



CITY COUNCIL AGENDA
November 17, 2014

5:30 p.m. – 7:00 p.m.

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

(Appointments to City boards and commissions; employment of a Director of Finance; and acquisition of property for public park purposes and for a sanitary sewer easement.)

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
AWARDS/RECOGNITIONS
ANNOUNCEMENTS

Council Chambers

Small Business Saturday

MATTERS BY THE PUBLIC

Public comment permitted for the first 12 speakers who sign up before the meeting (limit 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

1. CONSENT AGENDA*

(Items removed from consent agenda will be considered at the end of the regular agenda.)

a. Minutes for November 3

b. APPROPRIATION: Fiscal Year 2015 Fire Programs Aid to Locality Funding (Firefund) Appropriation – \$130,568 (2nd of 2 readings)

c. APPROPRIATION: Runaway Emergency Shelter Program Grant – \$222,222 (2nd of 2 readings)

d. APPROPRIATION: Support for two additional Fire-Medic positions – \$130,000 (1st of 2 readings)

e. APPROPRIATION: Local Emergency Management Performance Grant – \$7,500 (1st of 2 readings)

f. RESOLUTION: Cherry Avenue Streetscape Improvements Fund Transfer – \$88,000 (1st of 1 reading)

g. RESOLUTION: CDBG/HOME Citizen Participation Plan Update (1st of 1 reading)

h. RESOLUTION: Surplus City Police Car Donation to Town of Louisa – 2003 Ford (1st of 1 reading)

i. RESOLUTION: CHS Football Bleachers Project Funds Transfer to Buford and CHS Science Labs Renovation Projects – \$17,067.93 (1st of 1 reading)

j. ORDINANCE: Abandon Sanitary Sewer Easement near Valley Road (2nd of 2 readings)

k. ORDINANCE: Franklin Street – No Through Truck Designation (2nd of 2 readings)

l. ORDINANCE: Quitclaim Gas Easement in Dunlora Forest to VDOT (1st of 2 readings)

2. REPORT*

Pesticides Program Review

3. RESOLUTION*

BankOn & Job Center Part-time Positions Proposal (1st of 1 reading)

4. RESOLUTION*

Support for Miss Virginia USA/Miss Teen USA Pageant via Chamber of Commerce – \$2,000 (1st of 1 reading)

5. REPORT

Albemarle-Charlottesville Regional Jail Update

OTHER BUSINESS

MATTERS BY THE PUBLIC

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

*ACTION NEEDED

This page intentionally left blank.

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



Agenda Date:	November 3, 2014
Action Required:	Appropriation
Presenter:	Mike Rogers, Battalion Chief – Training/Special Operations, Charlottesville Fire Department
Staff Contacts:	Mike Rogers, Battalion Chief – Training/Special Operations, Charlottesville Fire Department
Title:	Fiscal Year 2015 Fire Programs Aid to Locality Funding (Firefund) Appropriation - \$130,568

Background: The Code of Virginia provides for the collection of an annual levy each fiscal period from the insurance industry. Such levy is collected by the State Corporation Commission, and the amounts collected are then transferred into the Fire Program Fund (Firefund). These aid to locality monies are then distributed to the jurisdictions to supplement the localities funding for fire service based training, training supplies, training equipment, prevention activities, and some response equipment. This is an annual allotment of funding. All usage and any carryovers are reported out to the Department of Fire Programs at the end of the fiscal period before the next fiscal period monies are granted. The City of Charlottesville has been awarded \$130,568 in these funds for F.Y. 2015.

Discussion: The Aid to Locality monies are distributed annually to aid departments in their training, prevention, and equipment efforts. While the monies cannot be used to directly/indirectly supplant or replace other locality funds, they help us to provide for additional firefighting training resources, logistics, courses, and equipment as outlined in the Aid to Locality allowable uses chart.

Alignment with Council Vision Areas and Strategic Plan: The Aid to Locality/Firefund allocation supports the City’s mission “To provide services and facilities that promote an excellent quality of life for everyone in the community” by providing supplemental funding for firefighting, hazardous materials, and technical rescue training and equipment. With the additional funding being put towards these purposes we are better able to prepare our responders to deliver these various emergency services to the citizens, students, business community members, and guests of the City.

The annual funding allotment also aligns with Goal 1 of the Strategic Goals and Objectives – 1.1 Promote Education and Training, as well as 2.1 Provide an effective and equitable public safety system.

Community Engagement: N/A

Budgetary Impact: The Aid to Locality/Firefund money is provided to supplement the budgeted fire service based training, prevention, and equipment allowances for the locality. The funds are electronically transferred at given intervals based upon annual report submission deadlines. The initial F.Y. 2015 disbursement at 90% was slated to transfer no later than 9/26/14, with the remaining 10% transferred later in the given fiscal year. This should have no impact on the General Fund.

Recommendation: Staff recommends approval and appropriation of grant funds.

Alternatives: If Aid to Locality funding is not appropriated, the Fire Department will not be able to utilize this supplemental funding to help support its training, prevention, and equipment efforts.

Attachments: N/A

APPROPRIATION.

Fiscal Year 2015 Fire Programs Aid to Locality Funding (Firefund) Appropriation - \$130,568.

WHEREAS, the Virginia Department of Fire Programs 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 \$130,568 be appropriated in the following manner:

Revenues - \$116,218

\$130,568 Fund: 209 I/O: 1900010 G/L Account: 430110

Expenditures - \$116,218

\$110,568 Fund: 209 I/O: 1900010 G/L Account: 599999
\$ 20,000 Fund: 209 I/O: 1900010 G/L Account: 561302

BE IT FURTHER RESOLVED that \$20,000 will be transferred to the Debt Service Fund as an effort by the Fire Department to repay debt service on the volunteer company's fire brush truck:

Revenues - \$20,000

\$20,000 Fund: 302 I/O: 2000059 G/L Account: 498010

This page intentionally left blank.

CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.



Agenda Date:	November 3, 2014
Action Required:	Appropriation
Presenter:	Rory Carpenter, Community Attention
Staff Contacts:	Mike Murphy, Rory Carpenter, Community Attention Leslie Beauregard, Director, Budget and Performance Management
Title:	Runaway Emergency Shelter Program Grant - \$222,222

Background: Community Attention, in partnership with Children, Youth and Family Services (C.Y.F.S./Ready Kids), applied for and received a continuation grant from the Department of Health and Human Services Administration for Children and Families in the amount of \$200,000 in federal funds and \$22,222 in local matching funds. The local match will be met with a transfer of \$12,000 from Community Attention, and a cash match of \$10,222 from C.Y.F.S./Ready Kids, for a total award of \$222,222 to provide Runaway Emergency Shelter Program (R.E.S.P.) services. This is the fourth grant year of the partnership.

Discussion: The funds support services that provide emergency shelter, counseling and after care services for youth in crisis for the purpose of keeping them safe and off the streets, with a goal of reunification with family. Funded services will include: emergency shelter available 24 hours per day, 7 days a week; individual and family counseling to help resolve conflict and develop new communication skills to facilitate reunification with the family; and additional support services that help youth build meaningful connections with their community and encourage positive youth development.

Alignment with City Council's Vision Areas and Strategic Plan: Approval of this agenda item aligns directly with Council's vision for Charlottesville to be **America's Healthiest City** and contributes to their 2012-2014 priority to *Provide a comprehensive support system for children* and it aligns with the goals and objectives of the City's Strategic Plan:

Goal 2: Be a safe, equitable, thriving and beautiful community

- 2.4. Ensure families and individuals are safe and stable

Community Attention's programs, including the Runaway Emergency Shelter Program, provide residential and community based services that prevent delinquency and promote the healthy development of youth.

Community Engagement: In order to increase prevention services, R.E.S.P. staff dramatically increased outreach efforts, particularly in area schools. Since September 30, 2011, R.E.S.P. reached 773 youth through a variety of outreach activities including presentations to health classes and tabling's during lunch.

Budgetary Impact: There is a local match that Community Attention and C.Y.F.S./Ready Kids will provide (\$12,000 – C.A. and \$10,222 – C.Y.F.S./Ready Kids). This grant will be appropriated into a grants fund.

Recommendation: Staff recommends approval and appropriation of funds.

Alternatives: If the funds are not appropriated, the grant would not be received and the Runaway Emergency Shelter Program services would not be provided.

Attachments: N/A

APPROPRIATION.
Runaway Emergency Shelter Program Grant.
\$222,222.

WHEREAS, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with matching funds of \$22,222 provided by Community Attention (\$12,000) and Children, Youth and Family Services/Ready Kids (\$10,222); and

WHEREAS, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between Community Attention and Children, Youth and Family Services/Ready Kids. The grant award covers the period from September 30, 2014 through September 29, 2015.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, that the sum of \$222,222 is hereby appropriated in the following manner:

Revenue – \$222,222

\$200,000	Fund: 211	Internal Order: 1900234	G/L Account: 431110
\$ 10,222	Fund: 211	Internal Order: 1900234	G/L Account: 432080
\$ 12,000	Fund: 211	Internal Order: 1900234	G/L Account: 498010

Expenditures - \$222,222

\$ 99,026	Fund: 211	Internal Order: 1900234	G/L Account: 519999
\$102,222	Fund: 211	Internal Order: 1900234	G/L Account: 530010
\$ 20,974	Fund: 211	Internal Order: 1900234	G/L Account: 599999

Transfer - \$12,000

\$ 12,000	Fund: 213	Cost Center: 3413001000	G/L Account: 561211
-----------	-----------	-------------------------	---------------------

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

This page intentionally left blank.

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



Agenda Date:	November 17, 2014
Action Required:	Appropriation of Funds
Presenter:	Charles Werner, Fire Chief
Staff Contacts:	Charles Werner, Fire Chief
Title:	Appropriation from the Charlottesville-Albemarle Rescue Squad (C-A.R.S.) to Support Two Firefighter Medic Positions - \$130,000

Background:

The City of Charlottesville and the Charlottesville-Albemarle Rescue Squad jointly provide E.M.S. for the City. Based on a need to staff two ambulances during the day, C-A.R.S. has identified the need for the City to provide two F.T.E. Firefighter Medic positions. Per the existing Memorandum of Understanding (M.O.U.) between the City of Charlottesville and the Charlottesville-Albemarle Rescue Squad, C-A.R.S. has submitted a request for the City fire department to provide the staffing of two F.T.E. Firefighter Medic positions, Monday through Friday daytime. C-A.R.S. as agreed to provide \$130,000 to fund the positions.

Discussion:

The M.O.U. between the City and C-A.R.S. was put in place to establish an agreed methodology on how needs for Emergency Medical Services in the City would be identified and resolved.

Community Engagement:

This request follows the M.O.U. passed by City Council and the C-A.R.S. Board of Directors which incorporates recommendations of the City of Charlottesville E.M.S. Committee in 2007 (with the exception of the City adding staffed ambulances). This committee involved citizens from the City. This M.O.U. also has been approved and signed by the C-A.R.S. Board of Directors and City Council.

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** and contributes to achieving the best E.M.S. care within the City of Charlottesville. Expected outcomes include maintaining of E.M.S. transport and advanced life support capabilities within the City of Charlottesville. The project contributes to Goal 2 of the Strategic Plan, Be a safe, equitable, thriving, and beautiful community.

Budgetary Impact

The funds will be appropriated as part of the Fire Department's General Fund Operating budget. Funding of these positions will be reimbursed as outlined in the M.O.U. and subsequent updated letter of request.

Recommendation:

Staff recommends approval of this request and appropriation of the funds.

Alternatives:

There is no other acceptable alternative to address this issue.

Attachments:

City/C-A.R.S. Agreement for Funding of Two (2) Full-Time Medic Positions

APPROPRIATION
Charlottesville-Albemarle Rescue Squad (C-A.R.S.) to Support
Two Firefighter Medic Positions
\$130,000

WHEREAS, per the existing Memorandum of Understanding (M.O.U.) between the City and the Charlottesville-Albemarle Rescue Squad, C-A.R.S. has agreed to fund the staffing of two F.T.E. Firefighter Medic positions in the amount of \$130,000.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, that the sum of \$130,000 to be received by C-A.R.S. to support two new Firefighter Medic positions.

Revenue - \$130,000

Fund: 105

Cost Center: 3211001000

G/L Code: 451999

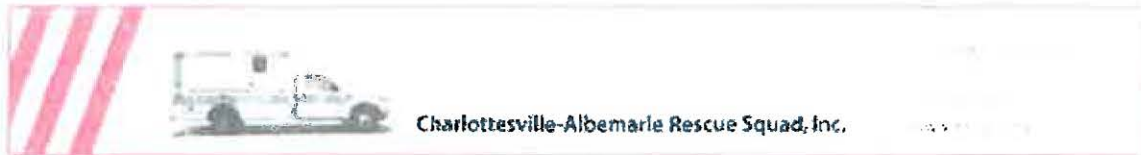
Expenditures: \$130,000

Fund: 105

Cost Center: 3211001000

G/L Code: 519999

This page intentionally left blank.



September 22, 2014

The City of Charlottesville City Manager's Office
P.O. Box 911
605 East Main Street
Charlottesville, VA 22902

RE: City/ C-ARS Agreement for Funding of Two (2) Full-Time Medic Positions

Dear Mr. Jones:

Pursuant to Section 5 of the City/ C-ARS MOU, I am requesting that the City agree to continue the existing full-time daytime medic position within the Charlottesville Fire Department (DT-MEDIC-1) and I also request that the City agree to add a second full-time daytime medic (DT-MEDIC-2) effective January 1, 2015.

The Charlottesville-Albemarle Rescue Squad (C-ARS) agrees to provide funding to the City in the amount of \$65,000 per year to defray the City's costs of hiring and employing a full-time employee in each position. C-ARS will make payment of its funding contribution as follows:

1. On or before December 31, 2014, C-ARS will pay the City the amount of \$65,000, representing (a) \$32,500 as contributed funding for DT-MEDIC-1 for the period July 1, 2014 through December 31, 2014, and (b) \$32,500 as contributed funding for DT-MEDIC-2 for the period January 1, 2015 through June 30, 2015; and
2. On or before June 30, 2015, C-ARS will pay the City the amount of \$65,000, representing (a) \$32,500 as contributed funding for DT-MEDIC-1 for the period January 1, 2015 through June 30, 2015, and (b) \$32,500 as contributed funding for DT-MEDIC-2 for the period July 1, 2015 through December 31, 2015.

The parties agree that the City's actual costs incurred to employ individuals in each of the two full-time medic positions referenced above, to the extent not covered by C-ARS' funding contributions, shall be considered costs the City has incurred that are directly related to assisting C-ARS in providing service in the City, for purposes of Section 6 of the City/ C-ARS MOU.



The City of Charlottesville City Manager's Office

September 22, 2014

Page 2

It is the intention of both the City and C-ARS that these two full-time medic positions will remain in place, and C-ARS' funding contributions will continue to be made on or before June 30 and December 31 of each year, until such time as this funding agreement may be terminated by either party, or modified by mutual agreement of the City and C-ARS. The City's obligations under this funding agreement are subject to the availability and appropriation of annual funding by the City Council. Either the City or C-ARS may terminate this funding agreement upon 180 days' advance written notice to the other.

The funding agreement set forth in this letter supersedes any prior funding agreement between the parties with respect to the medic position(s) referenced in this agreement.

Sincerely,

Michael Berg, President
Charlottesville-Albemarle Rescue Squad

Agreed:

Maurice Jones
Charlottesville City Manager

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



Agenda Date:	November 17, 2014
Action Required:	Appropriation
Presenter:	Kirby Felts, Emergency Management Coordinator
Staff Contacts:	Kirby Felts, Emergency Management Coordinator Gail Hassmer, Senior Accountant – Special Revenues Leslie Beauregard, Director, Budget and Performance Management
Title:	Local Emergency Management Performance Grant (L.E.M.P.G.) - \$7,500

Background:

The Virginia Department of Emergency Management has allocated \$7,500 in 2014 Emergency Management Performance Management Grant (L.E.M.P.G.) funding from the Federal Emergency Management Agency to the City of Charlottesville. The locality share is \$7,500, for a total project of \$15,000.

