



**CITY COUNCIL AGENDA**  
**September 3, 2013**

6:00 p.m. – 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**

Pride Festival; AIDS Walk; National Emergency Preparedness Month; Let's Move!

**MATTERS BY THE PUBLIC**

Public comment will be permitted for the first 12 speakers who sign up in advance of the meeting (limit of 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

**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 for August 19

b. **APPROPRIATION:** FY 2014 Stormwater Utility Budget Appropriation - \$1,138,734 (2<sup>nd</sup> of 2 readings)

c. **APPROPRIATION:** Grant for Construction of McIntire Park Railroad Trail Bridge - \$761,950  
(2<sup>nd</sup> of 2 readings)

d. **APPROPRIATION:** Funds from Charlottesville City Schools to the Buford Science Labs Project - \$7,500  
(2<sup>nd</sup> of 2 readings)

e. **APPROPRIATION:** Reimbursement for the Buford Science Labs Project - \$695 (2<sup>nd</sup> of 2 readings)

f. **APPROPRIATION:** Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$182,500  
(2<sup>nd</sup> of 2 readings)

g. **APPROPRIATION:** City of Charlottesville Phone System Upgrade - \$380,478 (2<sup>nd</sup> of 2 readings)

h. **APPROPRIATION:** Virginia Commission of the Arts Challenge Grant - \$5,000 (2<sup>nd</sup> of 2 readings)

i. **APPROPRIATION:** Check and Connect Student Engagement Continuation Grant - \$75,000 (2<sup>nd</sup> of 2 readings)

j. **APPROPRIATION:** 2013 Local Emergency Management Performance Grant - \$7,500 (2<sup>nd</sup> of 2 readings)

k. **APPROPRIATION:** Sale Proceeds from 1306 Nunley Street Property - \$127,432.46 (2<sup>nd</sup> of 2 readings)

l. **RESOLUTION:** City Manager Stretch Objectives (1<sup>st</sup> of 1 reading)

m. **RESOLUTION:** Hydraulic Road at Emmet Street Improvements – \$400,000 (1<sup>st</sup> of 1 reading)

n. **RESOLUTION:** Amend Affordable Dwelling Unit Ordinance to Establish Policy to Manage Contributions  
(1<sup>st</sup> of 1 reading)

o. **ORDINANCE:** Dominion Power Easement for Undergrounding Lines at Greenleaf and McIntire Parks  
(2<sup>nd</sup> of 2 readings)

p. **ORDINANCE:** Planned Unit Development District Code Changes (1<sup>st</sup> of 2 readings)

q. **APPROPRIATION:** Crisis Intervention Team and Coordinator (1<sup>st</sup> of 2 readings)

**2. PUBLIC HEARING /**  
**ORDINANCE\***

Exchange of Permanent Easements to Cure Encroachments at 431 Monticello Road  
(1<sup>st</sup> of 2 readings)

**3. PUBLIC HEARING /**  
**RESOLUTION\***

Setting Priorities for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds for Program Year 14-15

**4. APPROPRIATION\***

Affordable Dwelling Unit (ADU) Plaza Contribution (revised) (2<sup>nd</sup> of 2 readings)

**5. PUBLIC HEARING**

Tonsler Park Master Plan

**6. REPORT**

Thomas Jefferson Planning District Commission (TJPDC)  
2014 Legislative Program Development Process

**7. RESOLUTION\***

Thomas Jefferson Adult Career & Education (TJACE) PluggedIn VA (PIVA) Program Report  
& Funding Request - \$23,000 (1<sup>st</sup> of 1reading)

**OTHER BUSINESS**

\*ACTION NEEDED

**APPROPRIATION**

**FY 2014 Stormwater Utility Budget**

**\$1,138,734**

**WHEREAS**, the City of Charlottesville on February 19, 2013 passed the Stormwater Utility Ordinance that authorized the establishment of a stormwater utility and the setting of service charges to support a stormwater management program;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$1,138,734, required for the operations of the Stormwater Utility, is hereby appropriated in the following manner:

**Revenue**

\$863,734	Fund: 641	Cost Center: 9900000000	G/L Account: 434150
\$275,000	Fund: 641	Cost Center: 9900000000	G/L Account: 499010

**Expenditures**

Salaries and Benefits:	\$149,251	Fund: 641	Cost Center: 6411001000
Other Expenses:	\$159,411	Fund: 641	Cost Center: 6411001000
Capital Expenditures:	\$775,000	Fund: 643	Cost Center: 6431001000

