



**CITY COUNCIL AGENDA
June 20, 2011**

6:00 – 7:00 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code
(Second Floor Conference Room)

TYPE OF ITEM

SUBJECT

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

**AWARDS/RECOGNITIONS
ANNOUNCEMENTS**

Recognition of Historic Resources Committee

MATTERS BY THE PUBLIC

Public comment will be permitted until 7:35 p.m. (limit of 3 minutes per speaker) and at the end of the meeting on any item, including items on the agenda, provided that a public hearing is not planned or has not previously been held on the matter. Persons are asked to sign up in advance of the start of the meeting.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

1. CONSENT AGENDA*

(Items removed from the consent agenda will be considered at the end of the regular agenda.)

- a. Minutes of June 6
- b. APPROPRIATION: \$119,000 – Grant – Azalea Park Storm Water Wetland Project (2nd of 2 readings)
- c. APPROPRIATION: \$386,000 – Charlottesville High School Solar Power System – Appropriation of Grant Funds and Local Cash Match (2nd of 2 readings)
- d. APPROPRIATION: Approval and Appropriation of CDBG & HOME funds for FY 2011-2012 (2nd of 2 readings)
- e. APPROPRIATION: \$751,016 – Amendments to FY 2012 Adopted City Schools General Fund and Grant & Other Governmental Funds Budget (2nd of 2 readings)
- f. APPROPRIATION: \$3,000 – Player for Life Grant from the US Golf Association (2nd of 2 readings)
- g. RESOLUTION: Historic Resources Committee – Appointment of Members and Acceptance of New Rules of Procedure (1st of 1 reading)
- h. RESOLUTION: Acceptance of Street in St. Charles Subdivision (1st of 1 reading)
- i. RESOLUTION: Public Infrastructure Maintenance Bonds (1st of 1 reading)
- j. RESOLUTION: Irrevocable Election Not to Participate in Line of Duty Act Fund (1st of 1 reading)
- k. RESOLUTION: Reimbursement of City Employee Legal Fees (1st of 1 reading)
- l. RESOLUTION: Promise Neighborhood Matching Grant – \$50,000 (1st of 1 reading)
- m. ORDINANCE: Utility Rates (2nd of 2 readings)
- n. ORDINANCE: Street Closure – Closing of a portion of Seminole Court (2nd of 2 readings)
- o. ORDINANCE: Zoning Text Amendment – Assisted Living Facilities (2nd of 2 readings)
- p. ORDINANCE: Sunrise Park PUD (2nd of 2 readings)
- q. ORDINANCE: Homeowner Tax Relief Grant (2011) (2nd of 2 readings)

**2. PUBLIC HEARING/
ORDINANCE***

Temporary Move of Carver Precinct (1st of 2 readings)

3. PUBLIC HEARING

Transfer of Property on Elliott Avenue

4. REPORT/RESOLUTION*

Section 3 Plan and Policy (1st of 1 reading)

5. REPORT/RESOLUTION*

Allocation of CHF Dollars for Purchase of Lots - \$690,000 (1st of 1 reading)

*ACTION NEEDED

Reasonable accommodations will be provided for persons with disabilities upon request.

APPROPRIATION

**Azalea Park Stormwater Wetlands Project
Grant Award # WQIF-2010-P08
\$119,000**

WHEREAS, the City of Charlottesville has been awarded \$59,500 from the Virginia Department of Conservation and Recreation’s Water Quality Improvement Fund; and

WHEREAS, a cash match in the amount of \$59,500 will be transferred from already appropriated funds in P-00653 in the Capital Projects Fund and an in-kind match of \$5,000 will represent City staff time spent on this project; and

WHEREAS, the funds will be used to assist in the creation of stormwater wetlands in Azalea Park to improve water quality; and

WHEREAS, the grant award period is from April 1, 2011 – June 30, 2013.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$119,000 is hereby appropriated in the following manner according to the following budget:

Revenue – \$119,000

\$59,500	Fund: 209	I/O: 1900163	G/L Account: 430110
\$59,500	Fund: 209	I/O: 1900163	G/L Account: 498010

Expenditures - \$119,000

\$119,000	Fund: 209	I/O: 1900163	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$59,500 from the Virginia Department of Conservation and Recreation.

APPROPRIATION
Charlottesville High School Solar Power System
Appropriation of Grant Funds and Local Match
\$386,000

WHEREAS, the Virginia Department of Mines, Minerals and Energy has awarded the City of Charlottesville \$288,000 as part of the State Energy Program (SEP).

WHEREAS, the Charlottesville City Schools has provided \$98,000 toward the required local grant match.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$386,000 is hereby appropriated in the following manner:

Revenues

\$288,000	Fund: 426	Project: P-00648	G/L Account: 430125
\$ 98,000	Fund 426	Project: P-00648	G/L Account: 432085

Expenditures

\$386,000	Fund: 426	Project: P-00648	G/L Account: 599999
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APPROPRIATION
AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
Reprogramming of Funds for FY 11-12

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

WHEREAS, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

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

Program Year	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
00-01	P-00001-04-08	Handicap Access	\$0.04		\$0
00-01	P-00001-04-09	Homeowner Rehab	\$3,146.26		\$0
09-10	P-00001-02-36	Mediation Center	\$900.00		\$0
09-10	P-00001-02-39	PHAR	\$51.15		\$0
09-10	P-00001-02-40	JABA	\$1,863.06		\$0
09-10	P-00001-02-38	FOCUS	\$25.44		\$0
09-10	P-00001-04-63	MACAA	\$221.00		\$0
11-12		AHIP- Homeowner Rehabs		\$6,206.95	\$6,206.95
		TOTALS:	\$6,206.95	\$6,206.95	\$6,206.95

2011-2012 CDBG BUDGET ALLOCATIONS
RECOMMENDED BY CDBG TASK FORCE: 02/7/2011
RECOMMENDED BY PLANNING COMMISSION: 03/08/2011
APPROVED BY CITY COUNCIL: 04/18/2011
AMENDED BY STAFF: 05/11/2011
APPROVED BY CITY COUNCIL: 06/20/2011

I. HOUSING IN ALL CDBG ELIGIBLE NEIGHBORHOODS			
A. AHIP- Homeowner Rehabs		\$23,726	
B. Building Goodness- Build Day		\$18,900	
C. PHA, Downpayment Assistance		\$22,050	
D. JABA, Land Acquisition		\$73,050*	
E. ARC, Facility Improvements		\$12,000	
	HOUSING PROGRAMS TOTAL:	\$149,726	33%
II. PRIORITY NEIGHBORHOOD			
A. Fifeville		\$200,000	37%
III. SOCIAL PROGRAMS			
A. Adult Learning Center		\$ 4,140	
B. Banah Familia		\$ 2,520	
C. CRHA, Tuition to PVCC		\$11,000	
D. C4K, Teen Tech		\$11,590	
E. MACAA, Back to Work		\$34,895	
F. OAR- Reentry Program		\$ 8,280	
G. PACEM, Overflow Services		\$ 8,280	
	SOCIAL PROGRAMS TOTAL:	\$80,705	15%
IV. ADMINISTRATION AND PLANNING: To pay direct costs of staff, auditing, citizen participation			
	ADMINISTRATION AND PLANNING TOTAL:	\$107,606.71	20%
	GRAND TOTAL:	\$538,037.71	
	ENTITLEMENT AMOUNT:	\$479,307.00	
	PROGRAM INCOME:	\$ 52,523.76	
	REPROGRAMMING:	\$ 6,206.95	

2011-2012 HOME BUDGET ALLOCATIONS

A. Habitat for Humanity		\$103,950*
B. CRHA- HOP		\$ 31,500
C. CRHA- DP		\$ 15,750
D. AHIP		\$ 32,612
B. Tenant Based Rental Assistance (SRO)		\$ 8,780.57*
C. Administration and Planning – (funds from the Planning District)		\$ 5,178
	TOTAL:	\$192,592.57
	ENTITLEMENT AMOUNT:	\$111,952
	REPROGRAMMING/PROGRAM INCOME:	\$ 52,652.57
	LOCAL MATCH:	\$ 27,988

* Funding includes program income/reprogrammed funds

**A RESOLUTION
 APPROPRIATING FUNDS FOR
 THE CITY OF CHARLOTTESVILLE'S 2011-2012
 COMMUNITY DEVELOPMENT BLOCK GRANT
 \$538,037.71**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of a Community Development Block Grant (CDBG) for the 2011-2012 fiscal year in the total amount of \$595,584.45 that includes the entitlement from HUD of \$479,307 and reprogramming and program income of \$58,730.71.

