

**CITY COUNCIL AGENDA**  
**Tuesday, September 3, 2019**



**5:30 p.m.** **Closed session as provided by Section 2.2-3712 of the Virginia Code**  
*Second Floor Conference Room (Personnel; Boards & Commissions; legal counsel)*

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

**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**  
**ANNOUNCEMENTS**  
**PROCLAMATIONS**

- 1. CONSENT AGENDA\*** (Items removed from consent agenda will be considered at the end of the regular agenda)  
**5-0 (HILL/GALVIN) – Items “1.f” and “1.h” pulled for separate vote**
- a. MINUTES: July 1 regular meeting, July 31 Council retreat, July 31 special meeting, August 5 special and regular meetings
  - b. APPROPRIATION: FY 2020 Fire Programs Aid to Locality Funding (Firefund) - \$158,343 (1<sup>st</sup> of 2 readings)
  - c. APPROPRIATION: Safe Routes to School Non-Infrastructure Grant Award - \$93,125 (1st of 2 readings)
  - d. APPROPRIATION: Charlottesville-Albemarle Adult Drug Treatment Court Grant Award - \$240,000 (2<sup>nd</sup> of 2 readings)
  - e. APPROPRIATION: FY 2019 - 2020 Virginia Department of Transportation (VDOT) Revenue Sharing Program Multi-Modal Improvements and Local Match Transfer - \$826,436 (2<sup>nd</sup> of 2 readings)
  - f. APPROPRIATION: VDOT Revenue Sharing Program for West Main Streetscape Improvements Phase 1 (additional award) - \$163,478 (2<sup>nd</sup> of 2 readings) **PULLED by Mayor Walker for separate vote. APPROVED 4-1 (HILL/GALVIN; Walker against)**
  - g. APPROPRIATION: Bama Works Fund Fire Safety Trailer Grant - \$3,500 (2<sup>nd</sup> of 2 readings)
  - h. APPROPRIATION: State Revenue Sharing and SmartScale funds for West Main Streetscape Improvements Phase 2 - \$4,009,265 (2<sup>nd</sup> of 2 readings) **PULLED by Mayor Walker for separate vote. APPROVED 4-1 (HILL/GALVIN; Walker against)**
  - i. RESOLUTION: Establishing new line of succession – City Manager (1<sup>st</sup> of 1 reading)
  - j. ORDINANCE: Amend Charlottesville-Albemarle Convention and Visitors Bureau Operating Agreement (1<sup>st</sup> of 2 readings)
  - k. ORDINANCE: Amending Charlottesville City Code Section 26-29 – leaf collection (2<sup>nd</sup> of 2 readings)
  - l. ORDINANCE: Petition to close a alley off Charlton Avenue, next to 931 Charlton Avenue (2<sup>nd</sup> of 2 readings)

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

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

**2. PUBLIC HEARING/ORDINANCE:** Release of Portion of a Gas Line Easement - Shops at Stonefield (1<sup>st</sup> of 2 readings)

**3. PUBLIC HEARING/ORDINANCE:** Valley Road, Monroe Avenue and Jefferson Park Avenue Easements (1<sup>st</sup> of 2 readings)

**4. ORDINANCE:** Amendment to the text of the City's Zoning Ordinance, City Code Section 34-896, to modify access requirements for various uses. (1<sup>st</sup> of 2 readings)

**OTHER BUSINESS**

**MATTERS BY THE PUBLIC**  
\*ACTION NEEDED

**APPROPRIATION**  
**Charlottesville/Albemarle Adult Drug Treatment Court Grant Award**  
**\$240,000**

**WHEREAS**, the Supreme Court of Virginia awarded the Supreme Court of Virginia Drug Treatment Court Docket Grant in the amount of \$240,000 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 \$128,704; and

**WHEREAS**, the grant award covers the period July 1, 2019 through June 30, 2020.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$240,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$240,000      Fund: 209      Internal Order: 1900337      G/L Account: 430120

**Expenditures**

\$240,000      Fund: 209      Internal Order: 1900337      G/L Account: 530550

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$240,000 from the Supreme Court of Virginia.

**APPROPRIATION**  
**FY 2019 & 2020 Revenue Sharing Program - Multi-Modal Improvements**  
**\$826,436**

**WHEREAS**, a total of \$486,783 in state funds for the Revenue Sharing Program requires appropriation;

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

**Revenues**

<b>\$ 486,783</b>	Fund: 426	WBS: P-01004	G/L Account: 430080
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**Expenditures**

<b>\$ 486,783</b>	Fund: 426	WBS: P-01004	G/L Account: 599999
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**WHEREAS**, a total of \$339,653 in matching city funds for the Revenue Sharing Program requires transferring;

**NOW, THEREFORE BE IT FURTHER RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

**Transfer From**

<b>\$ 50,000</b>	Fund: 426	WBS: P-00697	G/L Account: 599999
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<b>\$ 239,653</b>	Fund: 427	WBS: P-00335	G/L Account: 561426
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<b>\$ 50,000</b>	Fund: 426	WBS: P-00943	G/L Account: 599999
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**Transfer To**

