



**CITY COUNCIL AGENDA  
December 7, 2015**

**6:00 p.m.**

**Closed session as provided by Section 2.2-3712 of the Virginia Code**

*Second Floor Conference Room* (Discussion of candidates for appointment to City boards and commissions; acquisition of a permanent utility easement along McIntire Road; consultation with legal counsel regarding the negotiation of terms and conditions of an agreement for co-located City-County General District Courts; and consultation with legal counsel regarding specific legal matters involving rates for the Water Street Parking Garage.)

**7:00 p.m.**

**Regular Meeting**

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

*Council Chambers*

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

Virginia Recreation & Park Society Annual Awards; VSA Poetry Book

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. Speaker sign up opens at 6:30 p.m.

**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.)

- a. Minutes for November 16
- b. APPROPRIATION: Funding for Family Preservation Services – \$8,354 (2<sup>nd</sup> of 2 readings)
- c. APPROPRIATION: Grand Illumination Sponsorship – \$3,500 (1<sup>st</sup> of 2 readings)
- d. APPROPRIATION: Virginia Commission of the Arts Challenge Grant – \$5,000 (1<sup>st</sup> of 2 readings)
- e. APPROPRIATION: Funds from C.A.T.E.C. to the C.A.T.E.C. – I.T. Networking Academy Project – \$10,000 (1<sup>st</sup> of 2 readings)
- f. APPROPRIATION: Helen Williams Loan Payoff to the Charlottesville Affordable Housing Fund – \$13,528.80 (1<sup>st</sup> of 2 readings)
- g. APPROPRIATION: TAP Grant for Construction of 250 Bypass Trail – \$461,323 (1<sup>st</sup> of 2 readings)
- h. RESOLUTION: CACVB Agreement (1<sup>st</sup> of 1 reading)
- i. ORDINANCE: Conveyance by City of Portion of Rives Park Land (2<sup>nd</sup> of 2 readings)

**2. PUBLIC HEARING / APPROPRIATION\*** Year End Adjustments – FY2015 and General Fund Balance Transfer (1<sup>st</sup> of 2 readings)

**3. RESOLUTION\*** City Assessor Appointment (1<sup>st</sup> of 1 reading)

**4. ORDINANCE\*** Adding Veterans Day as a Legal City Holiday (1<sup>st</sup> of 2 readings)

**5. ORDINANCE\*** Alcohol Beverage Production Zoning Amendments (1<sup>st</sup> of 2 readings)

**6. REPORT** NLC Update from Councilor Szakos

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

## **GUIDELINES FOR PUBLIC COMMENT**

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**We welcome public comment;  
it is an important part of our meeting.**

**Time is reserved near the beginning and at the end of each regular City Council meeting for Matters by the Public.**

**Please follow these guidelines for public comment:**

- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- Each speaker has **3 minutes** to speak. Please give your name and address before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them.
- Please **refrain from using obscenities**.
- If you cannot follow these guidelines, you will be escorted from City Council Chambers and not permitted to reenter.

CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.



Agenda Date:	November 16, 2015
Action Required:	Approve Appropriation
Presenter:	Diane Kuknyo, Director, Department of Social Services
Staff Contacts:	Laura Morris, Chief of Administration, Department of Social Services
Title:	<b>Funding for Family Preservation Services - \$8,354</b>

**Background:**

The Charlottesville Department of Social Services has received \$8,354 in additional Federal and State funding to be used for Family Preservation Services.

**Discussion:**

Family Preservation Services are used to assist families whose children have been identified as being **at risk of out-of-home placement** unless immediate services are provided to preserve the family. The services provided are designed to help families alleviate crises; maintain the safety of children in their own homes; and assist families to obtain support to address their multiple needs in a culturally sensitive manner.

**Alignment with Council Vision Areas and Strategic Plan:**

Approval of this agenda item aligns with the City's Mission to provide services that promote an excellent quality of life for everyone in our community. It also contributes to **Goal 2:** Be a safe, equitable, thriving and beautiful community; and **objective 2.4:** Ensure families and individuals are safe and stable.

**Community Engagement:**

Department staff work directly with citizens to provide social services, protect vulnerable children and adults, and promote self sufficiency.

**Budgetary Impact:**

Funds have been received and will be appropriated into the Social Services Fund.

**Recommendation:**

Staff recommend approval and appropriation of these funds.

**Alternatives:**

Funds that are not appropriated will need to be returned to the Virginia Department of Social Services.

**Attachments:**

None

**APPROPRIATION.**  
**Funding for Family Preservation Services \$8,354.**

**WHEREAS**, The Charlottesville Department of Social Services has received additional Federal and State funding in the amount of \$8,354 to be used for Family Preservation Services;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$8,354 is hereby appropriated in the following manner:

**Revenue – \$8,354**

Fund: 212                      Cost Center: 3343004000                      G/L Account: 430080

**Expenditures - \$8,354**

Fund: 212                      Cost Center: 3343004000                      G/L Account: 540060

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**CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.**



<b>Agenda Date:</b>	December 7, 2016
<b>Action Required:</b>	Appropriation of Funds
<b>Presenter:</b>	Miriam Dickler, Director, Communication
<b>Staff Contacts:</b>	Miriam Dickler, Director, Communication Leslie Beauregard, Assistant City Manager
<b>Title:</b>	Grand Illumination Sponsorship - \$3,500

**Background:**

Beginning in 2015, the City of Charlottesville, specifically the Office of Communications, has taken over full responsibility for Grand Illumination. The Office has been coordinating the performances and actual tree lighting for a number of years. We have had some offers of monetary sponsorships to help offset the costs of this event.

**Discussion:**

U.V.A. Community Credit Union has committed \$3,500 to Grand Illumination to pay for new, energy-efficient L.E.D. lights for the tree as well as assisting with payment of the contract to light the tree itself. The event relies largely on community generosity, but some items unavoidably have costs attached. This money will go into a newly formed account specifically earmarked for Grand Illumination, should any money be carried over, it will remain in this dedicated account for use in the next year's event.

**Alignment with Council Vision Areas and Strategic Plan:**

Appropriation of this item aligns with the following objectives in the strategic plan; 5.2. Build collaborative partnerships; 5.3. Promote community engagement

**Community Engagement:**

No community engagement occurred with these donations.

**Budgetary Impact:**

There is no fiscal impact.

**Recommendation:**

Staff recommends the appropriation of these funds.

**Alternatives:**

N/A

**Attachments:**

N/A

**APPROPRIATION.**  
**Grand Illumination Sponsorship**  
**\$3,500.**

**WHEREAS**, the City of Charlottesville, through the Office of Communications, has received donations to sponsor and offset costs for Grand Illumination.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville funding is hereby appropriated in the following manner:

**Revenue**

\$3,500      Fund: 105      Internal Order: 2000130      G/L Account: 451020

**Expenditures**

\$3,500      Fund: 105      Internal Order: 2000130      G/L Account: 599999



**CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.**



<b>Agenda Date:</b>	December 7, 2015
<b>Action Required:</b>	Approval and appropriation
<b>Staff Contacts:</b>	Alexander Ikefuna, Neighborhood Development Services
<b>Presenter:</b>	Alexander Ikefuna, Neighborhood Development Services
<b>Title:</b>	<b>Virginia Commission of the Arts Challenge Grant - \$5,000</b>

**Background/Discussion:** The City has received a grant from the Virginia Commission of the Arts in the amount of \$5,000 to match City funding appropriated to arts organizations. These funds will be divided equally between the Piedmont Council of the Arts and the Virginia Discovery Museum.

**Community Engagement:** N/A

**Alignment with City Council Vision and Strategic Plan:** Approval of this item aligns directly with the City Council Vision for “Charlottesville Arts and Culture” by providing direct support to two arts organizations.

**Budgetary Impact:** Matching funds for these projects have already been approved and appropriated by City Council as part of the F.Y. 2016 Budget.

**Recommendation** Staff recommends approval and appropriation.

**Alternatives:** The alternative is to not accept this grant funding.

**Attachments:** N/A

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

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

**WHEREAS**, the grant award will be the Piedmont Council for the Arts for their activities during the F.Y. 2016 Fiscal Year;

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

**Revenues**

\$2,500      Fund: 209      Internal Order: 1900242      G/L Account: 430080

**Expenditures**

\$2,500      Fund: 209      Internal Order: 1900242      G/L Account: 540100

**Revenues**

\$2,500      Fund: 209      Internal Order: 1900243      G/L Account: 430080

**Expenditures**

\$2,500      Fund: 209      Internal Order: 1900243      G/L Account: 540100

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

**CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.**



Agenda Date:	December 7, 2015
Action Required:	Approve Appropriation of Funds
Presenter:	Mike Mollica, Division Manager, Facilities Development
Staff Contacts:	Mike Mollica, Division Manager, Facilities Development Ryan Davidson, Senior Budget & Management Analyst, Budget and Performance Management
Title:	<b>Appropriation of Funds from C.A.T.E.C. to the C.A.T.E.C. – I.T. Networking Academy Project - \$10,000</b>

**Background:** The City of Charlottesville has received a check from the Charlottesville Albemarle Technical Education Center (C.A.T.E.C.) in the amount of \$10,000 to be used for design services associated with proposed facility renovations to accommodate the upcoming C.A.T.E.C. I.T. Networking Academy.