WHEREAS, City Council has received recommendations for the expenditure of funds from the CDBG Task Force and the City Planning Commission; and has conducted a public hearing thereon as provided by law; now, therefore

BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the sums hereinafter set forth are hereby appropriated from funds received from the aforesaid grant to the following individual expenditure accounts in the Community Development Block Grant Fund for the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations.

ACCOUNT CODE**	PURPOSE	AMOUNT
HOUSING and PUBLIC IMPROVEMENTS		
	AHIP, Homeowner Rehabs	\$23,726 *
	Building Goodness in April, Build Day	\$18,900 *
	PHA, Downpayment Assistance	\$22,050 *
	JABA, Timberlake Place	\$73,050
	ARC, Facility Improvements	\$12,000
	Fifeville Priority Area	\$200,000
	Total	\$397,070
SOCIAL PROGRAMS		
	Adult Learning Center, Computer Classes	\$4,140
	Banah Familia, Youth Entrepreneurship	\$2,520
	CRHA, Tuition to PVCC	\$11,000
	Computers4Kids, Teen Tech	\$11,590
	MACAA, Back to Work	\$34,895
	OAR- Reentry Program	\$8,280
	PACEM, Overflow Services	\$8,280
	Total	\$80,705
ADMINISTRATION AND PLANNING		
	Admin & Planning 11-12	\$107,606.71
	Grand Total	\$538,037.71

*Funded through reprogrammed/ program income.

**Codes are not available through SAP at this time. Codes will be assigned at a later date.

The amounts so appropriated as grants to other public agencies and private non-profit, charitable organizations (subreipients) are for the sole purpose stated. The City Manager is authorized to enter into agreements with those agencies and organizations as he may deem advisable to ensure that the grants are expended for the intended purposes, and in accordance with applicable federal and state laws and regulations; and

The City Manager, the Directors of Finance or Neighborhood Development Services, and staff of the Charlottesville Redevelopment and Housing Authority (CRHA) are authorized to establish administrative procedures and provide for mutual assistance in the execution of the programs as provided by the Board of CRHA.

**A RESOLUTION
 APPROPRIATING FUNDS FOR
 THE CITY OF CHARLOTTESVILLE'S 2011-2012
 HOME FUNDS
 \$192,592.57**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of HOME Investment Partnership (HOME) funding for the 2011-2012 fiscal year;

WHEREAS, the region is receiving an award of \$887,622 for year nineteen or fiscal year 11-12 in HOME funding of which the City will receive \$11,952 to be expended on affordable housing initiatives such as Rehabilitation of Owner Occupied Structures, Downpayment Assistance, and Tenant Based Rental Assistance.

WHEREAS, it is a requirement of this grant that projects funded with HOME initiatives money be matched with local funding in varying degrees;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the local match for the above listed programs will be covered by the Charlottesville Housing Fund account (P-00439 in SAP system) in the amount of \$27,988; the resolution for this appropriation will come forward after July 1, 2010. Program income and reprogramming from previous FYs amounts to \$52,652.57 available for FY 11-12. The total of the HUD money, program income, and the local match, \$192,592.57, will be distributed as shown below. Administrative funds for the year total \$5,178, which do not require a City match.

HOME Program Funds (Fiscal Year 11-12)	HOME FUNDING	% MATCH REQUIRED	LOCAL MATCH	TOTAL
AHIP- Homeowner Rehab	\$26,090	25%	\$6,522	\$ 32,612
Habitat for Humanity	\$91,934*	25%	\$12,016	\$103,950
CRHA- HOP	\$25,200	25%	\$6,300	\$31,500
CRHA- Down Payment	\$12,600	25%	\$3,150	\$15,750
Tenant Based Rental Assist.	\$ 8,780.57*	25%		\$8,780.57
Administration & Planning	\$ 5,291.83			\$ 5,178**
	\$164,604		\$27,988	\$192,592.57

* includes Program Income which does not require local match.

** admin provided direct HOME Consortium and not part of EN award.

APPROPRIATION
Amendments to FY 2012 Adopted City Schools General Fund and Grant & Other
Governmental Funds Budget
\$751,016

WHEREAS, the FY 2012 Adopted General Fund budget for the schools is increased by \$40,000; and

WHEREAS, the FY 2012 Adopted Grant and Other Governmental Funds budget for the schools is amended by \$711,016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the FY 2012 Adopted School Budget is amended by **\$751,016** for a total combined funds budget of:

	FY 12 Amended Budget
<u>Schools Combined Budget</u>	
City Contributuion	41,150,161
State Funds	17,794,713
Federal Funds	7,183,842
Misc. Funds	2,940,852
TOTAL SCHOOL BUDGET	69,069,568

APPROPRIATION

**Player for Life Grant from the US Golf Association
\$3,000**

WHEREAS, the City of Charlottesville, through The First Tee of Charlottesville, has received a Player for Life Grant from the United States Golf Association in the amount of \$3,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$3,000 received from the United States Golf Association is hereby appropriated in the following manner:

Revenues - \$3,000

Fund: 609 Cost Center: 3821001000 G/L Account: 451022

Expenditures - \$3,000

Fund: 609 Cost Center: 3821001000 G/L Account: 530670



City of Charlottesville Resolution

WHEREAS, the Charlottesville Historic Resources Committee (HRC) was created by City Council in 1998 to promote and help develop the historic resources of the community; and

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

WHEREAS, our historic buildings and historic places are defining elements of our community character, our well-being, and our future development; and

WHEREAS, City Council recognizes and appreciates that the Historic Resources Committee serves an important educational function for the City's historic preservation program; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Charlottesville formally appoints the following persons as members of the Charlottesville Historic Resources Committee: Mary Hill Caperton and Melanie Miller, Co-chairs, Mark Beliles, Helena Devereux, Winston Churchill Gooding, Genevieve Keller, Edwina St. Rose, Ingrid Smyer-Kelly, and Steven Meeks, ex-officio as president of the Albemarle-Charlottesville Historical Society.

