



**CITY COUNCIL AGENDA**  
**Monday, September 17, 2018**

**5:30 p.m.** **Closed session as provided by Section 2.2-3712 of the Virginia Code**  
*Second Floor Conference Room*

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

**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS**

**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.

- 1. CONSENT AGENDA\*:** (Items removed from consent agenda will be considered at the end of the regular agenda.)
- a. Minutes for July 18, July 20, July 24, July 31, August 20, August 23, August 24, August 28, August 29, August 30 at 1pm, August 30 at 5pm, September 6, & September 10
  - b. APPROPRIATION: Charlottesville/Albemarle Adult Drug Treatment Court Grant Award – \$205,000 (2<sup>nd</sup> of 2 readings)
  - c. APPROPRIATION: Office of Emergency Medical Services Rescue Squad Assistance Fund Grant – \$499,703.55 (2<sup>nd</sup> of 2 readings)
  - d. APPROPRIATION: Supplemental Local Emergency Management Performance Grant Fire Department – \$13,143.29 (Fire Dept.) (2<sup>nd</sup> of 2 readings)
  - e. APPROPRIATION: Check and Connect Student Engagement Continuation Grant - \$137,000 (2<sup>nd</sup> of 2 readings)
  - f. APPROPRIATION: Virginia Juvenile Community Crime Control Act Grant – \$452,704 (2<sup>nd</sup> of 2 readings)
  - g. APPROPRIATION: Appropriation of VML Insurance Programs (VMLIP) Grant – \$2,000 (1<sup>st</sup> of 2 readings)
  - h. APPROPRIATION: 2017 Edward Byrne Memorial Justice Assistance Grant – \$25, 033 (1<sup>st</sup> of 2 readings)
  - i. APPROPRIATION: Victim Witness Assistance Program Grant \$257,024 (1<sup>st</sup> of 2 readings)
  - j. APPROPRIATION: FY 2019 Transit Grant Funds – \$707,657.64 (1<sup>st</sup> of 2 readings)
  - k. APPROPRIATION: Virginia Housing Solutions Program Grant Award – \$484, 785 (1<sup>st</sup> of 2 readings)
  - l. RESOLUTION: Memorandum of Understanding for Joint Transportation Planning (1<sup>st</sup> of 1 reading)
  - m. RESOLUTION: Revising Council Procedures (1<sup>st</sup> of 1 reading)
  - n. ORDINANCE: Easement to Dominion Power at McIntire Park skate park (2<sup>nd</sup> of 2 readings)
  - o. ORDINANCE: Release of Portion of Sewer Easement at Belmont Station Subdivision (2<sup>nd</sup> of 2 readings)
  - p. ORDINANCE: Release of Sewer Easement at Beta Apartments on 17<sup>th</sup> Street (2<sup>nd</sup> of 2 readings)
  - q. ORDINANCE: Quitclaim Gas Easement in Cascadia Subdivision (Alb County) to VDOT (2<sup>nd</sup> of 2 readings)
  - r. ORDINANCE: Quitclaim Gas Easement in Estes Park Subdivision (Alb County) to VDOT (2<sup>nd</sup> of 2 readings)
- 2. PUBLIC HEARING / RESOLUTION\*:** Program Performance and Priorities for Community Development Block Grant (CDBG) and HOME Investment Partnerships funds for Program Year 19-20 (1<sup>st</sup> of 1 reading)
- 3. ORDINANCE\*:** Pen Park Stream Restoration Easement to Albemarle County (1<sup>st</sup> of 2 readings)
- 4. ORDINANCE\*:** Create Permit Parking Zone in Belmont (1<sup>st</sup> of 2 readings)

**OTHER BUSINESS MATTERS BY THE PUBLIC**

\*ACTION NEEDED

## GUIDELINES FOR PUBLIC COMMENT

**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 public comment.**

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

- Each speaker has **3 minutes** to speak. Please give your name and place of residence before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them. **Speaking from the audience is not permitted** without first being recognized by the Chair.
- Please **refrain from using obscenities**.
- 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.
- If you cannot follow these guidelines, you will be asked to leave City Council Chambers and will not be permitted to re-enter.

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

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



<b>Agenda Date:</b>	August 20, 2018
<b>Action Required:</b>	Approve Appropriation
<b>Presenter:</b>	Susan Morrow, Offender Aid and Restoration
<b>Staff Contact:</b>	Susan Morrow, Offender Aid and Restoration Ryan Davidson, Senior Budget and Management Analyst
<b>Title:</b>	Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$205,000

**Background:**

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Drug Treatment Court, has received a Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$205,000 for operations of the drug court program, which is operated by Offender Aid and Restoration (O.A.R.). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Drug Treatment Court Docket Grant.

**Discussion:**

In its twenty-first year of operation, the Charlottesville/Albemarle Adult Drug Treatment Court is a supervised 12 month drug treatment program that serves as an alternative to incarceration for offenders. Drug Court is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult felony offenders who are addicted to drugs. The program uses the power of the court to assist non-violent drug offenders to achieve recovery through a combined system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The total program budget is **\$332,062** and includes three funding sources:  
Supreme Court of V.A. - \$205,000

City of Charlottesville: \$72,331, which has already been appropriated  
Albemarle County: \$54,731, which has already been appropriated

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

This relates to Goal #2 in the City's Strategic Plan - A Healthy and Safe City. More specifically Objective 2.3 Improve community health and safety and outcomes by connecting residents with effective resources; and Objective 2.4 Reduce the occurrences of crime, traffic violations, and accidents in the community. The drug court is a valuable, less expensive alternative to incarceration for certain substance dependent criminal offenders which utilizes a blend of court-ordered supervision, drug testing, drug and mental health treatment services, court appearances, and behavioral sanctions and incentives to reduce recidivism and drug use among participants beyond what is observed after incarceration alone.

**Community Engagement:**

The Drug Treatment Court is a direct service provider and is engaged daily with non-violent criminal offenders with drug driven crimes who are at a high level of risk for reoffending due to active addictions and long standing patterns of criminal behavior. By collaborating with the Court system, Region Ten Community Services Board, and the Sheriff's department, the Drug Treatment Court provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Drug Treatment Court through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the Circuit Court. If they successfully complete the program which takes a minimum of 12 months, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Drug Treatment Court participants return the community's investment in them by maintaining full time, tax paying employment, providing for and taking care of their children and families including paying off back child support, behaving as good role models in the community, and supporting the recovery community in Charlottesville.

**Budgetary Impact:**

No additional City funding is required as the City's match for this grant, \$72,331, was appropriated as part of the FY 2019 Council Approved Budget as part of the City's contribution to Offender Aid and Restoration.

**Recommendation:**

Staff recommends approval and appropriation.

**Attachments:**

Appropriation

**APPROPRIATION**  
**Charlottesville/Albemarle Adult Drug Treatment Court Grant Award**  
**\$205,000**

**WHEREAS**, the Supreme Court of Virginia awarded the Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$205,000 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

**WHEREAS**, the City of Charlottesville serves as the fiscal agent for this grant program; and

**WHEREAS**, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$127,062; and

**WHEREAS**, the grant award covers the period 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 \$205,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$205,000      Fund: 209      Internal Order: 1900312      G/L Account: 430120

**Expenditures**

\$205,000      Fund: 209      Internal Order: 1900312      G/L Account: 530550

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$205,000 from the Supreme Court of Virginia.

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## CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	August 20, 2018
Action Required:	Appropriation
Presenter:	Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.
Staff Contacts:	Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.
<b>Title:</b>	<b>2018 Office of Emergency Medical Services Rescue Squad Assistance Fund Grant (RSAF) - \$499,703.55</b>

### **Background:**

The City of Charlottesville Fire Department has been awarded a 2018 Rescue Squad Assistance Fund Grant (RSAF) through the Virginia Office of Emergency Medical Services (OEMS). This grant is a 50/50 matching grant, with the grant total awarded from OEMS at \$155,703.55.

### **Discussion:**

The 2018 RSAF grant was awarded to the City for the purchase of one ambulance, one ambulance stretcher, and two cardiac monitors. This ambulance will replace a unit we are presently borrowing from the Charlottesville Albemarle Rescue Squad (CARS) housed at the Ridge Street Fire Station. The stretcher and one cardiac monitor will go to this unit, with the other cardiac monitor serving as a replacement for our older units being presently replaced. The grant requires at least a 50% match from the City, however additional funding above the 50% threshold is being transferred from the Fire Replacement Apparatus account. This additional funding will to be used to purchase the other equipment necessary to outfit the unit for active service that is not covered by the grant, and to provide for any equipment cost changes since the grant application was submitted. Any unused City match will be returned to the Replacement Fire Apparatus account in the Capital Improvements Program fund upon the completion of this purchase.

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

With this grant we are better able to equip our responders to deliver emergency services to the citizens, students, business community members, and guests of the City. The grant aligns with Goal 2 of the Strategic Plan: A Healthy and Safe City, providing funds for life safety supplies

and equipment better enabling our responders to care for those that are ill or injured in a timely and safe manner.

**Community Engagement:** N/A

**Budgetary Impact:**

No additional funding is needed for this grant. The City's matching portion of this grant will come from Replacement Fire Apparatus account in the capital improvements program fund previously appropriated as part of the FY 2019 Adopted Budget.

**Recommendation:**

Staff recommends appropriation of the grant funds to be used for the purchase of a new ambulance and listed equipment.

**Alternatives:**

If the grant funds are not appropriated for use, we will have to utilize monies solely from City CIP funds to purchase a new ambulance and its equipment.

**Attachments:**

Appropriation



**APPROPRIATION**

**2018 Office of Emergency Medical Services Rescue Squad Assistance Fund Grant  
\$499,703.55**

**WHEREAS**, a reimbursable 2018 Rescue Squad Assistance Fund Grant totaling \$155,703.55 has been awarded to the Fire Department for the purchase of a new ambulance, stretcher, and two cardiac monitors.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$499,703.55 be appropriated in the following manner:

**Revenues -**

\$155,703.55	Fund: 209	Order: 1900311	G/L Account: 430110
\$344,000	Fund: 209	Order: 1900311	G/L Account: 498010

**Expenditures -**

\$499,703.55	Fund: 209	Order: 1900311	G/L Account: 599999
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**Transfer from -**

\$344,000	Fund: 426	WBS: P-00976	GL Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$155,703.55 from the Virginia Office of Emergency Medical Services.

**BE IT FURTHER RESOLVED**, that any unused City match is to be returned to the Replacement Fire Apparatus account in the Capital Improvements Program fund.

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	August 20, 2018
Action Required:	Appropriation
Presenter:	Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.
Staff Contacts:	Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.
Title:	<b>2017 Supplemental Local Emergency Management Performance Grant - \$13,143.29</b>

**Background:**

The City of Charlottesville Fire Department has been awarded a 2017 Supplemental Local Emergency Management Performance Grant (SLEMPG) through the Virginia Department of Emergency Management (VDEM). The total grant awarded is \$12,080, and requires at least a 50 percent City match. The City’s minimum matching share is \$6,090.00, with the VDEM portion of \$6,090.00, reimbursed after the equipment purchases are made.

**Discussion:**

The 2017 SLEMPG was awarded to the City for the purchase of 21 NIJ Level III ballistic vests and 21 NIJ Level III ballistic helmets. These vests and helmets are slated to be placed in-service on the current fire apparatus and ambulances that department staffs each day. One vest and one helmet for each staffed riding position. From the grant application date to present day, the numbers have been adjusted to 23 helmets, and 25 vests resulting in an increase in the City’s portion of the expenses to \$7,053.29, for a total grant expenditure appropriation of \$13,143.29.

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

With this grant we are better able to equip our responders to deliver emergency services to the citizens, students, business community members, and guests of the City. The grant aligns with Goal 2 of the Strategic Plan: A Healthy and Safe City, providing funds for life safety supplies and equipment better enabling our responders to care for those that are ill or injured in a timely manner.

**Community Engagement:** N/A

**Budgetary Impact:**

No additional funding is needed for this grant. The City's matching portion of this grant will come from Fire Department operational funding previously appropriated as part of the FY 2019 Adopted Budget.

**Recommendation:**

Staff recommends appropriation of the grant funds to be used for outfitting the department's apparatus with ballistic protection.

**Alternatives:**

If the grant funds are not appropriated to be used for the ballistic protection purchases, we will have to pull monies solely from operational line items to outfit our responder with this level of ballistic protection without recouping any of the associated costs.

**Attachments:**

Appropriation

**APPROPRIATION**

**2017 Supplemental Local Emergency Planning Grant -\$13,143.29**

**WHEREAS**, a reimbursable 2017 Supplemental Local Emergency Management Planning Grant totaling \$13,143.29 has been awarded to the Fire Department for the purchase of ballistic vests and helmets.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$13,143.29 be appropriated in the following manner:

**Revenues -**

\$6,090	Fund: 209	Order: 1900298	G/L Account: 430120
\$7,053.29	Fund: 209	Order: 1900298	G/L Account: 498010

**Expenditures -**

\$13,143.29	Fund: 209	Order: 1900298	G/L Account: 599999
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**Transfer -**

\$7,053.29	Fund: 105	CC: 3201005000	GL Account: 541209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$6,090 from the Virginia Department of Emergency Management.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	August 20, 2018
Action Required:	Appropriation
Presenter:	Rory Carpenter, Community Attention
Staff Contacts:	Rory Carpenter, Community Attention Kaki Dimock, Director of Human Services
Title:	<b>Check and Connect Student Engagement Continuation Grant - \$137,000</b>

**Background:**

Check and Connect is an evidence-based truancy prevention program funded by a Byrne/Juvenile Assistance Grant from the Virginia Department of Criminal Justice Services (DCJS) and administered by the Human Services Department. The grant provides a comprehensive student engagement intervention for truant youth or youth at risk of truancy who live in the City of Promise footprint and attend Burnley-Moran Elementary and Walker Upper Elementary. The grant period is from July 1, 2018 through June 30, 2019.

**Discussion:**

Truancy is a precursor to delinquent behavior that should be addressed in its early stages to avoid further penetration into the juvenile justice system. Locally, the connection between truancy and delinquency has been documented by the *Juvenile Offender Report* a research report issued by the Charlottesville Department of Human Services that deals with the risk and needs of 985 local juvenile offenders who were placed on probation between 1997 – 2000, 2004 – 2006, and 2011-2012. The average rate of truancy for the juvenile offenders in the study group was 48% per year over a nine year period.

This is the final year of a 4 year grant from DCJS for the Check and Connect program. The total grant amount is \$137,000, with \$34,250 being provided by federal pass through funds, and a required local match of \$102,750 to be provided by the Charlottesville Department Human Services through the usage of the Human Services fund balance.

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

The Check and Connect grant aligns with the City of Charlottesville's Strategic Plan – Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

The Human Service Department's programs provide residential and community based services that prevent delinquency and promote the healthy development of youth. The Check and Connect Program provides comprehensive support services for elementary and upper elementary children experiencing school attendance problems to prevent early school withdrawal and ultimately delinquent behavior by promoting students' engagement with school and learning. Expected outcomes include increased attendance and decreased delinquent behavior during and after program participation.

### **Community Engagement:**

The community is engaged through the City of Promise by serving students and families in the Charlottesville school system through the Check and Connect Program and by collaborating with the many different agencies that interface with the program.

### **Budgetary Impact:**

There is no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund. The local match of \$102,750 will be provided from existing funding in the Department of Human Services fund balance.

### **Recommendation:**

Staff recommends approval and appropriation of grant funds.

### **Alternatives:**

If the grant funds are not appropriated, City of Promise would not be able to provide this service to local youth.

### **Attachments:**

Appropriation

**APPROPRIATION**  
**Check and Connect Student Engagement Grant**  
**\$137,000**

**WHEREAS**, the City of Charlottesville has been awarded \$34,250 in Federal Funds from the Virginia Department of Juvenile Justice, and \$102,750 in matching funds for a total award of \$137,000 for the Check and Connect Student Engagement Program; and

**WHEREAS**, the local match of \$102,750 will be provided from the Department of Human Services existing fund balance; 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 \$137,000 is hereby appropriated in the following manner:

**Revenue – \$137,000**

\$ 34,250	Fund: 209	Cost Center: 3413008000	G/L Account: 430120
\$ 102,750	Fund: 209	Cost Center: 3413008000	G/L Account: 498010

**Expenditures - \$137,000**

\$122,054	Fund: 209	Cost Center: 3413008000	G/L Account: 519999
\$ 14,946	Fund: 209	Cost Center: 3413008000	G/L Account: 599999

**Revenue:**

\$102,750	Fund: 213	Cost Center: 3411001000	G/L Account: 498011
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**Expenditure:**

\$102,750	Fund: 213	Cost Center: 3411001000	G/L Account: 561209
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**Transfer from:**

\$102,750	Fund: 213	Cost Center: 3411001000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$34,250 from VA Department of Criminal Justice Services.



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



<b>Agenda Date:</b>	August 20, 2018
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Rory Carpenter, Human Services Department
<b>Staff Contacts:</b>	Rory Carpenter, Human Services Department Kaki Dimock, Human Services Department
<b>Title:</b>	<b>Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704</b>

**Background:**

In July 2010, the City of Charlottesville became the fiscal agent for the Virginia Juvenile Community Crime Control Act (VJCCCA) funds for both Charlottesville and Albemarle County. This funding stream was established by the 1995 Virginia General Assembly to create balanced, community-based systems of sanctions, programs and services for juvenile offenders. These funds are used to support the Community Attention programs. In Fiscal Year 2019, \$292,058 in VJCCCA funds will be received from the Virginia Department of Juvenile Justice with a required local maintenance of effort of \$52,231 from Albemarle County, and \$108,415 from the City for a total of \$452,704. The grant period is from July 1, 2018 through June 30, 2019.

**Discussion:**

The VJCCCA grant funds the delinquency prevention and youth development services provided by Community Attention for Charlottesville/Albemarle youth involved in the juvenile justice system. These services include the following programs: the Teens GIVE service learning program that provides community service opportunities during both the school year and the summer; the Community Supervision Program that provides pro-social skills training like anger management, individual and group counseling services and case management services for youth on electronic monitoring; the Community Attention Youth Internship Program (CAYIP) which provides paid internship opportunities; the Family Based Intervention Program which provides evidence-based, family centered intervention programs and the Juvenile Court Case Manager position providing supervision and case management services for youth identified by the court as truant.

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

The VJCCCA grant aligns with the City of Charlottesville's Strategic Plan - Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

Community Attention's VJCCCA funded programs provide community based services that prevent delinquency and promote the healthy development of youth. Expected outcomes include decreased delinquent behavior during and after program participation.

**Community Engagement:**

The VJCCCA funded programs engage local youth involved in the juvenile justice system and their families by providing delinquency prevention and youth development programs. The programs also engage and coordinate with other local agencies and organizations in the provision of services to the youth.

**Budgetary Impact:**

The funds will be expensed and reimbursed to the VJCCCA Fund. The required General Fund City contribution has already been appropriated as part of the Fiscal Year 2019 Council Adopted Budget so no new funds are required to cover the match.

**Recommendation:**

Staff recommends approval and appropriation of funds.

**Alternatives:**

If the VJCCCA funds are not appropriated, Community Attention would have to serve fewer youth and eliminate programs and staff.

**Attachments:**

Appropriation

**APPROPRIATION**  
**Virginia Juvenile Community Crime Control Act Grant (VJCCCA)**  
**\$452,704**

**WHEREAS**, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice; and

**WHEREAS**, this grant requires local maintenance of effort funds in the amount of \$52,231 from Albemarle County and \$108,415 from the City; 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 \$452,704 is hereby appropriated in the following manner:

**Revenue – \$452,704**

\$292,058	Fund: 220	Cost Center: 3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center: 3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center: 3523001000	G/L Account: 498010

**Expenditures - \$452,704**

\$ 53,075	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$399,629	Fund: 220	Cost Center: 3523001000	G/L Account: 530010

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$292,058 from Virginia Department of Juvenile Justice, and \$52,231 from Albemarle County.

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



Agenda Date:	September 17, 2018
Action Required:	Approve Appropriation of VML Insurance Programs (VMLIP) Grant
Presenter:	Paul Oberdorfer, Director, Public Works Laura Ellis, Risk Management Specialist, Finance
Staff Contacts:	Paul Oberdorfer, Director, Public Works Laura Ellis, Risk Management Specialist, Finance Ryan Davidson, Senior Budget & Management Analyst, Office of Budget and Performance Management
<b>Title:</b>	<b>Appropriation of VML Insurance Programs (VMLIP) Grant - \$2,000</b>

**Background:**

The City of Charlottesville received grant funding from our insurer, VML Insurance Programs (VMLIP), in the amount of \$2,000, for the purchase of National Incident Management System (NIMS)/Incident Command System (ICS) pocket field guides.

**Discussion:**

The National Incident Management System (NIMS)/Incident Command System (ICS) pocket field guides were purchased using previously appropriated funding in the Public Works FY 2019 Adopted Budget. Appropriation of these grant funds is necessary to reimburse the City for this purchase.

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

This project supports City Council's "Smart, Citizen-Focus Government" vision, and it contributes to Strategic Plan Goal 5: A Well-managed and Responsive Organization.

**Community Engagement:**

N/A

**Budgetary Impact:**

These grant funds will reimburse the City for this purchase, as the pocket field guides were purchased using previously appropriated funding in the Public Works FY 2019 Adopted Budget.

**Recommendation:**

Staff recommends approval and appropriation of the reimbursement funds.

**Alternatives:**

If reimbursement funds are not appropriated, the Public Works account will have less funding for other operations.

**Attachments:**

N/A

**APPROPRIATION**  
**VML Insurance Programs (VMLIP) Grant - \$2,000**

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$2,000 from VMLIP is to be appropriated in the following manner:

**Revenues - \$2,000**

Fund: 105                      Cost Center: 2443001000                      G/L Account: 451022

**Expenditures - \$2,000**

Fund: 105                      Cost Center: 2443001000                      G/L Account: 530210



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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	September 17, 2018
Action Required:	Appropriate Grant Funds
Presenter:	Lt. T.V. McKean, Charlottesville Police Department
Staff Contacts:	Lt. T.V. McKean, Charlottesville Police Department
<b>Title:</b>	2017 Edward Byrne Memorial Justice Assistance Grant (J.A.G.) - \$25,033

**Background:** The U.S. Department of Justice, Office of Justice Program’s Bureau of Justice Assistance has awarded the City of Charlottesville a 2017 Edward Byrne Memorial Justice Assistance Grant (J.A.G.) in the amount of \$25,033 with no local match required.

**Discussion:** The U.S Department of Justice (D.O.J.) provides funding for the Edward Byrne Memorial Justice Assistance Grant to assist state and local law enforcement with a broad range of activities. The Charlottesville Police Department will utilize this funding to purchase needed personal protection, outer ballistic vest carriers.

**Alignment with Council Vision Areas and Strategic Plan:** This funding will support Goal 2 of the Strategic Plan, to be a safe, equitable, thriving, and beautiful community. It specifically supports Goal 2.1, to provide and effective and equitable public safety system. The funding will be used to purchase personal protection, outer ballistic vest equipment for the Charlottesville Police Department.

**Community Engagement:** N/A

**Budgetary Impact:** There is no budgetary impact to the City. No match is required for these funds and the funds will be expensed and reimbursed to a Grants Fund.

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

**Alternatives:** The alternative is to not approve this project and not purchase the equipment

**Attachments:** N/A

**APPROPRIATION**

**2017 Edward Byrne Memorial Justice Assistance Grant (JAG)  
Grant # 2017-H2204-VA-DJ  
\$25,033**

**WHEREAS**, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$25,033 to be used for approved law enforcement equipment.

**WHEREAS**, the grant award covers the period from period October 1, 2016 through September 30, 2020

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$25,033, received from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, is hereby appropriated in the following manner:

<b><u>Revenue</u></b>			
\$ 25,033	Fund: 211	I/O: 1900314	G/L: 431110 Federal Grants
<b><u>Expenditure</u></b>			
\$ 25,033	Fund: 211	I/O: 1900314	G/L: 520060 Uniforms and Clothing

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$25,033 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

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



Agenda Date:	September 17, 2018
Action Required:	Approval and Appropriation
Presenter:	Pat O'Donnell, Coordinator Victim and Witness Assistance Program
Staff Contacts:	Pat O'Donnell, Coordinator Victim and Witness Assistance Program
<b>Title:</b>	<b>Victim Witness Assistance Program Grant \$257,024</b>

**Background:**

The City of Charlottesville, through the Commonwealth's Attorney's Office, has received the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$168,018 in Federal Funds and \$56,006 in State General Funds, and \$33,000 supplement from the Commonwealth Attorney's operating budget for a total award of \$257,024.

**Discussion:**

The victim's rights movement began in the 1970s as a result of victims being re-victimized by the criminal justice process. Victims had difficulty navigating the complexities of the criminal justice system and no voice or recourse when their cases were continued or pled out without their knowledge or consent. Prosecutors did not have the time or skills to respond to victims who were traumatized, but knew that in order to proceed with their case, many victims would need more services than the prosecutor's office could provide. In response to this need, the federal Victims of Crime Act was passed in 1984 and funds became available through the Virginia Department of Criminal Justice to respond to the needs of victims. The Charlottesville Victim/Witness Assistance Program was established in 1989 and has been meeting the needs of Charlottesville crime victims ever since. The Program is one of more than 60 such programs in the state that provides crisis intervention and advocacy, information and support during and after criminal justice proceedings, access to compensation and restitution, referrals to local community agencies and ensures victims are afforded their rights as outlined in Virginia's Crime Victim and Witness Rights Act. The Program also provides training on victim issues to law enforcement and allied agencies. It regularly serves more than 800 victims and 20 witnesses each year.

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

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City, a Community of Mutual Respect and a Smart, Citizen-Focused Government. According to the Bureau of Justice Statistics, the total economic loss to crime victims was \$1.19 billion for violent offenses and \$16.2 billion for property crime in 2008. Statistics vary on the amount of intangible losses victims accumulate, such as the effects of the crime on their sense of security, mental health and relationships. The Charlottesville Victim Witness Assistance Program contributes to the health of the community by connecting crime victims with medical and mental health providers through the Criminal Injury Compensation Fund. The Program helps create a **Community of Mutual**

**Respect** by responding to the needs of crime victims and helps achieve a **Smart, Citizen-Focused Government** by ensuring their rights are recognized throughout the local criminal justice system, including police, prosecution, judges and probation.

**Community Engagement:**

The Victim Witness Assistance Program is engaged daily with victims of crime who access services through referrals from police, court services, social services and other allied agencies. Program staff contacts crime victims within 48 hours of their reported victimization. Program staff serves on several coordinating councils, such as the Multi-Disciplinary Team on Child Abuse, the Domestic Violence Coordinating Council, the Sexual Assault Response Team, the Monticello Area Domestic Violence Fatality Review Team and the Charlottesville/Albemarle Evidence Based Decision Making Policy Team. The program regularly provides outreach in the forms of government services day, training and speaking engagements at UVA, PVCC and other allied agencies as requested.

**Budgetary Impact:**

There is no impact to the General Fund. The City's match of \$33,000 was previously appropriated as part of the Commonwealth's Attorney's Office FY2019 Adopted Budget. The Victim Witness Assistance Program Grant is renewed annually and the funds will be received and expensed in the grants fund.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

If grant funds are not appropriated, Charlottesville crime victims will have no access to compensation, advocacy or services afforded to them under Virginia's Crime Victim and Witness Rights Act.

**Attachments:**

Appropriation Memorandum

**APPROPRIATION**

**Charlottesville Victim Witness Assistance Program Grant**

**\$257,024**

**WHEREAS**, The City of Charlottesville, through the Commonwealth Attorney’s Office, has received an increase in the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$224,024; and

**WHEREAS**, the City is providing a supplement in the amount of \$33,000, the source of which is the Commonwealth’s Attorney’s operating budget;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$224,024 is hereby appropriated in the following manner:

**Revenues**

\$ 56,006	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$168,018	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 33,000	Fund: 209	Cost Center: 1414001000	G/L Account: 498010

**Expenditures**

\$243,000	Fund: 209	Cost Center: 1414001000	G/L Account: 519999
\$ 14,024	Fund: 209	Cost Center: 1414001000	G/L Account: 599999

**Transfer**

\$ 33,000	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$224,024 from the Virginia Department of Criminal Justice Services.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



<b>Agenda Date:</b>	September 17, 2018
<b>Action Required:</b>	Approve Supplemental Appropriation
<b>Presenter:</b>	John Jones, Transit Director
<b>Staff Contact:</b>	John Jones, Transit Director Ryan Davidson, Budget Office
<b>Title:</b>	Appropriation of FY 2019 Transit Grant Funds - <b>\$707,657.64</b>

**Background:**

The Virginia Department of Rail and Public Transportation (DRPT) operating award, the Federal Transportation Administration (FTA) operating award, and the DRPT capital allocation were appropriated as part of the FY 2019 Adopted Budget. Due to the timing of the City’s budget process the amount of revenue listed to be received from these sources is an estimate that may be different from the amount of funds that are actually awarded to the City. With a Resolution Authorizing the Application for State Aid to Public Transportation, City Council authorized Charlottesville Area Transit (CAT) to provide the local match necessary to apply for Federal and State grants to fund CAT’s expenses, including both Capital and non-Capital projects.

**Discussion:**

The final Virginia Department of Rail and Public Transportation operating award is \$225,125 greater than appropriated in the City’s FY 2019 budget, and the final Federal Transit Administration operating award is \$49,277 greater than appropriated in the City’s FY 2019 budget. The final federal award amount incorporates a mandatory 5% withholding of allocated federal funds for all recipients of Section 5307 operating funds in Virginia until such time a State Safety Oversight Program for the rail operations of the Washington Metropolitan Area Transit Authority is certified by the FTA. Additionally, the FTA has awarded \$534,025 to JAUNT (after 5% withholding), with the City acting as fiscal agent with these federal funds passing through the City to JAUNT.

Due to changes in the Virginia Department of Rail and Public Transportation’s allocation of capital funding, CAT’s FY 2019 capital projects were deferred for one fiscal year and CAT is only eligible for FY 2019 operating funds. Charlottesville Area Transit (CAT) has disposed of several transit vehicles, all with net sales proceeds of less than \$5,000. FTA permits the proceeds from vehicles sold for under \$5,000 to be used to fund other transit capital projects. CAT is seeking to appropriate those aggregate funds out of the “unearned revenue” in order to fund improvements to bus stops, which would include the purchase of bus stop insert holders, replacement plexiglas and new CAT signage. A supplemental appropriation is requested for project revenues and expenses which include:

<b>Transit Grants by Type</b>	<b>FY 2019 Budget</b>	<b>FY 2019 Award</b>	<b>Appropriation</b>
State operating assistance	\$1,722,402	\$1,947,527	\$225,125
Federal operating assistance	\$1,556,296	\$1,605,573	\$49,277
<b>TOTAL OPERATING AWARD</b>			<b>\$274,402</b>
<b>TOTAL JAUNT (Pass-through Funds)</b>	<b>\$0</b>	<b>\$534,025</b>	<b>\$534,025</b>
State capital award	\$18,400	\$0	(\$18,400)
Federal capital award	\$92,000	\$0	(\$92,000)
Proceeds from previous years’ asset dispositions	0	<b>\$9,630.64</b>	<b>\$9,630.64</b>
<b>TOTAL CAPITAL</b>	<b>\$110,400</b>	<b>\$9,630.64</b>	<b>(\$100,769.36)</b>
<b>TOTAL APPROPRIATION REQUEST</b>			<b>\$707,657.64</b>



### **Community Engagement:**

Charlottesville Area Transit utilizes the Metropolitan Planning Organization's (MPO) Public Participation Plan (PPP) to fulfill its public engagement requirements. The MPO's PPP includes an opportunity for members of the public to request a public hearing on CAT's Program of Projects. No public hearing was requested.

### **Alignment with City Council's Vision and Strategic Plan:**

Approval of this agenda item aligns directly with Council's vision for Charlottesville as a *Connected Community*, where the City is part of a comprehensive, transportation system that enables citizens of all ages and incomes to easily navigate our community. It also aligns with Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment, Objective 3.3 Provide a variety of transportation and mobility options.

### **Budgetary Impact:**

There is no impact to the General Fund. The local match requirement for Operating Assistance will be covered through the City's contribution from the General Fund and Albemarle County's contribution and was previously appropriated as part of the FY 2019 Adopted Budget. The pass through of grant funds for JAUNT has no budget impact for the General Fund.

### **Recommendation:**

Staff recommends approval and appropriation of funds.

### **Alternatives:**

City Council may choose not to appropriate match funds. Without an appropriation CAT will not receive grants funds to support its operations.

### **Attachments:**

Appropriation

**APPROPRIATION**  
**Transit Division Project Funds**  
**\$707,658.64**

**WHEREAS**, a Federal Operating Grant of \$1,605,573 and State Operating Grant of \$1,947,527 have been awarded to the City of Charlottesville, the combined amounts of operating grants are \$274,402 more than previously budgeted; and

**WHEREAS**, a Federal Grant has been awarded to JAUNT in the amount of \$534,025 and these funds must pass through the City of Charlottesville; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner, contingent upon receipt of the grant funds:

**Revenue (Operating)**

\$225,125	Fund: 245	Cost Center: 2801003000	G/L: 430080 State Assistance
\$49,277	Fund: 245	Cost Center: 2801003000	G/L: 431010 Federal Assistance

**Expenditures (Operating)**

\$274,402	Fund: 245	Cost Center: 2801003000	G/L: 599999 Lump Sum
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**Revenue (JAUNT)**

\$534,025	Fund: 245	Cost Center: 2821002000	G/L: 431010 Fed Assistance
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**Expenditures (JAUNT)**

\$534,025	Fund: 245	Cost Center: 2821002000	G/L: 540365 JAUNT Payment
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**Revenue (Capital)**

(\$18,400)	Fund: 245	Cost Center: 2804001000	G/L: 430110 St Grants
(\$92,000)	Fund: 245	Cost Center: 2804001000	G/L: 431110 Fed Grants
\$9,630.64	Fund: 245	Cost Center: 2804001000	G/L: 435990 Warehouse Sales

**Expenditures (Capital)**

(\$100,769.36)	Fund: 245	Cost Center: 2804001000	G/L: 541040 Acq. Com-Veh.
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$1,947,527 from the Virginia Department of Rail and Public Transportation and \$2,139,598 from the Federal Transit Administration.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	September 17, 2018
Action Required:	Approval and Appropriation
Presenter:	Kaki Dimock, Director, Human Services
Staff Contacts:	Kaki Dimock, Director, Human Services
Title:	<b>Virginia Housing Solutions Program Grant Award (\$484,785)</b>

**Background:**

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.), applied for and received a grant from the Virginia Department of Housing and Community Development. The Virginia Housing Solutions Program award is \$484,785 and is a renewal contract for the program for July 1, 2018 – June 30, 2019.