**Discussion:** The City of Charlottesville Facilities Development Division is overseeing the C.A.T.E.C. – I.T. Networking Academy Project. It is anticipated that V.M.D.O. Architects will be contracted to begin the design phase of the project very soon. Facilities Development is currently negotiating the scope and consultant fee.

Facilities Development staff and the V.M.D.O. project architect will be working with Catherine Lee, Strategic Planning & Workforce Development Officer for C.A.T.E.C., to further refine the project scope.

Initial funding for this project is from the City’s Government Lump Sum account and the \$10,000 check from C.A.T.E.C. will replenish these funds.

**Alignment with Council Vision Areas and Strategic Plan:** This project supports City Council’s “Smart, Citizen-Focus Government” vision.

It contributes to Goal 4 of the Strategic Plan, to “be a well-managed and successful organization,” and objective 4.1, to “align resources with City’s strategic plan”.

**Community Engagement:** N/A

**Budgetary Impact:** The funds will be appropriated into the C.A.T.E.C. – I.T. Networking Academy Project Account in the Capital Improvement Program Fund (P-00881-09).

**Recommendation:** Staff recommends approval and appropriation of the funds.

**Alternatives:** N/A

**Attachments:** N/A

**APPROPRIATION.**

**Appropriation of Funds from C.A.T.E.C. to the C.A.T.E.C. – I.T. Networking Academy  
Project Account: \$10,000.**

**WHEREAS**, C.A.T.E.C. has made a contribution to the C.A.T.E.C. – I.T. Networking Academy Project in the amount of \$10,000 originating from C.A.T.E.C.'s Contingency Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$10,000 from C.A.T.E.C. is to be appropriated in the following manner:

**Revenues - \$10,000**

Fund: 426                      Funded Program: CP-016 (P-00881-09)                      G/L Account: 432900

**Expenditures - \$10,000**

Fund: 426                      Funded Program: CP-016 (P-00881-09)                      G/L Account: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	December 7, 2015
<b>Action Required:</b>	Approval of Appropriation
<b>Staff Contacts:</b>	Kathy McHugh, Housing Development Specialist
<b>Presenter:</b>	Kathy McHugh, Housing Development Specialist
<b>Title:</b>	<b>Appropriation of Funds - \$13,528.80 (Helen Williams Loan Payoff) to the Charlottesville Affordable Housing Fund (CP-084)</b>

**Background:**

The City has received funds that need to be appropriated into the Charlottesville Affordable Housing Fund. Specifically, Helen Williams, 758 Orangedale Avenue, received a substantial housing rehabilitation loan in 2008 through the Albemarle Housing Improvement Program (AHIP). Mrs. Williams died last year and her son sold the property; however, \$13,528.80 was still owed to the City under our deed of trust.

**Discussion:**

Funds from the Williams loan payoff need be appropriated to the Charlottesville Affordable Housing Fund (CP-084), effectively returning unused funds to their original source.

**Community Engagement:**

There has been no direct community engagement on this issue.

**Alignment with City Council Vision and Strategic Plan:**

Approval of this agenda item aligns indirectly with Council's vision for Charlottesville to provide *Quality Housing Opportunities for All* and Goal 1, Objective 1.3 of the Strategic Plan to *increase affordable housing options*.

**Budgetary Impact:**

The funds will be appropriated into the Charlottesville Affordable Housing Fund, which is a part of the City's Capital Improvement Program Fund.

**Recommendation**

Staff recommends approval of the appropriation.

**Alternatives:**

There is no viable alternative for appropriation of the funds received from the satisfaction of the Williams deed of trust, as these funds need to be returned to their original source (Charlottesville Affordable Housing Fund).

**Attachments:** N/A



**APPROPRIATION**  
**Charlottesville Affordable Housing Fund**  
**Helen William Deed of Trust Payoff**  
**\$13,528.80**

**WHEREAS**, the City of Charlottesville has received funding from the payoff received for the Helen Williams Deed of Trust (\$13,528.80); and

**WHEREAS**, funds should be paid into the Charlottesville Affordable Housing Fund; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$13,528.80 is appropriated as follows:

**Revenues**

\$13,528.80    Fund: 426                      Project: CP-084                      G/L Code: 451160

**Expenditures**

\$13,528.80    Fund: 426                      Project: CP-084                      G/L Code: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2015
Action Required:	Appropriation
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Leslie Beauregard, Director, Budget and Performance Management
<b>Title:</b>	<b>TAP Grant for Construction of 250 Bypass Trail – \$461,323</b>

**Background:**

The City of Charlottesville, through Parks and Recreation, has received an award from the Virginia Department of Transportation in the amount of \$375,058 to assist with efforts to construct a bicycle and pedestrian bridge over the railroad tracks at McIntire Park. The City will match this project in the amount of \$93,765, with (\$48,765) from the Trail Fund and (\$45,000) from the Bicycle/Pedestrian Fund for a total appropriation of \$468,823.

**Discussion:**

The City of Charlottesville has completed a bicycle, pedestrian and trail master plan that includes a bike/pedestrian commuter trail along the north side of the 250 bypass from Route 29 and Hydraulic Road to McIntire Road. The portion in western McIntire Park is nearly complete, the bridge over the railroad tracks is being built this year, and the portion from the railroad to the new interchange will be built within a year. The City applied for and has been awarded the funding to complete the section of trail between Hydraulic Road and Meadowbrook Heights/Dairy Bridge with this grant.

**Community Engagement:**

The bicycle, pedestrian and trail master plan was developed with multiple public meetings and was approved by council to be an addendum to the City Comprehensive Plan.

**Alignment with City Council's Vision and Priority Areas:**

Construction of this trail will further council goals of being a Connected City and a Green City by providing a critical bicycle and pedestrian trail portion of the developing greenway system, which will reduce dependence on automotive travel and associated pollution.

**Budgetary Impact:**

Grant award is for \$375,058, with a local match of \$48,765 from P-00673 the Trail fund and \$45,000 from P-00671 the Bike/Pedestrian fund for a total local match of \$93,765 (20%), which makes the total appropriation \$468,823.

**Recommendation:**

Staff recommends appropriation of grant funds.

**Alternatives:**

If grants funds are not appropriated, the Parks Department will need to find another source for the money, or make a CIP request through the general fund, and the project will be delayed by at least one year. Without assistance from this grant program, more local dollars will have to be expended in order to construct the trail, leaving less money for other improvements to the park.

**Attachments:**

Grant award letter from VDOT

**APPROPRIATION**

**MAP-21 Grant for Construction of McIntire Park Railroad Trail Bridge**  
\$468,823

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$367,558 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge over the railroad tracks at McIntire Park; and

**WHEREAS**, the City will match this grant in the amount of \$93,765 which will come from the Trail (PR-001) and Bike/Ped (P-00671) accounts.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$468,823 is hereby appropriated in the following manner:

**Revenue**

\$375,058      Fund: 426                      WBS: P-00891                      G/L Account: 430120

**Expenditures**

\$375,058      Fund: 426                      WBS: P-00891                      G/L Account: 599999

**Transfer From**

\$48,765      Fund: 426                      WBS: P-00207                      G/L Account: 599999

\$45,000      Fund: 426                      WBS - P-00671                      G/L Account: 599999

**Transfer To**

\$48,765      Fund: 426                      WBS: P-00673                      G/L Account: 599999

\$45,000      Fund: 426                      WBS P-00671                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$375,058 from the Virginia Department of Transportation.

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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



**Agenda Date:** December 7, 2015

**Action Required:** Approval of Resolution

**Presenter:** Chris Engel, Economic Development Director

**Staff Contacts:** Maurice Jones, City Manager  
Chris Engel, Economic Development Director

**Title:** **Establishment of a CACVB Review Committee**

**Background:** The Charlottesville Albemarle Convention and Visitors Bureau (CACVB) operates under an agreement between the City and the County to jointly operate a convention and visitor bureau. The current agreement has been in place since 2004. The agreement establishes a management board which consists of eleven seats including five permanent seats, one each for the City, the County, the Thomas Jefferson Foundation, the Chamber of Commerce and the University of Virginia; as well as six rotating seats for tourism industry representatives, with three appointed from the County and three appointed from the City. The full board meets six times per year and the executive committee meets an additional six times in advance of each board meeting. The CACVB prepares an annual return on investment report card and updates the City Council and Board of Supervisors as requested.

