that they did not communicate with others from a regional perspective, and instead, they focused on their own local area, which prevented connections between various regions. She said she strongly believed that adopting a regional approach would be more beneficial for their community.

Ms. LaPisto-Kirtley said that a regional approach would work because the County and Charlottesville did not have the population required for success. She said that when combined with other areas, they had the necessary population to make this initiative successful. She said that it was extremely important to adopt such an approach. She said that during her time on the RTP (Regional Transit Partnership) with Ms. McKeel, she consistently emphasized the importance of a regional approach.

Ms. McKeel said she agreed with a regional approach. She asked if the localities would be those include in the TJPDC, and if Ms. Amoaning-Yankson could list those localities.

Ms. Amoaning-Yankson said that the City of Charlottesville, Albemarle County, Fluvanna, Greene, Louisa, and Nelson counties were included.

Mr. Andrews said he agreed with the previous comments.

Ms. Amoaning-Yankson asked the Board for feedback regarding any initial concerns with establishing a regional entity.

Mr. Andrews said that his concern was that they represented very different densities, which meant recognizing various needs due to these differences. He said that they also shared a common problem: many people commuted long distances for work in the City and County. He said that this made this difficult but important.

Ms. Price said that she agreed with the statement. She said that the County served as an excellent example of varying needs and interests due to its densely populated urban areas to sparsely populated rural areas. She said that within their County alone they faced many of the issues that in combination the TJPDC and other local governments faced.

Ms. LaPisto-Kirtley said that she agreed with both comments. She said the fact that they could have something like microtransit for rural areas and being able to expand something like that, then having fixed routes connecting other counties' residents to their workplaces in Albemarle could further reduce

trips. She said that she believed this would be very beneficial.

Ms. McKeel said that providing hourly fixed-route service to the rural area could be very expensive. She said that they were currently initiating a pilot program for microtransit and evaluating its potential as part of an affordable and efficient transit solution for rural areas. She said that instead of solely focusing on expanding fixed routes, she suggested considering the needs of rural areas and microtransit. She said that they must cater to both urban and rural populations, such as those in Greene or Nelson counties, or just Albemarle County.

Ms. Mallek said that she would add that they were fortunate to have had their paratransit partners who provided essential transport. She said that they had to arrange it ahead of time until the new service came along. She said this allowed people to participate in the economy and attend their jobs. She said that exploring ways to further improve this service would be great.

Ms. LaPisto-Kirtley said that park and rides in other counties could help bring people into the County. She noted that fixed routes never worked in rural areas.

Ms. McKeel said that they should not forget about UVA when considering regional partners. She said that UVA had been a participant in the RTP. She said that initially, they were a non-voting member and soon, under the new administration, became a voting member. She said that it was essential to consider UVA as an entity in their thoughts.

Mr. Andrews said that one of the benefits of adopting a regional approach was recognizing that they needed to coordinate all these different services. He said that individuals would need to rely on public transit in order to understand how they would travel from point A to point B, regardless of whether they must use one service for one part and another service for another part. He said that the system needed to be known and reliable.

Ms. McKeel said that they often discussed it being a seamless experience for the receiver. She said that although their localities may have different structures, the experience must remain seamless for the riders, and they should not be jumping from one app to another.

Ms. Price said that the technology being used should enable seamless transfer from one provider to another for the rider.

Ms. Amoaning-Yankson said that that was one of the benefits to having a regional approach in terms of coordination. She said they had different transit providers in the area, but having that strategic and collaborative approach could help when rolling out various types of technology or marketing campaigns, ensuring a seamless connection for the public.

Ms. Amoaning-Yankson said that the specific details of setting up a transit authority would depend on the best approach as they progressed and worked with legislators. She said there were two general ways to consider: one could be to create new legislation or to modify existing legislation that allowed for the creation of a transit authority but did not have a funding component. She said that in terms of membership, the initial members would be the City of Charlottesville and Albemarle County, with an option for rural localities to join. She said they wanted to provide opportunities for partnerships, such as including UVA or other entities in this endeavor.

Ms. Amoaning-Yankson said that a state level example would be the DRPT or regional entities like the MPO (Metropolitan Planning Organization), the TJPDC, to help make decisions for transit. She said that representation on the board would be appointed members chosen from the governing bodies of the localities. She said that they would consider elected officials from the localities to serve this authority. She said that it would mean that the transit authority would take on the role of preparing a regional transit plan.

Ms. Amoaning-Yankson said that currently, there was no entity responsible for regional planning for transit, so this would be the sole responsibility of this entity. She said that once the plan had been established, they would have the authority and power to implement those services. She said that this could be done through contracting with existing providers like Jaunt or CAT or some other means. She said that they also wanted to ensure that the transit authority had the authority to enter any necessary contracts for providing services.

Ms. Amoaning-Yankson said that the regional plan served as a vision for the counties participating in the authority, guiding their efforts and funding various projects. She said this could be an additional service for rural localities. She said it could involve microtransit, on-demand services, or increased frequency in urban areas. She said that they wanted the authority to have the power to provide general oversight of area programs concerning transit and take responsibility for long-range transit planning. She said that additionally, they should apply for grants, coordinate with the CTB, and advocate for regional transit needs.

Ms. Amoaning-Yankson said that they must establish indicators of accountability to ensure accountability to local governments and taxpayers. She said these could include representation by board membership from various local governments, elected officials representing their constituents, and members appointed by DRPT or legislative bodies. She said they recommended establishing a technical advisory committee consisting of staff members and representatives from transit operators to provide direction and guidance on planning for transit services.

Ms. Amoaning-Yankson said that another factor was reaching agreement on decision-making criteria, which would guide the principles for regional investment. She said that these criteria could include equity, economic impact, and multimodality, and projects would be weighed against their ability to be implemented or not during the planning phase. She said that they also ask that there be financial reporting and funding oversight as checks and balances to ensure accountability. She asked if the Board felt they had a general understanding of who would participate and its role.

Ms. LaPisto-Kirtley said that she had a general understanding.

Ms. McKeel said that for clarity, in their current discussions regarding transit within the community, they were moving away from the partnership towards an authority.

Ms. Amoaning-Yankson said that was correct.

Ms. McKeel said that when they initially began the advisory partnership, that was always the goal. She said they had been transparent about their intention to collaborate and address the challenges of regional transit while considering the potential for an authority in the future. She said that over the past few years, they had worked diligently to build trust among localities and demonstrate that they could effectively operate together. She said they had achieved this at the partnership level. She said she was comfortable with the information.

Ms. Mallek said that they were examining two aspects: governance and funding. She asked if there was authority, specifically from the General Assembly, implied in their ability to establish the authority, so that they could have the governance structure done in advance of determining the funding so that it could be up standing and agreed to. She said that if it was legal, it may enhance their ability to do the funding.

Ms. Amoaning-Yankson said that was correct. She explained that an intermediate step would be to set up the governance structure as they worked with legislators to request that funding portion.

Ms. Mallek said that it seemed they might achieve more success in the legislative aspect if they had demonstrated their ability to handle the governance aspect.

Ms. Price said that she supported moving from a partnership to a transit authority, and she believed she had a good understanding of the role.

Ms. Amoaning-Yankson said that they would provide a brief overview of some revenue generation options. She said that as part of this study, they had examined various types of options where they could generate additional funding to support these services. She said they conducted a high-level estimate by examining the current funding structure with their providers, CAT and Jaunt, as well as considering the increase in service and potential revenue that could be generated. She said that they were looking at the 2021 operating revenues for CAT and Jaunt. She said the abnormality in federal assistance from Jaunt was due to COVID relief funds. She said that generally, federal funding had been consistent throughout the years.

Ms. Amoaning-Yankson said they analyzed the current state of funding and considered some of the operating cost estimates they had. She said that assuming the federal contribution would remain relatively stable, they saw a potential increase in the state contribution. She said this would result in a deficit of approximately \$19 million for operating purposes only. She said that it did not include the ADA associated services and capital. She said that they reviewed various funding options from different authorities within the Commonwealth, including NVTa (Northern Virginia Transportation Authority), HRTAC (Hampton Roads Transportation Accountability Committee), and CVTA (Central Virginia Transportation Authority). She said that on the left side of the slide was a list of the different sources of revenue that went toward their transportation funding.

Ms. Amoaning-Yankson said that based on their research and discussions with representatives from these authorities as well as VDOT, they narrowed down exploratory options for the Charlottesville region to four possibilities. She said they explored what each option could look like and estimated their potential generation capacity. She said that they examined various taxes, including sales and use tax, transient occupancy tax, property tax, and real estate tax. She said the specific tax chosen would depend on the guidance provided by the legislature. She said that for their analysis, they sought options to serve as a starting point. She said that the numbers provided were based on percentages from other authorities, such as NVTa, HRTAC, and CVTA, and the figures were intended as initial estimates.

Ms. Amoaning-Yankson said that to project estimated revenues from additional sources, they separated sales and use tax data into Albemarle, the City, and the rural counties grouped together. She said that they had a rough five-year outlook on potential revenue generation from sales, personal property, lodging, and real estate taxes. She said that the percentages used in their calculations may be adjusted according to agreements reached by localities. She said that this was to show that, with the legislative authority, it could be achieved by generating sufficient funding for additional services in the region and having an oversight governance body manage the use of these funds. She said that they had three technical memos detailing each stage, as well as a final report that would offer more comprehensive information on all topics discussed.

Ms. Amoaning-Yankson asked for the Board's feedback regarding the identified revenue sources

and the estimates they provided. She said they wanted to know about any allocation priorities that may pose challenges. She asked for feedback on the proposed governance structure and any potential issues. She asked for feedback on the immediate next steps for implementation.

Ms. LaPisto-Kirtley clarified that they would have to go to the legislature and ask permission for certain things.

Ms. Amoaning-Yankson said that was correct.

Ms. LaPisto-Kirtley said that she was unable to say they should do that because going to the legislature for permission to do that was problematic at best. She said that she was not prepared to comment on specific allocations, such as the lodging tax or other taxes, because she would want to delve deeper into the issue. She noted that the cigarette tax was not mentioned. She said she would like to see it raised, but they must also go to the legislature for that.

Ms. McKeel said that upon examining the list of questions, it was evident that the funding sources identified were common and had been utilized by neighboring localities, but that she did not have enough information to identify. She said that she thought that would be part of the work of the governance authority as they set it up because they would be able to determine, and there may be other options.

Ms. McKeel said that she wished to convey to people that they had constrained and unconstrained options, and the numbers were huge. She said that these figures indicated that all localities participated, which may not necessarily be how the authority began. She said that between the constrained and unconstrained alternatives, there were intermediate choices, and they could implement actions that would alter those amounts.

Ms. McKeel said that she believed their recommendations as far as the authority having elected officials and representation from DRPT and others were appropriate. She said regarding next steps, she thought they must have a parallel process and wanted to get to the authority, recognizing that they would not have a funding structure then. She said if they could get to the authority, they could determine a funding structure. She said that in the meantime, collaborating with their legislators on the legislation they required. She said she considered this as a parallel process.

Ms. McKeel said she understood there was concern about the legislature in the current year, which had many new members in the General Assembly. She said that rushing into something in the upcoming legislative session may not be practical, but they could have a parallel process going on, looking towards obtaining authority in the next legislative session after some of their new members had time to settle in.

Mr. Andrews said that he agreed that establishing a governance decision-making structure was necessary before addressing funding sources. He said he had concerns about the projections from the study regarding different tax percentages and was unsure where they were coming from. He said he recognized these as potential funding sources. He said that when considering funding, he believed there must be an agreement among those represented on the authority regarding how their locality benefited and contributed to the initiative. He said this would precede determining specific funding sources. He said he agreed that they needed to address both aspects simultaneously in terms of next steps. He said he wanted them to collaborate in forming the authority and to reach consensus among different constituent representatives about how this could work while also pursuing legislation.

Mr. Gallaway said there was a presentation on this topic at the MPO meeting, so he was somewhat caught up. He said that funding sources were a concern, especially since this was a regional body. He said this was brought up at the TJPDC commission meeting, where representatives from all the different counties were present. He said that when specific amounts such as sales tax or transit occupancy tax were discussed, they felt like they were locked in and must do that one thing, and this could be unsettling for some of the surrounding counties, which were more averse to the word "tax" and "taxes" and "taxing" than other places.

Mr. Gallaway said that when considering it regionally, the constrained and unconstrained objectives they were trying to achieve brought value to all the counties in their commission, TJPDC, and planning district commission. He said the method of raising funds in each locality did not matter. He said that they could choose TOT (transient occupancy tax), but another county may want to pull it somewhere else. He said that they would have to determine the transit budget eventually. He said that it did not matter if the other counties wanted to fund the program differently.

Mr. Gallaway said that without the transit authority, they did not realize the funds the transit authority would bring them. He said the money that they began giving to this would be multiplied in a way that was not currently being done. He said that was something they should do, and he was supportive and wanted to do that. He asked what the current transit budget was for the County.

Mr. Andy Bowman, Interim Assistant CFO for Policy and Partnerships, said that in the fiscal year 2024 adopted budget, there was approximately \$4.8 million allocated.

Mr. Gallaway said that if they wanted to realize the constrained option at \$16 million, it would cost an additional \$12 million. He said that the additional \$4 million could provide various services, but it came down to a budget decision. He said that they should not focus on where the funds would come from but rather how much they wanted to allocate to transit. He said that as a region, they must understand that

creating an authority was necessary to generate extra dollars and make a regional transit system work.

Mr. Gallaway said that the rest of the budget would be a budget allocation priority that could make this challenging. He said that in terms of the governance structure, he had been on the record multiple times stating that they needed a regional transit authority. He said it was interesting at the MPO meeting when the conversation quickly turned into Charlottesville-Albemarle-UVA. He said that if there were other counties involved, it may put different pressure on UVA to realize that this was not just about the three entities. He said that there were many employees who lived in the surrounding counties who could be willing participants from a funding perspective as well. He said that they could not get there without a regional transit authority and it could not only involve Albemarle, Charlottesville, and UVA; it had to be broader and bigger than that.

Mr. Gallaway said that in terms of immediate next steps, he would encourage, and he believed that the TJPDC staff was doing this as well, continually discussing with the staff in each county about how a regional system could and should work. He said they should use examples like the Afton Express to demonstrate how regional systems improve things for everyone. He said that by the time the conversation came up, they would have a clear understanding of the cost and be prepared to make an informed decision on whether there was value in paying that price.