**APPROPRIATION**

**MAP-21 Grant for Construction of McIntire Park Railroad Trail Bridge  
\$761,950**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$609,560 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge over the railroad tracks at McIntire Park; and

**WHEREAS**, the City will match this grant in the amount of \$152,390 which will come from the McIntire Park Improvement account, P-00207.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$761,950 is hereby appropriated in the following manner:

**Revenue**

\$609,560      Fund: 426                      WBS: P-00673                      G/L Account: 430120

**Expenditures**

\$609,560      Fund: 426                      WBS: P-00673                      G/L Account: 599999

**Transfer From**

\$152,390      Fund: 426                      WBS: P-00207                      G/L Account: 599999

**Transfer To**

\$152,390      Fund: 426                      WBS: P-00673                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$609,560 from the Virginia Department of Transportation.

**APPROPRIATION**

**Appropriation of Funds from Charlottesville City Schools to the Buford Science Labs Project  
\$7,500**

**WHEREAS**, Charlottesville City Schools has made a supplemental contribution to the Buford Science Lab project the amount of \$7,500 originating from the CCS State Planning Grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$7,500 from Charlottesville City Schools is hereby appropriated in the following manner:

**Revenues - \$7,500**

Fund: 426                      Project: P-00754-01                      G/L Account: 432085

**Expenses - \$7,500**

Fund: 426                      Project: P-00754-01                      G/L Account: 530010

**APPROPRIATION**  
**Reimbursement from Paragon Solutions, Inc. for the Buford Science Labs Project**  
**\$695**

**WHEREAS**, Paragon Solutions, Incorporated reimbursed the City in the amount of \$695 to offset the additional cost associated with their bid withdrawal related to the Buford Science Lab ACM removal IFB.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$695 from Paragon Solutions, Incorporated is hereby appropriated in the following manner:

**Revenues - \$695**

Fund: 426                      Project: P-00754-01                      G/L Account: 451999

**Expenses - \$695**

Fund: 426                      Project: P-00754-01                      G/L Account: 530670

**APPROPRIATION**  
**Charlottesville/Albemarle Adult Drug Treatment Court Grant Award**  
**\$182,500**

**WHEREAS**, the Supreme Court of Virginia awarded the Byrne Grant in the amount of \$182,500 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

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

**WHEREAS**, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$118,431; and

**WHEREAS**, the grant award covers the period July 1, 2013 through June 30, 2014.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$182,500, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$182,500      Fund: 209      Internal Order: 1900204      G/L Account: 430120

**Expenditures**

\$182,500      Fund: 209      Internal Order: 1900204      G/L Account: 530550

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$182,500 from the Supreme Court of Virginia.

**APPROPRIATION**

**City of Charlottesville Phone System Upgrade Project**

**\$380,478**

**WHEREAS**, the City of Charlottesville can use existing funding from the Communications System fund balance and the Information Technology fund balance;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$380,478 required for the purchase and installation of a new phone system for the City of Charlottesville, is hereby appropriated in the following manner:

**Revenue**

Transfer From:

\$82,000                      Fund: 755              Cost Center: 2103001000              G/L Account: 561705

Transfer To:

\$82,000                      Fund: 705              Cost Center: 2131002000              G/L Account: 498010

**Expenditures**

\$380,478                      Fund: 705              Cost Center: 2131002000              G/L Account: 599999



**Appropriation**

**Virginia Commission of the Arts Challenge Grant  
\$5,000**

**WHEREAS**, the Virginia Commission for the Arts has notified the City of Charlottesville of its grant award in the Local Government Challenge Grant category; and

**WHEREAS**, the grant award will be split evening between the Virginia Discovery Museum and the Piedmont Council for the Arts for their activities during the FY 2014 fiscal year.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$5,000 is hereby appropriated in the following manner:

**Revenues**

\$2,500	Fund: 209	Internal Order: 1900205	G/L Account: 430080
\$2,500	Fund: 209	Internal Order: 1900206	G/L Account: 430080

**Expenditures**

\$2,500	Fund: 209	Internal Order: 1900205	G/L Account: 540100
\$2,500	Fund: 209	Internal Order: 1900206	G/L Account: 540100

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$5,000 from the Virginia Commission of the Arts.