**Discussion:** The County Board of Supervisors passed a resolution at their November 11<sup>th</sup> meeting requesting the establishment of a review committee for the CACVB. It is envisioned that the review committee would meet at least twice annually for the purpose of analyzing the CACVB performance, providing feedback to the director, the management board and the governing bodies. The County has requested that the City Council consider action on this item. The resolution is attached.

**Alignment with City Council’s Vision and Priority Areas:** This agenda item aligns with the City Council vision related to economic sustainability.

**Citizen Engagement:** N/A

**Budgetary Impact:** The resolution has no budgetary impact.

**Recommendation:** N/A

**Alternative:** N/A.

**Attachments:** Copy of Resolution Regarding the Establishment of a Review Committee for the Charlottesville Albemarle Convention and Visitors Bureau



**Joint Resolution of Charlottesville City Council and the Albemarle County Board of Supervisors Regarding Establishment of a Review Committee for the Charlottesville Albemarle Convention and Visitors Bureau**

WHEREAS, generating revenue through Charlottesville's and Albemarle's abundant and unique tourism assets assists our economy and serves to lower the tax burden on our permanent residents, and

WHEREAS, the two jurisdictions together generated approximately \$5.8 million in transient occupancy taxes in FY 15 and also generated a combined total of approximately \$40.8 million in meals and sales tax, a very significant percentage of which is attributable to tourists, during that same period, and

WHEREAS, the Commonwealth of Virginia requires that a certain portion of County revenues collected from the Transient Occupancy Tax (TOT) be designated and spent solely for tourism and travel, including marketing of tourism that, as determined after consultation with the local tourism industry, attracts travelers to the County and generates tourism revenues to the County, and

WHEREAS, the City of Charlottesville and the County of Albemarle created the Charlottesville Albemarle Convention and Visitor's Bureau (CACVB) in 1979, with the last amended agreement in 2004, to provide that consultation and to use the designated revenues to enhance the economic prosperity of the City and County by promoting, selling and making the City of Charlottesville and County of Albemarle a destination for tourism and to promote their meetings and tourism markets, and

WHEREAS, the City and County desire to ensure these funds are managed effectively producing the desired results, and

WHEREAS, it would be beneficial to have the City and County leadership meet at least twice annually and no more frequently than quarterly to receive information and provide feedback as to CACVB performance,

Now, THEREFORE, BE IT RESOLVED, that the Charlottesville City Council and the Albemarle County Board of Supervisors hereby request that the City Manager and the County Executive establish a review committee, no later than December 8, 2015, to perform such review, analyze CACVB performance and provide feedback to the CACVB director, the CACVB Management Board, and to the respective governing bodies after each review committee meeting as to the efficiency and effectiveness of our jointly created and managed bureau. The elected boards will consider any potential changes needed resulting from the reviews.

Signed this day by the Mayor of the City of Charlottesville:

\_\_\_\_\_  
Mayor,

\_\_\_\_\_  
Date

Signed this day by the Chair of the Albemarle County Board of Supervisors

  
\_\_\_\_\_  
Chair,

11 - 12 - 15  
\_\_\_\_\_  
Date

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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



Agenda Date:	November 16, 2015
Action Required:	Ordinance
Presenter:	Chris Gensic, Planner, Parks and Recreation
Staff Contacts:	Brian Daly, Director, Parks and Recreation Chris Gensic, Planner, Parks and Recreation
<b>Title:</b>	<b>Rives Park Boundary Line Adjustment</b>

**Background:**

Rives Park has a small triangle of land jutting out in the southwest corner of the park that is a remnant from when the park was formed. The immediately adjacent neighbor has been mowing and managing this land for many years. When the park underwent a community master planning process for improvements to the park, (which are now complete) one of the major concerns of neighbors on this side was the hiding spot in the back corner and people cutting through their yards to access the park, especially after hours. Portions of the park improvements included actions to prevent this cut through traffic and reduce the hiding spot feeling in that corner of the park.

**Discussion:**

Staff has discussed this corner with the neighbor and determined that the small triangle of land has no real recreation or park value and the best course would be to adjust the park boundary to straight line and install a better fence to prevent cut through traffic. Staff believes it is fair to give the land to the neighbor at no cost since maintenance of this corner over time would cost more than the land is worth for park use. The neighbor has offered to pay for survey work so that the transfer is not costing the City any money. Given the recent acquisition of nearly 150 acres of parkland citywide (including new parklands in Belmont-Carlton), staff feels loss of this small back corner is consistent with the park plan and does not diminish the useful recreational space in the City or neighborhood. Council discussed this at the September 2014 meeting and deferred the item, instructing staff to work to arrange a possible path forward.

After further discussions between staff and the immediate property owner, Mr. Gaines Anderegg, an agreement has been reached whereby Mr. Anderegg will acquire this portion of the property for the sum of one thousand dollars (\$1,000). A copy of a letter from Mr. Anderegg to this effect is included as Attachment 1.

**Alignment with Council Vision Areas and Strategic Plan:**

This proposal supports our vision of Smart, Citizen Focused Government

**Community Engagement:**

This proposal advances the goal of the master plan for the park by allowing a logical park boundary to be created and enforced with a better fence.

**Budgetary Impact:**

There is no real budgetary impact, however Parks and Recreation will be relieved of any future maintenance and the land will become taxable, which will provide a moderate amount of savings and income over time.

**Recommendation:**

Staff recommends approval of this boundary adjustment.

**Alternatives:**

If the boundary is not adjusted, the fence line will not be straight and Parks and Recreation will be required to maintain this small portion of property which has been maintained for many years by Mr. Anderegg.

**Attachments:**

- Attachment 1 – Request from Mr. Anderegg
- Attachment 2 – Map of the Parcel in question
- Attachment 3 – Ordinance

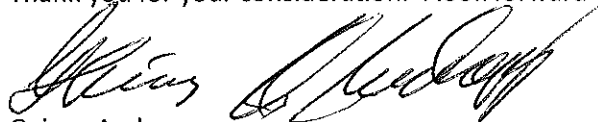
ATTACHMENT 1

November 4, 2015

To Whom this may concern,

I have been approached regarding purchasing a small plot of land that I have been maintaining for the past 30 years for the City of Charlottesville. This small plot is supposed to be part of Rives Park. In my opinion it was a mistake and should have been part of the property I purchased many years ago. I am willing to pay \$1,000 for the land, and I would continue to happily maintain it if it were to legally become part of my lot as I have assumed it was for so many years.

Thank you for your consideration. I look forward to hearing back from you.

  
Gaines Andereg

950 Rives Street

Charlottesville Va 22902

434-295-0717

ATTACHMENT 2



TMP 61-58

**ATTACHMENT 3**

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF  
A PORTION OF RIVES PARK  
TO GAINES ANDEREGG**

**WHEREAS**, the City of Charlottesville is the owner of land currently known as Rives Park on Rives Street in the City of Charlottesville; and

**WHEREAS**, Mr. Gaines Anderegg owns property adjacent to Rives Park, designated as Parcel 58 on City Real Estate Tax Map 61 (942 Rives Street) and wishes to acquire a small portion of the Rives Park land (1,663 square feet, hereinafter the “Property”) to combine with his land; and

**WHEREAS**, Mr. Anderegg has been maintaining the Property for many years, erroneously believing the Property was owned by him, and has agreed to provide at his expense a recordable plat for the conveyance of the Property; and

**WHEREAS**, the Director of Parks and Recreation fully supports the conveyance of the Property to Mr. Anderegg because the Property has no recreational or park value, and Maintenance by Parks staff would not be cost-efficient; and

**WHEREAS**, the Public Utilities, Engineering and Planning/Zoning staff have reviewed the request and have no objection to conveyance of the Property; and

**WHEREAS**, in accordance with Virginia Code Section 15.2-1800(B), a public hearing was held on September 15, 2014 to give the public an opportunity to comment on the proposed conveyance of City land as requested by Mr. Anderegg; now, therefore,

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia that the Mayor is authorized to execute a Deed, in form approved by the City Attorney, to convey said Property to Mr. Gaines Anderegg, shown on the attached drawing, being a total of approximately 1,663 square feet in area. The City Attorney is hereby authorized to take whatever steps are necessary to effect the closing of said property conveyance.

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# CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: December 7, 2015.

Action Required: Council Appropriations.

Presenter: Christopher Cullinan, Director of Finance.

Staff Contacts: Christopher Cullinan, Director of Finance.  
Leslie Beauregard, Assistant City Manager.

Title: Year End Adjustments- F.Y. 2015 and General Fund Balance Transfer.