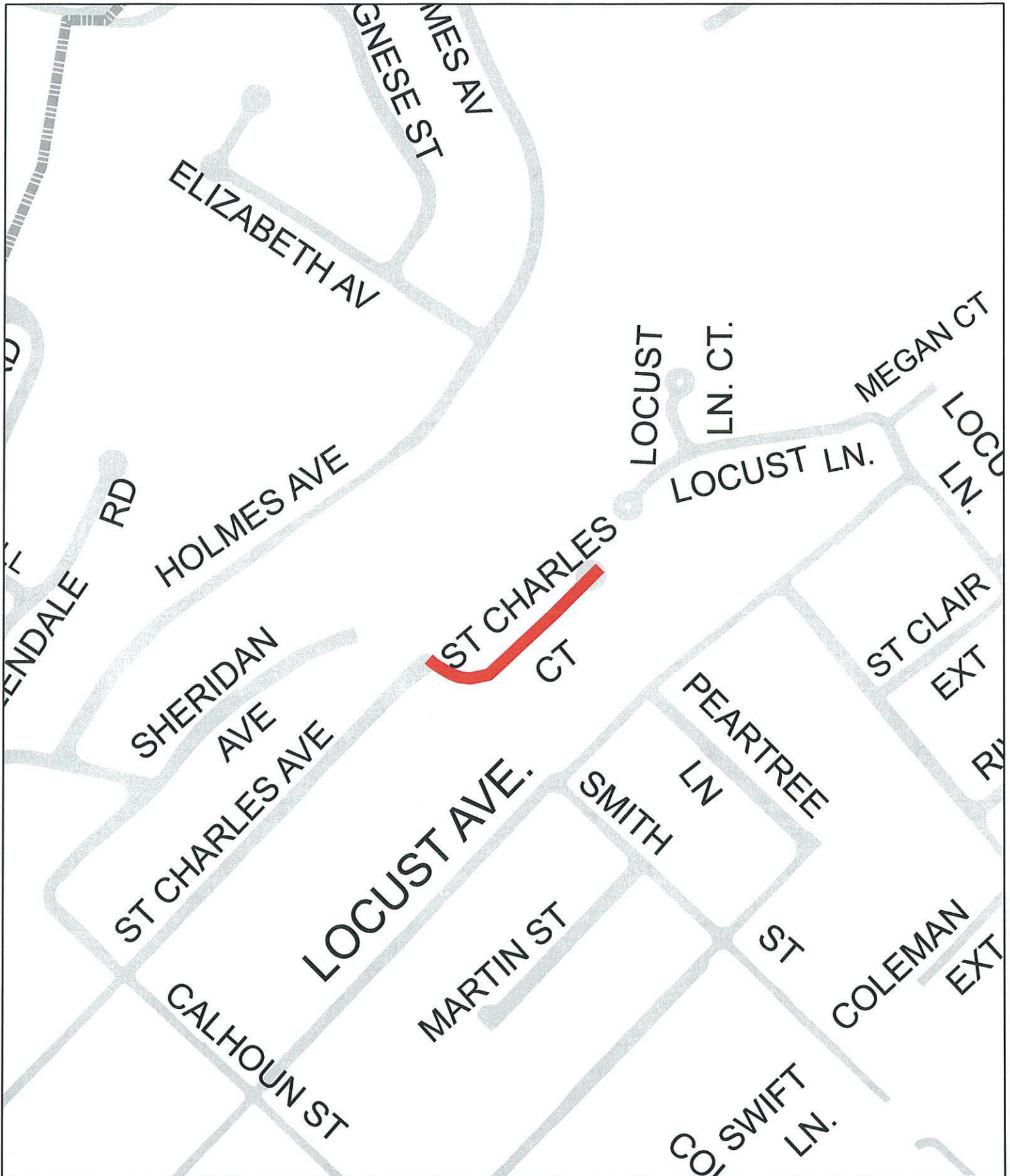
Signed and sealed this 20th day of June, 2011

Dave Norris, Mayor

**RESOLUTION
ACCEPTING ST. CHARLES COURT
INTO THE CITY STREET SYSTEM FOR MAINTENANCE**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, on recommendation of the Director of Neighborhood Development Services and the Director of Public Works, that St. Charles Court, which has been built to the specifications and standards required by City-approved plans, is hereby accepted into the City street system for maintenance. The street hereby accepted is shown on the attached drawing entitled “St. Charles Ct. Road Acceptance”, dated June 2011. Only utility lines located within the street right of way are accepted by the City; specifically, at this time the sanitary sewer line located on the west side of the St. Charles Subdivision near Meadow Creek is not accepted by the City for maintenance.

ST CHARLES CT. ROAD ACCEPTANCE



RESOLUTION

WHEREAS, the City Council of the City of Charlottesville requested state legislation to allow the City to require an infrastructure maintenance bond for construction of single-family and two-family homes to protect the City's investment in infrastructure which serve those individual homes; and

WHEREAS, Va. Code Sec. 15.2-2209.2 was enacted at the 2011 General Assembly giving the City the right to require such maintenance bonds by ordinance; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the study of an ordinance establishing a process for the requirement of such infrastructure maintenance bonds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville that the Planning Commission is hereby directed to initiate a study of a proposed ordinance amending Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended, related to the requirement of infrastructure maintenance bonds for individual home construction; and

BE IT FURTHER RESOLVED that the Planning Commission will submit its findings and recommendations to the City Council no later than September 28, 2011.

RESOLUTION

Irrevocable Election Not to Participate in Line of Duty Act Fund

WHEREAS, pursuant to Item 258 of the Appropriations Act, paragraph B, the Virginia General Assembly has established the Line of Duty Act Fund (the "Fund") for the payment of benefits prescribed by and administered under the Line of Duty Act (Va. Code § 9.1-400 et seq.); and

WHEREAS, for purposes of administration of the Fund, a political subdivision with covered employees (including volunteers pursuant to paragraph B2 of Item 258 of the Appropriations Act) may make an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

WHEREAS, it is the intent of the City of Charlottesville to make this irrevocable election to be a non-participating employer with respect to the Fund;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Charlottesville hereby elects to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and it is further

RESOLVED that the following entities,

hazardous duty professionals who are members of the City's Police and Fire departments, Charlottesville Fire Volunteer Company and City's Sheriff's Office to the best of the knowledge of the City of Charlottesville, constitute the population of its past and present covered employees under the Line of Duty Act; and it is further

RESOLVED that, as a non-participating employer, the City of Charlottesville agrees that it will be responsible for, and reimburse the State Comptroller for, all Line of Duty Act benefit payments (relating to existing, pending or prospective claims) approved and made by the State Comptroller on behalf of the City of Charlottesville on or after July 1, 2010; and it is further

RESOLVED that, as a non-participating employer, the City of Charlottesville agrees that it will reimburse the State Comptroller an amount representing reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund; and it is further

RESOLVED that the City of Charlottesville shall reimburse the State Comptroller on no more than a monthly basis from documentation provided to it from the State Comptroller.

Adopted in _____, Virginia this _____ day of _____, _____.

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the request for reimbursement of legal fees in the amount of \$1,007.00 for the defense of City Police Officer Granville Fields against a charge of reckless driving is hereby approved.

RESOLUTION

Matching Funding for a Virginia Department of Juvenile Justice Grant

\$50,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$50,000 is hereby paid from currently appropriated funds in the Council Priority Initiatives account in the General Fund:

Fund: 105

Cost Center: 1011001000

G/L Account: 540090

**AN ORDINANCE
AMENDING AND REORDAINING
CHAPTER 31 (UTILITIES) OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES
FOR CITY GAS, WATER AND SANITARY SEWER.**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that:

1. Sections 31-56, 31-57, 31-60, 31-61, 31-62, 31-153 and 31-156 of Chapter 31, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:

CHAPTER 31. UTILITIES

ARTICLE II. GAS

DIVISION 2. TYPES OF SERVICE; SERVICE CHARGES

Sec. 31-56. Rates - Generally.

The firm service gas rates based on monthly meter readings shall be as follows:

Basic Monthly Service Charge	\$ 10.00	
First 3,000 cubic feet, per 1,000 cubic feet	\$ 14.2670	<u>12.6194</u>
Next 3,000 cubic feet, per 1,000 cubic feet	\$ 13.4110	<u>11.8622</u>
Next 144,000 cubic feet, per 1,000 cubic feet	\$ 11.9843	<u>10.6003</u>
All over 150,000 cubic feet, per 1,000 cubic feet	\$ 11.6989	<u>10.3479</u>

Sec. 31-57. Same - Summer air conditioning.

(a) Gas service at the following rate shall be available to customers who request such service in writing and who have installed and use air conditioning equipment operated by natural gas as the principal source of energy. The air conditioning rate will be available for bills rendered during the months of May through October of each year and shall be as follows:

- (1) *Single Family Residential.* For the first four thousand (4,000) cubic feet of gas used per month, the charge shall be the sum as set forth under section 31-56, and for all gas used in excess of four thousand (4,000) cubic feet per month, the rate shall be ~~nine dollars (\$9.00)~~ \$7.6381 per one thousand (1,000) cubic feet.

- (2) *Other.* All gas used for summer air conditioning shall be separately billed at the rate of ~~nine dollars (\$9.00)~~ \$7.6381 per one thousand (1,000) cubic feet. All gas used during billing periods other than May through October of each year shall be at the rates set forth in section 31-56, 31-60 or 31-61 of this Code, as applicable.