**Discussion:**

The City of Charlottesville has staff from City Manager's Office, Human Services and Social Services, all taking a leadership role in the governance of T.J.A.C.H. V. H. S P. is an important resource in our community's efforts to end homelessness. The grant provides services in several points along the local continuum of services:

1. **Coordinated Assessment:** The Haven serves as the physical front door to the homelessness system of care, using an evidence-based tool for determining priority access to available resources.
2. **Emergency Low Barrier Shelter** P. A. C. E. M. provides a low-barrier shelter for adults using rotating local churches for support.
3. **Rapid Re-Housing & Housing Navigation:** The Haven screens and administers rapid re-housing assistance and housing navigation to households experiencing homelessness.
4. **Case Management:** The Haven provides supportive services including crisis intervention, case management and service referrals.
5. **Homeless Management Information System(H.M.I.S.):** The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with T.J.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care(C.O.C.) has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among T.J.A.C.H. C.o.C. Service Providers expedites communication and reduces the need to

interface disparate documentation systems.

6. **Coalition Coordination:** The Thomas Jefferson Area Coalition for the Homeless provides leadership and coordination for the required local homelessness continuum of care.
7. **Administration:** The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to T. J. A. C. H.

### **Community Engagement:**

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for T.J.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

### **Alignment with City Council's Vision and Strategic Plan:**

This grant advances the City of Charlottesville's Strategic Plan Goal #1 of an inclusive community of self-sufficient residents. Specifically, it will facilitate the objective of increasing affordable housing options.

### **Budgetary Impact:**

This grant will be entirely State, and Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

### **Recommendation:**

Staff recommends approval and appropriation of grant funds.

### **Alternatives:**

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing a housing crisis: Emergency low-barrier shelter, coordinated assessment, rapid rehousing, H.M.I.S., coalition coordination and administration.

### **Attachments:**

Sub Grant agreement and amendment are attached.

**APPROPRIATION**  
**V. H. S. P. Grant \$484,785**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the V. H. S. P. Grant from the Virginia Department of Housing and Community Development in the amount of \$484,785;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$484,785 is hereby appropriated in the following manner:

Revenues

\$375,405	Fund: 209	IO: 1900313	G/L: 430110 State Grant
\$109,380	Fund: 209	IO: 1900313	G/L: 430120 Federal Pass-Thru State

Expenditures

\$484,785	Fund: 209	IO: 1900313	G/L: 530550 Contracted Services
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$484,785 in funds from the Virginia Department of Housing and Community Development.

**GRANT AGREEMENT  
VIRGINIA HOMELESS SOLUTIONS PROGRAM  
Program Year 2018-2019**

**19-VHSP-008**

This Grant Agreement is made by and between the **Virginia Department of Housing and Community Development (“DHCD”)**, and **City of Charlottesville (“Grantee”)** for the period **July 1, 2018 to June 30, 2019** in the amount of **\$484,785**. Included in the amount is **\$375,405** in state general funds to be expended for outreach, emergency shelter operations, targeted prevention activities, rapid re-housing activities, centralized/coordinated entry, CoC planning, HMIS, and/or administration as indicated in the DHCD approved budget. Also included is **\$109,380** in federal funds to be expended for rapid re-housing and/or administration expenses incurred July 1, 2018 – March 31, 2019. Rapid re-housing activities are to be divided according to the chart below.

<b>Rapid Re-housing</b>	<b>Allocation</b>
State Rapid Re-housing	<b>\$82,755</b>
Federal Rapid Re-housing	<b>\$109,245</b>

The Grantee was identified as part of the community's emergency response system to homelessness in the 2018-2020 Homeless and Special Needs Housing (HSNH) Virginia Homeless Solutions Program (VHSP) application submitted by the lead agency (or designee) of the continuum of care (CoC) or balance of state local planning group (LPG). Activities funded through this grant will be provided at the Grantee location(s) identified in DHCD's Centralized Application Management System (CAMS).

DHCD administers the Commonwealth of Virginia's homeless services resources through the VHSP. The Grant, which is the subject of this Agreement, is comprised of state funds through State General Fund appropriations and an allocation from the United States Department of Housing and Urban Development (HUD) authorized under the Emergency Solutions Grant for federal fiscal year 2018; the federal grant number is E18DC510001 and the Catalog of Federal Domestic Assistance (CFDA) number is 14.231. The Grant is subject to the terms, guidelines and regulations set forth in the 2018-2020 Homeless and Special Needs Housing Guidelines document, any subsequent amendments, the CoC/LPG proposal as amended through negotiations with DHCD, the DHCD approved Grantee budget, HUD regulations 24 CFR Part 576, as amended, which are incorporated by reference as part of this Agreement, the laws of the Commonwealth of Virginia and federal law.

**i. Scope of Services**

The VHSP goals are to assist households experiencing homelessness to quickly regain stability in permanent housing and to prevent households from becoming homeless. This funding will support coordinated community-based activities that are designed to reduce the overall length of homelessness in the community, the number of households becoming homeless, and the overall rate of formerly homeless households returning to homelessness.

VHSP funds may be used for one or more of the following activities as detailed in the HSNH guidelines and must coincide with the year one request submitted by the CoC/LPG lead agency and approved by DHCD:

- Outreach
- Centralized or Coordinated Assessment/Entry System
- Targeted Prevention
- Emergency Shelter Operations
- Rapid Re-housing
- CoC Planning
- HMIS
- Administration

## II. Conditions

### A. Service Provision

The Grantee is responsible for coordination of VHSP activities with other CoC/LPG VHSP Grantees and mainstream resources. The Grantee must assure non-duplication of services with other VHSP Grantees.

### B. Reimbursement

Funds are disbursed on a reimbursement basis. Grantees must submit remittances in DHCD's CAMS and be able to provide documentation that the work, services, or cost occurred within the grant period and the expenses were paid appropriately by the Grantee.

Grantees may elect to submit remittances on a monthly or bi-monthly basis. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

### C. Reporting

Grantees must submit reports as required by DHCD. Such reports may include, but are not limited to, outcomes and performance reports. Any required reports and their due dates will be announced by DHCD along with any relevant instruction. Submission of reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the reports.

#### Year-End Report

The Grantee must submit a year-end report no later than the fifth day of July 2019.

### D. Continuum of Care Participation

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional continuum of care or balance of state local planning groups. In addition, Grantees must assure full participation in annual point-in-time and housing inventory counts.

### E. Accounting



The Grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Grantee shall record in its accounting system all grant payments received pursuant to the grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

**F. DHCD Notification**

Grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, Grantee must notify DHCD should any other local, federal or state agency uncover evidence of any potentially illegal act.

Grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the Grantee, the de-obligation of current funding and the preclusion of future funding.

**G. Audit**

All grantees, sub-grantees, CHDOs, and sub-recipients, localities, developers, or any other organizations that receive funding during a specific program year are required to submit one of the following financial documents: Financial Statement\*\*, Reviewed Financial Statement prepared by an independent Certified Public Accountant (CPA), Audited Financial Statement prepared by an independent CPA or an 2 CFR 200 Subpart F Audit (Single Audit) prepared by an independent CPA. Please see the table below to determine which document your organization is required to submit.

The threshold requirements outlined below are the minimal standards required by DHCD. We strongly encourage all organizations receiving funds from DHCD to undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

<b>Threshold Requirement</b>	<b>Document</b>
Total annual expenditures $\leq$ \$100,000 – regardless of source	Financial Statement prepared by organizations**
Total annual expenditure between \$100,001 and \$300,000 – regardless of source	Reviewed Financial Statement prepared by an Independent Certified Public Accountant (CPA)
Total annual expenditures > \$300,000 – regardless of source	Audited Financial Statement prepared by an Independent CPA
Federal expenditures $\geq$ \$750,000	2 CFR 200 Subpart F Audit - prepared by an Independent CPA

\*\*Does not require preparation by a CPA

Entities shall file the required financial document in the Centralized Application and Management System (CAMS) within nine (9) months after the end of their fiscal year or 30 (thirty) days after it has been accepted (Reviewed Financial Statement, Audited Financial Statement, and 2 CFR 200 Subpart F Audit only) - whichever comes first.

The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at:  
[http://www.dhcd.virginia.gov/images/DHCD/DHCD\\_Audit\\_Policy.pdf](http://www.dhcd.virginia.gov/images/DHCD/DHCD_Audit_Policy.pdf).

**H. Compliance**

Grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will work with all interested parties toward the resolution of unresolved matters, where appropriate.

**I. Maintenance of Records**

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

**J. Costs Incurred Prior To Grant Agreement Execution**

No costs incurred prior to the start of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD.

**K. Expenditure Review**

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.

**L. Termination, Suspension, Conditions**

If through any cause, the Grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

**M. Subsequent Contracts**

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for which this assistance is being provided under this Agreement are carried out in accordance with the Grantee's Assurances and Certifications.

**N. Default**

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

- (1) direct the Grantee to submit progress schedules for completing approved activities;
- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including , but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

**O. Conflict of Interest**

Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

**P. Religious Influence**

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under VHSP. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under VHSP and participation must be voluntary for program participants.

**III. Additional Assurances**

- A.** Grantee will give the DHCD, the Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B.** In accordance with federal law, grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

**IV. Additional Certifications:**

The Grantee certifies that it will comply with the following:

(a) Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;

(b) Virginia Fair Employment Contracting Act;

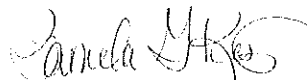
- (c) Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
  - 24 CFR 100 (discriminatory conduct under Fair Housing Act);
  - Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);
  - 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
  - Title VIII of Civil Rights Act of 1968 as amended (prohibiting discrimination based on race, color, national origin, religion, sex, familial status [including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18], and disability)
  
- (e) Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:
  - 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
  - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
  
- (f) 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);
  
- (g) 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);
  
- (h) Adhere to Executive Orders 11625, 12432, and 12138, that Grantee must make efforts to encourage participation of minority and women-owned business enterprises in connection with funded activities;
  - Encourage participation of locally-owned enterprises in connection with funded activities;
  
- (i) McKinney-Vento Homeless Assistance Program Regulations;
  
- (j) Anti-lobbying Certification;
  
- (k) Drug Free Workplace.

If requested by DHCD:

1. A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.
  
2. All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

**Virginia Department of Housing and Community Development**

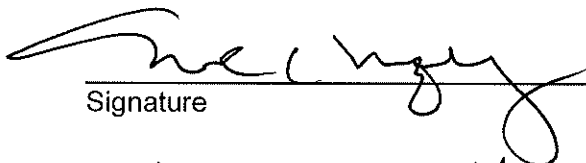


\_\_\_\_\_  
Pamela G. Kestner, Deputy Director

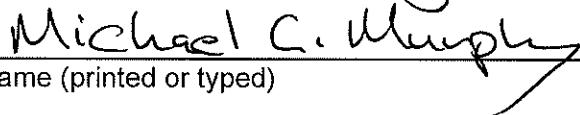
July 12, 2018

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Date

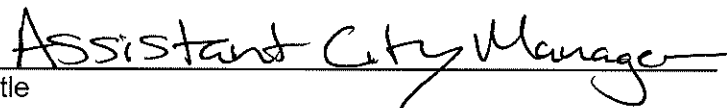
**City of Charlottesville**



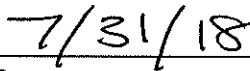
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Signature



\_\_\_\_\_  
Name (printed or typed)



\_\_\_\_\_  
Title



\_\_\_\_\_  
Date

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	September 17, 2018
Action Required:	Approve Memorandum of Understanding
Presenter:	Wood Hudson, Charlottesville Albemarle Metropolitan Planning Organization
Staff Contacts:	Alex Ikefuna, Director, Neighborhood Development Services
Title:	<b>CAMPO Memorandum of Understanding for Joint Transportation Planning</b>

**Background:**

The Thomas Jefferson Planning District Commission serves as the administrative body and provides staffing for the Charlottesville Albemarle Metropolitan Planning Organization (MPO). 23CFR 450 Subpart C of the Federal Register requires a Continuing, Cooperative, and Comprehensive (3C) planning and programming process be determined, identified and implemented by the MPO and its partners for federal public transportation funds to be utilized by jurisdictions within the MPO.

**Discussion:**

The MPO consists of partners including Albemarle County, the City of Charlottesville and Charlottesville Area Transit, JAUNT, Thomas Jefferson Planning District Commission and the Commonwealth of Virginia (Virginia Department of Transportation and Department of Rail and Public Transportation).

23CFR 450 Subpart C of the Federal Register requires a Continuing, Cooperative, and Comprehensive (3C) planning and programming process be determined, identified and implemented by the MPO and its partners. The Charlottesville Albemarle MPO last updated its "3C" Agreement on January 28, 2009. Working with VDOT and DRPT, the MPO has updated the 3C Agreement to include updated partner names and to identify new cooperative efforts.

Albemarle County, JAUNT and the City of Charlottesville are considering this MOU for approval in September, 2018.

**Community Engagement:**

The Thomas Jefferson Planning District Commission and the Charlottesville Albemarle MPO have already approved acceptance of this agreement. Both entities approved the MOU at official public meetings



after noticed public hearings. The Regional Transit Partnership reviewed this document at their August public meeting.

**Budgetary Impact:**

The MPO is funded through federal and state resources with a local match provided by the City of Charlottesville and Albemarle County through their existing annual per capita contributions. There are no direct financial obligations required by this MOU.

**Alternatives:**

The Charlottesville Albemarle MPO region would not be eligible for federal public transportation funds without an operating MPO body providing planning and cooperation services to FHWA and VDOT. The "3C" Agreement is required for continued operations of the MPO.

**Attachments:**

- 1) Cover Letter
- 2) 3C Agreement



August 13, 2018

Mr. Jeff Richardson  
County Executive  
Albemarle County  
401 McIntire Road  
Charlottesville, VA 22902

Mr. Mike Murphy  
Interim City Manager  
City of Charlottesville  
PO Box 191  
Charlottesville, VA 22902

Mr. Brad Sheffield  
Chief Executive Officer  
JAUNT  
104 Keystone Place  
Charlottesville, VA 22902

Re: Continuing, Cooperative and Comprehensive (3-C) Agreement for Metropolitan Transportation Planning

Dear Gentlemen:

The Thomas Jefferson Planning District Commission serves as the administrative body and provides staffing for the Charlottesville Albemarle Metropolitan Planning Organization (MPO). The MPO consists of partners including Albemarle County, the City of Charlottesville and Charlottesville Area Transit, JAUNT, Thomas Jefferson Planning District Commission and the Commonwealth of Virginia (Virginia Department of Transportation and Department of Rail and Public Transportation).

23CFR 450 Subpart C of the Federal Register requires a Continuing, Cooperative, and Comprehensive (3C) planning and programming process be determined, identified and implemented by the MPO and its partners. The Charlottesville Albemarle MPO last updated its "3C" Agreement on January 28, 2009. Working with VDOT and DRPT, the MPO has updated the 3C Agreement to include updated partner names and to identify new cooperative efforts.

The Thomas Jefferson Planning District Commission and the Charlottesville Albemarle MPO have already approved acceptance of this agreement. I am writing to ask that you place this item on an upcoming Board/Council agenda for their consideration of approval. The document before you and as passed by the TJPDC and MPO is a VDOT provided template that has US Department of Transportation approval. I will be glad to present to your board/council when scheduled if necessary.

I have attached a copy of the agreement and a resolution for approval as passed by the TJPDC.

Please let me know if you may have any questions or concerns.

Thank you,

A handwritten signature in blue ink that reads "Chip". The signature is stylized and cursive.

Chip Boyles  
Executive Director



RESOLUTION

“3C” AGREEMENT

**WHEREAS**, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) on June 30, 1983 jointly issued, and on May 27, 2016 updated, rules and regulations which require that each urbanized area, as a condition to the receipt of Federal capital or operating assistance, have a continuing, cooperative and comprehensive transportation (3-C) planning process carried out by a metropolitan planning organization (MPO) in cooperation with the States and their local jurisdictions that results in plans and programs consistent with the planned development of the “urbanized area” pursuant to 23 U.S.C. 134, 23 U.S.C. 150, and 49 U.S.C. 5303, as amended; and

**WHEREAS**, 23 CFR 450.314 – Metropolitan Planning Agreements – requires MPOs, States and Providers of Public Transportation to cooperatively determine the mutual responsibilities necessary to carry out the metropolitan transportation planning process, and directs MPOs, States and Providers of Public Transportation to periodically review and update these agreements; and

**WHEREAS**, 23 CFR 450.306 - Scope of the metropolitan transportation planning process – establishes a performance-driven approach to transportation decision-making to be carried out in the metropolitan transportation planning and programming process; and

**WHEREAS**, the Charlottesville Albemarle Metropolitan Planning Organization serves as the MPO for the Charlottesville-Albemarle Urbanized Area; and

**WHEREAS**, the Commonwealth of Virginia and the Virginia Department of Rail and Public Transportation, City of Charlottesville, County of Albemarle and JAUNT through agreement with the Charlottesville Albemarle MPO and Thomas Jefferson Planning District Commission as the administrative agent of the MPO, provide for the financial assistance and mutually agreed upon terms and conditions for which such assistance will be provided; and

**NOW, THEREFORE**, the Thomas Jefferson Planning District Commission in meeting duly assembled on August 2, 2018 agrees to authorize the TJPDC Chair to sign this agreement and authorizes the staff and Director of the TJPDC to conduct a cooperative, comprehensive and continuing transportation planning and programming process for the Charlottesville Albemarle Metropolitan Planning Organization.

Witness

Thomas Jefferson Planning District

\_\_\_\_\_  
Charles P. Boyles, II  
Executive Director

\_\_\_\_\_  
Richard Randolph  
Chair

\_\_\_\_\_  
Date

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	September 17, 2018
Action Requested:	Vote on resolution
Presenter:	John Blair, City Attorney
Staff Contacts:	John Blair, City Attorney
<b>Title:</b>	<b>Revised Meeting Rules &amp; Procedures</b>

**Background:**

Council expressed support for moving the consent agenda ahead of Community Matters at the request of Councilor Hill. Council supported allowing members of the public who wished to speak specifically on consent agenda items to speak before the consent agenda vote is taken. If passed, this practice will be implemented at the October 1, 2018 regular Council meeting.

**Discussion:**

Councilor Hill provided the following request to her fellow Councilors for consideration under “Other Business” at the August 20, 2018 Council meeting:

**From:** Hill, Heather  
**Sent:** Wednesday, August 15, 2018 3:02 PM  
**To:** Council <council@charlottesville.org>  
**Subject:** Moving Consent Agenda Up in the Order of Business

Council,

I wanted to raise something that I have heard from staff as an opportunity for us to make the best use of their time as it relates to Consent Agenda items. As I understand, many staff who have items on the Consent Agenda typically hang around City Hall until we get through it, in the event one of us pulls an item. As we typically don't get to the Consent Agenda until after the 8pm break (or later) I would like to propose a couple of things for consideration:

1. Being as proactive as possible about communicating to staff any of our intent to pull an item from Consent before the meeting
2. Moving the Consent Agenda to the top of the meeting agenda, however asking those who have signed up to speak (either in advance or in person) if the topic they wish to cover is an item on the consent agenda and, if so, giving those persons their 3 minutes to speak so we may consider that before adopting the consent agenda.

I realize it is a little less fluid given the need to hear from the public on a consent agenda item before adopting it, however historically don't think those have been frequent and the time this approach would save staff awaiting this part of the agenda is pretty significant.

Welcome your thoughts.

Sincerely,  
Heather

Heather D. Hill | Vice Mayor, City of Charlottesville | [hhill@charlottesville.org](mailto:hhill@charlottesville.org)

**Attachments:**

Resolution  
Revised Council Meeting Rules & Procedures

## **RESOLUTION**

**WHEREAS**, the Charlottesville City Council adopted *The Charlottesville City Council Meeting Rules and Procedures* (hereinafter “Rules and Procedures”) on February 5, 2018; and

**WHEREAS**, the Charlottesville City Council desires to amend the Rules and Procedures.

**NOW, THEREFORE, BE IT RESOLVED**, that the Charlottesville City Council hereby amends Sections B(2)(d) and (e) of the Rules and Procedures to place the Consent Agenda before Community Matters in the Council’s Order of Business at each Council regular meeting.



## Charlottesville City Council Meeting Rules and Procedures

These *Charlottesville City Council Meeting Rules and Procedures* are designed to help City Council conduct its affairs in a timely and efficient manner, while encouraging a robust and meaningful dialogue with members of the community.

### **A. Meetings**

1. Regular meetings of the City Council will begin at 6:30 p.m. on the first and third Mondays of each month (or the following day if that Monday is a legal holiday,) in City Council Chambers (Second Floor, City Hall.) Council will adopt a schedule for its regular meetings at its first regular meeting in January each year.
2. Council may hold additional meetings at other locations and times, or may change the location and time of a regularly scheduled meeting as it deems appropriate. Notice of additional meetings or changes to the location or time of a regularly scheduled meeting will be provided to the public and press as required by the Virginia Freedom of Information Act (FOIA.)
  - a. "Town Hall Meetings" may be regularly scheduled meetings, such as the "Our Town" meeting series, or may be scheduled as a special meeting by Council on a particular topic. A town hall meeting is a type of meeting at which Councilors answers questions from the public.
  - b. "Work Sessions" are meetings at which Council may discuss one or more specific topics in depth among themselves, or at which Council desires to receive an in-depth presentation from staff or an outside party on a particular topic. Council may vote on matters discussed at a Work Session (FOIA does not prohibit voting,) but generally the purpose of a Work Session is to inform Councilors on a topic and for Councilors to give staff or others general direction. Work Sessions may take place within a regular meeting or may be scheduled as a special meeting.
3. Special meetings, closed meetings, and emergency meetings may be scheduled and held in addition to the schedule of regular meetings. Notification requirements for special meetings, closed meetings and emergency meetings are governed by the Virginia Code.
  - a. For special meetings, the purpose and nature of the meeting will dictate whether public comment will be allowed. Time for public comment may or may not be allocated depending on the nature of the meeting and at the discretion of Council.
  - b. Closed meetings generally take place at 5:30 p.m. before the regular Council meeting. The only items Council may consider in closed meetings are those permitted by the Virginia Freedom of Information Act and identified in the motion convening the closed meeting.

### **B. Agenda and Materials**

1. The City Manager shall ensure a proposed agenda is prepared for the Mayor's consideration nine business days before the meeting. The agenda of every regular Council meeting is approved by the Mayor. Any Council member desiring to add items to the proposed agenda should submit them to the City Manager and the Mayor ten business days before the meeting. Last minute submissions are discouraged but may be added to a regular meeting agenda, subject to a vote of Council at the meeting approving a change [addition] to the published agenda. This may occur from time to time when a matter that requires action expeditiously was not known in time to be presented during the normal agenda development process. Citizens may suggest an item for consideration on a Council meeting agenda by submitting the suggestion in writing to the [Clerk](#)

[of Council](#) at least ten business days prior to the meeting.

2. The Order of Business at each regular meeting of Council shall be as follows:
  - a. 6:30 p.m. Call to Order, Pledge
  - b. Special Recognitions by the Mayor or Council (if any), Awards and Proclamations (Council may also project awards, recognitions, and announcements on the television/video screens in lieu of reading/ announcing them.)
  - c. City Manager's Response
  - d. ~~Community Matters (formerly Matters by the Public) (Limited to 16 speakers, maximum; see Section D of these Procedures)~~ Consent Agenda (including, without limitation: approval of minutes; routine ordinances or resolutions; final/second readings of appropriations, ordinances or resolutions; other routine items)
  - e. ~~Consent Agenda (including, without limitation: approval of minutes; routine ordinances or resolutions; final/second readings of appropriations, ordinances or resolutions; other routine items)~~ Community Matters (formerly Matters by the Public) (Limited to 16 speakers, maximum; see Section D of these Procedures)
  - f. Action Items, and any related Public Hearings (items on which action is requested from Council)
  - g. General Business for Discussion, and any related Public Hearings (items on which Council will conduct a public hearing, hold a discussion among themselves, receive a presentation, etc., but on which no action will be taken at that meeting)
  - h. Matters by the Public
3. The City Manager, in consultation with the Mayor, shall provide background materials for the Council and the public. Agenda and background materials for upcoming City Council meetings shall be made available for public review in the Clerk of Council's Office and on the [City's website](#), concurrent with Council's receipt of the same, and no later than Wednesday before the meeting.
4. Any materials in addition to the background materials prepared by the City Manager shall be distributed to the Council by the Clerk of Council no later than Friday before the meeting. Council may defer any item for which all relevant information has not been provided in a timely manner.
5. Agenda Items
  - a. *Consent Agenda*: the consent agenda may be used for eligible items and may include, but is not limited to, routine and noncontroversial appropriations, grant applications, contracts, resolutions, ordinances, second readings, and the minutes. After the consent agenda is read by the Clerk of Council, any item may be removed at the request of any two Council members. Any item removed from the consent agenda shall be added to the end of the regular agenda for discussion. Those items not removed from the consent agenda shall be acted upon by a single vote of Council.
  - b. Agenda items shall be heard in the order in which they appear on the agenda. With the consent of two other Councilors, the Mayor may postpone or take out of sequence agenda items from

- the order listed on the agenda.
- c. Each agenda item shall be given an approximate time limit. Generally, the total time allocated to any agenda item that does not include a scheduled public hearing shall not exceed twenty (20) minutes, unless the Mayor, in consultation with the City Manager, determines otherwise.
  - d. Opening presentations for agenda items shall be limited to ten (10) minutes, unless the Mayor, in consultation with the City Manager, determines otherwise.
  - e. For each agenda item, staff or an appropriate designee will present the item to Council, after which Councilors may ask clarifying questions of staff if necessary. If a public hearing is scheduled, the public hearing will be conducted before any motion is initiated by a Councilor.

## **C. Transaction of Business**

### 1. General.

- a. Unless otherwise specifically provided by law, Council may conduct business and vote upon any matter properly before it, at any meeting at which a quorum is present.
- b. Informal discussion of a subject is permitted while no motion is pending.
- c. In making motions and transacting its business, Council shall follow the rules set forth within these Meeting Procedures. If a question of procedure arises that cannot be resolved by the provisions within these Procedures, the Parliamentarian will consult Robert's Rules of Order and apply them to a resolution of the question.

### 2. Motions, generally.

- a. Any member, including the presiding officer, may make a motion. A member may make only one motion at a time.
- b. Except as otherwise noted, all motions require a second; a motion dies for lack of a second.
- c. Except as otherwise noted, each member is required to obtain the floor, by addressing the presiding officer, before making motions or speaking.

### 3. Substantive Motions.

- a. A substantive motion is any motion that deals with the merits of an item of business and that is within the Council's legal powers, duties and responsibilities.
- b. A substantive motion is out of order while another substantive motion is pending.

### 4. Procedural Motions.

- a. A procedural motion is a motion that Council may use to "act upon" a substantive motion, by amending it, delaying consideration of it, and so forth. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.
- b. Only the following procedural motions, and no others are in order. Procedural motions are listed below in their order of priority. If a procedural option is not listed below, then it is not available:
  - i. Appeal a Procedural Ruling of the Presiding Officer (an appeal is in order immediately after a decision is announced and at no other time; the maker need not be recognized by the presiding officer, the motion does not require a second, and if made in a timely

- manner, the motion may not be ruled out of order.)
- ii. Motion to Adjourn
  - iii. Take a brief recess
  - iv. Suspend the rules
  - v. Defer consideration of a Substantive Matter (“lay on the table”; “postpone”; “defer”)
  - vi. Call the question (not in order until each member has had an opportunity to speak once; the motion is not amendable or debatable)
  - vii. Motion to amend (a motion may be amended no more than twice; once a motion has received a second, it is up to the entire group to decide whether or not it should be changed by amendment; prior to receiving a second, a motion may be amended with the permission of the person who made the motion)
  - viii. Substitute motion (no more than one substitute motion may be made; if a substitute motion is adopted and replaces the original motion, no further substitute motions may be made)
  - ix. Withdrawal of motion (a motion may be withdrawn by its maker any time before it is amended, or before the presiding officer puts the motion to a vote, whichever occurs first)
  - x. Motion to reconsider (must be made no later than the next succeeding regular meeting, by a member who voted with the prevailing side; this motion may not be used in a land use decision involving a rezoning or a conditional use permit)

## 5. Debate

- a. In the event that conflicts arise among members as to the order for speaking, the presiding officer shall apply the following rules: the maker of a motion is entitled to speak first, if he or she wishes to do so; a member who has not spoken on an issue shall be recognized before someone who has already spoken.
- b. The presiding officer may participate in the debate prior to declaring a matter ready for a vote.
- c. Council members shall not engage in electronic communications among themselves during a meeting, regarding any motion that is on the floor for debate.
- d. In making a motion, a member shall endeavor to state the basis of the motion within a period not more than 5 minutes. In debating a motion, or in proposing amendments or substitute motions, each member shall try to state the basis of that procedural motion within a period of less than 3 minutes. In asking a question of a speaker, Council members should take not more than 3 minutes to phrase the question.
- e. In debate, speakers shall be collegial in their language and shall avoid all reference to personalities. No member shall interrupt another without the consent of the member who has the floor, except when making a point of order.

## 6. Voting

- a. The Mayor shall call the question, either: (i) after a motion to call the question has received a second and has been voted upon, or (ii) at his or her discretion, any time after each member has had at least one opportunity to speak during debate. After the vote is taken, the Mayor shall announce that the motion is adopted or failed and the vote count.
- b. If any member abstains from voting, the reason for the abstention shall be included in the minutes of the meeting.

- c. In the event that a substantive matter does not require a recorded vote, then the Mayor may call for approval of that matter by voice vote or acclamation. (Generally this process should be used only when a matter is simple, clear to all present and requires no discussion.)

## 7. Mayor as Presiding Officer

The Mayor shall preside at all meetings of City Council (“presiding officer”.) The Vice Mayor shall be the presiding officer in the Mayor's absence.

Meetings of City Council shall be governed according to these Meeting Procedures, except where provided otherwise by the Virginia Code or the Code of the City of Charlottesville. Matters not addressed within by one of those sources shall be resolved in accordance with Robert’s Rules of Order.

- a. The City Attorney shall serve as the Parliamentarian for the purposes of interpreting these Meeting Procedure, and the Code of Virginia (1950), as amended, and Robert’s Rules of Order, as may be directed by the presiding officer, or as required as a result of a point of order raised by one or more Councilors.
- b. No rule set forth within these Meeting Procedures can be suspended except by the consent of four Council members. Suspension of the rules may be made by a motion. (*City Code section 266*)
- c. At each Council meeting, the presiding officer shall preserve order and decorum, and shall have the authority:
  - i. To rule motions in or out of order, including any motion not germane to the subject under discussion;
  - ii. To determine whether a speaker is unreasonably disturbing the meeting, and to entertain and rule on objections from other members on this ground;
  - iii. To entertain and answer questions of procedure;
  - iv. To call a brief recess at any time;
  - v. To adjourn in an emergency.
- d. A decision by the presiding officer on any matter listed in c.i. through c.iii. above may be appealed to Council upon motion of any member. Such a motion is in order immediately after the presiding officer announces his or her decision, and at no other time.
- e. The presiding officer shall ensure that individuals address their comments to City Council at appropriate times, in accordance with the meeting agenda. Otherwise, no person shall address City Council until leave to do so has been granted by the City Council or until invited to do so by the Mayor. Remarks shall at all times be addressed directly to Council, and not to staff, the audience, or the media. (*City Code sec. 271*)
- f. Remarks and actions that disrupt the Council meeting, and remarks from persons other than Councilors, the City Manager or City Attorney, which are outside the purpose of Matters by the Public or a Public Hearing (see *section D*below), a staff report, or other presentation associated with an agenda item, are not permitted. The presiding officer shall call an individual to order when that individual goes afoul of these rules. The following are examples of remarks and behavior that are not permitted:
  - i. Interrupting a speaker who is addressing Council at the speaker’s microphone or a speaker who has otherwise been invited to address Council during Matters by the Public or a Public Hearing;

- ii. Interrupting a Councilor who is speaking;
  - iii. Shouting, and talking (either individually or in concert with others) in a manner that prevents a speaker or a Councilor from being heard or that otherwise hinders the progress of the meeting;
  - iv. Blocking paths for emergency exit from the meeting room; engaging in any conduct that prevents a member of the audience from seeing or hearing Councilors during a meeting; standing on chairs or tables within the Council meeting room;
  - v. Threats of violence toward Councilors, City staff or members of the public;
  - vi. Engaging in conduct that is a criminal offense under the City Code or the Virginia Code;
  - vii. Campaigning for elected office;
  - viii. Promotion of private business ventures.
8. During a City Council meeting the presiding officer shall have control of the Council Chambers and the connecting halls and corridors within City Hall, and any other venue where a Council meeting is being held. In case of any conduct described in section f, above, the presiding officer may take measures deemed appropriate, including but not limited to suspending the meeting until order is restored, ordering areas to be cleared by the Sergeant at Arms, or requiring any individual to exit the meeting room and adjacent premises (connecting halls and corridors.)
9. Any person who has been expelled from a Council meeting shall be barred by the Mayor from reentering the Council meeting from which he or she was expelled, subject to appeal to Council or motion passed by Council.

#### **D. Matters by the Public, Public Hearings and Other Comment Opportunities**

1. *Matters by the Public* – Time shall be reserved during each regular City Council meeting for Matters by the Public. The purpose of Matters by the Public is to offer individuals an opportunity to state a position, provide information to City Council, comment on the services, policies and affairs of the City, or present a matter that, in the speaker’s opinion, deserves the attention of City Council.
- a. At Council’s regularly scheduled meetings, two opportunities will be afforded for members of the public to address Council. One Matters by the Public session will be offered early in the meeting, which shall be called “Community Matters”, prior to taking up matters on a consent agenda, action items agenda, or items for discussion agenda. At this first period, up to sixteen (16) individuals may speak, as follows:
- i. up to 8 individuals selected randomly from a list of people who have signed up in advance, and
  - ii. up to 8 individuals who have registered on the sign-up sheet available at the front of the room prior to the meeting on a first-come/first-served basis.
- A second Matters by the Public session will be offered as the final item on a regular meeting agenda.
- b. Each person who speaks during a Matters by the Public session will be limited to a maximum time of three minutes.
- i. Speakers may concede their allotted time; the person whose name is written on the speaker sheet must be the person who begins speaking, although they may be accompanied by others to the podium and may share their time with them. Each speaker

shall begin by clearly stating his or her name and place of residence (or, if speaking on behalf of a business, by giving the location of the business.)

- ii. Written materials presented at Matters by the Public must be given to the Clerk prior to speaking and will be distributed to the Council. For distribution of hard copies to Councilors, eight copies should be provided; however, electronic distribution is preferred and may be sent to [council@charlottesville.org](mailto:council@charlottesville.org). Power point presentations cannot be accommodated during Matters by the Public.
- iii. After an individual completes his or her remarks to Council, any Councilor or the City Manager may respond as they see fit. To assure the orderly progress of the meeting, the presiding officer shall ensure that, collectively, responses to any individual's remarks will not exceed a period of approximately two minutes.
- iv. Remarks that cannot readily be addressed within the Councilors' response time may be referred to the City Manager by the Mayor, with a request that the City Manager bring back a response at the meeting immediately following the present meeting.