## **Background:**

Annually after the financial records are audited the administration makes recommendations for appropriations and transfers to other funds depending on the funds available for appropriation after closing the fiscal year.

## **Discussion:**

The fiscal year 2015 actual revenues were \$1,962,858 over budget or 1.3% over the adopted budget. Significant revenue budget variances were as follows:

- **Meals Tax** was over budget by \$511,288. This revenue source continues to show strong growth and has averaged 6% growth since F.Y.10.
- **Real Estate Tax** was \$236,472 over budget due to assessed and/or new construction values that were higher than originally budgeted.
- **Personal Property Taxes** were \$397,684 over budget primarily due to overall growth being more than anticipated. There has been some increase in the total number of vehicles and new purchases.
- **Lodging Taxes** were \$247,069 over budget due to increasing occupancy rates.
- **Parking Garage Revenue** was over budget by \$270,153 budget primarily due high demand for monthly parking from a number of growing downtown businesses and continued growth in hourly parking.

The City of Charlottesville has a revenue forecasting team that consists of members from Budget, Finance, Treasurer, Commissioner of Revenue, and Economic Development. This team meets on a regular basis to review budget versus actual revenue during the year. The team also monitors and tracks trends to keep management informed as revenue forecasts change.

### **Expenditures.**

Expenditures were under budget by \$2,353,748 or 1.56% of the adopted budget. Significant budget savings were as follows:

- **Community Service Act Local Match** was under budget by \$441,013. Like last year, this was the result of fewer children in foster care and fewer foster care children in congregate care. Foster care prevention cases (sometimes known as family preservation) continue to climb, but services for a foster care prevention case is generally less expensive than a foster care case.
- **The Charlottesville Albemarle Joint Security Complex** was \$489,865 under budget. The cost share agreement is based on population figures for both Charlottesville and Albemarle County. The county saw a significant increase in its population for FY15 which caused a drop in the City's cost share amount.
- **Commonwealth Attorney** was under budget by \$293,089 due to position vacancies.
- **Parks and Recreation** was under budget by \$358,478 due a variety of factors. Full-time salary and benefit savings were realized in the Aquatics and Parks Maintenance cost centers due to a number of position vacancies throughout the year. Temporary salary savings were realized in the Aquatics cost center due to improved scheduling control of staff at the aquatic facilities. There was also a significant savings in the utility costs in aquatics throughout the system throughout the fiscal year.
- **Departmental Budget Savings.** City departments continue to do a very good job of monitoring their budgets which resulted in expenditures less than budget. Savings resulted from vacancies, efficiencies and staff's constant due diligence with city tax dollars. We will be asking City Council to use some of these savings to fund items listed on the resolution and detailed in the attached memo.

### **Resolution/Carryover Request.**

The resolution recommends that \$2,034,066 be approved and carried over in the Fiscal Year 2015 budget.

Attached is Exhibit I which provides a summary of appropriations requested. There is a balance of \$2,282,540 after the recommendations, which the City Manager recommends be placed in the Capital Improvement Program Fund for future programming.

### **Community Engagement.**

A public hearing will be held to discuss these year-end results and accompanying appropriation of carryover funds.

### **Budgetary Impact.**

Policy Recommendation for Fund Balance Excess

- The remaining \$2,282,540 is recommended to be transferred to the Capital Improvement Fund contingency for future capital needs.

This recommendation is in accordance with our financial policy and allows the City to contribute more towards a “pay as you go” (CASH) CIP versus issuing bonds. This is something the bond rating agencies track closely and consider a good financial management practice. Exhibit I also contains a summary of revenues and expenses to budget for F.Y. 10 to F.Y. 14.

### **Alignment with Council Vision Areas and Strategic Plan:**

This resolution serves to close-out and summarize the financial results of fiscal year 2015 and as such aligns with Goal 4 of the Strategic Plan to Be a well-managed and successful organization.

### **Recommendation.**

The staff recommends that Council approve the attached resolution.

### **Alternatives.**

Amend the Recommendations.

### **Attachments.**

1. Memo- End of Year Adjustments/Exhibit I.
2. FY 2015 Year End Appropriation.

**City of Charlottesville.  
MEMO.**



**To:** Members of City Council.  
**From:** Christopher Cullinan, Director of Finance.  
Leslie Beauregard, Assistant City Manager.  
**Date:** December 7, 2015.  
**Subject:** **F.Y. 2015 End of Year Adjustments.**

In order to close the City's financial records for F.Y. 15 and to finalize the City's annual financial report, we would like to request that Council approve the attached resolution to adjust certain accounts. This is a normal procedure that takes place each year.

Provided below is a brief description of the items contained in the various sections of the appropriation:

- Section I - General Fund.
- Section II - Capital Projects Fund.
- Section III - Facilities Repair Fund.
- Section IV - Grants Funds.
- Section V - Social Services Fund.
- Section VI – School Gainsharing.

Included are names of the department or program, the amount of the adjustment and a brief discussion of the reason(s) for the appropriation.

**I. General Fund.**

(a) Departmental Appropriations – Section 1 (a).

The following appropriations are requests for carryovers of unspent funds and new requests not previously appropriated.

- Public Works – Refuse - \$15,000.  
These funds will be used to continue funding a composting program for the City Market. For the 2015 City Market season, the City secured a one-time \$9,000 grant from the EPA for a pilot composting program. The program was a success and these funds will allow the program to continue for the 2016 season and expand to include a mid-week drop-off location for residents.

- City Attorney - \$5,000.  
These unspent funds will be used as a one-time expenditure to scan and archive City Attorney files from the 1980's.
- Juvenile and Domestic Relations Court - \$7,000.  
There are now four judges assigned to this District. The court building was recently renovated to add an office for the fourth judge. These funds will be used to fund the one-time and necessary furniture and office equipment which was not provided for in the renovations. The total cost for the furniture and equipment is \$14,000 and will be funded by 50/50 cost share agreement with Albemarle County.
- Neighborhood Development Services - \$21,000.  
These unspent funds will be used as a one-time expenditure to replace and upgrade the survey equipment used by the survey personnel. The equipment being requested will replace existing equipment that is no longer operable and needs to be replaced.
- Compensation Study - \$40,000.  
These unspent funds will be used to review the compensation plan and its alignment with the City's organizational goals and objectives. The funds were originally budgeted in FY15 but the study is being completed in FY16.
- Employee Benefits – Contribution to the Retirement Fund - \$1,000,000.  
These funds will be used to fund the 1% COLA (half of what was given to active employees) granted to retired employees on July 1, 2015 which created an additional liability of \$700,000. This contribution will increase the funded status of the retirement fund. \$300,000 will be used to as a one-time revenue to offset FY17 cost increases resulting from the adoption of new plan assumptions and funding strategies that were recommended as part of the plan's five year experience study.
- Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals (SPCA) - \$980.  
The City has received State assistance in the amount of \$980 from the Department of Motor Vehicles for sales of license plates bought to support spay and neutering of pets. These

funds are appropriated to the local agency that performs the local spay and neutering program, which in this case is the Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals (SPCA).

- Real Estate Assessor - \$5,000.  
These funds will be used on a one-time basis by the new assessor to replace and update office furniture, computers and equipment.
- Parks and Recreation – City Market - \$18,500.  
These funds were received as fees from City Market vendors. Previously Council passed a resolution to move any excess fees to a capital account that was to be used to help fund the market relocation. City Market uses the capital account to pay the current lease on the parking lot for the current market location and it is not in the current operational budget for FY16. Instead of moving these funds to the capital account, these funds will be kept in the operational fund and used to pay the lease.
- Circuit Court - \$12,500.  
These funds will be used on a one-time basis to purchase a scanner that will allow for the scanning of large documents. They currently do not have a large document scanner. Customers are required to reduce their plats (the typical large document) to 8.5x14. At that reduction, details are lost.
- Circuit Court – Judge - \$1,975.  
These funds will be used to replace computer equipment used by the court reporter. The existing equipment is outdated and will no longer operate as required.
- Public Works - Traffic - \$85,800.  
There are seventy-four signalized intersections in the City forty-nine have already been equipped with battery backup systems. These funds will be used on a one-time basis to install battery backups for traffic signals at eleven intersections. These eleven intersections have been identified as a priority of the 25 remaining intersections that currently do not have battery backups.
- Thomas Jefferson Health Department - \$3,073.

The State has allocated additional funds to the Health Department and these funds represent the City's match for the additional allocation.

- The First Tee Closeout (TFT) - \$13,102.  
These funds were received as donations for The First Tee program. In keeping with the wishes of the donors, these funds will be transferred to the new local First Tee Chapter.

(b) Additional Transfers and Appropriations – Section 1 (b).

The following appropriations are requests for transfers from the General Fund to other funds.