(b) The director of finance may, when it is impracticable to install a separate meter for air conditioning equipment, permit the use of one (1) meter for all gas delivered to the customer, in which instance the director of finance shall estimate the amount of gas for uses other than air conditioning and shall bill for such gas at the rates provided in applicable sections of this division.

...

Sec. 31-60. Interruptible sales service.

(a) *Conditions.* . . .

(b) *Customer's agreement as to discontinuance of service.* . . .

(c) *Basic monthly service charge.* The basic monthly charge for interruptible sales service shall be sixty dollars (\$60.00).

(d) *Rate.* For all gas consumed by interruptible customers the rate shall be ~~\$11.2050~~ \$9.7949 per one thousand (1,000) cubic feet for the first six hundred thousand (600,000) cubic feet, and ~~\$9.4180~~ \$8.1533 per one thousand (1,000) cubic feet for all volumes over six hundred thousand (600,000) cubic feet.

(e) *Annual Minimum Quantity.* Interruptible rate customers shall be obligated to take or pay for a minimum quantity of one million two hundred thousand (1,200,000) cubic feet of gas annually. Each year, as of June 30, the director of finance shall calculate the total consumption of each interruptible customer for the preceding twelve (12) monthly billing periods, and shall bill any customer that has consumed less than the minimum quantity for the deficient amount at the rate of ~~\$9.4180~~ \$8.1533 per one thousand (1,000) cubic feet. Any new customer shall be required to enter into a service agreement with the City prior to the start of service. If an interruptible customer terminates service the annual minimum requirement shall be prorated on the basis of one hundred thousand (100,000) cubic feet per month for each month the customer has received service since the last June 30 adjustment.

(f) *Contract required.* . . .

Section 31-61. Interruptible Transportation Service.

(a) *Generally.* ...

(b) *Rate.* The rate for transportation service shall be ~~\$4.5146~~ \$4.2207 per decatherm for a combined IS and TS customer and \$3.04 per decatherm for a customer receiving only TS gas.

(c) *Basic Monthly Service Charge.* Each combined IS and TS customer shall pay a monthly service charge of \$150.00 per meter for the right to receive TS service plus the basic monthly service charge of \$60.00 per meter for IS gas. TS only customers shall pay a monthly service charge of \$150 per meter.

- (d) . . .
- (e) . . .
- (f) . . .
- (g) . . .
- (h) . . .
- (i) . . .
- (j) . . .

Section 31-62. Purchased gas adjustment.

In computing gas customer billings, the basic rate charges established under sections 31-56, 31-57, 31-60 and 31-61 shall be adjusted to reflect increases and decreases in the cost of gas supplied to the city. Such increases or decreases shall be computed as follows:

(1) For the purpose of computations herein, the costs and charges for determining the base unit costs of gas are:

- a. Pipeline tariffs;
- b. Contract quantities; and
- c. Costs of natural gas, in effect or proposed March 1, ~~2010~~ 2011.

(2) Such base unit costs are ~~\$7.3509~~ \$6.0176 per one thousand (1,000) cubic feet for firm gas service and ~~\$5.7240~~ \$4.5362 per one thousand (1,000) cubic feet for interruptible gas service.

(3) In the event of any changes in pipeline tariffs, contract quantities or costs of scheduled natural gas, the unit costs shall be recomputed on the basis of such change in accordance with procedures approved by the city manager. The difference between the unit costs so computed and the base unit costs shall represent the purchased gas adjustment to be applied to all customer bills issued beginning the first billing month after each such change.

...

ARTICLE IV. WATER AND SEWER SERVICE CHARGES

...

Sec. 31-153. Water rates generally.

(a) Water rates shall be as follows:

	<u>May-September</u>	<u>October-April</u>
(1) Monthly service charge.	\$4.00	\$4.00
(2) Metered water consumption, per 1,000 cu. ft .	\$50.00 <u>50.10</u>	\$38.46 <u>38.54</u>

(b) This section shall not apply to special contracts for the consumption of water which have been authorized by the city council.

...

Sec. 31-156. Sewer service charges generally.

(a) Any person having a connection directly or indirectly, to the city sewer system shall pay therefor a monthly charge as follows:

- (1) A basic monthly service charge of four dollars (\$4.00).
- (2) An additional charge of ~~forty two dollars and sixteen cents (\$42.16)~~ forty four dollars and seventy cents (\$44.70) per one thousand (1,000) cubic feet, of metered water consumption.

(b) Any water customer not discharging the entire volume of water used into the city's sanitary sewer system shall be allowed a reduction in the charges imposed under this section, provided such person installs, at his expense, a separate, City-approved water connection to record water which will not reach the City sewer system. The cost and other terms of City Code section 31-102 shall apply. For customers with monthly water consumption in excess of thirty thousand (30,000) cubic feet, where the director of finance considers the installation of a separate meter to be impracticable, the director may establish a formula which will be calculated to require such person to pay the sewer charge only on that part of the water used by such person which ultimately reaches the city sewers.

2. The foregoing amendments shall become effective July 1, 2011.

**AN ORDINANCE
AUTHORIZING THE VACATION OF A PORTION
OF THE 1982 SUBDIVISION PLAT OF BLOCK G
OF THE SEMINOLE SQUARE SHOPPING CENTER**

WHEREAS, by subdivision plat entitled “Subdivision Plat, Block G, Seminole Square”, dated March 22, 1982, hereinafter the “1982 Subdivision Plat”, of record in the Charlottesville Circuit Court Clerk’s Office in Deed Book 430, page 65, an extension of the Seminole Court right-of-way was created and dedicated for public use to the City of Charlottesville; and

WHEREAS, Towers Limited Partnership, the current owner of Seminole Square, has requested permanent closure of a small portion of the Seminole Court right-of-way shown on that plat, described as follows:

All that certain parcel of land, containing 0.038 acres, as shown on a plat entitled “Plat Vacating a Portion of Seminole Court Right of Way”, dated March 16, 2011, attached hereto, said parcel being labeled “Portion of Right of Way to be Vacated” on Sheet 2 of said plat.

WHEREAS, Towers Limited Partnership owns all of the land adjoining the subject right-of-way to be closed, and requests the City to vacate a portion of the 1982 Subdivision Plat pursuant to Virginia Code Sec. 15.2-2272(2), by way of adoption of an ordinance; and

WHEREAS, notice of the proposed closing and vacation of a portion of the 1982 Subdivision Plat and associated public hearing was advertised in accordance with Virginia Code Sec. 15.2-2204, and a joint public hearing by City Council and the Planning Commission was held on May 10, 2011; and

WHEREAS, City staff has reviewed the request and confirmed: (i) that closure of the subject right-of-way will not impede any person’s access to his property or otherwise cause irreparable damage to the owner of any lot shown on the original subdivision plat; (ii) there are no public utilities currently located in the subject area; and (iii) there will be no adverse impact on traffic on nearby public streets, or resulting undesirable traffic conditions in and through the subdivision; and

WHEREAS, City staff recommends approval of the closure of the above-described portion of Seminole Court and vacation of a portion of the 1982 Subdivision Plat; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is authorized to sign on behalf of the City an instrument vacating the above-described portion of the 1982 Subdivision Plat, and closing a portion of the Seminole Court right-of-way, platted in 1982 and shown on the attached plat dated March 16, 2011, as authorized by Virginia Code Sec. 15.2-2272(2).

