



**CITY COUNCIL AGENDA**  
**April 1, 2013**

**TYPE OF ITEM**

**SUBJECT**

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

**AWARDS/RECOGNITIONS  
ANNOUNCEMENTS** Child Abuse Prevention; Local Government Education Week

**MATTERS BY THE  
PUBLIC** Public comment will be permitted for the first 12 speakers to sign up in advance of the meeting (limit of 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

**COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

- 1. CONSENT AGENDA\*** (Items removed from the consent agenda will be considered at the end of the regular agenda.)
- a. Minutes for March 18
  - b. **APPROPRIATION:** 2013 Juvenile Accountability Block Grant (JABG) – \$11,111 (2<sup>nd</sup> of 2 readings)
  - c. **APPROPRIATION:** Insurance Settlement for Damaged Police Car – \$20,506 (1<sup>st</sup> of 2 readings)
  - d. **RESOLUTION:** Charlottesville Climate Protection Program Update and LEAP Fund Appropriation Request – \$100,087 (1<sup>st</sup> of 1 reading)
  - e. **RESOLUTION:** McIntire Exterior Improvements – Fund Transfer from Facilities Repair Account to Facilities Large Cap Account – \$57,417 (1<sup>st</sup> of 1 reading)
  - f. **RESOLUTION:** Donation of Surplus Fire Engine to Piney River Volunteer Fire Department (1<sup>st</sup> of 1 reading)
  - g. **RESOLUTION:** Unplanned Expenses for General Registrar During FY 2013 – \$76,243 (1<sup>st</sup> of 1 reading)
  - h. **ORDINANCE:** Quitclaim Gas Easement to VDOT (Townbrook Crossing/Court in Dunlora Gates Subdivision) (2<sup>nd</sup> of 2 readings)
  - i. **ORDINANCE:** Johnson Village PUD Amendment (1<sup>st</sup> of 2 readings)
  - j. **ORDINANCE:** Elliot Avenue PUD (1<sup>st</sup> of 2 readings)
  - k. **REPORT:** LEAP Update (Annual Reports and *Energize!250*)
- 2. PUBLIC HEARING** City Council's Proposed FY 2014 Budget
- 3. ORDINANCE\*** Annual Tax Levy (1<sup>st</sup> of 2 readings)
- 4. ORDINANCE\*** Annual Budget Appropriation for FY 2014 (1<sup>st</sup> of 2 readings)
- 5. APPROPRIATION\*** Approval and Appropriation of CDBG & HOME funds for FY 2013-2014 – \$609, 729.43 (1<sup>st</sup> of 2 readings)
- 6. REPORT** Albemarle County Service Authority's Payment for Ragged Mountain Property – \$765,000

**OTHER BUSINESS  
MATTERS BY THE PUBLIC**

\*ACTION NEEDED

**APPROPRIATION**  
**2013 Juvenile Accountability Block Grant (JABG)**  
**(13-O3236JB11)**  
**\$11,111**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Criminal Justice Services in the amount of \$10,000 in federal pass through funds and \$1,111 in local cash match, provided by Community Attention, Central Virginia Restorative Justice, the Albemarle Police Department and the Albemarle County Schools, for a total award of \$11,111; and

**WHEREAS**, the funds will be used to support programs provided by Community Attention and the Central Virginia Restorative Justice Program; gang prevention training for the Albemarle County Police Department and student engagement training for the Albemarle County Schools; and

**WHEREAS**, the grant award covers the period from January 1, 2013 through December, 2013;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$11,111 is hereby appropriated in the following manner:

**Revenue – \$11,111**

\$10,000	Fund: 209	I/O: 1900195	G/L: 430120 State/Fed pass thru
\$ 889	Fund: 209	I/O: 1900195	G/L: 432080 Revenue Other Local Gov
\$ 222	Fund: 209	I/O: 1900195	G/L: 498010 Transfer from other funds

**Expenditures - \$11,111**

\$ 2,052	Fund: 209	I/O: 1900195	G/L: 510010 Full Time Salaries
\$ 170	Fund: 209	I/O: 1900195	G/L: 511010 Social Security FICA
\$ 8,889	Fund: 209	I/O: 1900195	G/L: 530550 Contracted Services

**Transfer - \$222**

\$ 222	Fund: 213	CC: 3413003000	G/L: 561209 Transfers for State Grants
--------	-----------	----------------	--

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$10,000 from the Virginia Department of Criminal Justice Services, and the matching funds from the specified local agencies.