- Transfer to Social Services Fund – \$22,760.  
These funds were transferred to the Social Services fund in F.Y. 15 due to the City contribution not being sufficient (\$1,975) and also to purchase locking file cabinets to replace file cabinets without locks that have been cited by the Virginia Department of Social Services as not being in compliance with IRS regulations. (\$20,800).
- Transfer to Grants - \$1,278.  
These unspent funds will be used to provide the City's funding match for a Department of Criminal Justice grant received by the Police Department. The match was originally budgeted in FY15 but not all the expenses were incurred before the close of the fiscal year.
- Transfer to Transit - \$109,598.  
\$29,598 of these funds were received as proceeds from a sale of buses originally purchased with Federal Transit Administration (FTA) funds. FTA instructs that if these funds are to be kept, they must be spent on similar items. Transit will use these funds to help supplement funding for future bus purchases. \$30,000 will be used to replace biofilters which were installed during the construction of the Avon Street Facility that were not installed properly in 2010. An environmental site visit brought these problems to CAT's attention with a directive to have them resolved in a timely manner. \$50,000 will be used to make

improvements to the pedestrian crossing on Water Street at the Downtown Station.

- Transfer to McIntire Softball Field Light Replacement Project - \$375,000  
These funds will be used to replace the softball field lighting at McIntire Park.
- Transfer to Wayfinding Sign Replacement Project - \$77,000  
These funds will be used to remove and replace eleven entrance corridor signs.
- Transfer to Police Mobile Data Computer Replacement Project - \$215,000  
The Emergency Communications Center is currently upgrading the Computer Aided Dispatch system, and due to different technical requirements of the new system, 43 of the older in-car Police Mobile Data Computers will need to be replaced. These funds will cover the replacement of those units.
- Transfer to Golf Course - \$6,460  
These funds will be used to help offset the negative fund balance in the City's Golf Fund.
- Transfer to Capital Projects Fund - \$2,282,540.  
These funds will be transferred to the C.I.P. Contingency fund per the City's financial policy.

## **II. Capital Projects Fund - \$1,079,782.**

- The sum of \$375,000 received as a transfer from the General Fund shall be appropriated into the McIntire Softball Field Lighting Replacement Project P-00892.
- The sum of \$77,000 received as a transfer from the General Fund shall be appropriated into the Wayfinding project account P-00130.
- The sum of \$100,000 received from the schools as F.Y.15 gainsharing funds be appropriated to the Schools Lump Sum project account (SH-016, P-00882)
- The sum of \$312,782 represents the amount received from the sale of land at Cherry Avenue and Ridge Street. In keeping with the Land Purchase and Sale Agreement for this property, these proceeds will be appropriated to the CIP Contingency account (CP-080) to be used later to either fund affordable housing in the Fifeville Neighborhood,



another affordable housing fund designated by the City or for improvements to Tonsler Park.

- The sum of \$215,000 received as a transfer from the General Fund shall be appropriated into the Police Mobile Data Computer Replacement Project account (P-00236).

### **III. Facilities Repair Fund - \$299,211.**

- Courthouse Maintenance (P-00099) - \$258,183 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$41,028 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

### **IV. Grants Fund - \$8,136**

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$8,136 – these funds will be used for additional qualifying State Fire Grant expenditures.

### **V. Social Services Fund - \$21,117**

The sum of \$317 represents unspent funds received as a donation from Martha Jefferson Hospital to fund the rental of ten Personal Emergency Response Systems (P.E.R.S.) for qualified residents of Public Housing in the Crescent Halls or Westhaven communities. Martha Jefferson Hospital has given permission for these remaining funds to be used to extend the program. Unless further altered by Council, this appropriation shall not expire. The sum of \$20,800 will be used to replace filing cabinets that have been cited by the Virginia Department of Social Services as not be compliant with IRS regulations.

### **VI. Schools Gainsharing - \$100,000**

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and

the City. For the year ending June 30, 2015, the Schools had an operating surplus of \$170,552. According to the formula, the City School will retain \$70,552 and \$100,000 will be contributed to the City's School Lump Sum Project Fund.

Cc: Craig Brown, City Attorney.

# FY 2015 Year End Appropriation

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the actions hereinafter set forth are herein authorized with respect to the accounts of the City listed herein, for the fiscal year ended June 30, 2015. The memo to Council dated December 7, 2015 is hereby made part of this appropriation.

## I. General Fund (105).

(a) Departmental Appropriations.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year:

2461001000. Public Works - Refuse.	\$ 15,000.
1701001000. City Attorney.	\$ 5,000.
1301001000. Juvenile and Domestic Relations Court	\$ 7,000.
3901001000. Neighborhood Development Services.	\$ 21,000.
2213001000. Compensation Study.	\$ 40,000.
9713006000. Charlottesville-Albemarle SPCA.	\$ 980.
2041001000. Real Estate Assessor.	\$ 5,000.
2213001000. Employee Benefits.	\$ 1,000,000.
3691001000. Parks & Recreation - City Market.	\$ 18,500.
1101001000. Circuit Court	\$ 12,500.
1101001000. Circuit Court - Judge.	\$ 1,975
2471001000. Public Works – Traffic..	\$ 85,800.
9733001000. Thomas Jefferson Health Department.	\$ 3,073.
3711001000. The First Tee.	\$ 13,102.
Total Section 1 (a).	<u>\$ 1,226,955.</u>

(b) Additional Transfers and Appropriations.

9803030000. Transfer to Social Services.	\$ 22,760.
9803030000. Transfer to Grants.	\$ 1,278.
9803030000. Transfer to Transit.	\$ 109,598.
9803030000. Transfer to McIntire Softball Light Project.	\$ 375,000
9803030000. Transfer to Wayfinding Project	\$ 77,000
9803030000. Transfer to Police Mobile Data Computer Project	\$ 215,000
9803030000. Transfer to Golf Course	\$ 6,460.
9803030000. Transfer to Capital Projects Fund.	\$ 2,282,540.
Total Section 1 (b).	<u>\$ 3,089,636.</u>

## II. Capital Projects Fund (426).

- The sum of \$375,000 received as a transfer from the General Fund shall be appropriated into the McIntire Softball Field Lighting Replacement Project P-00892.
- The sum of \$77,000 received as a transfer from the General Fund shall be appropriated into the Wayfinding project account P-00130.

- The sum of \$100,000 received from the schools as F.Y.15 gainsharing funds be appropriated to the Schools Lump Sum project account (SH-016, P-00882)
- The sum of \$312,782 represents the amount received from the sale of land at Cherry Avenue and Ridge Street. In keeping with the Land Purchase and Sale Agreement for this property, these proceeds will be appropriated to the CIP Contingency account (CP-080) to be used later to either fund affordable housing in the Fifeville Neighborhood, another affordable housing fund designated by the City or for improvements to Tonsler Park.
- The sum of \$215,000 received as a transfer from the General Fund shall be appropriated into the Police Mobile Data Computer Replacement Project account (P-00236).

**III. Facilities Repair Fund (107).**

- Courthouse Maintenance (P-00099) - \$258,183 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$41,028 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

**IV. Grants Fund (209).**

The sum of \$8,136 shall be appropriated for the following grant programs in fund 209:

190010.	State Fire Grant	.	\$8,136.
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**V. Social Services Fund (212).**

The sum of \$317 represents unspent funds received as a donation from Martha Jefferson Hospital to fund the rental of ten Personal Emergency Response Systems (P.E.R.S.) for qualified residents of Public Housing in the Crescent Halls or Westhaven communities. Martha Jefferson Hospital has given permission for these remaining funds to be used to extend the program. Unless further altered by Council, this appropriation shall not expire. The sum of \$20,800 will be used to replace filing cabinets that have been cited by the Virginia Department of Social Services as not be compliant with IRS regulations.

## **VI. Schools Gainsharing –**

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and the City. For the year ending June 30, 2015, the Schools had an operating surplus of \$170,552. According to the formula, the City School will retain \$70,552 and \$100,000 will be contributed to the City's School Lump Sum Project Fund.

