



**CITY COUNCIL AGENDA
October 18, 2010**

5:00 – 7:00 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code
(Second Floor Conference Room)

TYPE OF ITEM

SUBJECT

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

AWARDS/RECOGNITIONS

First Tee of Charlottesville/Tony Liu, GED and Lifelong Learning Week, VML Green Government Challenge

ANNOUNCEMENTS

MATTERS BY THE PUBLIC

Public comment will be permitted until 7:35 p.m. (limit of 3 minutes per speaker) and at the end of the meeting on any item, including items on the agenda, provided that a public hearing is not planned or has not previously been held on the matter. Persons are asked to sign up in advance of the start of the meeting.

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 of October 4
- b. Appropriation: \$247,036 – Appropriation of CACVB Fund Balance (2nd of 2 readings)
- c. Appropriation: \$500,000 – 2010 Fast Charging Electric Vehicle Research and Development Project (2nd of 2 readings)
- d. Appropriation: \$182,500 – Charlottesville/Albemarle Adult Drug Treatment Court Grant Award (2nd of 2 readings)
- e. Appropriation: \$2,992.94 – Insurance Reimbursement - Repair of Damaged City Vehicle (1st of 2 readings)
- f. Appropriation: \$19,953 – State Criminal Alien Assistance Program (SCAAP) Grant for 2010-H3405-VA-AP (1st of 2 readings)
- g. Appropriation: \$376.73 – State Assistance for Spay and Neuter Program at SPCA (1st of 1 reading)
- h. Resolution: Acceptance of Streets and Public Improvements in Cherry Hill PUD (1st of 1 reading)
- i. Ordinance: Text Amendments for Definitions and Penalties Related to the Historic Conservation District (2nd of 2 readings)
- j. Ordinance: Martha Jefferson Historic Conservation District (2nd of 2 readings)
- k. Ordinance: Electrical Permit for Electric/Plug-In Vehicular Charger (EV Charger) (1st of 2 readings)

2. REPORT / RESOLUTION

Jefferson School Letter of Intent (1st of 1 reading)

3. REPORT / RESOLUTION

X Policy for Use of Neighborhood CIP Funds (1st of 1 reading) *removed for consideration @ later date*

4. REPORT

Tree Commission

5. REPORT

CRHA Development Report

APPROPRIATION

CACVB use of Fund Balance

\$247,036

WHEREAS, the CACVB has a fund balance of \$672,377 as of the end of fiscal year 2010;

WHEREAS, the funds will be used for various marketing expenses in excess of CACVB's operating budget; and

WHEREAS, the CACVB Board has approved the use of the fund balance for this purpose:

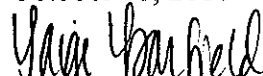
NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$247,036 is hereby appropriated in the following manner according to the following budget:

Expenditures - \$247,036

\$247,036 Fund: 986 CC: 8101001000 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the approval of the CACVB board.

Approved by Council
October 18, 2010



Clerk of Council

APPROPRIATION

**2010 Fast Charging Electric Vehicle Research and Development Project
Grant Award # DE-EE0003663
\$500,000**

WHEREAS, the City of Charlottesville has been awarded \$500,000 from the U. S. Department of Energy; and

WHEREAS, the funds will be used to fund a research and development project related to fast charging electric vehicle technology as well as a set of vehicles; and

WHEREAS, the grant award period is from September 14, 2010 – Sept 13, 2011;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$500,000 is hereby appropriated in the following manner according to the following budget:

Revenue – \$500,000

\$500,000 Fund: 211 I/O: 1900157 G/L Account: 431120

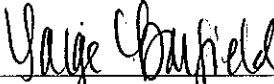
Expenditures - \$500,000

\$500,000 Fund: 211 I/O: 1900157 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$500,000 from the U. S. Department of Energy.

Approved by Council

October 18, 2010



Clerk of Council

APPROPRIATION
Charlottesville/Albemarle Adult Drug Treatment Court Grant Award
\$182,500

WHEREAS, the Supreme Court of Virginia awarded the Byrne Grant in the amount of \$182,500 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 \$118,088; and

WHEREAS, the grant award covers the period July 1, 2010 through June 30, 2011.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$182,500, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues


\$182,500 Fund: 209 Internal Order: 1900154 G/L Account: 430120

Expenditures

\$182,500 Fund: 209 Internal Order: 1900154 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$182,500 from the Supreme Court of Virginia.