**APPROPRIATION**  
**Check and Connect Student Engagement Continuation Grant**  
**\$75,000**

**WHEREAS**, the City of Charlottesville has been awarded \$56,250 in Federal Funds from the Virginia Department of Juvenile Justice, and \$18,750 in Matching Funds for a total award of \$75,000 for the Check and Connect Student Engagement Program; and

**WHEREAS**, the grant award covers the period from July 1, 2013 through June 30, 2014.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$75,000 is hereby appropriated in the following manner:

**Revenue – \$75,000**

\$56,250	Fund: 209	Cost Center: 3413008000	G/L Account: 430120
\$18,750	Fund: 209	Cost Center: 3413008000	G/L Account: 498010

**Expenditures - \$75,000**

\$56,706	Fund: 209	Cost Center: 3413008000	G/L Account: 519999
\$16,854	Fund: 209	Cost Center: 3413008000	G/L Account: 520010
\$ 1,440	Fund: 209	Cost Center: 3413008000	G/L Account: 530100

**Transfer - \$18,750**

\$18,750	Fund: 213	Cost Center: 3411001000	G/L: 561209 Transfers for State Grants
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$56,250 from VA Department of Criminal Justice Services, and \$18,750 from Community Attention.

**APPROPRIATION**  
**2013 Local Emergency Management Performance Grant (LEMPG)**  
**\$7,500**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of \$7,500 in federal pass through funds and \$7,500 in local in-kind match, provided by the Charlottesville-UVA-Albemarle Emergency Communications Center Office of Emergency Management, for a total award of \$15,000; and

**WHEREAS**, the funds will be used to support programs provided by the Office of Emergency Management; and

**WHEREAS**, the grant award covers the period from July 1, 2013 through June 30, 2014;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500 is hereby appropriated in the following manner:

**Revenue – \$7,500**

\$7,500      Fund: 209      I/O: 1900207      G/L: 430120 State/Fed pass thru

**Expenditures - \$7,500**

\$ 7,500      Fund: 209      I/O: 1900207      G/L: 530010 Professional Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$7,500 from the Virginia Department of Emergency Management, and the matching in-kind funds from the Charlottesville-UVA-Albemarle Emergency Communications Center Office of Emergency Management.

**APPROPRIATION**

**Proceeds from Sale of Property at 1306 Nunley Street  
by Thomas Jefferson Community Land Trust  
\$127,432.46**

**WHEREAS**, the City of Charlottesville has received \$127,432.46 from the Thomas Jefferson Community Land Trust; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$127,432.46 is hereby appropriated in the following manner:

**Revenue – \$127,432.46**

Fund: 426                      WBS: CP-084 (P-00672)                      G/L Account: 451020

**Expenditures - \$127,432.46**

Fund: 426                      WBS: CP-084 (P-00672)                      G/L Account: 599999

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**RESOLUTION**  
**City Manager Stretch Objective for FY2013-14**

NOW THEREFORE BE IT RESOLVED that the City Council does hereby approve the City Manager's proposed stretch objective for FY2013-14 as detailed in the memo to Council dated September 3, 2013.

**RESOLUTION**

**Hydraulic Road at Emmet Street Improvements – Transfer of Funding from Current CIP Account and CIP Contingency to the Hydraulic Road at Emmet Street Improvements Line Item Account  
\$400,000**

**WHEREAS**, funding from a current CIP account and the CIP Contingency is being transferred to the Hydraulic Road at Emmet Street Improvements Line Item account to purchase public right of way necessary to construct the final intersection roadway improvements.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$400,000 from current CIP accounts is hereby transferred in the following manner:

**Transfer From - \$250,000.00**

Fund: 426                      WBS: CP-080                      G/L Account: 599999

**Transfer To - \$250,000.00**

Fund: 426                      WBS: P-00786                      G/L Account: 498010  
Fund: 426                      WBS: P-00786                      G/L Account: 599999

**Transfer From - \$150,000.00**

Fund: 427                      WBS: P-00339                      G/L Account: 561426

**Transfer To - \$150,000.00**

Fund: 426                      WBS: P-00786                      G/L Account: 498010  
Fund: 426                      WBS: P-00786                      G/L Account: 599999

**RESOLUTION**  
**INITIATING A STUDY OF CHAPTER 34 (ZONING) OF THE CODE OF THE**  
**CITY OF CHARLOTTESVILLE TO DETERMINE APPROPRIATE**  
**PROVISIONS TO GUARANTEE CONTINUED AFFORDABILITY OF**  
**REQUIRED AFFORDABLE DWELLING UNITS**