Discussion:

The City of Charlottesville is the grant administrator for this grant, which will be passed to the Office of Emergency Management at the Charlottesville-U.V.A.-Albemarle County Emergency Communications Center. The grant award period is July 1, 2014 to June 30, 2015. The objective of the L.E.M.P.G. is to support local efforts to develop and maintain a Comprehensive Emergency Management Program. The 2014 L.E.M.P.G. funds will be used by the Office of Emergency Management to enhance local capabilities in the areas of planning, training and exercises, and capabilities building for emergency personnel and the whole community.

Alignment with City Council's Vision and Strategic Plan:

This project supports City Council's America's Healthiest City vision. It contributes to Goal 2: Be a safe, equitable, thriving and beautiful community, specifically 2.1 Provide an effective and equitable public safety system and 2.4 Ensure families and individuals are safe and stable. Expected outcomes include increased awareness by community members of local hazards and actions they can take to survive and recover from an emergency. A community's health is linked to resilience in times of trouble. Efforts to empower community members to face emergency situations with knowledge and strategies to address resulting problems build the City's capacity to bounce back from an emergency.

Community Engagement:

The L.E.M.P.G. engages community through public outreach efforts led by the Office of Emergency Management. Increasing citizen awareness of hazards and promoting steps individuals can take to prepare for, respond to, and recover from emergency situations is a critical priority for the Office of Emergency Management. Community outreach efforts include presenting on preparedness to community groups and designing and implementing targeted messaging through various media. This funding allows the Assistant Emergency Manager (a part-time employee) to dedicate additional time in support of this mission.

Budgetary Impact:

The funds will be expended and reimbursed to a Grants fund. The locality match of \$7,500 will be covered with an in-kind match from the Office of Emergency Management budget.

Recommendation:

Staff recommends approval and appropriation of grant funds.

Alternatives:

If grants funds are not appropriated, the Office of Emergency Management will not be able to expand the workload for the Assistant Emergency Management Coordinator, directly affecting the quantity and quality of public outreach on emergency preparedness to community members.

Attachments:

N/A

APPROPRIATION
2014 Local Emergency Management Performance Grant (L.E.M.P.G.)
\$7,500

WHEREAS, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of \$7,500 in federal pass through funds and \$7,500 in local in-kind match, provided by the Charlottesville-U.V.A.-Albemarle Emergency Communications Center Office of Emergency Management, for a total award of \$15,000; and

WHEREAS, the funds will be used to support programs provided by the Office of Emergency Management; and

WHEREAS, the grant award covers the period from July 1, 2014 through June 30, 2015;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500 is hereby appropriated in the following manner:

Revenue – \$7,500

\$7,500	Fund: 209	I/O: 1900235	G/L: 430120 State/Fed pass thru
---------	-----------	--------------	---------------------------------

Expenditures - \$7,500

\$2,500	Fund: 209	I/O: 1900235	G/L: 510010 Salaries
\$5,000	Fund: 209	I/O: 1900235	G/L: 511010 Overtime Wages

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$7,500 from the Virginia Department of Emergency Management, and the matching in-kind funds from the Charlottesville-U.V.A.-Albemarle Emergency Communications Center Office of Emergency Management.

This page intentionally left blank.

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



Agenda Date:	November 17, 2014
Action Required:	Adoption of Resolution
Presenter:	Melissa Thackston – Grants Coordinator
Staff Contacts:	Melissa Thackston – Grants Coordinator Dan Sweet – Stormwater Utility Administrator
Title:	Transfer of Funds for Cherry Avenue Streetscape Improvements — \$88,000

Background:

As part of the F.Y. 13-14 Annual Action Plan, Council approved pedestrian and street improvements as recommended by the Fifeville C.D.B.G. Task Force to utilize C.D.B.G. Priority Neighborhood Funding for a project known as Cherry Ave. Improvements Phase 2.

During the project design process, an opportunity was identified to incorporate a dry swale that provides stormwater management into the larger Cherry Ave Streetscape Improvements project. The cost of this addition is \$33,000, which staff is recommending be transferred from the Stormwater Fund F.Y. 2015 operating budget into the existing project account in the capital fund.

Discussion:

On September 30, 2014, bids to complete the project were opened. One bid was received and it was in excess of the C.D.B.G. and stormwater funds available to complete the project. Additional funding has been identified to complete bicycle and pedestrian improvement aspects of the project.

The area identified for installation of the dry swale was slated for installation of a conventional landscape feature in the draft design plans. Neighborhood Development Services and Department of Public Works staff identified an opportunity to install a dry swale instead of a conventional landscape feature to provide stormwater management and the associated nutrient reductions eligible for credit in the City's Chesapeake Bay Total Managed Daily Loads (T.M.D.L.) pollutant reductions required as a component of the City's Municipal Separate Storm Sewer System (M.S.4) permit. The opportunity to incorporate this innovative stormwater management strategy into the larger site improvement package is a cost effective strategy for regulatory compliance.

Alignment with Council Vision Areas and Strategic Plan:

The project supports City Council's "Green City", "America's Healthiest City", and "A

Connected Community” vision. It contributes to Goal 2 of the Strategic Plan, Be a safe, equitable, thriving, and beautiful community, and objectives 2.3. Provide reliable and high quality infrastructure, and 2.5, to provide natural and historic resources stewardship.

Community Engagement:

This project has gone through extensive community engagement through the Fifeville C.D.B.G. Task Force and Annual Action Plan process and subsequent public hearings.

Budgetary Impact:

The funds to be transferred to the project account for the stormwater management dry swale have already been appropriated as part of the Stormwater Utility F.Y. 15 budget. The funds to be transferred to the project account for related bike and pedestrian improvements have been appropriated as part of the F.Y. 15 Bicycle and Pedestrian budget.

Recommendation:

Staff recommends approval of this resolution.

Alternatives:

Not Applicable

Attachments:

Not Applicable

RESOLUTION

**Transfer of Funds.
Cherry Avenue Streetscape Improvements.
\$88,000.**

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

Transfer From

\$30,000	Fund: 426	Project: CP-082	G/L Account: 599999
\$25,000	Fund: 426	Project: CP-083	G/L Account: 599999
\$33,000	Fund: 641	Cost Center: 6411001000	G/L Account: 561426

Transfer To

\$55,000	Fund: 426	WBS: P-00837	G/L Account: 599999
\$33,000	Fund: 426	WBS: P-00837	G/L Account: 498010
\$33,000	Fund: 426	WBS: P-00837	G/L Account: 599999

This page intentionally left blank.

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



Agenda Date:	November 17, 2014
Action Required:	Approval
Staff Contacts:	Melissa Thackston, Grants Coordinator
Presenter:	Melissa Thackston, Grants Coordinator
Title:	CDBG/HOME Citizen Participation Plan Update

Background:

As a recipient of Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds, the City is required to have a Citizen Participation Plan (CPP) that details how citizens will be involved in the HUD Consolidated and Annual Action Plan Process. The City's CPP was first revised in 1980 and the last amendment of the plan was in 2005.

Discussion:

Staff has reviewed the CPP and has made some housekeeping and process changes. Since the last update of the CPP, the City has begun using CDBG funds for Economic Development projects and well as adopting the Growing Opportunities Report. As a result, staff felt the CPP needed to address this new direction in the CPP. Most importantly, this update does the following:

1. Adds a representative from the Department of Social Services and the Office of Economic Development to the CDBG Task Force in order to reflect the multi-agency expertise of the Strategic Action Team.
2. Creates an Economic Development Task Force and names the members of the Strategic Action Team as members based on their familiarity with the Growing Opportunities report (this was previously approved by Council at their August 18, 2014 meeting, but is now being incorporated into the plan).
3. Updates to the consulting parties/agency list to include new and previously omitted agencies and to remove agencies no longer in existence.

Community Engagement:

A fifteen day public comment period was advertised and held. No comments received to date.

Alignment with City Council’s Vision and Strategic Plan

This agenda item aligns directly with Council’s vision for Charlottesville to have **Economic Sustainability** and **Quality Housing Opportunities for All**. Projects also have the potential to meet many of the objectives listed in the first three goals of the City’s Strategic Plan.

Budgetary Impact:

None.

Recommendations:

Staff recommends approving the updated Citizen Participation Plan.

Alternatives:

Council can make alternate updates to the plan.

Attachments:

Citizen Participation Plan for Consolidated Planning and CDBG and HOME funds

**A RESOLUTION
CITIZEN PARTICIPATION PLAN UPDATE**

WHEREAS, the Department of Housing and Urban Renewal (HUD) requires the City of Charlottesville to have a Citizen Participation Plan that directs public participation for HUD's Consolidated and Annual Action Plan process for Community Development Block Grant and HOME Investment Partnership funding; and

WHEREAS, a review of the Citizen Participation Plan has shown the need to update and revise certain sections to reflect current funding priorities;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the attached Citizen Participation Plan is hereby adopted and immediately effective.

CITY OF CHARLOTTESVILLE

CONSOLIDATED PLAN FOR
COMMUNITY DEVELOPMENT BLOCK GRANT
&
HOME PROGRAMS

CITIZEN PARTICIPATION PLAN

REVISED MARCH 1980
AMENDED DECEMBER 1994
AMENDED MARCH, 2000
AMENDED MARCH, 2003
AMENDED NOVEMBER, 2005
AMENDED NOVEMBER 2014

I. INTRODUCTION

The purpose of this plan is to provide ways for citizens and residents of the community to effectively and meaningfully participate in the planning and decision making process as related to the Consolidated Plan.

It is and has been a strong policy of the City of Charlottesville to involve its residents in all planning processes, and this effort is a part of the City's continuing effort towards effective citizen participation in planning and decision making.

II. PARTICIPANTS AND THEIR RESPONSIBILITIES

A. City Council

1. City Council has the ultimate responsibility in the City government under the City Charter to make all policy decisions about programs operating through the City of Charlottesville.
2. City Council shall decide on the content of the application regarding program areas, projects, overall budget and priorities, etc.
3. City Council is responsible for any amendments to the application or projects, which involve major concept changes or budget changes.

B. Planning Commission

1. The Planning Commission represents community wide interests and people.
2. The Planning Commission advises City Council on physical and economic matters and comprehensive planning matters as they relate to planning and programming.
3. They will review the Task Forces' recommendations and suggest any modifications or amendments to the City Council on the Community Development Block Grant and HOME Application.

4. Seek Target Neighborhood (where appropriate) and community resident input.

C. Community Development Task Force

1. The Task force shall include at least one (1) representative of each of the Target Neighborhoods, two (2) representatives with Social Development interests, one (1) At-large member, one (1) School Board representative, one (1) Department of Social Services representative, one (1) Office of Economic Development representative and one (1) Planning Commission representative, and fair representation of minorities, women, elderly, and disabled.
2. The Task Force is appointed by the City Council and its role is advisory to the Council and Planning Commission.
3. They shall review, comment and recommend on program suggestions submitted by a request for proposal process. The Task Force develops the preliminary plan.
4. Task Force with assistance by City staff shall be involved in planning, programming, program implementation, monitoring, evaluation activities, and citizen participation.

D. Priority Neighborhood Task Force
(Only in cases where City Council has designated a priority neighborhood)

1. The Task Force shall include representatives of the priority neighborhood and fair representation of minorities, women, elderly, and disabled.
2. The Task Force is appointed by the City Council and its role is advisory to the City Council and the Planning Commission.
3. They shall review, comment and recommend on program suggestions they feel are priorities in the targeted neighborhood.

E. Economic Development Task Force

(Only in cases where City Council has designated funding for Economic Development)

1. The membership of the City's Strategic Action Team shall serve as the members of the City's Economic Development Task Force based on their familiarity and involvement with the City's Growing Opportunities Economic Development Report.
2. The Task Force is advisory to the Council and Planning Commission.
3. They shall review, comment, and recommend on program suggestions submitted by a request for proposal process.

III. REQUEST FOR PROPOSALS

Request for proposals (RFP) are solicited from any interested organization at the beginning of the Community Development Block Grant planning year. ~~A letter of intent is submitted initially by interested organizations. Upon review by City staff that the proposed program is satisfactory a RFP is submitted.~~ The RFP is detailed regarding the program funding being requested. Once all aspects of the RFP are submitted by the deadline, the Task Force reviews the letter of intent and proposal for budgeting and recommendations to the Planning Commission and City Council. The approved programs become the projects budgeted for the coming fiscal year.

IV. MEETINGS

- A. All meetings of the Task Forces, Commission and Council dealing with the Community Development Block Grant (CDBG) and HOME funds shall be open to the public, and held in accessible locations.
- B. A minimum of two public hearings, for the purpose of obtaining citizen's views and formulating or responding to proposals and questions shall be held. One public hearing is held at the beginning of the CDBG process and the second public hearing is held near the end of the process once projects have been recommended.
- C. City Council shall have at least one regularly advertised public hearing on the recommendations.
- D. The public shall be informed of the time and place of all the meetings of the Task Forces.
- E. The Task Forces may hold any number of meetings they desire to consider different subject matters.

- F. The Task Forces may also choose to hold meetings in the target neighborhood(s) where it deems desirable.
- G. At all meetings of the Task Forces, Commission, and City Council, the general public shall have an opportunity to participate.
- H. At detailed design and/or implementation stage for specific activities, notification and/or meetings shall be arranged with participants involved in the CDBG/HOME funds process.
- I. Residents shall be informed and encouraged to participate in preparation of the annual application, program implementation, monitoring and evaluation through provision of adequate information and opportunities for participation and effective communication.

V. COMMUNICATION WITH COMMUNITY RESIDENTS

- A. Legal notice shall be given for all public hearings as required by the State of Virginia Code.
- B. Legal notice shall be given for environmental review and request for release of funds as required by HUD guidelines.
- C. Public notice shall be given of all meetings through newspaper and/or other media.
- D. Notification will be given to the news media indicating, start, and conclusion of Consolidated Plan planning or amendments.
- E. All public notice requirements shall be met as required by Consolidated Plan guidelines.
- F. Notice of all Community Development Block Grant and HOME meetings and other activities, will also be sent to neighborhood organizations and groups in the target areas.
- G. All request for information, complaints and suggestions shall be responded to within 15 working days.
- H. A summary of the proposed consolidated plan shall be published in one or more newspapers of general circulation and copies will be available at libraries in the Thomas Jefferson Planning District and City of Charlottesville website (www.Charlottesville.org).
- I. All information concerning the Consolidated Plan programs shall be available to all community residents in the Department of Neighborhood Development Services of City Hall, between the hours of 8:00 a.m. and 5:00 p.m. on all working business days except holidays.

1. In the initial stage of the planning process, the following information is provided to citizens: the total amount or estimate of CDBG and HOME funds available to the applicant; the range of activities that may be undertaken with these funds; the kinds of activities previously funded by the CDBG and HOME program (available upon request); the process to be followed in developing the CDBG and HOME application; the schedule of meetings and hearings; the role of citizens in program planning, implementation and assessment; and, a summary of other important program requirements, including contracting procedures, environmental policies, fair housing and other equal opportunity requirements, relocation provisions, and the A-95 review process (all items available as needed). 570.303 (i) (1) & (2) (v)
2. Program documents readily available for citizen review during normal working hours at the Department of Neighborhood Development Services include: all mailings and promotional material; records of hearings; all prior applications; all letters of approval; all grant agreements; plans to minimize displacement and assist those displaced as a result of activities related to the Consolidated Plan; the Citizen Participation Plan; all performance reports; all evaluation reports; other reports required by HUD; The proposed and approved application for the current year; copies of the regulations and issuance's governing the program; and, documents regarding other important program requirements such as contracting procedures, environmental policies, fair housing and other equal provisions and the A-95 review process. These records shall be accessible to citizens and citizens groups for at least five years. 570.303 (i) (2) & 570.907 (b).

A period of not less than 30 days shall be given to Citizens, non-profit organizations and other interested parties to review and submit comments on the proposed citizen participation plan prior to implementation. The City will consider the views of citizens, public agencies and other interested parties in preparing its final consolidated submission and attach a summary of citizen comments. This must include a written explanation of comments not accepted and the reasons why these comments were not accepted.