**Exhibit 1**

**Fiscal year End 2015**

Revenue over Budget	1,962,858
Expenditures under Budget	<u>2,353,748</u>
Balance under Budget	<b>4,316,606</b>

**RECOMMENDED APPROPRIATIONS**

PW - City Market Composing Program	15,000
City Attorney - Scanning Services	5,000
JDR - Furniture and Equipment for new Judge	7,000
NDS - survey equipment	21,000
Compensation Study	40,000
Transfer to Grants - PD DCJS grant match	1,278
Retiree COLA	1,000,000
Transfer to Transit - proceeds from sale of federal assets	29,598
SPCA - friendly plates	980
Assessor - furniture	5,000
City Market - lot lease funds to operating budget	18,500
Transfer to Transit - Biofilter	30,000
Transfer to Transit - Pedestrian Crossing Water Street	50,000
Transfer to Golf Fund - TFT closeout	4,160
Transfer to Golf Fund - FY15 deficit coverage	2,300
Circuit Court - large document scanner	12,500
Transfer to CIP - McIntire Softball Field Light Replacement	375,000
Transfer to CIP - Wayfinding Sign Replacement	77,000
Transfer to CIP - signal battery backups	85,800
Health Department - local match to increased State allocation	3,073
TFT - account closeout, funds to transferred to new TFT chapter	13,102
Transfer to Social Services - file cabinet replacement	20,800
Circuit Court - Court Reporter Computer Upgrade	1,975
Transfer to CIP - Police Mobile Data Computers	215,000
	(2,034,066)

**Surplus Fiscal Year End 2015** **\$ 2,282,540**

**Transfer to CIP** **\$ (2,282,540)**

Remaining Surplus 0.00

**Summary of Prior Year Results**

	<u>Revenue</u>		<u>Expenses</u>		<u>Balance Under Budget</u>
Year ended June 30, 2014	\$ 1,566,171	\$	1,419,986	\$	2,986,157
Year ended June 30, 2013	691,027		2,506,046		3,197,073
Year ended June 30, 2012	891,240		2,903,832		3,795,072
Year ended June 30, 2011	1,155,727		4,038,399		5,194,126
Year ended June 30, 2010	(1,215,660)		4,829,993		3,614,333

# CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



**Agenda Date:** December 7, 2015

**Action Required:** Appointment

**Presenter:** Maurice Jones, City Manager

**Staff Contacts:** Maurice Jones, City Manager  
Chris Cullinan, Director of Finance

**Title:** **Appointment of the City Assessor**

## **Background:**

The City Assessor's Office is responsible for the valuation of all real property within the City limits. In addition to determining the value of land and buildings, the office maintains hard copy history files of all parcels in the City, as well as computerized current information specific to each parcel. This information includes ownership history, deed and plat references, , and specific improvement or building information. The office also provides tax maps, which show the location of each parcel in the City and produce the certified land ownership books filed with the Virginia Department of Taxation and used by several City Departments. The information generated and maintained is widely used by Realtors, attorneys, title search personnel, prospective homebuyers, sellers, surveyors, and private appraisers, both local and out-of-town/state. Public computers are available in the office for individuals wanting to do in-person research.

The City Assessor is an integral member of the City's financial management team:

- Manages and controls the assessment of real estate for taxation in accordance with the applicable state laws.
- Appraises for taxation, at its fair market value, on an annual basis all real estate, in the city not exempted from taxation by the Constitution of Virginia and not assessable for taxation by the state corporation commission, which shall include all land, buildings, structures and improvements.
- Completes the annual assessment by December thirty-first of the year in which such assessments are made.
- Prepares a landbook in such form as may be adopted, showing such assessments in the manner provided by the applicable state laws, which shall constitute the land book. Sufficient copies of such book shall be prepared to comply with the statutes relating to land books.

- Notifies, by mail, each property owner, whenever there is a reassessment of real estate, or a change in the assessed value of any real estate as shown by the land books of the city.
- Oversees the administrative appeals process prescribed by City Code including the Board of Equalization.
- Supervises the Assessor's Office staff and is responsible for training and performance management.
- Regularly review operations and administration of the Assessor's Office for opportunities for continuous improvement, improved results, and/or enhanced customer service/experience.
- Prepares the Assessor's Office annual budget and expenditure control.
- Performs all other duties required by law to be performed and such other duties as prescribed by the City's Director of Finance.

**Discussion:**

Roosevelt Barbour retired June 30, 2015 after serving the City for thirty eight years, the last twelve as City Assessor.

In July, the Director of Finance, in consultation with the City Manager, commenced the search for Mr. Barbour's replacement. Mr. Cullinan proceeded to conduct a series of interviews with internal and external stakeholders. Leaders in the Charlottesville real estate community were asked for their input on the knowledge, skills, and insights the ideal candidate for the City Assessor should possess. Input was also sought on the relationship of the Assessor's Office to the real estate community and what some of the emerging trends are either locally or within the real estate industry that the Assessor should be aware of and be proactively positioning to respond to in the future. Mr. Cullinan also sought input from representatives from several City departments who work with the Assessor's Office on a regular basis. These departments included the Office of Economic Development, Commissioner of the Revenue, and City Treasurer's Office. These insights were incorporated into the job description and interview questions.

After receiving 20 applications for the position, five candidates were invited for in-person interviews with a panel comprised of the Director of Finance, Commissioner of the Revenue, City Treasurer, the Economic Development Director, and a staff member from the Assessor's Office. Each candidate also met with the City Manager.

The in-person interviews were followed by reference checks which resulted in the finalist for the City Assessor's position, Mr. Jeffrey Davis. Mr. Davis is currently employed in the Assessor's Office and has been serving as the Acting City Assessor since Mr. Barbour's retirement. Mr. Davis has been with the City for the past three years as a commercial appraiser. Prior to joining the City, Mr. Davis worked for the Albemarle County Assessor's Office for 32 years in a variety of capacities; most recently as Assistant Assessor. Mr. Davis is a licensed Certified General Real Estate Appraiser and has served on a number of committees within the Virginia Association of Assessing Officers (VAAO).

A copy of Mr. Davis's resume is attached.



The City Council is responsible for the appointment of the City Assessor as outlined in the code section provided below.

**Sec. 30-62. – Assessor of real estate generally—Office created; appointment; term of office; qualifications.**

For the purpose of assessing real estate for annual taxation, the office of assessor of real estate is hereby created, and made a division within the city department of finance. The assessor shall be appointed by the city council, and shall serve at the pleasure of the council. The assessor shall be chosen on the basis of knowledge of and experience in real estate appraisal practices and procedures and administrative ability.

(Code 1976, § 10-7; 8-4-03)

**Alignment With the City Council Vision:**

**Smart, Citizen-Focused Government**

*The delivery of quality services is at the heart of Charlottesville’s social compact with its citizens. Charlottesville’s approach to customer service ensures that we have safe neighborhoods, strong schools, and a clean environment. We continually work to employ the optimal means of delivering services, and our decisions are informed at every stage by effective communication and active citizen involvement. Citizens feel listened to and are easily able to find an appropriate forum to respectfully express their concerns.*

**Budgetary Impact:**

The proposed salary for the new Assessor is \$96,000, which is slightly less than the salary of the previous Assessor. The position of City Assessor is in the FY 2016 general fund budget so the appointment will not have a significant impact on the budget.

**Recommendation:**

The City Manager recommends the appointment of Mr. Davis as the new City Assessor.

**Alternatives:**

The Council could choose not to make the appointment and ask the City Manager and Director of Finance to initiate a new search.

**Attachments:**

Mr. Davis’s Resume

# Jeffrey S. Davis

115 Turtle Creek Road, #3, Charlottesville, VA 22901

Phone: (434) 825-7495 E-Mail: davisjs@charlottesville

## Personal Statement

I believe that accurately valuing property benefits both the taxpayer and the locality. As the City Assessor, I intend to ensure fair and equitable property assessments by managing a staff of professional appraisers and communicating property values to the community.

## Experience

- |   |                       |
|---|-----------------------|
| <b>Commercial Appraiser</b>   | <b>2012 - present</b> |
| <ul style="list-style-type: none"><li>Assess commercial and industrial properties within the city of Charlottesville</li><li>Defend property appraisals to tax payers and the board of equalization</li></ul>   |                       |
| <b>Assistant Assessor/Commercial Appraiser</b>  | <b>2010 - 2012</b>    |
| <ul style="list-style-type: none"><li>Supervised appraisal staff – develop work assignments, ensure accurate and timely completion of appraisals, and completed employee performance evaluations</li><li>Assessed commercial, industrial and high-value residential properties In Albemarle County</li><li>Managed the office in the Assessor’s absence</li></ul> |                       |
| <b>Review Appraiser</b>   | <b>2007 - 2010</b>    |
| <ul style="list-style-type: none"><li>Supervised appraisal staff</li><li>Assessed commercial, industrial and high-value residential properties</li><li>Compiled budget projection data</li></ul>  |                       |
| <b>Appraiser/Senior Appraiser</b>   | <b>1979 - 2007</b>    |
| <ul style="list-style-type: none"><li>Assessed residential properties for real estate taxation in Albemarle County</li><li>Ensure land use compliance</li><li>Defend property appraisals in circuit court, to tax payers and before the board of equalization</li></ul>   |                       |

## Professional Activities

### Instruction

- |  |           |
|--|-----------|
| Speaker, Realtors Resource Center, Charlottesville   | 2011      |
| Speaker, Ukrainian Delegation, Real Estate Appraisal | 1996-1997 |
| Speaker, VAAO Seminar, Land Use Taxation             | 1981-1982 |

### Boards

- |   |                         |
|---|-------------------------|
| VAAO, Board of Directors                            | 2006-2008, 2011-2012    |
| Huntwood Homeowners Association, Board of Directors | 1998-2002, 2007-present |

### Committees

- |                        |                                 |
|------------------------|---------------------------------|
| Education Committee    | 1999-2001, 2006-2008, 2010-2014 |
| Co-Chair               | 2013                            |
| Manual Committee       | 2003-2005, 2008-2009            |
| Audit Committee        | 1996                            |
| Arrangements Committee | 1989, 1993                      |

## Education

- |  |             |
|--|-------------|
| <b>Certified General Real Estate Appraiser</b>   | <b>2004</b> |
| Licensed by the Real Estate Appraiser Board to value all real property in the Commonwealth of Virginia |             |
| <b>Albemarle High School</b>   | <b>1974</b> |

## Skills

Comparative property analysis. Statistical analysis of property characteristics. Understand real property market dynamics. Follow real estate trends. Detail-oriented. Strong interpersonal skills.

