



**CITY COUNCIL AGENDA**  
**September 21, 2015**

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* (Boards & Commissions appointments; Acquisition of property on Rock Creek Road)  
*Council Chambers*

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

**AWARDS/RECOGNITIONS**  
**ANNOUNCEMENTS**  
**MATTERS BY THE PUBLIC**

Live Arts 25<sup>th</sup> Anniversary Proclamation

Public comment permitted for the first 12 speakers who sign up before the meeting (limit 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 RESPONSE TO MATTERS BY THE PUBLIC**

**1. CONSENT AGENDA\*** (Items removed from consent agenda will be considered at the end of the regular agenda.)  
**Approved 5-0**

- a. Minutes for September 3 (Mayor's Round Table), September 8 and September 10 (Joint BOS/Council meeting)
- b. **APPROPRIATION:** Enhanced Police Coverage Donation - \$84,194 (2<sup>nd</sup> of 2 readings) **passed**
- c. **APPROPRIATION:** Fire Programs Aid to Localities - \$137,789 (2<sup>nd</sup> of 2 readings) **passed**
- d. **APPROPRIATION:** Grant for Belmont Historic Survey - \$33,000 (2<sup>nd</sup> of 2 readings) **passed**
- e. **RESOLUTION:** Purchase of Old Lynchburg Road (Fornes) Property and Hiring Outside Counsel to Represent City as Purchaser (1<sup>st</sup> of 1 reading) **passed**
- f. **ORDINANCE:** Reduce Emmet Street Speed Limit from Arlington Blvd to Hydraulic Road (2<sup>nd</sup> of 2 readings) **passed**
- g. **ORDINANCE:** Franchise Agreement for Overhead Fiberoptic Cable on Harris Street (1<sup>st</sup> of 2 readings) **carried**

**2. PUBLIC HEARING**  
**RESOLUTION\***

CDBG/HOME Funding Priorities for FY2017 (1<sup>st</sup> of 1 reading) **Passed 5-0**

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

Art in Place License Agreement (1<sup>st</sup> of 1 reading) **Passed 5-0**

**4. PUBLIC HEARING**  
**APPROPRIATION\***

Hillsdale Drive Funding - \$15,309,596 (1<sup>st</sup> of 2 readings) **Carried**

**5. PUBLIC HEARING**  
**ORDINANCE\***

Amendment to YMCA Ground Lease (2<sup>nd</sup> of 2 readings) **Passed 3-2 (Noes: Fenwick/Smith)**

**6. REPORT**

YMCA Financial Plan Update

**7. REPORT**

Market Plaza Update

**8. RESOLUTION\***

Blight Remediation Plan for 610 Ridge Street and Allocation of Funds - \$125,000 (1<sup>st</sup> of 1 reading)  
**Passed 5-0 (with amendment to proposed Blight Remediation Plan)**

**9. ORDINANCE\***

Development Code Changes for Application Review Process (1<sup>st</sup> of 2 readings) **Carried**

**OTHER BUSINESS**  
**MATTERS BY THE PUBLIC**  
**COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

\*ACTION NEEDED

**APPROPRIATION.**

**Greenstone on 5th Sponsorship Agreement for Enhanced Police Coverage  
\$84,194.**

**WHEREAS**, the City of Charlottesville has entered into an agreement with Greenstone on 5<sup>th</sup> Corporation to fund enhanced police coverage for the area of Greenstone on 5<sup>th</sup> Apartments, including salary, equipment, technology and related administrative expenses associated with provisions of such enhanced coverage.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$84,194, to be received as a donation from Greenstone on 5<sup>th</sup> Corporation.

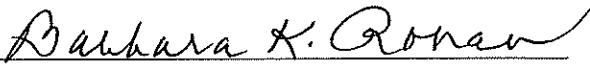
**Revenues**

\$84,194	Fund: 105	Internal Order: 2000113	G/L Account: 451999
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**Expenditures - \$84,194**

\$75,775	Fund: 105	Internal Order: 2000113	G/L Account: 510060
\$8,419	Fund: 105	Internal Order: 2000113	G/L Account: 599999

Approved by City Council  
September 21, 2015

  
Barbara K. Ronan  
Acting Clerk of Council

**APPROPRIATION.**

**Fiscal Year 2016 Fire Programs Aid to Locality Funding (Firefund) Appropriation  
\$137,789.**

**WHEREAS**, the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$137,789.00 be appropriated in the following manner:

**Revenues - \$137,789**


\$137,789.00 Fund: 209 I/O: 1900010 G/L Account: 430110

**Expenditures - \$137,789**

\$137,789 Fund: 209 I/O: 1900010 G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$137,789 from the Virginia Department of Fire Programs.