2. *Public hearings* – From time to time, Council will conduct public hearings on specific topics as required by law or as Council otherwise deems appropriate. The purpose of a public hearing is for Council to receive public comments on a specific topic.

- a. Sign-up sheets are provided at the front of the room. Speakers will be called from that list, as time permits.
- b. After all speakers on the sign-up list have been called, other individuals will be invited to speak, until everyone who wishes to speak on the topic has had a chance to do so.
- c. During a public hearing, each speaker must limit his or her comments to the specific application or matter for which the public hearing has been scheduled.
- d. No person may speak more than once during any public hearing. Each person who speaks during a public hearing will be limited to a maximum time of three minutes.
- e. Prior to opening a Public Hearing, Council may, by motion, limit the number of speakers who will be heard, and/or reduce the time for each speaker to two (2) minutes, upon determining that the session could not be commenced in a timely manner.

3. *Town Hall meetings* – Town Hall meetings are generally conducted in an open format. Council may conduct a Town Hall meeting in a manner that is free-form (no limit on the time for making a comment or stating a question, or for Councilors' responses,) or Council may establish an agenda or list of topics that will apply for a particular Town Hall meeting, and times or guidelines for speakers' questions and Councilors' responses. Any parameters that will apply to a Town Hall will be established by the Mayor prior to the meeting or by vote of Council after calling the Town Hall meeting to order and prior to opening the floor. Prior to commencing the session, attendees shall be notified of any applicable time limits or speaker guidelines, either by posted signs, a written agenda or verbal announcement by Council at the beginning of the meeting.

4. *Written Comments* – To provide an additional mechanism to communicate with Council, a [“Submit a Comment to City Council”](#) form is provided on the City website for electronically submitting comments. These comments are distributed to all Council members. Citizens may also contact Councilors via their City email addresses (available on the City's website) or by written correspondence sent in care of the Clerk of Council.

## **E. Recess**

1. During regular meetings, Council will take a brief recess every two hours. The presiding officer will announce the recess at an appropriate time, or any member may, by point of order, remind the presiding officer that a brief recess is due.
2. The Council's goal at regular meetings is to adjourn no later than 11:00 p.m.

## **F. Other**

1. In the interests of efficient management, if Council members seek answers from City staff, they should generally attempt to do so through the City Manager. In any event, when asking questions of staff, Council members should advise City Manager of same.
2. Members of the City Council, including the Mayor, shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Council members shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do. No member of City Council may purport to speak on behalf of the City on matters that have not been voted on by Council or that do not represent official City policy unless authorized by the City Manager.
3. If a Councilor chooses to convene a public meeting that employs any City resources (including meeting spaces and staff attendance), and that might be attended by two or more Councilors, he or she shall advise other Councilors at least one day in advance of the time and place of the meeting.
4. Council members shall respect and adhere to the Council/Manager structure of Charlottesville City government as outlined in the Charlottesville City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by City staff, Boards and Commissions, and the public. Except as provided by the City Code, Council members shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.

## **G. Miscellaneous**

1. Persons with disabilities may request reasonable accommodations by contacting [ada@charlottesville.org](mailto:ada@charlottesville.org) or (434) 9703182. Persons are encouraged to make requests in advance.
2. All regular City Council meetings are broadcast live on Charlottesville's TV10. Streaming video of the meetings is available for viewing [online](#) at the time of the meeting and as an archived



video on the next business day following a meeting. Archived meetings can be downloaded in audio or video format from the City [website](#). [Charlottesville TV 10](#) runs repeats of the most recent meeting throughout the month on Mondays, Wednesdays, and Fridays at 7:00 p.m. and Tuesdays, Thursdays, and Saturday mornings at 9:00 a.m. until the next meeting is held. A DVD copy of the meeting may be requested the week after the meeting; a nominal fee may apply. Contact the Clerk of Council at [clerk@charlottesville.org](mailto:clerk@charlottesville.org) or (434) 970-3113 to inquire.

3. These City Council Meeting Rules and Procedures will be posted on the City's website.
4. These Council Meeting Rules and Procedures are adopted by the Council pursuant to Section 12 of the Charter of the City of Charlottesville and supersede prior rules. The rules and procedures set forth within this document do not create substantive rights for third parties or participants in proceedings before City Council, and City Council reserves the right to suspend or amend the rules in the manner provided in the City Code. The failure of City Council to strictly comply with the provisions of this document shall not invalidate any action of City Council.

*Passed by Council February 5, 2018*

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	August 20, 2018
Action Required:	Public Hearing & Approval of Ordinance
Presenter:	Brian Daly, Director, Parks and Recreation
Staff Contacts:	Brian Daly, Director, Parks and Recreation Doug Ehman, Manager, Parks Division, Parks and Recreation
<b>Title:</b>	<b>Dominion Power Easement – McIntire Skate Park</b>

**Background:**

The City, as the owner of McIntire Park, has been requested to approve an easement to Dominion Power to allow the installation of a power pole and associated electrical service to support the new skate park that is currently under construction at McIntire Park.

**Discussion:**

The intent of this easement is to place one pole on the southwest side of the skate park site to facilitate the installation of necessary electrical service to support the completion of construction at the McIntire Skate Park.

Electrical service will support future lighting of the facility consistent with the Master Plan for East McIntire Park; as well as other electrical service within the skate park facility. Charlottesville Parks and Recreation staff have reviewed the proposed easement and plat and have no concerns with providing the easement. Approval of this easement will not inhibit any public access to the park and will allow the construction of the skate park to remain on schedule.

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

The project supports City Council’s Green City Vision and Goal 3 of the Strategic Plan: A Beautiful and Sustainable Natural and Built Environment and Objective 3.2 Provide Reliable and High Quality Infrastructure.

**Community Engagement:**

There has not been direct community engagement about his proposal.

**Budgetary Impact:**

Approval of the easement will not have any budget impact to the City.

**Recommendation:**

Staff recommends approval of the easement to Dominion Power.

**Alternatives:**

If the easement is not approved, provision of electrical service to the skate park will be impeded.

**Attachments:**

Draft Easement documents and location diagram.

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF AN EASEMENT  
TO DOMINION ENERGY VIRGINIA TO PERMIT ELECTRICAL FACILITIES  
ON AND ACROSS CITY PROPERTY (McINTIRE PARK)  
TO SERVE THE McINTIRE SKATE PARK**

**WHEREAS**, the Virginia Electric and Power Company, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia (“Dominion”), has requested this Council to grant an easement across property owned by the City of Charlottesville within McIntire Park (Tax Map Parcel No. 450001000) near the 250 Bypass, as identified within a Right of Way Agreement (DVP ID No. 81-18-0044) and accompanying Plat submitted by Dominion, for the installation and maintenance of electrical facilities (pole and transformer); and

**WHEREAS**, on August 6, 2018, this City Council conducted a public hearing on the requested easement, as required by law; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute the Dominion Right of Way Agreement, in form approved by the City Attorney, granting the above-described easement to Dominion Energy Virginia for electrical facilities and service to the Skate Park in McIntire Park.



## Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between

CITY OF CHARLOTTESVILLE

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

### WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the ~~perpetual~~ right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.2 to construct, operate and maintain a pole line including, without limitation, all wires, poles, attachments, ground connections, one or more lighting supports and lighting fixtures as GRANTEE may from time to time deem advisable, equipment, accessories and appurtenances desirable in connection therewith, including the right to increase or decrease the number of wires; the width of said non-exclusive easement shall extend THIRTY (30) feet in width across the lands of GRANTOR.

Initials: \_\_\_\_\_

**This Document Prepared by Virginia Electric and Power Company and should be returned to:**  
Dominion Virginia Power, 1719 Hydraulic Road Charlottesville VA 22901.

(Page 1 of 7 Pages)  
VAROW No(s). 81-18-0044  
Tax Map No. 450001000

Form No. 728493-1 (Feb 2018)  
© 2018 Dominion Energy

## Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in CHARLOTTESVILLE, Virginia, as more fully described on Plat(s) Numbered 81-18-0044 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: \_\_\_\_\_

## Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE'S** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE'S** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE'S** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE'S** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_



# Right of Way Agreement

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that GRANTOR is a corporation duly organized and existing under the laws of the state hereinabove mentioned and that he or she has been duly authorized to execute this easement on behalf of said corporation.

**NOTICE TO LANDOWNER:** You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

**IN WITNESS WHEREOF, GRANTOR** has caused its corporate name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

Corporate Name: City of Charlottesville

By (Signature): \_\_\_\_\_

Name (Print): \_\_\_\_\_

Its: \_\_\_\_\_

State of Virginia

City/County of City of Charlottesville

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,

by \_\_\_\_\_, \_\_\_\_\_  
(Name of officer or agent) (Title of officer or agent)

of City of Charlottesville, a(n) Virginia  
(Name of corporation) (State of incorporation)

corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public (Print Name) Notary Public (Signature)

Virginia Notary Reg. No. \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

(Page 4 of 7 Pages)

VAROW No(s). 81-18-0044

(Notary Seal Here)





# Right of Way Agreement

## Exhibit A

THIS RIGHT OF WAY AGREEMENT dated \_\_\_\_\_, 2018, by and between the  
City of Charlottesville

a political subdivision of the Commonwealth of Virginia ("**GRANTOR**"), and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia ("**GRANTEE**") is hereby amended as follows:

1. This Right of Way Agreement shall be limited in duration and shall remain in force for a term of forty (40) years, except for any air rights together with easements for columns for support granted hereunder, in which case such air rights together with easements for columns for support shall exist for a term of sixty (60) years. At the end of any such term, this Right of Way Agreement shall automatically terminate unless **GRANTOR** agrees to renew this Right of Way Agreement for an additional term of years.
2. In the event that this Right of Way Agreement is terminated, or if the removal of **GRANTEE**'s facilities is otherwise desired by **GRANTOR**, then **GRANTOR** agrees that it will pay the cost of removing **GRANTEE**'s wires and facilities, and, if appropriate, the cost of replacing **GRANTEE**'s wires and facilities. Upon the termination of this Right of Way Agreement, **GRANTOR** agrees to provide **GRANTEE**, if needed by **GRANTEE**, a suitable substitute easement subject to the same terms provided for herein for **GRANTEE**'s wires and facilities. In the event that this Right of Way Agreement is revoked or terminated, all facilities constructed hereunder shall remain the property of **GRANTEE**.
3. **GRANTOR** covenants that in the event that **GRANTOR** sells or conveys the real property on which **GRANTEE**'s wires and facilities are located by this Right of Way Agreement, **GRANTOR** will provide **GRANTEE** with a suitable permanent easement for **GRANTEE**'s wires and facilities and, if necessary, pay the cost of relocating **GRANTEE**'s wires and facilities to such permanent easement.

**GRANTOR:**

City of Charlottesville

\_\_\_\_\_ a political subdivision of the Commonwealth of Virginia

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

Its: \_\_\_\_\_

VAROW No(s). 81-18-0044  
(Page 5 of 7 Pages)



## Right of Way Agreement

### EXHIBIT A

This Exhibit A shall be attached to and made a part of the RIGHT OF WAY AGREEMENT executed by the undersigned **GRANTOR(s)** on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. The following terms and conditions are incorporated therein:

GRANTEE agrees to indemnify, protect, defend, and hold GRANTOR, its employees and agents, harmless from and against all claims, actions, losses, damages, costs, expenses, and liabilities arising out of injury to or death of any person or loss of or damage to any property in or upon the easement or GRANTOR'S contiguous area, including the person or property of GRANTOR, its employees, agents, licensees, or others, to the extent such injury, death, loss or damage is caused by the acts or omissions of GRANTEE, its agents or employees. The foregoing indemnity shall not apply to any claims, actions, losses, damages, costs, expenses, and liabilities arising from any act or omission of GRANTOR, its agents, employees, licenses, or others

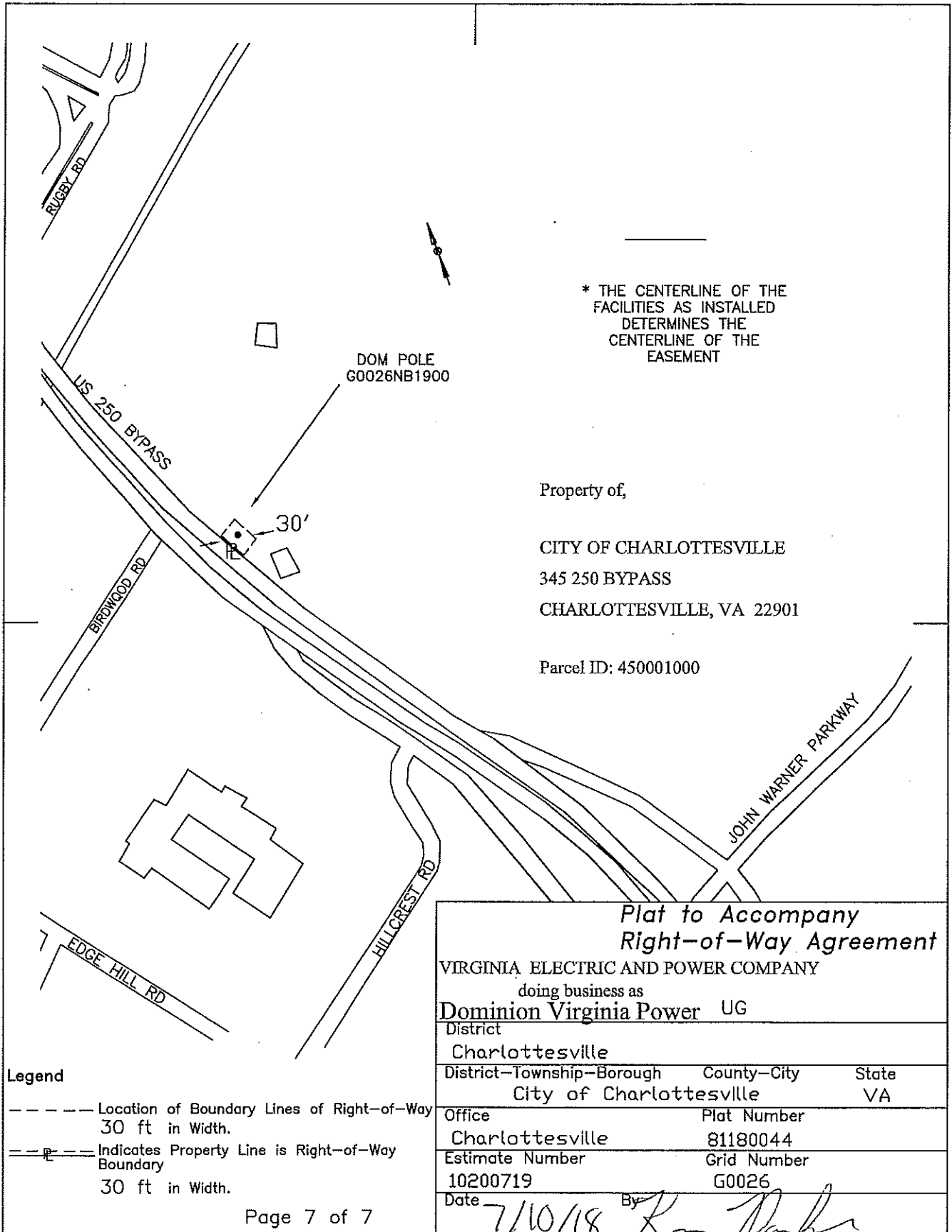
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(SEAL)

\_\_\_\_\_  
(SEAL)

(Page 6 of 7 Pages)

VAROW No(s). 81-18-0044

VAROW No(s).



\* THE CENTERLINE OF THE FACILITIES AS INSTALLED DETERMINES THE CENTERLINE OF THE EASEMENT

DOM POLE  
G0026NB1900

Property of,  
  
CITY OF CHARLOTTESVILLE  
345 250 BYPASS  
CHARLOTTESVILLE, VA 22901

Parcel ID: 450001000

**Legend**

- Location of Boundary Lines of Right-of-Way 30 ft in Width.
- ==|== Indicates Property Line is Right-of-Way Boundary 30 ft in Width.

<b>Plat to Accompany Right-of-Way Agreement</b>			
VIRGINIA ELECTRIC AND POWER COMPANY doing business as <b>Dominion Virginia Power UG</b>			
District Charlottesville			
District-Township-Borough	County-City	State	
City of Charlottesville		VA	
Office	Plat Number		
Charlottesville	81180044		
Estimate Number	Grid Number		
10200719	G0026		
Date	By		
7/10/18	<i>[Signature]</i>		

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



Agenda Date:	August 20, 2018
Action Required:	Yes (Public Hearing and First Reading of Ordinance)
Presenter:	Lauren Hildebrand, Director of Utilities
Staff Contacts:	Lauren Hildebrand, Director of Utilities Carrie Rainey, Planner, NDS
<b>Title:</b>	<b>Release of Portion of Sewer Easement – Belmont Station Subdivision</b>

**Background:** In 1964 the City was granted an easement for installation of sanitary sewer facilities across property now known as Belmont Station, a new subdivision near Carlton Avenue and Randolph Avenue, designated as City Tax Map Parcel 570123000. The property is owned by Belmont Station, LLC (“Owner”), and a subdivision plat showing new roads and utility line easements was recorded in 2017 as Instrument #2017003252 in the Charlottesville Circuit Court Clerk’s Office. The subdivision plat (attached) also indicates as shaded areas those portions of the 1964 sewer line easement which are proposed to be released.

**Discussion:** The subdivision plat clearly shows that certain portions of the 1964 sewer easement cross lots where houses have been or will be constructed, and the need for a partial release of the easement. The Utilities Department and Neighborhood Development Services have confirmed that those portions of the 1964 sewer easement are no longer needed. A new private street, Junction Lane, has been designated as a 32’ wide public utility easement so that utility lines can be installed in the right of way and avoid crossing lots as much as possible. If approved, the City Attorney’s Office will draft a quitclaim deed (substantially the same as the attached deed) to release the City’s rights in the shaded portions of the 1964 sewer easement.

**Community Engagement:** A public hearing is required by law to give the public an opportunity to comment on the proposed conveyance of a property interest. Notice of such public hearing was advertised in the local newspaper at least 7 days in advance of the public hearing.

**Alignment with City Council’s Vision and Priority Areas:** Not applicable.

**Budgetary Impact:** None.

**Recommendation:** Approve the ordinance abandoning portions of the 1964 sewer easement.

**Attachments:** Proposed Ordinance; Quitclaim Deed; Plat.

**AN ORDINANCE  
AUTHORIZING THE RELEASE OF  
A PORTION OF A SANITARY SEWER EASEMENT  
GRANTED TO THE CITY ACROSS PROPERTY  
NEAR CARLTON AVENUE AND RANDOLPH AVENUE  
(BELMONT STATION SUBDIVISION)**

**WHEREAS**, in 1964 the City acquired a permanent easement for installation of sanitary sewer line facilities (“1964 Sewer Easement”) across the property currently known as Belmont Station subdivision, designated as City Tax Map Parcel 570123000 (“Subject Property”), owned by Belmont Station LLC; and

**WHEREAS**, the Subject Property has been developed as an approved subdivision, the subdivision plat being of record as Instrument #2017003252 in the Charlottesville Circuit Court Clerk’s Office, with relocation of certain portions of the sanitary sewer lines protected by the 1964 Sewer Easement and new easements granted to the City across the Subject Property; and

**WHEREAS**, the Director of Utilities and Neighborhood Development Services have reviewed the request to release portions of the 1964 Sewer Easement, shown as shaded areas on the subdivision plat and labeled “12’ San. Sewer Esmt. DB 251 Pg 547 Shaded Portion To Be Vacated”, after determining that the City no longer has a need for those portions of the easement; and

**WHEREAS**, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the partial release of the 1964 Sewer Easement; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Quitclaim Deed, in form approved by the City Attorney, to release the above-described portions of the 1964 Sewer Easement granted to the City.

Prepared by Lisa A. Robertson (VSB #32486)  
City Attorney's Office, P.O. Box 911, Charlottesville, VA 22902  
Tax Map Parcel 570123000

**This deed is exempt from state recordation taxes imposed by Virginia Code §58.1-802 pursuant to Virginia Code §58.1-811(C)(4).**

**THIS QUITCLAIM DEED** made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, from the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (hereinafter, the "CITY"), GRANTOR, to **BELMONT STATION, LLC**, a Virginia limited liability company, GRANTEE, whose address is 170 South Pantops Drive, Charlottesville, Virginia 22911.

WITNESSETH:

WHEREAS, GRANTEE is the owner of certain real property in the City of Charlottesville, Virginia, designated on City Real Estate Tax Map 57 as Parcel 123 (the "Property"); and

WHEREAS, by Deed of Easement dated January 27, 1964 to the CITY, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 251, Page 547, the CITY was conveyed a permanent easement and right of way (the "1964 Sewer Easement") for the construction and maintenance of sanitary sewer facilities across the Property; and

WHEREAS, certain sections of the sanitary sewer line facilities have been relocated to accommodate construction of a new subdivision (Belmont Station Subdivision) on the Property, and new public utility easements have been granted to the City for the relocated portions of the sewer lines; and

WHEREAS, GRANTEE has requested the City to Quitclaim and Release portions of the 1964 Sewer Easement, shown as shaded areas and labeled "12' San. Sewer Esmt. DB 251 Pg 547 Shaded Portion To Be Vacated" on the subdivision plat of Belmont Station, of record as Instrument #2017003252 in the Charlottesville Circuit Court Clerk's Office, said portions of the 1964 Sewer Easement being no longer necessary for access, maintenance, or repair of the new sanitary sewer facilities; and

WHEREAS, the CITY has agreed to Quitclaim portions of the 1964 Sewer Easement as requested by GRANTEE, after holding a public hearing, advertised in accordance with Virginia Code Sec. 15.2-1800(B), and adoption of an Ordinance by the Charlottesville City Council on \_\_\_\_\_, 2018.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, the CITY does hereby RELEASE and forever QUITCLAIM all its right, title and interest in and to those portions of the 1964 Sewer Easement shown as shaded areas and labeled "12'

San. Sewer Esmt. DB 251 Pg 547 Shaded Portion To Be Vacated” on the subdivision plat of Belmont Station, of record as Instrument #2017003252 in the Charlottesville Circuit Court Clerk’s Office.

IN WITNESS WHEREOF, the City of Charlottesville has caused this deed to be executed by its Mayor, pursuant to an Ordinance adopted by City Council on \_\_\_\_\_, 2018.

WITNESS the following signature and seal:

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: \_\_\_\_\_  
Nikuyah Walker, Mayor

COMMONWEALTH OF VIRGINIA  
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by Nikuyah Walker, Mayor, on behalf of the City of Charlottesville, Virginia.

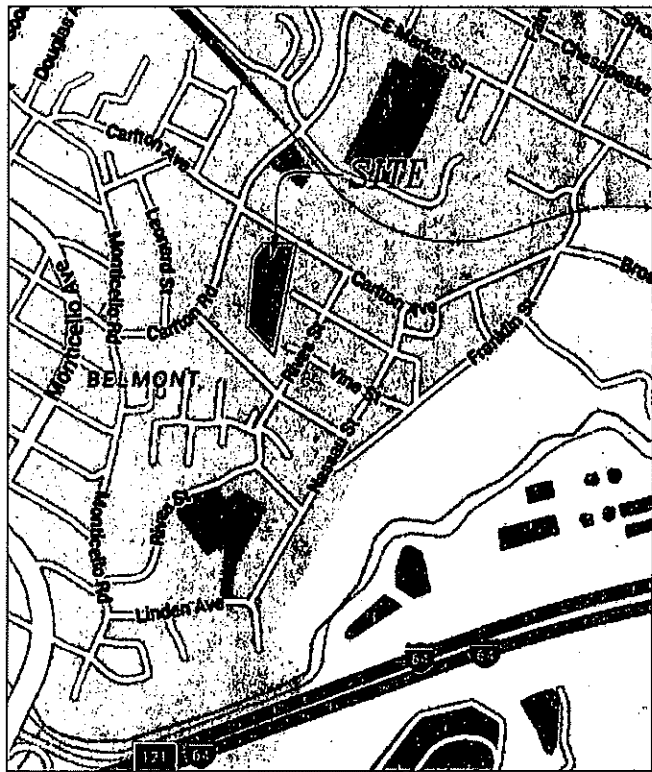
\_\_\_\_\_  
NOTARY PUBLIC  
Registration #: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

*Approved As To Form:*

\_\_\_\_\_  
Lisa A. Robertson, Chief Deputy City Attorney

**NOTES:**

1. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY SHOWN HEREON.
2. OWNER OF RECORD (TMP 57-123): BELMONT STATION, LLC. SOURCE OF TITLE: INSTRUMENT NUMBER 2016-439.
3. OWNER OF RECORD (TMP 57-123.52): 300 CARLTON HOUSE, LC. SOURCE OF TITLE: INSTRUMENT NUMBER 2016-3902.
4. THE AREA SHOWN HEREON IS LOCATED IN ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SHOWN ON FEMA MAP NO 51003C0288D. THIS DETERMINATION HAS BEEN MADE BY GRAPHIC METHODS, NO ELEVATION STUDY HAS BEEN PERFORMED AS A PORTION OF THIS PROJECT.
5. BOUNDARY DATA SHOWN IS TAKEN FROM A SURVEY PREPARED BY KIRK HUGHES AND ASSOCIATES TITLED "TOPOGRAPHIC MAP, CARLTON, LLC" DATED FEBRUARY 6, 2014.
6. SUBJECT PARCEL IS ZONED B-2.
7. SETBACKS PER ZONING ARE: 20' FRONT, 0' SIDE AND 0' REAR. WHERE THE REAR OF A LOT ADJOINS A LOW-DENSITY RESIDENTIAL DISTRICT, THERE SHALL BE A MINIMUM REAR YARD OF TWENTY (20) FEET.
8. PROPOSED USE IS RESIDENTIAL TOWNHOMES.
9. ALL PROPERTY CORNERS WILL BE MONUMENTED WITH IRON PINS UNLESS NOTED OTHERWISE.
10. WATERLINE AND SANITARY SEWER EASEMENTS ARE PUBLIC AND SHALL BE DEDICATED TO AND MAINTAINED BY THE CITY OF CHARLOTTESVILLE UTILITIES DIVISION. THE ENTIRETY OF JUNCTION ROAD IS ALSO DESIGNATED AS A PUBLIC UTILITY EASEMENT.
11. ALL DRAINAGE EASEMENTS ARE PRIVATE AND ARE TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION TO BE NAMED AT A LATER DATE.
12. STORM WATER MANAGEMENT EASEMENTS ARE PRIVATE AND SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION TO BE NAMED AT A LATER DATE.
13. ALL NEW ROADS ARE PRIVATE AND ARE TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION TO BE NAMED AT A LATER DATE.
14. THE STREETS IN THIS SUBDIVISION ARE NOT ACCEPTED INTO THE CITY'S STREET SYSTEM AND WILL NOT BE MAINTAINED BY THE CITY OF CHARLOTTESVILLE.
15. EACH PARCEL CREATED BY THIS SUBDIVISION PLAT CONTAINS A BUILDING SITE THAT COMPLIES WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTESVILLE'S ZONING, WATER PROTECTION AND SUBDIVISION ORDINANCES.



**VICINITY MAP**  
SCALE: 1"=1,000'

**OWNER'S APPROVAL**

THE DIVISION OF THE LAND DESCRIBED IS WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER, TRUSTEES, OR PROPRIETORS. ANY REFERENCE TO FUTURE POTENTIAL DEVELOPMENT IS TO BE DEEMED AS THEORETICAL ONLY. ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

BELMONT STATION, LLC  
170 SOUTH PANTOPS DRIVE  
CHARLOTTESVILLE, VA 22911

*Lois A. Haverstrom*  
LOIS A. HAVERSTROM  
NOTARY PUBLIC

**LOIS A. HAVERSTROM**  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES JULY 31, 2020  
REGISTRATION NO. 298946

TO WIT: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22 DAY OF June 2017.

MY COMMISSION EXPIRES: 7-31-2020

**OWNER'S APPROVAL**

THE DIVISION OF THE LAND DESCRIBED IS WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER, TRUSTEES, OR PROPRIETORS. ANY REFERENCE TO FUTURE POTENTIAL DEVELOPMENT IS TO BE DEEMED AS THEORETICAL ONLY. ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

300 CARLTON HOUSE, LC by Christopher Murray, AS Manager  
1217 HAZEL STREET  
CHARLOTTESVILLE, VA 22902

*Lois A. Haverstrom*  
LOIS A. HAVERSTROM  
NOTARY PUBLIC

**LOIS A. HAVERSTROM**  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES JULY 31, 2020  
REGISTRATION NO. 298946

TO WIT: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22 DAY OF June 2017.

MY COMMISSION EXPIRES: 7-31-2020

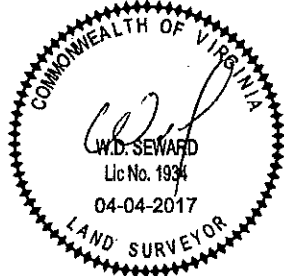
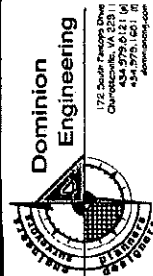
**AREA SUMMARY:**

ORIGINAL TMP 57-123	3.212 AC
NEW RESIDENTIAL LOTS	2.415 AC
OPEN SPACE	0.382 AC
PRIVATE R/W & UTILITY EASE.	0.406 AC
AREA 'X' ADDED TO TMP 57-123.52	0.009 AC
<b>TOTAL</b>	<b>3.212 AC</b>

**APPROVED FOR RECORDATION**

SIGNATURE: *[Signature]* DATE 6/6/17  
CITY SUBDIVISION AGENT, (OR AUTHORIZED) DESIGNEE

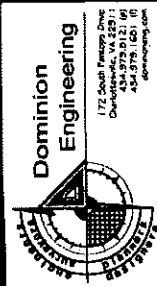
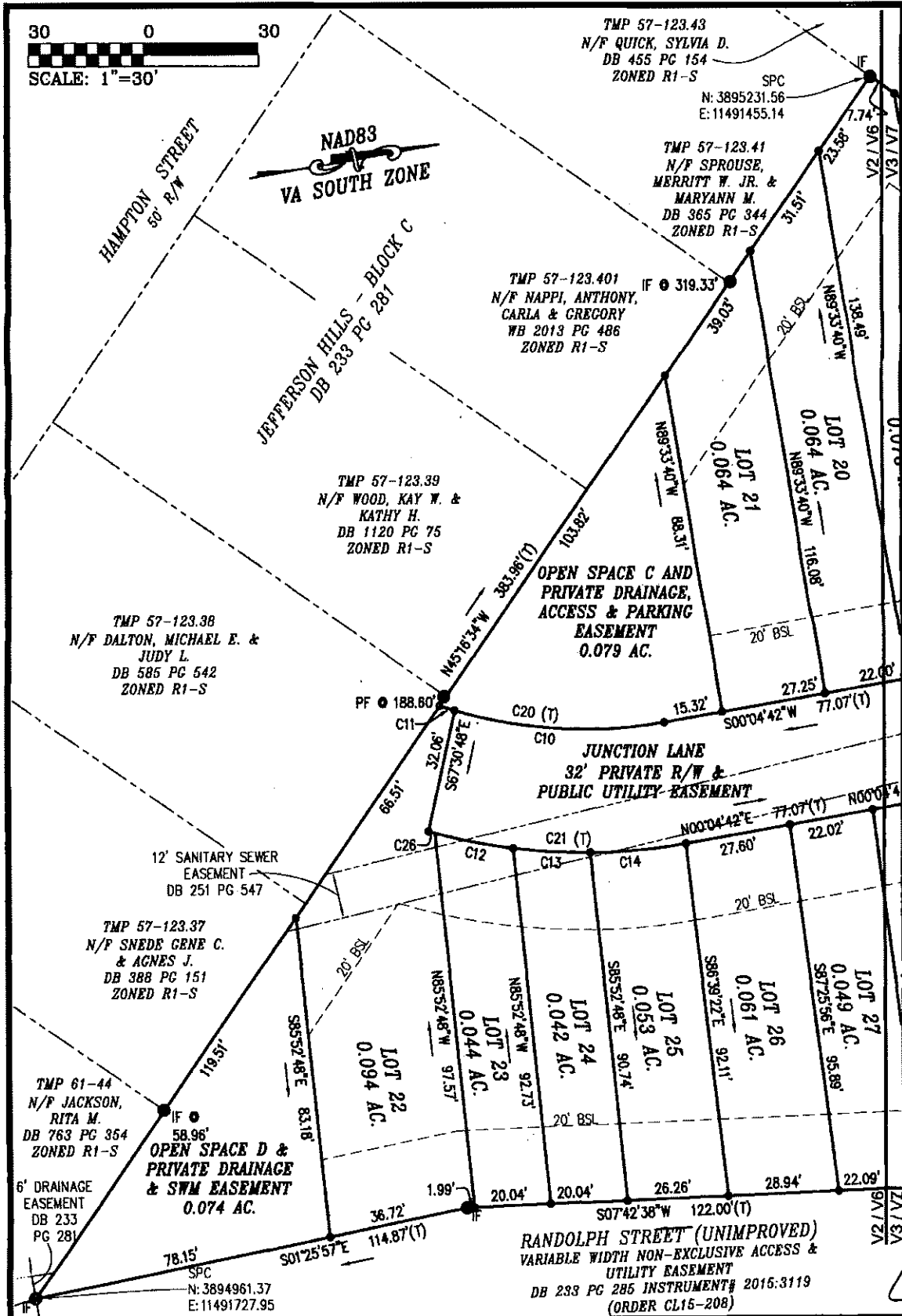
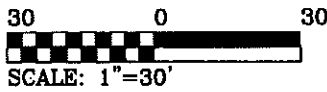
SIGNATURE: *[Signature]* DATE 6/7/17  
CHAIR, CITY PLANNING COMMISSION