**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2015
Action Required:	Yes
Presenter:	Maurice Jones, City Manager
Staff Contacts:	Maurice Jones, City Manager
<b>Title:</b>	<b>Adding Veterans Day as a Legal City Holiday</b>

**Background:**

In March of this year, the City Council voted to end the City’s observance of the Lee-Jackson Day Holiday. At the time the Council expressed an interest in adding a holiday to replace Lee-Jackson Day. Veterans Day was discussed as a possibility.

Veterans Day, formerly known as Armistice Day, was originally established as a legal holiday to honor the end of World War I, which officially took place on November 11, 1918. In 1954, encouraged by veterans’ organizations, the 83rd U.S. Congress amended the Act of 1938 to replace “Armistice” with “Veterans”, thus acknowledging all veterans.

**Discussion:**

The City surveyed City employees to gather their thoughts on what holiday should be considered. 526 votes were cast, and Veterans Day was the top choice at 43%. In addition to the federal government, Veterans Day is observed as a holiday by the Commonwealth of Virginia, the counties of Fairfax, Buckingham, Greene, Louisa, Madison, Nelson and Orange; and the cities of Virginia Beach, Harrisonburg, Norfolk, Portsmouth, Chesapeake and Suffolk. The inclusion of Veterans Day as a legal holiday would continue to demonstrate the City’s commitment to honoring the men and women who have served our community and country in the armed forces.

**Citizen Engagement:**

During the discussion and public hearings on ending the observance of Lee-Jackson Day, a number of citizens encouraged the Council to consider Veterans Day as a replacement holiday. However, the City has not held a public hearing specifically on adding Veterans Day.

**Recommendation:**

Staff recommends adding November 11<sup>th</sup>, Veterans Day, to its list of City holidays.

**Budgetary Impact:**

The budgetary impact would be roughly \$12,000 to fund the holiday pay for regular part time and full time employees who are scheduled to work on Veterans Day. This would, in essence, replace the funding previously allocated for Lee-Jackson Day.

**Alternatives:**

The City Council could decide to add a different holiday to the calendar or not add a holiday at all.

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 2-6 OF THE CODE  
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
TO ADD VETERANS DAY AS A LEGAL HOLIDAY**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 2-6 of Article I (In General) of Chapter 2 (Administration) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**Sec. 2-6. - Legal holidays.**

In each year, the first day of January (New Year's Day), the third Monday in January (Martin Luther King, Jr. Day), the third Monday in February (George Washington Day), the thirteenth day of April (Jefferson's Birthday), the last Monday in May (Memorial Day), the fourth day of July (Independence Day), the first Monday in September (Labor Day), **the eleventh day of November (Veterans Day)**, the fourth Thursday in November (Thanksgiving Day), the Friday after the fourth Thursday in November, the twenty-fifth day of December (Christmas Day) or, whenever any of such days shall fall on Saturday, the preceding Friday shall be a legal holiday, and whenever such days shall fall on Sunday, the Monday next following such day shall be a legal holiday.

(Code 1976, § 2-1; Ord. of 11-20-00; 3-2-15)

**State Law reference**— Legal holidays, Code of Virginia, § 2.1-21.

**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**

Agenda Date: December 7, 2015

Action Required: Ordinance Adoption

Presenter: Brian Haluska, Principal Planner, Neighborhood Development Services

Staff Contacts: Brian Haluska, Principal Planner, Neighborhood Development Services

<b>Title:</b> Alcoholic Beverage Production Zoning Amendments
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**Background:**

At their October 19, 2015 meeting, the City Council approved an initiation of a zoning text amendment related to the definition of microbreweries in the City of Charlottesville. The memo on the matter referred to a City-based brewery that raised concerns about the City’s limitation on the amount of beer a brewery can produce under the microbrewery definition. Currently, a brewery operation that exceeds 15,000 barrels of production a year is classified as a beverage bottling facility, and can only be located in industrial zones.

Additionally, staff raised a concern about the consistency with a microbrewery definition that permits the production of beer within several mixed-use zones, but does not permit small scale winery or distillery operations.

**Discussion:**

The Planning Commission held a joint public hearing at their November 10, 2015 meeting.

The topics of discussion that the Commission focused on at that meeting included:

- Whether small breweries should be permitted by special use or by-right in some of the mixed-use districts. The Commission ultimately chose to keep the use as requiring a special use permit in the four mixed-use zones recommended to allow small breweries.
- Whether or not the keep the 3,000 square foot limit in size for a micro-producer.

**Alignment with City Council Vision Areas and Strategic Plan:**

The City Council’s “Economic Sustainability” vision states that the City has “a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities.”

Goal 3 of the City Council’s Strategic Plan is to “Have a strong diversified economy” that contains the following goals: “Attract and cultivate a variety of new businesses” and “Grow and retain viable businesses”.

**Citizen Engagement:**

The Planning Commission held a joint public hearing on the Zoning Text Amendment at their November 10, 2015 meeting. Two persons spoke at the hearing. One speaker mentioned that brewery operations were industrial in nature, and thus the review of facilities by the Commission and Council through a special use permit process was warranted. The speaker also said they supported microbreweries in the City. The second speaker was the CEO of a local brewery, and expressed the desire to expand operations within the City and the ordinance would make that possible.

**Budgetary Impact:**

City staff does not anticipate any negative budgetary impact from the code change. If small breweries are established within the City, it would provide additional tax revenue from sales tax and the meals tax.

**Recommendation:**

The Commission took the following action:

Ms. Green moved to recommend to City Council that it should amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, as presented in the draft ordinance provided by staff, because I find that this amendment is required by the public necessity, convenience, general welfare or good zoning practice.

Mr. Lahendro seconded the motion. The Commission voted 6-0 to recommend approval. Commissioner Rosensweig was not present.

Following the meeting, representatives of two current microbreweries in the City contacted the Director of Economic Development, and indicated that their existing operations would become non-conforming uses if the 3,000 square foot size limitation for micro-producers remains within the final adopted ordinance. Accordingly, staff recommends that the 3,000 SF size restriction be omitted, but that the text of the proposed ordinance otherwise remain as recommended by the Commission.

**Alternatives:**

City Council has several alternatives:

- (1) adopt the attached ordinance to amend the text of the City's zoning ordinance;
- (2) by motion, deny approval of the attached ordinance for a zoning text amendment; or
- (3) by motion, defer action on the attached ordinance for a zoning text amendment.