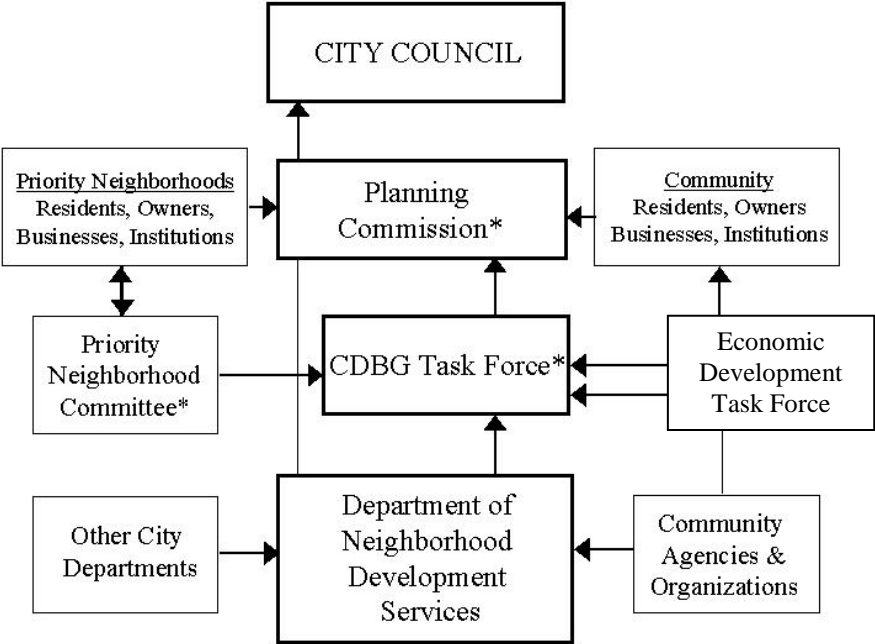
3. Notification throughout the entire Consolidated Plan process will be given to the following organizations:

The Charlottesville Health Department of the Thomas Jefferson Health District, Thomas Jefferson Planning District Commission, United Way, Independence Resource Center, County of Albemarle, Salvation Army, Region Ten Community Services, Monticello Area Community Action Agency, Charlottesville Redevelopment and Housing Authority, all CDBG Target Neighborhood Associations, Albemarle Housing Improvement Program, all local media, Piedmont Housing Alliance, Jefferson Area Board For Aging, County of Albemarle Housing Office, ~~Quality Community Council~~, Public Housing Association of Residents, On Our Own-Drop-In Center, Thomas Jefferson Area

Coalition for the Homeless, Habitat for Humanity, Thomas Jefferson Community Land Trust, Building Goodness Foundation, Charlottesville Housing Advisory Committee, OAR, and Charlottesville/Albemarle Legal Aid Society.

VI.

CDBG PARTICIPATION AND DECISION PROCESS



* = Appointed by City Council

This plan provides and encourages citizen participation of low, very low, and extremely low-income residents where housing and community development funds may be spent. This plan also encourages the participation of all its residents, including minorities and non-English speaking persons, as well as persons with mobility, visual, or hearing impairments in all stages of the process.

VII. TECHNICAL ASSISTANCE

- A. The Department of Neighborhood Development Services under the supervision of the City Manager shall provide technical assistance to the Community Development Block Grant Task Force, Priority Neighborhood Task Force, Economic Development Task Force, Planning Commission, and the City Council.

- B. The Department of Neighborhood Development Services will prepare a preliminary package of suggestions and supporting information by subject areas for the Task Force.
- C. The Department of Neighborhood Development Services jointly with the Thomas Jefferson Planning District will be responsible for formal writing of the application and preparing any other requirements of HUD, State and City.
- D. The City shall provide assistance to neighborhood organizations and groups as well as to low, very low, and extremely low-income groups to facilitate their participation in the Community Development program.
- E. The City shall make available HUD's response to the submission of the Consolidated Plan with any interested person or parties.

VIII. LEGAL REQUIREMENT

The City of Charlottesville shall meet all legal requirements for citizen participation in the Consolidated Plan as set forth by the Department of Housing and Urban Development.

IX. PROGRAM AMENDMENTS

The City of Charlottesville will follow one of the following three procedures when making a change to one of its CDBG or HOME programs:

- A. Budgetary changes – Line Items: Any proposed changes to a program's budget which are less than fifteen percent (15%) of their total budget may be approved administratively by City Staff. Staff may choose to consult the CDBG Task Force if necessary. Any budgetary changes to a program's budget which are greater than fifteen percent (15%) of their total budget may be approved administratively by City Staff upon receiving approval from the Task Force.
- B. Budgetary changes – Reappropriations: Any proposed changes to a program's budget that involve a transfer of funds from one program to another must follow the formal reappropriation process. An applicant will submit a request for the change to City Staff who will forward it to the Task Force for review. The Task Force will make a recommendation to the City Council for approval. A change of this type will require an amendment to the Annual Plan.
- C. Program changes – Any proposed changes which will alter the purpose, scope, guidelines, location or intended beneficiaries of a program must follow the formal amendment process. An applicant will submit a request for a change to City Staff who will forward it to the Task Force for review. The Task Force will make a

recommendation to the City Council for approval. A change of this type will require an amendment to the Annual Plan.

X. CONSOLIDATED PLAN AMENDMENTS

The Consolidated Plan may be amended with the approval of the Charlottesville City Council. The Council will amend the approved Plan whenever it makes one of the following decisions:

1. To make a substantial change in its allocation priorities or a substantial change in the method of distribution of funds;
2. To carry out an activity, using funds from any program covered by the Consolidated Plan (including Program Income) not previously described in the action plan; or
3. To substantially change the purpose, location, or beneficiaries of an activity.
4. To substantially change the responsibilities, guidelines or membership organization of the CDBG Task Force.

In summary, any substantial change or adjustment to a Consolidated Plan program will be treated as an amendment subject to public notice, review and comment through the City Council's approval process.

Substantive amendments to the Consolidated Plan will be publicly advertised at least 15 days prior to consideration of the amendments by the City Council to allow time for public comment.

XI. CITIZEN PARTICIPATION PLAN AMENDMENTS

Proposed changes to the Citizen Participation Plan will be publicly advertised at least 15 days prior to the adoption or amendment of the Citizen Participation Plan by the City Council to allow time for public comment.

The proposed revisions will become effective immediately upon the date of the City Council's approval.

CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.



Agenda Date:	November 17, 2014
Action Required:	Approve Resolution
Presenter:	Lieutenant C. S. Sandridge, Police Department
Staff Contacts:	Lieutenant C. S. Sandridge, Police Department
Title:	Donation of surplus City Police Car to the Town of Louisa (2003 Ford Crown Victoria, Vin # 2FAFP71W63X135299)

Background: The Town of Louisa has requested that the Charlottesville Police Department make a donation to them of a 2003 Ford Crown Victoria. In accordance with the current departmental fleet replacement policy, this car has been retired and therefore will not cause a deficit in the Police Department Fleet because this car has already been replaced.

Discussion: This vehicle, while no longer of real value to the City, will be considered an asset and utilized by a local agency that may have fewer resources than Charlottesville to work with and make a positive difference in their community.

Alignment with Council Vision Areas and Strategic Plan: This donation aligns with Goal 5 of the strategic plan, to foster strong connections. It specifically helps promote 5.2, build collaborative partnerships. This donation builds a partnership with another local law enforcement agency. Partnerships of this type are important because they promote efforts between area localities at noncritical times that can be important for communication, cooperation, and the sharing of resources, during more serious events.

Community Engagement: N/A

Budgetary Impact: This has no impact on the General Fund if donated.

Recommendation: Staff recommends approval of authorizing the donation

Alternatives: None

Attachments: None

RESOLUTION

**Donation of surplus City Police Car to the Town of Louisa (2003 Ford Crown Victoria,
Vin # 2FAFP71W63X135299)**

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that a 2003 Crown Victoria Police Car operated by the Police Department will be donated to the Town of Louisa, Virginia.

CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.



Agenda Date:	November 17, 2014
Action Required:	Adoption of Resolution
Presenter:	Mike Mollica, Division Manager, Facilities Development – Capital Projects Coordinator
Staff Contacts:	Leslie Beauregard, Director, Budget and Performance Management Mike Mollica, Division Manager, Facilities Development – Capital Projects Coordinator
Title:	Transfer of Funds from C.H.S. Football Bleachers Project to Buford Science Labs and C.H.S. Science Labs Renovation Projects - \$17,067.93

Background: The Charlottesville High School (C.H.S.) Football Bleachers project is complete and the remaining available funds in that account are needed to offset a deficiency balance in the Buford Science Labs project account (\$10,736.40). The remainder (\$6,331.03) will be used to supplement the funding for the upcoming C.H.S. Science Labs Renovation project, scheduled for construction during the summer of 2015.

Discussion: The Buford Science Labs project is over budget by \$10,736.90 due to complications encountered during construction that were unforeseen in the initial project scoping phase. These items were addressed by change orders that were necessary to keep the project on schedule and moving forward, to ensure completion in time for school to resume in mid-August. The remaining \$6,331.03 will be used for the C.H.S. Science Lab Renovation project which is currently underfunded. The initial intent was to renovate all nine science labs, but after the initial scoping process, it became clear that there will only be enough funding in the school lump sum account to renovate six labs.

Alignment with Council Vision Areas and Strategic Plan: These projects support City Council's "A Center for Lifelong Learning" vision. It contributes to Goal 4 of the Strategic Plan, Be a well-managed and successful organization, and objective 4.1, to align resources with City's strategic plan.

Community Engagement : N/A

Budgetary Impact: The funds to be transferred were appropriated to the C.H.S. Football Bleachers line item project in F.Y. 12.

Recommendation: Staff recommends approval of this resolution.

Alternatives: N/A

RESOLUTION

**Transfer of funds from the C.H.S. Football Bleachers account for the Buford Science Labs and C.H.S. Science Labs Projects.
\$17,067.93.**

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

Transfer From

\$17,067.93 Fund: 426 WBS: P-00655 G/L Account: 599999

Transfer To

\$10,736.90 Fund: 426 WBS: P-00754-01 G/L Account: 498010
\$ 6,331.03 Fund: 426 WBS: SH-015/P-00827-01 G/L Account: 599999

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: November 3, 2014

Action Required: Public Hearing and 1st Reading on Ordinance

Presenter: S. Craig Brown, City Attorney

Staff Contacts: S. Craig Brown, City Attorney

Title: Abandonment of Sanitary Sewer Easement near Valley Road

Background: In 2007 the University of Virginia petitioned City Council to close a portion of Valley Road so it could be combined with adjacent properties and, with additional properties owned by the University of Virginia Foundation (UVAF), developed as part of the South Lawn project. The ordinance vacating that portion of Valley Road was approved by Council on August 7, 2007, and in 2010 UVA/UVAF submitted a proposed Subdivision Plat that consolidated and redivided parcels, granted new utility easements to the City, and created and dedicated as public right of way a new cul-de-sac at the end of Valley Road.

Discussion: The proposed Subdivision Plat has been reviewed and revised numerous times in the last 4 years, primarily because it is a single deed and plat attempting to accomplish several tasks with respect to the substantial redivision of the parcels and dedication of easements. The deed and plat are now in final form, meeting the approval of all three parties – the City, UVA and UVAF. The Subdivision Plat cannot be recorded until the 1935 sewer easement is vacated. A replacement easement is dedicated to the City under the deed and plat.

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

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.

Budgetary Impact: None.

Recommendation: Approve the ordinance vacating the existing sanitary sewer easement near Valley Road.

Attachments: Request Letter from UVA; Ordinance; Deed and Plat.

**AN ORDINANCE
AUTHORIZING THE ABANDONMENT OF
A SANITARY SEWER EASEMENT
GRANTED TO THE CITY NEAR VALLEY ROAD.**

WHEREAS, in 1935 the City acquired a permanent sanitary sewer easement, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 85, page 491, across property currently designated on City Real Estate Tax Map 11 as Parcel 28 and owned by the University of Virginia (UVA); and

WHEREAS, as part of the South Lawn project under construction by UVA, the sanitary sewer facilities in the Valley Road area were re-routed to a different location, and a new sewer easement will be granted to the City with the recordation of the deed and subdivision plat for this project; and

WHEREAS, UVA has requested abandonment of the 1935 sewer easement, which now serves no useful purpose to the City; and

WHEREAS, the Director of Public Utilities has reviewed the request and determined that the City no longer has a need for the 1935 sanitary sewer 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 abandonment of the 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 deed vacating and abandoning the 1935 sanitary sewer easement, in form approved by the City Attorney.

Prepared by S. Craig Brown, VSB #19286 - Charlottesville City Attorney's Office
Tax Map Parcels: 11-28, 11-31, 11-32, 11-34, 11-35, 11-80, 11-82, 11-83,
11-83.1, 11-91, 11-92.1 and 11-92.2

*This Deed is exempt from recordation taxes pursuant to
Va. Code Secs. 58.1-811(A)(1), 58.1-811(A)(3), 58.1-811(C)(3) and 58.1-811(C)(4)*

THIS DEED OF DEDICATION, CONSOLIDATION, RESUBDIVISION, EASEMENT AND VACATION is made this _____ day of _____, 2014, by and among THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA, an educational institution of the Commonwealth of Virginia ("University") (Grantor and Grantee); UNIVERSITY OF VIRGINIA FOUNDATION, a Virginia nonstock corporation ("Foundation") (Grantor and Grantee); and CITY OF CHARLOTTESVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia ("City") (Grantor and Grantee).

WITNESSETH:

WHEREAS, University is the owner of certain real property situate in the City of Charlottesville, Virginia, with Tax Map Parcel Nos. 11-28, 11-31, 11-32, 11-34, 11-35, 11-80, 11-82, 11-83, 11-83.1, 11-92.1 and 11-92.2 (the "University Property"), as shown on the plat attached hereto and incorporated herein by this reference entitled "Tracts A, B, C, D, E, F, G, H, I, J & K, Utility Easements and Pedestrian Easement," dated March 25, 2013, and prepared by Kirk Hughes & Associates of Charlottesville, Virginia (the "Plat"); and

WHEREAS, Foundation is the owner of certain real property situate in the City of Charlottesville, Virginia, with Tax Map Parcel No. 11-91 (the "Foundation Property"), as shown on the Plat; and

WHEREAS, City was the owner of certain real property situate in the City of Charlottesville, Virginia, shown on the Plat as Tract "A", Tract "B", Tract "C", Tract "D", Tract "E", Tract "F", Tract "G", Tract "H" and Tract "I", which comprised portions of the Valley Road right of way closed by the City Council of the City of Charlottesville, Virginia, pursuant to an Ordinance Closing, Vacating, and Discontinuing a Portion of Valley Road adopted on August 6,

2007, and filed in the Office of the Clerk of the Circuit Court of the City of Charlottesville, Virginia, in Street Closing Book 2, at page 62; and

WHEREAS, it is the desire and intent of City to acknowledge the conveyance by street vacation of Tract "B", Tract "C", Tract "D", Tract "E", Tract "F", Tract "G", Tract "H" and Tract "I", as shown on the Plat (the "University Tracts"), to University and Tract "A", as shown on the Plat (the "Foundation Tract"), to Foundation, pursuant to Va. Code Sec. 15.2-2274; and

WHEREAS, it is the desire and intent of University to consolidate and resubdivide the University Property and the University Tracts into lots and parcels, and to dedicate, grant, and convey a portion of the University Property for public street purposes in accordance with this Deed of Dedication, Consolidation, Resubdivision, Easement and Vacation and the Plat; and

WHEREAS, it is the desire and intent of Foundation to consolidate and resubdivide the Foundation Property and the Foundation Tract into a lot and parcel in accordance with this Deed of Dedication, Consolidation, Resubdivision, Easement and Vacation and the Plat; and

WHEREAS, it is the desire and intent of University and Foundation to grant and convey unto City the easements and rights-of-way in the locations as shown on the Plat; and

WHEREAS, it is the desire and intent of City, with the consent of University, to vacate the sanitary sewer easement shown on Sheet 3 of the Plat and labeled thereon as "Sanitary Sewer (Abandoned)" (the "Existing Sanitary Sewer Easement"), being the sanitary sewer easement acquired by City by deed dated May 18, 1935, recorded in Deed Book 85, at page 491, in the Office of the Clerk of the Circuit Court of the City of Charlottesville, Virginia.

NOW, THEREFORE, City does hereby confirm, pursuant to Va. Code Sec. 15.2-2274, that University is the record owner of the University Tracts, as shown on the Plat, and Foundation is the record owner of the Foundation Tract, as shown on the Plat.