Ms. Mallek said that she was excited that they were getting a little closer. She said that the list of potential funding sources was currently allocated to other places, as discussed in relation to other parts of the budget. She said she assumed that they were discussing either increasing or reallocating funds, a topic that clearly fell under the purview of the budget discussions.

Ms. Mallek said that another advantage they might be able to achieve in the next round of governance was if they could significantly alter the level of federal funding by increasing what they received if they could find a way to count the UVA riders. She said that it would place them in an entirely different funding strategy for the federal level. She said establishing the authority first, which was currently their priority, would enable the transfer of existing transit funds into the authority's budget. She said that this process enhanced the authority's readiness to receive additional funding from other sources. She said that on to governance was where she wanted to go.

Ms. Price said that for the possible funding sources, she supported any, all, and others. She said that regarding the governance decision-making structure, she pointed out a challenge for a regional transportation authority included varying population numbers and densities among the counties in the planning district. She said that Albemarle County's population was ten times that of one other county, six times that of another, and 2.5 times that of Charlottesville. She said that Charlottesville was the most dense, the County's urban ring was next, followed by increasingly sparse populations, which complicated finding common ground for regional transportation. She said that she was unsure how this related to the structure, and that she had no further input on immediate next steps.

Ms. Amoaning-Yankson said that the next steps would involve completing the study, and the report would contain the details of their recommendations. She said that as they had discussed, the immediate next steps included examining existing legislation already in place. She said that the only missing component was funding. She said that for the legislation to be enacted, members of the localities wishing to participate must pass a resolution at their local governing bodies to establish a board, which would help generate momentum for the rest of the work.

Agenda Item No. 10. Presentation: Smart Scale Program Updates.

The Executive Summary as forwarded to the Board states that the Smart Scale grant program is the primary method for funding large-scale transportation projects in Virginia. The program distributes state and federal funds for the design, right of way acquisition, and construction of projects.

Smart Scale is a competitive grant program. Currently, the Virginia Department of Transportation (VDOT) evaluates applications based on how likely the project is to improve safety, reduce congestion, increase accessibility, contribute to economic development, promote efficient land use, and impact the environment.

Albemarle County has relied on Smart Scale funding for projects identified as County priorities in our Comprehensive and Master Planning processes. In the previous five rounds of Smart Scale, projects within Albemarle County have received approximately \$166 million.

Proposed changes by VDOT to the Smart Scale application and scoring processes have the potential to significantly impact Albemarle County's ability to seek Smart Scale funding for transportation infrastructure projects prioritized by the County's Comprehensive and Master Planning processes. In the presentation, staff will outline the proposed Smart Scale process changes and their potential impact on County applications.

There is no immediate impact to the County budget.

Staff recommends that the Board of Supervisors receives this information and provide comment, if appropriate.

Ms. Jessica Hersh-Ballering, Principal Planner, said the presentation would cover the SMART SCALE process review being undertaken by the Office of Intermodal Planning and Investment, VDOT, and DRPT (Department of Rail and Public Transportation). She said that Ms. Sandy Shackelford from the TJPDC (Thomas Jefferson Planning District Commission) had spoken to the Board a couple of months ago about this process review. She said that she would build off of that presentation, focusing on the potential impact of the process review's proposed changes to the County.

Ms. Hersh-Ballering noted that the Board was well-acquainted with SMART SCALE, but she wanted to highlight a few items that were essential for understanding later points in the presentation. She said that the first aspect was that the SMART SCALE grant program served as the primary funding mechanism for large-scale transportation projects in Virginia. She said that SMART SCALE did not require a local match, allowing them to request funding for the full cost of the project when utilizing SMART SCALE. She said that SMART SCALE was a competitive program, with funds allocated to projects that achieved the highest score. She said that SMART SCALE scores were determined by calculating the ratio of a project's benefits to its costs.

Ms. Hersh-Ballering said that to assess the project's benefits, reviewers considered six factors: safety, congestion, accessibility, land use, economic development, and environment. She said that the SMART SCALE process review commenced several months ago, with the first presentation by state-level staff to the Commonwealth Transportation Board (CTB) taking place in February of this year. She said that the SMART SCALE process review was anticipated to conclude with policy adoption at the December 4 CTB meeting.

Ms. Hersh-Ballering said that if these proposed changes were implemented, they could expect the following outcomes: fewer projects funded through SMART SCALE overall; larger projects being more likely to receive funding compared to smaller ones; it would be more challenging for the County to secure funding for bicycle and pedestrian-focused projects; and finally, if the County was successful within the proposed scoring paradigm, funded projects may not align with the County's planning efforts and resident project requests. She said that they would revisit these points later in the presentation, adding more depth to their analysis.

Ms. Hersh-Ballering said that the SMART SCALE process review was a response to the perceived trends and biases outlined on the presented slide. She said that while specific changes proposed were important, she believed that the information presented on this slide was even more important because it clarified what state-level staff considered problematic with the current SMART SCALE program. She said that there had been concern that localities, MPOs (Metropolitan Planning Organizations), and PDCs (Planning District Commissions) across the Commonwealth had been submitting low-quality and incomplete SMART SCALE applications. She said that while there were several reasons for that, based on the data, that perception was true.

Ms. Hersh-Ballering said that there was also a perceived preference for smaller projects, or those requesting less than \$10 million, compared to larger ones. She said that contrary to this belief, the data revealed a more complex picture. She said that smaller projects were funded at a higher rate than larger ones, and there were more small projects funded overall. She said that in round five, 106 small projects received funding, while only 46 large projects did.

Ms. Hersh-Ballering said that small projects received less funding in total compared to large projects across all rounds. She noted that for instance, in round five, small projects obtained \$538 million, whereas large projects secured \$962 million. She said that after examining this data, state-level staff concluded that there is indeed a preference for smaller projects.

Ms. Hersh-Ballering said that there was a perceived inclination towards projects focused on bike and pedestrian infrastructure as the primary improvement. She said that the data was nuanced. She said that bike and pedestrian projects had a higher funding success rate of 59% compared to highway projects with a 47% success rate throughout all five rounds of SMART SCALE.

Ms. Hersh-Ballering said that during the five rounds of funding, the number of bicycle and pedestrian projects and the overall funding allocated to these projects was significantly lower compared to highway projects. She said that there were 135 bicycle and pedestrian projects funded versus 376 highway projects in total. She said that examining the amount of funding each project type received, bicycle and pedestrian projects received \$519 million over five rounds, while \$1.5 billion was allocated to highway projects across all five rounds. She said that state-level staff interpreted this data as evidence of a bias towards bicycle and pedestrian projects.

Ms. Hersh-Ballering said that it is more likely that the observed disparity was due to a difference in project success rates rather than the number of funded projects or the proportion of available funding received by each type of project. She said that adjustments aimed at addressing this perceived bias may result in fewer bicycle and pedestrian projects receiving funding, a reduced success rate for these projects, and a decreased proportion of SMART SCALE funding allocated to bicycle and pedestrian initiatives.

Ms. Hersh-Ballering said that moving forward, there was a perception that one of the six factors influencing SMART SCALE scores, land use, had an outsized scoring impact. She said that the land use factor awarded points for projects that provided enhanced multimodal opportunities in areas of high population and employment density, both present and expected in the future. She explained that this meant a bike and pedestrian or transit project in an area like Rio and Route 29 would score higher than

that exact same project being proposed for somewhere far outside of the Development Area in the factor of land use.

Ms. Hersh-Ballering said that state-level staff determined that this perception of an outsized impact was real, and their concern was that the land use factor score was more related to project location as opposed to project benefit. She said that for the County, any proposed changes to reduce the impact of the land use factor would impact their ability to receive funding for projects in the places where they had a lot of residents and jobs.

Ms. Hersh-Ballering said there was a concern that the congestion factor did not account for the full future project benefits, as the score was currently based off of what congestion looked like presently, even though the project, if it was funded, would not be built for several years and many things could change in the interim. She said that the scoring system currently benefited slower-growing communities.

Ms. Hersh-Ballering said that there was a concern that the economic development factor score did not accurately represent actual economic impact. She said that the economic development factor score was primarily based on the square footage of proposed development near transportation projects, which state-level staff argued was not an effective measure of economic development in terms of job creation.

Ms. Hersh-Ballering said that there were other perceived trends and biases reviewed by state-level staff were determined to be untrue. She said that she would not review those in the interest of time.

Ms. Hersh-Ballering said that the following slide highlighted the most relevant proposed changes for the County. She said that state-level staff had suggested reducing the number of applications that localities, MPOs, and PDCs could submit in each round. She said that currently, localities such as the County and the City, along with their MPO and PDC, could submit four applications each per round, while larger localities could submit ten. She said that the latest proposal by state-level staff was that localities with a population between 100,000 and 200,000 residents, like the County, would be able to continue submitting four applications.

Ms. Hersh-Ballering said that smaller localities, such as the City of Charlottesville, would reduce their number of applications to three. She said that larger localities would decrease their applications to six. She said that MPOs and PDCs, like the Charlottesville-Albemarle MPO and the TJPDC with less than 250,000 residents, would also reduce their applications to three. She said this change aimed to address the issue of low-quality and incomplete applications being submitted. She said it was expected to decrease the number of applications for small projects as localities focused their limited number of applications on the largest and most pressing priorities.

Ms. Hersh-Ballering said that state-level staff intended to transform the land use factor from a standalone score into a multiplier of the total score. She said that this change would also increase the safety and congestion factors or possibly the safety and accessibility factors as a proportion of the total score. She said that the increased impact of these factors was due to the portion of the total score that previously belonged to land use being redistributed to these other factors. She said that the reason for choosing safety and congestion, or alternatively, safety and accessibility, was because the CTB was still deciding where they wanted to redistribute those land use points.

Ms. Hersh-Ballering said that state-level staff claimed that this change aimed to prevent land use from being the sole determinant of success. She said it would decrease the influence of land use and increase the impact of safety and congestion or accessibility factors. She said that they wanted projects to enhance safety, reduce congestion, and improve accessibility, but the issue arose from how safety was measured. She said that to get points for the safety factor, the project had to lower the number and rate of severe and fatal accidents.

Ms. Hersh-Ballering said that this was highly reactive. She said that if there was not an issue yet, it was impossible to proactively improve safety. She said that people currently biked and walked at lower rates than driving, so bike and pedestrian accidents were rarer, making it difficult to interpret trends from that data in the same way as motor vehicle data. She said that lastly, this made it impossible to enhance safety by adding bike and pedestrian infrastructure where none presently existed.

Ms. Hersh-Ballering said state-level staff had suggested limiting the types of projects for which PDCs and MPOs could apply. She said that currently, PDCs and MPOs were restricted to submitting projects on corridors of statewide significance or a regional network. She said the proposed change would limit the types of projects that PDCs and MPOs could apply for on behalf of the County. She said that it was worth mentioning that there were numerous projects that the MPO and PDC had submitted in the past that they would no longer be eligible to submit under the proposed change.

Ms. Hersh-Ballering said that state-level staff had suggested calculating congestion benefits 10 years into the future instead of the present for the congestion factor. She said the approach aimed to capture the full benefit of the submitted project. She said that calculating congestion benefits 10 years in advance was how rounds 1 and 2 were scored, and it was changed to calculate using the current year's data for rounds 3, 4, and 5. She said that the proposed change put them back where they were.

Ms. Hersh-Ballering said that state-level staff proposed transforming the economic development factor to focus on major projects aligning with the state's economic development goals. She said that some process changes were also proposed, including relying heavily on economic development sites

being entered into VEDP's (Virginia Economic Development Partnership) Virginia Scan database for verification. She said that overall, they did not know how this change would affect their County because they were uncertain if previously contributing economic development sites would be eligible within the Virginia Scan database. She said they simply lacked this information at present.

Ms. Hersh-Ballering said that an analysis by state-level staff revealed that this proposed change would have the most significant positive impact on large highway projects and a slight negative effect on bike and pedestrian projects when applied to Round 5 submitted projects.

Ms. Hersh-Ballering said that she wanted to put the proposed changes in the context of the County's transportation planning process. She said that broadly, the County prioritized mixed-use development that reduced the need for vehicular trips through safe and comfortable pedestrian, bike, and transit infrastructure. She said that this position was informed by various County plans, such as the Comprehensive Plan and the Climate Action Plan.

Ms. Hersh-Ballering said that additionally, residents expressed their desire for multimodal planning through the planning process and email and phone call requests. She said that on the presented slide, two quotes were displayed from participants in the Comprehensive Plan update process, demonstrating their desire for multimodal planning, particularly in mixed-use development areas.

Ms. Hersh-Ballering said that if the proposed changes were implemented, they could anticipate fewer projects being funded through SMART SCALE overall, larger projects becoming more likely to receive funding compared to smaller projects, and increased difficulty in securing funding for bicycle and pedestrian projects. She said that when they had heard about these potential challenges, they had also been informed of alternative funding opportunities for bicycle and pedestrian projects, such as Revenue Sharing and transportation alternatives.

Ms. Hersh-Ballering said that these alternative funding sources were limited in several ways. She said that Revenue Sharing allowed them to request up to \$10 million per project, but transportation alternatives could only request up to \$2 million per project due to the required local match. She noted that SMART SCALE did not have a required local match, Revenue Sharing had a 50-50 local match, while transportation alternatives had an 80-20 match with the County providing 20% of the project cost. She said that administrative challenges were also present in Revenue Sharing and transportation alternatives that were not seen with SMART SCALE.

Ms. Hersh-Ballering said that if the County was successful within the proposed scoring paradigm, funded projects may not be consistent with the County planning efforts and resident project requests as outlined on the previous slide. She said that the Board may consider directing staff to submit comments in support of or against any of the proposed changes. She said that the SMART SCALE process review was expected to conclude with policy adoption at the December 4 CTB meeting, so comments should be submitted ahead of that date.

Ms. LaPisto-Kirtley said that she had a few questions. She said that she understood that Charlottesville would be able to apply for three SMART SCALE projects, while they would be able to apply for four. She asked if it was true that the Hydraulic and Route 29 grade separation did not progress.

Ms. Hersh-Ballering said that they were proceeding with a different project at that intersection.

Ms. LaPisto-Kirtley said that she understood that they were considering a different project but suggested an alternative idea for a grade separation. She said that she wondered if Charlottesville and Albemarle could submit the same project, similar to what they had done at Rio and Route 29.

Ms. Sandy Shackleford, Director of Planning and Transportation for TJPDC said that since there was an ongoing funded project currently, another project at the same location may not be eligible unless they rescinded the funding they had already received there. She said that would likely be the starting point to address that particular project.

