



**CITY COUNCIL AGENDA  
March 19, 2012**

**6:00 p.m. – 7:00 p.m.**

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

**TYPE OF ITEM**

**SUBJECT**

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

**AWARDS/RECOGNITIONS  
ANNOUNCEMENTS**

Curious George Proclamation; National Poison Prevention Week; Cville Bike mApp;  
National Cash Mob Day

**MATTERS BY THE PUBLIC**

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

**COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

- 1. CONSENT AGENDA\*** (Items removed from the consent agenda will be considered at the end of the regular agenda.)
  - a. Minutes for March 5 and March 12
  - b. APPROPRIATION: 2011 Juvenile Accountability Block Grant (JABG) - \$14,169 (1<sup>st</sup> of 2 readings)
  - c. APPROPRIATION: State Assistance for Spay and Neuter Program at SPCA – \$853.42 (1<sup>st</sup> of 2 readings)
  - d. RESOLUTION: Cville Bike mApp Endorsement (1<sup>st</sup> of 1 reading)
  - e. RESOLUTION: Purchase of Land on McElroy Drive for Greenbelt Trail (1<sup>st</sup> of 1 reading)
  - f. ORDINANCE: Sal's Mall Café Space (1<sup>st</sup> of 2 readings)
  - g. ORDINANCE: Retirement Commission (2<sup>nd</sup> of 2 readings)
- 2. PUBLIC HEARING** FY 2013 Tax Rate
- 3. PUBLIC HEARING** City Manager's Proposed FY 2013 Budget
- 4. PUBLIC HEARING/  
RESOLUTION\*** Condemnation of Property on Old Lynchburg Road (4<sup>th</sup> of 4 reading)  
*resolution deferred*
- 5. PUBLIC HEARING/  
ORDINANCE\*** Sale of Elliott Ave. Property (4<sup>th</sup> of 2 readings) *deferred*
- 6. REPORT** Update to Regional Hazard Mitigation Plan
- OTHER BUSINESS** Settlement Agreement for Virginians with Intellectual and Developmental Disabilities
- MATTERS BY THE PUBLIC**

\*ACTION NEEDED



**Charlottesville-Albemarle Metropolitan Planning Organization**

POB 1505, 401 E. Water St, Charlottesville, VA 22902 www.tjpd.org  
(434) 979-7310 phone • (434) 979-1597 fax • info@tjpd.org email

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**RESOLUTION OF ENDORSEMENT**

**CHARLOTTESVILLE-ALBEMARLE MPO *Cville Bike mApp* PROJECT**

**WHEREAS**, the Charlottesville-Albemarle Metropolitan Planning Organization, in conjunction with the City of Charlottesville, Albemarle County, the University of Virginia, and *BikeCharlottesville*, has developed a bike mapping application for iPhone and Android; and

**WHEREAS**, this mapping application will allow the MPO and MPO stakeholders to better understand how cyclists use the transportation network; and

**WHEREAS**, this mapping application will allow the MPO and MPO stakeholders to identify cycling corridors and barriers throughout the region; and

**WHEREAS**, this mapping application will aid the MPO and MPO stakeholders in determining where to invest limited cycling funding for infrastructure enhancements and improvements; and

**WHEREAS**, this mapping application will allow the MPO and MPO stakeholders to gather cycling data using a new and accessible collection method; and

**WHEREAS**, this project provides an opportunity for collaborative, region-wide, transportation planning for cycling;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Charlottesville City Council does hereby support the *Cville Bike mApp* project.

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Satyendra Singh Huja, Mayor

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Date

**RESOLUTION**  
**AUTHORIZING PURCHASE OF LAND ON McELROY DRIVE**  
**(CITY TAX MAP 32-35.25) FROM EVAN S. DAVIS**  
**(Greenbelt Trail Expansion)**