THIS DEED FURTHER WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, receipt and sufficiency of which are hereby acknowledged, Tax Map Parcel No. 11-91 and Tract "A", Tax Map Parcel No. 11-83.1 and Tract "B", Tax Map Parcel No. 11-83 and Tract "C", Tax Map Parcel No. 11-31 and Tract "D", Tax Map Parcel No. 11-32 and Tract "E", Tax Map Parcel No. 11-28 and Tract "F", Tax Map Parcel

No. 11-34 and Tract "G", Tax Map Parcel No. 11-35 and Tract "H", and Tax Map Parcel No. 11-82 and Tract "I", respectively, are consolidated and resubdivided, in accordance with the Plat.

THIS DEED FURTHER WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, receipt and sufficiency of which are hereby acknowledged, University does hereby dedicate to public street purposes and convey to City, in fee simple, the 5,681 square feet of the University Property labeled on the Plat as Tract "J" and Tract "K". This dedication is made in accordance with the statutes made and provided therefor.

THIS DEED FURTHER WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, University and Foundation, respectively, do hereby grant and convey unto City, its successors and assigns, a pedestrian access easement and right-of-way for the purpose of pedestrian ingress and egress by the public in the locations as being more particularly bounded and described on the Plat as "Pedestrian Access Easement Hereby Dedicated to Public Use," subject to the following terms and conditions:

1. All trails and sidewalks and all appurtenant facilities constructed or installed in the easement and right-of-way shall be and remain the property of University (with respect to such facilities constructed or installed by University on its property) and Foundation (with respect to such facilities constructed or installed by Foundation on its property).

2. University and Foundation shall maintain the facilities located in the easements and rights-of-way on their respective properties in accordance with City standards, as updated from time to time. Maintenance shall include, but not be limited to, removal of snow and ice as soon as practicable after a snowfall.

3. Nothing contained herein shall be deemed a waiver of the sovereign immunity of University or the Commonwealth of Virginia.

THIS DEED FURTHER WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, University and Foundation, respectively, do hereby grant and convey unto City, its successors and assigns, a general utility easement and right-of-way for the purposes of

constructing, operating, maintaining, adding or altering present or future (i) storm sewer lines, including necessary inlet structures, manholes and appurtenant facilities, for the collection of storm sewage and its transmission through, under, upon and across the property owned by University and the property owned by Foundation, (ii) sanitary sewer lines, including necessary inlet structures, manholes and appurtenant facilities, for the collection of sanitary sewage and its transmission through, under, upon and across the property owned by University and the property owned by Foundation, (iii) water lines, including fire hydrants, valves, meters, building service connections and appurtenant facilities, for the transmission and distribution of water through, upon, under and across the property owned by University and the property owned by Foundation, and (iv) natural gas lines, including valves, meters, building service connections and appurtenant facilities, for the transmission and distribution of natural gas through, upon, under and across the property owned by University and the property owned by Foundation, all in the locations as more particularly bounded and described on the Plat as “Utility Easements Hereby Dedicated to the City of Charlottesville,” subject to the following conditions:

1. The facilities constructed shall remain the property of City. City shall have the right to inspect, rebuild, remove, repair, improve, and make such changes, alterations, additions to or extensions of its facilities within the boundaries of said easement and right-of-way as are consistent with the purpose expressed herein. All construction, maintenance, equipment and facilities shall comply with all applicable laws, ordinances, codes and regulations.

2. Upon completion of any activity by City upon the easement and right-of-way, City shall restore the easement and right-of-way as nearly to its original condition as practicable, including backfilling of trenches, reseeding or resodding of lands, replacement of equipment and facilities of University or Foundation installed in accordance with numbered Paragraph 6 (on page 6) of this Deed, as applicable, removal of trash and debris, and removal of any of City’s equipment, accessories or appurtenances not consistent with the construction, maintenance or operation of said facilities or the exercise of any rights or privileges expressed herein. City shall maintain said easement and right-of-way and facilities in such repair as not to endanger or

otherwise limit the enjoyment or use of University's or Foundation's property and adjacent properties.

3. City shall have the right to trim, cut and remove trees, shrubbery or other natural obstructions on, under or over the easement and right-of-way which interfere with or threaten the efficient and safe operation, construction or maintenance of said facilities. All trees cut by City shall remain the property of University or Foundation, as applicable. All brush, branches, and other debris resulting from any cutting, trimming, or clearing of said easement and right-of-way shall be removed from the lands of University or Foundation, as applicable, and disposed by City.

4. City shall have the right of ingress to and egress from said easement and right-of-way over the lands of University or Foundation, as applicable, as may be necessary to exercise City's rights herein. City shall exercise such right in such manner as shall not occasion injury or inconvenience to University or Foundation, as applicable. City shall at University's or Foundation's election pay for or repair any injury to any of land, structures, roads, fences, and other improvements caused by City, its employees, agents or contractors. City shall notify University or Foundation, as applicable, immediately of any such injury and shall make said payment or repair within thirty (30) days after such election by University or Foundation; provided, however, that if such injury results in an on-going hazardous condition or a material loss of use of University's or Foundation's property (such as, by way of illustration and not by limitation, a disruption of any utilities or loss of access to University's or Foundation's property) then City shall immediately remedy the hazardous condition or material loss of use.

5. From time to time, University or Foundation, as applicable, shall grant to City such temporary licenses for the use of areas adjacent to the easement and right-of-way as are reasonably necessary to facilitate the installation, operation, maintenance, replacement, repair, removal or use of the facilities.

6. University or Foundation, as applicable, its successors and assigns, may use said easement and right-of-way for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with the safe and efficient construction, operation or

maintenance of said facilities, and further provided that such use is not inconsistent with any laws, ordinances or codes pertaining to the construction, operation or maintenance of said facilities and to which University or Foundation is subject. University's or Foundation's use of the easement and right-of-way as a road shall not in any way be construed to constitute interference with the construction, operation or maintenance of City's facilities.

7. To the extent permitted by law, City covenants and agrees to indemnify, defend and hold the Commonwealth of Virginia, University, Foundation, their respective employees and agents, harmless from and against any claims of injury to any persons or property and from and against any other liability of any nature whatsoever to the full extent authorized by Virginia law resulting from the installation, operation, maintenance, replacement, repair, removal or use of any of City's facilities or the connection to other utility facilities on or adjacent to said easement and right-of-way, or in any way arising out of City's exercise of any rights herein granted.

8. If City at any time discontinues use of all or any portion of the easement herein conveyed for a period of one year, all of the City rights and interest in said easement and right-of-way or portion thereof shall immediately terminate and revert to University or Foundation, as applicable, its successors and assigns, and City shall at its expense remove any facilities and restore University's or Foundation's property as nearly to its original condition as practicable and, on written request by University or Foundation, City shall quitclaim and release same.

THIS DEED FURTHER WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, City, with the consent of University, does hereby vacate, release, and extinguish all of its right, title and interest in and to that portion of the Existing Sanitary Sewer Easement as shown on the Plat as "Sanitary Sewer (Abandoned)", pursuant to ordinance adopted by the Charlottesville City Council on _____, 2014.

This Deed of Dedication, Consolidation, Resubdivision, Easement and Vacation is made in accordance with the statutes made and provided in such cases; with the approval of the proper authorities of the City of Charlottesville, Virginia, as shown by the signatures affixed to this Deed and the Plat, and is with the free consent and in accordance with the desire of University,

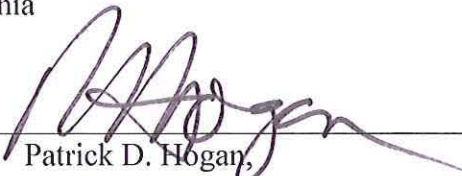
owner and proprietor of the property owned by University, and Foundation, owner and proprietor of property owned by Foundation.

The City of Charlottesville, acting by and through its Mayor, Satyendra Singh Huja, does hereby accept the conveyance of the easements herein, pursuant to Virginia Code § 15.2-1803; and the City has caused this deed to be executed by its Mayor pursuant to an ordinance adopted by the Charlottesville City Council on _____, 2014, as evidenced by the Mayor's signature hereto and the City's recordation of this deed.

WITNESS the following signatures and seals.


University:

THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA, an educational institution of the Commonwealth of Virginia

By: 
Patrick D. Hogan,
Executive Vice President and Chief Operating Officer

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Albemarle, to-wit:


The foregoing instrument was acknowledged before me this 11 day of September, 2014, by Patrick D. Hogan, Executive Vice President and Chief Operating Officer, on behalf of The Rector and Visitors of the University of Virginia.


Notary Public
Registration No. 101375



my commission expires 6/30/18

Reviewed and Approved
As to Legal Form and Sufficiency:

By: 
Pamela Heflin Sellers
Associate General Counsel and
Special Assistant Attorney General

Foundation:

UNIVERSITY OF VIRGINIA FOUNDATION, a Virginia nonstock corporation

By: Tim R. Rose
Tim R. Rose,
Chief Executive Officer

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Albemarle, to-wit:

The foregoing instrument was acknowledged before me this 17th day of September, 2014, by Tim R. Rose, Chief Executive Officer of University of Virginia Foundation, a Virginia nonstock corporation, on behalf of the corporation.

Cathy L. Kidd
Notary Public
Registration No. 7013584

*My commission expires:
January 31, 2018*

The City of Charlottesville, acting by and through its Mayor, does hereby accept the conveyance of the easements granted herein to the City, pursuant to Virginia Code Sec. 15.2-1803, and the Mayor was authorized to execute this deed by ordinance adopted by City Council on _____, 2014.

CITY OF CHARLOTTESVILLE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia

By: _____
Satyendra Singh Huja, Mayor

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Satyendra Singh Huja, Mayor, on behalf of the City of Charlottesville, Virginia.

Notary Public
Registration No. _____

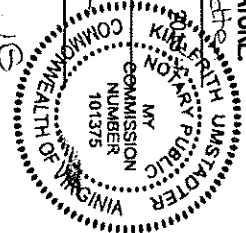
OWNER'S CONSENT:

The division of the land described herein is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees

[Signature]
Rector & Visitors of the University of Virginia Date 9/10/14

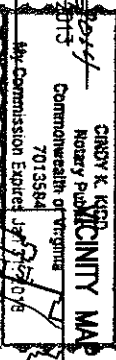
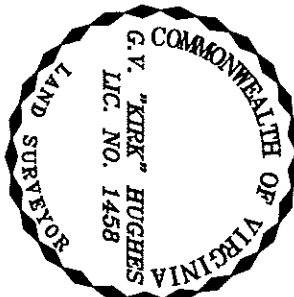
CERTIFICATE OF ACKNOWLEDGMENT OF SIGNATURE:

Acknowledged before: Kim F. Umstadter
This 11 day of September, 2014
in the city/county of: Albemarle
Commonwealth of Virginia.
Notary Public: [Signature]
My commission expires: June, 2016
30 day of June, 2016
Tim R. Rose 9/16/14

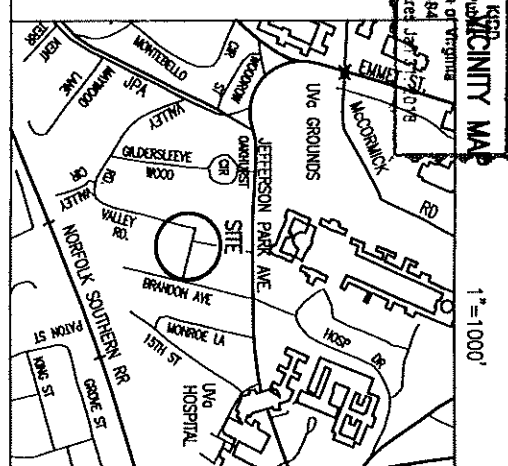


CERTIFICATE OF ACKNOWLEDGMENT OF SIGNATURE:

Acknowledged before: Tim R. Rose
This 17th day of September, 2013
in the city/county of: Charlottesville
Commonwealth of Virginia.
Notary Public: Candice L. Wadd
My commission expires: 31st day of January, 2018



CITY OF CHARLOTTESVILLE APPROVAL:
Chairman of the Planning Commission Date 9/22/14
[Signature]
Secretary of the Planning Commission Date 9/19/14
[Signature]

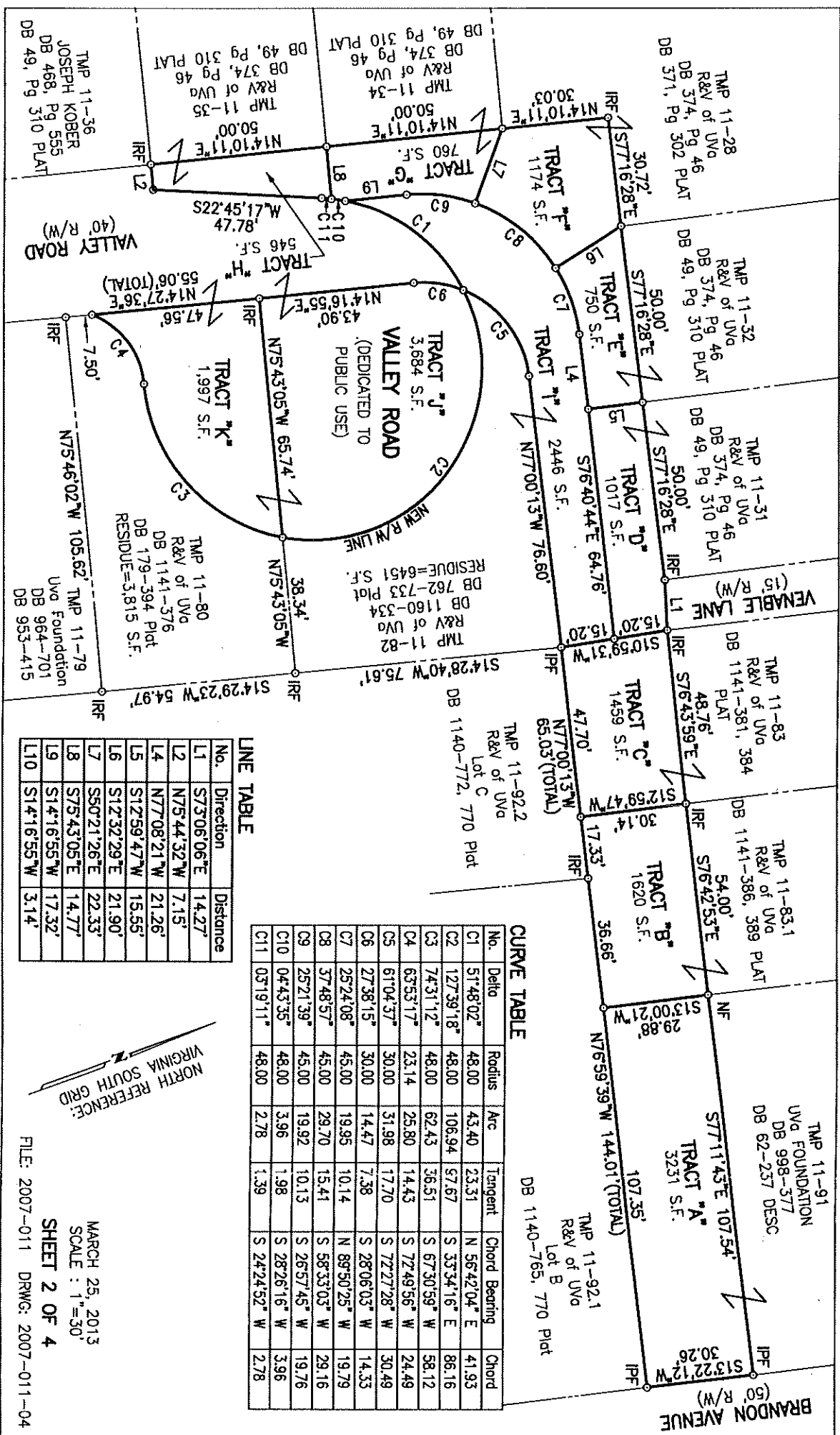


NOTES:

- 1.) Survey Prepared for: The Rector and Visitors of the University of Virginia.
 - 2.) This plat is based on field boundary surveys performed in March 2007, December 2010, and February 2012.
 - 3.) This plat was prepared without the benefit of a current title report and may not indicate all encumbrances on the properties shown hereon.
 - 4.) Tracts A thru I shown hereon contain areas of the Valley Road public street right of way vacated and recorded in Street Closing Book 2, page 62; hereby added to and combined with their adjoining parcels or road rights-of-way:
 - Tract A added to Tax Map 11, Parcel 91
 - Tract B added to Tax Map 11, Parcel 83.1
 - Tract C added to Tax Map 11, Parcel 83
 - Tract D added to Tax Map 11, Parcel 31
 - Tract E added to Tax Map 11, Parcel 32
 - Tract F added to Tax Map 11, Parcel 28
 - Tract G added to Tax Map 11, Parcel 34
 - Tract H added to Tax Map 11, Parcel 35
 - Tract I added to Tax Map 11, Parcel 82
 - 5.) Tracts J and K added to the Valley Road right-of-way
- Total Valley Road closure: 13,033 square feet
Total Valley Road dedication: 5,681 square feet
Iron rods or Mag-Nails set at all property corners, unless otherwise specified.