Ms. LaPisto-Kirtley said that she was glad to see them focusing on safety, as she believed it was extremely important. She said that apart from that, there was a lot of information provided; however, she would get back to them within the next week or two.

Mr. Andrews acknowledged that there was a significant amount of information presented in the presentation. He expressed concern about the description of land use but also understood the importance of location. He said that he understood that as a multiplier, it could be used and have its advantages, and that he appreciated the inclusion of congestion as a possible factor. He said that regarding their previous discussion about various transportation projects, it was essential to recognize the need to analyze each project individually and determine which ones worked together and how they could be put together in a way that would make them a larger, more impactful project, because that was where they would get the most bang for their buck.

Mr. Andrews emphasized the importance of playing by the rules and adapting to existing guidelines. He said that he agreed that safety was important, but that he was concerned about the excessive focus on past fatalities and the need for a more nuanced understanding of safety. He said that the presentation was excellent and that he was encouraged that they were at four, and he hoped they could position themselves to be successful with this.

Mr. Gallaway said that he and Ms. Mallek had the advantage of having this presentation at the MPO recently, so they had time to reflect and give thought to what they did not know or arrive at conclusions. He said that he would like to be cautious about moving into support, oppose, or agree/disagree versus simply understanding what the changes are going to be. He said that part of that recognition at the last MPO meeting was that if they took past projects and said this is what was funded under the prior program, and if they took those same projects and put them under the new program, this was what could not be funded. He said that the analysis was not clean because it removed the strategic thinking of how to submit the application under the first program.

Mr. Gallaway said that it was important that folks in the community understand that they were changing card games but playing with the same deck. He said that understanding how to play the game was essential in this situation. He said that it was challenging to determine whether he supported or opposed certain aspects of it. He said that he was going to try to explain the understanding of where they were going with this. He said if staff and the Board got into saying do this or do not do this, they would miss understanding what they were doing, and they are going to do it because they were the funders.

Mr. Gallaway said that as far as big projects versus little projects, how many projects they had broken into little projects that if they had done them as big projects, they would be done and out of the way. He said it sounded bad to say they would not get smaller projects done, but it would change how Albemarle put projects forth for funding.

Mr. Gallaway said that the VDOT staff recommended the change based on population size, but it would affect the number of projects undertaken in Albemarle. He said that they were recommending to allow two additional types of projects that could be submitted by the PDC, and that bridges was one of those. He said that the pedestrian bridge over Rivanna would qualify for that, and that he thought that was an important addition.

Mr. Gallaway said that he agreed with the economic development items suggested and found them in line with their Economic Development strategic plan, Project ENABLE. He said that these should be beneficial for them. He said that he wondered if larger sites and populations in other places would affect their scores positively or not. He said that he believed the scoring may not necessarily play out that way.

Mr. Gallaway said that the economic development aspect raised another issue. He said when discussing SMART SCALE, that they often overlooked their economic development team and strategy, but it would shift moving forward as they brought them into the equation. He said that site readiness and the tiers of where those sites were at played a critical role in these applications. He said that this led him to question the notes at MPO, which was what did they have currently uploaded in Virginia Scan, what was included in there, and reviewing the tiered state of readiness. He said that although they had this information, they may not have needed to examine it before when submitting transportation projects. He said that it would be beneficial to address this proactively.

Ms. McKeel said that revisiting a process or program after it has been in place for some time was always beneficial. She said that she was not resentful that they were trying to refine and improve the system. She said that she believed it was appropriate. She said that from her perspective, she was not overly concerned about the changes she saw. She said that she agreed with addressing congestion issues, and the numbers were not of great concern to her because the County was not being hurt too much in that.

Ms. McKeel said that it should be emphasized the importance of being smart when approaching their situation. She said that they needed to determine the best way to proceed, considering factors such as packaging. She said that acknowledging that they had learned much during the previous process, they would have to figure it out again. She said that although it was somewhat frustrating, she did not let it bother her too much. She said that they just had to understand the process. She said that she agreed with Mr. Gallaway's point about their EDA and economic development staff having an understanding of this, as there were changes.

Ms. McKeel said that from her personal viewpoint, sidewalks and multiuse paths, and connectivity were her top priority. She said that her goal was to ensure people could safely access essential locations such as jobs, schools, grocery stores, and healthcare centers. She said that her priority was ensuring that people could access their basic needs. She said that she hoped that would work within the constraints of this. She said that she did not believe they needed to spend a lot of time fighting it, they must figure it out and not fight it.

Ms. Mallek said she would agree that they should not go and fight it because they will pay for that later. She said this group was going to do what they were going to do. She said that she thought there was a lot of frustration that she had heard from VDOT staff. She said that she was a little crabby that they were saying that there were incomplete applications. She said that it should be simple enough; just do not take them.

Ms. Mallek said that Community Development had learned how to do that so that if the blanks were not all checked, then they did not get in the door. She said that that was their job, and she thought they were trying to shift the blame onto someone else, but they could easily take responsibility and take care of that very easily. She asked if she understood correctly that safety was only looking back, not as a way to prevent or shorten response times for getting the engines and equipment to an area faster.

Ms. Hersh-Ballering said that was correct. She said that it only measured rate and frequency of severe and fatal crashes.

Ms. Mallek said that documenting non-hospital visit or fatal crashes was a significant issue because there was no paper trail unless their people called 977-9041 and reported it to the Police Department database, which was the only way they had to develop an understanding of what was truly happening in the numerous crashes that occurred. She said that many bike and pedestrian initiatives related to larger projects would benefit the connection to jobs and schools and grocery stores mentioned earlier. She said that she was not discouraged about this either. She said that it was discouraging that initially, they were told that exit 118 was too large for funding, despite it needing funding a decade ago and it could have been completed long ago. She said that this location also experienced numerous crashes regularly.

Ms. Mallek said that Hydraulic Road, which they were told had failed, now prevented them from reapplying it for the second year, even though personalities may have changed. She said that they must make the best of the situation and find ways to move forward. She said that she did not want Albemarle County to be perceived as a whiner and complainer in front of CTB. She said that there was a town hall scheduled for the 21st, but it had already occurred the day before; she had been confused about the date. She said that they were grateful for all the efforts being made to help their community, even if it was in small steps.

Ms. Price said that she appreciated Ms. Mallek's recognition of the efforts made by numerous individuals from various departments and agencies that had contributed to their current progress. She said that while others had commented on specific areas, she would like to focus on slides four, five, and seven, particularly regarding the bike ped improvements. She said that many of the issues they faced today stemmed from the initial infrastructure design, which only considered vehicular traffic options.

Ms. Price said that last week, she had the good fortune to travel through four European countries, and bicycles were everywhere. She said while they were not as flat as Amsterdam, where they literally had more bicycles than vehicles, e-bikes were game changers in terms of bicycle transportation. She said that they needed to do what they could to include multimodal in all of their projects because it was the safest way to get people in the City to their destinations in an environmentally friendly manner. She said that with e-bikes, they could go anywhere. She expressed her appreciation for all of the work done on this item.

Ms. McKeel said that she agreed with Ms. Price that they should do what they could do to encourage multimodal transportation. She said that as the representative of the district containing the Hydraulic intersection, she would like to say that while they did not end up with a grade-separated intersection, they were competing with a tunnel in the Norfolk area, and she believed they ended up with a better project. She said that she was looking forward to the construction of that.

Ms. McKeel said that they had roundabouts and the pedestrian bridge crossing Route 29. She said that reflecting on the process, sometimes taking a step back and rethinking could lead to an even better project than initially planned. She said that the Rio intersection was great for its location but emphasized that the Hydraulic intersection's location and context made it a great project moving forward. She said that she was excited about the construction of all these projects and thanked everyone involved.

Ms. LaPisto-Kirtley asked if Ms. Hersh-Ballering had adequate information from the Board, and whether the December 4th date was the final date for the Board to give comments.

Ms. Hersh-Ballering said yes, that County staff would want to submit comments before the December 4th decision was made on which of the proposed changes would be adopted.

Recess. The Board recessed its meeting at 3:01 p.m. and reconvened at 3:15 p.m.

Agenda Item No.11. **Discussion Item:** County Transit Analysis: Phase 1 Report.

The Executive Summary as forwarded to the Board states that the County of Albemarle is a member of the regional transit partnership (RTP) that was founded through a partnership between the County City of Charlottesville, and the University of Virginia. In partnership with the Virginia Department of Rail and Public Transportation (DRPT), the RTP's members cooperate on transit-related matters in the region. Service in the region is operated by Charlottesville Area Transit (CAT), a department of the City, and Jaunt, a public service corporation. Jaunt also operates service in five other adjacent counties (Buckingham, Fluvanna, Greene, Louisa, and Nelson). Jaunt and CAT participate in the RTP.

In the FY 24 Adopted Budget, the Board of Supervisors appropriated \$4.8 million for transit services. In addition, the Board appropriated \$98,000 for one-time contractual services to analyze the County's portion of the transit system complement to the work of the RTP.

The County has contracted with Texas A&M Transportation Institute (TTI) to gain a fuller understanding of the efficiency and effectiveness of the transit services operated in the County, the current and potential sources of funding to support transit service, and whether the current services, costs, and funding approaches reflect industry best practices. The analysis performed by TTI is planned to be completed in phases.

The Phase 1 report prepared by TTI is available in Attachment A. This report has been prepared based on TTI's research, analysis, and consultation with County, CAT, and Jaunt staff. County staff and TTI will present findings from the report to the Board during this meeting.

This report and future phases are intended to inform the FY 25 and long-range financial planning discussions with the Board related to transit services.

Staff recommends the Board receive the update and presentation as an informational item.

Mr. Andy Bowman, Assistant Chief Financial Officer for Budget and Interim Assistant CFO for Policy and Partnerships, said that this item was a discussion item on the County's Transit Analysis Report, and staff would give a presentation. He said that he would be joined in a moment by their consultant, whom he would introduce. He said that they would follow this up with some Board questions and comments. He emphasized that no action was requested by the Board of Supervisors today. He said that before introducing his co-presenter, he wanted to provide a little background on this report and how they arrived at this point. He said that this discussion had last been held with the Board of Supervisors in March during the budget process, where they conducted an in-depth presentation and discussion around transit. He said that in that meeting, they included in the budget \$98,000 for performing a transit analysis.

Mr. Bowman explained that the reason for funding this analysis was due to the increasing complexity of their transit system. He said that this complexity arose from the array of services they provided, multiple providers, changes in state and federal funding landscapes, the intricacies of CARES (Coronavirus Aid, Relief, and Economic Security Act) and ARPA (American Rescue Plan Act) funding that had entered the system recently, and the impact of transit during the pandemic. He said that he acknowledged that while he was fortunate to be part of the team with many talented individuals, there was no subject matter expert among them to truly understand the depth and breadth of transit.

Mr. Bowman said that transit in the county was very different from other services, and although an internal County department may have ridden that service, CAT (Charlottesville Area Transit) was in a Memorandum of Understanding (MOU) with the City that the County participated in. He said that Jaunt was a public services corporation, in which the County was a member.

Mr. Bowman said that with all these complexities, they really needed to get some outside expertise to ensure that they were protecting the County's investment in transit, ensuring the quality of service, and contributing to future discussions on transit from a County perspective by asking the right questions and engaging in relevant conversations.

Mr. Bowman said that the funding was appropriated in July, and four months later, they were there to discuss the progress made since then. He said that this was their initial report, outlining the work completed thus far.

Mr. Bowman said that they had contracted with Texas A&M Transportation Institute, who would present their findings shortly. He said that the scope of the work undertaken was summarized at the bottom of this slide. He said that he would like to express his gratitude to Texas A&M Transportation Institute for their comprehensive and detailed report attached to today's agenda. He also expressed gratitude to Garland Williams, CAT Director, Ted Rieck, Jaunt Director, for their critical participation in this project. He said that although some statements in the report may not have been fully determined by the report's deadline, this was not a reflection of CAT and Jaunt's willingness, but was more a reflection on the aggressive timeline they were working on in this initial report. He thanked those gentlemen for their partnership in that.

Mr. Bowman said that as he headed into the content of the presentation, it was essential to understand that today's desired outcome was to provide an update to the Board regarding their current status. He emphasized that this was merely a starting point, and the recommendations were not overly prescriptive or mandating specific actions for the County to take. He said that instead, the report highlighted the questions and conversations the County should engage in as they considered what their transit network should look like in the future. He said that earlier today they had discussed the governance study and its long-term strategy. He said that in contrast, their presentation focused on short-term actions that could be taken immediately to establish systems, procedures, and processes to achieve the expected results.

Mr. Bowman said that finally, they would come back for Board comments and questions. He said that Mr. Walk would be introduced shortly, at which point they would discuss the recommendations and findings of the report. He said that if the Board required further information in any areas, they would focus on those. He said that any other questions or comments regarding the progress to date were welcome. He said that his final slide highlighted that their total transit budget was \$4.8 million. He said that was not a figure he had readily available but was included in this presentation for the question he addressed earlier.

Mr. Bowman said that he would like to acknowledge the complexity of their current transit system, which included the fixed route service they had previously discussed. He said that it was critical to emphasize the interlocking nature of this service with the ADA (Americans with Disability Act) Paratransit service provided by Jaunt. He said that once the fixed routes were established, the ADA Paratransit service became a mandated service. He said that there had been much discussion this week regarding

the microtransit pilot now underway.

Mr. Bowman said that he would like to speak to the Regional Transit Partnership's (RTPs) collaboration in recent years, stating that they had been a key partner in helping develop some MOUs and work that was already in place. He emphasized the substantial progress made in recent years and the importance of continuing to build upon it. He said that the purpose of this analysis was not to supplant anything that would happen through the RTP but rather to complement that work, helping the County be in the best possible position to ask questions and have conversations with the intent of improving transit services.

Mr. Bowman said that he would introduce Mr. Michael Walk from Texas A&M Transportation Institute, who was a research scientist and program lead, to present the recommendations and the presentation. He said that he would come back at the end for any questions.

Mr. Michael Walk from Texas A&M Transportation Institute introduced himself to the Board. He said that he would provide a brief background on TTI for those who may not be familiar with their organization. He said that TTI was a member of the Texas A&M University System and specialized in transportation research across various modes, including freight, public transportation, highways, etc., in numerous sectors. He said that they primarily worked with public sector entities, such as transit organizations, providers, state DOTs (Departments of Transportation), and others.

