



**CITY COUNCIL AGENDA
November 16, 2015**

- 6:00 p.m.** **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Boards & Commissions; Acquisition of Property on West Main Street)
- 7:00 p.m.** **Regular Meeting**
Council Chambers
- CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**
- AWARDS/RECOGNITIONS
ANNOUNCEMENTS
MATTERS BY THE PUBLIC** Harvey Finkel – Sgt. at Arms
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.)
Passed 5-0 (Smith/Szakos)
- a. Minutes for November 2
 - b. APPROPRIATION: Charlottesville Affordable Housing Fund – \$331,450.68 (2nd of 2 readings)
 - c. APPROPRIATION: Virginia Department of Health Special Nutrition Program Child and Adult Care Food Program – \$32,000 (2nd of 2 readings)
 - d. APPROPRIATION: Donated Funds to The First Tee of the Virginia Blue Ridge – \$20,491 (2nd of 2 readings)
 - e. APPROPRIATION: Funding for Family Preservation Services – \$8,354 (1st of 2 readings)
 - f. RESOLUTION: Donation of Land to City and Albemarle County for Ivy Creek Natural Area (1st of 1 reading)
 - g. RESOLUTION: Purchase of Parcel of Land for Greenbelt Trail – 604 Rock Creek Road (1st of 1 reading)
- 2. PUBLIC HEARING / ORDINANCE*** Conveyance by City of Portion of Rives Park Land (1st of 2 readings)
carried (Galvin/Smith)
- 3. RESOLUTION*** Lewis & Clark Loan Forgiveness Request (1st of 1 reading)
Passed 5-0 (Smith/Fenwick)
- 4. RESOLUTION*** City and TJPDC Legislative Program for 2016 General Assembly (1st of 1 reading)
Passed 5-0 (Szakos/Smith)
- 5. REPORT** City Market Composting
- 6. REPORT** Play The City
- 7. REPORT** JAUNT Annual Report and Financial Plan
- OTHER BUSINESS**
- MATTERS BY THE PUBLIC**
- COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

APPROPRIATION
Charlottesville Affordable Housing Fund
\$331,450.68

WHEREAS, the City of Charlottesville has received funding from Campus Investors Charlottesville 1000 West Main, LLC on behalf of 1000 West Main Street (\$331,450.68) as its Affordable Dwelling Unit payment as required by the Zoning Ordinance Section 34-12; and

WHEREAS, the Affordable Dwelling Unit payment must be paid into the City's Affordable Housing Fund pursuant to Section 34-12(d)(2); and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$331,450.68, be received as payment from Campus Investors Charlottesville 1000 West Main, LLC, to be appropriated as follows:

Revenues

\$331,450.68 Fund: 426 Project: -CP-084 G/L Code: 451020

Expenditures

\$331,450.68 Fund: 426 Project: CP-084 G/L Code: 599999

APPROPRIATION.

**Virginia Department of Health Special Nutrition Program
Child and Adult Care Food Program
\$32,000**

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$32,000 from the Virginia Department of Health Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2015 through September 30, 2016;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$32,000 received from the Virginia Department of Health Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 32,000

Fund: 209 Internal Order: 1900258 G/L Account: 430120

Expenditures - \$32,000

Fund: 209 Internal Order: 1900258 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$32,000 from the Virginia Department of Health Special Nutrition Program.

RESOLUTION.

Allocation of Previously Donated Funds to The First Tee of the Virginia Blue Ridge \$20,491.

WHEREAS, Farmington Country Club held a fundraising golf tournament for many years, the proceeds of which were donated to the City for The First Tee of Charlottesville, to be used within the directives mutually agreed upon, and

WHEREAS, the City terminated its Charter with The First Tee in 2013; and the balance of the donated funds from Farmington Country Club have been held and not used since that time, and

WHEREAS, a new chapter of The First Tee has formed in the community and along with Farmington Country Club, requested the return of the donated funds to the new chapter: The First Tee of the Virginia Blue Ridge, and

WHEREAS, The First Tee of Richmond and Chesterfield as agreed to hold said funds until final non-profit status is approved by the Internal Revenue Service for the First Tee of the Virginia Blue Ridge; therefore;

NOW, THEREFORE BE IT RESOLVED that the City Council of Charlottesville Virginia allocates the balance of the Farmington Gift Guide donation account, in the amount of \$20,491 to The First Tee of Richmond and Chesterfield; to be provided to The First Tee of the Virginia Blue Ridge upon their receipt of non-profit status.

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Attorney is hereby authorized to sign, on behalf of the City, a Deed of Gift, in substantially the same form as attached hereto, from Elizabeth L. Langhorne, as Trustee under the Elizabeth L. Langhorne 2002 Revocable Trust, to the City of Charlottesville and the County of Albemarle, for a 4.105 acre tract of land to be combined with the Ivy Creek Natural Area.