TRACTS A, B, C, D, E, F, G, H, I, J & K; UTILITY EASEMENTS AND PEDESTRIAN EASEMENT

CITY OF CHARLOTTESVILLE, VIRGINIA
MARCH 25, 2013
SCALE: 1"=30'
KIRK HUGHES & ASSOCIATES
LAND SURVEYORS AND PLANNERS
220 EAST HIGH STREET
CHARLOTTESVILLE, VIRGINIA 22902
(434) 296-6942
C:\Surveys\UVA\South Lawn--Valley Rd\2007-011\ Dedication\2007-011-04.dwg



LINE TABLE

No.	Direction	Distance
L1	S73°06'06"E	14.27'
L2	N75°44'32"W	7.15'
L4	N77°08'21"W	21.26'
L5	S12°59'47"W	15.55'
L6	S12°32'29"E	21.90'
L7	S50°21'26"E	22.33'
L8	S75°43'05"E	14.77'
L9	S14°16'55"W	17.32'
L10	S14°16'55"W	3.14'

CURVE TABLE

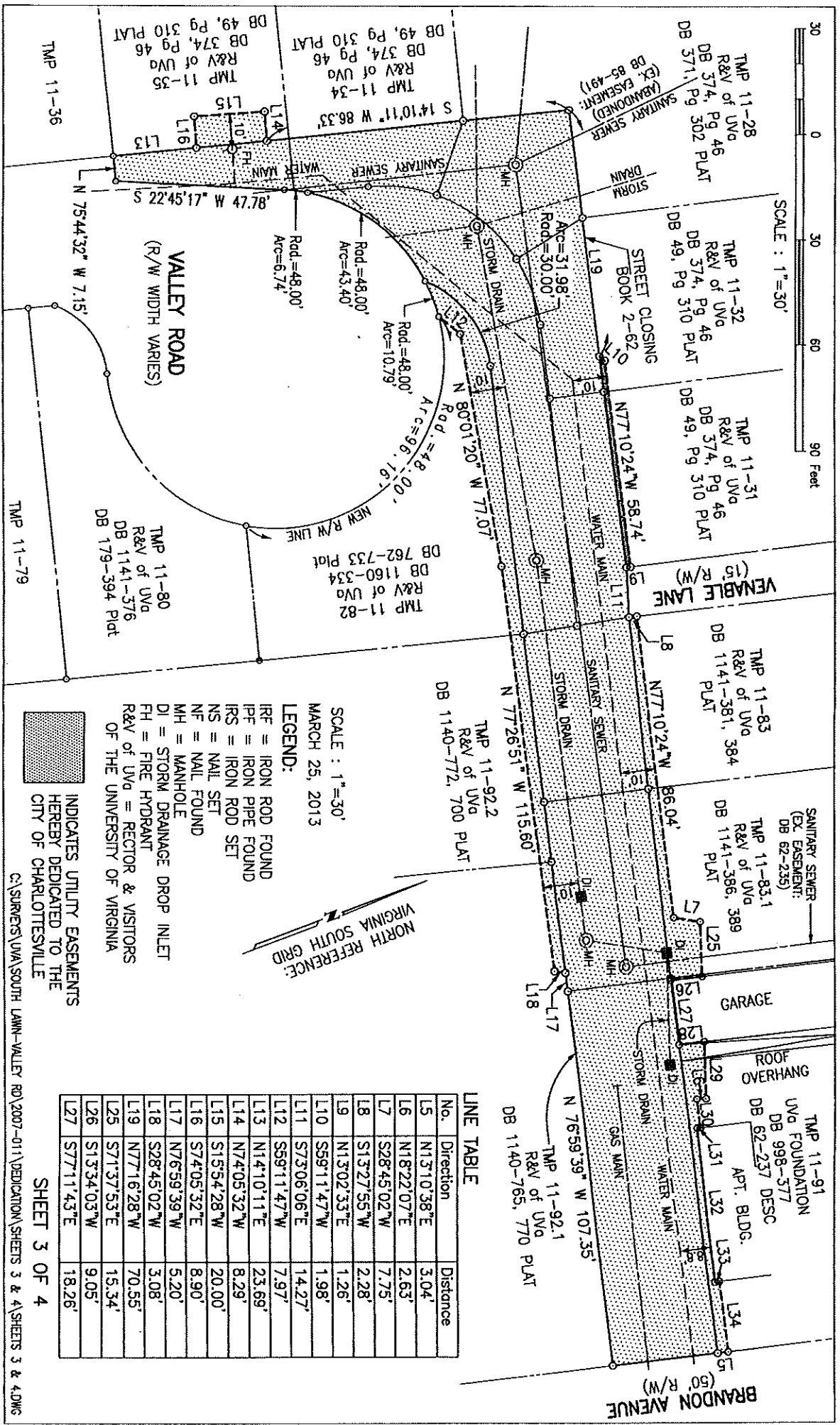
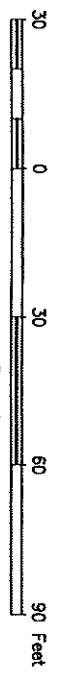
No.	Delta	Radius	Arc	Tangent	Chord Bearing	Chord
C1	51°48'02"	48.00'	43.40'	23.31'	N 56°42'04" E	41.93'
C2	127°39'18"	48.00'	106.94'	57.67'	S 33°34'16" E	86.16'
C3	74°31'12"	48.00'	62.43'	36.51'	S 67°30'59" W	58.12'
C4	63°53'17"	23.14'	25.80'	14.43'	S 72°49'56" W	24.49'
C5	61°04'37"	30.00'	31.98'	17.70'	S 72°27'28" W	30.49'
C6	27°38'15"	30.00'	14.47'	7.38'	S 28°06'03" W	14.33'
C7	25°24'08"	45.00'	19.95'	10.14'	N 89°50'25" W	19.79'
C8	37°48'57"	45.00'	29.70'	15.41'	S 58°33'03" W	29.16'
C9	25°21'39"	45.00'	19.92'	10.13'	S 26°57'45" W	19.76'
C10	04°43'35"	48.00'	3.96'	1.98'	S 28°26'16" W	3.96'
C11	03°19'11"	48.00'	2.78'	1.39'	S 24°24'52" W	2.78'

NORTH REFERENCE:
VIRGINIA SOUTH GRID

MARCH 25, 2013
SCALE : 1"=30'

FILE: 2007-011 DRWG: 2007-011-04

SHEET 2 OF 4



SCALE: 1"=30'
MARCH 25, 2013

NORTH REFERENCE:
NORTH VIRGINIA SOUTH GRID

INDICATES UTILITY EASEMENTS
HEREBY DEDICATED TO THE
CITY OF CHARLOTTESVILLE

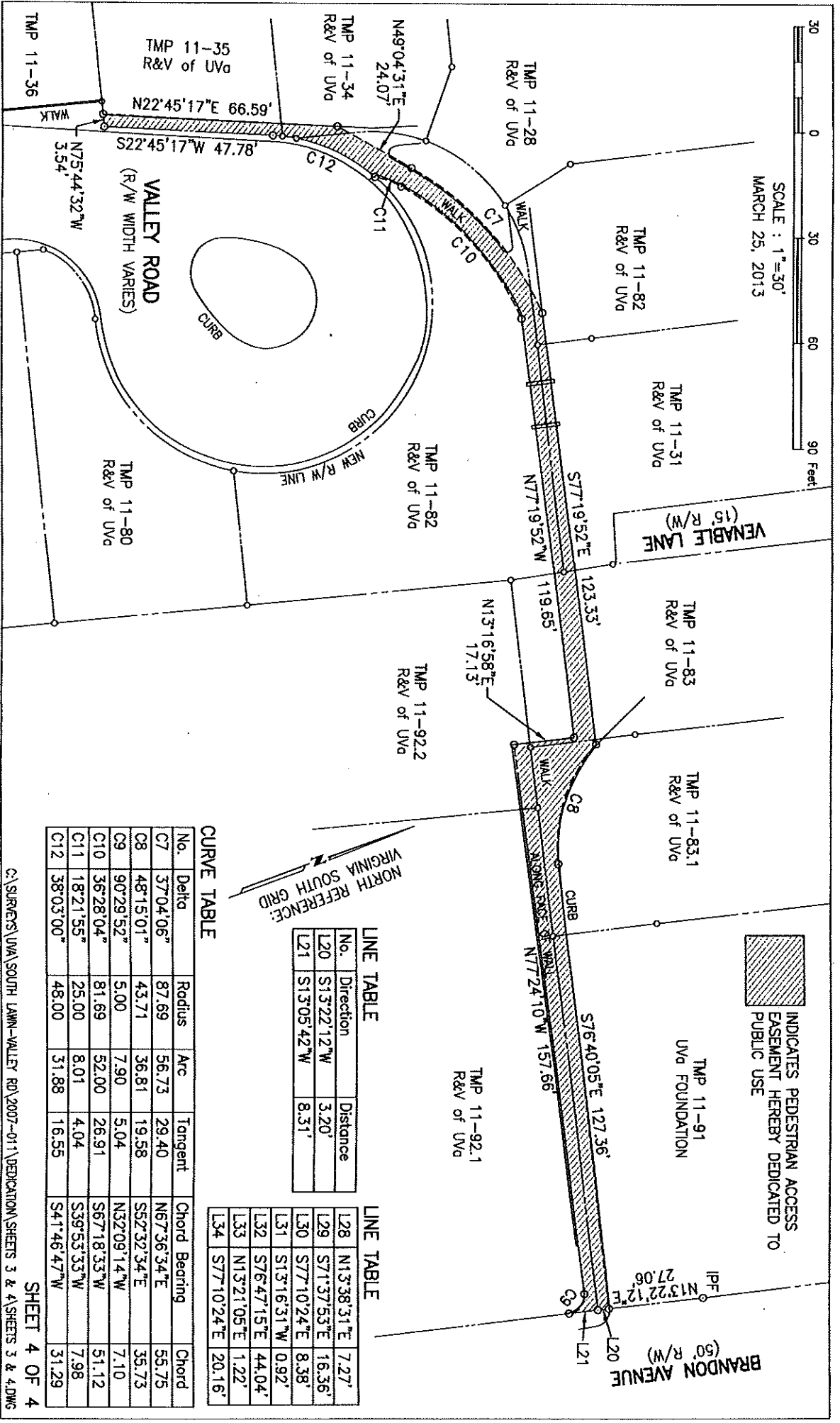
C:\SURVERS\UVA\VALLEY LANE-VALLEY RD\2007-01\DEDICATION\SHEETS 3 & 4\SHEETS 3 & 4.DWG

- LEGEND:
- IRF = IRON ROD FOUND
 - IPF = IRON PIPE FOUND
 - IRS = IRON ROD SET
 - NF = NAIL FOUND
 - MH = MANHOLE
 - DI = STORM DRAINAGE DROP INLET
 - FH = FIRE HYDRANT
 - R&V of UVA = RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA

LINE TABLE

No.	Direction	Distance
L5	N13°10'38"E	3.04'
L6	N18°22'07"E	2.63'
L7	S28°45'02"W	7.75'
L8	S13°27'55"W	2.28'
L9	N13°02'33"E	1.26'
L10	S59°11'47"W	1.98'
L11	S73°06'06"E	14.27'
L12	S59°11'47"W	7.97'
L13	N14°10'11"E	23.69'
L14	N74°05'32"W	8.29'
L15	S15°54'28"W	20.00'
L16	S74°05'32"E	8.90'
L17	N76°59'39"W	5.20'
L18	S28°45'02"W	3.08'
L19	N77°16'28"W	70.55'
L25	S71°37'53"E	15.34'
L26	S13°34'03"W	9.05'
L27	S77°11'43"E	18.26'

SCALE : 1"=30'
 MARCH 25, 2013



CURVE TABLE

No.	Delta	Radius	Arc	Tangent	Chord Bearing	Chord
C7	37°04'06"	87.69	56.73	29.40	N67°36'34"E	55.75
C8	48°15'01"	43.71	36.81	19.58	S52°32'34"E	35.73
C9	90°29'52"	5.00	7.90	5.04	N32°09'14"W	7.10
C10	36°28'04"	81.69	52.00	26.91	S67°18'33"W	51.12
C11	18°21'55"	25.00	8.01	4.04	S39°53'33"W	7.98
C12	38°03'00"	48.00	31.88	16.55	S41°46'47"W	31.29

LINE TABLE

No.	Direction	Distance
L20	S13°22'12"W	3.20'
L21	S13°05'42"W	8.31'

LINE TABLE

L28	N13°38'31"E	7.27'
L29	S71°37'53"E	16.36'
L30	S77°10'24"E	8.38'
L31	S13°16'31"W	0.92'
L32	S76°47'15"E	44.04'
L33	N13°21'05"E	1.22'
L34	S77°10'24"E	20.16'

C:\SURFERS\UVA\ SOUTH LANE-VALLEY RD\2007-011\DEDICATION\SHEETS 3 & 4\SHEETS 3 & 4.DWG

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



Agenda Date: November 3, 2014

Action Required: Adoption of Ordinance

Staff Contacts: Jim Tolbert, AICP, Director of NDS

Presenter: Jim Tolbert, AICP, Director of NDS
Craig Brown, City Attorney

Title: **Franklin Street – No Through Truck Designation, Market Street to Nassau Street**

Background: Several residents have requested that through trucks not be allowed on Franklin Street between Market Street and Nassau Street. City Council may, by ordinance, elect to prohibit through trucks on certain City streets.

Discussion: Section 15-73 of the Charlottesville Code of Ordinances restricts “Tractor Trucks” on certain streets in the City. This code section reads as follows:

Sec. 15-73. Streets closed to certain trucks.

(a) Tractor trucks (defined as any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto) and any other trucks of more than two (2) axles, with the exceptions described in subsection (b) of this section, are prohibited from using the following city streets:

- (1) Jefferson Park Avenue from its intersection with Fontaine Avenue and Maury Avenue to its intersection with Harris Road.
- (2) Harris Road from its intersection with Fifth Street, S.E. to its intersection with Jefferson Park Avenue and Camellia Drive.

- (3) Park Street from the 250 Bypass to the northern city limits.
- (4) North Avenue from Park Street to Sheridan Avenue.
- (5) Calhoun Street from Sheridan Avenue to St. Clair Avenue.
- (6) Locust Avenue.
- (7) St. Clair Avenue from the 250 Bypass to Peartree Lane.
- (8) Belleview Avenue from River Road to St. Clair Avenue.
- (9) Watson Avenue from the westbound Locus Avenue ramp to Park Street.
- (10) Brandywine Avenue from the 250 Bypass to its intersection with Greenbrier Drive.
- (11) Greenbrier Drive from Brandywine Drive to its intersection with Rio Road.
- (12) Old Lynchburg Road from its intersection with Jefferson Park Avenue to the southern City limits.
- (13) Altavista Avenue from its intersection with Monticello Avenue to Sixth Street.
- (14) Shamrock Road from Cherry Avenue to Jefferson Park Avenue.

(b) The streets listed in subsection (a) of this section may be used by tractor trucks and other trucks with more than two (2) axles only for the purpose of making deliveries or pick-ups of goods or passengers on that street, or when use of such street is the only safe means of access to another nearby street. The above-described portion of Park Street may also be used by trucks otherwise prohibited when those trucks are making deliveries or pick-ups on Rio Road between its intersection with the city limits and its intersection with Greenbrier Drive.

(c) This section shall have no application to pickup trucks, which are defined as "any motor vehicle designed for the transportation of property with a registered gross weight of seven thousand five hundred (7,500) pounds or less.

The attached ordinance will restrict through "Tractor Trucks" from Franklin Street between Market Street and Nassau Street. Those trucks with business on the street will not be impacted.

Citizen Engagement: There has been no direct engagement on this issue although it has been requested by the neighborhood association and certain citizens.