Mr. Walk said that as the program manager of the Transit Mobility Program at TTI, he oversaw a department that focused specifically on public transportation and other forms of shared mobility. He said that expertise in transit management, finance, and policy was instrumental in their work for the County. He said that he would guide everyone through the report, which consisted of six sections. He said that they would quickly review sections one through five, while dedicating most of their time to section six, which covered preliminary findings and recommendations.

Mr. Walk said that in sections one and two, which comprised the introduction and methodology, these introductory materials helped readers understand why the report was compiled and how it was created, particularly section two, where the methodology was outlined. He said that the process was iterative, as mentioned by Mr. Bowman. He said that they collaborated with CAT, Jaunt, and the Virginia Department of Rail and Public Transportation (DRPT) staff to gain a comprehensive understanding of how they allocated state and federal funds to Jaunt and CAT. He said that additionally, they collected documents and data from these various parties and incorporated them into the report. He said that section five of the report also documented what could be considered industry best practices in several different topical areas. He said that he would elaborate on this further, as well as the sources used.

Mr. Walk said that sections three and four focused on the existing conditions of the report. He said that in section three, they documented the services provided by CAT and Jaunt. He said that they examined not only the services within the County boundaries but also the entire portfolio of both organizations, particularly Jaunt, which served a much larger area across six counties. He said that section four delved into each organization, CAT and Jaunt, uncovering their organizational structure, assets and facilities such as vehicles and their main locations, along with costs and revenue sources. He said that section four documented the procedures currently in place for allocating costs distributed to local partners, including Albemarle County.

Mr. Walk said that in section five, he aimed to explore best practices research, as it was beneficial to understand typical service levels and cost-sharing methods among local partners. He said that to accomplish this, they reviewed various aspects of transit service levels, such as hours of operation and days per week. He said that in their analysis, they relied heavily on an industry guidebook called the Transit Capacity and Quality Service Manual, which outlined the levels of service required to achieve specific goals in public transportation.

Mr. Walk said that when it came to how public transit was funded, the sources of revenue, and how costs were allocated to others, the main sources they relied on were the Federal Transit Administration (FTA) circulars and guidance, as well as cost allocation resources from the National Rural Transit Assistance Program (National RTAP) and the Transit Cooperative Research Program. He said that these national organizations provided guidance, manuals, and best practices for the public transportation industry. He said that their goal was to determine if these best practices were being applied in Albemarle County.

Mr. Walk said that another key takeaway from section five was that they were tasked with assessing whether the levels of service offered in the County were reasonable given its population and makeup. He said that the displayed slide provided a brief overview of various services in the general public demand response sector, including commuter bus routes operated by Jaunt, ADA paratransit, and others.

Mr. Walk said that it summarized their operation times, which were listed in the third column, known as the service level column. He said that the evaluation was based on the current services being operated and the characteristics of the County. He said that considering the goals of both the County and the City to provide mobility options for residents, these services fell within a reasonable range. He said that the key takeaway was that the current services, whether fixed route or demand response, were deemed reasonable across the Board.

Mr. Walk said that the chart on the slide served as a quick summary to help understand specifics,

such as the rural public demand response service operated by Jaunt, which operated Monday through Friday for approximately 10 hours daily. He said that in the previous year, approximately 20% of residents relied on transit for various essential activities such as medical appointments and shopping. He said that the focus was on accommodating the needs of transit-dependent individuals. He said that the Transit Capacity and Quality Service Manual's standards were applied throughout the report.

Mr. Walk said that moving forward, they would discuss section six, preliminary findings and recommendations. He said that this section contained 22 findings and 22 recommendations, which were organized into four different topics. He said that for those who wished to refer to the full report, the finding numbers started with an 'F' and recommendation numbers with an 'R'. He said that to save time, some findings had been paraphrased or summarized on the slides. He said that one could cross-reference back to the original report using these numbers. He said that everything they were seeing was a summary of what was in the report.

Mr. Walk said that the first category of transit services operating in the County, their first finding was regarding the ADA paratransit service operating on Sundays. He said that they wanted to ensure that the County was aware that ADA service was being operated on Sunday by Jaunt currently. He said that it was not actually required federally because CAT was not operating fixed routes on Sundays. He said that the finding here was simply that the service was being operated, but was not required at present. He said that whether this was a good or bad thing was not for them to judge; however, they wanted to raise the discussion of whether the service should continue to provide mobility for people on Sundays. He said that this was a matter that needed to be addressed between the funders and RTP.

Mr. Walk said that moving on to the next set of findings, which still revolved around the ADA paratransit service, their first observation was that the roles and responsibilities of ADA paratransit could sometimes be unclear. He said that ADA paratransit service was a key mobility option for those who required it. He said that ADA paratransit was one of the most expensive per person transit services to operate due to its nature. He said that consequently, cost management and supply management of ADA paratransit were key topics that frequently arose within the industry. He noted that one of the challenges with the current operation and funding of ADA paratransit was the lack of clarity surrounding roles and responsibilities, as well as who ultimately bore the responsibility for ensuring the long-term financial sustainability of the ADA paratransit service.

Mr. Walk said that the current system involved a portion of the funding that came to CAT from its urban funding through the federal government being allocated for Jaunt's operation of ADA paratransit. He said that the City, CAT, contributed its own local funding to help offset these costs, and the County also funded ADA paratransit. He said that several players were involved in the ADA paratransit service. He said that given the challenges associated with ADA paratransit and maintaining an affordable supply, they recommended that the County begin investigating alternative operating methods in collaboration with its partners. He said that the alternatives could take various forms, such as continuing the existing relationship between Jaunt as the operator, CAT as a funder, and the County as a funder.

Mr. Walk said that this partnership may undergo some modifications or recommendations, which would be discussed later. He said that one possibility was reevaluating whether the current 5307 pass-through arrangement made the most sense and offered the most clarity for proactive management. He said that another option could involve issuing an RFP for ADA paratransit services. He said that they had elaborated on these options in the full report; however, he wanted to provide a brief overview of exploring different approaches to enhance proactivity and establish a clear management structure for ADA paratransit service.

Mr. Walk said that these three recommendations were related to each other, with the first one focusing on examining contracting alternatives. He said that the second exploration involved examining various governance and performance management options. He said that these could range from setting performance expectations within agreements with Jaunt, concerning the timeliness of ADA services or their cost efficiency, to incorporating these aspects into the agreements as a means to maintain cost management on track.

Mr. Walk said that the final recommendation was to investigate proactive demand management opportunities. He said that given that ADA paratransit service was free, it attracted significant interest, which increased demand, and in turn, increased costs. He said that consequently, there were measures in place to manage this demand, such as Jaunt's no-show and late cancellation policies. He said that further options could include conditional eligibility for paratransit services, whereby individuals eligible for a portion of the time due to their specific disability. He said that these aspects might be worth exploring to help manage demand and the long-term costs associated with ADA paratransit services.

Mr. Walk said that related to this was the finding that 25% of the 5307 funding was allocated for urban areas. He said that this proportion of funding designated for CAT was then sent to Jaunt for its operations of the ADA Paratransit Service. He said that it was a flat 25%, based on an analysis conducted 10 years ago. He said that they believed that given the rising cost of transit and the increasing demand for ADA paratransit services, this percentage should be re-evaluated to ensure its continued reasonableness or if any adjustments are necessary in light of current conditions.

Mr. Walk said that he was moving on from the ADA Paratransit realm to examine the non-ADA general public demand response service operated by Jaunt. He said that generally speaking, these services had been providing reasonable service levels. He said that there were some areas for improvement, particularly in regard to scheduling and dispatching of services. He said that Jaunt had

already begun addressing these issues, and they had been in contact with them regarding the improvements that should be implemented over time based on previous studies. He said that Jaunt was heading in the right direction, but they wanted to make sure they acknowledged a past practice that needed fixing.

Mr. Walk said that additionally, they found that the commuter bus routes, the connect routes, which were the 29 North and the Crozet Connect routes, had relatively low productivity compared to industry standards. He said that by that, they meant how many passengers were on the bus per hour with the buses in operation. He said that the 29 North route had about 4.3 passengers per hour, while Crozet was at 1.94 according to the data seen. He said that the industry standard was around 5 passengers per hour.

Mr. Walk said that TTI did not go out and ride the bus route, so perhaps there were times when the buses were half-full. He said that comparing these performance measures to the industry standards suggested that those routes might need to be examined to ensure the best cost-effectiveness was achieved through various options, such as marketing or changing the routes or service for better cost-effectiveness.

Mr. Walk said that moving on to discussing the microtransit service, he expressed his hope of visiting that region to experience it now that it was operational. He said that microtransit as a ride within 15 minutes and fare-free service was an attractive option for users. He said that speaking from industry experience, managing and controlling the costs of such services over time could be challenging. He said that therefore, one of the recommendations was to ensure that all parties closely monitored the effectiveness, cost structure, and service standards of microtransit. He said that establishing performance measures would help prepare stakeholders to make informed decisions as demand increased and more regions requested similar services in their neighborhoods.

Mr. Walk said that the last few sets of findings and recommendations were in the transit operations section. He said that they examined the assets of both CAT and Jaunt. He said that they found that the size of CAT's fleet, with its number of vehicles, was reasonable given an industry target of around a 20% spare ratio. He said that this was particularly relevant if CAT returned to its pre-COVID service levels sometime in the near future, which he believed aligned with current plans.

Mr. Walk said that for Jaunt, the fleet size was quite large compared to their vehicle requirements. He said that they currently had a 56% spare ratio, although it was moving in the right direction. He said that this was something that Jaunt was aware of and was actively managing to reach the industry target of around 20%. He said that this should continue to avoid an undue burden on the capital side and that coming across as a contribution from the County.

Mr. Walk said that when discussing the cost of service, both entities, CAT and Jaunt, allocated a portion of their operational costs to the County, and in Jaunt's case, it was shared among other funding parties. He said that when CAT introduced the operational cost allocation model, it became clear that this approach was reasonable and transparent. He said that this model considered factors such as fuel, operator wages, and maintenance costs for fixed routes services. He said that it was based on miles within jurisdictions, which was an industry practice. He said that however, the documentation could be improved to enhance transparency. He said that they recommended fully documenting the process, including a step-by-step guide from costs and data to charges to the County.

Mr. Walk said that another finding was that while CAT had capital costs for vehicles and assets in the FY24 budget, none of these costs were allocated to the County. He said that in contrast, when discussing Jaunt, there was a capital cost allocation included in the FY24 budget. He said that their recommendation here was that this should be explored further. He said that capital assets were just as important as the operating and operational costs of CAT, so they suggested that the County explore opportunities for adding a capital cost contribution to its support for CAT. He said that this would help maintain the long-term financial sustainability of the fixed route system.

Mr. Walk said that moving on to Jaunt, they would examine its operational costs first. He said that the cost allocation model appeared reasonable; however, there were some missing key pieces of information in the documentation. He noted that there were just two separate documents with a few small pieces of information missing. He said that the recommendation was that these should be combined into a single document for easy reference and understanding by all parties involved.

Mr. Walk said that similarly, Jaunt's capital cost allocation model was reasonable; however, it needed to be fully documented, like the others. He said that lastly, it was currently assumed no federal share in any urban capital costs. He said that this was a key funding issue in previous presentations regarding ADA service not having a cap on federal share of capital costs coming from parties other than local ones. He said that in the past, they had recommended exploring various avenues to secure capital grants through state programs such as the merit program or others to distribute urban shares of capital costs, either federally or from state resources.

Mr. Walk said that before concluding, he would like to touch upon a few remaining points. He said that the theme of transparency and documentation. He said that they had not found a comprehensive repository for all policies and guidelines that the RTP followed. He said that there were several documented studies available, and their recommendation was to acknowledge the work required in this area.

Mr. Walk said that when it came to service standards for fixed routes, ADA paratransit, demand response, and microtransit, as well as cost allocation models, due to their complexity, maintaining a standardized set of curated documents would be beneficial in guiding these intricate aspects. He said that this would ensure that all members of the RTP agreed on a common gold standard and set of facts.

Mr. Walk said that they recommended adding specific performance expectations to agreements between CAT and Jaunt and the County, outlining their respective obligations and service levels. He said that these expectations should include clear targets for on-time performance of fixed route services and ADA paratransit.

Mr. Walk said that in the existing agreements they reviewed, there was a minor language issue in the agreement between the City and Jaunt that needed to be corrected. He said that additionally there were inconsistencies in budgeting documentation for FY24, with different assumptions and funding numbers provided by CAT and Jaunt. He said that to address this, both parties should work together to improve their collaboration during the budget preparation process, as they relied on each other for funding and service levels. He said that this would help ensure a more unified approach in future fiscal years.

Mr. Walk said that in FY26, it was projected that all CARES Act and ARPA funding would be spent down, which had allowed for higher federal shares of costs for both CAT and Jaunt services. He said that by the end of FY26, these funds would have been depleted, leading to an increase in non-federal portions of transit costs in the future. He said that the recommendation was that they continue strategizing to prepare for this change.

Mr. Bowman said that there was just one slide left to cover. He said that this marked the initial phase of work conducted over the past few months. He said that future phases were necessary, particularly with their regional partners. He said that the report's recommendations and findings encompassed a wide realm of those, although staff would not attempt to address all of them simultaneously. He said that as they operated within an ecosystem of transit, it was essential to evaluate the progress made thus far through MOUs and other agreements. He said that they must determine how to enhance these partnerships, whether through the budget process or outside of the budget process.

Mr. Bowman said that there were other areas not discussed today. He said that for example, around state and federal funding, these were not included in the report, and they would continue to explore with the Texas A&M Transportation Institute. He said that their goal was to help provide the County staff with a roadmap for asking the right questions and having the right conversations about their role in the regional transit system. He said that he and Mr. Walk were available to answer any Board questions.

Ms. LaPisto-Kirtley asked if Mr. Bowman was asking whether they were continuing with Texas A&M Transportation Institute beyond what they had done already.

Mr. Bowman said that to clarify, the budget approved by the Board still permitted them to carry out work with the available funds and also accommodate additional scope of work they currently had lined up. He said that the Board's focus was not on future phases of work but rather on any other findings, recommendations, or topics from the report and Mr. Walk's presentation that they would like more in depth information on at a later time, areas where they may want specific focus or questions to better understand, or any other subjects that had caught the Board's interest.

Ms. LaPisto-Kirtley responded that she had nothing at that time.

Mr. Andrews said that there was an abundance of information about the services offered but not much about their usage. He said that he had heard concerns regarding the connect service and had a slightly clearer understanding of it. He said that he would like more comprehensive information on the other services provided.

