



**CITY COUNCIL AGENDA**  
**May 2, 2016 - ACTIONS**

**6:00 p.m.** **Closed session as provided by Section 2.2-3712 of the Virginia Code**  
*Second Floor Conference Room*

**7:00 p.m.** **Regular Meeting**  
*Council Chambers*

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

**AWARDS/RECOGNITIONS** TomTom Founder's Festival & Paul Beyer; Police Week  
**ANNOUNCEMENTS**

**APPOINTMENTS TO BOARDS & COMMISSIONS**  
**CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC**

**MATTERS BY THE PUBLIC** Public comment provided for up to 12 speakers publicized at noon the day of the meeting (limit 3 minutes per speaker) and for an unlimited number of speakers 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.

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

a. Minutes for April 18

**b. APPROPRIATION:** \$200,000 to the Charlottesville Redevelopment & Housing Authority Marriott Proffer/Inn at Vinegar Hill and \$70,000 to the Charlottesville Affordable Housing Fund (2<sup>nd</sup> of 2 readings)

c. APPROPRIATION: Charlottesville Affordable Housing Fund for Free Paint Program – \$15,000 (1<sup>st</sup> of 2 readings)

d. APPROPRIATION: Loan Repayment Proceeds from Brown – \$47,481 and Brown – \$879 to the Charlottesville Affordable Housing Fund (1<sup>st</sup> of 2 readings)

e. APPROPRIATION: Out-of-School Time Programs grant from the National Recreation and Park Association in Partnership with the Wal-Mart Foundation \$15,000 (1<sup>st</sup> of 2 readings)

f. APPROPRIATION: Domestic Violence Services Coordinator Grant - \$47,481 (1<sup>st</sup> of 2 readings)

g. APPROPRIATION: CATEC. to the CATEC – IT Network Academy Project - \$47,194 (1<sup>st</sup> of 2 readings)

h. APPROPRIATION: Charlottesville City Schools (C.C.S.) to the C.C.S. Enhanced Entrance Security Project - \$50,000 (1<sup>st</sup> of 2 readings)

i. APPROPRIATION: Albemarle County Reimbursement for the Gordon Avenue Library Main Level Restroom Renovation (Design Only) Project – \$2,487.50 (1<sup>st</sup> of 2 readings)

**j. RESOLUTION:** Authorization of Amendment to Lease Agreement for 608 Ridge Street (1<sup>st</sup> of 1 reading)

**k. RESOLUTION:** Revisions to Community Policy Management Team Appointments (1<sup>st</sup> of 1 reading)

**2. PUBLIC HEARING / RESOLUTION\*** Bond Issue – \$22.75 Million (1<sup>st</sup> of 1 reading) – **Passed 5-0 (Szakos/Galvin)**

**3. PUBLIC HEARING / RESOLUTION\*** Approval of FY 2016-2017 Annual Action Plan (1<sup>st</sup> of 1 reading)  
**Passed 5-0 (Galvin/Szakos)**

**4. APPROPRIATIONS\* / RESOLUTION\*** Approval and Appropriation of CDBG & HOME Budget Allocations for FY 2016-2017

- Appropriation of Funds for 2016-17 Community Development Block Grant – \$407,585.44 (1<sup>st</sup> of 2 readings) **carried (Fenwick/Bellamy)**
- Appropriation of 2016-17 HOME Funds – \$69,849 (1<sup>st</sup> of 2 readings) **carried (Szakos/Galvin)**
- **Resolution: Reprogramming of Funds for FY 16-17 (1<sup>st</sup> of 1 reading) carried (Szakos/Fenwick)**

**5. PUBLIC HEARING /  
RESOLUTION\***

~~CACVB Lease Renewal (1<sup>st</sup> of 1 reading) – *deferred to June 6 meeting*~~

**6. PUBLIC HEARING /  
ORDINANCE\***

Abandonment of Sanitary Sewer and Slope Easements – William Taylor Plaza Project  
(1<sup>st</sup> of 2 readings) – *Carried (Galvin/Bellamy)*

**7. RESOLUTION\***

SUP – 750 Hinton Ave. (1<sup>st</sup> of 1 reading) – *Passed 5-0 (Bellamy/Galvin)*

**8. REPORT\***

BAR Appeal – Attic Addition at 513 14<sup>th</sup> Street NW – *Vote 3-2 to overturn BAR decision  
(Galvin/Bellamy; Szakos, Fenwick no)*

**9. RESOLUTION\***

Blue Ribbon Commission on Race, Monuments and Public Spaces  
(1<sup>st</sup> of 1 reading) *Passed 5-0 (Szakos/Bellamy)*