**WHEREAS**, the Code of the City of Charlottesville requires applicants for certain special use permits and/or rezoning applications to provide either affordable housing units or cash to the City's Affordable Housing Fund upon approval of such applications, and the City Council of the City of Charlottesville believes that changes can be made to Chapter 34 of the City Code to provide guidance on how to guarantee affordability of such units for the 30 year period outlined in the code;

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the initiation of a study of certain amendments to Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville that the Planning Commission is hereby directed to study Chapter 34 (Zoning) of the Code of the City of Charlottesville, 1990, as amended, to determine appropriate provisions that will guarantee affordability of required affordable housing units for the 30 year period outlined in section 34-12 of the City Code; and

**BE IT FURTHER RESOLVED** that the Planning Commission is directed to submit its findings and recommendations to the City Council no later than 100 days from the date of this Resolution.

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF AN EASEMENT  
TO DOMINION VIRGINIA POWER  
ACROSS CITY-OWNED LANDS KNOWN AS  
CROW RECREATION CENTER, GREENLEAF PARK AND MCINTIRE PARK**

**WHEREAS**, Dominion Virginia Power has requested this Council to grant an easement across property owned by the City of Charlottesville, Virginia, known as Crow Recreation Center located near Rose Hill Drive (City Tax Map Parcel 42-1), and Greenleaf Park and McIntire Park (City Tax Map Parcel 45-1), as shown on the attached Easement Plan dated July 23, 2013, for the installation of underground electric lines and equipment; and

**WHEREAS**, relocation of certain existing overhead electrical lines to underground locations will minimize maintenance of the lines and protect major transmission lines for Dominion Virginia Power, and create a more attractive view along the Route 250 Bypass;

**WHEREAS**, following notice to the public pursuant to Va. Code §15.2-1800(B), a public hearing by the City Council was held on August 19, 2013, and comments from the City staff, and the public were made and heard; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Right of Way Agreement, in form approved by the City Attorney, granting the above-described easement to Dominion Virginia Power.



**A RESOLUTION  
COUNCIL PRIORITIES  
FOR CDBG and HOME FUNDS  
FY 14-15**

**WHEREAS**, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2014; and

**WHEREAS**, in accordance with the City of Charlottesville's Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2014;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2014-2015 shall be as follows:

- Council's priorities for the HOME program for FY 14-15 shall be homeowner rehabilitation and assistance to first time homebuyers.
- For FY 14-15, an equal amount of funds shall be set aside for Economic Development and Priority Neighborhood Funding.
- Economic Development funds will be used to support the recommendations of the Strategic Action Team report and preference will be given to businesses located within the Priority Neighborhood.
- For FY 14-15, the Priority Neighborhood shall be 10<sup>th</sup> and Page and funds shall work to support the Block by Block initiative.
- The CDBG Admin and Planning budget shall be set at 20% of the total entitlement.
- The Social Programs budget shall be set at 15% of the total entitlement and activities should support the recommendations found in the Strategic Action Team report and 2013 Human Services Needs Assessment.

## APPROPRIATION

### **Affordable Dwelling Unit Payment from Plaza on West Main to Charlottesville Housing Fund and allocation of Funds \$487,490.59**

**WHEREAS**, The City of Charlottesville, through the Charlottesville Housing Fund, has received \$487,490.59 from the Plaza on West Main; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$487,490.59 is hereby appropriated in the following manner:

#### **Revenue – \$487,490.59**

Fund: 426            WBS: CP-084            (P-00672)    G/L Account: 451020

#### **Expenditures - \$487,490.59**

Fund: 426            WBS: CP-084            (P-00672)    G/L Account: 599999

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$487,490.59 is hereby allocated in the following manner:

<b>Proposed Use</b>	<b>Proposed Amount</b>
AHIP Block by Block	\$200,000
<b>AHIP Emergency Repair</b>	\$62,490.59
<b>Total</b>	\$262,490.59

**RESOLUTION**  
**TJACE PIVA Program Report & Funding Request**  
**\$23,000.00**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of up to \$23,000.00 is hereby paid from currently appropriated funds in the Future Workforce Development Programs account in the General Fund to support TJACE's PIVA program:

Fund: 105

Internal Order: 2000105

G/L Account:

**BE IT FURTHER RESOLVED**, that funding will be released once the Virginia Department of Education's Office of Adult Education and Literacy funding is confirmed and a Memorandum of Understanding is executed between the City of Charlottesville and TJACE.