Approved by City Council  
September 21, 2015

  
Barbara K. Ronan  
Acting Clerk of Council

**APPROPRIATION.**

**Virginia Department of Historic Resources (D.H.R.)  
2015-2016 Certified Local Government (C.L.G.) grant funding  
for Belmont historic survey  
\$33,000.**

**WHEREAS**, the City of Charlottesville, through the Department of Neighborhood Development Services, has received from the Virginia Department of Historic Resources (D.H.R.), funding to support a historic survey of Belmont neighborhood,

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$33,000 for the fiscal year 2015-2016 received from the Virginia Department of Historic Resources (D.H.R.) is hereby appropriated in the following manner:

**Revenue**

\$ 16,500	Fund: 209	IO: 1900253	G/L: 430120 (State/Fed Pass Thru)
\$ 16,500	Fund: 209	IO: 1900253	G/L: 498010 (Transfer from C.I.P.)

**Expenditure**


\$ 33,000	Fund: 209	IO: 1900253	G/L: 530670 (Other contractual services)
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**Transfer**

\$ 16,500	Fund: 426	WBS: P-00484	G/L: 461209 (Transfer to grants)
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$16,500 for the fiscal year 2015-2016 from the Virginia Department of Historic Resources (D.H.R.).

Approved by City Council  
September 21, 2015

  
Barbara K. Ronan  
Acting Clerk of Council

**RESOLUTION**

**APPROVING THE ACQUISITION OF LAND WITHIN ALBEMARLE COUNTY AND  
WITHIN THE CITY OF CHARLOTTESVILLE, FOR A NEW PARK AND EXTENSION  
OF THE CITY TRAIL SYSTEM**

**WHEREAS**, the owners of three parcels of land (one, located in Albemarle County, identified on Alb. County Tax Map 76 as Parcel 45; two, located within the City of Charlottesville, identified on City Tax Map 19 as Parcels 10.1 and 35.39) have indicated a willingness to convey their ownership interests (collectively, the "Subject Property"); and

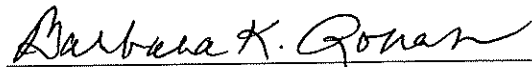
**WHEREAS**, a representative of the City's Parks and Recreation Department has been working with representatives of an anonymous third party, to leverage private funding to support acquisition of the Subject Property; and

**WHEREAS**, the City's Parks and Recreation Department seeks the endorsement of this City Council to proceed with acquisition of the Subject Property;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The City's Department of Parks and Recreation is authorized to proceed with acquisition of the Subject Property for public use, in accordance with the terms and details set forth within the Council Agenda Memo dated September 21, 2015; and
2. The City Manager is authorized to execute any and all contracts and other documents necessary for acquisition of the Subject Property; and
3. The City Attorney is authorized to select and engage outside legal counsel to assist the City Manager and the Department of Parks and Recreation with the proposed acquisition of this land, including legal work and activities necessary to accomplish one or more real estate closings, as may be necessary for the City to acquire a one-hundred percent (100%) ownership interest in the Subject Property.

Approved by City Council  
September 21, 2015



Barbara K. Ronan  
Acting Clerk of Council

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 15-99  
OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)  
OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
RELATED TO SPEED LIMITS ON SPECIFIC STREETS.**

**WHEREAS**, the Virginia Department of Transportation submitted the report entitled "Engineering and Traffic Investigation Work Zone Speed Analysis", dated July 28, 2015, to the City Traffic Engineer, who concurs with the recommendations made by the Virginia Department of Transportation for appropriate speed limits (from an engineering and safety standpoint) on Emmet Street;

**WHEREAS**, subsequent to the submission of the speed study, construction of the Route 29/250 Interchange project commenced. The Virginia Department of Transportation noted that the ongoing construction has altered the road significantly in terms of width, geometry and proximity to workers, resulting in the need to reduce speed limits in the construction zone for the duration of the project. Now, therefore

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 15-99 of Article IV (Speed Limits) of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**Sec. 15-99. Maximum limits on specific streets.**