PLAT VACATING A PORTION OF SEMINOLE COURT RIGHT OF WAY CONTAINING 0.038 ACRES SEMINOLE SQUARE CHARLOTTESVILLE, VIRGINIA

NOTES:

1. VACATED PORTION OF RIGHT OF WAY IS TO BE ADDED TO, AND BECOME A PART OF TMP 41C-3.1 BLOCK C.
2. NO CURRENT TITLE REPORT PROVIDED. EASEMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST ON THIS PROPERTY.
3. SUBJECT PROPERTY LIES IN FLOOD ZONE 'C' (AREAS OF MINIMAL FLOODING) AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #510033 0002 C, EFFECTIVE DATE JUNE 15, 1979. LIMITS ARE BASED ON THE PRE-DEVELOPMENT TOPOGRAPHY ADJACENT TO MEADOW CREEK.
4. SITE DATA AND EASEMENTS BASED ON AN ALTA SURVEY DATED JANUARY 09, 2003. NO CURRENT BOUNDARY SURVEY WAS PERFORMED FOR THIS PLAT. SOME UTILITIES WERE FIELD LOCATED ON MARCH 09, 2011. SEE NOTE ON SHEET 3.

CITY APPROVALS:

CHAIRMAN, CITY OF CHARLOTTESVILLE
PLANNING COMMISSION

SECRETARY, CITY OF CHARLOTTESVILLE
PLANNING COMMISSION

OWNERS APPROVAL:

THE REDIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES.

TOWERS LIMITED PARTNERSHIP

NOTARY PUBLIC:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 20____

My Commission Expires _____

OWNER INFORMATION:

TAX MAP 41C PARCEL 3.1 BLOCK C
TOWERS LIMITED PARTNERSHIP ET AL
GREAT EASTERN MANAGEMENT
PO BOX 5526
CHARLOTTESVILLE, VA 22905

ZONED: HW

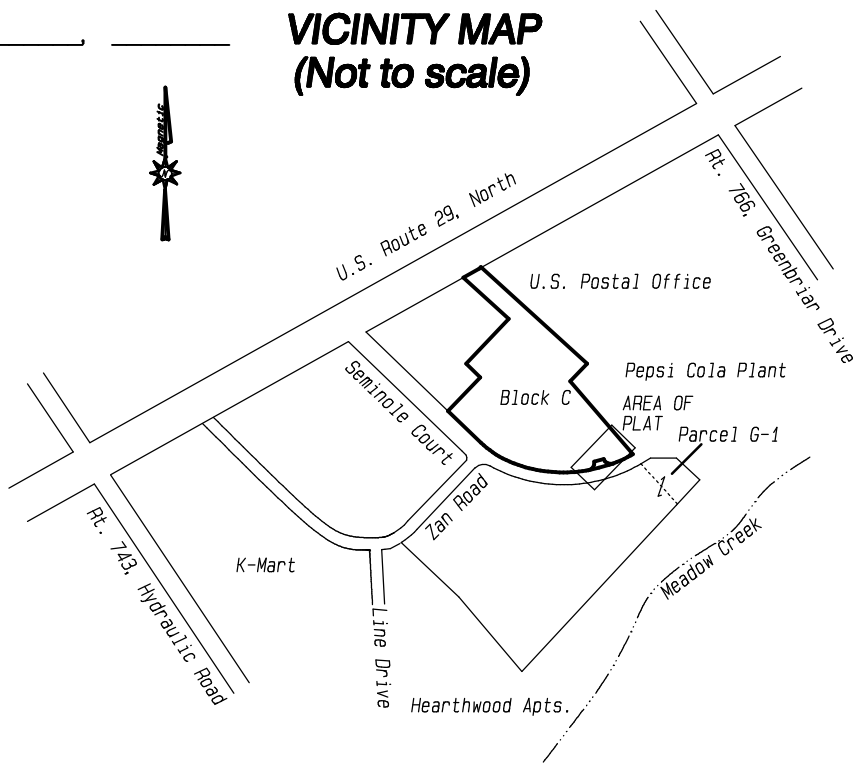
CURRENT ZONING SETBACKS:

Front: None required
Side and rear: 10' where adjacent to any low density residential district

LEGAL REFERENCES:

D.B. 710 p. 165
D.B. 521 p. 021 (plat)
D.B. 470 p. 807 (plat)

**VICINITY MAP
(Not to scale)**



Sheet 1 of 3

Q: \MReed\TMPROJ\6053-ROW.pro

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS

MARCH 16, 2011



A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1956



914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM

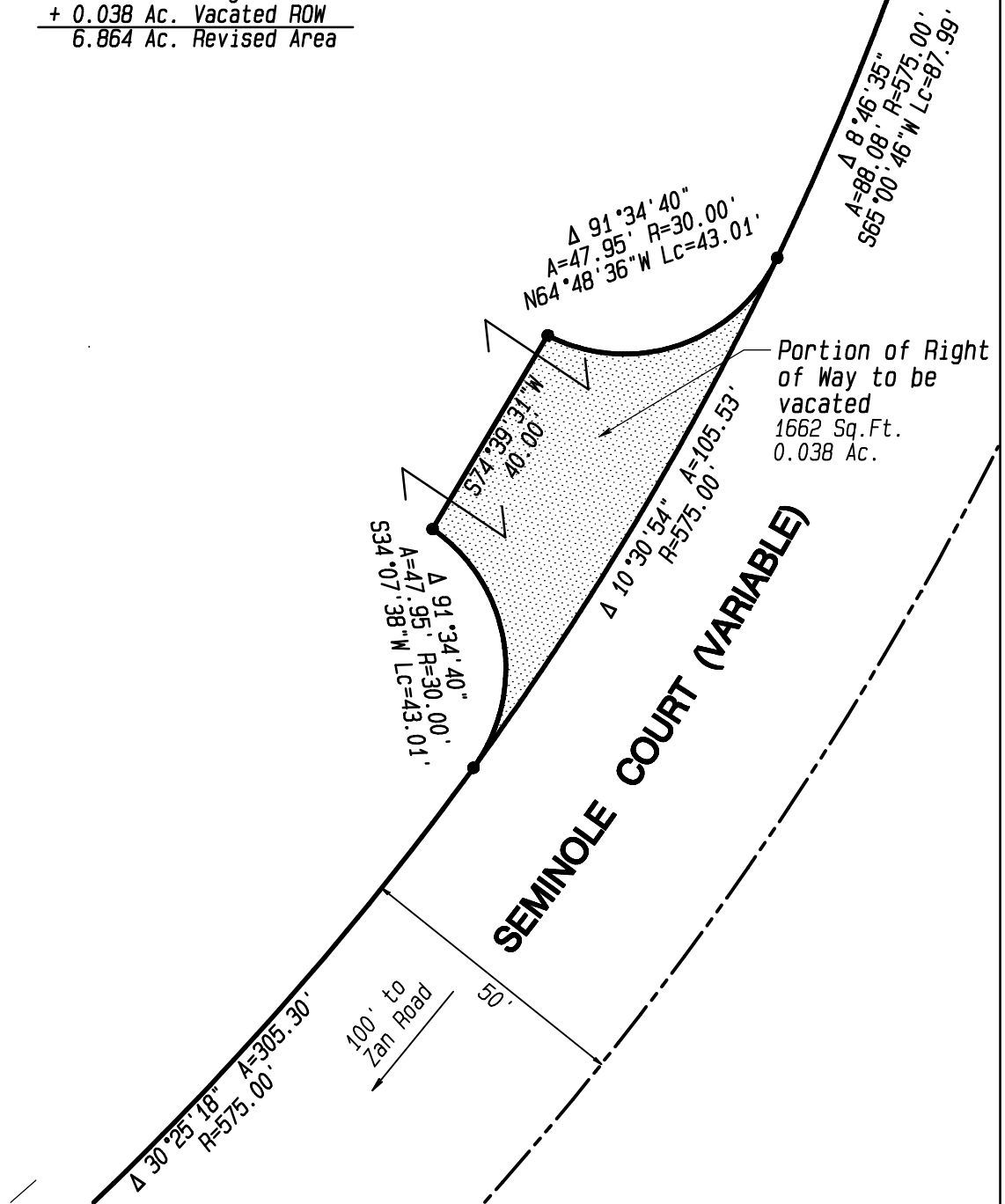
FILE: 6053

TMP 41C - 3
 Pepsi-Cola Bottling Company
 D.B. 430 p. 082
 D.B. 430 p. 065 (plat)