Alignment with City Council Vision and Strategic Plan: This item aligns with the Council Vision to be a Smart Citizen Focused Government by being responsive to neighborhood requests. It does not relate to any strategic plan initiative.

Budgetary Impact: The only budget impact will be the cost to erect regulatory signage, less than \$200.00

Recommendation Staff recommends passage of the ordinance.

Alternatives: Not to pass the ordinance.

Attachments: Map
Ordinance

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 15-73 OF ARTICLE III
OF CHAPTER 15 (MOTOR VEHICLES) OF THE CODE OF THE
CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, PROHIBITING
TRUCK TRAFFIC ON FRANKLIN STREET.**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 15-73 of Article III of Chapter 15 of the Charlottesville City Code is hereby amended and reordained, as follows:

**CHAPTER 15. MOTOR VEHICLES
ARTICLE III. OPERATION OF VEHICLES GENERALLY**

Sec. 15-73. Streets closed to certain trucks.

(a) Tractor trucks (defined as any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto) and any other trucks of more than two (2) axles, with the exceptions described in subsection (b) of this section, are prohibited from using the following city streets:

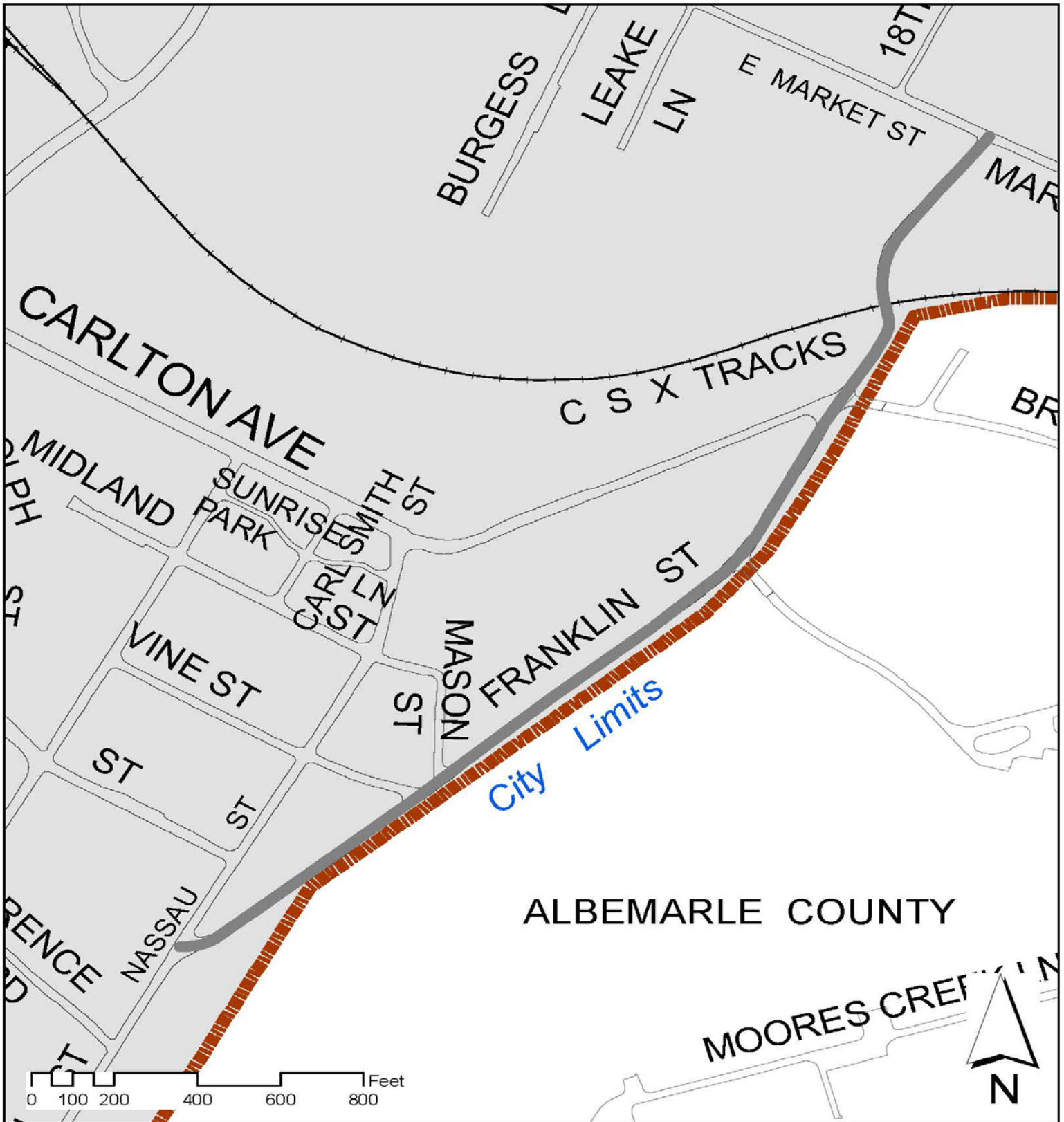
- (1) Jefferson Park Avenue from its intersection with Fontaine Avenue and Maury Avenue to its intersection with Harris Road.
- (2) Harris Road from its intersection with Fifth Street, S.E. to its intersection with Jefferson Park Avenue and Camellia Drive.
- (3) Park Street from the 250 Bypass to the northern city limits.
- (4) North Avenue from Park Street to Sheridan Avenue.
- (5) Calhoun Street from Sheridan Avenue to St. Clair Avenue.
- (6) Locust Avenue.
- (7) St. Clair Avenue from the 250 Bypass to Peartree Lane.
- (8) Belleview Avenue from River Road to St. Clair Avenue.
- (9) Watson Avenue from the westbound Locus Avenue ramp to Park Street.
- (10) Brandywine ~~Avenue Drive~~ from the ~~250 Bypass~~ Hydraulic Road to its intersection with Greenbrier Drive.
- (11) Greenbrier Drive from Brandywine Drive to its intersection with Rio Road.
- (12) Old Lynchburg Road from its intersection with Jefferson Park Avenue to the southern City limits.
- (13) Altavista Avenue from its intersection with Monticello Avenue to Sixth Street.

- (14) Shamrock Road from Cherry Avenue to Jefferson Park Avenue.
- (15) Franklin Street.

(b) The streets listed in subsection (a) of this section may be used by tractor trucks and other trucks with more than two (2) axles only for the purpose of making deliveries or pick-ups of goods or passengers on that street, or when use of such street is the only safe means of access to another nearby street. The above-described portion of Park Street may also be used by trucks otherwise prohibited when those trucks are making deliveries or pick-ups on Rio Road between its intersection with the city limits and its intersection with Greenbrier Drive.

(c) This section shall have no application to pickup trucks, which are defined as "any motor vehicle designed for the transportation of property with a registered gross weight of seven thousand five hundred (7,500) pounds or less".

FRANKLIN STREET



NEIGHBORHOOD DEVELOPMENT SERVICES
OCTOBER 2014

City of Charlottesville MEMO



"A World Class City"
www.charlottesville.org

TO: City Council
FROM: James E. Tolbert, AICP, Director
DATE: November 5, 2014
SUBJECT: **Additional Information re: Through Trucks**

A question was asked at the November 3, 2014 Council meeting by Councilor Szakos about the truck definition in the City Code restricting through trucks. Her question had to do with restrictions regarding trucks over a registered gross weight of 7,500 pounds but not meeting the definition of "tractor truck".

After further research on the question, it was determined that these type trucks are restricted by our current ordinance as described below in the highlighted part of 15-73(a)

Sec. 15-73. Streets Closed to Certain Trucks

Tractor trucks (defined as any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto) **and any other trucks of more than two (2) axles, with the exceptions described in subsection (b) of this section**, are prohibited from using the following city streets

This resolves the issue raised at the meeting and no additional action is needed.

JET:sdp

This page intentionally left blank.

CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA



Agenda Date:	November 17, 2014
Action Required:	Yes (First Reading of Ordinance)
Staff Contacts:	Craig Brown, City Attorney Phillip Garber, P.E., Chief Gas Engineer
Title:	Quitclaim Gas Easement to VDOT (Dunlora Forest Subdivision)

Background: In 2013 the City acquired a gas line easement within the Dunlora Forest Subdivision in Albemarle County. The Virginia Department of Transportation is now prepared to accept the roadways identified as Sawgrass Court and Barefoot Court in this subdivision into the state highway system. At the request of the Gas Division, we have drafted an ordinance and deed quitclaiming to VDOT the easement crossing these roadways.

Discussion: The quitclaim deed requires the gas line to remain in its present location, and if the streets cease to be part of the state's highway system, the easement 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 easement is 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 plat attached).

cc: Phil Garber, Gas Division

**AN ORDINANCE
TO QUITCLAIM A NATURAL GAS LINE EASEMENT
WITHIN SAWGRASS COURT AND BAREFOOT COURT
LOCATED IN THE DUNLORA FOREST 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 Sawgrass Court and Barefoot Court in the Dunlora Forest 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 easement crossing Sawgrass Court and Barefoot 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 easement 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
S. Craig Brown, City Attorney (VSB #19286)
Albemarle County Tax Map 62F (Sawgrass Court; Barefoot 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 _____, 2014, 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 plat made by the City of Charlottesville Gas Division dated October 23, 2014, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Sawgrass Court and Barefoot Court in the Dunlora Forest Subdivision in the County of Albemarle, namely: Two Inch (2") natural gas lines and related gas facilities upon and across Sawgrass Court and Barefoot Court, 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 easement in Sawgrass Court and Barefoot Court was conveyed to the City by deed from Rock Creek Properties, LLC, dated February 1,

2013, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 4329 at page 736.

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 Rice, its Clerk of Council, whose names are signed to the foregoing writing, bearing date of November _____, 2014, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires _____.

Given under my hand this _____ day of November, 2014.

Notary Public
Registration # _____

This page intentionally left blank.

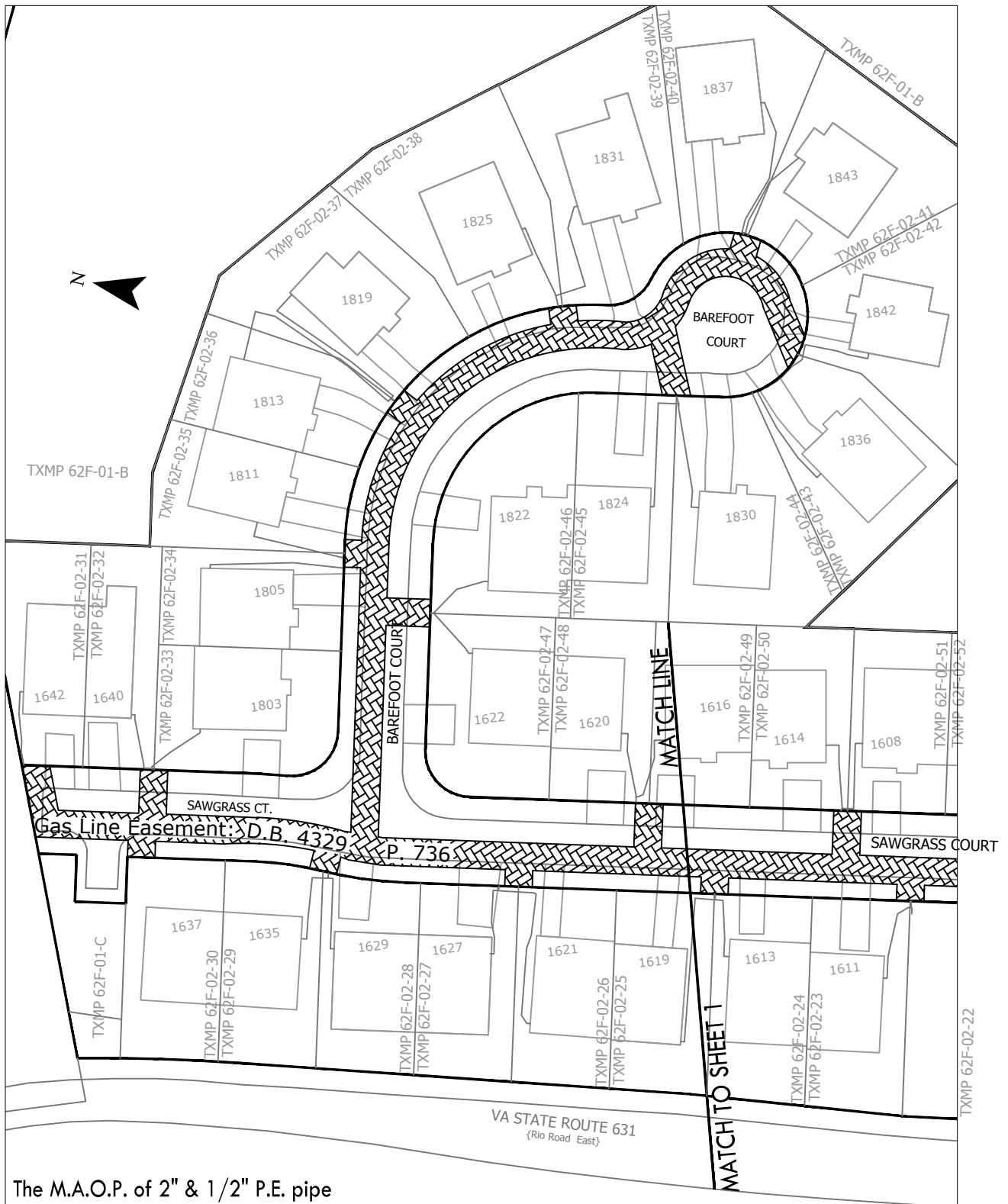


The M.A.O.P. of 2" & 1/2" P.E. pipe is 99 P.S.I., which is <20% S.M.Y.S.

When installed the minimum depth was:
 42" below paved travelways
 and 36" deep in grassy areas.

GAS LINE EASEMENT RECORDED AT:
 DEED BOOK 4329 PAGE 736

**PLAT SHOWING
 EXISTING 15-WIDE EASEMENT GAS LINE EASEMENT
 LOCATED WITHIN THE ROAD RIGHTS-OF-WAY OF
 "SAWGRASS COURT," AND "BAREFOOT COURT"
 ALBEMARLE COUNTY TAX MAP 62F: DUNLORA FOREST SUBDIVISION
 TO BE QUIT CLAIMED TO
 THE COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF TRANSPORTATION
 DATE: OCTOBER 23, 2014 SCALE: 1" = 80'**



The M.A.O.P. of 2" & 1/2" P.E. pipe
is 99 P.S.I., which is <20% S.M.Y.S.

When installed the minimum depth was:
42" below paved travelways
and 36" deep in grassy areas.

GAS LINE EASEMENT RECORDED AT:
DEED BOOK 4329 PAGE 736

PLAT SHOWING
EXISTING 15-FOOT WIDE GAS LINE EASEMENT
LOCATED WITHIN THE ROAD RIGHTS-OF-WAY OF
"SAWGRASS COURT," AND "BAREFOOT COURT"
ALBEMARLE COUNTY TAX MAP 62F: DUNLORA FOREST SUBDIVISION
TO BE QUIT CLAIMED TO
THE COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DATE: OCTOBER 23, 2014 SCALE: 1" = 80'

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



Agenda Date:	November 17, 2014
Action Required:	IPM Enhancement and Pesticide Reduction Strategy
Presenter:	John Mann, Landscape Manager, Parks and Recreation Doug Ehman, Parks Division Manager, Parks and Recreation
Staff Contacts:	John Mann, Landscape Manager, Parks and Recreation Doug Ehman, Parks Division Manager, Parks and Recreation
Title:	IPM Enhancement and Pesticide Reduction Strategy

Background:

Recently, City Council was presented with a request for the City to cease the use of lawn and garden pesticides from all City parks, schools and other city owned properties. The Parks and Recreation has primary grounds maintenance responsibilities for these lands and facilities, and for many years have utilized Integrated Pest Management (IPM) principles to guide the management of the landscape in the City.

Since 2004, this IPM approach has been instrumental in reducing the level of pesticides applied while improving the aesthetic of the managed landscape in the City; permitted the management and eradication of invasive plant species, and permanently altered the means and methods used by horticulture staff in the stewardship of landscape.