**OTHER BUSINESS  
MATTERS BY THE PUBLIC**

\*ACTION NEEDED

*Persons with disabilities may request reasonable accommodations by contacting [ada@charlottesville.org](mailto:ada@charlottesville.org) or (434)970-3182.*

**APPROPRIATION**  
**Charlottesville Redevelopment & Housing Authority**  
**Marriott Proffer / Inn at Vinegar Hill Fund \$200,000**  
**and the**  
**Charlottesville Affordable Housing Fund \$70,000**

**WHEREAS**, the City of Charlottesville has received payment from The Inn at Vinegar Hill, LLC on behalf of 315 West Main Street (\$200,000) as required by the Petition for Rezoning (City Application No ZM-07-08-20) Statement of Final Proffer Conditions for the Ridge/McIntire/West Main Street Rezoning; and

**WHEREAS**, the City of Charlottesville has received a voluntary contribution from Piedmont Housing Alliance (\$70,000) in lieu of affordable housing as contemplated in the Contact for Development at 9<sup>th</sup> -10<sup>th</sup> Street dated August 1, 1999; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$200,000 be received as payment from The Inn at Vinegar Hill, LLC and the sum of \$70,000 be received as a contribution from Piedmont Housing Alliance, to be appropriated as follows:

**Revenues**

\$200,000	Fund: 426	Project: P-00904	G/L Code: 434675
\$70,000	Fund: 426	Project: CP-084	G/L Code: 451020

**Expenditures**

\$200,000	Fund: 426	Project: P-00904	G/L Code: 599999
\$70,000	Fund: 426	Project: CP-084	G/L Code: 599999

## **RESOLUTION**

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

Amendment to the Lease Agreement dated July 1, 2015 between the City of Charlottesville and The Local Energy Alliance Program, extending the expiration date of the lease to June 30, 2017.

**RESOLUTION TO ESTABLISH DESIGNATED  
COMMUNITY POLICY AND MANAGEMENT TEAM POSITIONS**

**WHEREAS**, pursuant to Virginia Code §§2.2-5204 et seq., the City of Charlottesville must create a Community Policy and Management Team (CPMT); and

**WHEREAS**, the CPMT shall have the powers and duties as set forth in Chapter 52 (Children's Services Act for At-Risk Youth and Families) of the Virginia Code; and

**WHEREAS**, Council directs that the CPMT shall be comprised of the following positions and that each individual appointed shall serve in their official capacity:

1. The Assistant City Manager assigned to manage the Charlottesville Department of Social Services; ;
2. A designated official from the City's Community Services Board as determined by the current CSB director;
3. An Official from the Sixteenth District Juvenile Court Services Unit, as designated by that unit's director;
4. The Director of the Thomas Jefferson Health District or their designee;
5. Charlottesville Department of Social Services Director or their designee;
6. Charlottesville City Schools Superintendent or their designee; and
7. The Director of Human Services or their designee; and

**WHEREAS**, Council directs that the CPMT shall also be comprised of the following positions whose individual representatives shall be appointed by separate resolution:

1. An individual from a City of Charlottesville private organization or association of providers for children's or family services; and
2. An individual parent representative from the Charlottesville community;

**WHEREAS**, the term of appointment for members holding public positions and serving in their official capacity shall be for so long as they serve in that public position or until replaced by City Council; and

**WHEREAS**, the term of appointment for the individual t representatives shall be for three (3) years, such term commencing from the date of appointment, or until replaced by City Council; and

**WHEREAS**, the City CPMT will conduct joint meetings with the County of Albemarle CPMT to ensure continuing efficiency and consistency within the Charlottesville/Albemarle community.

**NOW, THEREFORE, BE IT RESOLVED** that the Charlottesville City Council hereby establishes a CPMT pursuant to Virginia Code §§2.2-5204 et seq. with all the powers and duties as set forth in Virginia Code §§2.2-5205 and 2.2-5206 consisting of the members identified above for the prescribed terms of service.

**RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,250,000, TO FINANCE THE COSTS OF CERTAIN PUBLIC IMPROVEMENT PROJECTS, PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,500,000, PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF SUCH BONDS, AND PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY.**

**WHEREAS**, the City Council of the City of Charlottesville, Virginia (the “City”), desires to issue general obligation public improvement bonds (the “New Money Bonds”) to finance the costs of certain public improvements for the City, including (i) transportation and access improvements, including but not limited to constructing, equipping and repairing sidewalks and roads and street reconstruction, (ii) improvements to public buildings, (iii) public school improvements, (iv) public safety improvements, including but not limited to the acquisition, installation and equipping of police radios and improvements and upgrades to the emergency communications CAD system and 800Mhz radio system, and (v) improvements to the City’s stormwater system (collectively, the “Project”);

**WHEREAS**, the City has previously issued its \$17,985,000 General Obligation Public Improvements Bonds, Series 2011 (the “Series 2011 Bonds”), and its \$12,785,000 General Obligation Public Improvement Bonds, Series 2012A (the “Series 2012A Bonds”);

**WHEREAS**, the City may effect debt service savings by issuing its general obligation public improvement refunding bonds (the “Refunding Bonds”) to refund all or a portion of the outstanding maturities of the Series 2011 and the Series 2012A Bonds (such refunded maturities or portions thereof shall be referred to herein as the “Refunded Bonds”); and.

**WHEREAS**, the City’s administration and a representative of Public Financial Management, Inc., the City’s financial advisor (the “Financial Advisor”), have recommended to the City Council that the City issue and sell one or more series of general obligation public improvement and refunding bonds through either (a) a public offering through a competitive sale (a “Competitive Sale”) or (b) a public offering through a negotiated underwriting (a “Negotiated Sale”) (in either of such funding options, the purchaser(s) of the bonds shall be referred to herein as the “Purchaser”);

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:**

**1. Authorization and Issuance of Bonds.** The City Council finds and determines that it is in the best interest of the City to authorize the issuance and sale of one or more series of New Money Bonds in an aggregate principal amount not to exceed \$8,250,000 and to use the proceeds thereof, together with other funds as may be available, to finance costs of the Project

and to pay costs incurred in connection with issuing such bonds. The City Council further finds and determines that it is in the best interest of the City to provide for the issuance and sale of one or more series of Refunding Bonds, heretofore authorized, in an aggregate principal amount not to exceed \$14,500,000 and to use the proceeds thereof, together with other funds as may be available, to refund all or a portion of the Refunded Bonds and to pay costs incurred in connection with issuing such bonds and refunding the Refunded Bonds.

**2. Election to Proceed under the Public Finance Act.** In accordance with the authority contained in Section 15.2-2601 of the Code of Virginia of 1950, as amended (the “Virginia Code”), the City Council elects to issue the New Money Bonds and the Refunding Bonds pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code (the “Public Finance Act”).

**3. Bond Details.** The New Money Bonds shall be designated “General Obligation Public Improvement Bonds, Series 2016,” or such other designation as may be determined by the City Manager (which term shall include the Chief Operating Officer/Chief Financial Officer). The Refunding Bonds shall be designated “General Obligation Public Improvement Refunding Bonds, Series 2016,” or such other designation as may be determined by the City Manager. The New Money Bonds and the Refunding Bonds may be issued and sold together as one series and designated “General Obligation Public Improvement and Refunding Bonds, Series 2016,” or such other designation as may be determined by the City Manager. Any bonds issued as part of a series of New Money Bonds or Refunding Bonds, or as a combined series, shall be referred to herein as a “Bond” or the “Bonds,” as the case may be.

The Bonds shall be in registered form, shall be dated such date as may be determined by the City Manager, shall be in denominations of \$5,000 and integral multiples thereof and shall be numbered R-1 upward, or such other designation as appropriate. Subject to Section 9, the issuance and sale of any series of Bonds are authorized on terms as shall be satisfactory to the City Manager; provided, however, that the Bonds of such series (a) shall have a “true” or “Canadian” interest cost not to exceed [4.0]% (taking into account any original issue discount or premium), (b) shall be sold to the Purchaser thereof at a price not less than [98.0]% of the principal amount thereof (excluding any original issue discount) and (c) shall mature in years, or be subject to mandatory sinking fund redemption in annual installments, ending no later than December 31, [2036]; provided, however, that any series of Bonds issued to refund the Refunded Bonds shall produce an aggregate net present value debt service savings to the City of at least 3.0% of the principal amount of the particular Refunded Bonds.

Principal of the Bonds shall be payable annually on dates determined by the City Manager. Each Bond of series shall bear interest from its date at such rate as shall be determined at the time of sale, calculated on the basis of a 360-day year of twelve 30-day months, and payable semiannually on dates determined by the City Manager. Principal and premium, if any, shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on a date prior to each interest payment date that shall be determined by the City Manager (the “Record Date”); provided, however, that at the request of the registered owner of the Bonds, payment may be made by wire transfer pursuant to the most recent wire instructions

received by the Registrar from such registered owner. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”), or its nominee. The City has heretofore entered into a Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. “Securities Depository” shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

In the event that (a) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar, and the City discharges the Securities Depository of its responsibilities with respect to the Bonds, or (b) the City in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then the Director of Finance of the City shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the new Securities Depository or its nominee or to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 6; provided, however, that such form shall provide for interest on the Bonds to be payable (1) from the date of the Bonds if they are authenticated prior to the first interest payment date or (2) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the Director of Finance of the City shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 8.