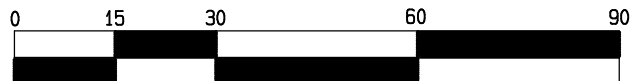
MAGNETIC

S40°34'59"E 391.73'

TMP 41C - 3.1
 Block C
 Towers Limited Partnership
 D.B. 710 p. 165
 D.B. 521 p. 021 (plat)
 D.B. 470 p. 807 (plat)
 6.826 Ac. Original Area
 + 0.038 Ac. Vacated ROW
 6.864 Ac. Revised Area



SCALE 1" = 30'



SCALE IN FEET

Sheet 2 of 3

Q: \MReed\TMPROJ\6053-ROW.pro

ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS

MARCH 16, 2011



A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1956

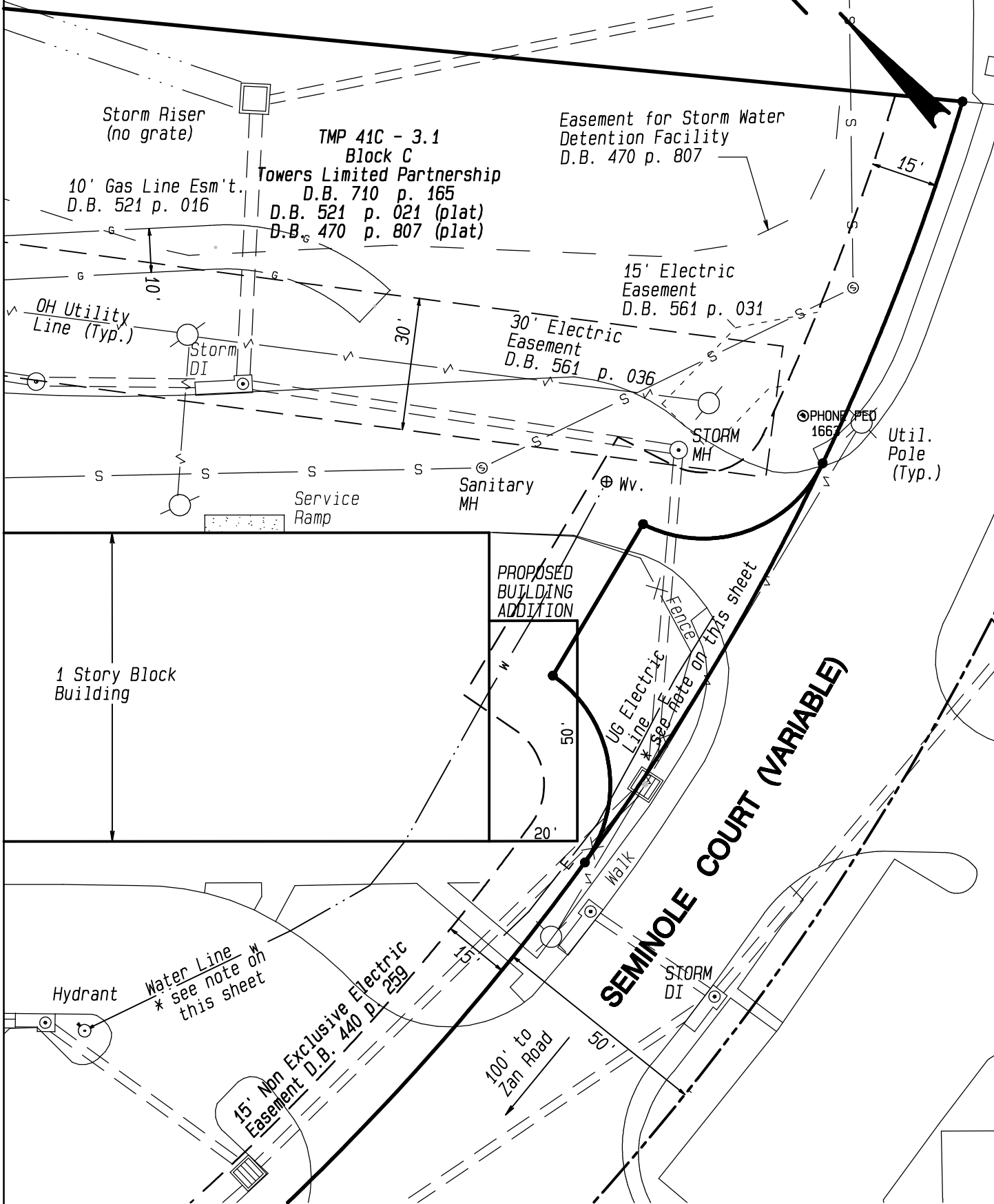
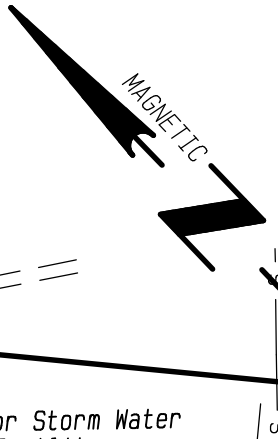


914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM

SCALE: 1" = 30'

FILE: 6053

TMP 41C - 3
 Pepsi-Cola Bottling Company
 D.B. 430 p. 082
 D.B. 430 p. 065 (plat)



* NOTE: Water and electric lines are based on Miss Utility markings located on March 09, 2011.

SCALE 1" = 30'



SCALE IN FEET

Sheet 3 of 3

Q: \MReed\TMPROJ\6053-ROW.pro

ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS

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 SERVING VIRGINIA SINCE 1956
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 PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM

MARCH 16, 2011

SCALE: 1" = 30'

FILE: 6053

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 34-796 OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
RELATING TO AMENDMENTS TO THE USE MATRIX
FOR MIXED USE CORRIDOR DISTRICTS.**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that Section 34-796 of Article VI (Mixed Use Corridor Districts) of Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**ARTICLE VI. MIXED USE CORRIDOR DISTRICTS
Division 16. Use Matrix**

Sec. 34-796. Use matrix – Mixed use corridor districts.

The uses and residential densities allowed within the city’s mixed use corridor zoning districts are those identified within the matrix following below. (For a list of each of the city’s zoning districts and their abbreviations, see section 34-216.)

A = Ancillary use	GFA = Gross floor area
B = By-right use	MFD = Multifamily development
CR = Commercial/residential	P = Provisional use permit
A/S = Ancillary or Special use permit	S = Special use permit
M/S = Mixed use or special use permit	T = Temporary use permit
DUA = Dwelling units per acre	M = Mixed use development

[See attached Matrix with amended areas highlighted in yellow – Changes to Matrix described below]

Under the category RESIDENTIAL AND RELATED USES:

Allow Adult Assisted Living (Greater than 8 Residents) use with a special use permit in the Downtown North Corridor (DN) zoning district by adding an “S” in the DN column for the row labeled “Adult Assisted Living: Greater than 8 Residents”.