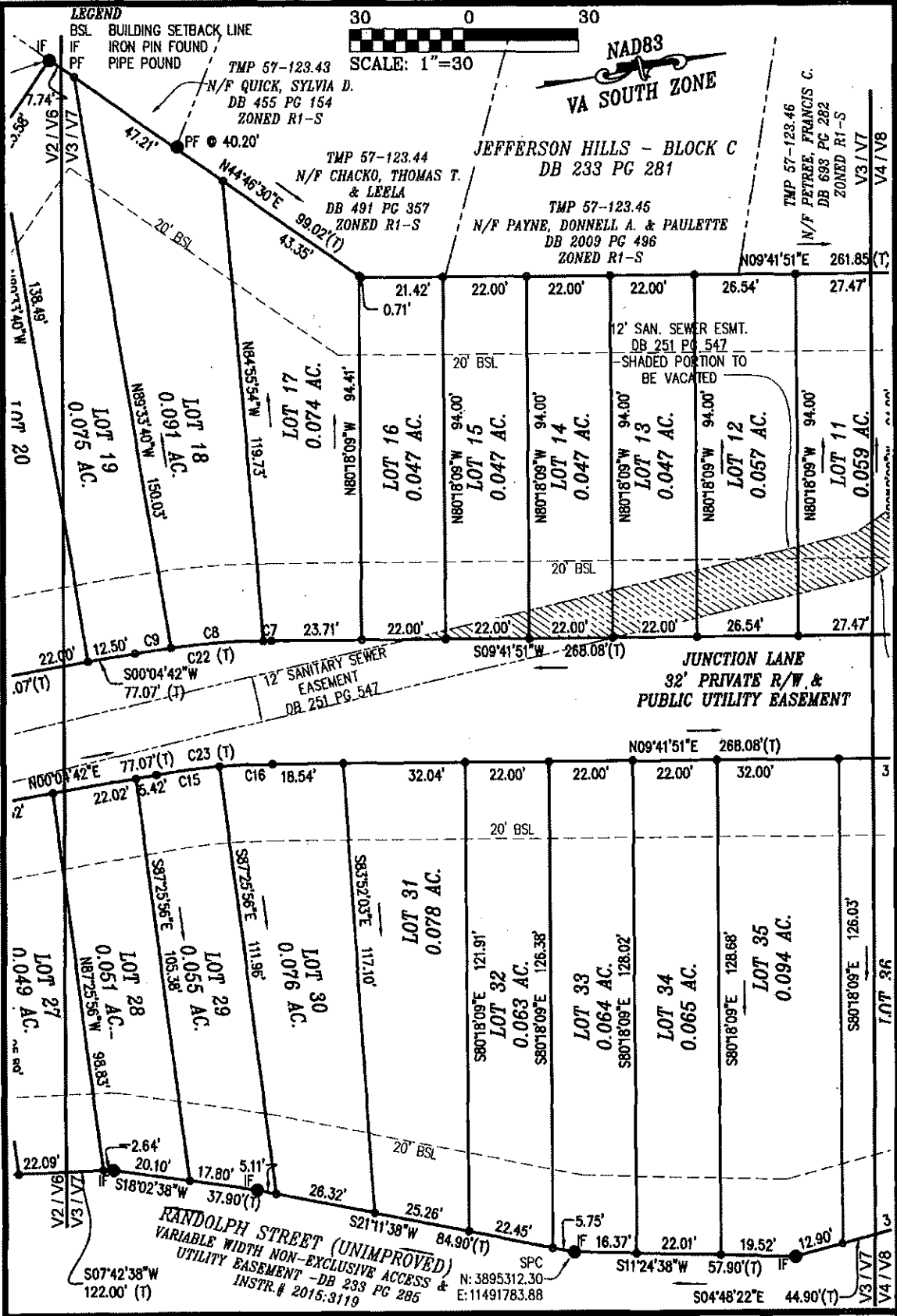
FINAL SUBDIVISION PLAT  
TAX MAP 57 PARCEL 123  
BELMONT STATION SUBDIVISION  
CITY OF CHARLOTTESVILLE, VIRGINIA

DATE: 01-27-2017	REVISION: CITY COMMENTS	DRAWN BY: BRV	SHEET: V1
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	1 OF 10





<p align="center"><b>FINAL SUBDIVISION PLAT</b>  <b>TAX MAP 57 PARCEL 123</b>  <b>BELMONT STATION SUBDIVISION</b>  <b>CITY OF CHARLOTTESVILLE, VIRGINIA</b></p>			
DATE:	01-27-2017	REVISION:	04-04-2017
PROJECT NO.:	14.0088	CITY COMMENTS:	BRV
		CHECKED BY:	WDS
		SHEET:	V2
			2 OF 10



**Dominion Engineering**  
 172 South Trinity Drive  
 Charlottesville, VA 22911  
 434-273-1200  
 dominioneng.com

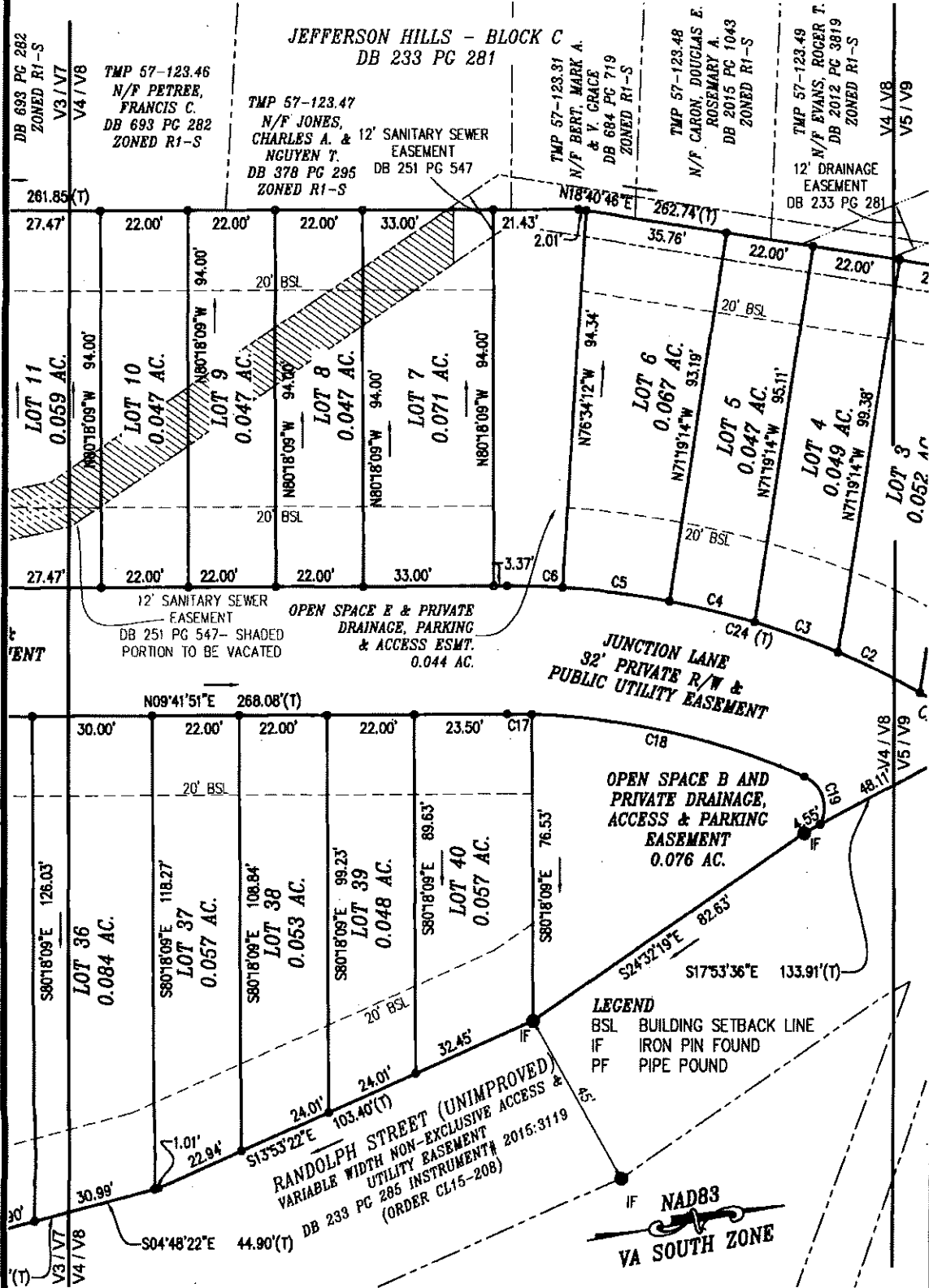
COMMONWEALTH OF VIRGINIA  
 W.D. SEWARD  
 Lic No. 1934  
 04-04-2017  
 LAND SURVEYOR

FINAL SUBDIVISION PLAT  
 TAX MAP 57 PARCEL 123  
 BELMONT STATION SUBDIVISION  
 CITY OF CHARLOTTEVILLE, VIRGINIA

DATE: 01-27-2017	REVISION: 04-04-2017 COMMENTS	CITY BRV	DRAWN BY: BRV	SHEET: V3
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	3 OF 10	

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SCALE: 1"=30

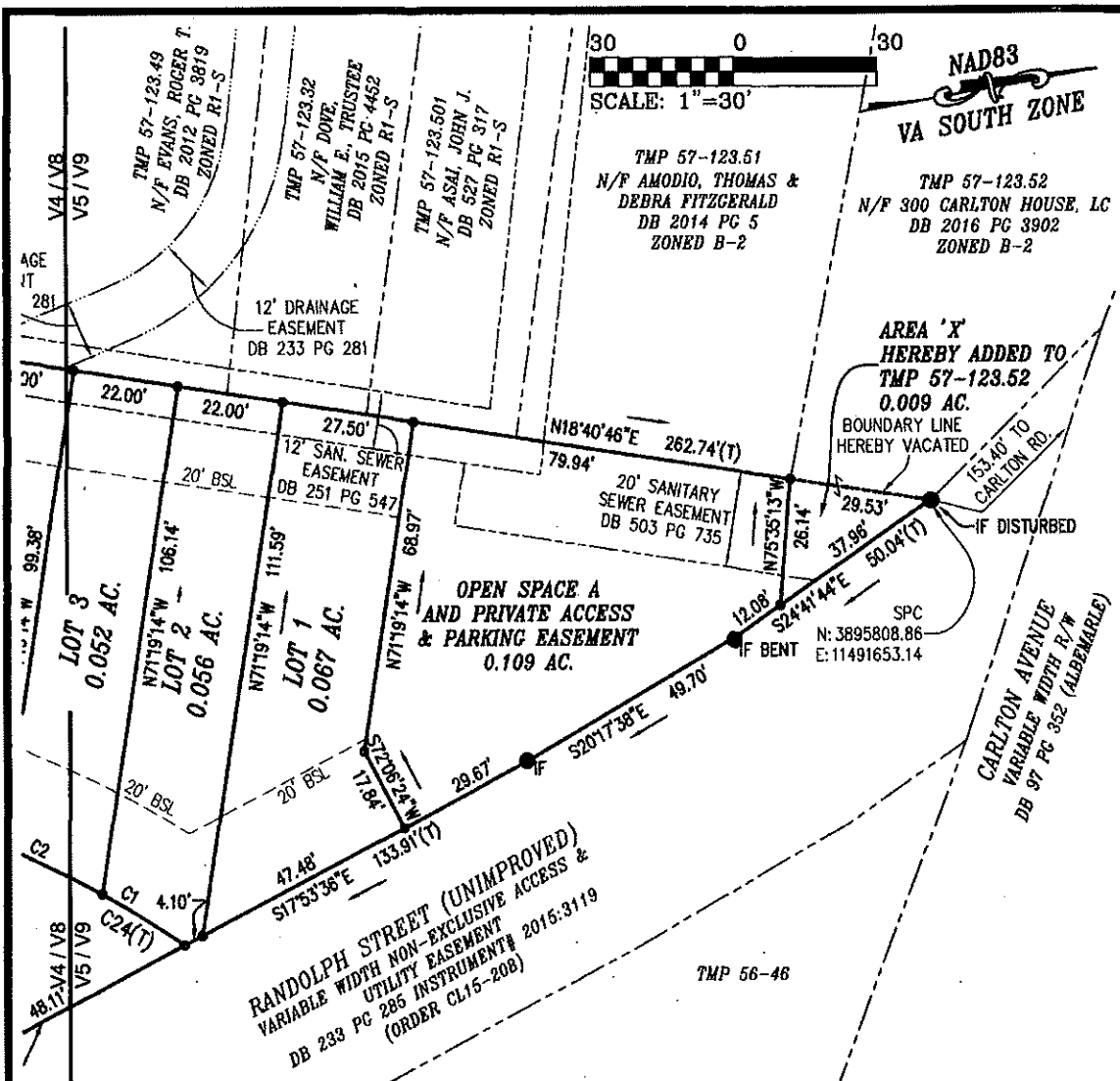


**Dominion Engineering**  
172 South Park Drive  
Charlottesville, VA 22901  
434-979-9229  
434-979-1421 (F)

**COMMONWEALTH OF VIRGINIA**  
W.D. SEWARD  
Lic No. 1934  
04-04-2017  
LAND SURVEYOR

**FINAL SUBDIVISION PLAT**  
**TAX MAP 57 PARCEL 123**  
**BELMONT STATION SUBDIVISION**  
**CITY OF CHARLOTTESVILLE, VIRGINIA**

DATE: 01-27-2017	REVISION: 04-04-2017	CITY COMMENTS	DRAWN BY: BRV	SHEET: V4
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	4 OF 10	



Curve Table							Curve Table						
Curve	Length	Radius	Delta	Tangent	Chord	Chord Bearing	Curve	Length	Radius	Delta	Tangent	Chord	Chord Bearing
C1	20.31'	213.50'	5°27'06"	10.16'	20.31'	S 41°34'15" W	C14	24.99'	152.00'	9°25'16"	12.52'	24.97'	N 04°47'20" E
C2	23.03'	213.50'	6°10'45"	11.52'	23.01'	S 35°45'19" W	C15	16.59'	181.50'	5°14'13"	8.30'	16.58'	N 02°41'49" E
C3	22.42'	213.50'	6°01'01"	11.22'	22.41'	S 29°39'26" W	C16	13.88'	181.50'	4°22'56"	6.94'	13.88'	N 07°30'23" E
C4	22.09'	213.50'	5°55'45"	11.06'	22.08'	S 23°41'03" W	C17	6.25'	181.50'	1°58'23"	3.13'	6.25'	N 10°41'03" E
C5	27.16'	213.50'	7°17'22"	13.60'	27.14'	S 17°04'29" W	C18	70.74'	181.50'	22°19'57"	35.83'	70.30'	N 22°50'13" E
C6	13.91'	213.50'	3°43'58"	6.96'	13.91'	S 11°33'50" W	C19	14.15'	8.50'	95°20'59"	9.33'	12.57'	N 81°40'41" E
C7	2.11'	213.50'	0°33'56"	1.05'	2.11'	S 09°24'53" W	C20	59.48'	120.00'	26°24'07"	30.37'	58.88'	S 14°16'46" W
C8	24.23'	213.50'	6°30'08"	12.13'	24.22'	S 05°52'51" W	C21	67.92'	152.00'	25°36'12"	34.54'	67.36'	N 12°52'48" E
C9	9.51'	213.50'	2°33'05"	4.75'	9.51'	S 01°21'15" W	C22	35.84'	213.50'	9°37'09"	17.96'	35.80'	S 04°53'17" W
C10	55.41'	120.00'	26°27'23"	28.21'	54.92'	S 13°18'24" W	C23	30.47'	181.50'	9°37'09"	15.27'	30.44'	S 04°53'17" W
C11	4.07'	120.00'	1°56'43"	2.04'	4.07'	S 27°30'27" W	C24	128.93'	213.50'	34°35'57"	66.50'	126.98'	S 26°59'49" W
C12	20.93'	152.00'	7°53'18"	10.48'	20.91'	N 21°05'11" E	C25	77.00'	181.50'	24°18'21"	39.09'	76.42'	N 21°51'01" E
C13	20.28'	152.00'	7°38'35"	10.15'	20.28'	N 13°19'15" E	C26	1.73'	152.00'	0°39'04"	0.86'	1.73'	N 25°21'22" E

**Dominion Engineering**  
 172 South Patterson Drive  
 Charlottesville, VA 22911  
 541-279-1250  
 dominioneng.com

**COMMONWEALTH OF VIRGINIA**  
 W.B. SEWARD  
 Lic No. 1934  
 04-04-2017  
 LAND SURVEYOR

FINAL SUBDIVISION PLAT  
 TAX MAP 57 PARCEL 123  
 BELMONT STATION SUBDIVISION  
 CITY OF CHARLOTTESVILLE, VIRGINIA

DATE: 01-27-2017	REVISION: 04-04-2017	CITY COMMENTS	DRAWN BY: BRV	SHEET: V5
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	5 OF 10	

NAD83  
VA SOUTH ZONE

TMP 57-123.43  
N/F QUICK, SYLVIA D.  
DB 455 PG 154  
ZONED R1-S

TMP 57-123.41  
N/F SPROUSE,  
MERRITT W. JR. &  
MARYANN M.  
DB 365 PG 344  
ZONED R1-S

TMP 57-123.401  
N/F NAPPI, ANTHONY,  
CARLA & GREGORY  
WB 2013 PG 486  
ZONED R1-S

TMP 57-123.39  
N/F WOOD, KAY W. &  
KATHY H.  
DB 1120 PG 75  
ZONED R1-S

TMP 57-123.38  
N/F DALTON, MICHAEL E. &  
JUDY L.  
DB 585 PG 542  
ZONED R1-S

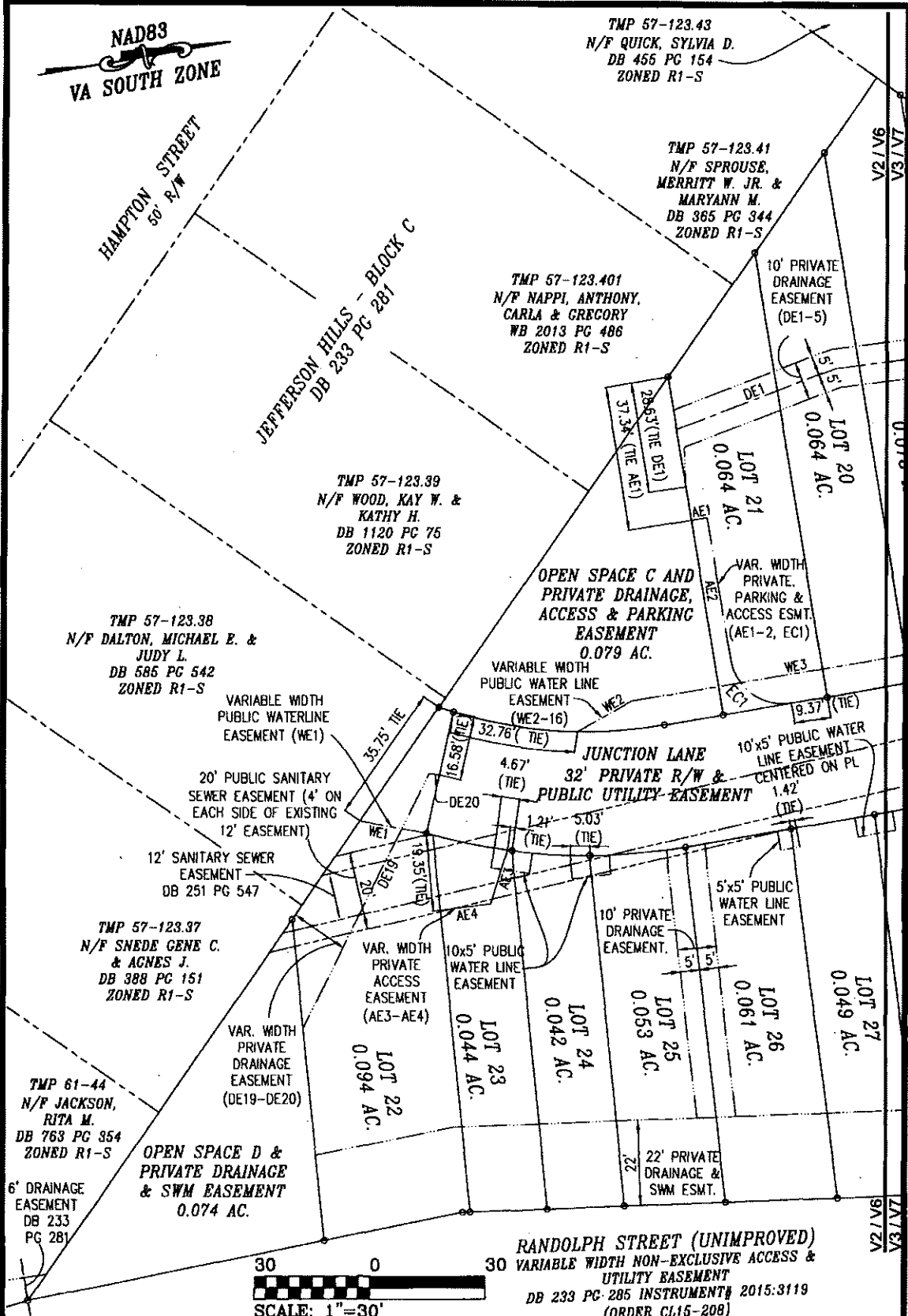
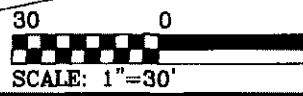
TMP 57-123.37  
N/F SNEDE GENE C.  
& AGNES J.  
DB 388 PG 151  
ZONED R1-S

TMP 61-44  
N/F JACKSON,  
RITA M.  
DB 763 PG 354  
ZONED R1-S

6' DRAINAGE  
EASEMENT  
DB 233  
PG 281

OPEN SPACE D &  
PRIVATE DRAINAGE  
& SWM EASEMENT  
0.074 AC.

RANDOLPH STREET (UNIMPROVED)  
30 VARIABLE WIDTH NON-EXCLUSIVE ACCESS &  
UTILITY EASEMENT  
DB 233 PG 285 INSTRUMENT# 2015.3119  
(ORDER CL15-208)

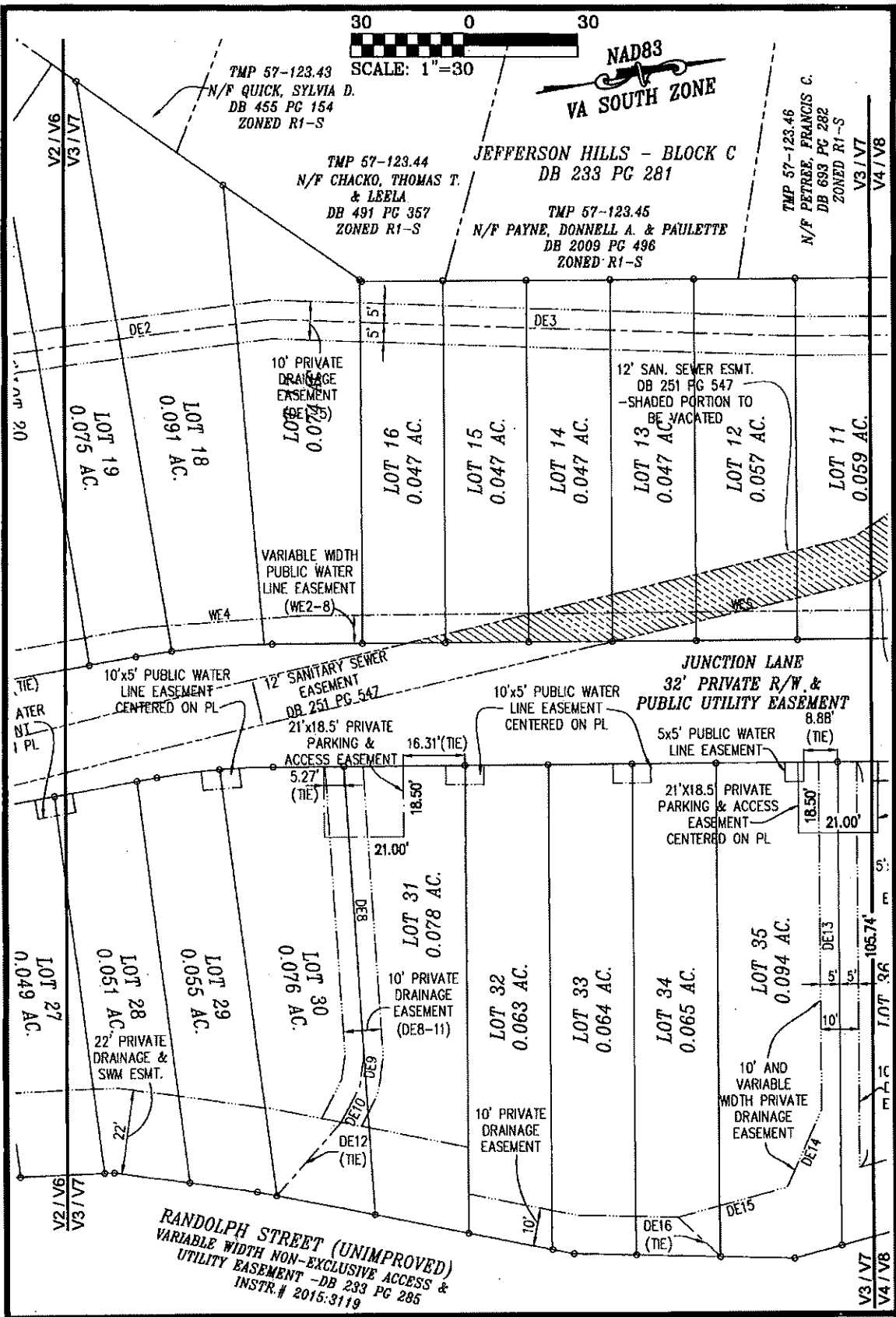


**Dominion Engineering**  
172 South Park Drive  
Charlottesville, VA 22902  
434-279-1601 | 16  
dominioneng.com

COMMONWEALTH OF VIRGINIA  
W.B. SEWARD  
Lic No. 1934  
04-04-2017  
LAND SURVEYOR

FINAL SUBDIVISION PLAT  
TAX MAP 57 PARCEL 123  
BELMONT STATION SUBDIVISION  
CITY OF CHARLOTTESVILLE, VIRGINIA

DATE: 01-27-2017	REVISION: 04-04-2017	CITY COMMENTS	DRAWN BY: BRV	SHEET: V6
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	6 OF 10	



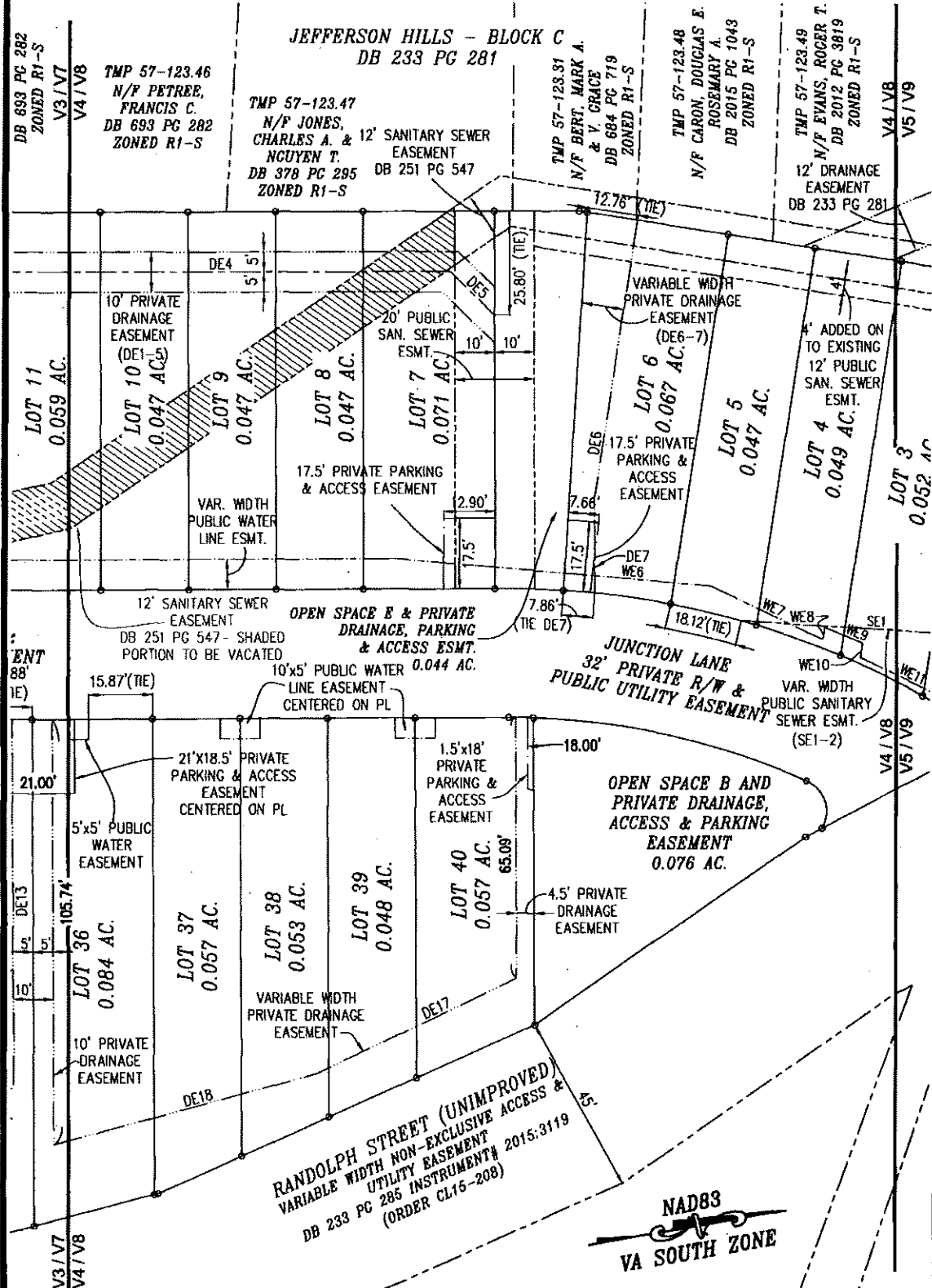
**Dominion Engineering**  
 172 South Frying Pan Drive  
 Charlottesville, VA 22902  
 434.979.6121 (M)  
 434.979.1001 (F)  
 dominioneng.com

**COMMONWEALTH OF VIRGINIA**  
 W.D. SEWARD  
 Lic No. 1934  
 04-04-2017  
 LAND SURVEYOR

**FINAL SUBDIVISION PLAT**  
**TAX MAP 57 PARCEL 123**  
**BELMONT STATION SUBDIVISION**  
**CITY OF CHARLOTTESVILLE, VIRGINIA**

DATE: 01-27-2017	REVISION: 04-04-2017 CITY COMMENTS	DRAWN BY: BRV	SHEET: V7
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	7 OF 10

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 SCALE: 1"=30

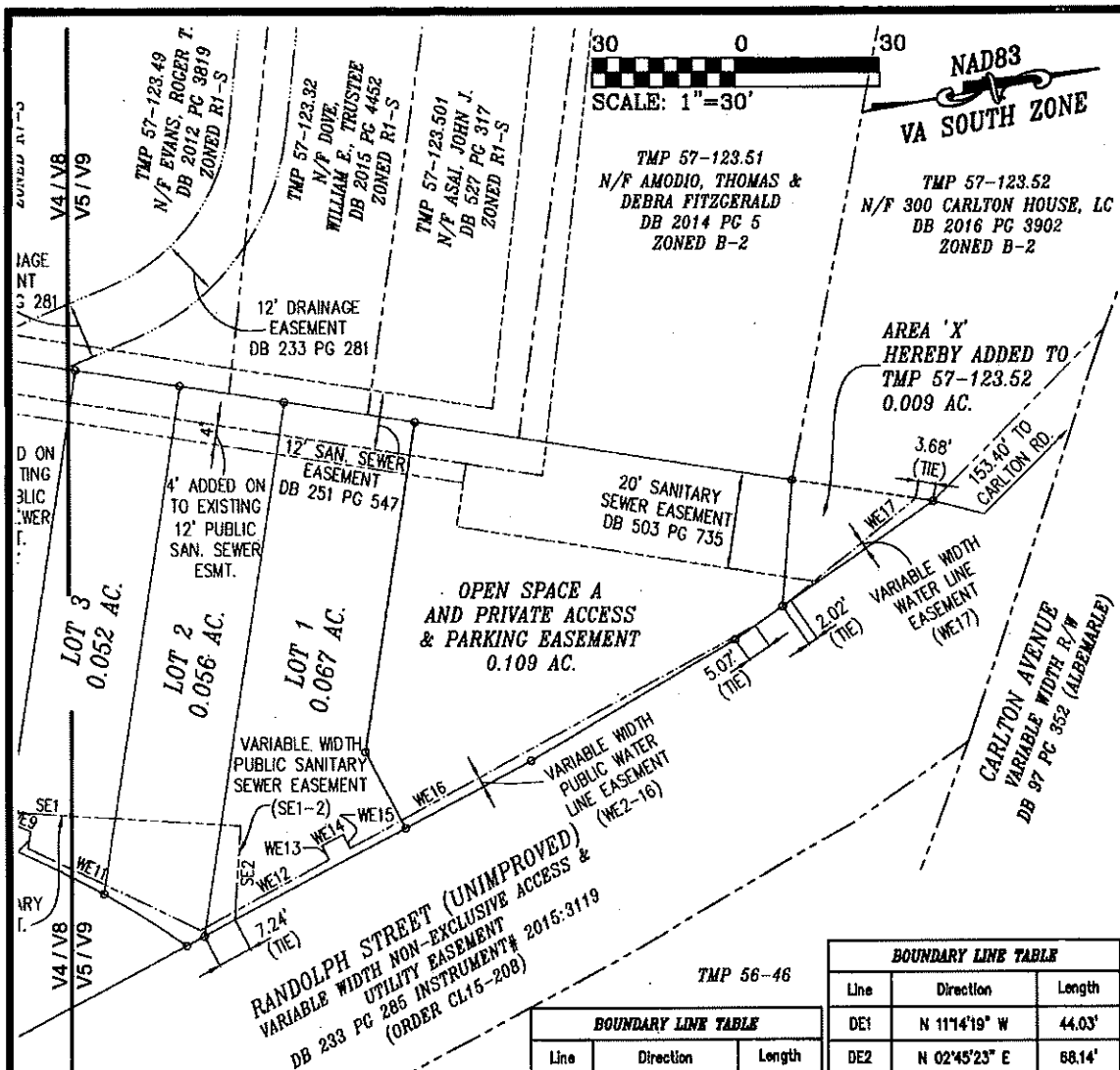


**Dominion Engineering**  
 172 South Parkway Drive  
 Charlottesville, VA 22902  
 434.975.1210  
 434.975.1211  
 dominioneng.com

COMMONWEALTH OF VIRGINIA  
 W.D. SEWARD  
 Lic No. 1934  
 04-04-2017  
 LAND SURVEYOR

FINAL SUBDIVISION PLAT  
 TAX MAP 57 PARCEL 123  
 BELMONT STATION SUBDIVISION  
 CITY OF CHARLOTTESVILLE, VIRGINIA

DATE: 01-27-2017	REVISION: 04-04-2017	CITY COMMENTS	DRAWN BY: BRV	SHEET: V8
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	8 OF 10	



**Curve Table**

Curve	Length	Radius	Delta	Tangent	Chord	Chord Bearing
EC1	21.21'	13.50'	89°59'58"	13.50'	19.09'	S 45°04'43" W