Mr. Walk said that they had not delved deeply into usage questions during this phase of work, but they did have data from Jaunt regarding this matter. He said that he did not have similar data from CAT, as they did not request it from them. He said that if the Board would like to see any specific information in future updates, he could compile that for them.

Mr. Andrews said that it would drive issues related to marketing and addressing other questions regarding necessary adjustments. He said that recommendation 17 focused on service standards, while recommendation 18 discussed performance standards. He asked if it would be possible for staff to provide further clarification on the distinction between service standards and performance standards.

Mr. Walk explained that service standards were policy decisions related to the level of service desired, such as how frequently, during which hours of the day, and on which days of the week, as well as the locations for bus stops. He said that service standards often included what would be considered the demand side as well, like the minimum expectation for riders per hour. He said that these were usually documented in service standards.

Mr. Walk said performance standards typically focused on performance metrics such as on-time performance. He asked what the expectation was for how frequently they wanted CAT to be on time and how often they wanted Jaunt to be on time, along with defining being on time. He said that complaint rates and accident rates were also performance standards. He said that in the performance of service,

one set minimum expectations regarding its quality. He said that service standards tended to discuss the supply side of the service. He said that he hoped that helped differentiate between the two concepts. He said that sometimes they were documented in the same document, which is why it could be confusing.

Mr. Andrews said that in part five, there were discussions about federal funds, as well as state funds mentioned. He said that it seemed that the report acknowledged missed opportunities in utilizing available funding sources.

Mr. Walk said that his understanding of the funding available on the federal level included formula funding and competitive funding, both federally and at the state level. He clarified that there was no evidence suggesting any operators like CAT or Jaunt were leaving money on the table. He said that the funds they received were used appropriately and in accordance with all necessary guidelines.

Mr. Walk said that regarding the assumption of there being no federal money for urban capital, that was a competitive program. He said that he recommended that the parties collaborate to determine how they would pursue a competitive grant under the state's merit capital program managed by DRPT. He said that this represented the most accessible opportunity to secure additional funding to support capital for urban services.

Mr. Andrews said that he appreciated the clarification. He said that while he understood the point regarding conditional eligibility, he would ask for some examples of its abuse or potential issues associated with it.

Mr. Walk said that there was no evidence of abuse in the services being offered. He explained that some transit systems might deem someone eligible for ADA paratransit if they had a qualifying disability and could use it at all times for any trip. He said that such blanket eligibility differed from conditional eligibility in which a person's unique condition determines the eligibility of certain trips only.

Mr. Walk said that for example, a vision disability that affected the person only at nighttime might make them ineligible for ADA paratransit during daylight hours. He said that the goal was to ensure that the vehicles and funds allocated for ADA paratransit are used effectively for those who truly need it. He said that conditional eligibility was a tool that helped in managing capacity by directing some trips onto fixed routes, allowing more people to use ADA paratransit.

Mr. Andrews said that he did not intend to imply that abuse was occurring. He said that he was asking whether there was substantial proof of numerous journeys undertaken due to eligibility that would otherwise be absent.

Mr. Walk said that he did not know the answer to that question.

Mr. Gallaway said that he appreciated the presentation. He said that as far as questions and comments regarding progress to date, he thought that performance targets and their documentation would be beneficial. He said that additionally, they should clarify what was considered reasonable because it might mean one thing to the district representative and another to the vendor. He said that while one person may find something reasonable, another might not. He said that having that well-documented where everyone was in agreement on both expectations and costs would be advantageous. He said that the way they walked through the cost documentation, it seemed like there were some gaps in this process. He said that he would agree with determining what those gaps were and filling them. He said that he would like to ask the question regarding microtransit to get ahead of increasing costs, as demand and popularity rose, more vehicles and drivers were needed, so if it remained free, there would be increasing costs.

Mr. Walk said that the balance was to maintain a 15-minute response time as demand increased, since vehicle usage and costs would also rise. He said that the only real option available was to charge a fee or to change the response time.

Mr. Gallaway said that under any specific findings or recommendations the Board would like more information on, the difficulty was that they were a government entity contracting with a department of another government entity. He said that when he himself contracted with vendors, he could clearly state that he was paying for a particular service and expect delivery in return, he could question them about the services provided if necessary. He said that he would imagine that if Mr. Williams were an independent entity, he might be content with this arrangement. He said that however, since he worked for another government entity, there may be concerns about their involvement in their operations.

Mr. Gallaway said that if this issue was addressed within the report, he apologized for any confusion caused by his oversight. He said that he would think that there must be other places where one government entity had contracted through the department of another and that there were likely best practices to follow when working together on issues such as cost, performance measures, and anything that would be set up a contractual situation. He asked for advice on how to navigate or establish best practices for two government bodies overseeing the department head, because that was challenging. He said that in the past, they had attempted similar situations, and he understood the difficulties involved.

Mr. Gallaway said that it was possible to get caught between political organizations; however, they could not simply enter and demand action from them just because they pay for a service when they were directed by another government entity, making the situation difficult to navigate for all parties involved, including the City Council, County Board of Supervisors, and a department head responsible for

running the transit service. He said that he would appreciate any additional information or recommendations on this matter. He said that he could not imagine that they were unique and that there must be other places that did this.

Mr. Walk said that Mr. Gallaway was correct in that they were not unique, and the response may be longer than expected. He said that he had raised a good point.

Ms. McKeel said that they were discussing the transition to an authority model. She asked if it could be assumed that some of these concerns could be addressed if they had an authority model in place. She said that she wanted to know whether Mr. Gallaway's concern could be addressed in a transit authority model. She asked if it was correct to assume that his concern would be resolved under such a system, assuming that they wanted to do that.

Mr. Walk said that it was correct that establishing a single government entity to oversee all operations could indeed eliminate some of the inherent conflicts.

Ms. McKeel said that she found the recommendations on page 68 particularly interesting. She said that it was discussing cooperative planning operations funding and the parties involved in the RTP should, followed by a list of bullet points. She said that it appeared to her, as they considered the authority model, that some of these items could serve as a good starting point for transitioning from an advisory model to an authority model.

Mr. Walk said that he agreed.

Ms. McKeel said that integrating his report with their work on establishing an authoritative framework would be critical. She said that as the chair of the RTP, she was attempting to contemplate this matter, given that they had both reports arriving at an opportune time.

Mr. Bowman said that one way to think about the staff report was that there were things that they could do now to better position an authority in the future by making progress. He said that although some of the details may change in the long term, they could build upon the existing foundation established through agreements, RTP, vision study, and other efforts. He said that implementing these recommendations would better position them for that future work.

Ms. McKeel said that as the person who remembered negotiating with the City, particularly the mayor at that time regarding the RTP bylaws and what they intended to do, she could appreciate how fortunate they felt during that period. She said that it was really time to revisit this issue. She said that going to an authority was the next step.

Ms. McKeel said that in response to Mr. Bowman's remarks, she said that this was the first time where she had seen data on ridership for projects such as North Connect and Crozet Connect. She expressed her deep concern about the low ridership, especially in the case of Crozet Connect. She said that it was time to consider what was necessary to attract riders to those two routes. She said that the Crozet community frequently expressed their frustration with traffic congestion and long wait times. She said that however, the usage of the Crozet Connect service was quite low, which could potentially alleviate some of these issues.

Mr. Bowman said that for any service where a metric did not meet expectations, the first approach in Department of Finance and Budget would be to seek an understanding of why it was not meeting those expectations rather than assuming there must be something broken. He said that the question was not only about what should be done differently but also about identifying the issues raised by TTI in their report. He said that to gain insight into this, he imagined having a conversation with Jaunt to get their input on the matter. He said that this would involve discussing the pandemic's impact on those routes and exploring other strategies employed by UVA and others. He said that the goal was to continue the conversation with Jaunt to better understand the service, its impact and value the County was getting for that service, and potential improvements.

Ms. McKeel said that she believed the numbers were concerning at first glance and that increasing the number of people on the Connect would reduce congestion. She expressed her interest in figuring out how to address this issue, not just for Crozet but also for the 29 North Connect. She acknowledged that she was not an expert on the matter and wondered whether better marketing could help improve the situation. She questioned if it should be the provider or the community who took responsibility for promoting the connect and increasing its usage.

Ms. McKeel said that they had indeed faced challenges and discussed the usage data from CAT. She said that prior to Mr. Williams' arrival, there was a lack of reliable data. She said that they then discovered themselves in the midst of a pandemic, which further complicated matters. She said that it had been difficult to determine how to access that information. She said that emerging from the pandemic could be an opportune moment to focus on obtaining and analyzing usage data to make informed decisions.

Ms. Mallek said that she was flabbergasted considering when the Crozet Connect opened, they were doing 20 people per bus and had to get a bigger bus. She said part of it was an evolution of the route, and when the park and ride was built at 107, she expected that things would change dramatically because winding through the neighborhoods where people were very happy to put up a bus stop and get people to go was not as effective as a centrally located park and ride or whatever.

Ms. Mallek said she looked forward to hearing about what they were planning to do with that because the minute that gas prices hit \$4 a gallon again, people would be back on that thing, even if they had to walk across town because back in 2005, 2008, and 2010, whenever that was the metric, gas at \$4 a gallon, people were screaming for some kind of carpooling and things like that. She said that there was also a significant contribution from UVA towards the fees for ridership when they began. She said that she was not sure whether this had expired or not, and there were many aspects to learn about that.

Ms. McKeel said that Ms. Mallek may recall the numerous discussions with people in Crozet because they were trying to determine whether the issue was related to the first mile or last mile of their bicycle commute to the Connect. She said that they wanted to ride their bikes but could not due to a lack of facilities for storing them. She said that these discussions had taken place in the past and they were now revisiting some of those topics.

Ms. Mallek said that if there was any grant funding available for the bike lockers, it would greatly benefit those who could take advantage of it. She said that in the overall cost-effective approach, this service was particularly important for individuals, especially those in paratransit, who lacked options and could not drive. She said that she felt a moral obligation to ensure that they did not simply prioritize saving money over providing essential services. She said that this perspective was important when analyzing decisions.

Ms. Mallek said that when capital costs may be allocated to the County, assets were owned by a City department, and buses were often purchased with federal funds. She said that 20 years ago, there was a discussion about merging the transit systems. She said that the owner demanded that one must purchase 50% of the bus value; however, they were informed by federal authorities that this was not allowed because the federal dollars had funded the buses and they could not then charge others to own them. She said that her knowledge on this matter was limited, but more information should be available if this issue was to be considered for future action. She asked if the federal share of capital missing was in the transfer from CAT to Jaunt that should be expanded to include more of the 5307 funds related to that 25%, and there were several other comments regarding this matter as well.

Mr. Walk said that in relation to the absence of the federal share in Jaunt's capital, urban capital expenditures, that was not directly related to the 5307 split issue. He said that because CAT was currently using all of its 5307 funds, even sending some to Jaunt, if it increased the amount it sent to Jaunt to help fund some of its capital needs, then the City had less for its own. He said that they were at a zero-sum game when it came to 5307. He said that was why they focused on pursuing additional funding opportunities that were competitive in nature, which was the Merit Capital Program from DRPT, where there was money available and the region could compete to help win projects to help fund urban capital.

Ms. Mallek said that the authority could certainly utilize this as an opportunity if they reached that stage. She said that she appreciated the discussions about standards and how to establish expectations for each category. She said that one chart indicated that there was no standard set by the local government for one of the categories, resulting in no recommendation. She said that as the next layer of organization progressed, it was important to have clear, written-down expectations. She said that this would lead to obligations for budgeting and other responsibilities. She said that they must establish solid rules to obtain the necessary information. She said that she looked forward to that.

Ms. Price said that she would like to express her gratitude to Mr. Garland Williams of CAT and Mr. Ted Rieck of Jaunt for their presence and cooperation throughout the process. She said that their involvement exemplified the collaboration she believed the community had been working towards in order to improve regional transit. She thanked Mr. Walk for his report and did not have any issues with the recommendations provided.

Ms. Price said that they must acknowledge that they were nearing the end of what had likely been the most challenging public transportation period in recent memory, which was the four years of the pandemic leading up to today. She said that with slide 20, where the last item, exhausting the CARES and ARPA funds in FY26, brought them to the preparation for the next challenging phase of how they maintain sustainability once all federal funding had come to an end. She said that initiatives like MicroCAT would be beneficial as they were expected to increase ridership on both fixed-route CAT services and Jaunt systems. She said that the community had high expectations and worked with high-performance organizations. She said that she was confident that the assistance provided had offered a viable path towards achieving the necessary sustainability.

Ms. Price said that due to the lack of population density, the area covered a broad expanse of square miles, addressing the first and last mile issue, such as the Crozet Connect, made it easier for residents to reach the starting point but more challenging to continue from there to their final destinations. She said that bike racks at the bus stop in Crozet may be helpful, but allowing individuals to bring more bicycles along the transportation route would be even more beneficial. She said that she proposed considering electric bikes, as they were game changers and could help people easily travel from the end point of the fixed route to their desired destination. She said that she would like to express her gratitude for the efforts made in providing a path towards success.

Mr. Bowman said that he would like to express his gratitude to Kim Gardner, their Chief of the Office of Grants and Agreements, for the diligent project management on the County side alongside TTI and others.

Agenda Item No.12. Closed Meeting.

At 4:13 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- to discuss and consider appointments to various boards and commissions including, without limitation, Albemarle County Economic Development Authority and Charlottesville-Albemarle Joint Airport Commission.

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

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

Agenda Item No.13. Certify Closed Meeting.

At 6:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

Agenda Item No. 14. Boards and Commissions.

Item No. 14.a. Vacancies and Appointments.

Mr. Andrews **moved** that the Board appoint the following individuals to boards, committees and commissions:

- **Appoint** Mr. David Storm to the Economic Development Authority as the Scottsville District representative, with said term to expire January 19, 2024.

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

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

Agenda Item No. 15. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report.

Agenda Item No. 16. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Teresa Hepler, Samuel Miller District, said that she was present to discuss the jail renovation in her personal capacity. She said that she was requesting the Board pause the project to encourage more community engagement. She said that she understood that her repeated presence might give the impression that only certain individuals were concerned about this issue. She asked them not to dismiss her concerns based on this belief, and instead, she wanted them to consider it a sign that others may not have the same privileges or access to resources and information as she did. She said that therefore, she urged them to halt the renovation and ensure that their community was aware of this matter.