Parks and Recreation is responsible for approximately 750 acres of land within the City, including twenty-nine (29) parks, nine (9) schools, entry corridors, landscape in rights of way, trails and select City-owned buildings. Staff has been diligent in the management of resources available for maintenance, both human and material. As budgets have remained static in the past several years, the inventory of landscape has been dynamic, growing as the park system has grown, and increasing as landscaping within parks and rights of way have expanded. Community expectations for the current aesthetic of the landscape in the City remains high.

The dynamic nature of the landscape in the City and the static nature of the resources available for maintenance have required staff to (within the structure of IPM principles) use pesticides in select areas of landscape. Products used are primarily herbicides, both pre and post emergent varieties. Staff who perform this function are required by Federal and Virginia law to be certified pesticide applicators and use all appropriate protective equipment, methods of application and recordation of applications.

Discussion:

Integrated Pest Management (IPM) is an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment. This information, in combination with available pest control methods, is used to manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment.

The Parks and Recreation Department practices the full range of options for IPM. For example, in the right-of-way and in some landscape bed areas pre-emergent herbicides are utilized that prevent the establishment of weeds and radically reduce the need for hand weeding or post emergent applications. Landscape beds are mulched twice a year to discourage the germination of plants.

Turfgrass areas are fertilized only on the majority of athletic fields; and these applications are governed by unique nutrient management plans based on soil samples and prior applications.

IPM goals are pursued in a dynamic decision making process utilizing the professionalism of City staff (Horticulturist, Arborist, IPM Coordinator, Gardeners, Parks Division Manager, and the Environmental Sustainability Manager.). IPM stresses cultural controls as the first line of defense in pest management. In plant selection staff stresses the utilization of natives first or pest free plant species in landscape applications. Staff is trained in IPM principles and techniques offering the highest efficiencies and safety in pest management.

When chemical controls are warranted; the most benign yet effective available product is utilized. Products are applied at the optimal time seasonally, and at the minimum effective rate. Additionally, the products applied by staff are commercially available for homeowner use.

Additionally, Parks and Recreation is now providing voluntary posting and notification of pesticide applications on school or park locations. While posting is not currently required under State law for the type of pesticide products used; staff believes this is a responsible action. All Parks and Recreation staff pesticide applicators are licensed by the Commonwealth of Virginia and are required to follow all Federal and State laws concerning application, safety and record keeping.

IPM is a solid approach to pesticide use and is promoted by the Environmental Protection Agency, Virginia's Departments of Environmental Quality and Agriculture and Consumer Safety, and the Virginia Tech Cooperative Extension Service. Parks and Recreation turns to these recognized national experts for credible science-based information to support and continually improve our IPM program. IPM programs are also employed in cities considered models for environmental leadership such as Portland, Oregon, Boulder, Colorado, San Francisco and Davis California, Lawrence, Kansas and Everett, Washington.

The City's IPM approach is consistently evolving, and staff proposes that practice further evolve to the following plan in City Parks and at City Schools wherever possible. This organic landscape management plan would consist of a three tiered approach:

1. Non-chemical means will be initially used to control pests using cultural and mechanical methods.

2. If non-chemical techniques have been exhausted and further means of control is required, staff will then utilize minimum risk pesticides as defined by the United States Environmental Protection Agency. These products are organic in nature.
3. Only if minimum risk products proved unsuccessful, or a public health emergency exists, staff would then use non-organic pesticides, following all applicable laws.

Additional steps will be taken regarding notification and posting should step 3 measures be taken in pest control; along with continual recordation, monitoring and evaluation. Further specifics are outlined in Attachment 2.

Alignment with Council Vision Areas and Strategic Plan:

The initiative supports City Council’s “Green City” vision. It contributes to Goal 2 of the Strategic Plan: Be a safe, equitable, thriving, and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.

Community Engagement:

No large community engagement on this topic has been initiated by staff to date. However, staff did meet with representatives of the Sierra Club on multiple occasions to discuss the City’s current Integrated Pest Management program.

Budgetary Impact:

Enacting this strategy will have a fiscal impact related to the procurement and application of organic pesticide products. Additional staff resources will be required as organic products must be applied more frequently to achieve effectiveness. Organic products are more expensive than synthetic products, and for some products, exponentially more expensive. Staff has prepared a request for additional funding in the FY16 budget submission for Council’s consideration in the deliberations on the budget for the next fiscal year. Anticipated additional expenditures for salaries, benefits, operating expenditures and equipment totals \$116,774.

Recommendation:

Staff recommends that due to the significant fiscal impact of this proposal, Council consider this shift to an organic based pesticide program during the FY16 budget process.

Alternatives:

Council could consider other alternatives or select pilot locations for this program in deference to fiscal realities.

Attachments:

Attachment 1	Matrix of current Parks and Recreation IPM plan
Attachment 2	Proposed SOP – Organic Pest Management
Attachment 3	Minimum Risk Pesticides – Environmental Protection Agency

Parks and Recreation Integrated Pest Management - Current Practice

Applications follow IPM principles (cultural first/least harmful product and only targeted to specific pest/need)

Codes:

SP = Spring

OH = Organic Herbicide

H = Herbicide

I = Insecticide

SU = Summer

OI = Organic Insecticide

PH = Pre emergent Herbicide

D = Fungicide

F = Fall

OF = Organic Fungicide

	General Turf	Athletic Fields	Landscape Beds	Mall Pots	Pavement	Playgrounds	Invasive Area	Natural Area
PARKS								
Jackson Park			SP/F PH		SU / H			
Lee Park			SP/F PH		SU / H			
McGuffey Park			SU/ OH		SU/ OH	OH		
Washington Park			SP/F PH		SU / H	OH		
Greenleaf Park			SP / PH		SU / H	OH	H	
McIntire Park		SP/PE			SU / H	OH	H	
Pen Park					SU / H		H	
Greenbrier Park								
Northeast Park		SU/H SOCA				OH		
Meade Park			SP / PE		SU / H	OH	SP / H	
Riverview Park						OH	F / H	
Rives Park			SP/PE SU/H			OH		
Belmont Park			SP / PE		SU / H	OH		
Quarry Park							SU/F H	
Jordan Park						OH		
Tonsler Park			SP / PE		SU / H	OH		
Forest Hills Park			SP / PE SU/H		SU / H			
Azalea Park			SU/H		SU / H	OH	F / H	
Meadow Creek Valley							F / H	H/ Nature Cons
SCHOOLS								
CHS		SP/PE SU/H	SP/PE SU/H		SU / H			
Buford MS		SP/PE	SP/PE		SU / H		F/H	
Walker UMS			SP/PE SU/H		SU / H			
Greenbrier ES					SU / H	OH		
Venable ES			SP/PE SU/H		SU / H	OH		
Johnson ES			SP/PE SU/H		SU / H	OH	F/H	
Jackson-Via ES			SP/PE SU/H		SU / H	OH		
Clark ES			SP/PE SU/H		SU / H	OH		
Burnley-Moran ES			SP/PE SU/H		SU / H	OH		

NOTE: Insecticides and Fungicides are rarely used, and only on as needed basis.

Parks and Recreation

Proposed Organic Landscape Management Standard Operating Procedure for City Landscape:

Integrated Pest Management (IPM) is an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment.

This information, in combination with available pest control methods, is used to manage pest damage with the least possible hazard to people, property, and the environment, utilizing the most economical means.

The City's IPM approach is consistently evolving, and staff proposes that practice further evolve to the following plan in City Parks and at City Schools wherever possible. This organic landscape management plan would consist of a three tiered approach:

1. Non-chemical means will be initially used to control pests using cultural and mechanical methods.
2. If non-chemical techniques have been exhausted and further means of control is required, staff will then utilize minimum risk pesticides as defined by the United States Environmental Protection Agency. These products are organic in nature.
3. Only, if minimum risk products proved unsuccessful, or a public health emergency exists, staff would then utilize non-organic pesticides, following all applicable laws.

Interested individuals will receive 24 hour advance notification if step 3 of the OLMSOP is implemented. Notification will include the location of application, target pest and product(s) used. The notification list is to be annually renewed and updated. Individuals may contact Parks and Recreation to be added to the notification list.

Areas receiving pesticide application and requiring notification as in step 3 of the OLMSOP will be visibly posted with signage prior to application and remain posted for the entire required re-entry period.

An annual review of the OLMSOP and records will evaluate the potential for program effectiveness and potential expansion into other City land management applications.

Note * Minimum Risk Pesticides are pesticides that are exempt from federal registration by the Environmental Protection Agency under Section 25 (b) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).



Pesticides: Regulating Pesticides

You are here: [EPA Home](#) [Pesticides](#) [Regulating Pesticides](#) [Biopesticides](#) [Registration Tools](#) Minimum Risk Pesticides under FIFRA Section 25(b)

Minimum Risk Pesticides

Minimum risk pesticides are a special class of pesticides that are not subject to federal registration requirements because their ingredients, both active and inert, are *demonstrably safe* for the intended use. These Web pages provide detailed information for pesticide companies who want to register minimum risk pesticide products.

Criteria for FIFRA 25(b) Exemption

Minimum risk pesticides that meet certain criteria are exempt from federal registration under section 25(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The U.S. Environmental Protection Agency (EPA) does not review or register pesticides that satisfy the 25(b) criteria, though registration is required by most states. For information on minimum risk pesticides in your state, please contact [your state's pesticide registration office](#). [EXIT Disclaimer](#)

To satisfy the conditions required for federal minimum risk status, all five of the following conditions must be met:

Condition 1: The product must contain **only** [active ingredients that are listed in the table below](#). The active ingredient of a product is the ingredient that kills, destroys, mitigates, or repels pests named on the product label.

Condition 2: The product must contain **only** those inert ingredients that have been classified by EPA as List 4A "Inert Ingredients of Minimal Concern." An explanation of the Inert Ingredients of Minimal Concern and links to List 4A are available on EPA's [Permitted Inerts Web page](#).

Condition 3: All of the ingredients (both active and inert) must be listed on the label. The active ingredient(s) must be listed by name and percentage by weight. Each inert ingredient must be listed by name.

Condition 4: The label cannot include any false or misleading statements, and claims that minimum risk pesticides protect human or public health are prohibited. For example, since these products are exempt from federal registration, label language implying federal registration, review or endorsement, such as "It is a violation of federal law to use this product in a manner inconsistent with the label," or the use of an EPA registration or establishment number is not allowed.

Minimum Risk Pesticides

[Criteria for FIFRA 25\(b\) Exemption](#)
[Permitted Inerts](#)
[State Pesticide Registration Contacts](#) [EXIT Disclaimer](#)
[Pesticide Registration Notice \(11 pp, 132 K, about PDF\)](#)
[Frequent Questions](#)

Related Information

[December 2012 Minimum Risk Pesticides Proposed Rule](#)
[Determining If Insect Repellent Skin Patch Products Must Be Registered Under FIFRA](#)
[Recent Enforcement Actions](#)

Condition 5: In general, public health claims are prohibited. Minimum risk pesticide labels may not bear claims to control rodent, insect or microbial pests in a way that links the pests with any specific disease. EPA recommends that anyone considering manufacturing, distributing, or selling minimum risk antimicrobial pesticide products first contact the Pesticide Program's Antimicrobial Division ombudsman, who can assist in ensuring that proposed antimicrobial minimum risk products meet the strict requirements for exemption from registration.

Additionally, EPA requires the establishment of maximum residue limits, which EPA calls tolerances, or exemptions from the requirement of a tolerance for all pesticides intended for use in a manner that may result in residues in food or feed.

Active Ingredients Exempted Under 25(b) of the Federal Insecticide, Fungicide, & Rodenticide Act

* indicates exempt active ingredients that are also exempt from pesticide residue tolerance requirements

Castor oil (U.S.P. or equivalent) *	Linseed oil
Cedar oil	Malic acid
Cinnamon and cinnamon oil*	Mint and mint oil
Citric acid*	Peppermint and peppermint oil*
Citronella and Citronella oil	2-Phenethyl propionate (2-phenylethyl propionate)
Cloves and clove oil*	Potassium sorbate*
Corn gluten meal*	Putrescent whole egg solids
Corn oil*	Rosemary and rosemary oil*
Cottonseed oil*	Sesame (includes ground sesame plant) and sesame oil*
Dried Blood	Sodium chloride (common salt) *
Eugenol	Sodium lauryl sulfate
Garlic and garlic oil*	Soybean oil
Geraniol*	Thyme and thyme oil*
Geranium oil	White pepper
Lauryl sulfate	Zinc metal strips (consisting solely of zinc metal and impurities)
Lemongrass oil	

Products Intended for the Control of Public Health Pests Must Be Effective

EPA received a petition from the Consumer Specialty Products Association (CSPA) dated March 15, 2006, requesting that the Agency exclude from the minimum risk pesticide exemption those pesticides that claim to control "pests of significant public health

importance" and require an abbreviated registration for minimum risk products that are to be used for the control of public health pests. On September 13, 2006, EPA published in the Federal Register a Notice of Availability and Request for Comments on the petition allowing a 60-day comment period. On December 6, 2006, EPA reopened the comment period for an additional 30 days at the request of CropLife America. During the public comment period, the Agency received approximately 60 comments, both in support of and in opposition to the petition.

EPA has analyzed the comments on the petition and concluded that public health products must be supported by evidence that they are effective against the target pest. EPA is now looking at options to ensure that minimum risk public health pesticides that are otherwise exempted from regulation are effective. CSPA's letter of June 11, 2007, (6 pp, 3.45 MB, about PDF) suggested that EPA engage in expedited rulemaking, including promulgating an interim final rule without notice and comment. EPA's response letter (2 pp, 25 K, about PDF) responds to that letter as well as the March 15 petition.

Charlottesville Parks & Recreation Department

City Council Presentation

John Mann, Horticulturist/Landscape Manager

Beginnings

- ▶ 2003 Environmental Sustainability Policy adopted by Council
- ▶ Environmental Management System (EMS)
- ▶ 2004 P&R using Integrated Pest Management BMP
- ▶ 2005 Chemical Management Plan
- ▶ 2006 P&R earned E4 designation by DEQ

City Landscape Inventory

- ▶ Approximately 750 acres of land
- ▶ 200 acres of landscape
- ▶ 23 Parks, 9 Schools, 28 Athletic Fields, Trails, Select City owned buildings (Circuit Court...etc...)
- ▶ ROW including all City entry corridors
- ▶ Downtown Mall and UVA Corner
- ▶ 110 Mall Planters

What is IPM

- ▶ BMP used for pests (weeds, insects, disease)
- ▶ Goal: Manage pest damage by most economical means with least possible hazard to people, property, and environment.
- ▶ Professional driven management tool
- ▶ Based on scientific and technical research
- ▶ Trained and certified staff, legal compliance
- ▶ Used in major U.S. cities and internationally

IPM in Action

- ▶ Pest Identification/life cycle/threshold tolerance
 - ▶ Prevention/plan/cultural (sanitation, plant selection)
 - ▶ Mechanical control of pests (hand picking, mulch, pruning)
 - ▶ Biological/chemical controls (least harmful & most effective)
 - ▶ Monitoring/follow up (scouting)
 - ▶ Record compliance
- ▶ Parks and Recreation has been using this approach for 10 years.