**BOUNDARY LINE TABLE**

Line	Direction	Length
SE1	N 13°30'41" E	74.30'
SE2	S 76°28'19" E	19.46'

**BOUNDARY LINE TABLE**

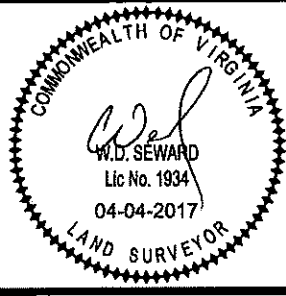
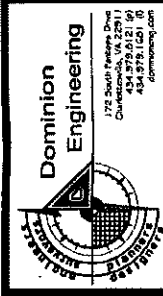
Line	Direction	Length
AE1	S 0°04'42" W	4.06'
AE2	N 89°55'18" W	37.47'
AE3	S 82°39'01" E	14.42'
AE4	S 02°52'31" W	13.14'

**BOUNDARY LINE TABLE**

Line	Direction	Length
WE1	S 20°17'09" W	17.60'
WE2	N 19°31'42" W	16.02'
WE3	N 00°14'03" E	86.78'
WE4	N 05°55'11" E	42.42'
WE5	N 09°38'17" E	232.13'
WE6	N 14°47'51" E	79.35'
WE7	N 35°20'19" E	31.16'
WE8	N 71°19'14" W	3.07'
WE9	N 32°20'35" E	10.29'
WE10	S 71°19'14" E	3.63'
WE11	N 35°20'19" E	39.70'
WE12	N 18°25'59" W	30.50'
WE13	S 72°06'24" W	3.27'
WE14	N 17°53'36" W	5.00'
WE15	N 72°06'24" E	3.23'
WE16	N 18°25'59" W	96.46'
WE17	N 29°02'22" W	33.36'

**BOUNDARY LINE TABLE**

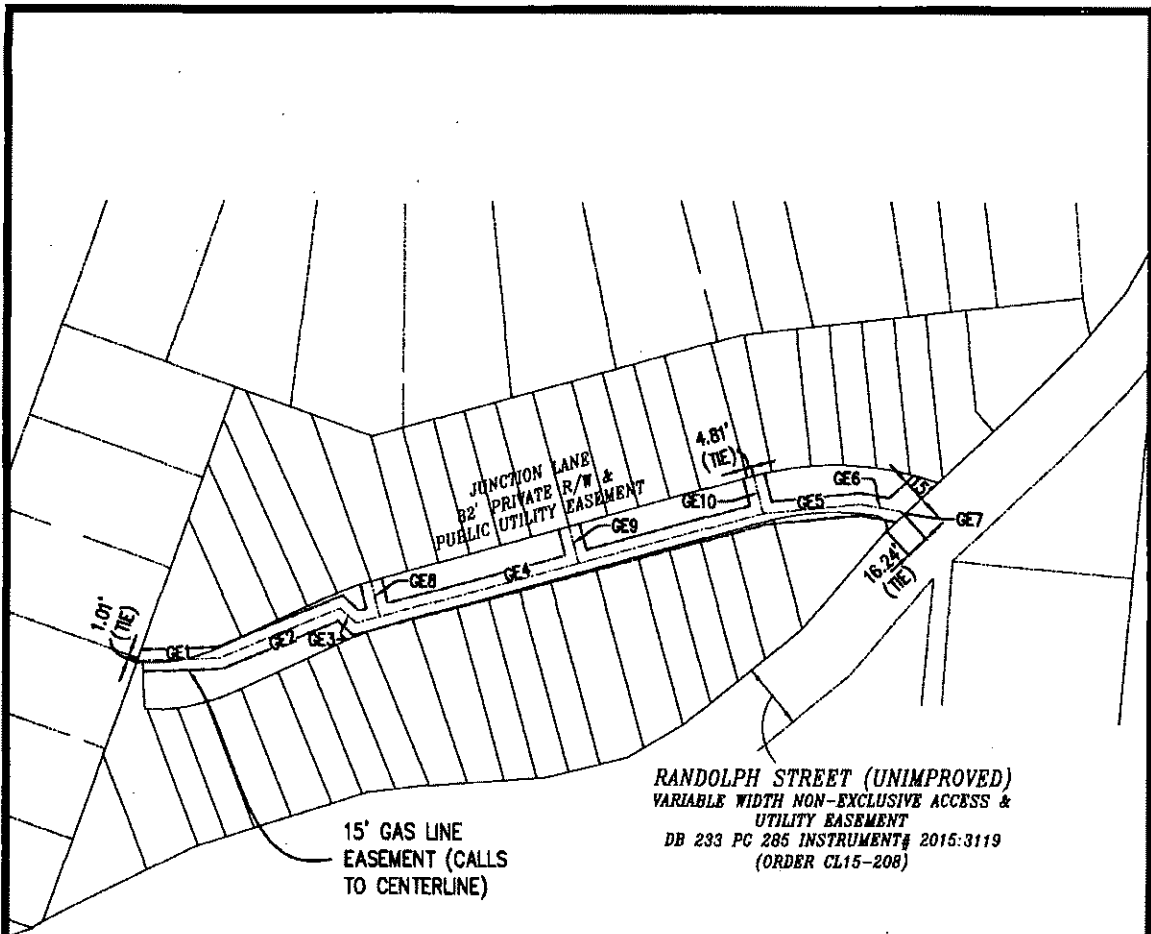
Line	Direction	Length
DE1	N 11°14'19" W	44.03'
DE2	N 02°45'23" E	68.14'
DE3	N 11°52'25" E	138.33'
DE4	N 09°43'54" E	115.07'
DE5	N 53°37'05" E	15.57'
DE6	S 71°18'14" E	70.16'
DE7	S 80°23'18" E	23.50'
DE8	S 83°52'03" E	75.55'
DE9	S 71°28'28" E	8.07'
DE10	S 52°02'09" E	10.51'
DE12	S 38°28'18" E	25.49'
DE13	S 80°19'02" E	90.66'
DE14	S 55°40'51" E	22.09'
DE15	S 05°07'48" E	29.89'
DE16	S 53°12'10" W	15.01'
DE17	N 15°14'39" W	55.86'
DE18	N 04°56'02" W	67.97'
DE19	N 53°36'33" W	73.51'
DE20	N 18°58'30" E	2.64'



**FINAL SUBDIVISION PLAT**  
**TAX MAP 57 PARCEL 123**  
**BELMONT STATION SUBDIVISION**  
**CITY OF CHARLOTTESVILLE, VIRGINIA**

DATE: 01-27-2017	REVISION: CITY COMMENTS 04-04-2017	DRAWN BY: BRV	SHEET: V9
PROJECT NO: 14.0088	REVISION:	CHECKED BY: WDS	9 OF 10

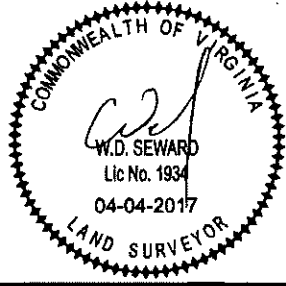
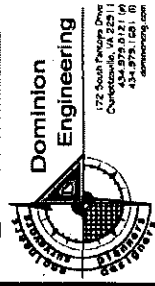
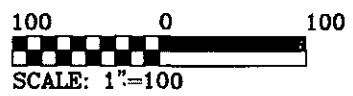




**BOUNDARY LINE TABLE**

Line	Direction	Length
GE1	N 22°42'02" E	56.29'
GE2	N 02°44'16" E	88.83'
GE3	N 67°32'11" E	14.80'
GE4	N 10°01'07" E	287.80'
GE5	N 19°36'47" E	66.06'
GE6	N 34°46'37" E	28.12'
GE7	N 70°14'49" E	3.25'
GE8	S 79°58'53" E	24.87'
GE9	S 79°58'53" E	25.66'
GE10	N 79°00'07" W	26.40'

NAD83  
VA SOUTH ZONE



FINAL SUBDIVISION PLAT  
TAX MAP 57 PARCEL 123  
BELMONT STATION SUBDIVISION  
CITY OF CHARLOTTESVILLE, VIRGINIA

DATE: 01-27-2017	REVISION: 04-04-2017	CITY COMMENTS	DRAWN BY: BRV	SHEET: V10
PROJECT NO: 14.0088	REVISION:		CHECKED BY: WDS	10 OF 10

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



<b>Agenda Date:</b>	August 20, 2018
<b>Action Required:</b>	Yes (Public Hearing and First Reading of Ordinance)
<b>Presenter:</b>	Lauren Hildebrand, Director of Utilities
<b>Staff Contacts:</b>	Lauren Hildebrand, Director of Utilities Chris Sibold, Civil Engineer, NDS
<b>Title:</b>	<b>Release of Sewer Easement – Beta Apartments (17<sup>th</sup> Street, NW)</b>

**Background:** In 1994 the City was granted an easement and right-of-way for installation of a sanitary sewer line across property on 17<sup>th</sup> Street, N.W. (City Tax Map Parcel 090008000) known as Beta Apartments, and owned by Beta Bridge, L.L.C (“Owner”). The property is being redeveloped and new buildings erected, requiring relocation of the existing sewer line. The Owner has signed a deed of easement for the relocated sanitary sewer line, but a certificate of occupancy for the new buildings cannot be granted until the old sewer line easement is released. Copies of the 1994 easement plat and the 2018 Public Utility Easement plat are attached.

**Discussion:** Attached is a plat showing the location of the easement to be released. If approved, the City Attorney’s Office will draft a quitclaim deed (substantially the same as the attached deed) to release the City’s rights in the 1994 sewer easement. The Utilities Department and Neighborhood Development Services have approved the location and as-built plans for the site, and confirmed that the 1994 sewer easement is no longer needed.

**Community Engagement:** A public hearing is required by law to give the public an opportunity to comment on the proposed conveyance of a property interest. Notice of such public hearing was advertised in the local newspaper at least 7 days in advance of the public hearing.

**Alignment with City Council’s Vision and Priority Areas:** Not applicable.

**Budgetary Impact:** None.

**Recommendation:** Approve the ordinance abandoning the 1994 sewer easement.

**Attachments:** Proposed Ordinance; Quitclaim Deed; Plats.

**AN ORDINANCE  
AUTHORIZING THE RELEASE OF  
A SANITARY SEWER EASEMENT  
GRANTED TO THE CITY ACROSS PROPERTY  
ON 17<sup>TH</sup> STREET, NW (BETA APARTMENTS)**

**WHEREAS**, in 1994 the City acquired a permanent easement for installation of a sanitary sewer line (“1994 Sewer Easement”) across the property currently designated as City Tax Map Parcel 090008000 on 17<sup>th</sup> Street, N.W. (“Subject Property”), owned by Beta Bridge, L.L.C.; and

**WHEREAS**, the Subject Property is being redeveloped with new buildings constructed, which requires relocation of the existing sanitary sewer line as part of the site development, and Beta Bridge, L.L.C. has granted the City an easement for the new sanitary sewer line; and

**WHEREAS**, the Director of Utilities and Neighborhood Development Services have reviewed the request to release the 1994 Sewer Easement and determined that the City no longer has a need for that easement; and

**WHEREAS**, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the release of the 1994 Sewer Easement; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Quitclaim Deed, in form approved by the City Attorney, to release the above-described sanitary sewer easement granted in 1994 to the City.

Prepared by Lisa A. Robertson (VSB #32486)  
City Attorney's Office, P.O. Box 911, Charlottesville, VA 22902  
Tax Map Parcel 090008000

**This deed is exempt from state recordation taxes imposed by Virginia Code §58.1-802 pursuant to Virginia Code §58.1-811(C)(4).**

**THIS QUITCLAIM DEED** made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, from the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (hereinafter, the "CITY"), GRANTOR, to **BETA BRIDGE, LLC**, a Virginia limited liability company, GRANTEE, whose address is P.O. Box 1414, Charlottesville, Virginia 22902.

WITNESSETH:

WHEREAS, GRANTEE is the owner of certain real property in the City of Charlottesville, Virginia, designated on City Real Estate Tax Map 9 as Parcel 8 (the "Property"); and

WHEREAS, by Deed of Easement dated May 27, 1994 from GRANTEE to the CITY, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 632, Page 243, the CITY was conveyed a permanent easement and right of way (the "1994 Sewer Easement") for the construction and maintenance of sanitary sewer facilities across the Property; and

WHEREAS, the sanitary sewer line facilities will be or have been relocated to accommodate new building construction on the Property, and a new sewer easement has been granted to the City for the relocated sewer line; and

WHEREAS, GRANTEE has requested the City to Quitclaim and Release the 1994 Sewer Easement, which is no longer necessary for access, maintenance, or repair of the new sanitary sewer facilities; and

WHEREAS, the CITY has agreed to Quitclaim the 1994 Sewer Easement as requested by GRANTEE, after holding a public hearing, advertised in accordance with Virginia Code Sec. 15.2-1800(B), and adoption of an Ordinance by the Charlottesville City Council on \_\_\_\_\_, 2018.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, the CITY does hereby RELEASE and forever QUITCLAIM all its right, title and interest in and to the 1994 Sewer Easement, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 632, Page 243.

IN WITNESS WHEREOF, the City of Charlottesville has caused this deed to be executed by its Mayor, pursuant to an Ordinance adopted by City Council on \_\_\_\_\_, 2018.

WITNESS the following signature and seal:

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: \_\_\_\_\_  
Nikuyah Walker, Mayor

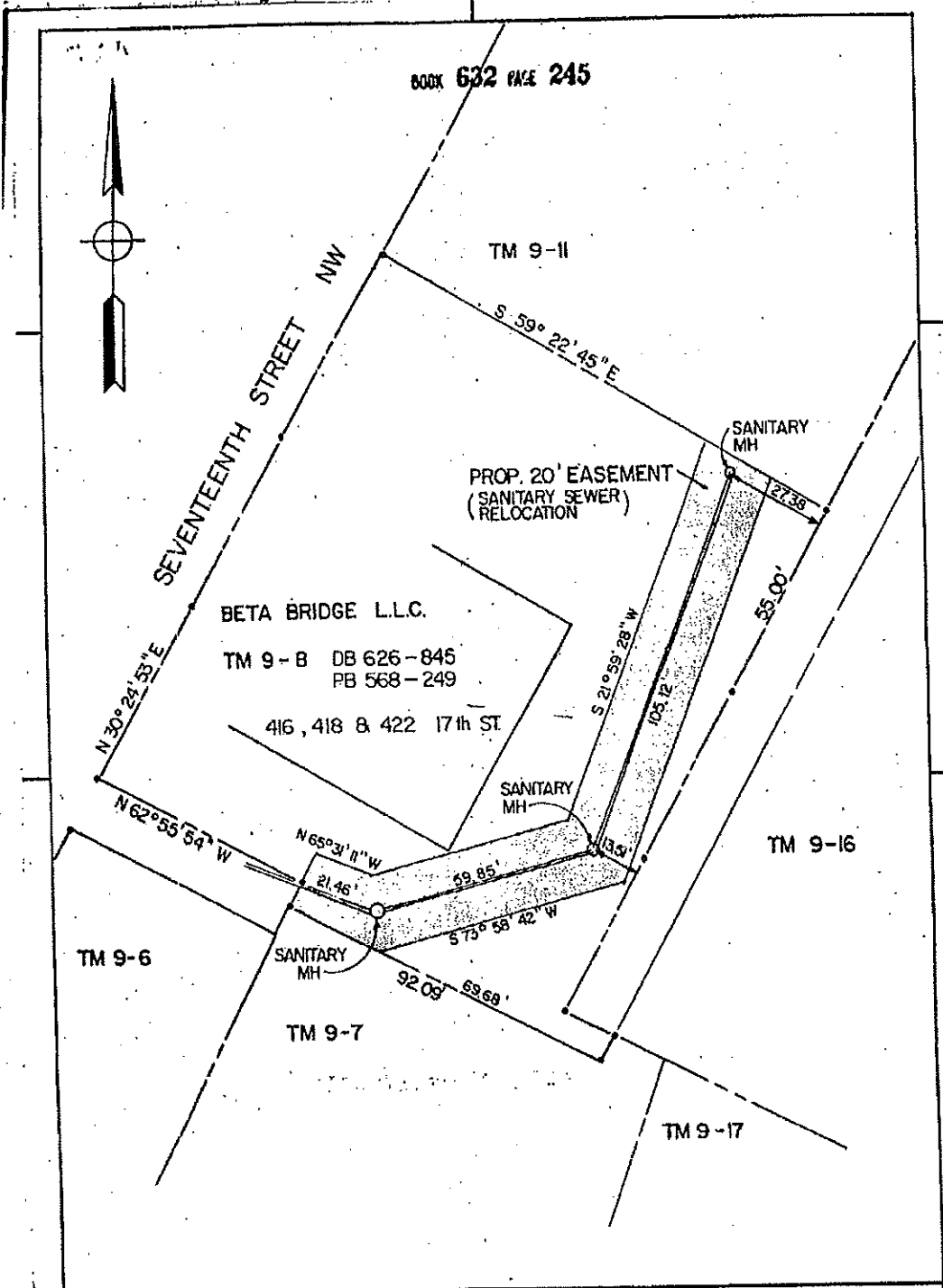
COMMONWEALTH OF VIRGINIA  
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by Nikuyah Walker, Mayor, on behalf of the City of Charlottesville, Virginia.

\_\_\_\_\_  
NOTARY PUBLIC  
Registration #: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

*Approved As To Form:*

\_\_\_\_\_  
Lisa A. Robertson, Chief Deputy City Attorney



PLAT SHOWING  
**PROPOSED EASEMENT  
 SANITARY SEWER RELOCATION**  
 TO BE ACQUIRED BY THE  
 CITY OF CHARLOTTESVILLE, VA.  
 FROM  
**BETA BRIDGE L.L.C.**

ENGINEERING DEPARTMENT  
 CITY OF CHARLOTTESVILLE, VA.  
*pamela & murray*

DRAWN BY PGM CHECKED BY

DATE RECORDED \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 PLAT REF. D.B. \_\_\_\_\_ P. \_\_\_\_\_

FILE NO.

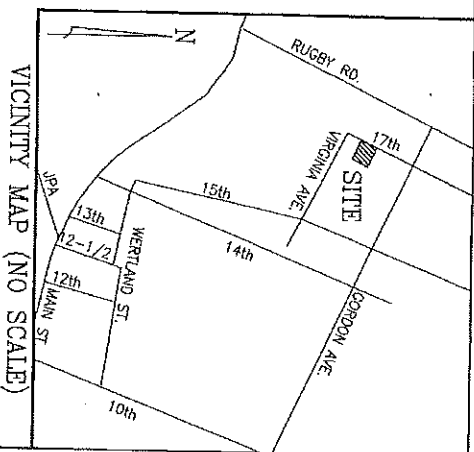
SCALE 1" = 30' DATE 4-12-94

SIZING PHOTO - GREENSBORO 11/94

Plat Showing A  
 Public Utility Easement On  
 Parcel 090008000  
 Located On 17th St. N.W.  
 City of Charlottesville, Virginia

Date: Jul. 3, 2018  
 Rev.: Jul. 11, 2018 (city comments)  
 Sheet 1 of 2

- Notes:
1. Owner: Beta Bridge LLC  
 Deed Book 626, Page 845
  2. The properties shown hereon are oil zoned R-3 UMDH  
 Setbacks: Front 25' min. or average front setback of  
 existing buildings along 17th St. NW; Side: 1' per 3' of  
 height, 10' min.; Rear: 25'
  3. This property appears to lie in an area designated as  
 Zone "X" (Areas determined to be outside the 0.2%  
 annual chance floodplain) as shown on Federal Flood  
 Insurance Rate Maps dated Feb. 4, 2005 Community  
 Panel # 51003C0286D.



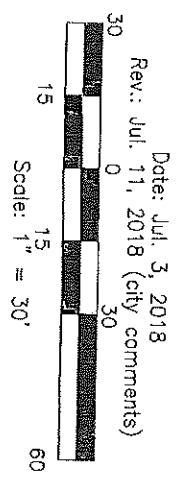
VICINITY MAP (NO SCALE)



**SEITL**  
 KEY  
 INCORPORATED  
 LAND SURVEYORS  
 &  
 LAND PLANNERS  
 P.O. Box 522  
 Nellysford, VA 22968  
 (434) 971-8339  
 LAT / 98-15204-18 dwg  
 98-152-04

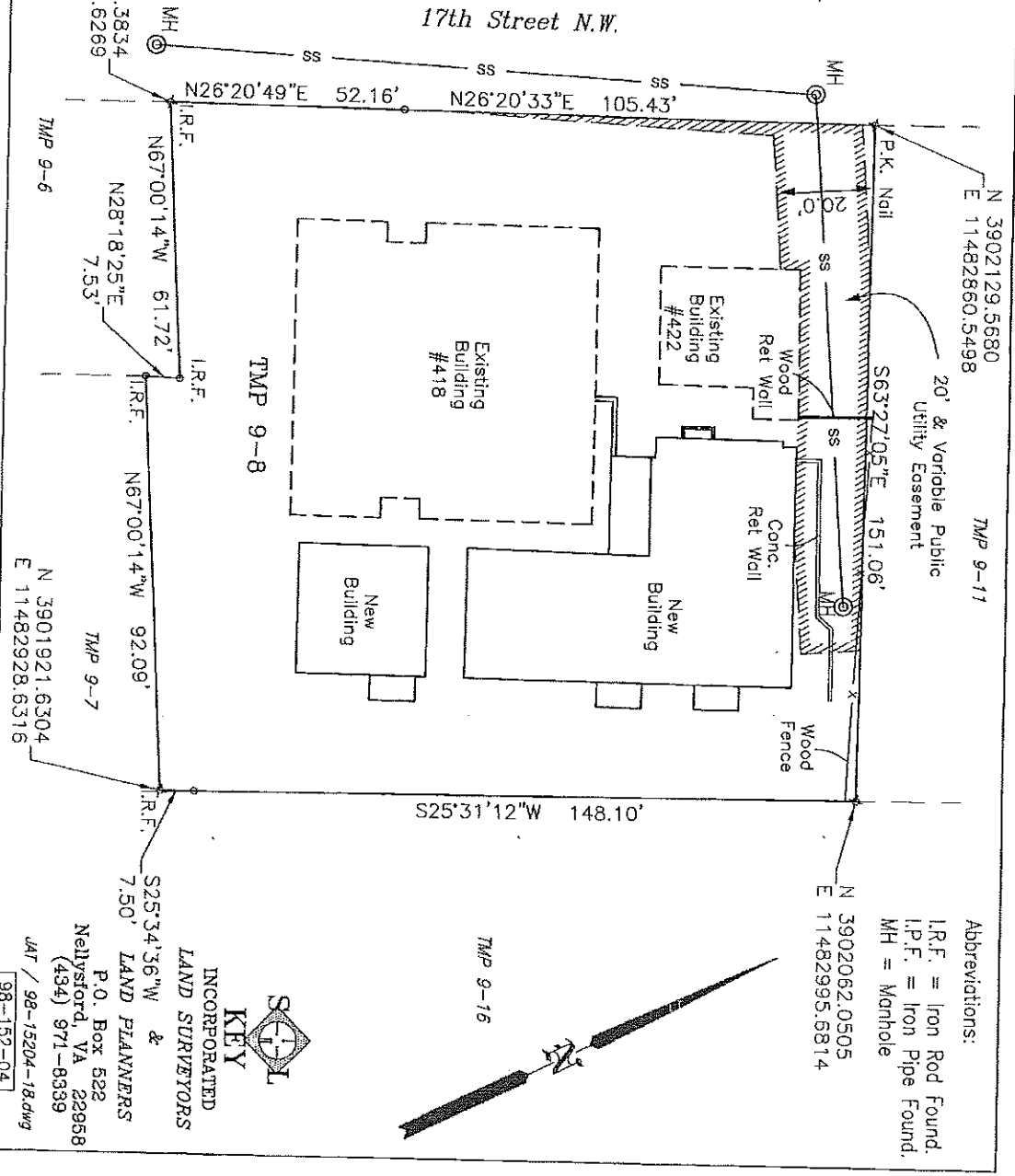
Plat Showing A  
 Public Utility Easement On  
 Parcel 090008000  
 Located On 17th St. N.W.  
 City of Charlottesville, Virginia

Sheet 2 of 2



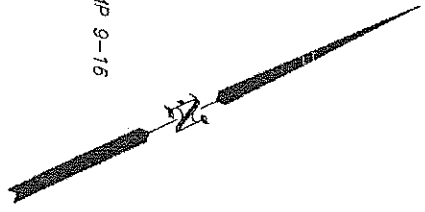
Surveyor's Statement:  
 On Mar. 15, 2018 I made a field survey as per record description of the property shown on this plat. To the best of my knowledge and belief this is a true and accurate plat.

Steven L. Key  
 L.S. 7/11/18



Abbreviations:

- I.R.F. = Iron Rod Found.
- I.P.F. = Iron Pipe Found.
- MH = Manhole



SEI  
 KEY  
 INCORPORATED  
 LAND SURVEYORS  
 &  
 LAND PLANNERS  
 P.O. Box 522  
 Nellysford, VA 22958  
 (434) 971-8339  
 JAT / 98-15204-18.dwg  
 98-152-04



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**CITY OF CHARLOTTESVILLE  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	August 20, 2018
<b>Action Required:</b>	Yes (First Reading of Ordinance)
<b>Staff Contacts:</b>	Lauren Hildebrand, Utilities Director Christian Chirico, Gas Utility Engineer Lisa A. Robertson, Chief Deputy City Attorney
<b>Title:</b>	<b>Quitclaim Gas Easements to VDOT (Cascadia Subdivision)</b>

**Background:** In 2015 the City acquired two (2) natural gas line easements in multiple roadways in Cascadia Subdivision on Route 20 North in Albemarle County. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. At the request of the Gas Division, we have drafted an ordinance and deed quitclaiming to VDOT the City's natural gas easements crossing these roadways.

**Discussion:** The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

**Alignment with Council Vision Areas and Strategic Plan:** Not applicable.

**Community Engagement:** Not applicable.

**Alternatives:** If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system.

**Budgetary Impact:** None.

**Recommendation:** Approval of the attached ordinance and quitclaim deed.

**Attachments:** Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE  
TO QUITCLAIM TWO (2) NATURAL GAS LINE EASEMENTS  
WITHIN MULTIPLE ROADWAYS IN CASCADIA SUBDIVISION  
LOCATED IN ALBEMARLE COUNTY  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Delphi Drive, Delphi Lane, Boulder Hill Lane, Glissade Lane, Marietta Drive, Terrace Lane, located in the Cascadia Subdivision in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within these roadways, and also owns an easement for such lines, and VDOT has asked that the foregoing easements crossing these roadways be released upon VDOT's acceptance of the roadways; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing the said roadways to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by Lisa A. Robertson (VSB #32486)  
Charlottesville City Attorney's Office  
P.O. Box 911, Charlottesville, VA 22902*

*Albemarle County Tax Map 78E-H (Cascadia Subdivision)*

**This deed is exempt from recordation taxes pursuant to  
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

**DEED OF QUITCLAIM**

**THIS DEED OF QUITCLAIM**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

**WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, the easements and rights of way, as shown on the attached plats made by the City of Charlottesville Gas Division dated July 10, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in certain roadways (Delphi Drive, Delphi Lane, Boulder Hill Lane, Glissade Lane, Marietta Drive, Terrace Lane) in the Cascadia Subdivision in the County of Albemarle, namely: Natural gas lines and related gas facilities upon and across Delphi Drive, Delphi Lane, Boulder Hill Lane, Glissade Lane, Marietta Drive, Terrace Lane, insofar as the land embraced within said easement falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easements were conveyed to the City:

- (1) By deed from Cascadia Development, LLC, dated November 24, 2015, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 4705 at page 426; and
- (2) By deed from Towne District, LLC, dated December 16, 2015, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 4717 at page 173.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deeds of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.
2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under aforesaid Right of Way Easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadways.

**IN WITNESS WHEREOF**, the **GRANTOR** has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

BY: \_\_\_\_\_  
Nikuyah Walker, Mayor

ATTEST:

\_\_\_\_\_  
Clerk of Council

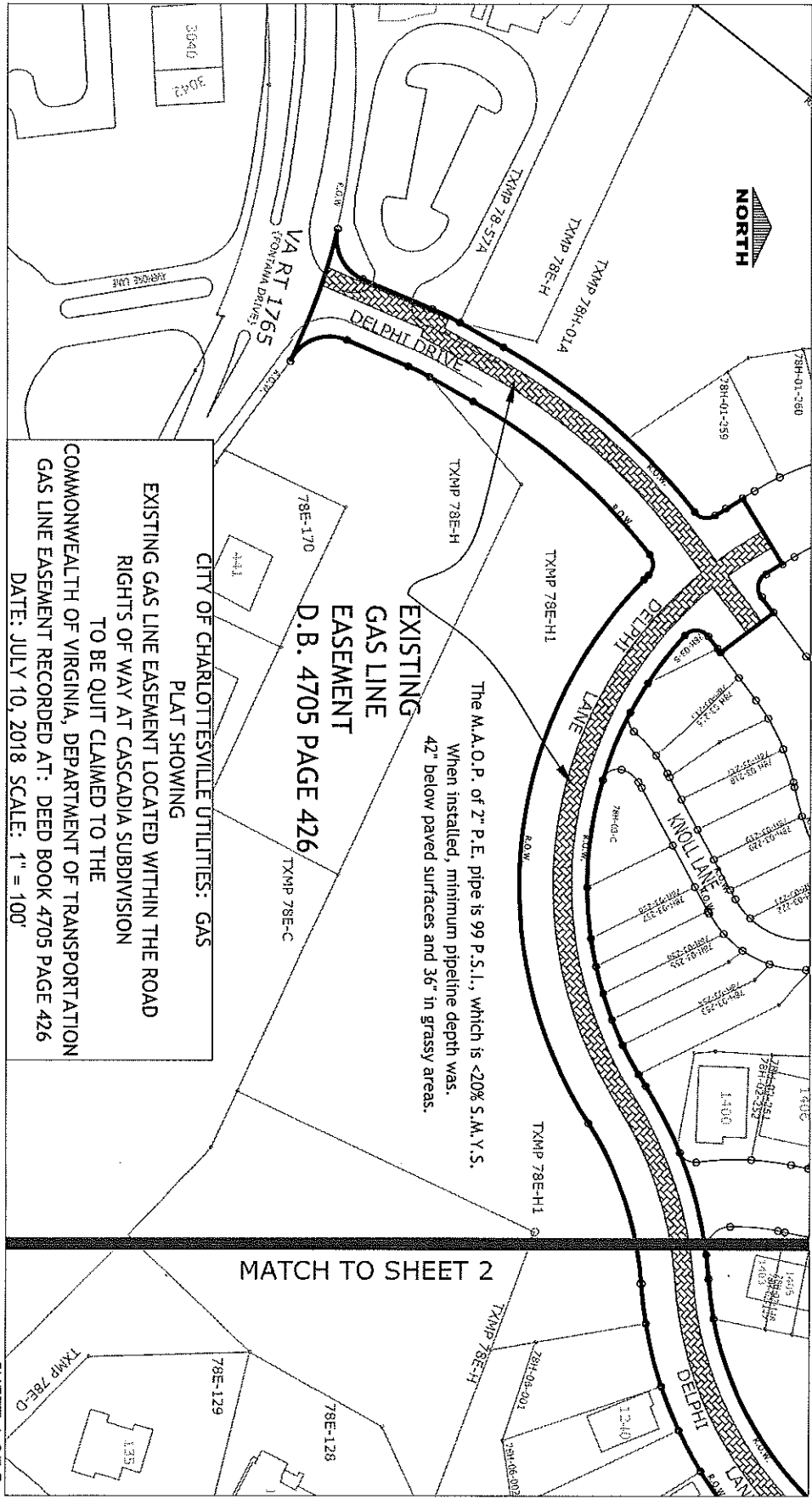
STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE

I, \_\_\_\_\_, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Paige Rice, its Clerk of Council, whose names are signed to the foregoing writing, bearing date of \_\_\_\_\_, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires: \_\_\_\_\_

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public  
Registration # \_\_\_\_\_

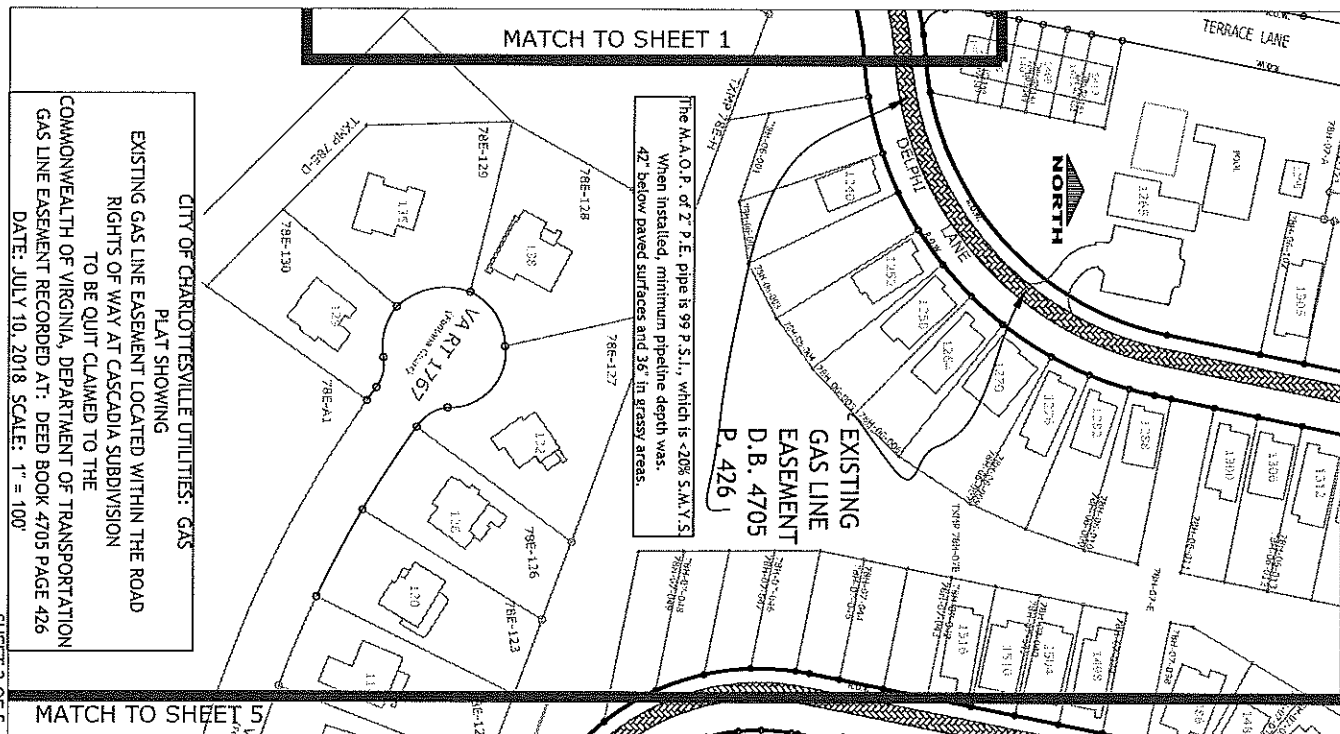


**CITY OF CHARLOTTEVILLE UTILITIES: GAS**  
**PLAT SHOWING**  
**EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD**  
**RIGHTS OF WAY AT CASCADIA SUBDIVISION**  
**TO BE QUIT CLAIMED TO THE**  
**COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION**  
**GAS LINE EASEMENT RECORDED AT: DEED BOOK 4705 PAGE 426**  
**DATE: JULY 10, 2018. SCALE: 1" = 100'**

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is -20% S.M.Y.S.  
 When installed, minimum pipeline depth was:  
 42" below paved surfaces and 36" in grassy areas.