Pursuant to a traffic engineering and traffic survey as required by Code of Virginia, section 46.2-1300, the following speed limits are imposed as hereinafter set forth and no person shall drive a vehicle at a speed in excess of such limits:

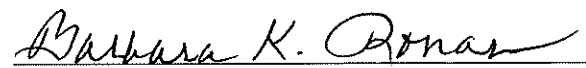
**CURRENT SPEED LIMITS**

Street	From	To	Speed Limit (MPH)
Emmet Street	Arlington Boulevard	Hydraulic Road	40

**NEW SPEED LIMITS**

Street	From	To	Speed Limit (MPH)
<u>Emmet Street</u>	<u>Arlington Boulevard</u>	<u>Barracks Road</u>	<u>40</u>
<u>Emmet Street</u>	<u>Barracks Road</u>	<u>Hydraulic Road</u>	<u>35</u>

Approved by City Council  
September 21, 2015

  
Barbara K. Ronan  
Acting Clerk of Council

**A RESOLUTION  
COUNCIL PRIORITIES FOR CDBG and HOME FUNDS  
FY 16-17**

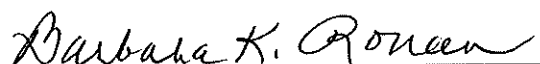
**WHEREAS**, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2016; and

**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 2016;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2016-2017 shall be as follows:

- Council's priorities for the CDBG and HOME program for FY 16-17 shall be workforce development, downpayment assistance, quality child care, and microenterprise development. All activities must meet the goals of the Consolidated Plan and the Growing Opportunities Report.
- For FY 16-17, \$45,000 in CDBG entitlement shall be set aside for Economic Development.
- For FY 16-17, the Priority Neighborhood shall be 10<sup>th</sup> and Page Streets and the allocation shall be \$200,000 of the total CDBG entitlement. 10<sup>th</sup> and Page shall also be the FY 17-18 Priority Neighborhood. The next Priority Neighborhood shall be Belmont.
- The CDBG Admin and Planning budget shall be set at 20% of the total CDBG entitlement.
- The Social Programs budget shall be set at 15% of the total CDBG entitlement.

Approved by City Council  
September 21, 2015

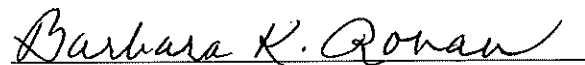
  
\_\_\_\_\_  
Barbara K. Ronan  
Acting Clerk of Council

**RESOLUTION**  
**LICENSE AGREEMENT WITH PIEDMONT COUNCIL FOR THE ARTS**  
**ART IN PLACE SCULPTURES**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the City Manager is hereby authorized to execute on behalf of the City the following document, in form approved by the City Attorney:

License Agreement dated October 1, 2015, between the City and Piedmont Council for the Arts for the Art in Place program.

Approved by City Council  
September 21, 2015

  
Barbara K. Ronan  
Acting Clerk of Council



**LICENSE AGREEMENT BETWEEN THE CITY OF CHARLOTTESVILLE  
AND  
THE PIEDMONT COUNCIL OF THE ARTS  
Private-Public Sculpture**

**THIS LICENSE AGREEMENT** is made and entered into this 1<sup>st</sup> day of October, 2015, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, hereinafter referred to as "the City", and **THE PIEDMONT COUNCIL FOR THE ARTS**, a private non-profit Virginia corporation, hereinafter referred to as "PCA".

**WITNESSETH:**

**Whereas**, City Council has expressed approval of a program whereby sculpture will be placed around the City for the benefit of the citizens of Charlottesville, and in which such art will be made accessible to the general public through a changing exhibition of a wide range of artistic styles, themes and media;

**Whereas**, PCA is organized exclusively for charitable and educational purposes which qualify PCA as an organization exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code, and

**Whereas**, PCA wishes to continue its association with the City to accomplish the expressed desire of that governing body for the presence of public sculpture;

**NOW, THEREFORE**, in consideration of the mutual benefits and premises contained herein, the City and PCA agree as follows:

**I. Recitals**

PCA agrees to install and maintain private art pieces, primarily sculptures or "statuary", at certain public locations within the City of Charlottesville rights of way. Each piece of art so located will remain in place for approximately one year unless sooner removed.

**II. Term of the License Agreement**

The term of this license shall be for a period of three (3) years beginning October 1, 2015, and ending September 30, 2018.

