

CITY COUNCIL AGENDA
Monday, May 20, 2019



5:00 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Boards & Commissions; Personnel; Legal advice)

6:30 p.m. **Regular Meeting - CALL TO ORDER**
Council Chamber

PLEDGE OF ALLEGIANCE
ROLL CALL
ANNOUNCEMENTS
PROCLAMATIONS

National Public Works Week 2019

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

- a. MINUTES: April 17, 2019 Special Meeting
- b. APPROPRIATION: Appropriation of funding for CPA-TV from The Ryal Thomas Show, LLC - \$4,247.50 (1st of 2 readings)
- c. APPROPRIATION: 2019-2020 Community Development Block Grant funding – \$395,052.82 (2nd of 2 readings)
- d. APPROPRIATION: 2019-2020 HOME Investment Partnership funding – \$120,382.75 (2nd of 2 readings)
- e. APPROPRIATION: Amendment to Community Development Block Grant Account – Reprogramming of Funds for FY 2019-2020 - \$1,900.82 (2nd of 2 readings)
- f. APPROPRIATION: Local Emergency Management Performance Grant (LEMPG) - \$7,500 (2nd of 2 readings)
- g. APPROPRIATION: Funding Requirements for SAP Integration for the FASTER Fleet Management Software - \$48,000 (2nd of 2 readings)
- h. APPROPRIATION: Virginia Housing Solutions Program Grant Award -\$16,500 (1st of 2 readings)
- i. ORDINANCE: Amend Conditions for Closing a Portion of the Coleman Street Right of Way (Unaccepted ROW) (2nd of 2 readings)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS Public comment is provided for up to 16 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 8 spaces, and pre-registered speakers are announced by noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

- 2. REPORT:** Youth Council presentation
- 3. APPROPRIATION:** Greenstone on 5th Corporation Sponsorship Agreement for Enhanced Police Coverage - \$41,092 (1st of 2 readings)
- 4. RESOLUTION*:** Design Build construction procurement procedures for the City (1st of 1 reading)
- 5. RESOLUTION*:** Revising A.B.R.T and Setting Funding Priorities (1st of 1 reading)
- 6. ORDINANCE:** Repeal of Charlottesville City Code Section 17-8 (1st of 2 readings)
- 7. REPORT:** Bike Month – accomplishments/status update on Bike/Ped Plan and TJPDC Bike/Ped Plan – written report only

OTHER BUSINESS
MATTERS BY THE PUBLIC
*ACTION NEEDED

**APPROPRIATION
 AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
 Reprogramming of Funds for FY 19-20**

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

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

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

Program Year	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
16-17	P-00001-05-18	Seedplanters	\$25.82		
17-18	P-00001-05-20	Community Investment Collaborative	\$1,875.00		
19-20		Priority Neighborhood		\$1,900.82	\$1,900.82
		TOTALS:	\$1,900.82	\$1,900.82	\$1,900.82

APPROPRIATION
2018 Local Emergency Management Performance Grant (LEMPG)
\$7,500

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

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

WHEREAS, the grant award covers the period from July 1, 2018 through June 30, 2019;

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

Revenue – \$7,500

\$7,500 Fund: 209 I/O: 1900319 G/L: 430120 State/Fed pass thru

Expenditures - \$7,500

\$7,500 Fund: 209 I/O: 1900319 G/L: 510010 Salaries

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

APPROPRIATION

**Appropriation of Information Technology Fund Balance for SAP Integration for the
FASTER Fleet Management Software**

\$48,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of up to \$48,000 in Information Technology fund balance, will be transferred to the Equipment Replacement Fund to be used as funding for SAP integration cost for the FASTER Fleet Management software implementation and shall be hereby appropriated in the following manner:

Revenues - \$48,000

Fund: 106 Cost Center: 1631001001 G/L Account: 498010

Expenditures - \$48,000

Fund: 106 Cost Center: 1631001001 G/L Account: 599999

BE IT ALSO RESOLVED that the fund balance transfer from the Information Technology fund is hereby appropriated in the following manner;

Expenditure - \$48,000

Fund: 705 Cost Center: 2111001000 G/L Account: 561106

**AN ORDINANCE
AMENDING AND REENACTING AN ORDINANCE PREVIOUSLY ADOPTED ON
AUGUST 6, 2018 FOR THE PURPOSE OF CLOSING, VACATING AND
DISCONTINUING AN UNACCEPTED PORTION OF COLEMAN STREET**

WHEREAS, Habitat for Humanity (“Landowner”), as the owner of certain land adjacent to Coleman Street, designated on 2018 City Real Estate Tax Map 49 as Parcels 112, 112.1 and 112.2, initiated a petition seeking to close a portion of the 50’ wide Coleman Street right-of-way adjoining its property (approximately 125 feet in length from its origin at the intersection of Coleman Street and Coleman Court), hereinafter “Subject Right of Way”; and,

WHEREAS, the Subject Right of Way was initially platted in 1941 as part of the Locust Grove Extension Subdivision, and was never accepted by the City as part of the City’s public street system; and

WHEREAS, there are existing utility lines located in the Subject Right of Way, including sanitary sewer and storm sewer, and there is an existing water line, the exact location of which is currently unknown; and

WHEREAS, following notice to the public pursuant to Virginia Code §15.2-2272, a public hearing by the City Council was held on July 16, 2018, and comments from City staff and the public were made and heard, and after consideration of the factors set forth within the City Street Closing Policy (2005), this City Council did, on August 6, 2018, adopt an Ordinance closing, vacating and discontinuing the Subject Right of Way, subject to certain conditions; and

WHEREAS, due to certain changed circumstances, including a variance granted by the City’s board of zoning appeals modifying building setback requirements for petitioner’s property, additional development prospects are possible for petitioner’s land, and petitioner has requested this City Council to amend and re-enact the Ordinance previously granted on August 6, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the City hereby closes, vacates and discontinues the Subject Right of Way, subject to the conditions listed below, described as follows:

That portion of Coleman Street, 50 feet wide and 125 feet in length,
adjacent to land identified as 2018 City Tax Parcel Identification numbers
490112000, 490112100, 490112200, 4900125000 and 490124000.