**Attachment:**

- Staff Report
- Proposed Ordinance

**ORDINANCE**  
**PROPOSING AMENDMENTS TO THE TEXT OF CHAPTER 34 OF THE CODE OF**  
**THE CITY OF CHARLOTTESVILLE (ZONING) TO PERMIT CERTAIN SMALL-**  
**SCALE PRODUCERS OF BEER, WINE AND DISTILLED SPIRITS OUTSIDE THE**  
**CITY’S INDUSTRIAL ZONING DISTRICTS**

**WHEREAS**, City Council initiated a zoning text amendment, proposing to amend existing zoning regulations to permit certain small-scale producers of beer, wine and distilled spirits outside the City’s Industrial zoning districts (“Proposed Amendments”); and

**WHEREAS**, a joint public hearing on the Proposed Amendments was held before the City Council and Planning Commission on November 10, 2015, following notice to the public and to adjacent property owners as required by law; and

**WHEREAS**, legal notice of the public hearing was advertised in accordance with Va. Code Sec. 15.2-2204; and

**WHEREAS**, on November 10, 2015, the Planning Commission voted to recommend that City Council should adopt the Proposed Amendments; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice requires the Proposed Amendments, and that the Proposed Amendments are consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

- Section 34-420 (Use Matrix—Residential zoning districts) is hereby amended as follows:**

Use Types	Zoning Districts										
	R-1	R-1U	R-1S	R-1SU	R-2	R-2U	R-3	R-UMD	R-UHD	MR	MHP
<u>Microbrewery</u>											
<u>Micro-producers</u>											
<u>Small Breweries</u>											

- Section 34-480 (Use Matrix—Commercial districts) is hereby amended as follows:**

Use Types	Zoning Districts					
	B-1	B-2	B-3	M-I	ES	IC
<u>Microbrewery</u>		B	B	B		B
<u>Micro-producers</u>						
<u>Small Breweries</u>		<u>S</u>	<u>S</u>	<u>B</u>		<u>B</u>



3. **Section 34-796 (Use Matrix—Mixed use corridor districts) is hereby amended as follows:**

Use Types	Zoning Districts													
	D	DE	DN	WMN	WMS	CH	HS	NCC	HW	WSD	URB	SS	CD	CC
<u>Microbrewery Micro-producers</u>	B	B	B	B	B		B		B	B	B	B	B	B
<u>Small Breweries</u>		<u>S</u>							<u>S</u>		<u>S</u>			<u>S</u>

4. **Section 34-1200 (Definitions) is hereby amended as follows:**

Beverage or food processing ~~packaging and bottling~~ plants—means a ~~business/ industrial~~ manufacturing facility where foods and/or beverages are processed and packaged for local, regional or national distribution. This definition does not include a facility engaged in the brewing ~~and~~ bottling of beverages (see brewery and bottling facilities).

Brewery—means a facility in which beer is manufactured by a person licensed by the Commonwealth of Virginia as a brewery.

Brewery (small)—means a brewery (i) that produces fewer than 30,000 barrels per year of beer, and (ii) the brewery sells directly to the consumer on-site within a retail shop, bar, tasting room, tap- room, restaurant, or other similar facility.

Brewery and bottling facility—means a ~~business/ industrial~~ manufacturing facility where beverages are brewed and bottled for local, regional or national distribution. Samples may be offered to individuals visiting the premises, for on-site consumption, but there are no retail or other sales directly to consumers within any tap-rooms, bars, restaurants, or other similar facility.

Micro-producers—means a microbrewery, microwinery, or microdistillery, in which 25% or more of the facility’s production is sold directly to the consumer on-site, within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

Microwinery—means a facility for the production and packaging of wine for distribution, retail or wholesale, on- or off-premise, with a capacity of not more than 5,000 gallons per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

Microdistillery—means a facility for the production and packaging of distilled spirits for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 5,000 gallons per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A ZONING TEXT AMENDMENT**

**ZT15-00008: ALCOHOLIC BEVERAGE PRODUCTION  
ZONING AMENDMENTS**

**JOINT PUBLIC HEARING**

**DATE OF PLANNING COMMISSION MEETING: November 10, 2015**

**Author of Staff Report:** Brian Haluska

**Date of Staff Report:** October 28, 2015

**Applicable City Code Provisions:** Chapter 34 (Zoning Ordinance)

**Executive Summary**

An ordinance to revise and expand the existing definition of a microbrewery within the City, and to make provisions for small-scale brewery operations that exceed the current definition of a microbrewery in the code.

**Background**

At their October 19, 2015 meeting, the City Council approved an initiation of a zoning text amendment related to the definition of microbreweries in the City of Charlottesville. The memo on the matter referred to a City-based brewery that raised concerns about the City's limitation on the amount of beer a brewery can produce under the microbrewery definition. Currently, a brewery operation that exceeds 15,000 barrels of production a year is classified as a beverage bottling facility, and can only be located in industrial zones.

Additionally, staff raised a concern about the consistency with a microbrewery definition that permits the production of beer within several mixed-use zones, but does not permit small scale winery or distillery operations.

**Standard of Review**

As per state law and §34-42 of the City Code, the planning commission is required to review this proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and

(4) Whether the amendment is required by the public necessity, convenience, general welfare or good zoning practice.

### **Discussion of the Proposed Draft Ordinance**

The full text of the proposed draft ordinance is attached to this report. The sections proposed for modification are section 34-1200 of the zoning ordinance, which would be updated to reflect new definitions of alcoholic beverage production facilities, and the three use matrices in the Zoning Ordinance. The specific changes to the ordinance are:

#### **Section 34-1200**

The section would be modified to add a new definition for “Micro-producers”. This will be an overarching category that will include those uses currently classified as microbreweries, as well as micro-wineries and micro-distilleries. The existing limit of 15,000 barrels per year will be retained for microbreweries, while production at micro-wineries and micro-distilleries will be limited to no more than 5,000 gallons per year. The 5,000 gallon limit is used by the Virginia Department of Alcoholic Beverage Control as a dividing line for licenses for wineries and distilleries. Micro-producers would also be required to have some form of commercial activity in addition to their production facility.

Additionally, a new definition will be added for “Small Breweries” that will limit production of beer at such facilities to no more than 30,000 barrels per year. City staff settled on the limit of 30,000 as a maximum for these types of facilities because a search of ABC licensees for breweries revealed that only 5 facilities in the state are licensed to produce over 10,000 barrels per year. Staff felt that any facility larger than 30,000 would be best located in the industrial zones of the City.

Lastly, the staff recommends a change to the existing definition of “Brewery and bottling facility” that clarifies that the use is limited to brewery operations without commercial components.

#### **Section 34-420**

The current land use category “Microbreweries” would be amended to read “Micro-producers”, and a new category for “Small Breweries” would be added to the matrix. Neither use would be permitted in any of the residential districts.

#### **Section 34-480**

The current land use category “Microbreweries” would be amended to read “Micro-producers”, and a new category for “Small Breweries” would be added to the matrix. “Microbreweries” are currently permitted by-right in the B-2, B-3, M-I and IC corridors. “Micro-producers” would be permitted by right in the same zones.

Staff proposes permitting “Small Breweries” by right in the M-I and IC districts, and by special use permit in the B-2 and B-3 districts.

### **Section 34-796**

The current land use category “Microbreweries” would be amended to read “Micro-producers”, and a new category for “Small Breweries” would be added to the matrix. “Microbreweries” are currently permitted by-right in the Downtown, Downtown Extended, Downtown North, West Main North, West Main South, High Street, Highway Commercial, Water Street, Urban, South Street, Corner and Central City corridors. “Micro-producers” would be permitted by right in the same zones.

Staff proposes permitting “Small Breweries” by special use permit in the Downtown Extended, Highway, Urban, and Central City corridors.

### **Staff Analysis**

#### **1. Does the proposed amendment conform to the general guidelines and policies contained in the comprehensive plan?**

The Land Use chapter of the Comprehensive Plan lists the following goals:

- “When considering changes to land use regulations, respect nearby residential areas.”
- “Encourage small businesses that enhance existing neighborhoods and employment centers.”
- “Increase opportunities for employment centers and diverse employment opportunities, particularly in targeted industries and businesses.”

The Economic Sustainability chapter of the Comprehensive Plan lists the following goals:

- “Work with partners to help entrepreneurs identify locations/sites where they can successfully start and grow their companies.”
- “Work strategically to continue to develop and implement land use policies and regulations that ensure the availability of sites for businesses to locate and expand.”

#### **2. Does the proposed amendment further the purposes of the Zoning Ordinance (Chapter 34, City Code) and the general welfare of the entire community?**

Section 34-3(3) of the City Code states that a purpose of the zoning ordinance is in part to “regulate and restrict the location of trades, industries and residences” and “Encourage economic activities that provide desirable employment and enlarge the tax base”.

#### **3. Is there a need and justification for the change?**

The justification for the change is two-fold. The first is to give local craft brewers some sites where they can potentially relocate to if their operations begin to increase beyond the size of the City’s definition of a microbrewery, but can still be accommodated within the City.

The second justification is to provide micro-winery and micro-distillery operations the same opportunities to locate in the City that microbreweries currently enjoy.

**Public Comment**

Staff has received no comment on this matter.

**Recommendation**

Staff recommends approval of the zoning text amendment.

**Possible Motions**

1. “I move to recommend to City Council that it should amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, as presented in the draft ordinance provided by staff, because I find that this amendment is required by the public necessity, convenience, general welfare or good zoning practice.
  
2. I move to recommend to City Council that it should amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, with the following changes:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_

I find that the draft ordinance presented by staff, with these changes, is required by the public necessity, convenience, general welfare or good zoning practice.

3. “I move to recommend to City Council that it should not amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, because I find that the amendment is not required by the public necessity, convenience, general welfare or good zoning practice.

**Attachments**

Proposed amendment to Sections 34-420, 34-480, 34-796 and 34-1200

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