Ms. Hepler said that many people she had spoken with were unaware that the jail was being renovated or that there were discussions about investing a significant amount of money into it rather than supporting community resources that prevented criminalized behavior. She said that because they did not know about it, they had had no say in this process. She said that she requested that they do not proceed with the jail renovation without involving those most affected by the jail or its renovation in discussions about the issue as part of a comprehensive approach to preventing criminal behavior. She said that their community was intelligent and compassionate, and they could be relied upon to develop more modern ideas than merely renovating a jail.

Agenda Item No. 17. **Public Hearing: SP202300001 Covenant School Amendment Hickory Campus Tennis Courts.**

PROJECT: SP202300001 Covenant School Hickory Campus Tennis Courts

MAGISTERIAL DISTRICT: Scottsville
TAX MAP/PARCEL(S): 090A0-00-00-00200, 07600-00-00-053J0
LOCATION: 175 Hickory Street, 499 Stagecoach Road
PROPOSAL: Request to amend a prior approved special use permit (SP199900054) to add an adjacent 2.61 acre parcel at 499 Stagecoach Road to the existing 25.93 acre school campus. The proposal includes removal of the existing house and development of six tennis courts, a storage/restroom building, parking lot of approx. 6 spaces, lighting, pedestrian path to existing school campus and existing parking that will be used to serve the courts.
PETITION: Private School-Sections 18-14.2.2(5) Private School
ZONING: R-2 Residential - 2 units/acre
OVERLAY DISTRICT(S): Steep Slopes (Managed)
COMPREHENSIVE PLAN: Southern and Western Neighborhood Master Plan; Neighborhood Density Residential – residential (3-6 units/acre); supporting uses such as places of worship, schools, public and institutional uses and small-scale neighborhood serving retail and commercial.

The Executive Summary as forwarded to the Board states that at its meeting on August 22, 2023, the Planning Commission (PC) voted 7:0 to recommend approval of SP202300001 Covenant School Amendment for the reasons stated in the staff report, with revisions to staff-recommended conditions. One member of the public expressed concerns, primarily related to noise. Attachments A, B, and C are the PC staff report, action letter with the revised conditions, and meeting minutes.

While the PC unanimously recommended approval of the request, there was lengthy discussion and recommended revisions to conditions. The PC's discussion focused on the hours of tennis court use, the need for adequate buffer/screening, and potential lighting and noise concerns. The applicant was encouraged to look for ways to further mitigate these concerns.

After the PC's public hearing, the applicant submitted a revised Concept Plan (Attachment D). The amendments include:

- Revised landscape plan to increase landscaping along the property boundaries with adjacent residences, and
- Revised lighting plan, including reducing the size of the lanterns and adding glare shields

Below are PC and staff-recommended conditions, with slight modifications made by staff to respond to the revised Concept Plan, as well as non-substantive wording changes:

1. Development of the use must be in general accord with the Conceptual Plan titled "Covenant School Hickory Campus Special Use," last revised October 6, 2023, and prepared by Woolley Engineering. To be in general accord with the Conceptual Plan, development must reflect the following major elements within the development essential to its design:
 - a. Location of buildings, parking areas, and athletic facilities;
 - b. Location of entrances;
 - c. Location of buffers and screening; and
 - d. Site Lighting Plan

Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.

2. The maximum enrollment must not exceed five hundred fifty (550) students.
3. Development of the property must comply with the Commercial setbacks and buffer/screening requirements set forth in *County Code* § 18-21.7, except that the reduced setback and width of screening along the western property line and shared school parcel boundaries must be as depicted on the concept plan.
4. Use of the tennis courts is prohibited after 9:00 p.m. and before 7:00 a.m.
5. Use of the tennis courts is limited to tennis. Other racket or paddle sports (pickle ball or padel) are prohibited.
6. Use of the tennis courts is limited to school sponsored activities and use by residents of the three adjacent properties by invitation of the school. The tennis courts may not be used by other tennis organizations.
7. Outdoor lighting for tennis courts must be full cutoff. No tennis court lighting may spill over to parcel(s) under different ownership except for de minimis spillover. Timers, sensors, or equivalent means must be used to prevent any lighting after 9:00 p.m. and before 7:00 a.m.

Staff recommends that the Board adopt the attached Resolution (Attachment E) to approve SP202300001 Covenant School Amendment.

Ms. Rebecca Ragsdale, Planning Manager, said that this item was a Special Use Permit 202300001 for the Covenant School, the upper campus located on Hickory Street, to amend their private school special-use permit by incorporating another parcel. She said that the proposed 2.6-acre parcel, situated off Stagecoach Road, had been acquired by the school and contained an existing house, was

primarily wooded, and had nearby residents. She identified the existing campus and athletic fields on the slide and said that the primary entrance and the entrance for the tennis facility were located on Hickory Street. She said that she would show more of the concept plan.

Ms. Ragsdale said that the property was zoned R-2 Residential, and there had been numerous questions regarding the parcel proposed for the tennis facility use. She said that private schools required special-use permits, and this proposal involved tennis facilities for the school within the R-2 zoning regulations. She said that if it were a standalone commercial or recreational tennis facility, it would still need a special use permit in the R-2 zoning district. She said they had received questions from the public about why it was not a rezoning, and the reason was that it was covered by the special use permit uses.

Ms. Ragsdale showed the Western and Southern Neighborhoods Master Plans on a slide, and said that the yellow areas were Neighborhood Density Residential zones. She said that schools, both public and private, were expected to be secondary uses in these residential zoning districts.

Ms. Ragsdale said that the concept plan showed the property being utilized for tennis facilities exclusively related to the school. She said that during the presentation, the applicant would provide more detailed information about the proposal. She said that it could potentially be used for other school activities as it would be integrated into the campus. She said that there would be some parking on the site, primarily for ADA (Americans with Disabilities Act)-accessible parking or people with mobility issues and to provide emergency access.

Ms. Ragsdale said that the entrance off of Stagecoach would remain, and the plan located in the Board packet had provided for a buffer and screening to the abutting properties that would be impacted. She said that they had worked since the Planning Commission (PC) meeting to enhance the landscaping and also revise their lighting plan to be even less impactful.

Ms. Ragsdale said that those were the things they focused on when reviewing this special use permit, as far as detriment to abutting properties. She showed a slide and said that listed were the criteria that they analyze special use permits against, whether the character of the area was changing and how it was in harmony with the purpose and intent. She said that their primary focus during this review was on noise considerations and the buffer and screening for properties that were very close. She said that the applicant had worked with them in the proposals they submitted, which resulted in a number of conditions they believed helped mitigate some of those impacts.

Ms. Ragsdale said that the special use permit conditions were on the screen and that they also updated the special use permit for the school itself because it had been there since the 1990s or early 2000s. She said that those conditions of approval from 1999 were not their standard language, which they found was very helpful in terms of general accord with the concept plan. She said that the enrollment of the school was not increasing and that there were conditions related to buffer and screening requirements that were already a requirement for the school property. She said that however, there were areas where, according to this concept plan, they would be reduced, and that was where the enhanced landscaping had been added. She said that to address some of the concerns about noise and activities, use of the courts for tennis, there were hours of operation conditions. She said that this would limit the usage to tennis and apply to the school and any school-sponsored events that must abide by these conditions.

Ms. Ragsdale said that they knew from experience that some of the other court sports that were very popular could have a little bit more noise impact, and then if it was popular, so the courts would be expected in more use. She said that lastly, the lighting condition had been discussed at the PC. She said that this was more restrictive than their ordinance. She said that it required any lighting to be full cut off, and the ordinance actually allowed a half a foot candle spillover onto abutting properties. She said that in this case, the condition was worded as de minimis spillover.

Ms. Ragsdale said that some people perceived half a foot candle as already de minimis, but their lighting plan had been revised, so there were only maybe one or two places that she could see where there was a 0.1 foot candle. She said that they considered that to be de minimis, and with these recommendations, recommended conditions, staff did recommend approval, and the PC had recommended approval as well. She said that she would be happy to answer any questions they may have.

Ms. Mallek asked if the house on the property was already gone or was planned to be torn down.

Ms. Ragsdale said that it had not been demolished yet.

Ms. Mallek asked if the lighting requirements from the planning perspective were adjusted for LED lights and whether there had been any work to do that. She said that LED lights were much brighter than older style lights that the ordinance was written for.

Ms. Ragsdale said that the applicant could provide more detailed information regarding lighting during their presentation.

Ms. Price said that she had a question regarding condition number six on the use of the tennis courts. She said that it stated that the tennis courts could only be used for school-sponsored activities and by residents of the three adjacent properties by invitation of the school. She asked Ms. Ragsdale to please clarify what "by invitation" meant in this context, as she believed it was less than an easement but

was not certain about its exact meaning.

Ms. Ragsdale said that she believed that those were the properties, the additional activity of the courts that the condition was intended to regulate was just use by those immediate neighbors. She said that she thought it would be the school offering the use to those neighbors, but it was not a requirement. She said that if the school did offer the use, it would be limited to that.

Ms. Price said that she understood that it pertained to the three properties but would ask the applicant what the phrase "by invitation" meant exactly.

Ms. Price, hearing no other questions from the Board, asked the Clerk if they had anyone signed up to speak.

Ms. Claudette Borgersen said they did not.

Ms. Price opened the public hearing.

Mr. Eric Wooley from Wooley Engineering said that he would present an application to amend the special permit for Covenant School. He said that in the next few minutes, he would discuss some of the key design considerations that they had taken into account in preparing this plan. He said that before proceeding, he would like to invite Frank Berry, the Chief Operating Officer of Covenant School, to share some information about the school.

Mr. Frank Berry, Chief Operating Officer of the Covenant School, said that The Covenant School was founded in 1985 and had been serving the community for almost 40 years. He said that there were currently 740 enrolled students at this campus at this campus. He said they had two campuses, one near the old McIntire High School housing their elementary school, and this campus had their middle and high schools, with approximately 425 students there.

Mr. Berry said that some key points about The Covenant School. He said that affordability was very important to them. He said that they strived to make their school accessible to the community of Charlottesville and Albemarle, with 40% of their students receiving some form of aid or scholarship. He said that additionally, they required their students to engage in community service, accumulating nearly 5,000 hours annually. He expressed gratitude for the opportunity to be there and excitement about the possibility of having tennis courts, which had been a desire for the past 25 years.

Mr. Wooley said that when Mr. Berry approached them during the process of purchasing this property, they were excited for him as they had been waiting for a long time for this opportunity. He said that they partnered with an architect specializing in tennis court design to determine the key components that could fit into the site they had to work with. He said that Ms. Ragsdale's presentation was excellent, and they considered factors such as Stagecoach Road and Hickory while examining how to maximize the potential of the parcel. He said that Mr. Berry requested six courts, so their goal was to be sensitive to the long-time neighbors, preserve as many existing trees on the site as possible, and provide an amenity to the school that everyone would enjoy.

Mr. Wooley said that they quickly recognized the significant grade change between the parcel and the lower portion of the school. He said that they focused on how to access the site from Stagecoach Road. He said that the parcel had a very narrow neck due to the long history of the road moving over time, which provided limited space for accessing the site. He said that the existing driveway came down close to the property line. He said that they were thrilled to be able to pull that driveway further away and provide a vegetative buffer between the neighbors and the parking area.

Mr. Wooley said that for six courts, the key alignment was to try to get them at an angle of 22 degrees off Magnetic North for optimal sun angles for players. He said that the site featured three batteries, each containing two courts, providing a total of six courts. He said that the necessary required sidewalk from the parking area was ADA accessible, and there would be ADA accessibility along each court. He said that there were also other paths that were not ADA accessible, connecting through the woods to the school, which was located in the lower portion just off the page. He said they would be providing a new crosswalk.

Mr. Wooley said that as Ms. Ragsdale alluded to, the idea was that the school would mandate that all students, players, parents, and visiting teams would park in the existing school parking lot. He said that they could control this by a gate. He said that there would be a gate here on the Stagecoach access. He said they had received a lot of feedback from the CAC (Community Advisory Committee) and along the way that people were concerned about traffic, and he felt pretty confident that they were going to reduce traffic in every possible way.

Mr. Wooley said that another key consideration they wanted to keep in mind was the existing nature trail. He said that the school had a nature trail that ran along the edge of the woods, and they had an outdoor classroom in this area right here. He said that they really wanted to do whatever they could to maintain this green space and the outdoor classroom, not just because it provided trees but also because it served as a key buffer for the neighbors to the school itself, offering both visual and noise abatement benefits.

Mr. Wooley said that they designed a rendering of the courts, aiming to minimize their impact on

the surrounding area and neighbors. He said that they began by moving away from Stagecoach Road, maximizing the grade as they descended into the parking lot. He said that the slope's steepness was also optimized along the parking area, gradually decreasing until reaching this point. He said that their goal was to keep the courts at a low elevation, ensuring minimal disturbance to nearby residents. He said that each battery in the design was separated by an 18-inch vertical change, allowing them to utilize the landscape more effectively and create a visually appealing layout.

Mr. Wooley acknowledged that their concept plan would require further engineering and grading work than usual at this stage. He said that this was done to demonstrate their commitment to preserving specific trees and ensuring clear communication with neighbors about their intentions. He said that as they could observe with the contouring, there were two-foot contours. He said that this was a significant elevation change across the site. He said that this illustrated how much, if they cut this line across the court, there were 18 feet of vertical in this small space between the edge of the courts and the existing baseball field. He said that this location was key because it demonstrated another section as well. He said that a rendered section provided an idea of how parking would be arranged and the screening between neighbors.

Mr. Wooley said that one aspect of tennis was that it had both a fall sport and a spring sport, with a slight overlap into daylight savings time. He said that as a result, there was a request from the school to examine lighting for the site. He said that in order to play properly, tennis courts required an even distribution of light. He said that consequently, the ideal height for such a system was approximately 40 feet, similar to what could be seen at the skate park.

Mr. Wooley said that they considered what the absolute minimum would be and landed on a 20-foot height. He said that the USTA (United States Tennis Association) said that 30-foot candles was a target for a minimum. He said that they designed it at the PC level. He said that the problem with a 20-foot-high pole was that there was very little ability to spread the light evenly at that height, resulting in areas that were very bright and some areas that were not as bright. He said that they maintained the 30-foot candles target but with this revision presented tonight, they had achieved a lower level and it was a hybrid between the two designs.

Mr. Wooley said that they had also taken into account the comments about circadian rhythms, which might address Ms. Mallek's comment. He said that they tried to keep the temperature as low or as warm as possible, so they were in the 3,000 kelvin range, which is something seen closer to sunset and sunrise. He said that their photometric plan was displayed on the slide, and they had fully rendered each fixture to show the number of foot candles on the ground and in the corners. He said that the rendered version provided a clear visual representation of where the light would be and how it would be spread.