MATCH TO SHEET 2

MATCH TO SHEET 3



MATCH TO SHEET 5

MATCH TO SHEET 1

CITY OF CHARLOTTESVILLE UTILITIES: GAS

PLAT SHOWING

EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD

RIGHTS OF WAY AT CASCADIA SUBDIVISION

TO BE QUIT CLAIMED TO THE

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION

GAS LINE EASEMENT RECORDED AT: DEED BOOK 4705 PAGE 426

DATE: JULY 10, 2018 SCALE: 1" = 100'

SHEET 2 OF 5

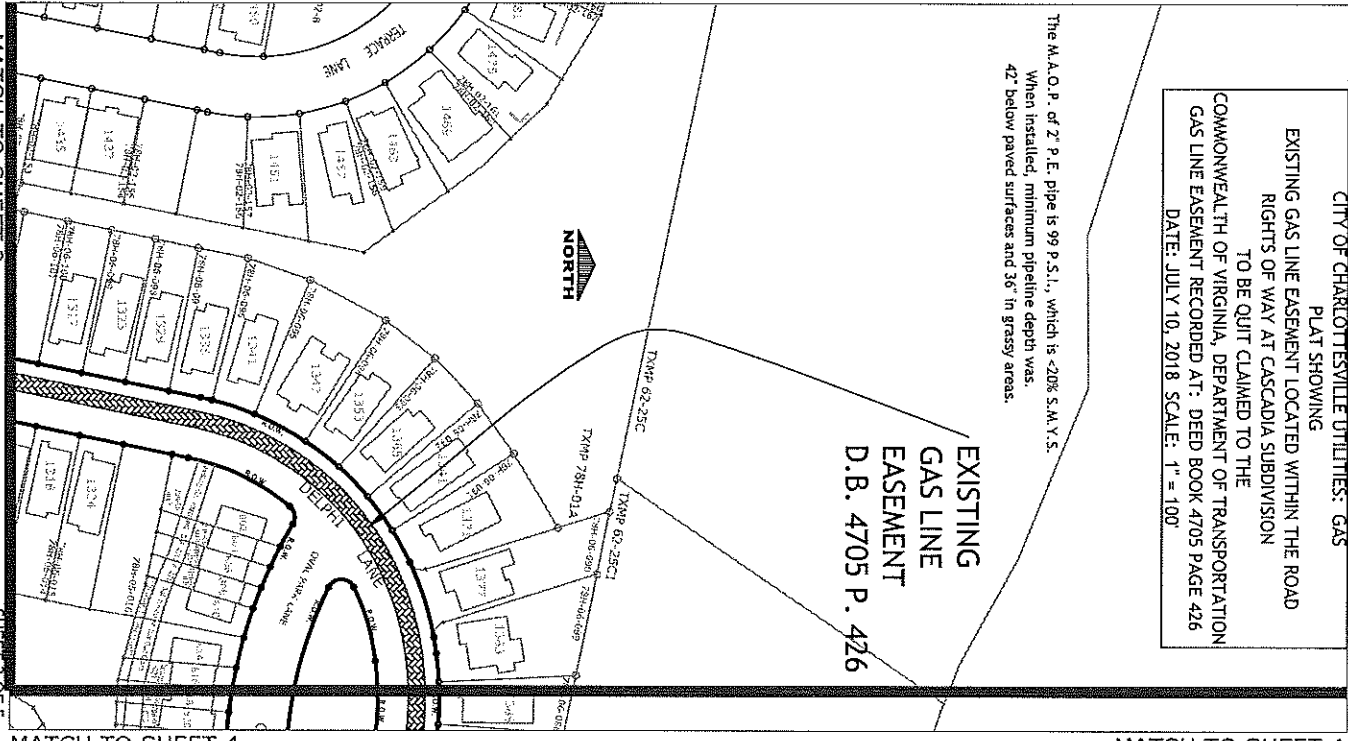
MATCH TO SHEET 5



CITY OF CHARLOTTE UTILITIES: GAS  
 PLAT SHOWING  
 EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
 RIGHTS OF WAY AT CASCADIA SUBDIVISION  
 TO BE QUIT CLAIMED TO THE  
 COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
 GAS LINE EASEMENT RECORDED AT: DEED BOOK 4705 PAGE 426  
 DATE: JULY 10, 2018 SCALE: 1" = 100'

EXISTING  
 GAS LINE  
 EASEMENT  
 D.B. 4705 P. 426

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.V.S.  
 When installed, minimum pipeline depth was:  
 42" below paved surfaces and 36" in grassy areas.



MATCH TO SHEET 2

SHEET 3 OF 5

MATCH TO SHEET 4

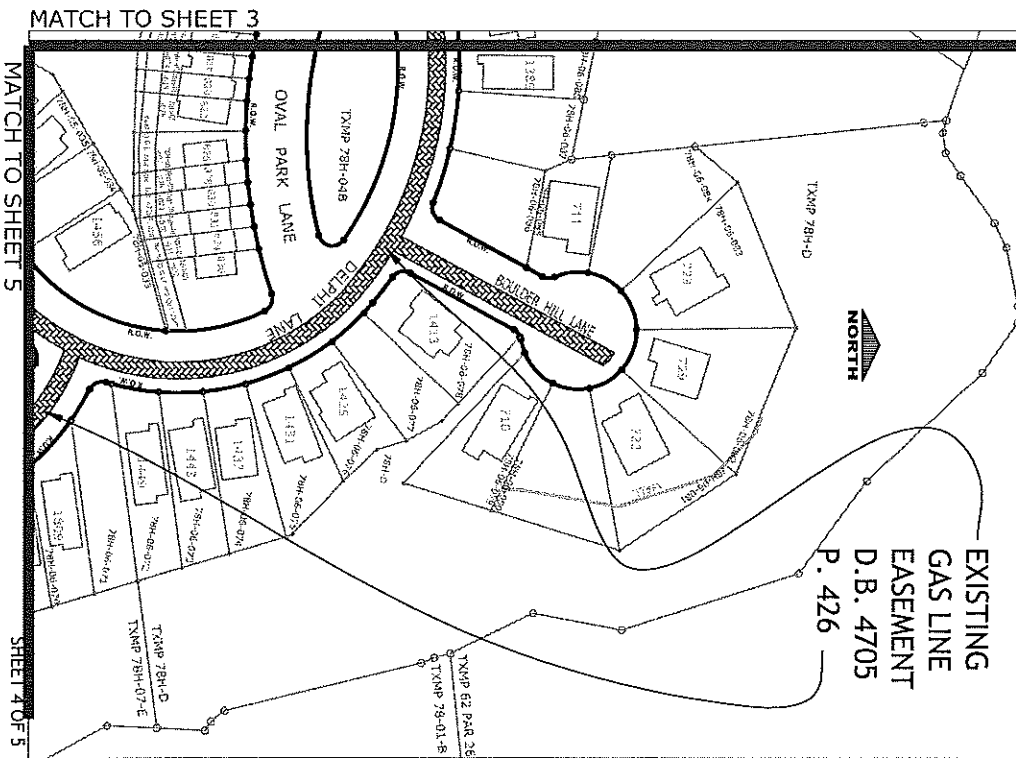
MATCH TO SHEET 4

MATCH TO SHEET 3

CITY OF CHARLOTTE UTILITIES: GAS  
 PLAT SHOWING  
 EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
 RIGHTS OF WAY AT CASCADIA SUBDIVISION  
 TO BE QUIT CLAIMED TO THE  
 COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
 GAS LINE EASEMENT RECORDED AT: DEED BOOK 4705 PAGE 426  
 DATE: JULY 10, 2018 SCALE: 1" = 100'

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
 When installed, minimum pipeline depth was  
 42" below paved surfaces and 36" in grassy areas.

EXISTING  
 GAS LINE  
 EASEMENT  
 D.B. 4705  
 P. 426



MATCH TO SHEET 3

MATCH TO SHEET 5

SHEET 4 OF 5

MATCH TO SHEET 2

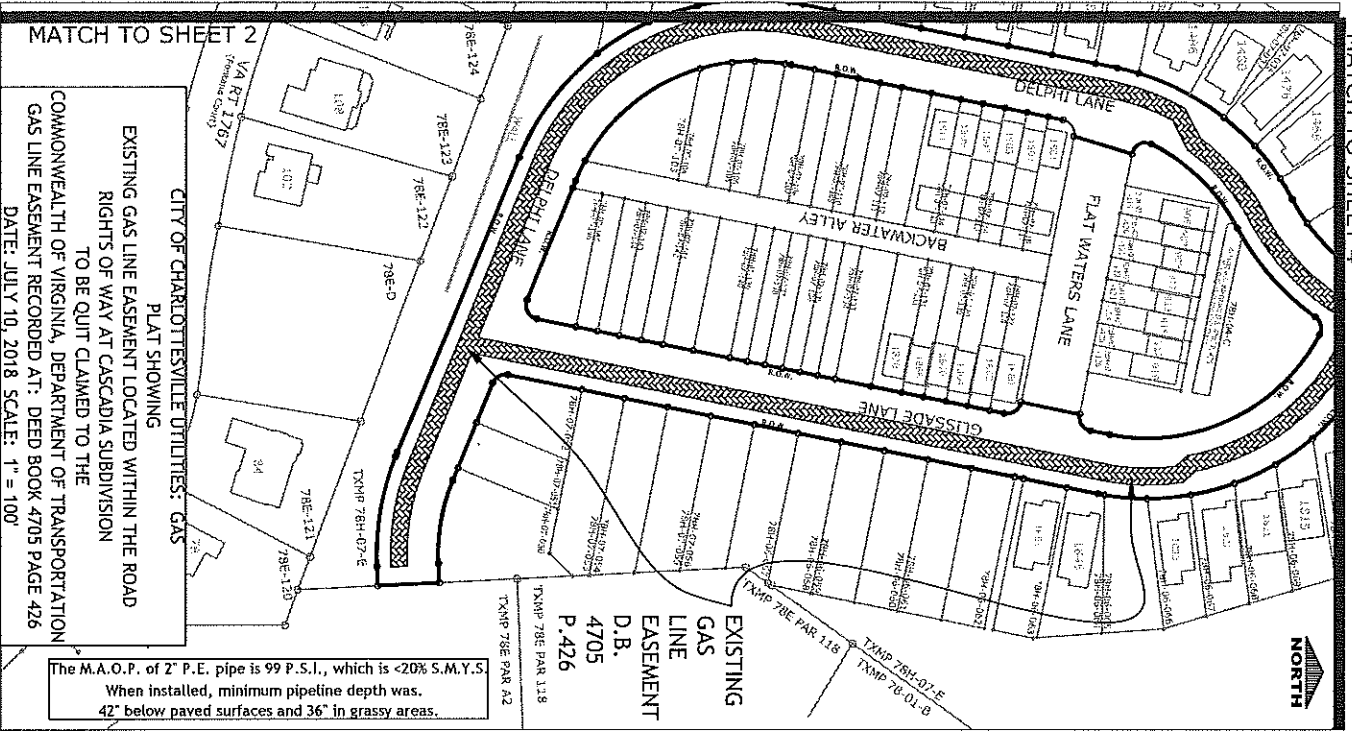
MATCH TO SHEET 4

MATCH TO SHEET 2

CITY OF CHARLOTTESVILLE UTILITIES: GAS  
 PLAT SHOWING  
 EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
 RIGHTS OF WAY AT CASCADIA SUBDIVISION  
 TO BE QUIT CLAIMED TO THE  
 COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
 GAS LINE EASEMENT RECORDED AT: DEED BOOK 4705 PAGE 426  
 DATE: JULY 10, 2018 SCALE: 1" = 100'

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
 When installed, minimum pipeline depth was:  
 42" below paved surfaces and 36" in grassy areas.

EXISTING  
 GAS  
 LINE  
 EASEMENT  
 D.B.  
 4705  
 P. 426

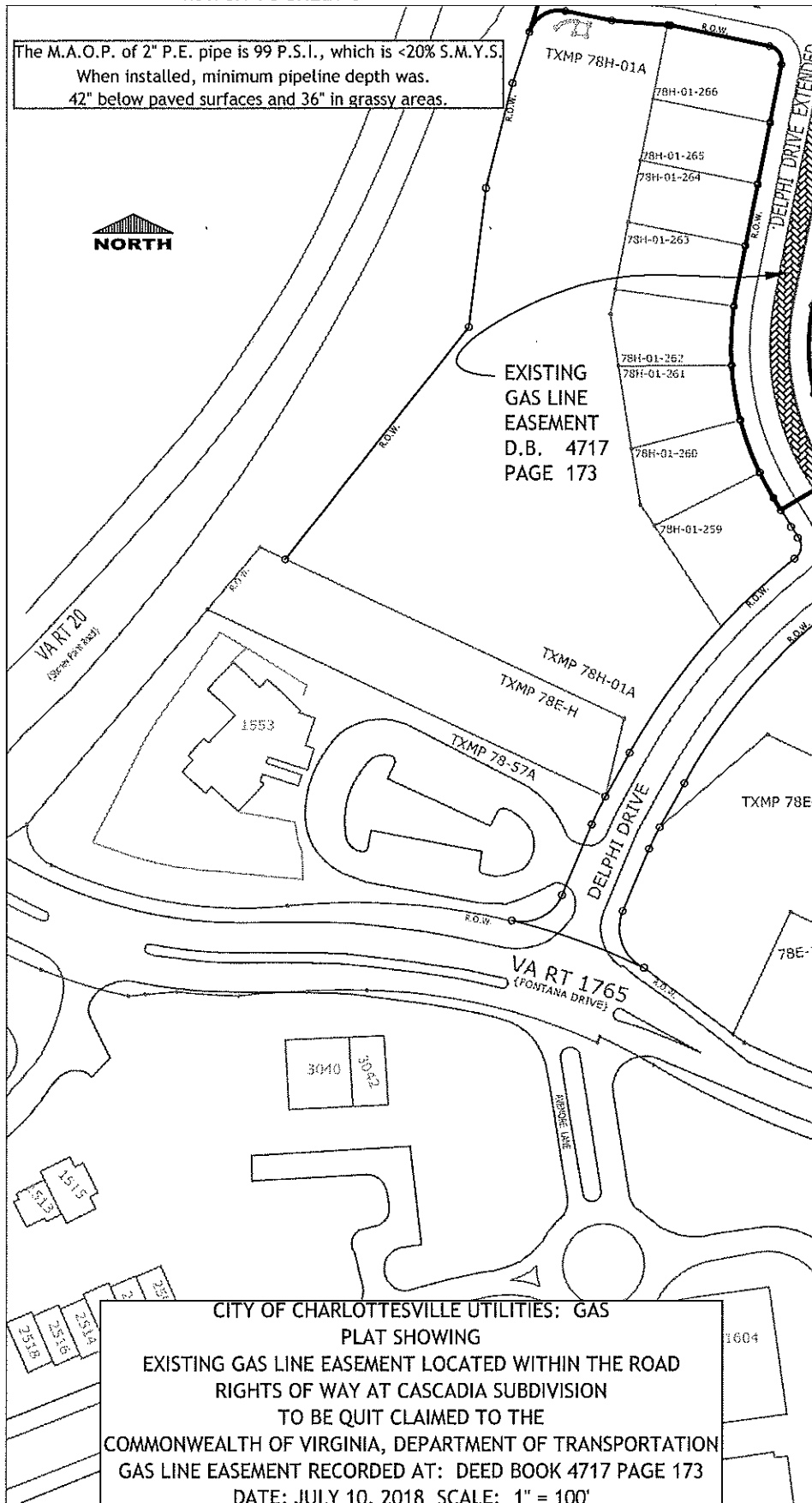


MATCH TO SHEET 6

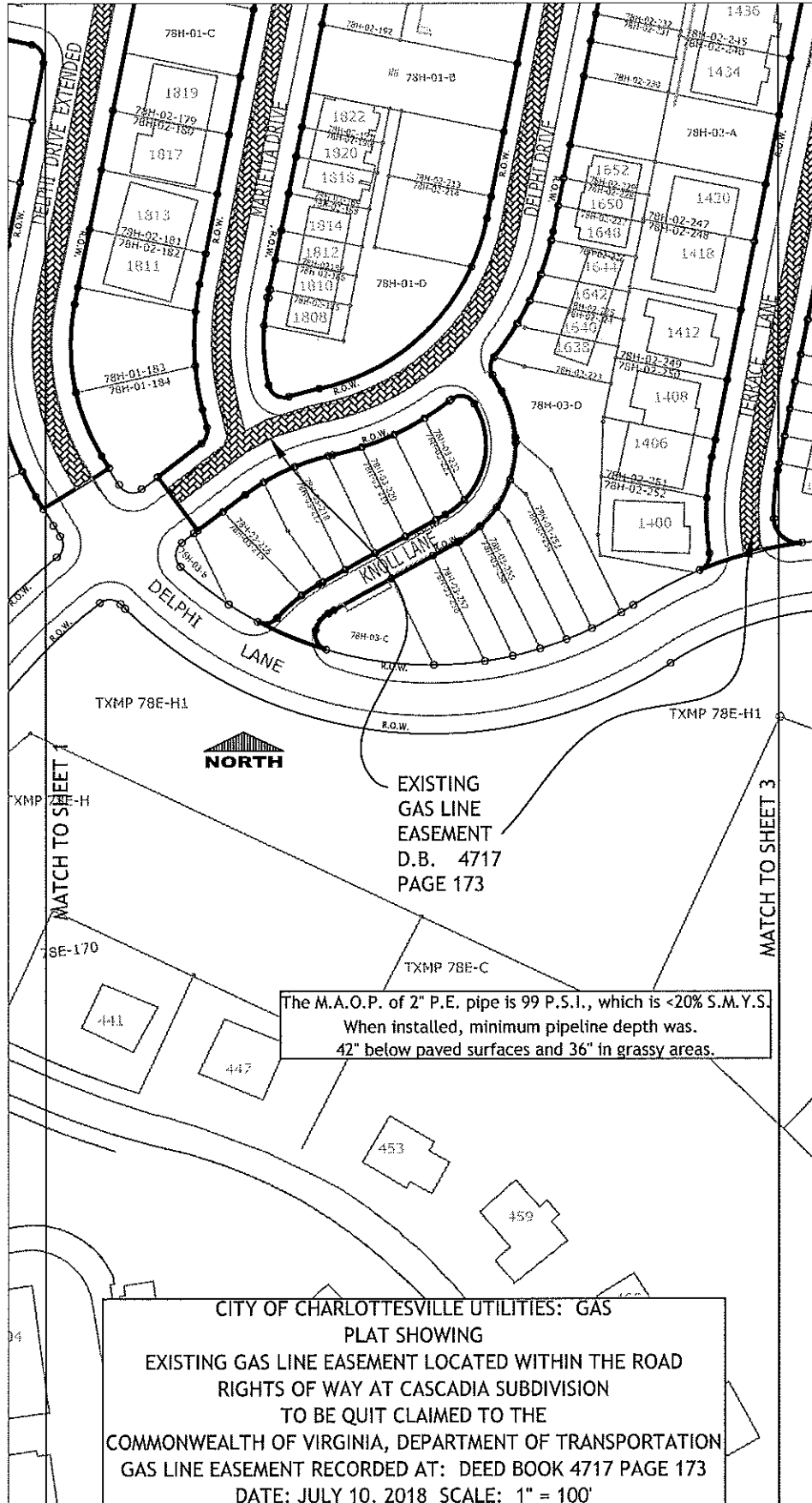
The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
When installed, minimum pipeline depth was  
42" below paved surfaces and 36" in grassy areas.



EXISTING  
GAS LINE  
EASEMENT  
D.B. 4717  
PAGE 173



CITY OF CHARLOTTESVILLE UTILITIES: GAS  
PLAT SHOWING  
EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
RIGHTS OF WAY AT CASCADIA SUBDIVISION  
TO BE QUIT CLAIMED TO THE  
COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
GAS LINE EASEMENT RECORDED AT: DEED BOOK 4717 PAGE 173  
DATE: JULY 10, 2018 SCALE: 1" = 100'

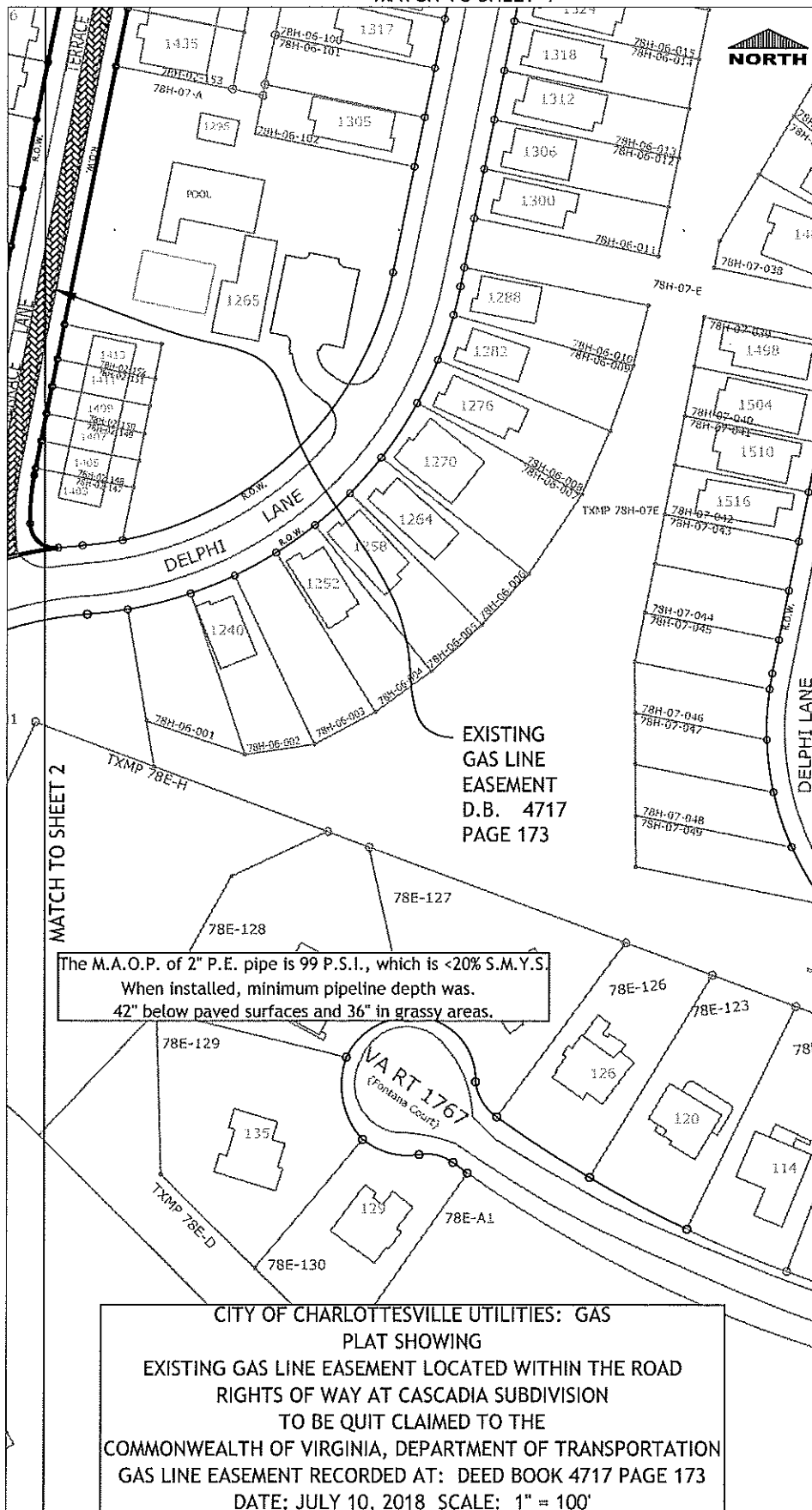


EXISTING  
GAS LINE  
EASEMENT  
D.B. 4717  
PAGE 173

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
When installed, minimum pipeline depth was  
42" below paved surfaces and 36" in grassy areas.

CITY OF CHARLOTTESVILLE UTILITIES: GAS  
PLAT SHOWING  
EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
RIGHTS OF WAY AT CASCADIA SUBDIVISION  
TO BE QUIT CLAIMED TO THE  
COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
GAS LINE EASEMENT RECORDED AT: DEED BOOK 4717 PAGE 173  
DATE: JULY 10, 2018 SCALE: 1" = 100'

MATCH TO SHEET 4

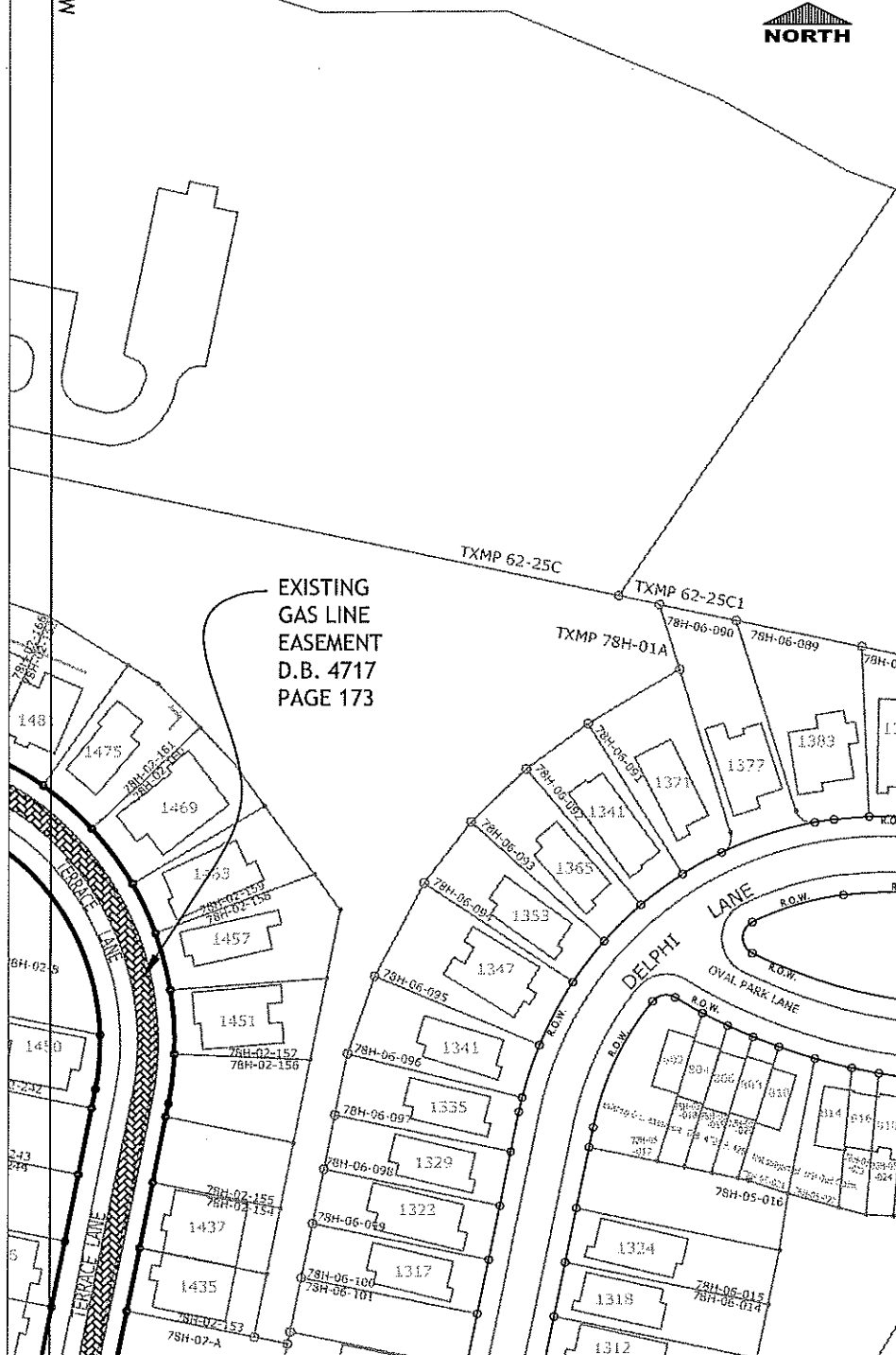


The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
 When installed, minimum pipeline depth was  
 42" below paved surfaces and 36" in grassy areas.

CITY OF CHARLOTTEVILLE UTILITIES: GAS  
 PLAT SHOWING  
 EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
 RIGHTS OF WAY AT CASCADIA SUBDIVISION  
 TO BE QUIT CLAIMED TO THE  
 COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
 GAS LINE EASEMENT RECORDED AT: DEED BOOK 4717 PAGE 173  
 DATE: JULY 10, 2018 SCALE: 1" = 100'

CITY OF CHARLOTTESVILLE UTILITIES: GAS  
PLAT SHOWING  
EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
RIGHTS OF WAY AT CASCADIA SUBDIVISION  
TO BE QUIT CLAIMED TO THE  
COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
GAS LINE EASEMENT RECORDED AT: DEED BOOK 4717 PAGE 173  
DATE: JULY 10, 2018 SCALE: 1" = 100'

MATCH TO SHEET 5

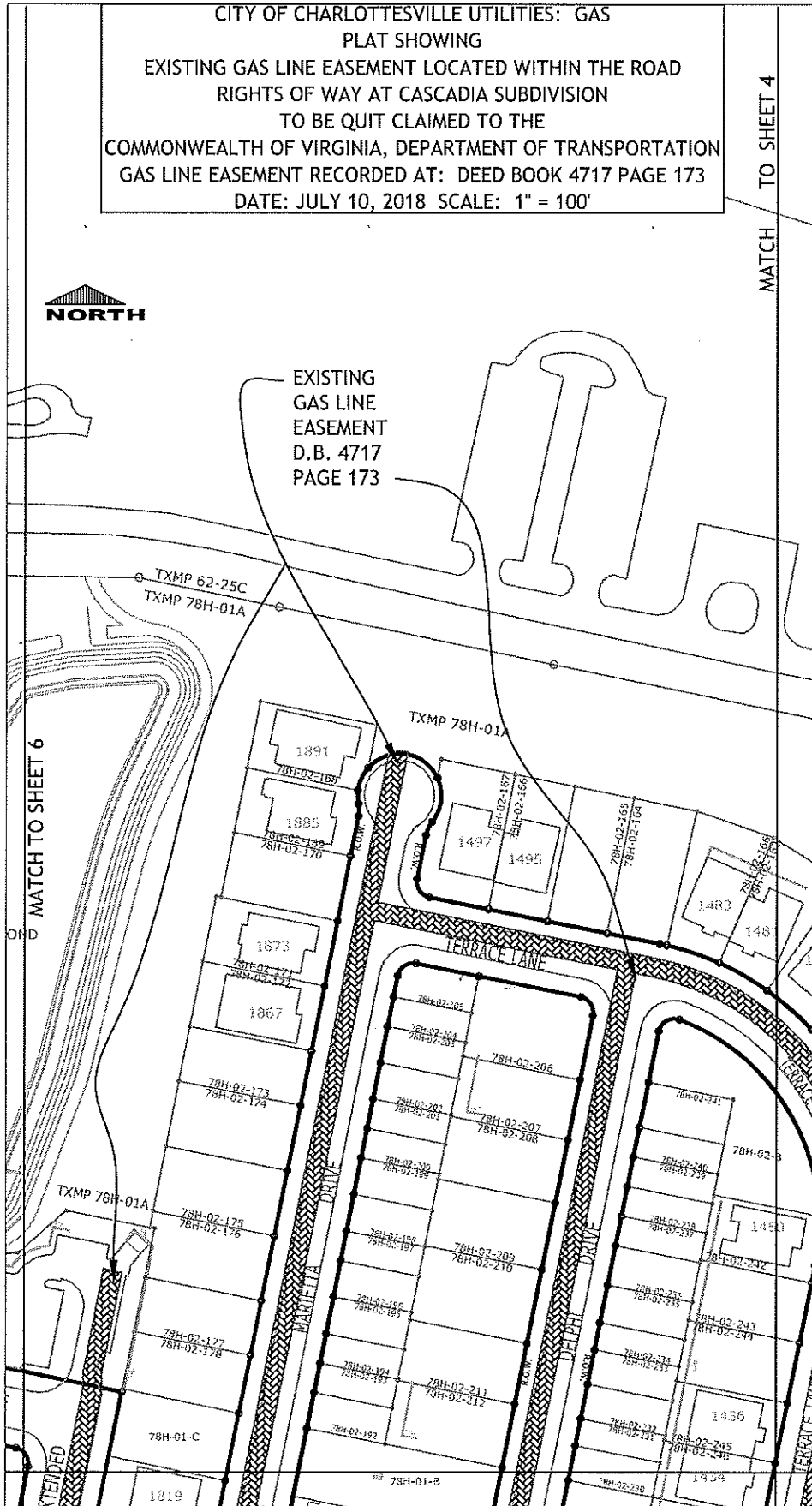


MATCH TO SHEET 3

CITY OF CHARLOTTESVILLE UTILITIES: GAS  
PLAT SHOWING  
EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
RIGHTS OF WAY AT CASCADIA SUBDIVISION  
TO BE QUIT CLAIMED TO THE  
COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
GAS LINE EASEMENT RECORDED AT: DEED BOOK 4717 PAGE 173  
DATE: JULY 10, 2018 SCALE: 1" = 100'



EXISTING  
GAS LINE  
EASEMENT  
D.B. 4717  
PAGE 173



MATCH TO SHEET 4

MATCH TO SHEET 6

MATCH TO SHEET 2



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**CITY OF CHARLOTTESVILLE  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	August 20, 2018
<b>Action Required:</b>	Yes (First Reading of Ordinance)
<b>Staff Contacts:</b>	Lauren Hildebrand, Utilities Director Christian Chirico, Gas Utility Engineer Lisa A. Robertson, Chief Deputy City Attorney
<b>Title:</b>	<b>Quitclaim Gas Easements to VDOT (Estes Park Subdivision)</b>

**Background:** In 2013 the City acquired two (2) natural gas line easements in certain roadways (Burgundy Lane, Regent Street, Conway Lane, and Decatur Drive) in Estes Park Subdivision in Albemarle County. The Virginia Department of Transportation is prepared to accept these roads into the state highway system. At the request of the Gas Division, we have drafted an ordinance and deed quitclaiming to VDOT the City's natural gas easements crossing these roadways.