MIXED USE ZONING MATRIX
Proposed Amendment(s) June 6, 2011

Use Types	ZONING DISTRICTS												CD	CC
	D	DE	DN	WMN	WMS	CH	HS	NCC	HW	WSD	URB	SS		
RESIDENTIAL AND RELATED USES														
Accessory apartment, internal						P								
Accessory apartment, external						P								
Accessory buildings, structures and uses (residential)	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Adult assisted living														
1-8 residents		B	B	B	B	B	B	B					B	B
Greater than 8 residents			S			B	S	S	S					
Adult day care						B								
Amateur radio antennas, to a height of 75 ft.						B								
Bed-and-breakfasts:														
Homestay	B	B	B	B	B	B	B	B	B	B	B	B	B	B
B & B	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Inn	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Boarding: fraternity and sorority house													S	
Boarding house (rooming house)													S	
Convent/monastery	B	B	B	B	B	B	B	S	B	B	B	B	B	B
Criminal justice facility														
Dwellings:														
Multifamily	M	B	B	M	M	B	B	M	B	M	B	M	M	B
Single-family attached		B	B	B	B	B	B	B					B	B
Single-family detached		B	B	B	B	B	B	B					B	B
Townhouse		S	S			B								
Two-family						B								
Family day home														
1-5 children		B	B	B	B	B	B	B					B	B
6-12 children														
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Manufactured home parks														
Night watchman's dwelling unit, accessory to industrial use														
Nursing homes						B	S	S	S					
Occupancy, residential														
3 unrelated persons														
4 unrelated persons	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Residential treatment facility														
1-8 residents	B	B	B	B	B	B	B	B	B	B	B	B	B	B
8+ residents	S	S	S	S	S		S	S	S	S	S	S	S	S
Shelter care facility	S	S	S	S	S		S	S	S	S	S	S	S	S
Single room occupancy facility	S	S	S	S	S	S	S			S	S	S	S	S
Temporary family health care structure		T	T	T	T	T	T	T					T	T

**AN ORDINANCE
APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT
512 RIVES STREET
FROM R-2 (RESIDENTIAL) TO PLANNED UNIT DEVELOPMENT (PUD)**

WHEREAS, Community Results, the agent for Sunrise Park, LLC (“Applicant”), Owner of the property designated as 512 Rives Street (0.18 acres), identified on City Tax Map 56 as Parcel 85, submitted an application seeking a rezoning of such property from R-2 (Residential) to Planned Unit Development (PUD), hereinafter the “Proposed Rezoning”; and

WHEREAS, a joint public hearing on the Proposed Rezoning was held before the City Council and Planning Commission on May 10, 2011, following notice to the public and to adjacent property owners as required by law; and

WHEREAS, legal notice of the public hearing held on May 10, 2011 was advertised in accordance with Va. Code Sec. 15.2-2204; and

WHEREAS, the Applicant proposes to add the property at 512 Rives Street to the existing, adjacent planned unit development (Sunrise Park) approved by City Council on November 16, 2009, and amend the approved concept plan and proffer statement for Sunrise Park; and

WHEREAS, the proposed amendments to the Final Proffer Statement for Sunrise Park dated October 15, 2009 would include: (i) Amending the proffer to not restrict where the buildings will be, just that the number of buildings is capped at 19; (ii) The maximum number of units permitted on the site would be raised from 60 to 66; and (iii) The landscaping plan would be amended to include the property that is the subject of the Proposed Rezoning; and

WHEREAS, on May 10, 2011, the Planning Commission voted to recommend approval of the Proposed Rezoning to the City Council on the basis of general welfare and good zoning practice; and

WHEREAS, the Applicant submitted a Final Proffer Statement dated April 24, 2011, as required by City Code Section 34-64(c), and made a part of these proceedings; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice requires the Proposed Rezoning; that both the existing zoning classifications (R-2 Residential) and the proposed PUD zoning classification (subject to proffered development conditions) are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Section 34-1. Zoning District Map. Rezoning from R-2 Residential to Planned Unit Development (PUD), subject to the proffered development conditions set forth within the Final Proffer Statement dated April 24, 2011, the property located at 512 Rives Street, identified on City Tax Map 56 as Parcel 85, consisting of approximately 0.18 acres.

AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE

WHEREAS, effective July 1, 2006, §50.7 of the Charter of the City of Charlottesville authorizes City Council to make grants and loans of funds to low- or moderate-income persons to aid in the purchase of a dwelling within the City; and

WHEREAS, this City Council desires to offer a monetary grant for Fiscal Year 2012, to aid low- and moderate-income citizens with one of the ongoing expenses associated with the purchase of a dwelling, *i.e.* real estate taxes; and

WHEREAS, public funding is available for the proposed grant;

NOW, THEREFORE, effective July 1, 2011 and for calendar year 2011, the Charlottesville City Council hereby ordains:

Grant—provided.

(a) There is hereby provided to any natural person, at such person's election, a grant in aid of payment of the taxes owed for the taxable year on real property in the city which is owned, in whole or in part, and is occupied by such person as his or her sole dwelling. The grant provided within this section shall be subject to the restrictions, limitations and conditions prescribed herein following.

(b) If, after audit and investigation, the commissioner of revenue determines that an applicant is eligible for a grant, the commissioner of revenue shall so certify to the city treasurer, who shall implement the grant as a prepayment on the applicant's real estate tax bill due on December 5, 2011.

(c) The amount of each grant made pursuant to this ordinance shall be \$525 for taxpayers with a household income of \$0-25,000, and shall be \$375 for taxpayers with a household income from \$25,001-\$50,000, to be applied against the amount of the real estate tax bill due on December 5, 2011.

Definitions.

The following words and phrases shall, for the purposes of this division, have the following respective meanings, except where the context clearly indicates a different meaning:

(1) *Applicant* means any natural person who applies for a grant authorized by this ordinance.

(2) *Dwelling* means a residential building, or portion such building, which is owned, at least in part, by an applicant, which is the sole residence of the applicant and which is a part of the real estate for which a grant is sought pursuant to this ordinance.

(3) *Grant* means a monetary grant in aid of payment of taxes owed for the taxable year, as provided by this ordinance.

(4)*Spouse* means the husband or wife of any applicant who resides in the applicant's dwelling.

(5)*Real estate* means a city tax map parcel containing a dwelling that is the subject of an grant application made pursuant to this ordinance.

(6)*Taxes owed for the current tax year* refers to the amount of real estate taxes levied on the dwelling for the taxable year.

(7)*Taxable year* means the calendar year beginning January 1, 2011.

(8)*Household income* means (i) the adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, or (ii) for applicants for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant, of the applicant's spouse, and of any other person who is an owner of and resides in the applicant's dwelling. The commissioner of revenue shall establish the household income of persons for whom no federal tax return is required through documentation satisfactory for audit purposes.

Eligibility and restrictions, generally.

A grant awarded pursuant to this ordinance shall be subject to the following restrictions and conditions:

(1)The household income of the applicant shall not exceed \$50,000.

(2)The assessed value of the real estate owned by the applicant shall not exceed \$365,000.

(3)The applicant shall own an interest in the real estate that is the subject of the application (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset) and the applicant shall not own an interest in any other real estate (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset).

(4)As of January 1 of the taxable year and on the date a grant application is submitted, the applicant must occupy the real estate for which the grant is sought as his or her sole residence and must intend to occupy the real estate throughout the remainder of the taxable year. An applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration.

(5)An applicant for a grant provided under this ordinance shall not participate in the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) for the taxable year, and no grant shall be applied to real estate taxes on property subject to such program.

(6)An applicant for a grant provided under this division shall not be delinquent on any portion of the real estate taxes to which the grant is to be applied.

(7)Only one grant shall be made per household.

Procedure for application.

(a) Between July 1 and September 1 of the taxable year, an applicant for a grant under this ordinance shall file with the commissioner of revenue, in such manner as the commissioner shall prescribe and on forms to be supplied by the city, the following information:

(1) the name of the applicant, the name of the applicant's spouse, and the name of any other person who is an owner of and resides in the dwelling.

(2) the address of the real estate for which the grant is sought;

(3) the household income;

(4) such additional information as the commissioner of revenue reasonably determines to be necessary to determine eligibility for a grant pursuant to this ordinance.

(b) Changes in household income, ownership of property or other eligibility factors occurring after September 1, but before the end of the taxable year, shall not affect a grant once it has been certified by the commissioner of the revenue, in which case such certified grant shall be applied to the subject real estate.

(c) Any person who willfully makes any false statement in applying for a grant under this division shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$500 for each offense.

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 9-28 OF ARTICLE II
OF CHAPTER 9 OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,
RELATING TO THE TEMPORARY RELOCATION OF THE POLLING PLACE
FOR THE CARVER PRECINCT.**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that Section 9-28 of Article II of Chapter 9 of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reordained, as follows:

**CHAPTER 9. ELECTIONS
Article II. Election Districts and Voting Places**

Sec. 9-26. Generally.