So long as there is a Securities Depository for the Bonds, (1) it or its nominee shall be the registered owner of the Bonds; (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository; (3) the Registrar and the City shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants; (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds; and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Letter of Representations such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

**4. Redemption Provisions.** The Bonds may be subject to redemption prior to maturity at the option of the City on or after dates (if any) determined by the City Manager, in whole or in part at any time, at a redemption price equal to the principal amount of the Bonds, together with any interest accrued to the date fixed for redemption, plus a redemption premium



not to exceed [3.0]% of the principal amount of the Bonds, such redemption premium to be determined by the City Manager.

Any Bonds sold as term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Manager.

If less than all of the Bonds are called for redemption, the maturities of the Bonds to be redeemed shall be selected by the Director of Finance of the City in such manner as such officer may determine to be in the best interest of the City. If less than all the Bonds of any maturity are called for redemption, the Bonds within such maturity to be redeemed shall be selected by the Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof, and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. The City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of the Bonds. The City shall not be responsible for giving notice of redemption to anyone other than DTC or another qualified securities depository then serving or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

In the case of an optional redemption, the notice may state that (1) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, no later than the redemption date or (2) the City retains the right to rescind such notice on or prior to the scheduled redemption date (in either case, a "Conditional Redemption"), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described herein. Any Conditional Redemption may be rescinded at any time. The City shall give prompt notice of such rescission to the affected Bondholders. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a Conditional Redemption, the failure of the City to make funds available on or before the redemption date shall not constitute an event of default, and the City shall give immediate notice to all organizations registered with the Securities and Exchange Commission ("SEC") as securities depositories or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

**5. Execution and Authentication.** The Bonds shall be signed by the manual or facsimile signature of the Mayor, the City's seal shall be affixed thereto or a facsimile thereof printed thereon and shall be attested by the manual or facsimile signature of the Clerk of the City Council; provided, however, that no Bond signed by facsimile signatures shall be valid until it

has been authenticated by the manual signature of an authorized officer or employee of the Registrar and the date of authentication noted thereon.

**6. Bond Form.** The Bonds shall be in substantially the form of Exhibit A, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

**7. Pledge of Full Faith and Credit.** The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

**8. Registration, Transfer and Owners of Bonds.** The Director of Finance of the City is hereby appointed paying agent and registrar for the Bonds (the “Registrar”). The City may, in its sole discretion, at any time appoint a qualified bank or trust company as successor paying agent and registrar of the Bonds. The Registrar shall maintain registration books for the registration of the Bonds and transfers thereof. Upon presentation and surrender of any Bonds to the Registrar, or its corporate trust office if the Registrar is a bank or trust company, together with an assignment duly executed by the registered owner or the owner’s duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate, if required by Section 5, and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in the name(s) as requested by the then registered owner or the owner’s duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the Record Date.

**9. Sale of Bonds.** The City Council approves the following terms of the sale of the Bonds. The Bonds shall be sold in one or more series, either through a Competitive Sale, a Negotiated Sale or a combination thereof, as determined by the City Manager to be in the best interest of the City, in a principal amount or principal amounts to be determined by the City Manager, in collaboration with the Financial Advisor, and subject to the limitations set forth in Section 1.

(a) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Competitive Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to take all proper steps to advertise the Bonds for sale,

to receive public bids and to award the Bonds to the bidder providing the lowest “true” or “Canadian” interest cost, subject to the limitations set forth in Section 3. Following a Competitive Sale, the City Manager shall file a certificate with the City Council setting forth the final terms of the Bonds. The actions of the City Manager in selling the Bonds by Competitive Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

(b) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Negotiated Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to choose an investment banking firm to serve as underwriter for the Bonds and to execute and deliver to the underwriter, as Purchaser of the Bonds, a bond purchase agreement reflecting the final terms of the Bonds. The bond purchase agreement shall be in a form approved by the City Manager, in collaboration with the City Attorney, the Financial Advisor and the City’s bond counsel. The actions of the City Manager in selling the Bonds by Negotiated Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the City Council.