Mr. Wooley said that they had had numerous conversations with their neighbors, discussing landscape and buffers to ensure their satisfaction with their plans. He said that throughout the site plan process, they would continue to engage them as they selected the appropriate varieties of landscape for the site.

Mr. Gallaway asked if, for the parking lot situated at the top where everyone parks, the peer functionality was for equipment drop. He said that the ADA requirements were in addition to that, but it looked like there was only a spot or two in addition to the ADA parking. He asked if it was for officials or equipment drop-off.

Mr. Wooley said that the plan was for the coaches, as well as officials, individuals with mobility issues, and fire and rescue.

Mr. Gallaway said that he did not know the site well enough to determine this, but he wondered whether would there be sufficient illumination through the path if one were playing and required lights and were walking along that path towards the parking area. He asked whether the spillover light from the school and the courts was adequate in lighting the path.

Mr. Wooley said that it was unlikely for there to be numerous matches where lighting would come into play. He said that they were not suggesting any lighting in the woods. He said that the key aspect of lighting, and that Mr. Berry could elaborate more if needed, was that teams from different locations such as Norfolk and Roanoke visited. He said that occasionally these teams arrived late or faced other issues like rain.

Mr. Wooley said that the lighting served as a bridge for games that were on the fringe. He said that there was also the reality of playoffs. He said that if they want to host a playoff game in Virginia within their league, they must certify that they can complete the match. He said that this was challenging because tennis, unlike time-based sports, could last for hours without a set duration. He said that points may continue for several minutes.

Mr. Gallaway said that his primary concern revolved around the path. He said that if there was parking available near the school and a game that required illumination to proceed, and they must walk back to their vehicles. He said that the path should provide adequate lighting for the pedestrians walking on the path.

Mr. Wooley said that in their current plan, there would be a gap. He said that they could address it at a further stage if necessary.

Mr. Gallaway said that he was unclear of the visibility between the lights and the parking lot. He said that they should not lead people from the lights to where it was too dark to see.

Mr. Wooley said that on the rendered image, it could be seen that the path was leading away from the tennis courts, along the lefthand side of court six. He said that the parking lot was lit, but there was a gap between where the lighting ended and the section of woods before the parking lot.

Mr. Gallaway said that they should monitor the situation to determine if further path lights were required.

Ms. Mallek said that lights along the path was a great idea for safety.

Ms. Price asked if the current slide displayed that the triangle between the two courts was where the light post would be.

Mr. Wooley said no. He said that represented wind fencing, which would be around each of the courts. He said that they modeled the wind fence as having 60% opacity to allow some light to pass through, but the wind fence itself was blocking some of the light.

Ms. Price asked if Mr. Wooley could indicate the location of the light poles.

Mr. Wooley said that each of these blue spots on the slide were light fixtures.

Ms. Price said that in response to Mr. Gallaway's comments, as a potential suggestion, she proposed installing minimal low lighting along that path connected to the lights at the courts. She said that the lights would be turned off by the time the lights on the courts were switched off. She said that this was simply a proposal for their consideration regarding safety measures. She asked if they could clarify the meaning of "by invitation of the school" in relation to the condition for the three property owners. She said that she was uncertain about its exact definition.

Mr. Berry said that they dedicated considerable time discussing with the Braves, Vickers, and Crawfords about their input on this matter. He said that some of them expressed curiosity, asking if they could utilize the tennis courts. He said that one key aspect he emphasized while collaborating with Ms. Ragsdale and her team was that these are not public courts. He said that they wanted to avoid attracting attention from organizations like the Charlottesville Tennis League, which might lead to the courts being featured on their Facebook page. He said that they informed the three neighboring properties adjacent to the tennis courts that they could use them when they were not utilizing them themselves. He said that this arrangement allowed them to enjoy the facilities on weekends or during periods of inactivity, such as summer months.

Ms. Price asked if the applicant had any rebuttal.

Mr. Wooley said that he appreciated the comments regarding the parking lot lighting. He said that they did have some lighting in the parking lot, with lights along all pathways leading to the parking area. He said that if there was a game that started to go long, he said that they might consider moving those in the upper areas. He said that they would definitely take the suggestions into account and install additional lighting in this area.

Ms. Price closed the public hearing and the matter was back before the Board for any comments.

Ms. Price said, hearing no further comments from the Board, that she would like to make a motion, as it was within the Scottsville Magisterial District.

Ms. Price **moved** that the Board to adopt Attachment E, a Resolution to approve SP202300001 The Covenant School Amendment Hickory Campus Tennis Courts with the conditions attached therein.

Mr. Andrews **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Ms. Price.
NAYS: None.

**RESOLUTION TO APPROVE
SP202300001 THE COVENANT SCHOOL AMENDMENT
HICKORY CAMPUS TENNIS COURTS**

WHEREAS, upon consideration of the staff reports prepared for SP 202300001 The Covenant School Amendment-Hickory Campus Tennis Courts and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-14.2.2(5) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;

- 3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the R-2 Residential zoning district, and with the public health, safety, and general welfare (including equity); and
- 4. be consistent with the Comprehensive Plan.

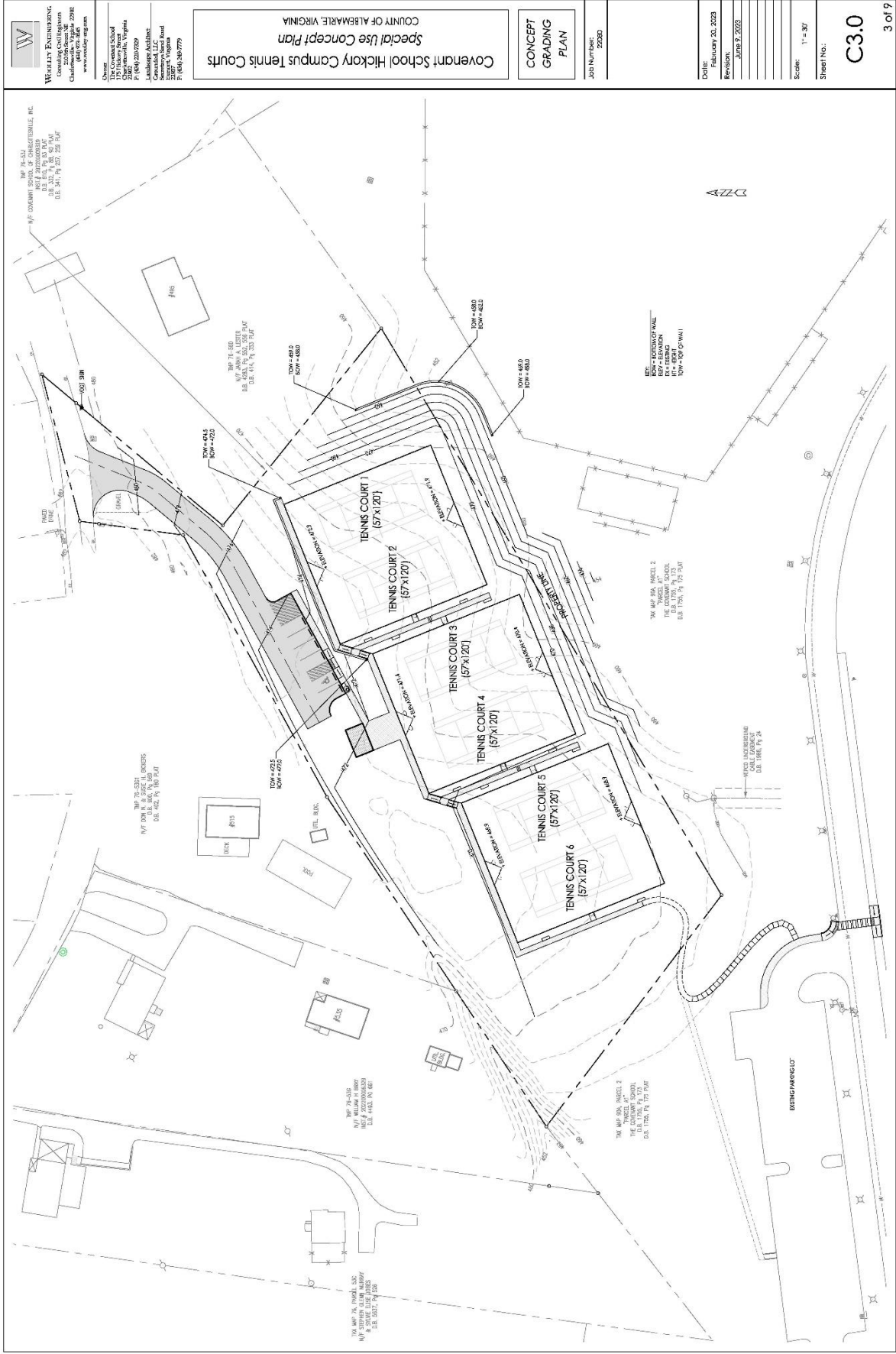
NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202300001 The Covenant School Amendment-Hickory Campus Tennis Courts, subject to the conditions attached hereto.

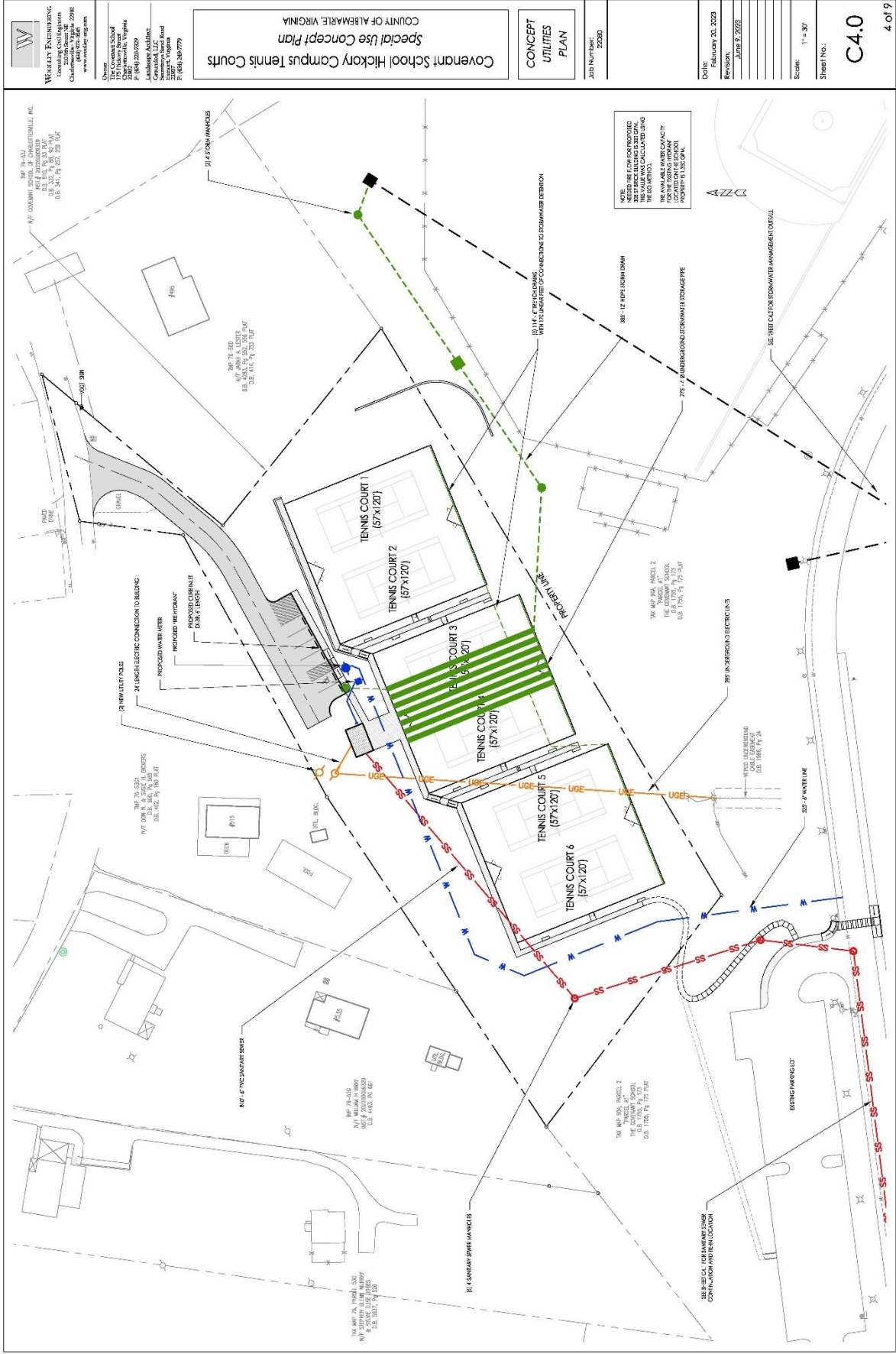
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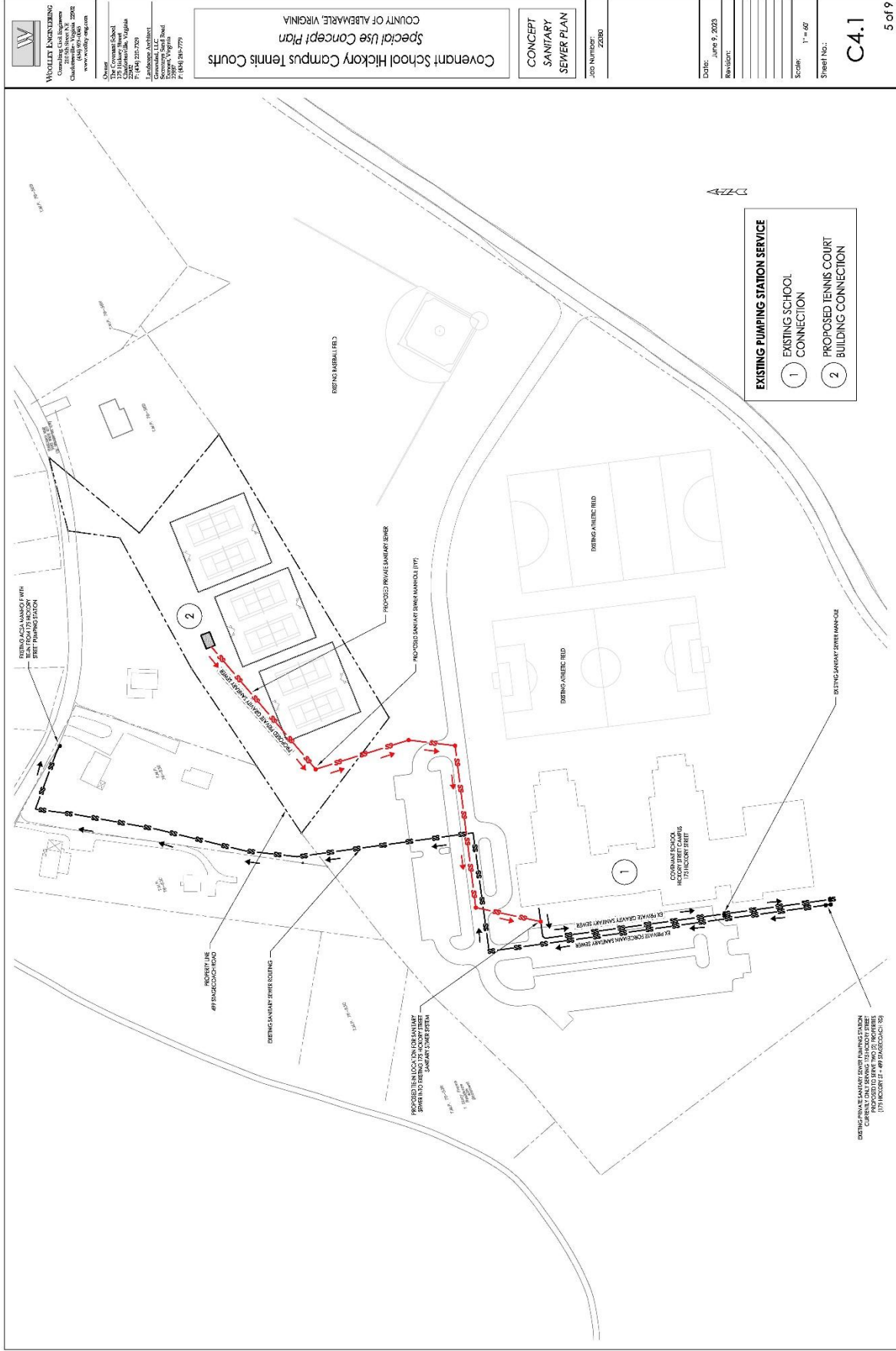
**SP202300001 The Covenant School Amendment-Hickory Campus Tennis Courts
Special Use Permit Conditions**