**Discussion:** The quitclaim deed requires the gas lines to remain in their present location, and if any of the streets cease to be part of the state's highway system, the easement in that street will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easements are quitclaimed to the state.

**Alignment with Council Vision Areas and Strategic Plan:** Not applicable.

**Community Engagement:** Not applicable.

**Alternatives:** If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system.

**Budgetary Impact:** None.

**Recommendation:** Approval of the attached ordinance and quitclaim deed.

**Attachments:** Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE  
TO QUITCLAIM A NATURAL GAS LINE EASEMENT  
WITHIN CERTAIN ROADWAYS IN ESTES PARK SUBDIVISION  
LOCATED IN ALBEMARLE COUNTY  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Burgundy Lane, Regent Street, Conway Lane, and Decatur Drive, located in the Estes Park Subdivision in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within these roadways, and also owns two (2) easements for such lines, and VDOT has asked that the foregoing easements crossing these roadways be released upon VDOT's acceptance of the roadways; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easements crossing the said roadways to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by Lisa A. Robertson (VSB #32486)  
Charlottesville City Attorney's Office  
P.O. Box 911, Charlottesville, VA 22902*

*Albemarle County Tax Map 32J and 46B4 (Estes Park Subdivision)*

**This deed is exempt from recordation taxes pursuant to  
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

### **DEED OF QUITCLAIM**

**THIS DEED OF QUITCLAIM**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

### **WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, easements and rights of way, as shown on the attached plats made by the City of Charlottesville Gas Division dated July 11, 2018, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in the Burgundy Lane, Regent Street (formerly known as Estes Park Road), Conway Lane, and Decatur Drive rights-of-way in the Estes Park Subdivision in the County of Albemarle, namely: Natural gas lines and related gas facilities, or portions thereof, upon, under and across the above-referenced rights-of-way, insofar as the land embraced within said easement falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said portions of the gas line easement in the above-referenced rights-of-way were conveyed to the City:

- (1) By Deed of Easement dated July 30, 2013 from Estes Park, LLC, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 4404, Page 249; and
- (2) By Deed of Easement dated July 30, 2013 from Estes Park, LLC, of record in the Clerk's Office for the Circuit Court for the County of Albemarle in Deed Book 4404, Page 258.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deeds of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.
2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under the aforesaid easements shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadways.

**IN WITNESS WHEREOF**, the GRANTOR has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

BY: \_\_\_\_\_  
Nikuyah Walker, Mayor

ATTEST:

\_\_\_\_\_  
Clerk of Council

STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE

I, \_\_\_\_\_, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, and Paige Rice, its Clerk of Council, whose names are signed to the foregoing writing, bearing date of \_\_\_\_\_, 2018, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires: \_\_\_\_\_

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public  
Registration # \_\_\_\_\_

*Approved as to Form:*

\_\_\_\_\_  
*Lisa A. Robertson, Chief Deputy City Attorney*

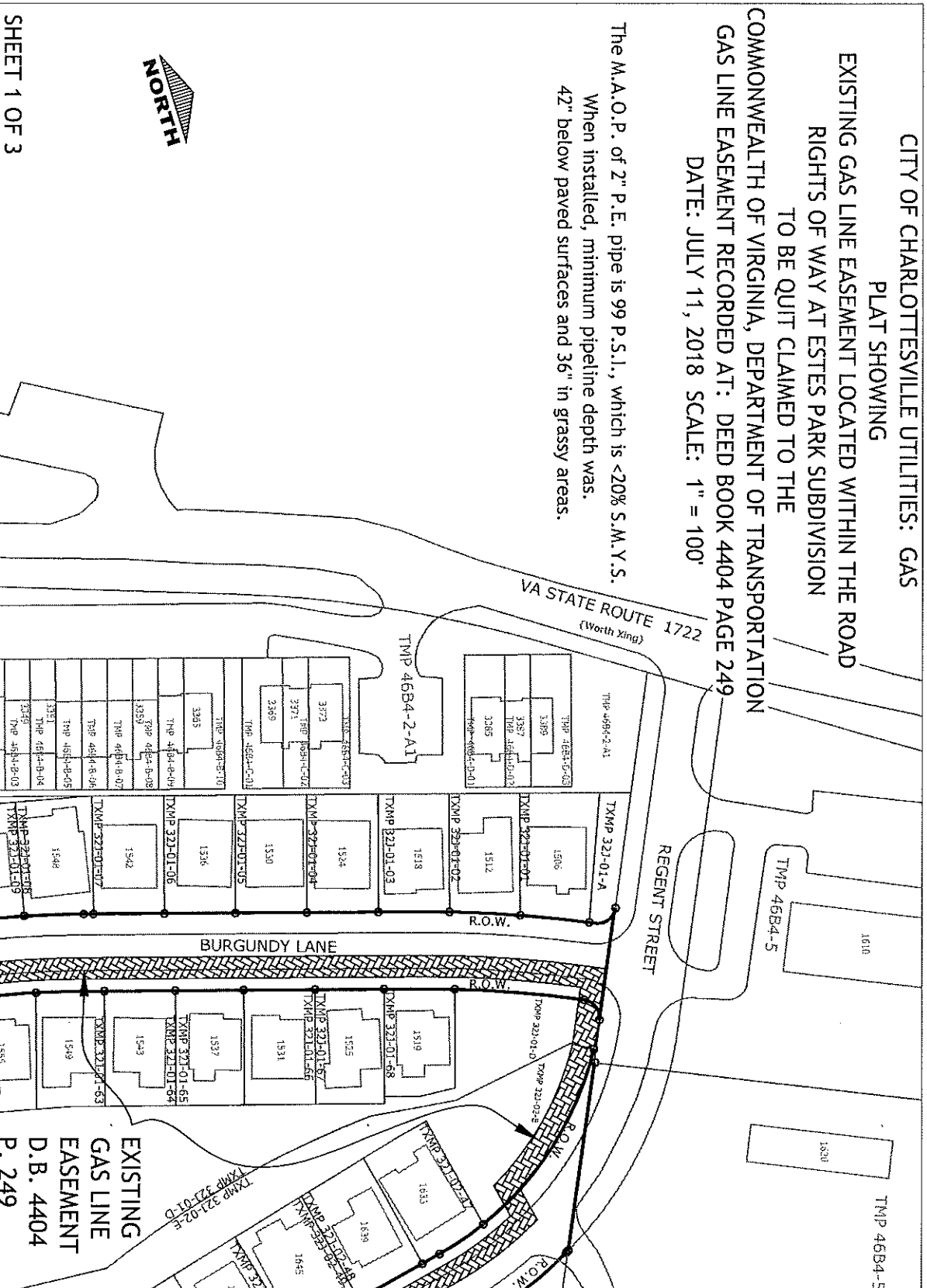
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CITY OF CHARLOTTEVILLE UTILITIES: GAS  
 PLAT SHOWING

EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
 RIGHTS OF WAY AT ESTES PARK SUBDIVISION  
 TO BE QUIT CLAIMED TO THE

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
 GAS LINE EASEMENT RECORDED AT: DEED BOOK 4404 PAGE 249  
 DATE: JULY 11, 2018 SCALE: 1" = 100'

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
 When installed, minimum pipeline depth was  
 42" below paved surfaces and 36" in grassy areas.





TMP 46B4-5A

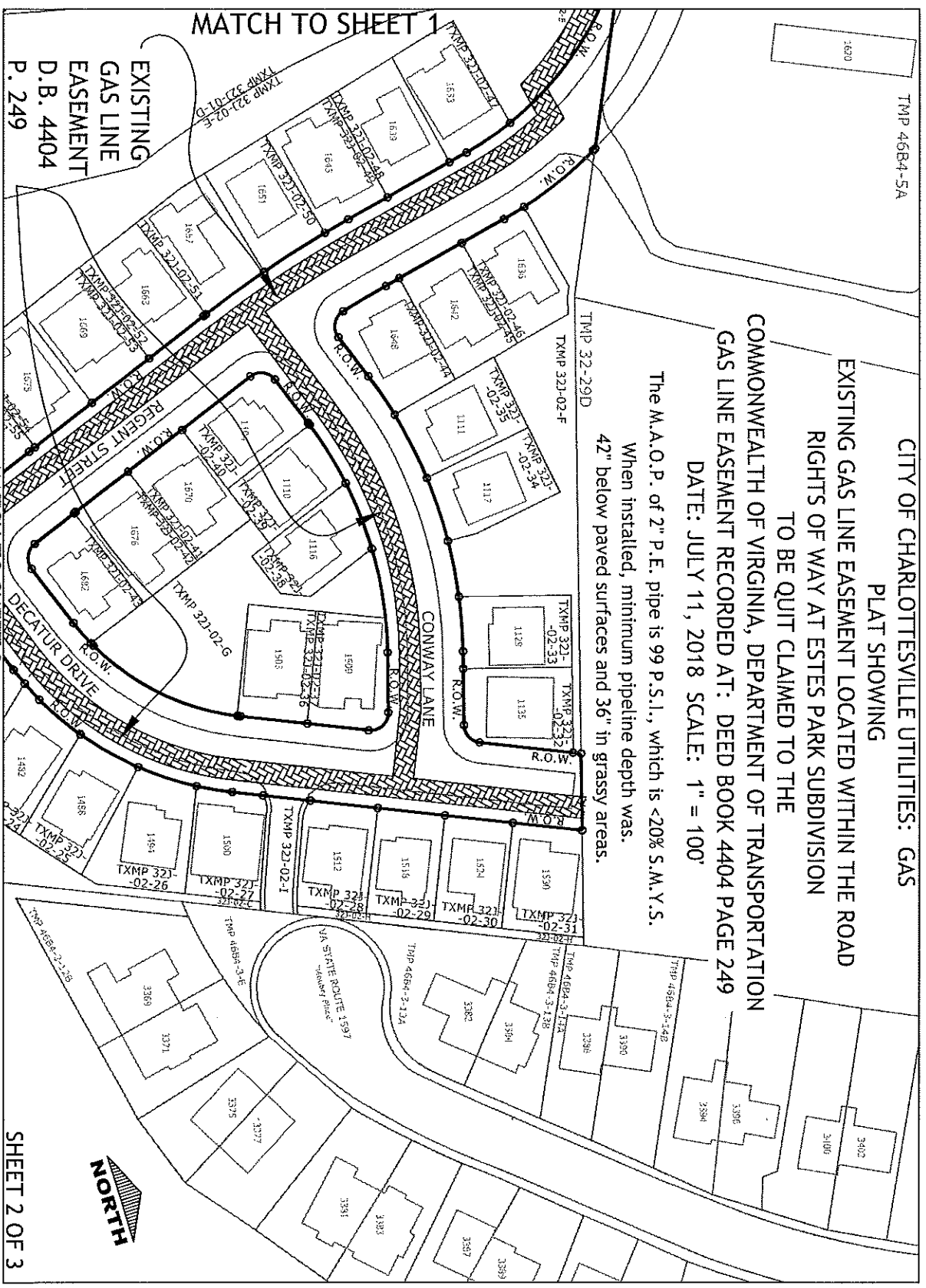
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EXISTING  
GAS LINE  
EASEMENT  
D.B. 4404  
P. 249

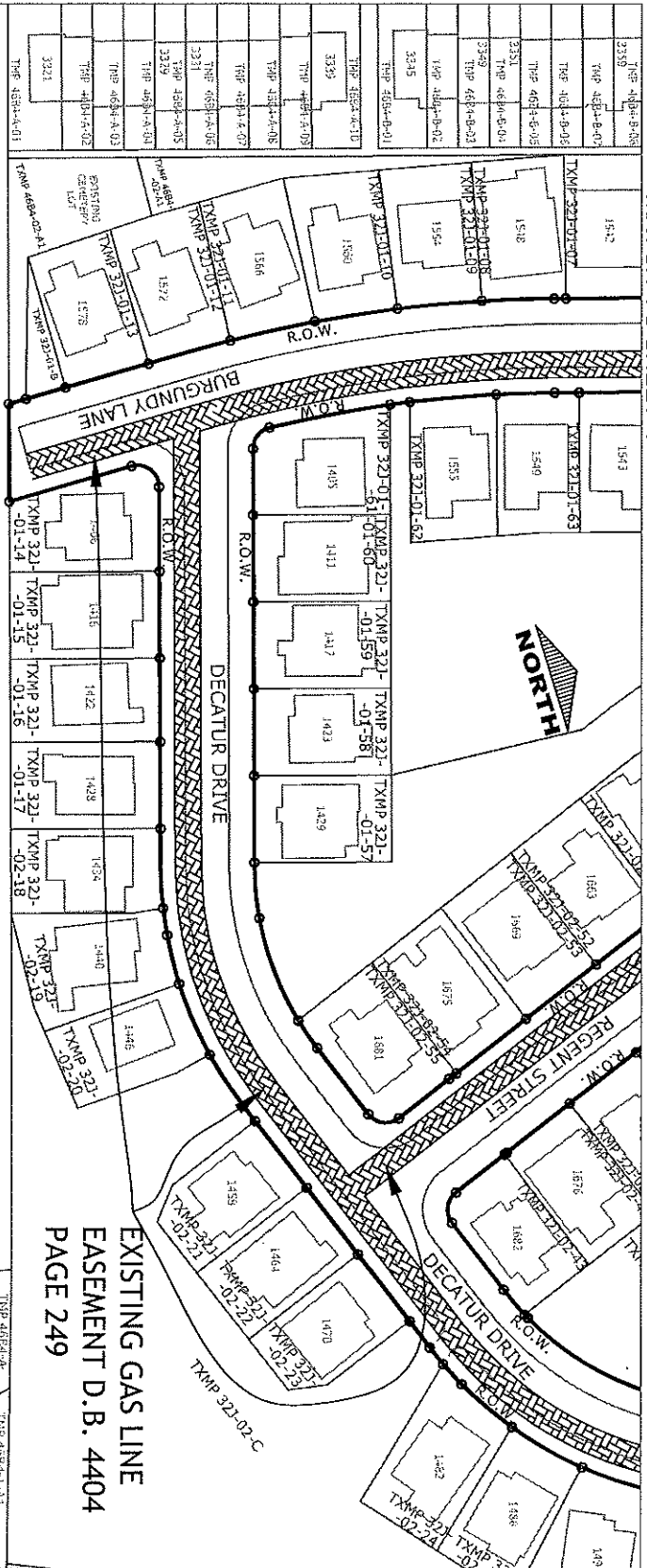
MATCH TO SHEET 3

SHEET 2 OF 3



MATCH TO SHEET 1

MATCH TO SHEET 2



TMP 32-37  
VIRGINIA ELECTRIC & POWER CO.

The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.

When installed, minimum pipeline depth was.  
42" below paved surfaces and 36" in grassy areas.

CITY OF CHARLOTTEVILLE UTILITIES: GAS  
PLAT SHOWING

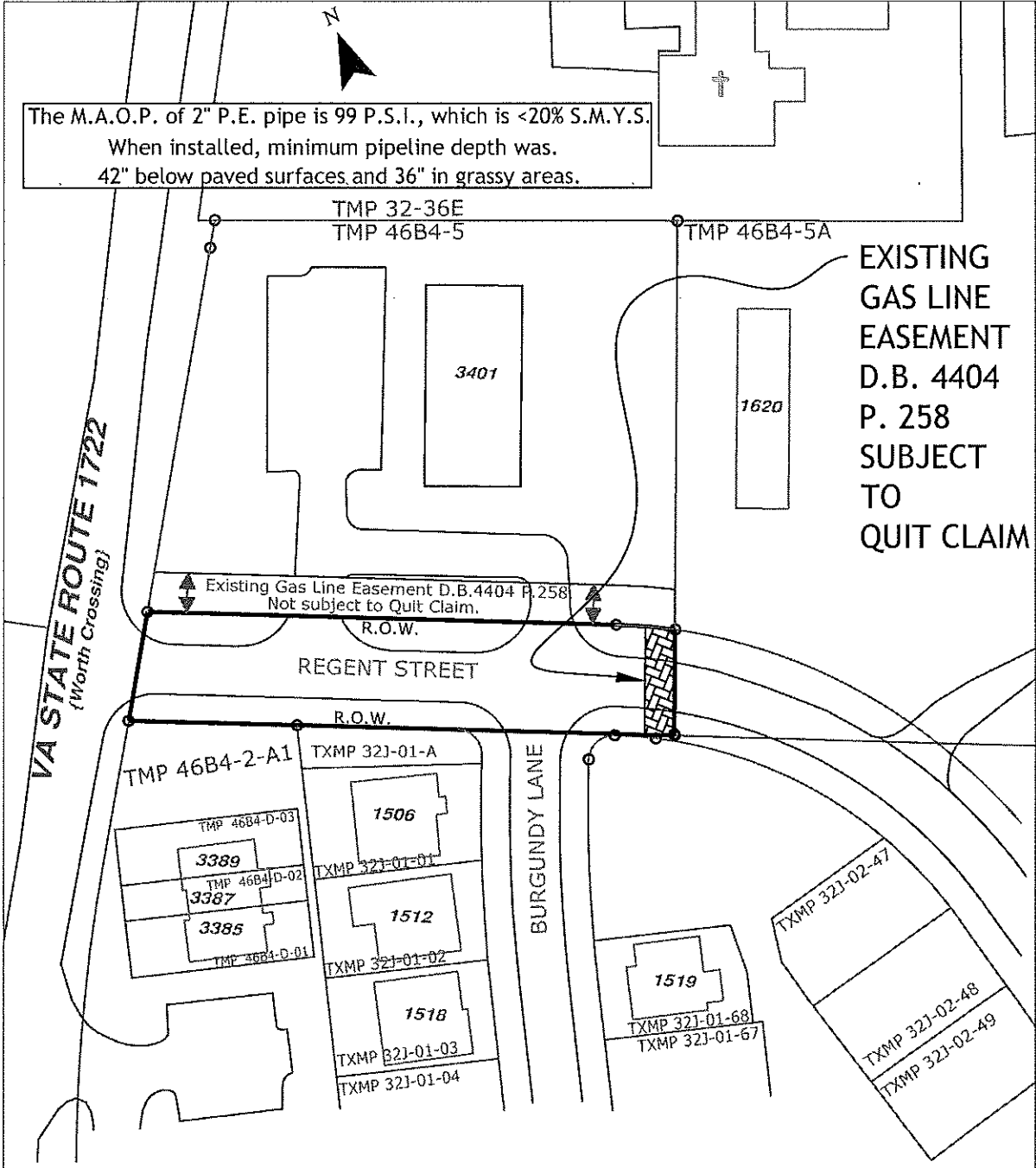
EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
RIGHTS OF WAY AT ESTES PARK SUBDIVISION  
TO BE QUIT CLAIMED TO THE

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
GAS LINE EASEMENT RECORDED AT: DEED BOOK 4404 PAGE 249

DATE: JULY 11, 2018 SCALE: 1" = 100'

EXISTING GAS LINE  
EASEMENT D.B. 4404  
PAGE 249

TMP 4684-02-01  
FOREST LAKES COMMUNITY  
ASSOCIATION, INC.  
TMP 4684-02-01  
CHARLTON AREA



The M.A.O.P. of 2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.  
 When installed, minimum pipeline depth was.  
 42" below paved surfaces and 36" in grassy areas.

EXISTING  
 GAS LINE  
 EASEMENT  
 D.B. 4404  
 P. 258  
 SUBJECT  
 TO  
 QUIT CLAIM

VA STATE ROUTE 1722  
 (Worth Crossing)

TMP 32-36E  
 TMP 46B4-5  
 TMP 46B4-5A

Existing Gas Line Easement D.B.4404 P.258  
 Not subject to Quit Claim.  
 R.O.W.

REGENT STREET

R.O.W.

TMP 46B4-2-A1

TXMP 32J-01-A

TMP 46B4-D-03  
 3389  
 TMP 46B4-D-02  
 3387  
 3385  
 TMP 46B4-D-01

1506  
 TXMP 32J-01-01  
 1512  
 TXMP 32J-01-02  
 1518  
 TXMP 32J-01-03  
 TXMP 32J-01-04

BURGUNDY LANE

1519  
 TXMP 32J-01-68  
 TXMP 32J-01-67

TXMP 32J-02-47  
 TXMP 32J-02-48  
 TXMP 32J-02-49

CITY OF CHARLOTTESVILLE UTILITIES: GAS  
 PLAT SHOWING  
 A PORTION OF AN EXISTING GAS LINE EASEMENT LOCATED WITHIN THE ROAD  
 RIGHTS OF WAY OF: "REGENT STREET"  
 TO BE QUIT CLAIMED TO THE  
 COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION  
 GAS LINE EASEMENT RECORDED AT: DEED BOOK 4404 PAGE 258  
 DATE: JULY 11, 2018 SCALE: 1" = 100'

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



<b>Agenda Date:</b>	September 17, 2018
<b>Action Required:</b>	Public Hearing and Approval
<b>Staff Contacts:</b>	Tierra Howard, Grants Coordinator
<b>Presenter:</b>	Tierra Howard, Grants Coordinator
<b>Title:</b>	Review of Program Performance and Setting Priorities for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds for Program Year 19-20 (Public Hearing)

**Background:**

This public hearing is intended to serve as a forum for public comment on the Fiscal Year (FY) 2017 Consolidated Annual Performance Evaluation Report (CAPER) and to aid City Council and staff in gathering information about the City's needs. Goals and priorities determined as a result of this public hearing will be the framework for funding recommendations made by the CDBG Task Force for funding available after July 2019. Based on current projections, the City can expect CDBG funding amounts similar to or less than that received in FY 18 or about \$408,417. The City can expect HOME funding to be similar or less than that received in FY 18, which is about \$78,000 and \$624,000 for the HOME consortium.

**Discussion**

**FY 17-18 PROGRAM PERFORMANCE HIGHLIGHTS**

In FY 17, CDBG projects benefited 147 people. Projects included technical assistance for microenterprises and entrepreneurs, re-entry services, childcare scholarships, enhanced access to quality childcare, workforce development programs, and infrastructure improvements. Infrastructure improvements have been completed within the 10<sup>th</sup> & Page neighborhood benefitting 3700 persons. Of the 147 beneficiaries, 84 percent were extremely low-income, 11 percent were low-income, five percent were moderate income, and 78 percent were minorities. The table below outlines the activities, goals, and outcomes for FY 17. Please note that overall, CDBG accomplishments for the past five years have far exceeded the strategic plan goals from the 2013-2017 Consolidated Plan.

<b>CDBG Activities - Program Year 2017</b>		<b>Goal</b>	<b>Actual</b>
Access to Quality Childcare	Persons Assisted	23	35
Microenterprise Assistance	Businesses Assisted	25	23
Re-entry Services	Persons Assisted	150	89
Technical Assistance for Microenterprises	Businesses Assisted	25	23
Public Facility or Infrastructure Activities	Persons Assisted	3800	3700

<b>TOTAL</b>		198 & 3800 LMA Persons	147 & 3700 LMA Persons
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For FY 17, 14 HOME projects were completed including six homebuyer projects, and eight homeowner rehabilitation projects, for a total of 14 units. Of the 14 beneficiaries, seven percent were extremely low-income and 36 percent were low-income, and 43 percent were minorities. The table below outlines the activities, goals, and outcomes for the FY 17 HOME program.

Provide Down payment Assistance to families through Piedmont Housing Alliance and Habitat for Humanity	11	1
Rehabilitate homeowner units	0	3
Construct one new affordable homeowner unit	1	1 underway
<b>TOTAL</b>	12	5
First-Time Homebuyer Assistance	14	6
Homeowner Rehab	10	8
Development of Rental Units	5	0
<b>TOTAL</b>	<b>29</b>	<b>14</b>

The figures in the table represent HOME projects completed between July 1, 2017 and June 30, 2018. Seven additional activities were initiated during the year and are moving toward completion. The Fluvanna/Louisa Housing Foundation is developing two new HOME rental units, which will be completed early in the next program year. Greene County is looking for a property or site for its CHDO project and will pool its HOME funds for two or three years to accumulate enough for construction. The City did not meet its PY 17 HOME goals for down

payment assistance activities. Challenges that sub recipients reported include sale price limitations, borrowing capacity of clients, issues with clients being outbid in the market, and new construction project delays. Accomplishments for these activities will be reported in the FY 18 CAPER. The full FY 17 CAPER Draft Report can be found on the City's website by clicking [click here](#).

## **SETTING PRIORITIES FOR FY 19-20**

FY 2019-2020 is the second year of the five year Consolidated Plan (FY 2018 – 2022) which is pending HUD approval. The Consolidated Plan sets forth plans for CDBG and HOME funding. This document provides information to encourage communities to look at housing and community development comprehensively, so that projects undertaken have a good fit with the community's needs.

**Current Year's Plan:** The priorities set by Council for FY 18, as determined at the September 18, 2017 public hearing, were affordable housing, workforce development, microenterprise assistance, access to quality childcare, down payment assistance, and homeowner rehab. For FY 18, 20 percent of the CDBG entitlement was allocated to Administration and Planning, which pays for the Grants Coordinator position and other grant support fees, and 15 percent of the balance was devoted to public services activities. The remaining funds were set-aside for economic development projects and for the Belmont Priority Neighborhood. The current fiscal year's adopted budget is attached to show how funding has been allocated to the different funding categories.

Following the public hearing, staff is asking Council to make the following decisions:

- 1. Set priorities for CDBG & HOME Programs** – Council is asked to determine what its priorities are for FY 19-20. Having specific priorities helps the CDBG Task Force ensure that the diminishing funds are targeted towards projects that meet the goals of Council, the Consolidated Plan and the Growing Opportunities Report. The high priority needs identified in the Consolidated Plan include: affordable housing (critical need for persons 0-50 percent of the area median income), homelessness and risk of homelessness, infrastructure improvements/accessible neighborhood amenities, workforce development, business development, and mental health and substance abuse services.
- 2. Confirm Priority Neighborhood** – In May 2018, Council approved Ridge Street as the fiscal year 19-20 Priority Neighborhood with funds being targeted in income eligible service areas. In the past, priority neighborhood funds were set at \$200,000, however, reduced entitlement amounts would make this amount more than 50 percent of the anticipated budget.
- 3. Determine if CDBG funds should be set aside for Economic Development** – Last year, Council set aside 11 percent of the entitlement amount to Economic Development activities or about \$45,000; however, only \$12,500 in eligible projects were funded. These funds are used to help qualified entrepreneurs start businesses as well as help existing businesses improve their capacity and increase profit.

4. **Determine the percentage for Public Service Projects** – The maximum amount of the budget that can be allocated towards Public Service Programs is 15 percent as determined by the Department of Housing and Urban Development (HUD). Council can decide to keep allocation at 15 percent or designate a lower percentage. The current budget for Public Service projects is about \$61,262.
5. **Administration and Planning** – This amount is capped by HUD at 20 percent of the total CDBG budget. The current budget for admin and planning is \$81,683.
6. **Additional Guidelines** - Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent.

### **Community Engagement:**

The CDBG Task Force will meet over the winter to review Housing and Public Service projects and make recommendations for funding to Council in spring 2019. The City's Strategic Action Team will review Economic Development applications. A Ridge Street Priority Neighborhood Task Force will be formed to make recommendations that will use designated funding available. Notice of the public hearing for the initial recommendations and notice of a public comment period for the CAPER was advertised in the newspaper. The public comment period for the CAPER was open from August 31<sup>st</sup> to September 14<sup>th</sup>.

### **Alignment with City Council's Vision and Strategic Plan**

Approval of this agenda item aligns directly with Council's vision for Charlottesville to have **Economic Sustainability and Quality Housing Opportunities for All**. It contributes to variety of Strategic Plan Goals and Objectives including: Goal 1 Enhance the self-sufficiency of residents;: 1.1 Promote education and training; 1.2 Reduce employment barriers; 1.3 Increase affordable housing options; 1.4 Enhance financial health; 1.5 Improve college/ career readiness of students.; 2.3. Provide reliable and high quality infrastructure; 3.1. Develop a quality workforce; 3.2. Attract and cultivate a variety of new businesses; and 3.3. Grow and retain viable businesses

### **Budgetary Impact:**

HOME funds will require a 25 percent local match. In previous years, this match came from the Charlottesville Affordable Housing Fund. There is no impact to the general fund regarding CDBG funds.

### **Recommendations:**

Staff Recommends:

- Council move forward with the following priorities: affordable housing (priority for persons who are 0-50 percent AMI), support for the homeless and those at risk of homelessness, workforce development (support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services.

- Approving the 15 percent maximum allocation allowed for Public Service Projects and approving the 20 percent maximum allocation allowed for Admin and Planning.
- Public Service funds remain citywide, but that non-profit partners are made aware of the Priority Neighborhood and encouraged to recruit beneficiaries from that area.
- \$20,000 be set aside for Economic Development Activities.
- \$45,500 be set aside for Housing Activities
- The remaining estimated CDBG budget, \$200,000, goes towards Priority Neighborhood funding.
- Designate Ridge Street as the FY 19-20 next Priority Neighborhood, as approved previously by City Council.
- Any Public Service, Housing or Economic Development activity must meet the goals and recommendations of the Growing Opportunities report in addition to the Consolidated Plan.

**Alternatives:**

Alternatives include funding the Priority Neighborhood, Economic Development, Public Service, and Housing programs at different percentages or restricting beneficiaries to specific areas of the City. Specifically, Council could choose to fund the Priority Neighborhood at less than the recommended \$200,000. This would allow more funding available for economic development and housing projects.

**Attachments:**

Proposed Budget

Resolution

Current Budget

Eligible CDBG and HOME Activities – click [here](#) to view list

CDBG Priority Neighborhoods Map



**Proposed FY 19-20 CDBG & HOME Budget**

	FY 18-19 Funding	FY 19-20 Funding
Priority Neighborhood	\$204,263.49	\$200,000 (or remaining EN available & reprogramming from housing projects)
Economic Development	\$12,500	\$20,000
Public Service	15% EN	15% EN
Admin	20% EN	20% EN
Housing	\$50,000	\$45,500 (or remaining EN available & reprogramming)
CDBG Entitlement (EN)	\$408,417	\$408,417
HOME Entitlement (plus match)	\$97,502.04	\$97,500
CDBG Program Income and Reprogramming	\$1,291.49	\$1,900

Note: As proposed, if CDBG funds are decreased, Priority Neighborhood funding would be decreased. Also, there is no way to predict how much program income will be received during the fiscal year;

**A RESOLUTION  
COUNCIL PRIORITIES  
FOR CDBG and HOME FUNDS  
FY 19-20**

**WHEREAS**, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2019; and

**WHEREAS**, in accordance with the City of Charlottesville's Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2019;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2019-2020 shall be as follows:

- Council's priorities for the CDBG and HOME program for FY 19-20 shall be affordable housing (priority for persons who are 0-50 percent AMI), support for the homelessness and those at risk of homelessness, workforce development (support for programs that aid in self-sufficiency, including but not limited to quality childcare), microenterprise assistance, and mental health and substance abuse services.
- For FY 19-20, \$45,500 (or remaining EN available & reprogramming) CDBG entitlement shall be set aside for Housing.
- For FY 19-20, \$20,000 CDBG entitlement shall be set aside for Economic Development.
- For FY 19-20, the Priority Neighborhood shall be Ridge Street and the allocation shall be \$200,000 of the total CDBG entitlement (or remaining EN available & reprogramming from housing projects). If the CDBG entitlement received is less than the estimate amount of \$408,417, this amount will be decreased accordingly. The next Priority Neighborhood shall be Belmont.
- The CDBG Admin and Planning budget shall be set at 20 percent of the total CDBG entitlement.
- The Public Services budget shall be set at 15 percent of the total CDBG entitlement.