BE IT FURTHER ORDAINED that as a condition of City Council’s vacation of the Subject Right of Way, the owner of the land (“Landowner”) designated on 2018 City Real Estate Tax Map 49 as Parcels 112, 112.1 and 112.2, inclusive of the land area within the vacated portion of Coleman Street (in the aggregate, the “Land”) shall comply with the following:

- (A) Use or abandonment of existing utility lines--Landowner shall provide the City of Charlottesville with utility easements, as follows, as deemed necessary by the City’s Director of Utilities;
 - (i) To accommodate all existing water, sanitary sewer and storm sewer lines *in situ*, Landowner shall convey easements to the City of Charlottesville, no less than 20 feet in width (centered on the verified location of each of the existing lines) for the

operation, maintenance, repair or replacement of each of the existing lines;

- (ii) To tie new utility lines into existing water, sanitary sewer and storm sewer lines, Landowner shall convey easements to the City of Charlottesville no less than 20 feet in width, allowing the installation, operation, maintenance, repair or replacement of the new lines, and Landowner shall install the new lines within the easements; or
 - (iii) To abandon the existing water, sanitary sewer and storm sewer lines and replace them with new lines (in the same, or different location(s)) Landowner shall convey easements to the City of Charlottesville, no less than 20 feet in width, allowing the installation, operation, maintenance, repair, or replacement of new lines, and the Landowner shall install the new lines within the easements.
- (B) Submissions, approvals and costs:
- (i) Landowner, at its sole cost, shall be responsible for preparing site plans, utility plans and easement plats for the City's review and approval, prior to taking any action(s) referenced within Conditions (A)(i) – (iii), preceding above.
 - (ii) All easements required by condition (A) shall be conveyed to the City, and recorded in the land records of the Circuit Court for the City of Charlottesville, prior to issuance of any building permit authorizing a building or structure to be constructed on the Land.
 - (iii) The cost of abandoning and replacing existing lines and of installing any new lines, shall be at the sole cost of the owner of the Land if: (a) the existing utility lines must be relocated, or new lines must be installed, to accommodate construction of buildings on the Land, or (b) if the existing lines in their current state of repair, are insufficient to support the additional capacity added by tying new lines into existing water, sanitary sewer or storm lines or by connecting building(s) constructed on the Land.
 - (iv) Landowner shall not demolish or abandon any existing utility line, and Landowner shall not install any new line, until the City's Director of Utilities approves Landowner's proposed action(s). To obtain this approval, Landowner shall submit plans for its proposed action(s) to the City and the City's Director of Utilities determines that, based on the information within the plans, existing lines are in good condition and can handle the additional capacity of the development and that proposed new lines comply with City standards.

BE IT FURTHER ORDAINED that this Ordinance amends and re-enacts the Ordinance adopted by City Council on August 6, 2018, and that prior ordinance shall be of no further force or effect; and

BE IT FURTHER ORDAINED that, unless an appeal from Council's enactment of this ordinance is made to the Charlottesville Circuit Court within thirty (30) days of the date of adoption, the Clerk of the Council shall send a certified copy of this ordinance to the Clerk of the Circuit Court for recordation in the current street closing book.

CITY OF CHARLOTTESVILLE

SEE MAP 49 (CONT.)

SEE MAP 48

SE 49

SEE MAP 48

SEE MAP 48

SEE MAP 51

SEE MAP 50

SECTION 49

SCALE 1" = 100'



RESOLUTION
APPROVING PROCEDURES TO GOVERN THE COMPETITIVE PROCUREMENT OF
DESIGN-BUILD CONTRACTS

WHEREAS, the City of Charlottesville procures goods and services in accordance with the requirements of the Code of the City of Charlottesville, Chapter 22, as well as the Virginia Public Procurement Act (Code of Virginia, Title 2.2, Chapter 43); and

WHEREAS, the Code of Virginia also sets forth enabling legislation within §§2.2-4378 et seq., authorizing a local public body to procure and enter into contracts for construction on a design-build basis, when the public body has, by resolution, implemented procedures consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts; and

WHEREAS, the Charlottesville City Council desires to authorize the procurement and award of construction contracts by the City on a design-build basis, and has received procedures prepared by the Purchasing Manager, and the Purchasing Manager has represented that the proposed “City of Charlottesville Design Build (D/B) Procedures (5/1/2019)” contains provisions that are consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts and the City Attorney’s Office has likewise confirmed this consistency;

NOW, THEREFORE, be it resolved by the Council of the City of Charlottesville that it does hereby FIND that the City of Charlottesville Design Build (D/B) Procedures (5/1/2019) are consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts, and this Council hereby RESOLVES that the Charlottesville Design Build (D/B) Procedures (5/1/2019) are approved for implementation by the City administration for and in connection with the procurement and award of construction contracts. logistical assistance.