Each ward of the city shall constitute two (2) election precincts, as defined in this article, except in the third ward, which shall constitute three (3) election precincts. Elections in each district in each ward shall be held at such voting places as may from time to time be designated by the council. The voting places, as now constituted, shall be so continued unless and until changed by the council, but no change shall be made in any voting place within sixty (60) days next preceding any general election.

Sec. 9-17. First ward.

...

Sec. 9-28. Second ward.

(a) Carver precinct. The Carver precinct of the second ward shall embrace all territory in the second ward lying south of the centerline of Rugby Avenue and south of the centerline of that portion of the U.S. Route 250 Bypass which is east of Rugby Avenue and west of McIntire Road. The voting place for this precinct shall be the ~~Carver Recreation Center located at 233 Fourth Street, N.W.~~ Virginia Institute of Autism located at 1414 Westwood Road.

(b) Walker precinct. The Walker precinct of the second ward shall embrace all territory in the second ward lying north of the centerline of Rugby Avenue and north of the centerline of that portion of the U.S. Route 250 Bypass which is east of Rugby Avenue and west of Locust Avenue. The voting place for this precinct shall be the Walker Upper Elementary School.

**RESOLUTION
TO ADOPT THE SECTION 3 PLAN TO COMPLY
WITH 24 CFR, PART 135, SECTION 3 OF THE U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED.**

WHEREAS, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (hereinafter Section 3), to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS, Part 135 of Section 3 establishes the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS, the City of Charlottesville has developed a Section 3 Plan in adherence to 24 CFR, Part 135 that comprehensively addresses the standards and procedures prescribed in the Act; and

WHEREAS, the Section 3 Plan has been reviewed and approved by the City management and staff and their comments incorporated into the Plan; now, therefore

BE IT RESOLVED that the City of Charlottesville, Virginia, authorizes the adoption and implementation of this Section 3 Plan to ensure compliance with Federal Law and to strongly encourage use of Section 3 goals in all projects funded with the City's General Fund, where permissible in accordance with the laws of the Commonwealth of Virginia.

CITY RESOLUTION

TO ADOPT THE SECTION 3 PLAN TO COMPLY WITH 24 CFR, PART 135, SECTION 3 OF THE UNITED STATES DEPARTMENT OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED

WHEREAS, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 as amended 12 U.S.C. 1701u (hereinafter Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS, Part 135 of Section 3 establishes the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS, the City of Charlottesville has developed a Section 3 Plan in adherence to 24 CFR, Part 135 that comprehensively addresses the standards and procedures prescribed in the Act; and

WHEREAS, the Section 3 Plan has been reviewed and approved by the City management and staff and their comments incorporated into the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Charlottesville authorizes the adoption and implementation of this Section 3 Plan to ensure compliance with Federal Law and to strongly encourage use of Section 3 goals in all projects funded with the City's General Fund, where permissible in accordance with the laws of the Commonwealth of Virginia.

APPROVED AND ADOPTED this _____ day of _____,

RESOLUTION

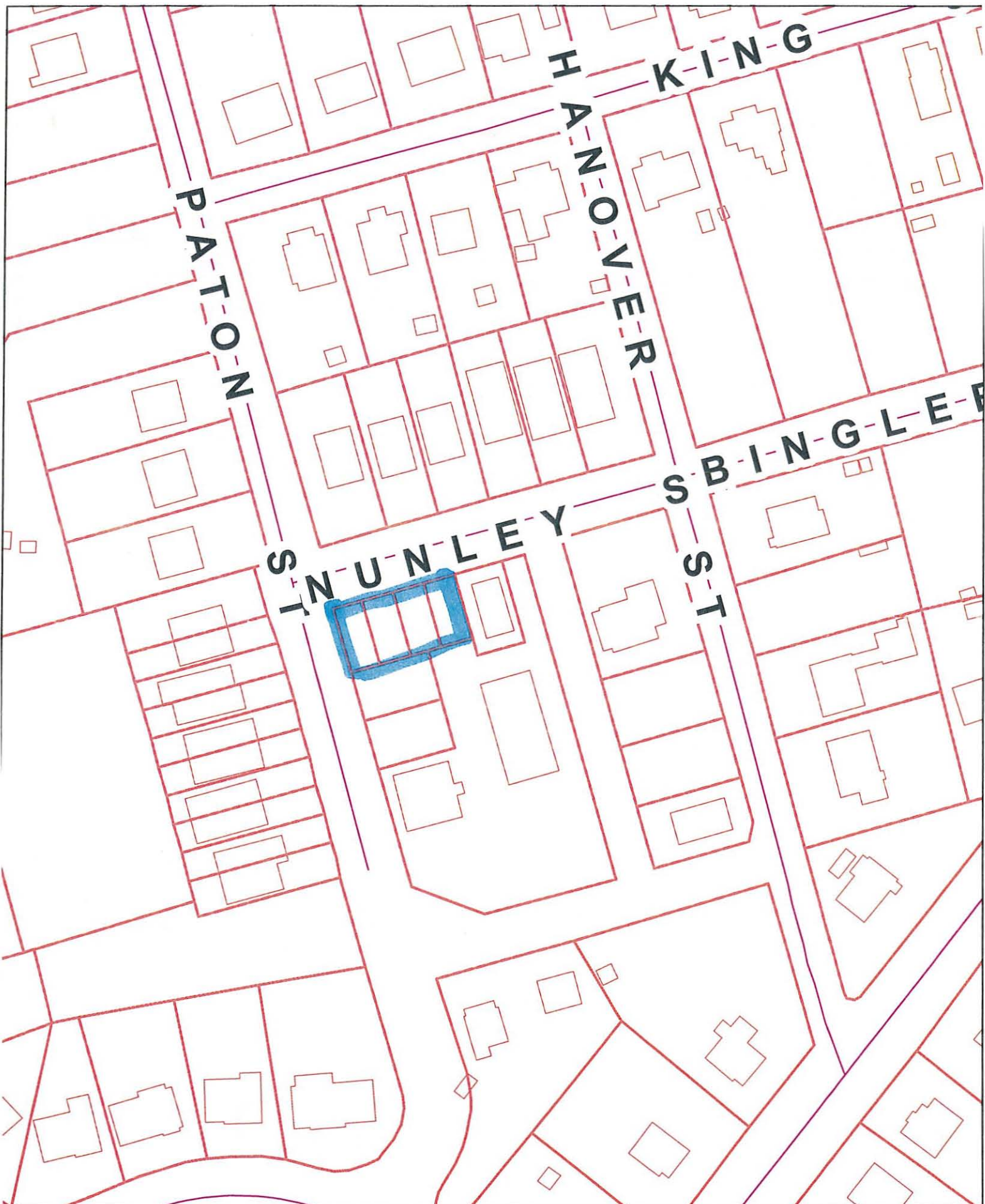
Purchase of Lots from Habitat for Humanity – Allocation of Charlottesville Housing Fund Dollars - \$690,000

WHEREAS, staff is recommends allocating Charlottesville Housing Funds for the purchase of four lots in the Paton Street Planned Unit Development; the design of four townhouses; and the construction of those townhouses as well as assignment of units (as described herein) once constructed; and

WHEREAS, these are already appropriated funds in the current year capital budget as well as new funds available on July 1st (FY 2012).

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that funds in the amount of \$690,000 are hereby allocated from the Charlottesville Housing Fund (P-00439) for the purchase of four (4) townhouse lots on Paton Street from Habitat for Humanity, design services, and construction of townhouses on the lots through a local non-profit or similar housing agency, as follows:

<u>Amount</u>	<u>Purpose</u>
\$150,000	Purchase of four (4) townhouse lots
\$40,000	Design Services
<u>\$500,000</u>	Construction Costs
\$690,000	



AERIAL FLOWN MARCH 2009

NEIGHBORHOOD DEVELOPMENT SERVICES

PARCEL LINES ARE NOT SURVEY ACCURATE

1 inch = 85.907677 feet