- 1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Conceptual Plan titled “Covenant School Hickory Campus Special Use,” last revised October 6, 2023, and prepared by Woolley Engineering. To be in general accord with the Conceptual Plan, development must reflect the following major elements within the development essential to its design:
 - a. Location of buildings, parking areas, and athletic facilities;
 - b. Location of entrances;
 - c. Location of buffers and screening; and
 - d. Site Lighting PlanMinor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance or improve safety.
- 2. The maximum enrollment must not exceed five hundred fifty (550) students.
- 3. Development of the property must comply with the Commercial setbacks and buffer/screening requirements set forth in *County Code* § 18-21.7, except that the reduced setback and width of screening along the western property line and shared school parcel boundaries must be as depicted on the concept plan.
- 4. Use of the tennis courts is prohibited after 9:00 p.m. and before 7:00 a.m.
- 5. Use of the tennis courts is limited to tennis. Other racket or paddle sports (pickle ball or padel) are prohibited.
- 6. Use of the tennis courts is limited to school sponsored activities and use by residents of the three adjacent properties by invitation of the school. The tennis courts may not be used by other tennis organizations.
- 7. Outdoor lighting for tennis courts must be full cutoff. No tennis court lighting may spill over to parcel(s) under different ownership except for de minimis spillover. Timers, sensors, or equivalent means must be used to prevent any lighting after 9:00 p.m. and before 7:00 a.m.



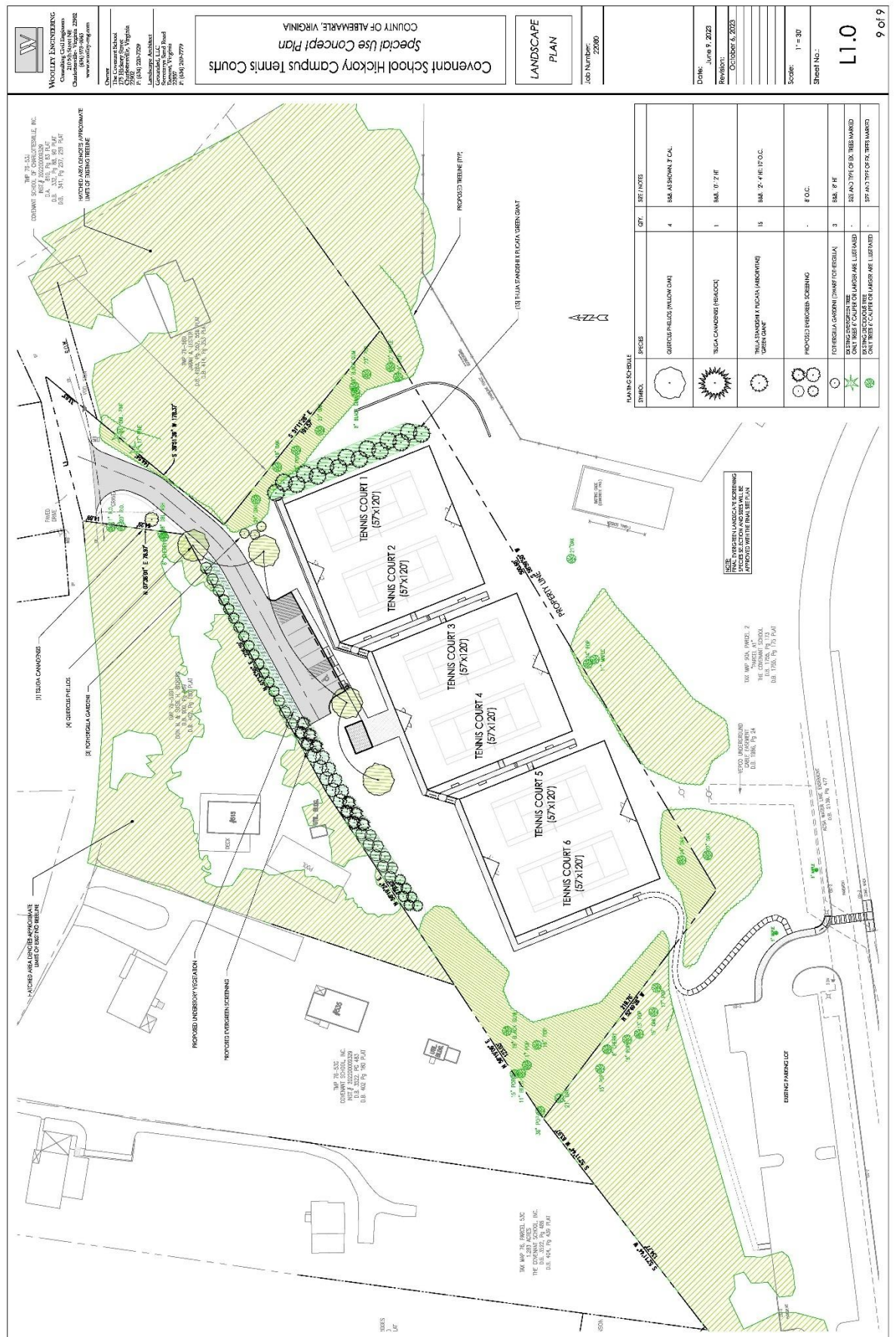








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Agenda Item No. 18. From the Board: Committee Reports and Matters Not Listed on the Agenda

Mr. Gallaway said that he had mentioned earlier the information related to the Virginia Scan, related to the economic development conversation concerning potential changes for SMART SCALE. He said that the information may be provided in a future report, but he would appreciate any information be provided if available.

Mr. Jeff Richardson, County Executive, said that he would follow up on that and provide the Board with relevant information.

Ms. Mallek said that passing on Route 29, she observed a shockingly bright new gas station at the Greenbrier intersection. She said that this had prompted her to inquire if there were any plans to consider modifying their older lighting standards and adjusting to LEDs. She said that in the western part

of the district, she observed similar situations where newly constructed gas stations were equipped with LED lighting that was so bright it allowed people to read newspapers from a distance of 100 yards away without any additional car lights at night.

Ms. Mallek said that there were canopies and other structures, but it still was a concern. She said that her primary concern remained the excessive brightness of the LED lights. She said that taking all this into account, she believed it was essential to explore the possibility of updating their lighting requirements to ensure a more balanced approach to illumination in the future. She said that if they were driving up 29, they could observe it for themselves. She said that the spillover extended to the Shell Station on the opposite side of Route 29.

Ms. Mallek said that for years, they had learned about the differences in how numbers may need to be changed or if there was a better process to require them to be re-established or something, as it seems they can be turned down, which has been the solution for some of those out on Route 250.

Ms. Mallek said that secondly, next year, they could consider moving the Native American Resolution to the main part of the meeting in November. She said that was an important constituency with a significant local population in the County, and her neighbors from the Monacan Nation would appreciate it as well. She said that the turnout for Karenne Woods' funeral at the UVA Chapel was quite shocking, and they were all local folks. She asked everyone to consider this.

Ms. Mallek said that they should keep the memory of the Canadian fire smoke in mind. She asked everyone to think about modifying their burn regulations with staff, Chief Eggleston, and the fire marshals. She said that the changes introduced for the Growth Area a couple of years ago, which extended the distances to 1,000 feet, have completely resolved the issues. She said that they were no longer experiencing repeated inspection visits and service calls based on those distances and the fact that the rules had significantly improved the situation. She expressed hope that in Rural Areas, there would be similar consideration for the health and concerns of residents who may live 50 feet away. She said that when there was continuous burning without any purpose, such as burning green vegetation beside houses, it resulted in prolonged periods of daily smoke.

Ms. Mallek said that she understood the difference between agricultural burning of vineyard trimmings and fruit tree trimmings, which must be burned due to the fungus that grew on them and could not be disposed of in any other way. She said that years ago, she asked if they could have grapevine trimmings to create wreaths, and James King replied, absolutely not; they were extremely dangerous, and one was not permitted to handle them. She noted that there was a phrase in their current guidelines that allows for recreational burning, such as occasional s'mores with children in the backyard. She said that one should not let it burn from 8 a.m. in the morning until dark. She expressed her hope that they could refine these regulations to benefit both fire marshals and the public by establishing clear boundaries and providing protection for everyone.

Ms. Price said that she would provide information regarding several Veterans Day events. She said that there were events scheduled for Friday, November 10, starting at 1:00 p.m., at Highland. She said that an event would take place over the weekend from November 10 to 12 at Monticello. She said that admission to the grounds and the Highlands tour were complimentary. She said that at Lane Auditorium on November 11 at 11:00 a.m., there was a program sponsored by American Legion Post 74. She said that there would also be a Veterans Day fundraiser called Ruck the Ridge, with more information available at www.rucktheridge.com. She concluded by saying that she believed that covered all the notices she had for Veterans Day events and asked the County Executive if he had any further announcements.

Mr. Jeff Richardson, County Executive, asked if Mr. Henry would share with the Board some details about his upcoming travel plans.

Mr. Trevor Henry, Deputy County Executive, said that the County was a member of the Association of Defense Communities for a couple of years. He said that he and Mr. J.T. Newberry attended a seminar in Washington D.C. during the summer which discussed encroachment issues. He said that the timing of this seminar happened to be right after the Board's action regarding Rivanna Station, so it was particularly relevant and timely. He said that he would be attending an event called Installation Innovation, which was an annual gathering. He said that this would be the tenth iteration of the event. He said that it took place in Orlando and ran from Monday through Wednesday next week. He said that according to his understanding, over 1,000 people were expected to attend.

Mr. Henry said that high-ranking military officials, government representatives, DoD (Department of Defense) personnel, local officials, staff members like himself, and state officials would attend the discussion on the challenges faced by bases and installations. He said that he was eager to participate in this event alone, considering whether it was worth the time and expense involved. He said that as a panelist, he would address the topic of encroachment and innovative ways communities were supporting their military facilities. He said that he would provide a report out afterwards, and that he was optimistic about networking opportunities with relevant individuals during this event.

Mr. Richardson said that there would be reminders sent out later this week regarding Mr. Henry's absence from the office. He said that they were fully staffed otherwise. He said that the other thing he wanted to inform the Board was that there was a unique situation, which was not as intense as what Trevor just discussed. He said that for the first time that he could recall, in his invitation from the University of North Carolina at Chapel Hill to teach, they had also extended an invitation to the Board

Chair to accompany him. He said that they would meet with the MPA (Master of Public Administration) program and discuss the partnership between elected boards and staff. He said that additionally, there would be 30 MPA students present for a lunch and learn session, during which the Chair and he would speak about how the partnership worked in local government, within their particular form of governance.

Mr. Richardson said that this would provide them with an opportunity to truly showcase Albemarle County's best assets, and as the Board was aware, they were constantly recruiting talented individuals wherever they went. He said that it would be the first time he had ever done this. He said that although the Chair had spoken at various locations in Virginia, he believed it would be an excellent opportunity to visit and address another audience. He said that they would return promptly, within less than 24 hours. He said that this brief trip would allow them to attend the North Carolina School of Government and engage with MPA students who were eager to make a difference.

Ms. LaPisto-Kirtley said that she would be present at the St. John Community Center for its formal opening on November 11 at 11:00 a.m. She said that she would miss the Veterans Day event at Lane Auditorium but would attend the former. She said that secondly, on November 8, as Vice Chair of the Visitors Bureau, they would announce the winner from Wine Enthusiast. She said that five areas worldwide were represented, and Central Virginia was one of them for the highest ranking for wine region. She said that they were among the five contenders. She said that the announcement would take place at 6:00 p.m. on November 8, so she would be there as well and speaking.

Ms. Mallek asked what the location was for the Wine Enthusiast announcement.

Ms. LaPisto-Kirtley said that it would take place at the Southwest Mountains Vineyard.

Agenda Item No. 19. Adjourn to November 15, 2023, 1:00 p.m. Lane Auditorium.

At 6:41 p.m., the Board adjourned its meeting to November 15, 2023, 1:00 p.m. Lane Auditorium, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA 22902. Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

Chair

Approved by Board
Date: 05/07/2025
Initials: CKB