<b>\$ 100,000</b>	Fund: 426	WBS: P-01004	G/L Account: 599999
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<b>\$ 239,653</b>	Fund: 426	WBS: P-01004	G/L Account: 498010
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**APPROPRIATION**

**VDOT FY20 Revenue Sharing Program West Main Streetscape Improvements Phase 1**

**\$163,478**

**WHEREAS**, a total of \$163,478 in state funds for the Revenue Sharing Program requires appropriation;

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

**Revenues**

**\$ 163,478**      Fund: 427      WBS: P-00336      G/L Account: 430080

**Expenditures**

**\$ 163,478**      Fund: 427      WBS: P-00336      G/L Account: 599999

**APPROPRIATION**

**Bama Works Fund of Dave Matthews Band at the Charlottesville Area Community Foundation – Fire Safety Trailer**

**\$3,500**

**WHEREAS**, the Bama Works Fund of Dave Matthews Band at the Charlottesville Area Community Foundation has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$3,500 be appropriated in the following manner:

**Revenues - \$3,500**

\$3,500          Fund: 105                  I/O: 2000152                  G/L Account: 451020

**Expenditures - \$3,500**

\$3,500          Fund: 105                  I/O: 2000152                  G/L Account: 451020

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$3,500 from the Bama Works Fund of Dave Matthews Band at the Charlottesville Area Community Foundation.

**APPROPRIATION**

**West Main Streetscape Improvements Phase 2**

**WHEREAS**, a total of \$2,000,000 in state funds for the Revenue Sharing Program requires appropriation;

**WHEREAS**, a total of \$2,009,265 in state funds for the SmartScale Program requires appropriation;

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

**Revenues**

<b>\$ 2,000,000</b>	Fund: 426	WBS: P-00336	G/L Account: 430080
<b>\$ 2,009,265</b>	Fund: 426	WBS: P-00336	G/L Account: 430080

**Expenditures**

<b>\$ 2,000,000</b>	Fund: 426	WBS: P-00336	G/L Account: 599999
<b>\$ 2,009,265</b>	Fund: 426	WBS: P-00336	G/L Account: 599999

## **RESOLUTION**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that its resolution of July 2, 2018 establishing the city's line of succession in local emergencies is hereby repealed.

**AND, BE IT FURTHER RESOLVED**, that in the event that the City Manager is absent, or is otherwise unavailable, the following City of Charlottesville employees may exercise the powers and duties conferred upon the City Manager by Charlottesville City Code Section 2-146 and Virginia State Code Section 44-146.21 in the following line of succession. If an individual in the line of succession is absent or otherwise unavailable to act, then the individual next in the line of succession may exercise such powers and duties:

Line of Succession:

1. Letitia Shelton, Deputy City Manager
2. Mike Murphy, Deputy City Manager
3. Paul Oberdorfer, Deputy City Manager

**AND, BE IT FURTHER RESOLVED**, that the July 2, 2018 Charlottesville City Council Resolution establishing a line of succession in local emergencies is hereby repealed.

**AN ORDINANCE  
AMENDING AND REORDAINING THE CODE OF THE CITY OF CHARLOTTESVILLE  
CHAPTER 26 (SOLID WASTE) ARTICLE II (CURBSIDE COLLECTION BY CITY)  
SECTION 26-29 (PREPARATION OF LEAVES FOR COLLECTION)  
TO DISCONTINUE LEAF-BAGGING PROGRAM**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that:

Section 26-29 of Article II of Chapter 26 of the Code of the City of Charlottesville (1990) is amended and reordained as follows:

**Sec 26-29. - Preparation of leaves for collection.**

During the months of November through January, it shall be unlawful to place leaves in containers for collection by the city. During such months, leaves shall only be ~~placed in clear plastic bags for curbside collection or~~ placed loose at the curb or street edge for vacuum collection. It shall be unlawful to rake leaves into any street far enough from the curb of street edge so as to create a traffic hazard. The safe distance from a curb or street edge for the deposit of leaves for vacuum collection will vary depending on street widths and other traffic conditions. It shall be unlawful to rake leaves onto a sidewalk so as to cover its entire width and obstruct pedestrian traffic on such sidewalk.

During the months of February through October, any leaves intended for city collection shall be placed in containers with the appropriate sticker or decal as yard waste in accordance with section 26-28. This includes any leaves deposited earlier for vacuum collection if such leaves were not so collected during the months of November through January.



**AN ORDINANCE  
CLOSING, VACATING AND DISCONTINUING  
AN ALLEY OFF CHARLTON AVENUE**

**WHEREAS**, RT2, LLC, owner of property (929 Charlton Avenue) designated as Tax Map Parcel 360042000, and Frances Gohanna, owner of property (931 Charlton Avenue) designated as Tax Map Parcel 360043000, initiated a petition seeking to close a 10' wide alley adjoining the Petitioners' properties, said alley running approximately 121 feet in length from its origin at Charlton Avenue, hereinafter "Subject Right of Way"; and,

**WHEREAS**, the Subject Right of Way was initially created in 1928 through a deed dated October 12, 1928, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 63, page 18, and was never accepted by the City as part of the City's public street system; and

**WHEREAS**, there is a sanitary sewer line located in the Subject Right of Way; and

**WHEREAS**, following notice to the public pursuant to Virginia Code §15.2-2204, a public hearing by the City Council was held on August 19, 2019, and comments from City staff and the public were made and heard; and,

**WHEREAS**, after consideration of the factors set forth within the City Street Closing Policy, adopted by Council on May 6, 2019, this Council finds and determines that the petitioner's request should be granted.