**RESOLUTION**  
**2013 Climate Protection Program Support Grant**  
**\$100,087**

**BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$100,087 is hereby paid to LEAP from currently appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:

\$100,087      Fund: 631                      Cost Center: 2711001000      G/L Account: 599999

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute a Memorandum of Understanding, in form approved by the City Attorney, with the Local Energy Alliance Program (LEAP) for the use of the grant funds (\$100,087) paid to LEAP.

**RESOLUTION**

**McIntire Exterior Improvements, Phase II (Design & Construction)**

**Transfer of funding from the Facilities Repair account to the Facilities Large Cap account  
\$57,417**

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$57,417 be transferred as follows:

**Transfer From - \$57,417**

Fund: 107                      Project: P-00624 (FR-001)                      G/L Account: 561426

**Transfer To - \$57,417**

Fund: 426                      Project: P-00675-13 (CP-012)                      G/L Account: 498010  
Fund: 426                      Project: P-00675-13 (CP-012)                      G/L Account: 599999

## **RESOLUTION**

### **Donation of Surplus Fire Engine to Piney River Volunteer Fire Department**

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Charlottesville, Virginia that, at the request of the Piney River Volunteer Fire Department, the City of Charlottesville, through the Charlottesville Fire Department, may donate a surplus fire engine to the Piney River Volunteer Fire Department.

**RESOLUTION**

**Unplanned Expenses for General Registrar During FY 2013  
\$76,243**

**BE IT RESOLVED** by the City Council of the City of Charlottesville that funds be transferred from the Citywide Reserve to the General Registrar's operating budget:

**Transfer From:**

<b>Amount</b>	<b>Fund</b>	<b>Cost Center</b>	<b>G/L Account</b>
\$76,243	105	1631001000	599999

**Transfer To:**

<b>Amount</b>	<b>Fund</b>	<b>Cost Center</b>	<b>G/L Account</b>
\$29,500	105	2301001000	519999
\$46,743	105	2301001000	599999

**AN ORDINANCE  
TO QUITCLAIM NATURAL GAS LINE EASEMENTS  
LOCATED ACROSS TOWNBROOK CROSSING AND TOWNBROOK COURT  
IN DUNLORA GATES SUBDIVISION 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 Townbrook Crossing and Townbrook Court in the Dunlora Gates Subdivision in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within these roadways, and also owns easements for such lines, and VDOT has asked that the portions of the foregoing easements crossing Townbrook Crossing and Townbrook Court 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 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 rights-of-way.

*Prepared by Charlottesville City Attorney's Office  
Albemarle County Tax Map Parcel 62 (Townbrook Crossing/Court)*

**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 \_\_\_\_\_, 2013, by and between the **CITY OF CHARLOTTESVILLE**, 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 plat made by the City of Charlottesville Gas Division dated February 19, 2013, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Townbrook Crossing and Townbrook Court in Dunlora Gates Subdivision in the County of Albemarle, namely: Two-inch (2") natural gas line and related gas facilities upon and across Townbrook Crossing and Townbrook Court, insofar as the land embraced within said easements 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 by deed from Dunlora Gates, LLC, dated



November 19, 2008, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 3708 at page 311.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed 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: \_\_\_\_\_  
Satyendra Singh Huja, Mayor

ATTEST:

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

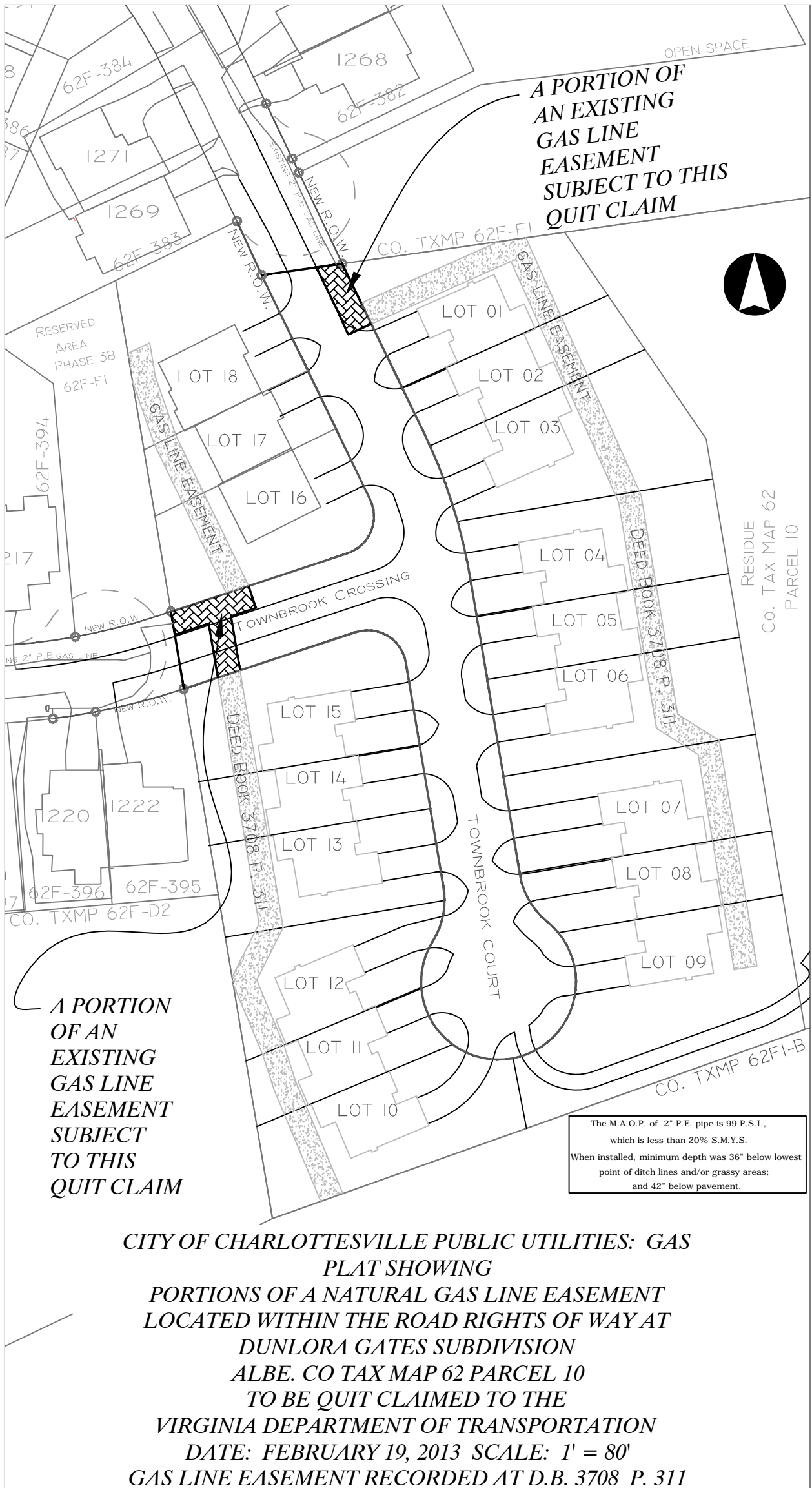
STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE

I, \_\_\_\_\_ a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that Satyendra Singh Huja, Mayor of the City of Charlottesville, Virginia, and Paige Barfield, its Clerk of Council, whose names are signed to the foregoing writing, bearing date of \_\_\_\_\_, 2013, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires \_\_\_\_\_.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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



**CITY OF CHARLOTTESVILLE PUBLIC UTILITIES: GAS  
 PLAT SHOWING  
 PORTIONS OF A NATURAL GAS LINE EASEMENT  
 LOCATED WITHIN THE ROAD RIGHTS OF WAY AT  
 DUNLORA GATES SUBDIVISION  
 ALBE. CO TAX MAP 62 PARCEL 10  
 TO BE QUIT CLAIMED TO THE  
 VIRGINIA DEPARTMENT OF TRANSPORTATION  
 DATE: FEBRUARY 19, 2013 SCALE: 1' = 80'  
 GAS LINE EASEMENT RECORDED AT D.B. 3708 P. 311**