**III. The Licensed Sites**

A. During the term of this License, the City hereby agrees to allow PCA to use one or more of the following sites for its art displays:

- U.S. 250 Bypass median near Fire Station
- 5<sup>th</sup> Street and Cleveland Ave – in the median
- 5<sup>th</sup> Street near Ridge Street and Cherry Avenue in the median
- Emmet Street in front of Carruthers Hall
- Market Street and High Street (northeast corner)
- Meadowbrook Heights Road/U.S. 250 Bypass green space
- Preston Avenue – triangle in front of Monticello Dairy Building (currently McGrady's Pub)
- Preston Avenue median at Rose Hill Drive
- St. Charles Avenue entrance to U.S. 250 Bypass
- Washington Park at Preston Avenue – upper level at 10<sup>th</sup> Street
- Monticello Road Median at Gleason Street
- 8<sup>th</sup> Street and Page Street (City of Promise)
- Stadium Road at Jefferson Park Avenue

By letter addendum during the term of the License, upon request from PCA, the City Manager will have discretion to add sites to or delete sites from the above list.

B. Each installation by PCA shall cover an area with a diameter of no more than eight feet (8') and may be installed only after the Director of Parks and Recreation or their designee has approved the exact location of the sculpture and foundation.

#### **IV. Annual Payments**

The Foundation shall owe a license fee of \$1.00 for the term payable at the beginning of the term.

#### **V. Grant of Authority by City**

PCA is hereby granted a revocable license to construct and maintain art statuary on the above list of sites for the term hereof subject to the obligations and conditions set forth in this agreement.

#### **VI. Obligations of the Foundation**

PCA agrees to:

A. Operate the ArtInPlace program, including an annual sculpture contest which would seek applications from artists in and outside of the community;

B. Contribute free of charge to the City the efforts of its board of directors and officers in establishing, maintaining, and promoting the ArtInPlace program for community benefit, including selection of the individual art pieces appropriate for use in the program;

C. Bear the sole responsibility for ongoing maintenance of each piece of art and its related foundation, and site, whether that maintenance consists of regular cleaning, removal of flyers or posters, or extraordinary maintenance or repair of the art or its components such as painting, repairing, or other maintenance akin to reconstruction;

D. On or before December 31st of each year, or sooner if requested by the City Manager, provide a full and complete accounting to the City of both gross and net revenues and expenses of the program, along with all appropriate supporting documentation;

E. Obtain and file with the City policies of public liability and property damage insurance satisfactory to the City and in compliance with the law, and in form and amount sufficient to protect the City as well as the art being displayed. Each policy shall carry the provision that the insurance shall not be canceled or reduced, terminate, lapse or otherwise expire prior to thirty (30) days written notice to that effect given by the insurance carrier to the City. All insurance required by this paragraph of the Agreement shall remain in full force and effect for the entire contract year, and THE CITY SHALL BE NAMED AS AN ADDITIONAL INSURED UNDER SUCH INSURANCE CONTRACTS.

The Minimum Limits of Liability Coverage shall be as follows:

Comprehensive General Liability limits \$1,000,000/\$2,000,000 (per occurrence/annual aggregate).

F. Cooperate and make available at its office at all reasonable times all records, books, and accounts related to this Agreement for inspection, audit or reproduction by an authorized representative of the City.

G. Establish an appropriate Internet web page or site and telephone number designed to facilitate, promote, and enhance the ArtInPlace program and, in the process, provide citizens a right to express themselves about this art program and how it might be improved to better serve the community;

H. When this license agreement is terminated or otherwise ends, unless there is a written waiver by the City, promptly remove each foundation and remaining pieces of art from each site and return each site to its original condition;

I. Comply with all federal, state, and local laws and regulations applicable to activities of the Foundation in implementing this program, including any regulations or ordinances requiring a permit for any particular art installation; and

J. Promptly remove or correct any obstruction, damage, or defect in any public right of way or island caused by the Foundation in implementing the ArtInPlace program.

## **VII. Funding by the City**

A. The City will reimburse PCA up to a maximum annual amount of \$ 27,500 for actual expenditures made by the PCA on this art program. Of the \$27,500, \$5,000 shall be paid to PCA for the administrative oversight required to conduct the annual art show; and \$22,500 shall be paid to PCA to cover the costs of the annual show. Payment shall be further conditioned upon:

1. The City's receipt of a written request for funds supported by adequate documentation, and
2. Ongoing compliance by PCA with all other terms of this license agreement.