Success of P&R EMS/IPM

- ▶ Elimination of most harmful chemical pesticides
- ▶ Pesticide database, staff training
- ▶ Pilot use of organic pesticides, playgrounds
- ▶ Voluntary pesticide notification and posting
- ▶ “Right Plant/Right Place” strategy, native plants
- ▶ Reduction in high input landscapes
- ▶ Mowing reduction 15%
- ▶ No lawn maintenance fertilization
- ▶ Nutrient management plan for athletic fields
 - 28 fields in plan, 20 are minimally managed
- ▶ Athletic fields 50% organic fertilizers, phosphate free
- ▶ Invasive Plant Management Study
- ▶ Storm water trainings/bio-filters

Challenges & Opportunities

- ▶ Expectations in landscape
- ▶ Increase in landscape inventory
- ▶ Invasive plant control
- ▶ Tree protection/exotic pests
- ▶ Health/Safety
- ▶ Infrastructure damage (pavement)
- ▶ Contractual agreements, utility easements
- ▶ Organic pesticide mode of action
- ▶ Limited resources

Experience of Others

- ▶ Albemarle County
- ▶ Complete bans reversed (San Francisco IPM)
- ▶ Boulder CO, EMS and IPM
- ▶ Seattle WA, IPM and Pesticide Use Reduction Strategy
- ▶ Davis CA, IPM and Pesticide Use Policy
- ▶ Lawrence KS and UVA, IPM
- ▶ NYC, Chicago, Dallas, 46 others, Organic Land Management Policy
- ▶ Exemptions allowed, pilot locations, volunteers

Plans / Proposals

- ▶ Strengthen IPM Program
- ▶ Adopt Organic Landscape Management Policy for Parks and Schools (3 tier)
 1. Non-chemical control of pests (mechanical & cultural control)
 2. Use of minimum risk pesticides as defined by EPA (organics)
 3. Further means of control necessary: use non-organic pesticides
- ▶ Records database with annual review

Impacts

▶ FY 2016 Budget Submission

- Budget increase for Organic Pesticides
- Budget increase for additional mulch and equipment
- Labor increase for hand labor and organic application
- Labor increase for support of volunteer efforts

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



Agenda Date:	November 17, 2014
Action Required:	Approve the combination of the part-time BankOn position and the part-time Job Center position
Presenter:	Mike Murphy, Director, Department of Human Services Hollie Lee, Chief of Workforce Development Strategies, Office of Economic Development
Staff Contacts:	Mike Murphy, Director, Department of Human Services Hollie Lee, Chief of Workforce Development Strategies, Office of Economic Development
Title:	Combination of Part-Time BankOn Position & Part-Time Job Center Position

Background:

In 2013, the City of Charlottesville partnered with the Coalition of Economic Opportunity (CEO) and the Legal Aid Justice Center to formally launch the BankOn program, an effort to provide safe, affordable consumer banking and lending options to unbanked and underbanked households in the Charlottesville community. The BankOn program provides financial education and referrals to banking products through partnerships with area nonprofits and financial institutions. The program is targeted towards low- and moderate-income communities in Charlottesville and the surrounding counties. Funding for the program has provided staff support, covered the cost of outreach activities, and provided materials for financial education programs. Strong community engagement through public outreach activities and partnerships with area nonprofits and financial institutions is critical to successful implementation of the program. BankOn has provided training to area nonprofits and had planned to develop a volunteer program to train volunteer financial coaches to provide additional coaching and support to clients. The original vision for BankOn was to have the program achieve independent status as a 501(c)3. There have been a variety of challenges, and the program is no longer on that trajectory. Therefore, ongoing City of Charlottesville financial support is necessary to sustain the initiative, and more specifically, the part-time BankOn position.

On Monday, August 18, 2014, the Downtown Job Center opened in the lower level of the Jefferson-Madison Regional Library. The Center, which is part of the Office of Economic Development (OED), is currently staffed by one full-time Coordinator, and a second part-time position was approved by City Council during the FY 2015 budget process. Since opening, the Downtown Job Center has served over 500 people, with the most common services offered being job search assistance, help completing online applications, resume writing/critique, and mock interviewing. Additionally, a lot of time has been spent making direct referrals to various community agencies/organizations that can assist with employment related services such as General Education Diploma (GED) preparation and testing, Workforce Investment Act enrollment, financial literacy/banking assistance, etc. Now that the Center has been opened for almost three months, the

OED is ready to begin the hiring process for an additional staff person to ensure regular and consistent hours of operation and the ability to offer more intensive services to job seekers.

Discussion:

Upon careful examination of the two part-time positions mentioned above (BankOn and Job Center), it becomes evident that they complement each other well, and if combined, would allow for a natural synergy between the two programs. Specific reasons for combining the two positions are below.

Complementary Program Content

- Employment and financial literacy are very closely related.
- Once an individual gets a job, it is imperative that they have a good understanding of how to manage the money that they are earning.
- They also need a checking or savings account so that they can have a place to safely secure their money, cash payroll checks, and/or have their paycheck electronically deposited if their employer uses electronic funds transfer (EFT).
- Without a banking account, people can fall victim to exorbitant fees charged by check cashing businesses.

Similar Staff Responsibilities/Duties and Skill Sets

- The job duties and skill sets for the part-time BankOn position and the part-time Job Center position are very similar in nature.
- Both positions involve the assessment of individuals to determine need. In the case of the Job Center, an assessment is done to determine an individual's employability and existing barriers to employment. With BankOn, an assessment is conducted to determine an individual's financial health and banking needs. Both of these assessments could easily be done at the same time.
- Both part-time positions require the ability to provide customized services directly to individuals (whether they be employment or financial literacy services).
- Both positions include an outreach component – as the individual is out in the community/neighborhoods talking about Downtown Job Center services, they can also be talking about BankOn and vice versa.

Stronger Applicant Pool

- Past attempts to hire a part-time coordinator for BankOn has proven difficult.
- Highly qualified/competitive candidates do not seem to be as interested in a part-time job without benefits, and if they would happen to accept such a position, the likelihood of them leaving for full-time employment elsewhere is great.
- By combining the two part-time positions to create one full-time position with benefits, the City will be in a more favorable position when recruiting potential candidates and retaining the selected employee later on in the future.

Better Organizational Efficiency

- Combining the two positions will result in better organizational efficiency for the City.
- Recruiting and hiring processes will be done together by the OED and Department of Human Services rather than separately.

- Direct supervision of the position will be done by one person rather than two people from separate departments.
- The position will be housed in one centrally located place that can be easily accessed by all City residents – the Downtown Job Center.
- Assessments can be done and services can be rendered for both programs at the same time rather than having to send an individual from one place to the next, thus reducing potentially duplicative efforts.

For these reasons, Office of Economic Development and Department of Human Services staff recommend that the two part-time positions be combined and refocused to create one full-time position housed in the Downtown Job Center.

Alignment with Council Vision Areas and Strategic Plan:

The combination of the part-time BankOn position and the part-time Job Center position supports City Council’s vision for “Economic Sustainability.” Additionally, it contributes to the following goals, objectives, and initiatives in the City’s Strategic Plan:

- Goal 1: Enhance the self-sufficiency of our residents
 - Objective 1.1: Promote education and training
 - Initiative A: Support vocational education workforce development plan
 - Initiative B: Implement *Growing Opportunity* report recommendations
 - Objective 1.4: Enhance financial health
 - Initiative G: Research and develop financial literacy initiative
- Goal 3: Have a strong, diversified economy
 - Objective 3.1: Develop a quality workforce
 - Initiative B: Establish downtown satellite workforce center
 - Initiative C: Implement initiatives in *Growing Opportunity* report

It also aligns with the goals and action items set forth in the City’s Strategic Action Team on Workforce Development (SAT) report *Growing Opportunity: A Path to Self-Sufficiency in Charlottesville*, as well as Goal 6 of the Comprehensive Plan, which states that the City will be “an effective partner in creating a well-prepared and successful workforce.”

Community Engagement:

Staff solicited input from the Coalition of Economic Opportunity (CEO) regarding the combination of the two part-time positions. The CEO is supportive of this approach and feels that it will help enhance both efforts.

Budgetary Impact:

This has no additional impact in FY15 on the General Fund. The part-time Job Center position was approved for FY 2015 and is now part of the OED departmental budget. The part-time BankOn position will be funded through remaining BankOn staff funds previously allocated in the Department of Human Services departmental budget. In FY 2016 this would require an increase to the General Fund contribution for Human Services from the current level of \$10,000 to \$33,685.

Recommendation:

Staff recommends that the part-time BankOn position and the part-time Job Center position be combined to create one full-time position housed in the Downtown Job Center.

Alternatives:

Council can elect not to combine the two positions, then each will be recruited for, managed, housed, etc. separately.

Attachments:

None

RESOLUTION

WHEREAS, the City is funding a part-time position to administer the Bank ON program, which provides affordable consumer banking and lending options to low and moderate income families; and

WHEREAS, the City also funds a part-time position to assist in administering the Downtown Job Center; and

WHEREAS, the job duties and skill sets for the Bank ON part-time position and the Downtown Job Center part-time position are similar in nature, and combining the two positions into one full-time position will result in better organizational efficiency and a stronger applicant pool; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that it supports combining the Bank ON program part-time position and the Downtown Job Center part-time position into one (1) full-time position to be employed in the Downtown Job Center and funded through the Office of Economic Development and the Department of Human Services.

This page intentionally left blank.

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



Agenda Date:	November 17, 2014
Action Required:	Approve Resolution
Presenter:	Kim Johnson, K.P.J. Productions
Staff Contacts:	Leslie Beauregard, Director, Budget and Performance Management Maurice Jones, City Manager
Title:	Off Budget Funding Request – Support for Miss Virginia U.S.A./Miss Teen U.S.A. Pageant Via the Charlottesville Regional Chamber of Commerce - \$2,000

Background:

The City has received a request from the Miss Virginia U.S.A./Miss Teen U.S.A. Pageant to provide a \$2,000 cash contribution to cover meals for the contestants and staff during the 2015 pageant taking place on November 29 and 30, 2014 at The Paramount Theatre. In turn, the pageant would partner with the City by holding the event in the City for the next two years as the host destination. Finally, the pageant would like to form working relationships using the reigning Miss Virginia U.S.A. and Miss Virginia Teen U.S.A. making appearances and being a spokesperson for Charlottesville through this support.

Because the organization that coordinates and runs the pageant, K.P.J. Productions, is a for profit, and the City by State Code is prohibited from providing cash contributions to for profit organizations, the pageant organizers reached out to the Charlottesville Regional Chamber of Commerce who have agreed to act as a conduit for the funds. This supports the Chamber's mission of promoting business and a quality of life in the Charlottesville area.

Discussion:

The Miss Virginia U.S.A. and Miss Virginia Teen U.S.A. is the state pageant that leads to the nationally televised Miss U.S.A. and national Miss Teen U.S.A. All young ladies ages 14-27 from across the commonwealth will arrive in Charlottesville, Virginia November 29 & 30 to compete at the state pageant held at The Paramount Theatre. This is the state pageant that selects a representative for the state of Virginia to compete at the nationally televised Miss U.S.A. pageant on N.B.C. and at the national Miss Teen U.S.A. pageant. Both titleholders will travel the state promoting Best Buddies, Breast Cancer Awareness, Girls Inc and other organizations. The pageant also provides and empowers each lady competing through the state pageant and award the winners and runner-ups with College Scholarships. The state pageant offers over \$500,000 in scholarships.

Community Engagement:

N/A

Alignment with City Council's Vision and Strategic Plan:

No alignment provided on the application.

Budgetary Impact:

Staff recommends that funding in the amount of \$2,000 be allocated from already appropriated funds in the Community Arts and Festivals account in the General Fund. Each year the budget includes some unallocated dollars in this account for such a request should it occur.

Recommendation:

Staff recommends that funding in the amount of \$2,000 be allocated from already appropriated funds in the Community Arts and Festivals account in the General Fund.

Alternatives:

City Council may choose not to support the pageant and as a result, they would need to fund the luncheon via other means.

Attachments:

City Council Policy: Nonprofit and Outside Agency Funding Requests that Occur Separate from the Budget Process

RESOLUTION

Off Budget Funding Request – Support for Miss Virginia U.S.A./Miss Teen U.S.A. Pageant Via the Charlottesville Regional Chamber of Commerce - \$2,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$2,000 is hereby paid from currently appropriated funds in the Community Arts and Festivals account in the General Fund to the Charlottesville Regional Chamber of Commerce for support of the Miss Virginia U.S.A./Miss Teen U.S.A. pageant taking place on November 29 – 30, 2014:

\$2,000

Fund: 105

Cost Center: 9753005000

City of Charlottesville.



City Council Policy .

Nonprofit and Outside Agency Funding Requests that Occur Separate from the Budget Process.

Purpose

The City has two processes in place for funding various nonprofit and outside agencies each fiscal year. The Agency Budget Review Team, or A.B.R.T., is a citizen and staff team that provides recommendations on human services, arts and culture, educational and housing agencies. The Office of Budget and Performance Management has a parallel process that provides recommendations each year on those agencies who have a formal agreement, memorandum of understanding or contractual arrangements to provide services in various capacities on behalf of the City. Both processes use an extensive application and review process that takes months to complete to include in the proposed budget each March.

After the annual budget has been adopted and during the fiscal year, City Council will occasionally receive requests from nonprofit and outside agencies to fund initiatives, programs and events. Having not gone through the normal budget process, these requests must have a formal review process in place to ensure that the request is valid and the funds will be used in the best interest of the citizens of Charlottesville. This policy outlines this process and will help guide Council and City staff in determining which requests should be funded outside the budget process.

There are two types of requests that usually come before Council during the year. The first is specific to special events and festivals generally. The second type of request is defined as more policy driven and reflects those requests that align directly with the priorities set by City Council.

A. Donations to Special Events, One Time Programs, Festivals

(Funding to not exceed \$2,000)

These requests are characterized as smaller requests for special events, programs and/or festivals. The event, program or festival must occur in the City or demonstrate that City residents are attending and/or will be served. Depending on the type and nature of the request, for instance if it's a festival or event that may bring in tourists and outside visitors, the Charlottesville/Albemarle Convention and Visitor's Bureau may be asked to assist in the review of the funding request.

B. Policy Driven Issues Aligned with City Council Vision 2025 and Strategic Plan
(Funding to not exceed \$10,000)

These requests must serve City residents and be aligned directly with one or more areas of City Council's Vision 2025. **The request is expected to include outcomes and measures in the identified vision area(s).**

Charlottesville: A Great Place to Live for All of Our Citizens

- A leader in innovation, environmental sustainability, social and economic justice, and healthy race relations
- Flexible and progressive in anticipating and responding to the needs of our Citizens
- Cultural and creative capital of Central Virginia
- United community that treasures diversity

1. Economic Sustainability
2. A Center for Lifelong Learning
3. Quality Housing Opportunities for All
4. C'ville Arts and Culture
5. A Green City
6. America's Healthiest City
7. A Connected Community
8. Community of Mutual Respect
9. Smart, Citizen Focused Government

Alignment with City's Strategic Plan is given special consideration. **The request is expected to include outcomes and measures in the goal area(s).** The Strategic Plan can be found at www.charlottesville.org/strategicplan. The five strategic goals of the plan are:

1. Enhance the self-sufficiency of our residents
2. Be a safe, thriving, equitable and beautiful community
3. Have a strong diversified economy
4. Be a well-managed successful organization
5. Foster strong connections

Review Process

1. City Council receives a request for funding from an outside/nonprofit agency
2. The request is forwarded to the City Manager and Director of Budget and Performance Management to start the review process
3. Budget and Performance Management will gather information on the proposal and contact the applicant to make sure all criteria are in place and can be met. If any information is incomplete or missing, the application may be asked to send the request again and/or provide the missing information.

4. Agencies that make requests to Council outside the budget cycle **will be required to meet all the criteria for funding had the request gone through the formal agency budget review process.**
5. **City staff will recommend, as part of the review, the most appropriate source of funding.**
6. A complete proposal, once reviewed by Budget and Performance Management, will be shared with the City Manager who will then review and provide feedback on the request.
7. The City Manager will communicate the complete proposal with the Mayor and City Council to receive input on including on a future Council agenda or not.
8. **City staff should have at least four working weeks to complete the review process and schedule the item on a future Council agenda.**
9. If the request is funded, funding will only be effective for the current fiscal year that the request is being made. Future requests will be considered only through the City's formal agency budget review process.
10. Agencies will be asked to submit a report back to City staff and Council following the completion of the program, event and/or festival. The timing of this and content of the report will be part of the review agreed upon by City staff and the agency.

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



Agenda Date:	November 17, 2014
Action Required:	Information Only
Presenter:	Colonel Martin Kumer, Superintendent, Albemarle Charlottesville Regional Jail
Title:	Albemarle Charlottesville Regional Jail Update

Background:

Inform the City Council about their Jail, its current inmate population, staff and current and future plans.

Discuss the Inmate Community Workforce Program and its credit for fines and court costs.

Discuss new RFP for Video Conferencing for inmates, their attorneys, family and friends.

Discuss the RFP for the Center of Risk Reduction, a day reporting center designed reduce reliance on the jail, increase public safety while reducing recidivism.

Discuss implementation of the COMPASS risk assessment tool and how it identifies criminogenic needs.

Discuss the Justice Reinvestment Initiative and the associated federal grant.

Discuss the National Institute of Corrections, Evidence Based Decision Making Framework and the Charlottesville/Albemarle criminal justice community's involvement in taking this local initiative statewide.

Sincerely,

Colonel Martin Kumer, Superintendent

Albemarle Charlottesville Regional Jail
160 Peregory Lane
Charlottesville, Virginia 22902
434-962-3015
kumerm@acrj.org