**This deed is exempt from recordation taxes
pursuant to Va. Code § 58.1-811(A)(3) and § 58.1-811(D)
and from the Circuit Court Clerk's fees under Virginia Code § 17.1-266**

THIS DEED OF GIFT, made and entered into this ____ day of _____, 2015, by and between **ELIZABETH L. LANGHORNE, as Trustee under THE ELIZABETH L. LANGHORNE 2002 REVOCABLE TRUST** ("Langhorne"), GRANTOR, and the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (the "City"), whose address is P.O. Box 911, Charlottesville, Virginia 22902, and the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the "County"), whose address is 401 McIntire Road, Charlottesville, Virginia 22902, collectively the GRANTEE

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, GRANTOR does hereby **GIVE, GRANT and CONVEY** with **GENERAL WARRANTY** and **ENGLISH COVENANTS OF TITLE** unto the GRANTEE, as tenants in common, the following described real estate, hereinafter referred to as the "Property":

All that certain tract of land, with improvements thereon and appurtenances thereto, situated in the County of Albemarle, Virginia, adjacent to the Ivy Creek Natural Area, containing 4.015 acres, more or less, shown as Lot X1, on a plat by Draper Aden Associates, dated September 24, 2013, last revised _____, recorded immediately prior hereto; and BEING a portion of the same property conveyed to the Grantor herein by deed from Elizabeth L. Langhorne, dated September 5, 2007, recorded in the Clerk's Office for the Circuit Court of Albemarle County in Deed Book 3526, pages 646-657.

The Property conveyed herein is hereby combined with the existing Ivy Creek Natural Area

(Albemarle County Parcel 04500-00-00-00800), and any property lines between the Property conveyed herein and said Parcel are hereby vacated. The conveyance of this Property is subject to the easements, conditions, restrictions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by a limitation of time contained therein or have not otherwise become ineffective.

IN WITNESS WHEREOF, Elizabeth L. Langhorne has signed this Deed of Gift as Trustee under The Elizabeth L. Langhorne 2002 Revocable Trust.

SIGNATURE PAGES TO FOLLOW

GRANTOR:

Elizabeth L. Langhorne, Trustee under
The Elizabeth L. Langhorne 2002 Revocable Trust

COMMONWEALTH OF VIRGINIA
City of Charlottesville, to-wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the aforesaid City and Commonwealth, by Elizabeth L. Langhorne, Trustee under The Elizabeth L. Langhorne 2002 Revocable Trust, on this _____ day of _____, 2015.

My commission expires: _____

Notary Public

Registration No.: _____

The City of Charlottesville, acting by and through its City Attorney, the City official designated by the City Manager pursuant to authority granted by resolution of the City Council of the City of Charlottesville, does hereby accept the conveyance of this property, pursuant to Virginia Code Section 15.2-1803, as evidenced by the City Attorney's signature hereto and the City's recordation of this Deed of Gift. As is further required by Sec. 15.2-1803 of the Virginia Code, the City Attorney's signature hereto constitutes his certification that this deed is in a form approved by him.

Accepted by:

CITY OF CHARLOTTESVILLE, VIRGINIA

S. Craig Brown, City Attorney (SEAL)

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by S. Craig Brown, City Attorney for the City of Charlottesville.

My commission expires: _____
Registration No: _____

Notary Public

The County of Albemarle, Virginia, acting by and through its County Executive, duly authorized by resolution adopted by the Albemarle County Board of Supervisors, does hereby accept the conveyance of this property, pursuant to Virginia Code Section 15.2-1803, as evidenced by the County Executive's signature hereto and the recordation of this Deed of Gift.

Accepted by:

COUNTY OF ALBEMARLE, VIRGINIA

Thomas C. Foley, County Executive (SEAL)

STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Thomas C. Foley, County Executive for the County of Albemarle, Virginia.

My commission expires: _____

Notary Public

Registration No: _____

Approved as to form:

Albemarle County Attorney

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Purchase Agreement between the City of Charlottesville and Thomas S. Murray for the purchase by the City of a parcel of land at 604 Rock Creek Road for greenbelt trail purposes.

RESOLUTION
TO SUPPORT FORGIVENESS OF LOAN OF \$130,000 TO THE
LEWIS & CLARK EXPLORATORY CENTER OF VIRGINIA, INC.
BY THE CHARLOTTESVILLE ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, by Resolution adopted April 15, 2013, the City transferred \$130,000 from the Strategic Investment Fund to the Charlottesville Economic Development Authority (CEDA) to provide loan funds in that amount to Lewis & Clark Exploratory Center of Virginia, Inc., such loan funds to be used to facilitate construction of the Lewis & Clark Exploratory Center at Darden Towe Park; and

WHEREAS, a similar loan for the same amount was granted to the Lewis & Clark Exploratory Center of Virginia, Inc. by the Economic Development Authority for the County of Albemarle; and

WHEREAS, the Exploratory Center has been completed, including an educational building, an access road, parking area and a connecting trail network, using a combination of funds raised through fundraising, grants and other loans; and

WHEREAS, the Board of the Exploratory Center has requested forgiveness of the CEDA loan of \$130,000 in order to direct any future revenue toward educational programs and tourism promotion; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that City Council hereby supports the request to forgive the above-stated debt, and hereby cancels any obligation by CEDA to repay the \$130,000 loan funds to the City's Strategic Investment Fund.

BE IT FURTHER RESOLVED that approval of this Resolution is conditioned upon approval by Albemarle County Economic Development Authority to forgive its loan of \$130,000 to the Lewis & Clark Exploratory Center of Virginia, Inc.