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

The 10' wide alley off Charlton Avenue, adjacent to City Tax Map Parcels 360042000 and 360043000, approximately 121 feet in length, and shown on the attached copy of City Real Estate Tax Map 36.

**BE IT FURTHER ORDAINED** that approval of this Ordinance is conditioned upon execution and recordation of a Deed of Easement granting the City a 20' wide easement for maintenance and repair of the existing sanitary sewer line; and

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

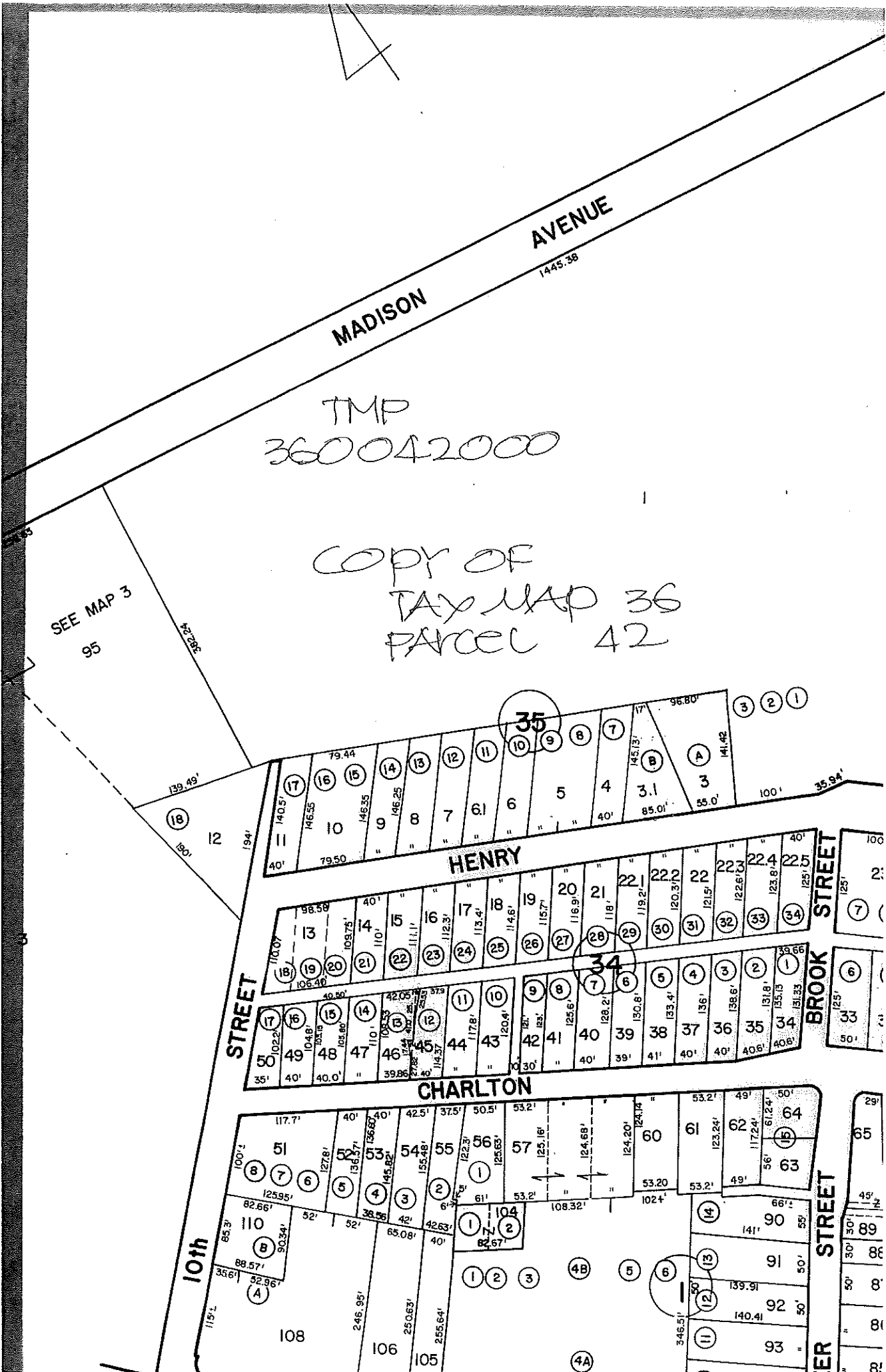
MADISON AVENUE

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TMP  
360042000

COPY OF  
TAX MAP 36  
PARCEL 42

SEE MAP 3  
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