B. Funding requests hereunder shall be presented no more often than quarterly.

## **VIII. Confirmation by the City**

Although PCA will be solely responsible for the choice of art works to be displayed, during the duration of this contract, PCA and the City will coordinate their activities through the following arrangements:

1. One member of the Award Review Committee will be appointed by the City Manager. This person shall be designated as the "City Representative".
2. PCA will coordinate with the City's Parks and Recreation Department the exact locations within the public right of way of each proposed sculpture so as to eliminate any hazard to public safety by the presence of such sculpture on public property.

## **IX. Termination**

For good cause, including failure of PCA to comply with its obligations hereunder, and after reasonable opportunity to cure, the City may terminate this license by a forty-five (45) day written notice.

**Piedmont Council for the Arts**

**City of Charlottesville**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

*Funds are available:*

*Approved as to Form:*

\_\_\_\_\_

\_\_\_\_\_

Department of Finance

City Attorney

**AN ORDINANCE  
APPROVING AMENDMENT NO. 1 TO THE GROUND LEASE BETWEEN  
THE CITY OF CHARLOTTESVILLE AND THE PIEDMONT FAMILY YMCA  
FOR PROPERTY WITHIN MCINTIRE PARK TO BE USED FOR THE  
CONSTRUCTION AND OPERATION OF A FAMILY FITNESS AND RECREATION  
CENTER**

**WHEREAS**, in January 2008 the City of Charlottesville and the Piedmont Family YMCA entered into a Ground Lease for City-owned property within McIntire Park, for the construction and operation of a family fitness and recreation center; and,

**WHEREAS**, the YMCA wants to begin construction of the facility in 2015, and has submitted a Capital Financial Plan & Five-Year Operational Plan and Budget for review by the City; and,

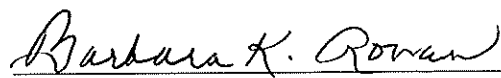
**WHEREAS**, the YMCA has proposed certain amendments to the Ground Lease, specifically to:

- Section 1, to add a reference to the exact boundaries of the Leased Property as approved by City Council in May 2008;
- Section 4, to delete two sentences which have become obsolete;
- Section 14, to allow the YMCA to grant a leasehold deed of trust to a lender that will provide financing for construction of the facility;
- Section 29, to expressly state that the City does not have to pay the YMCA for the facility if the YMCA defaults under the Ground Lease; and,
- Section 33, to expressly state that the City does not have to pay the YMCA for the facility if the YMCA fails to construct or abandons the facility.

**WHEREAS**, the City Council has considered each of the requested amendments and finds that they are in the best interest of the City and are reasonable in that they provide clarification of the Ground Lease and enable the YMCA to be approved for the financing needed for construction of the facility.

**NOW, THEREFORE, BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia that the City Manager is hereby authorized to execute the "Amendment No. 1 to Ground Lease", in substantially the same form as attached hereto, which will amend the existing Ground Lease between the City of Charlottesville and the Piedmont Family YMCA for property within McIntire Park. Said amendment shall be approved as to form by the City Attorney prior to execution by the City Manager.

Approved by City Council  
September 21, 2015

  
\_\_\_\_\_  
Barbara K. Ronan  
Acting Clerk of Council

## AMENDMENT NO. 1 TO GROUND LEASE

THIS AMENDMENT NO. 1 TO GROUND LEASE (this "Amendment No. 1") is made and entered into as of September \_\_, 2015, by and among the CITY OF CHARLOTTESVILLE, a municipal corporation (the "City"), and the PIEDMONT FAMILY YMCA, INC. a charitable non-profit organization authorized to do business in the Commonwealth of Virginia (the "Lessee"), parties to the Ground Lease dated as of January 15, 2008 (the "Ground Lease").

### RECITALS:

Pursuant to the Ground Lease the City has leased certain real property in McIntire Park to the Lessee to allow the Lessee to construct and operate a fitness and recreational center. Capitalized terms used herein but not expressly defined herein shall have the meanings ascribed to them in the Ground Lease. The parties hereto desire to modify and clarify certain provisions of the Ground Lease as set forth below.