(c) Following the determination of which method(s) of sale shall be used, the City Manager is hereby authorized to (i) determine the principal amount of the Bonds, subject to the limitations set forth in Section 1, (ii) determine the interest rates of the Bonds, the maturity schedules of the Bonds, and the price to be paid for the Bonds by the Purchaser, subject to the limitations set forth in Section 3, (iii) determine the redemption provisions of the Bonds, subject to the limitations set forth in Section 4, and (iv) determine the dated date, the principal and interest payment dates and the Record Date of the Bonds, all as the City Manager determines to be in the best interest of the City.

**10. Official Statement.** The draft Preliminary Official Statement describing the Bonds, copies of which have been made available prior to this meeting, is hereby approved as the Preliminary Official Statement by which the Bonds will be offered for sale to the public; provided that the City Manager, in collaboration with the Financial Advisor, may make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. After the Bonds have been sold, the City Manager, in collaboration with the Financial Advisor, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement. The City shall arrange for the delivery to the Purchaser of the Bonds of a reasonable number of printed copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the Purchaser initially sells Bonds.

**11. Official Statement Deemed Final.** The City Manager is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (the “Rule”) of the SEC, except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to the Rule. The distribution of the Preliminary Official Statement and the execution and delivery of the Official Statement in final form shall be conclusive evidence that each has been deemed final as of its date by the City, except for the

omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

**12. Preparation and Delivery of Bonds.** After the Bonds have been awarded, the officers of the City are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the Purchaser thereof upon payment therefor.

**13. Redemption of Refunded Bonds.** The City Manager is authorized and directed to determine which of the Series 2011 Bonds and the Series 2012A Bonds, if any, and which maturities of each such series, if any, shall constitute the Refunded Bonds. The Escrow Agreement (as hereinafter defined) shall provide for notice of redemption to be given to the registered owners of the Refunded Bonds in accordance with the resolutions providing for the issuance of the Refunded Bonds.

**14. Escrow Deposit Agreement.** The City Manager is authorized and directed to execute one or more escrow deposit agreements (each an “Escrow Agreement”) between the City and an escrow agent to be appointed by the City Manager (the “Escrow Agent”) with respect to the Refunded Bonds. The Escrow Agreement shall be in the form approved by the City Manager, in collaboration with the City Attorney and the City’s bond counsel, and shall provide for the deposit and investment of a portion of the Bond proceeds for the defeasance of the Refunded Bonds. The execution of the Escrow Agreement by the City Manager shall constitute conclusive evidence of such official’s approval of the Escrow Agreement. The Escrow Agreement shall provide for the irrevocable deposit of a portion of the Bond proceeds (the “Refunding Portion”) in an escrow fund that shall be sufficient, when invested in noncallable, direct obligations of the United States Government (the “Government Obligations”), to provide for payment of principal of and interest on the Refunded Bonds; provided, however, that such Refunding Portion shall be invested in such manner that none of the Bonds will be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the “Code”). The Escrow Agent is authorized and directed to execute initial and final subscription forms for the purchase of the Government Obligations and such other contracts and agreements necessary to provide for the defeasance of the Refunded Bonds as are approved by the City Manager, in collaboration with the City Attorney and the City’s bond counsel.

**15. Deposit of Refunding Bond Proceeds.** The City Treasurer is authorized and directed (a) to provide for the delivery of the Refunding Portion to the Escrow Agent for deposit in the escrow fund established by the Escrow Agreement, in an amount that shall be sufficient, together with any other funds deposited with the Escrow Agent and the interest thereon when invested as provided in the Escrow Agreement, (i) to pay when due the interest on the Refunded Bonds to the first respective dates on which they may be redeemed at the option of the City and (ii) to pay upon the earlier of maturity or redemption the principal of the Refunded Bonds and (b) to provide for the deposit of the remaining proceeds of the Bonds in a special account to be used to pay the costs incurred in refunding the Refunded Bonds and the costs of issuing the Bonds. The City Treasurer is further authorized and directed to take all such further action as may be necessary or desirable in connection with the payment and refunding of the Refunded Bonds.

**16. Arbitrage Covenants.** (a) The City represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of Treasury Regulations Section 1.150-1(c).

(b) The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code or otherwise cause interest on the Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

**17. Non-Arbitrage Certificate and Elections.** Such officers of the City as may be requested by the City’s bond counsel are authorized and directed to execute an appropriate certificate setting forth (a) the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and (b) any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate shall be prepared in consultation with the City’s bond counsel, and such elections shall be made after consultation with bond counsel.