Approved by Council
October 18, 2010



Clerk of Council

Appropriation

**State Assistance for Spay and Neuter Program at SPCA
\$376.73**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$376.73 is hereby appropriated to the Charlottesville/Albemarle SPCA in the following manner:

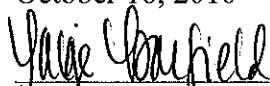
Revenues - \$376.73

Fund: 105 Cost Center: 9713006000 G/L Account: 430080

Expenditures - \$376.73

Fund: 105 Cost Center: 9713006000 G/L Account: 540100

Approved by Council
October 18, 2010




Clerk of Council

**RESOLUTION
ACCEPTING BING LANE AND RAINIER ROAD
INTO THE CITY STREET SYSTEM, AND
ACCEPTING ALL PUBLIC IMPROVEMENTS LOCATED IN THE
CHERRY HILL PUD FOR CITY MAINTENANCE**

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that Bing Lane and Rainier Road are hereby accepted into the City street system, and all public improvements located in the Cherry Hill PUD are hereby accepted by the City for maintenance. The subject roadways and public improvements have been built to the specifications and standards required by the city approved plan.

Approved by Council
October 18, 2010


Clerk of Council

**AN ORDINANCE
AMENDING AND REORDAINING SECTIONS 34-86 AND 34-1200
OF CHAPTER 34 (ZONING) OF THE CODE OF THE
CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
RELATED TO ENFORCEMENT OF HISTORIC CONSERVATION DISTRICT
REQUIREMENTS AND TO EXPAND THE DEFINITION OF
CONTRIBUTING STRUCTURE.**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 34-86 of Article I (Administration), and Section 34-1200 of Article X (Definitions), both in Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained, as follows:

CHAPTER 34. ZONING

ARTICLE II. OVERLAY DISTRICTS

DIVISION 5. COMPLIANCE AND ENFORCEMENT

Sec. 34-86. Schedule of civil penalties.

- (a) . . .
- (b) Any violation of the following provisions of this chapter shall be subject to a civil penalty of one hundred dollars (\$100.00) for the first violation, and a civil penalty of two hundred fifty dollars (\$250.00) for each subsequent violation arising from the same set of operative facts:
 - (1) . . .
 - . . .
 - (8) Any violation of Article II, Divisions 1-5 +4, sections 34-240, et seq., regarding requirements for overlay districts.
 - (9) . . .
 - (10) . . .

ARTICLE X. DEFINITIONS

Sec. 34-1200. Definitions.

...

Contributing structure, as used within Article II, Division 2 (Historical Preservation and Architectural Design Control Overlay Districts) and Division 5 (Historic Conservation Overlay Districts), and when referring to a building or structure located within a major design control district identified within section 34-272 or within a conservation district identified within section 34-337 thereof, means a building or structure that, by location, design, setting, materials, workmanship, feeling or association adds to the district's sense of time and place and historical development.

Approved by Council
October 18, 2010



Clerk of Council

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 34-337
OF CHAPTER 34 (ZONING) OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
REZONING CERTAIN PROPERTIES TO ADD A HISTORIC CONSERVATION
OVERLAY DISTRICT DESIGNATION TO THEM.**

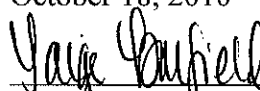
BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Section 34-337 of Article II (Overlay Districts) of Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

Sec. 34-337. Conservation districts.

The following areas have been determined by city council to meet the criteria for designation as a conservation district, the limits of which are shown on the city's zoning map:

- (1) The ~~(to be determined)~~ Martha Jefferson Historic Conservation District: City Council has designated only certain buildings within this overlay district as "contributing structures." Those contributing structures are identified on a map included within the conservation district design guidelines, a copy of which is available within the department of neighborhood development services.

Approved by Council
October 18, 2010



Clerk of Council