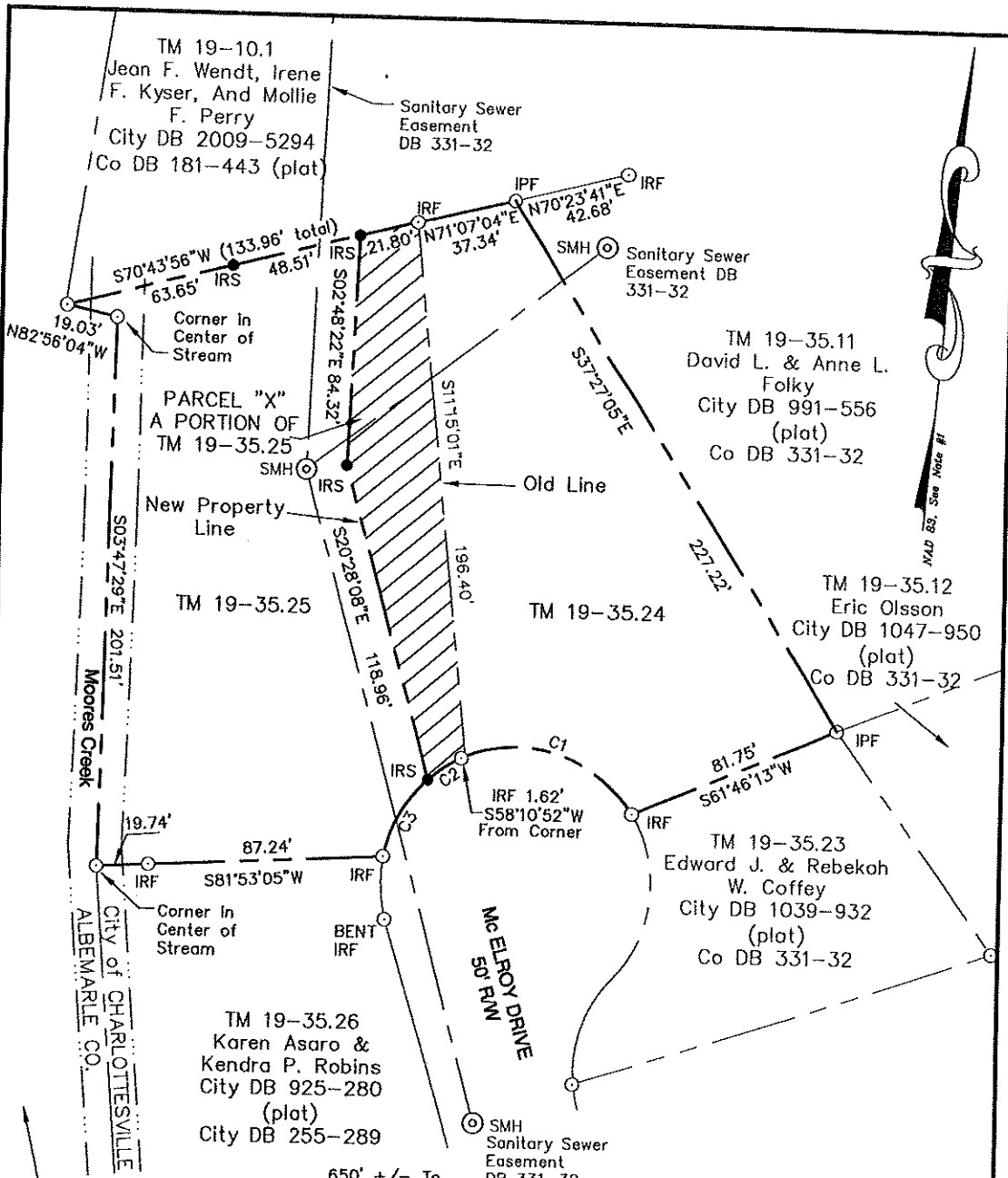
**WHEREAS**, the City desires to purchase, and Evan S. Davis has agreed to sell to the City of Charlottesville, approximately 22,069 square feet of land located on McElroy Drive, more particularly identified as Parcel 35.25 on City Tax Map 32; and

**WHEREAS**, the subject property is shown on the attached plat dated January 18, 2010, by Draper Aden Associates; and

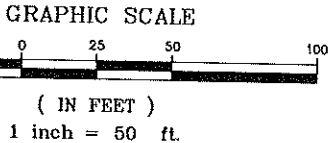
**WHEREAS**, the City and Mr. Davis have signed an agreement evidencing the terms of the sale of the subject property to the City for \$29,300.00, which funds have been appropriated and are available in Account P-00549 in the Parks and Recreation FY2012 budget; and

**WHEREAS**, City staff have recommended the purchase of the subject property to preserve forested and riparian buffer, and provide improved greenbelt trail connectivity; now, therefore

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City hereby authorizes the purchase of approximately 22,069 square feet of land from Evan S. Davis, as shown on the attached plat, and the City Attorney is hereby directed to take whatever steps are necessary to effect the closing of the conveyance of the subject property to the City.