**18. Limitation on Private Use.** The City covenants that it shall not permit the proceeds of the Bonds or the facilities financed or refinanced with the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

**19. SNAP Investment Authorization.** The City Council has previously received and reviewed the Information Statement (the “Information Statement”), describing the State Non-Arbitrage Program of the Commonwealth of Virginia (“SNAP”) and the Contract Creating the State Non-Arbitrage Program Pool I (the “Contract”), and the City Council hereby authorizes the City Treasurer in his discretion to utilize SNAP in connection with the investment of the portion of the proceeds of the Bonds used to finance the Project. The City Council acknowledges that

the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the City in connection with SNAP, except as otherwise provided in the Contract.

**20. Continuing Disclosure Agreement.** The Mayor and the City Manager, either of whom may act, are hereby authorized and directed to execute a continuing disclosure agreement (the “Continuing Disclosure Agreement”) setting forth the reports and notices to be filed by the City and containing such covenants as may be necessary to assist the Purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. The Continuing Disclosure Agreement shall be substantially in the form of the City’s prior Continuing Disclosure Agreements, which is hereby approved for purposes of the Bonds; provided that the City Manager, in collaboration with the Financial Advisor, may make such changes in the Continuing Disclosure Agreement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. The execution thereof by such officers shall constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

**21. Other Actions.** All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds are hereby ratified, approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

**22. Repeal of Conflicting Resolutions.** All resolutions or parts of resolutions in conflict herewith are repealed.

**23. Filing With Circuit Court.** The Clerk of the City Council, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this resolution in the Circuit Court of the City.

**24. Effective Date.** This Resolution shall take effect immediately.

**[FORM OF BOND]**

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), **ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL** inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

**REGISTERED**

**REGISTERED**

No. R-\_\_\_\_\_

\$\_\_\_\_\_

**UNITED STATES OF AMERICA**

**COMMONWEALTH OF VIRGINIA**

**CITY OF CHARLOTTESVILLE**

**General Obligation [Public Improvement and Refunding Bond]**

**Series 2016**

<b>INTEREST RATE</b>	<b>MATURITY DATE</b>	<b>DATED DATE</b>	<b>CUSIP</b>
_____ %	_____, ____	_____, 2016	_____

**REGISTERED OWNER: CEDE & CO.**

**PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS**

The City of Charlottesville, Virginia (the “City”), for value received, promises to pay, upon surrender hereof to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon from its date semiannually on each \_\_\_\_\_ and \_\_\_\_\_, beginning \_\_\_\_\_, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Principal, premium, if any, and interest are payable in lawful money of the United States of America by the City Treasurer, who has been appointed paying agent and registrar for the bonds, or at such bank or trust company as may be appointed as successor paying agent and registrar by the City (the “Registrar”).

Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company (“DTC”), and the payment of principal, premium,

if any, and interest, the providing of notices and other matters shall be made as described in the City's Letter of Representations to DTC.

This bond is one of an issue of \$\_\_\_\_\_ [General Obligation Public Improvement and Refunding] Bonds, Series 2016, of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991. The bonds are being issued pursuant to a resolution adopted by the City Council of the City (the "City Council") on \_\_\_\_\_, 2016, [to finance certain public improvement projects] [to refund certain of the City's outstanding general obligation bonds].

Bonds maturing on or before \_\_\_\_\_, 20\_\_, are not subject to redemption prior to maturity. Bonds maturing on or after \_\_\_\_\_, 20\_\_, are subject to redemption prior to maturity at the option of the City on or after \_\_\_\_\_, 20\_\_, in whole or in part (in any multiple of \$5,000) at any time, upon payment of the following redemption prices (expressed as a percentage of principal amount of bonds to be redeemed) plus interest accrued and unpaid to the date fixed for redemption:

<b>Period During Which Redeemed (Both Dates Inclusive)</b>	<b>Redemption Price</b>
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[Bonds maturing on \_\_\_\_\_, 20\_\_, are required to be redeemed in part before maturity by the City on \_\_\_\_\_ in the years and amounts set forth below, at a redemption price equal to the principal amount of the bonds to be redeemed, plus accrued interest to the date fixed for redemption:

<b><u>Year</u></b>	<b><u>Amount</u></b>	<b><u>Year</u></b>	<b><u>Amount</u></b>
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If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the Director of Finance of the City in such manner as such officer may determine to be in the best interest of the City. If less than all of the bonds of any maturity are called for redemption, the bonds within such maturity to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The City shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than



30 nor more than 60 days prior to the redemption date, to the registered owner hereof. If a portion of this bond is called for redemption, a new bond in principal amount of the unredeemed portion hereof will be issued to the registered owner upon surrender hereof.