**2018-2019 CDBG and HOME BUDGET ALLOCATIONS (REVISED)**  
**RECOMMENDED BY CDBG/HOME TASK FORCE and SAT: 1/16/18 and 1/26/18**  
**RECOMMENDED BY PLANNING COMMISSION: 3/13/2018**  
**ESTIMATED BUDGET APPROVED BY CITY COUNCIL: 5/21/2018 and 7/2/2018**

<b>I. PRIORITY NEIGHBORHOOD</b>		
A. Belmont		<b>\$204,263.49</b>
<b>II. ECONOMIC DEVELOPMENT PROJECTS</b>		
A. Community Investment Collaborative - Scholarships		\$12,500
	<b>ECONOMIC DEVELOPMENT TOTAL:</b>	<b>\$12,500</b>
<b>III. PUBLIC SERVICE PROJECTS</b>		
A. Literacy Volunteers – Basic Literacy Instruction		\$8,300
B. United Way – Childcare Scholarships		\$26,431
C. TJACH – Coordinated Entry System		\$26,531
	<b>SOCIAL PROGRAMS TOTAL:</b>	<b>\$61,262 (15% EN)</b>
<b>IV. HOUSING PROJECTS</b>		
A. AHIP – Homeowner Rehab		\$50,000
	<b>HOUSING PROGRAMS TOTAL:</b>	<b>\$50,000*</b>
<b>V. ADMINISTRATION AND PLANNING:</b>		
A. Admin and Planning		<b>\$81,683 (20% EN)</b>

**GRAND TOTAL: \$409,708.49**  
**ESTIMATED NEW ENTITLEMENT AMOUNT: \$408,417**  
**ESTIMATED EN AVAILABLE AFTER PI APPLIED: \$0.00**  
**REPROGRAMMING: \$1,291.49**

\* Funding includes reprogrammed funds

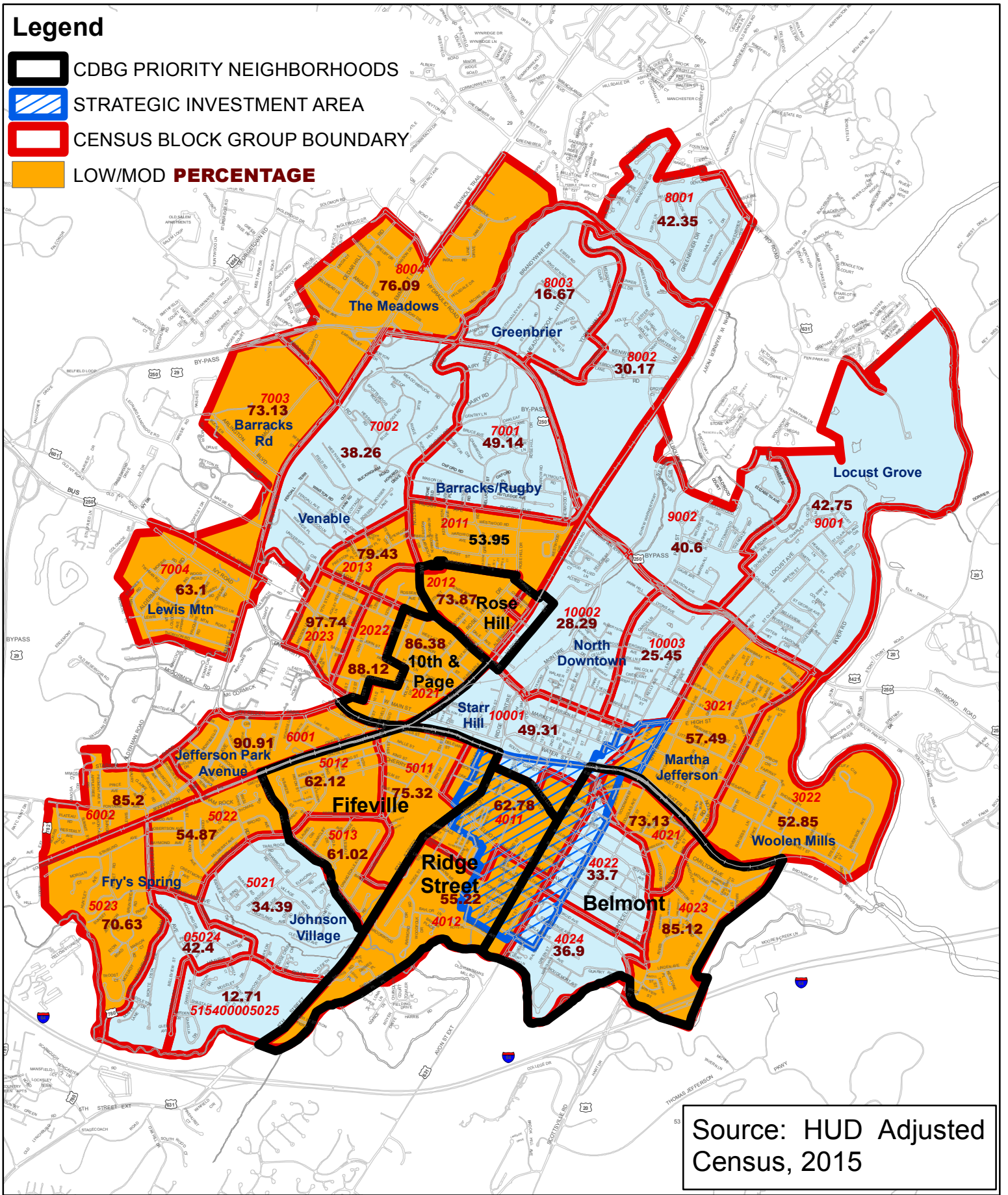
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**2018-2019 HOME BUDGET ALLOCATIONS**

A. Habitat – Down payment Assistance		\$39,502.79
B. PHA – Down payment Assistance		\$54,869.35
C. AHIP – Homeowner Rehab		\$31,594.35
	<b>GRAND TOTAL:</b>	<b>\$125,966.49</b>
	<b>ENTITLEMENT AMOUNT:</b>	<b>\$78,001.63</b>
	<b>ESTIMATED EN AVAILABLE AFTER PI APPLIED:</b>	<b>\$22,906.59</b>
	<b>REPROGRAMMING:</b>	<b>\$5,557.86</b>
<b>REMAINING LOCAL MATCH FROM PREVIOUS ALLOCATIONS:</b>		<b>\$19,500.41</b>

All projects include EN available after program income applied and match surplus allocated from previous grant years

# CDBG Priority Neighborhoods And Low-Moderate Income Block Groups



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



<b>Agenda Date:</b>	September 17, 2018
<b>Action Required:</b>	Approval of Ordinance with Waived Second Reading
<b>Presenter:</b>	Lauren Hildebrand, Director, Utilities
<b>Staff Contacts:</b>	Lauren Hildebrand, Director, Utilities Melissa Stephens, Stormwater Utility Administrator, Utilities
<b>Title:</b>	<b>Albemarle County Easement – Pen Park Stream Restoration Project</b>

**Background:**

The City and Albemarle County (County) have a history of collaboration on environmental topics, as supported by the 2016 Memorandum of Understanding (MOU) for Collaboration between the City of Charlottesville and the County of Albemarle Regarding the Environment. In the summary table of collaboration on programs and initiatives associated with this MOU, collaboration on water quality compliance through joint pursuit of cost effective capital projects that generate pollutant reduction credits needed by each locality to meet compliance requirements is called out as an opportunity.

As such, the City and County have recently identified a 560-linear foot section of degraded urban stream which could benefit from restoration. Restoration of this stream will provide pollutant reduction credits needed by both localities to meet compliance requirements. Portions of the identified stream lie within the boundaries of the City and the County within Pen Park (City Tax Map Parcel 48B001000) and the River Run subdivision (County Tax Map Parcel 062D1-02-00-00100), respectively. The County has agreed to manage the design and construction of the project and incur all maintenance-related costs for the project for 10 years following the completion of the project's construction.

The County has secured funding for design and construction of the stream restoration and the City is contributing funding for a portion of the project through its Stormwater Capital Improvement Plan. The project is at this time, fully funded, designed, and bids for construction have been received. In order to complete the project, the County is now seeking an easement for the construction and maintenance for the stream restoration project.

**Discussion:**

The City, as the owner of Pen Park, has been requested to approve an easement to the County. The intent of this easement is to allow the County and its contractor(s) to enter Pen Park for the purpose of the construction and maintenance of a joint stream restoration project on a portion of an urban stream that reaches from County-owned to City-owned land. Ten years after completion of the

stream restoration project, the easement will terminate and the City will take over maintenance responsibility of the City-owned portion of the project.

The stream restoration project will achieve nutrient credit reductions required by the General Virginia Pollution Discharge Elimination System Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4) and the associated Total Maximum Daily Load (TMDL) Action Plan for both localities. The stream restoration project will provide approximately 247 pounds of nitrogen nutrient credit reductions which are needed by the City for compliance with its TMDL Action Plan. The project will also generate 113.7 pounds of phosphorus nutrient credit reductions and 39,216 pounds of sediment reduction, both of which are needed by the County to achieve compliance with its TMDL Action Plan. The stream restoration project will also improve water quality and the aesthetic of the River Run stream channel.

The total project cost for stream restoration is estimated to be \$532,863 with the City's portion being \$125,000, equating to a cost of approximately \$506 per pound of nitrogen removal. Typically, an average cost per pound of nitrogen nutrient credit reduction for stream restoration projects is around \$1,950/pound. The County is receiving grant funding to make the project viable. Charlottesville Utilities staff and the City Attorney have reviewed the proposed easement and plat and have no concerns with providing the easement.

### **Community Engagement:**

The County has coordinated with the River Run Community Home Owners' Association (HOA) regarding the portion of the project taking place on HOA-owned property and the County has secured necessary easements for the work to be performed on HOA-owned property. Work to be performed in the City will take place within the footprint of Pen Park and there is ongoing coordination between staff from Parks & Recreation and Utilities on the project.

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

The project supports City Council's vision of Charlottesville as a leader in environmental sustainability and the "Green City" Vision. The project aligns with Goal 3.4: Be responsible stewards of natural resources and fits specifically within the measure of compliance with the Chesapeake Bay TMDL and the initiative to identify and implement water resources and protection projects to meet permit requirements for pollutant reductions.

### **Budgetary Impact:**

Funding for this project has been allocated out of the Fiscal Year 2019 Stormwater CIP Fund. Following the initial 10-year maintenance period to be performed by the County, the stream restoration project will be maintained with all other regularly serviced City-owned stormwater best management practices (BMPs). Funds for these efforts are allocated out of revenues from the Stormwater Utility Fee and the impact of adding this BMP to the schedule is expected to be negligible (averaging less than \$1,200/year).

### **Recommendation:**

Staff recommends approval of the Pen Park Stream Restoration Project easement to Albemarle County with a waived second reading.

**Alternatives:**

Council can choose to not grant the easement. If the easement is denied, the stream restoration project will not take place within the City's Pen Park. The County will lose grant funding associated with the City-portion of the project and the City will forgo an opportunity to work collaboratively with the County.

**Attachments:**

Proposed Ordinance; Deed of Dedication and Easement; Plat.



**AN ORDINANCE  
APPROVING A DEED OF EASEMENT FROM THE CITY OF CHARLOTTESVILLE,  
VIRGINIA TO THE COUNTY OF ALBEMARLE ACROSS PEN PARK FOR A JOINT  
STREAM RESTORATION PROJECT**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia that the attached Deed of Dedication and Easement between the City of Charlottesville, Virginia and the County of Albemarle, Virginia, is hereby approved. The Mayor is authorized to execute the Deed and any other documents necessary to consummate the transaction on behalf of the City, in form approved by the City Attorney.

This document was prepared by:  
Albemarle County Attorney  
County of Albemarle  
401 McIntire Road, Suite 325  
Charlottesville, Virginia 22902

Parcel ID 48B001000

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

**DEED OF DEDICATION AND EASEMENT**

**THIS DEED OF DEDICATION AND EASEMENT** is made this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, Grantor, and the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, Grantee.

**WITNESSES:**

**WHEREAS**, the Grantor is the owner of that certain real property (hereinafter the "Property") located in the City of Charlottesville, Virginia, more particularly described as follows:

That certain real property shown and designated as "Variable Width Permanent Maintenance Easement," shown on the plat of Lincoln Surveying, dated April 27, 2018, entitled "Plat Showing a New Variable Width Permanent Maintenance Easement on a Portion of Tax Map Parcel 48B-1, Located off Pen Park Road, Charlottesville, Virginia," a copy of which is attached hereto to be recorded with this deed (hereinafter, the "Easement" and the "Plat"). Reference is made to the Plat for a more particular description of the easement conveyed herein.

**WHEREAS**, the Property is described further as a portion of that certain lot or parcel of land situated in the City of Charlottesville, Virginia, identified as Parcel ID 48B001000; and

**WHEREAS**, it is the desire and intent of the Grantor to dedicate, grant and convey the Easement for public use in accordance with this Deed of Dedication and Easement; and

**WHEREAS**, it is the desire and intent of the Grantor to dedicate, grant and convey all rights, title and interest in all ditches, pipes and other improvements and appurtenances within the Easement established for the purpose of conveying stormwater (hereinafter collectively referred to as the "Improvements," whether referring to existing Improvements or those to be established in the future by the Grantee), excluding building connection lines.

**NOW, THEREFORE**, in consideration of the premises and TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby GRANT, CONVEY, and DEDICATE to public use with

GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the Grantee, its successors and assigns, an exclusive easement as shown on the Plat and as referred to herein as the Easement.

**FURTHER**, pursuant to the consideration described herein, the Grantor does hereby GRANT, CONVEY, and DEDICATE to public use the Improvements for the term provided in Section 10 below.

The Easement shall be subject to the following:

1. Right to construct, reconstruct, install, maintain, repair, change, alter and replace the Improvements. The Grantee shall have the right to construct, reconstruct, install, maintain, repair, change, alter, and replace present or future Improvements (hereinafter referred to as “inspecting, maintaining and operating” or derivations thereof) for the purposes of collecting storm water and transmitting it through and across the Property, protecting property from flooding, protecting water quality, and otherwise controlling stormwater runoff.

2. Ownership of the Improvements. All Improvements within the Easement, whether they were installed by the Grantee or any predecessor in interest, shall be and remain the property of the Grantee for the term provided in Section 10 below.

3. Right of ingress and egress. The Grantee shall have the right and easement of ingress and egress over any lands of the Grantor adjacent to the Easement between any public or private roads and the Easement, to inspect, maintain and operate the Improvements.

4. Right to inspect, maintain and operate the Improvements. The Grantee may enter the Easement to inspect, maintain and operate the Improvements.

5. Right of Grantee to disturb and maintain the Easement premises. The Grantee shall have the right within the Easement to trim, cut or remove any trees, brush or shrubbery, remove fences, structures or other obstructions, and take other similar action reasonably necessary to provide adequate and fully functioning Improvements; provided, however, that the Grantee, at its own expense, shall restore as nearly as possible, the premises to their original condition. This restoration shall include the backfilling of trenches, the replacement of fences and shrubbery, the reseeding or resodding of lawns or pasture areas, and the repair or replacement of structures and other facilities located outside of the Easement that were damaged or destroyed by the Grantee. However, the Grantee shall not be required to repair or replace any structures, trees, or other facilities located within the Easement, but be required only to repair or replace groundcover within the Easement

that was disturbed, damaged or removed as a result of installing or maintaining any of the Improvements. In addition, the Grantee shall remove from the Easement all trash and other debris resulting from the installation, maintenance or operation of an Improvement, and shall restore the surface thereof to its original condition as nearly as reasonably possible. Notwithstanding the foregoing, the Grantee shall not be required to repair or replace anything identified in this section if to do so would be inconsistent with the proper maintenance or operation of the Improvements. In addition, neither the Grantee nor any other public agency, including the Virginia Department of Transportation, shall be responsible for conducting routine maintenance as described in Section 6 except as expressly provided in this section.

6. Right of Grantor to maintain the Easement premises. The Grantor shall have the right to perform routine maintenance of the Easement premises, including the removal of trash and landscaping debris, mowing and manicuring lawns and groundcovers, and making any other aesthetic improvements desired by the Grantor that are not inconsistent with the rights herein conveyed, and which do not adversely affect the proper operation of any Improvement. The right to maintain the Easement premises does not include the right to maintain the Improvements.

7. Temporary construction easement. The Grantee shall have a temporary construction easement on the lot on which the Easement is located in order to construct, install, maintain, repair, change, alter, or replace an Improvement. This temporary construction easement shall expire upon completion of the work.

8. Exclusivity; restrictions. The Easement conveyed herein is an exclusive easement. Neither the Grantor nor any person acting under the Grantor's express or implied consent shall modify, alter, reconstruct, interfere with, disturb or otherwise change in any way the land within the Easement or any Improvement located within the Easement; and further provided that such persons shall not construct or maintain any roadway, or erect any building, fence, retaining wall or other structure within the Easement.

9. Grantee's right to assign. The Grantee shall have the right to assign this Easement as its interests may require.

10. Termination. Pursuant to the parties' Memorandum of Understanding dated July 19, 2018, ten years after completion of that certain stream restoration project identified therein, this Easement shall terminate, and the Grantor shall thereafter maintain the Easement and Improvements identified herein.

11. Binding effect. The Easement and the rights and obligations established herein shall run with the land for the term provided in Section 10 above, and shall be binding upon the Grantor, the Grantee, and their successors and assigns. All references herein to the “Grantor” and the “Grantee” include their respective successors and assigns. All references to the “Grantee,” when exercising any right or obligation herein, includes the Grantee’s officers, employees and agents.

The Grantee, acting by and through its County Executive, duly authorized by resolution adopted by the Board of Supervisors of the County of Albemarle, Virginia, accepts the conveyance of this property pursuant to *Virginia Code* § 15.2-1803, as evidenced by the County Executive’s signature hereto and the recordation of this Deed.

**WITNESS** the following signatures.

**IN WITNESS WHEREOF**, the City of Charlottesville has caused this Deed of Dedication and Easement to be executed by its Mayor, pursuant to an ordinance adopted by City Council at its meeting on \_\_\_\_\_, 2018.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

**By:** \_\_\_\_\_  
**Nikuyah Walker, Mayor**

COMMONWEALTH OF VIRGINIA  
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me by Nikuyah Walker, Mayor of the City of Charlottesville, Virginia, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
Registration #: \_\_\_\_\_

**GRANTEE:**

**COUNTY OF ALBEMARLE, VIRGINIA**

By \_\_\_\_\_  
Jeffrey B. Richardson, County Executive

**COMMONWEALTH OF VIRGINIA  
CITY OF CHARLOTTESVILLE:**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_ by Jeffrey B. Richardson, County Executive, on behalf of the County of Albemarle, Virginia,  
Grantee.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Registration number: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Albemarle County Attorney

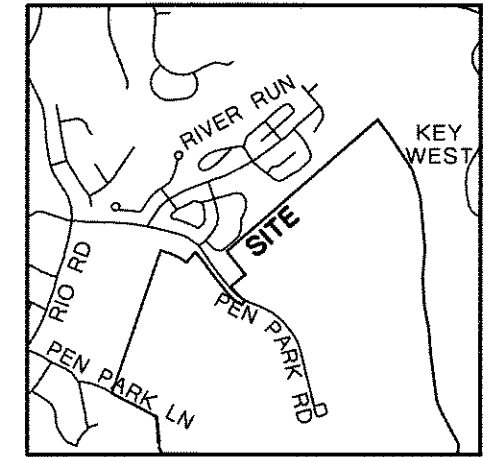
**PLAT SHOWING A NEW VARIABLE WIDTH  
PERMANENT MAINTENANCE EASEMENT  
ON A PORTION OF TAX MAP PARCEL 48B-1  
LOCATED OFF PEN PARK ROAD  
CHARLOTTESVILLE, VIRGINIA**

APRIL 27, 2018  
SHEET 1 OF 3

**TITLE REFERENCES:**

CTMP 48B-1  
PARCEL A  
CITY OF CHARLOTTESVILLE  
D.B. 507 P. 427, 432 PLAT  
ALB. D.B. 687 P. 325  
ALB. D.B. 563 P. 624  
ALB. D.B. 529 P. 55  
ALB. D.B. 503 P. 571  
ALB. D.B. 493 P. 626

VICINITY MAP 1" = 2000'



OWNER'S APPROVAL:

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND, A NEW VARIABLE WIDTH PERMANENT MAINTENANCE EASEMENT ON A PORTION OF TAX MAP PARCEL 48B-1 LOCATED OFF PEN PARK ROAD CHARLOTTESVILLE, VIRGINIA, IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

\_\_\_\_\_  
CITY AGENT, OR AUTHORIZED DESIGNEE DATE

NOTARY PUBLIC:  
STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_  
THE FOREGOING WAS ACKNOWLEDGED  
BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_  
20\_\_\_\_ BY \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

I HEREBY CERTIFY THAT THIS EASEMENT PLAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS. I ALSO CERTIFY THAT THE BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY.

THE EASEMENT PORTION OF THIS PROPERTY LIES IN AN AREA DESIGNATED AS ZONE X (UNSHADED) AREA OF MINIMAL FLOOD HAZARD AND ZONE X (SHADED) (AREAS DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON MAPS BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.  
DATED: FEBRUARY 4, 2005

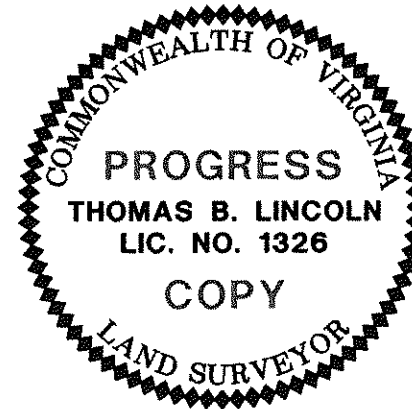
CTMP 48B-1 IS ZONED: R1-S

SOME EASEMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.

APPROVED FOR RECORDATION:

\_\_\_\_\_  
DATE  
CITY AGENT,  
OR AUTHORIZED DESIGNEE

\_\_\_\_\_  
DATE  
CHAIR, CITY PLANNING COMMISSION



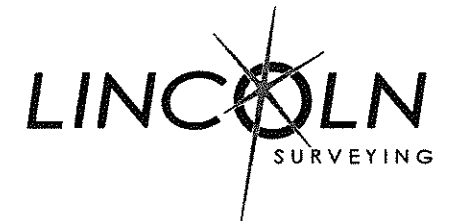


PLAT SHOWING A NEW VARIABLE WIDTH  
 PERMANENT MAINTENANCE EASEMENT  
 ON A PORTION OF TAX MAP PARCEL 48B-1  
 LOCATED OFF PEN PARK ROAD  
 CHARLOTTESVILLE, VIRGINIA

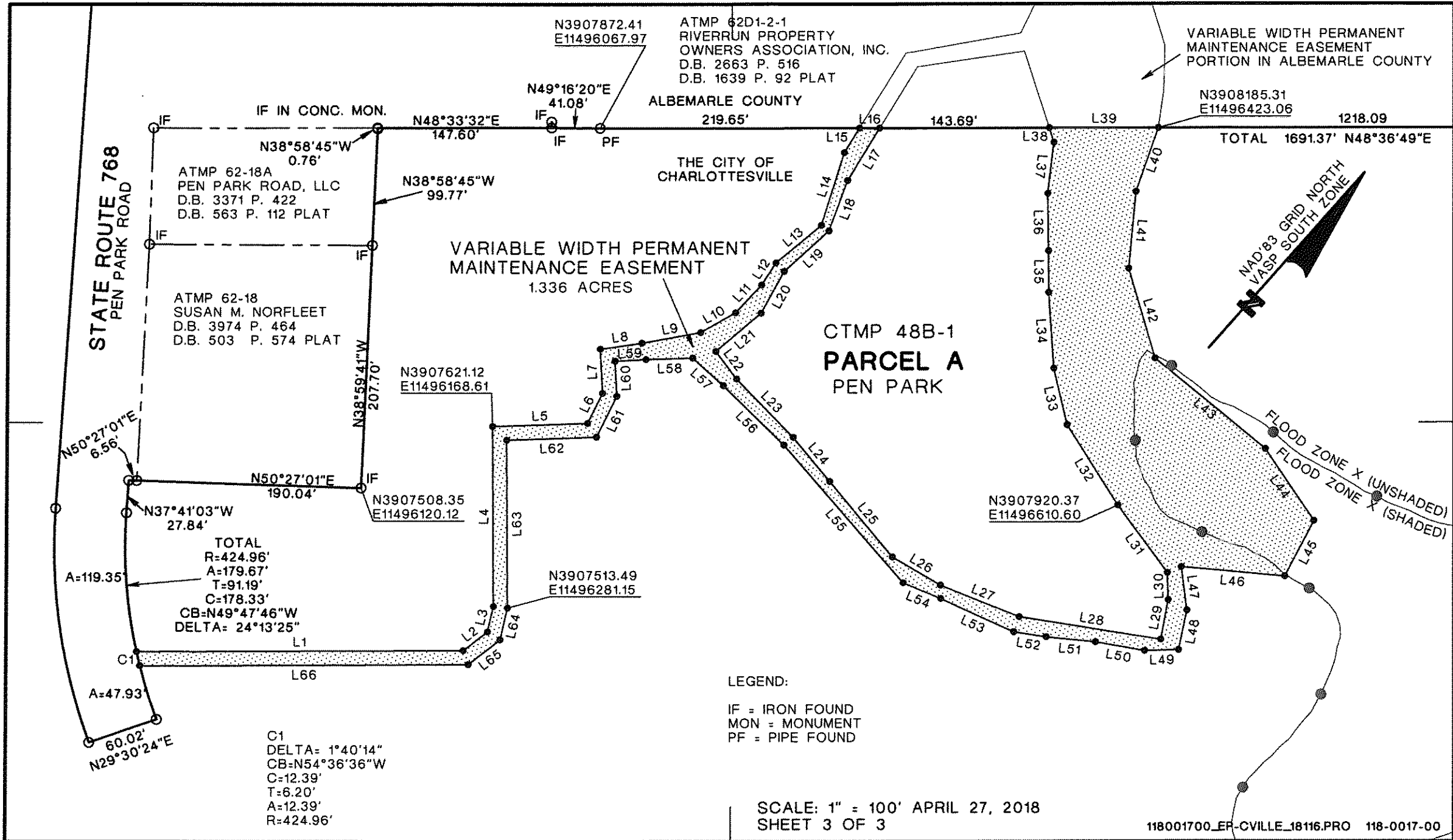
APRIL 27, 2018  
 SHEET 2 OF 3

NEW VARIABLE WIDTH  
 PERMANENT MAINTENANCE EASEMENT

LINE	BEARING	DISTANCE			
L1	S48°22'04"W	276.21'			
L2	S10°32'27"W	25.78'			
L3	S28°27'02"E	22.27'			
L4	S41°51'23"E	153.85'			
L5	S46°42'52"W	80.62'			
L6	S15°14'30"E	28.61'			
L7	S44°18'12"E	37.83'			
L8	S40°19'18"W	35.45'			
L9	S38°12'29"W	50.53'			
L10	S18°51'53"W	33.87'			
L11	S01°08'52"W	32.45'	L39	S48°36'49"W	92.74'
L12	S08°47'55"E	22.34'	L40	S22°07'21"E	57.83'
L13	S08°51'05"W	50.10'	L41	N36°01'39"W	66.12'
L14	S23°57'08"E	65.05'	L42	N57°38'43"W	79.90'
L15	S09°57'59"E	24.67'	L43	S88°14'54"W	121.57'
L16	S48°36'49"W	17.20'	L44	N75°16'14"W	74.20'
L17	N10°02'49"W	52.43'	L45	N13°52'48"W	53.47'
L18	N21°15'00"W	45.91'	L46	N53°47'09"E	88.36'
L19	N06°15'52"E	51.43'	L47	N48°41'12"W	37.36'
L20	N12°44'22"W	40.58'	L48	N29°34'04"W	34.45'
L21	N07°54'20"E	50.26'	L49	N47°09'47"E	28.82'
L22	N78°09'50"W	29.40'	L50	N58°54'51"E	42.39'
L23	N85°08'22"W	69.20'	L51	N54°37'02"E	42.01'
L24	N80°51'33"W	48.90'	L52	N57°33'54"E	27.52'
L25	N80°51'33"W	83.79'	L53	N73°28'05"E	68.10'
L26	S79°04'00"W	47.59'	L54	N71°27'05"E	34.61'
L27	S70°46'53"W	71.71'	L55	S82°05'46"E	155.44'
L28	S57°52'06"W	121.49'	L56	S86°34'36"E	72.29'
L29	S30°49'14"E	34.38'	L57	S88°55'42"E	35.03'
L30	S43°12'14"E	23.27'	L58	N46°44'26"E	39.56'
L31	S77°28'10"E	71.49'	L59	S45°27'54"W	26.06'
L32	S73°28'19"E	81.08'	L60	N44°18'12"W	30.02'
L33	S54°29'18"E	49.66'	L61	N15°14'30"W	38.92'
L34	S45°14'54"E	65.10'	L62	N46°42'52"E	76.12'
L35	S41°36'53"E	35.53'	L63	N41°51'23"W	143.55'
L36	S42°07'01"E	49.17'	L64	N28°27'02"W	27.93'
L37	S34°38'02"E	43.94'	L65	N10°32'27"E	34.19'
L38	S59°04'20"E	13.05'	L66	N48°21'31"E	277.50'



*Innovation. Integrity. Vision.*  
 632 BERKMAR CIRCLE  
 CHARLOTTESVILLE, VIRGINIA 22901  
 OFFICE: 434-974-1417



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



Agenda Date:	September 17, 2018
Action Required:	Consider modification to the Residential Permit Parking Ordinance
Presenter:	Brennen Duncan, Traffic Engineer, NDS
Staff Contacts:	Brennen Duncan, Traffic Engineer, NDS
<b>Title:</b>	<b>Belmont Neighborhood Residential Permit Parking Zone</b>

**Background**

Every year per city code, permit parking requests are submitted to Neighborhood Development services. All requests submitted prior to February 28<sup>st</sup> are evaluated against the guidelines set forth in city code section 15-206. This year we received application for the Belmont Neighborhood which currently has no zone. Currently the City Code specifies 6 Zones (*Zone 1 includes areas around the University, Zone 4 is North Downtown, Zone 6 is a small area just north of W. Main street and east of the Railroad, Zone 7 is in the Fifeville Neighborhood, Zone 8 is South Street, and Zone 9 is the Martha Jefferson Neighborhood*).

**Discussion**

This year we received 5 applications for Permit Parking from the neighborhoods. These included Hinton Avenue, Anderson Street, Nunley Street, Hanover Street and Carlton Road. Parking Data was collected on three different days in May. Hinton Avenue did meet the criteria, but because Belmont does not currently have a zone specified by ordinance there is no way to initiate the acceptance process for this street as residential permit parking. In your packet there is a map showing the proposed zone for the Belmont Permit Parking Zone as well as an ordinance to adopt into our city code. Since there is currently a vacancy in the numbering of our zones, we used the next available number which is Zone 2. Traffic Engineering has looked at the area most like

**Budgetary Impact**

None.

## **Recommendations**

Traffic Engineering's recommendation is to accept the Belmont Neighborhood by ordinance into the Residential Permit Parking program.

## **Alternatives**

1. By motion, take action to approve the attached ordinance revision
2. By motion, request changes to the attached ordinance
3. By motion, deny residential permit parking

## **Attachments**

1. Belmont Permit Parking Ordinance
2. Belmont Permit Parking Map

**AN ORDINANCE  
TO AMEND AND REORDAIN SEC. 15-204 OF THE CODE  
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
TO ESTABLISH A NEW PERMIT PARKING ZONE  
IN THE BELMONT NEIGHBORHOOD**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia that Section 15-204 of Article V, Division 3 of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

**CHAPTER 15. MOTOR VEHICLES AND TRAFFIC**

**ARTICLE V. Stopping, Standing And Parking**

**Division 3. Residential Permit Parking Zones and Restricted Parking Blocks**

**Sec. 15-204. Designation of permit parking zones.**

The following areas of the city are hereby designated as permit parking zones, and any streets referenced as boundaries shall be deemed included as part of such zones:

*Zone 1.* That area bounded on the north by Ivy Road, from the city limits to Emmett Street, then along Emmett Street to Barracks Road, then along Barracks Road to Rugby Road; bounded on the east by Rugby Road to Cabell Avenue, then along Cabell Avenue to Grady Avenue, then along Grady Avenue to 10th Street, then along 10th Street to West Street, then along West Street in a line extending to the Southern Railroad tracks; bounded on the south by the Southern Railroad tracks; and bounded on the west by the city limits.

*Zone 2.* That area bounded on the west by 6<sup>th</sup> Street SE, beginning at the CSX Railroad tracks and 6<sup>th</sup> Street SE, continuing east along the railroad tracks to its intersection with Carlton Road; then south along Carlton Road to its intersection with Monticello Avenue; then west along Monticello Avenue to its intersection with 6<sup>th</sup> Street SE; then north along 6<sup>th</sup> Street SE to its terminus at the intersection of the CSX Railroad tracks and the Belmont Bridge.

*Zone 4.* That area bounded on the north by Perry Drive, Park Lane East, and Poplar Street, on the east by Locust Avenue, on the south by East High Street, and on the west by Altamont Street and McIntire Road and including Altamont Circle and Walker Street.


*Zone 6.* That area bounded on the east by 5th Street, N.W., on the north by the southern property line of the city maintenance yard, on the west by 7½ Street, N.W., on the south by Elsom Street, the 100 block of 7th Street, N.W. and Commerce Street.

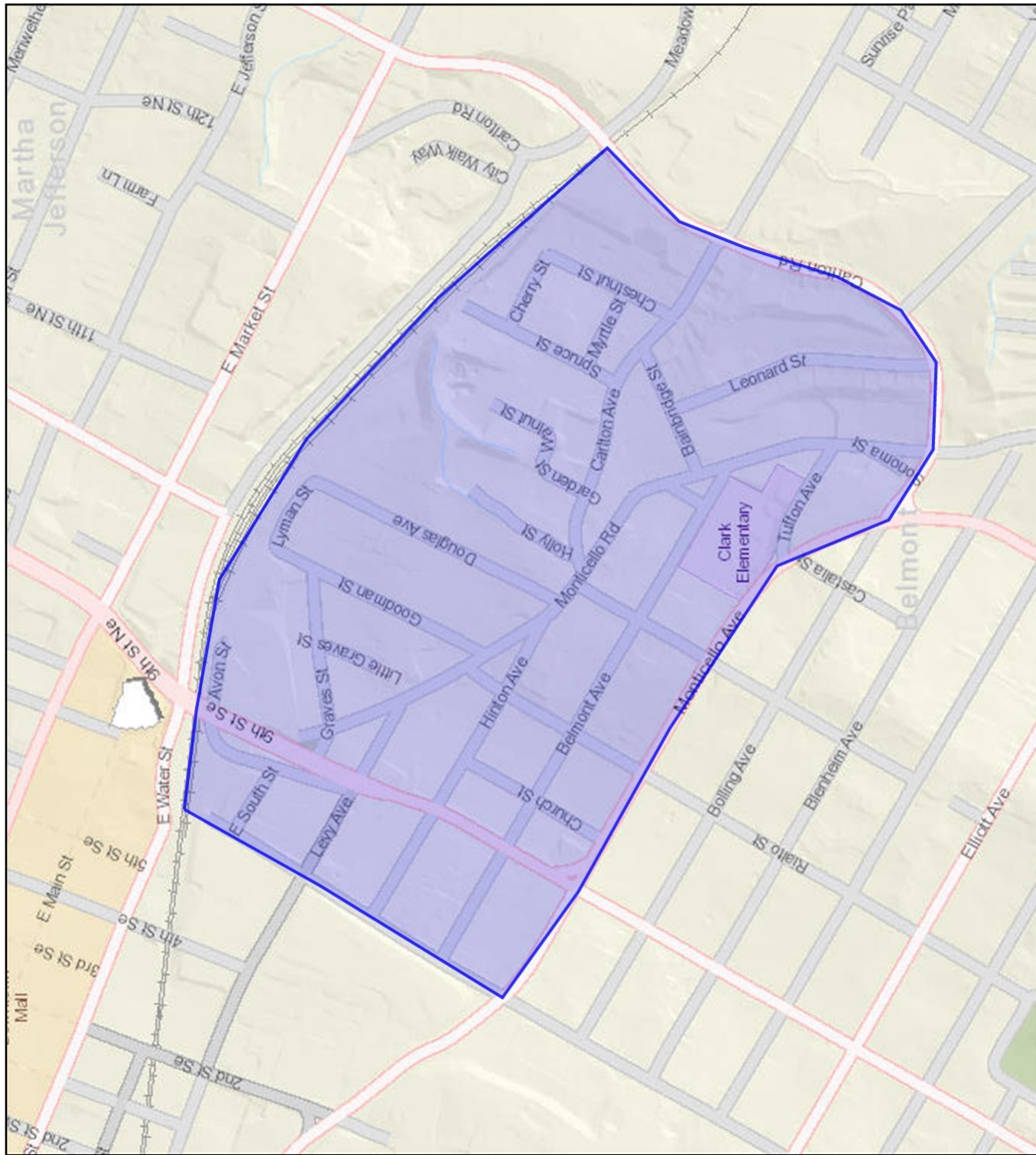
*Zone 7.* That area bounded on the north by Grove Street, Estes Street and the CSX Railroad, on the west by Baker Street and North Baker Street, on the south by Forest Hills Avenue, and on the east by 9th Street, S.W. and 5th Street, S.W.

*Zone 8.* That area consisting of South Street from Ridge Street to its terminus at Second Street, S.E.

*Zone 9.* That area bounded on the north by Hazel Street, on the east by Meade Avenue, on the south by East Market Street, and on the west by 10th Street, N.E and Locust Avenue.

**Legend**

-  City Limits



**Title:**

**Date:** 9/14/2018

*DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.*



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