### AGREEMENT:

NOW, THEREFORE, the parties hereto agree to amend the Ground Lease as follows:

1. Amendment of Section 1. Section 1 of the Ground Lease is hereby amended and restated as follows:

**1. Lease Property.** The City, as the title holder of the subject property, in consideration of the rents and covenants to be paid and performed by the Lessee, leases to the Lessee and the Lessee leases a portion of the property commonly known as McIntire Park in the City of Charlottesville as shown on Exhibit A attached hereto and incorporated herein by reference, entitled "McIntire Park Master Plan Update" and dated May 9, 2008, which Exhibit shows the exact boundaries of the Lessee's leasehold interest as approved by City Council on May 19, 2008 in accordance with this Ground Lease as originally approved and executed (hereinafter, the "Leased Property").

A copy of Exhibit A is attached to this Amendment No. 1.

2. Amendment of Section 4. Section 4 of the Ground Lease is hereby amended by deleting the last two sentences of such section.

3. Amendment of Section 14. Section 14 of the Ground Lease is hereby amended and restated as follows:

**14. Title, Liens.** Title to the ground shall remain in the name of the City. Title to the Facility constructed by the Lessee shall be titled in the name of the Lessee, except as otherwise provided herein. The Lessee agrees that the fee simple ownership interest of the City in the Leased Property shall not be encumbered by any mortgage, lien (mechanic's lien, materialmen's lien or other

lien), pledge or other encumbrance during the term of this Lease. If any such lien or notice of lien rights shall be filed with respect to the fee simple ownership interest of the City in the Leased Property, the Lessee shall immediately take such steps as may be necessary to have such lien released, and shall permit not further work to be performed on the Leased Property until such release has been accomplished. Lessee shall be permitted to grant to its lender for the construction of the Facility a lien on its leasehold interest in the Leased Property pursuant to a leasehold deed of trust or similar instrument.

4. Amendment of Section of 29. The last sentence of Section 29 of the Ground Lease is hereby amended and restated as follows:

In the event of default as defined in this paragraph, title to the Facility shall revert automatically to the City, and the Lessee shall surrender the Facility as provided in Paragraph 32 without any payment by the City to the Lessee of any amount required under Paragraph 31 (unless such event results from the City's failure to renew this Lease as provided in such section) and execute all documents deemed necessary by the City to convey title to the Facility to the City.

5. Amendment of Section of 33. The second sentence of Section 33 of the Ground Lease is hereby amended and restated as follows:

In such event, the Lessee shall surrender the Facility as provided in Paragraph 32 without any payment by the City to the Lessee of any amount required under Paragraph 31 (unless such event results from the City's failure to renew this Lease as provided in such section) and transfer title to the City at Lease termination, and execute all documents deemed necessary by the City to convey title to the Facility to the City.

6. Effective Date. This Amendment No. 1 shall be effective upon the approval and execution by all parties hereto.

7. Miscellaneous. Except as expressly amended hereby, the Ground Lease shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the parties have duly executed this Amendment No. 1 as of the date first above written.

LESSOR:  
CITY OF CHARLOTTESVILLE

LESSEE:  
PIEDMONT FAMILY YMCA, INC.

By \_\_\_\_\_  
City Manager

By: \_\_\_\_\_  
President and Chair

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**RESOLUTION**  
**APPROVAL OF 610 RIDGE STREET BLIGHT REMEDIATION PLAN**  
**AND ALLOCATION OF FUNDING**  
**\$125,000**

**WHEREAS**, the City of Charlottesville approved a designation of blight for 610 Ridge Street on February 17, 2015; and

**WHEREAS**, a Blight Remediation Plan has been prepared to address removal of blighting conditions as well as acquisition of the property in the future; and

**WHEREAS**, in order to move forward with phase 1 of the Blight Remediation Plan, approval of \$125,000 is required.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that:

1. The Blight Remediation Plan for 610 Ridge Street, as amended by Council, is accepted.
2. The sum of \$125,000 is transferred as follows from the Capital Improvement Program Contingency Account:

**Transfer From**

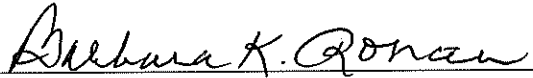
\$125,000      Fund: 426      Project: CP-080      G/L Account: 599999

**Transfer To**

\$125,000      Fund: 426      Project: P-00886      G/L Account: 599999

**BE IT FURTHER RESOLVED** that if the City acquires title to the property subsequent to remediation of the blight issues, staff will solicit comments from the Ridge Street neighborhood on the potential uses of the property, and report back to City Council with an evaluation of alternatives for development of the property.

Approved by City Council  
September 21, 2015

  
Barbara K. Ronan  
Acting Clerk of Council