The City may give notice of redemption prior to a deposit of redemption moneys if such notice states that the redemption is to be funded with the proceeds of a refunding bond issue and is conditioned on the deposit of such proceeds. Provided that moneys are deposited on or before the redemption date, such notice shall be effective when given. If such proceeds are not available on the redemption date, such bonds will continue to bear interest until paid at the same rate they would have borne had they not been called for redemption. On presentation and surrender of the bonds called for redemption at the place or places of payment, such bonds shall be paid and redeemed.

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond. Unless other funds are lawfully available and appropriated for timely payment of this bond, the City Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all taxable property within the City sufficient to pay when due the principal of and premium, if any, and interest on this bond.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal of and premium, if any, and interest on this bond and the exercise of all others rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the \_\_\_ day of the month [preceding] [in which] each interest payment [is due].

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

[Remainder of page intentionally left blank.]

**IN WITNESS WHEREOF**, the City of Charlottesville, Virginia, has caused this bond to be to be signed by the Mayor, its seal to be affixed hereto and attested by the Clerk of the City Council, and this bond to be dated the date first above written.

(SEAL)

\_\_\_\_\_  
Mayor, City of Charlottesville, Virginia

(ATTEST)

\_\_\_\_\_  
Clerk of Council,  
City of Charlottesville, Virginia

**ASSIGNMENT**

FOR VALUE RECEIVED the undersigned sell(s), assign(s) and transfer(s) unto

\_\_\_\_\_  
(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER  
IDENTIFYING NUMBER OF TRANSFEREE:

\_\_\_\_\_  
: :  
: :  
: :  
\_\_\_\_\_

the within bond and all rights thereunder, hereby irrevocably constituting and appointing

\_\_\_\_\_,  
Attorney, to transfer said bond on the books kept for the registration thereof, with full power of  
substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed  
by an Eligible Guarantor Institution such  
as a Commercial Bank, Trust Company,  
Securities Broker/Dealer, Credit Union  
or Savings Association who is a member  
of a medallion program approved by The  
Securities Transfer Association, Inc.

\_\_\_\_\_  
(Signature of Registered Owner)

NOTICE: The signature above must  
correspond with the name of the  
registered owner as it appears on the  
front of this bond in every particular,  
without alteration or enlargement or any  
change whatsoever.

**RESOLUTION**  
**Approval of FY 2016-2017 Annual Action Plan**

**BE IT RESOLVED**, that the Charlottesville City Council hereby approves the 2016-2017 Action Plan of the 2013-2018 Consolidated Plan as presented at the May 2, 2016, City Council meeting.

**RESOLUTION**  
**AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT**  
**Reprogramming of Funds for FY 16-17**

**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:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
12-13	P-00001-04-87	Building Goodness	\$1,152.22		
13-14	P-00001-04-91	Building Goodness	\$1,203		
13-14	P-00001-04-93	Better Business Challenge	\$637.62		
13-14	P-00001-02-66	DSS View	\$150.71		
14-15	P-00001-02-67	CALM IDA	\$3,311.10		
16-17	P-00001-04-01	Applied to new programs		\$6454.65	\$6454.65
		<b>TOTALS:</b>	<b>\$6454.65</b>	<b>\$6454.65</b>	<b>\$6454.65</b>

**RESOLUTION GRANTING A SPECIAL USE PERMIT  
TO HINTON AVENUE UNITED METHODIST CHURCH  
TO OPERATE A DAY CARE CENTER WITH ELEMENTARY SCHOOL  
USES FOR UP TO 48 CHILDREN ON PROPERTY AT 750 HINTON AVENUE**

**WHEREAS**, Hinton Avenue United Methodist Church (“Applicant”) has requested a special use permit to operate (through the International School of Charlottesville) a day care center with elementary school uses for up to 48 children on property identified on City Tax Map 58 as Parcel 161, identified as 750 Hinton Avenue, consisting of approximately 0.76 acre or 33,105 square feet (hereafter the “Subject Property”); and

**WHEREAS**, the Subject Property is currently zoned R-1S Residential; and

**WHEREAS**, following a joint public hearing before this Council and the Planning Commission, duly advertised and held on April 12, 2016, this Council finds that uses are allowed under City Code Section 34-420 by special use permit, and the special use permit will conform to the criteria applicable to special use permits generally under Section 34-157 of the City Code; now, therefore

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that a special use permit is hereby granted to Hinton Avenue United Methodist Church to allow operation of a day care center with elementary school uses for up to 48 children at 750 Hinton Avenue, as described above. Approval of this special use permit is conditioned upon the following:

1. No more than forty eight (48) students may attend daycare and elementary school at the 750 Hinton Avenue location. An increase in students will require a new special use permit (SUP).
2. The permitted hours of operation for the daycare and elementary school uses are 8:30 a.m. until 4:00 p.m. Monday through Friday. An expansion of hours or days of operation will require a new special use permit (SUP).
3. A safety plan for the daycare and elementary school uses must be submitted annually to the Zoning Administrator for approval, and kept on file.
4. The main drop-off and pick-up activities shall occur in the parking area on the Subject Property.
5. A trash removal plan shall be submitted annually along with the safety plan to the Zoning Administrator for approval, and kept on file.
6. Playground equipment shall be installed per manufacturer specifications, and for so long as it remains on the Subject Property, shall be maintained based upon the specifications. The playground equipment shall be located as shown in the location map provided by the applicant (attached).

**RESOLUTION**  
**Blue Ribbon Commission on Race, Memorials and Public Spaces**

**WHEREAS**, Council seeks to address questions that have been raised regarding race, memorials and public spaces in Charlottesville; and

**WHEREAS**, Council created the Human Rights Commission in 2013 to address issues of discrimination and carry on the work of the Dialogue on Race;

**NOW THEREFORE, BE IT RESOLVED**, that City Council does hereby authorize the creation of an ad hoc blue ribbon commission on race, memorials and public spaces and tasks the commission with the mission to provide Council with options for telling the full story of Charlottesville's history of race and for changing the City's narrative through our public spaces;

**BE IT FURTHER RESOLVED**, that the blue ribbon commission shall have nine members to be appointed by Council, including six at-large members and one representative each from the PLACE Design Task Force, Human Rights Commission, and Historic Resources Committee;

**BE IT FURTHER RESOLVED**, that the blue ribbon commission is charged with providing options to Council for specific ways in which our public spaces are used, or could be used, to address race, including, but not limited to:

- Relocating, or adding context to, existing Confederate statues;
- Augmenting the slave auction block at Court Square;
- Completing the Daughters of Zion cemetery;
- Providing a further narrative for the Vinegar Hill community in conjunction with the ongoing work of the African American Heritage Center;
- Highlighting and linking existing historic places, such as the Tonsler House and the Drewary Brown Memorial Bridge;
- Commissioning a new memorial or memorials to an African-American leader;
- Identifying naming opportunities;
- Identifying additional opportunities within the City to enhance a holistic reflection of our history;

**BE IT FURTHER RESOLVED**, that the blue ribbon commission is tasked with the following goals:

- 1) Amply engage with the Charlottesville/Albemarle community through public hearings, forums, etc.;
- 2) Evaluate and advise Council on the full range of options within the mission;
- 3) Coordinate with the City Attorney's office to provide full legal review of options;
- 4) Identify and communicate with other efforts underway relating to its mission\*;

\*including, but not limited to, the Governor's commission, African American Heritage Center, Historic Resources Committee, Human Rights Commission, Drewary Brown Committee, Daughters of Zion, UVA Commission on Slavery, UVA ad Hoc group on the monuments, PLACE, Board of Architectural Review, Parks and Recreation, and University and Community Action for Racial Equity (UCARE).

**BE IT FURTHER RESOLVED**, that Council shall appoint members to the blue ribbon commission who meet the following criteria:

- Commitment to the mission
- Open-mindedness
- Respected in their area of expertise or representation
- Principled and collegial
- Diverse and reflective of our community
- Strong affiliation with the Charlottesville/Albemarle area;

**BE IT FURTHER RESOLVED**, that Council charges the blue ribbon commission with providing a written report by no later than November 30, and after robust opportunities to gather public comment, which will advise on costs, revenue, sites and siting, and fundraising, related to the following:

- Recommend to Council how best to complement the previous and ongoing work of the groups identified above in telling the full story of Charlottesville's history of race and changing the City's narrative through our public spaces, either through a policy or a specific plan to implement the recommendations, and determine appropriate locations where memorials may be relocated, if applicable.
- Research, evaluate and advise Council on the full range of options regarding disposition of the two large Confederate monuments in Lee and Jackson Parks, including moving the memorials to a museum or historical site, changing their context to reflect current values, or adding new memorials:
  - Make a recommendation as to the course of action Council should take
  - Estimate the costs involved and any revenue that might be anticipated from such action
  - Develop a fundraising strategy for any relocation effort
- Specify any recommendations involving the erection of additional monuments, memorials or historical markers;

**BE IT FURTHER RESOLVED**, that Council will reserve \$10,000 from the Council Strategic Initiatives Fund for the operating costs of the blue ribbon commission, with expenditures approved by the City Manager and reported to Council at regular intervals.

Approved by Council  
May 2, 2016



Clerk of Council