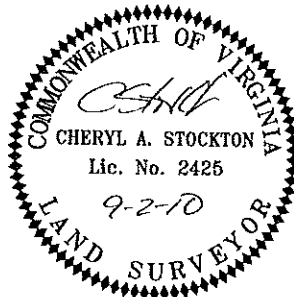
NAD 83, See Note #1



ALBEMARLE TM 76-45  
Irene F. Kyser and  
Mollie F. Perry Trustees  
City DB 2037-680  
(plat)  
Co DB 195-454

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	70.46'	50.00'	80°44'28"	N77°12'17"W
C2	16.69'	50.00'	19°07'34"	S52°51'42"W
C3	33.35'	50.00'	38°12'50"	S24°11'30"W

**BOUNDARY LINE ADJUSTMENT  
PROPERTY OF EVAN S. DAVIS  
TM 19-35.25 & 19-35.24  
CHARLOTTEVILLE, VIRGINIA**



**SHEET 3 OF 3**

**Draper Aden Associates**  
Engineering • Surveying • Environmental Services  
700 Harris Street, Suite E Blacksburg, VA  
Charlottesville, VA 22903 Richmond, VA  
434-295-0700 Fax: 434-295-2105 Hampton Roads, VA

DRAWN	BSP	SCALE	1"=50'
CHECKED	CAS	DATE	1-18-2010

**PROJECT: CV08163-05**

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**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 19-57 AND  
SECTION 19-59, OF ARTICLE III  
OF CHAPTER 19 (PERSONNEL) OF THE CODE  
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
RELATING TO COMPOSITION OF THE RETIREMENT COMMISSION**

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

1. Section 19-57 and Section 19-59 of Article III of Chapter 19 of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained, to read as follows:

CHAPTER 19. PERSONNEL  
ARTICLE III. RETIREMENT PLAN COMMISSION

**Sec. 19-57. Created; purpose; composition.**

(a) There is hereby created a commission, to be known as the retirement plan commission, whose duty it shall be to administer the supplemental retirement or pension plan of the city in accordance with the provisions of this article and of article IV of this chapter.

(b) The commission shall be comprised of a member of city council, the city manager, the director of finance, the director of human resources, the city treasurer, three (3) employees of the city or of any other agency participating in the city supplemental retirement or pension plan, ~~and one (1) retiree in the city's plan, and two (2) members of the community.~~

**Sec. 19-58. Terms of ex officio members.**

The terms of the ex officio members of the commission shall be concurrent with their service in such offices.

**Sec. 19-59. Appointment and terms of ~~employee at-large and retiree members~~; filling of vacancies.**

(a) The three (3) employee at-large members of the commission shall be appointed by the city council from a list of eligible candidates certified to the council by the city manager. They shall be appointed for terms of three (3) years, and shall be eligible to serve for two (2) terms; provided, that of the three (3) members initially so appointed, one (1) shall be appointed for a one-year term, and one (1) shall be appointed for a two-year term; and provided, that those employees initially appointed for terms of less than three (3) years and those appointed to fill unexpired terms shall be eligible for reappointment to two (2) full three-year terms.

(b) Whenever a vacancy exists in any of the three (3) employee at-large positions on the commission, the city manager shall certify such fact to the city council along with a list of candidates, which shall include the name of any otherwise eligible employee whose name has been placed in nomination by petition signed by at least fifteen (15) other employees. In

the event that an insufficient number of petitions are thus presented, the city manager shall nominate an additional employee or employees, to the end that such list shall include at least two (2) nominees for every vacancy to be filled by the city council; provided, that at least thirty (30) days prior to certifying such list to city council, the city manager shall cause to be posted, in city hall and at other principal locations where employees work, a notice reciting the fact that such vacancy exists or will exist on the commission, the procedure hereinabove set forth for nominations and the date on which such list of nominees will be forwarded to the city council.

(c) No two (2) of the three (3) at-large employee members of the commission shall be employed in the same department of city government.

(d) Each of the two (2) community members shall be appointed by the city council to a term of two (2) years, except that appointments to fill vacancies shall be for the unexpired remainder of the vacant term. No community member shall serve for more than four (4) consecutive two (2) year terms except that a member appointed to fill an unexpired term shall be eligible for reappointment to four (4) complete two (2) year terms.

(e) At least one of the members appointed from the community shall be, at the time of the appointment, a resident of the city or the owner of a business located in the city. One of the members appointed from the community shall have professional experience in money management, investment services, banking, or retirement plan administration.

(f) The one (1) retiree member of the commission shall be appointed by the city council from the list of current retirees certified to the council by the city manager. The appointment shall be for a term of three (3) years and shall be eligible to serve for two (2) terms.

2. This ordinance shall take effect on July 1, 2012.

**Charlottesville City Council Resolution  
in Support of the Settlement Agreement for Virginians  
with Intellectual and Developmental Disabilities**

Whereas, on January 26, 2012, the Commonwealth of Virginia and the U.S. Department of Justice announced a historic Settlement Agreement that would transform Virginia's system of care for people with intellectual and developmental disabilities (ID/DD) from one that is reliant on large segregated institutions to one that is focused on integrated, community-based services;

Whereas, this Settlement Agreement will help thousands of Virginians with ID/DD, including many citizens of Charlottesville, to avoid unnecessary institutionalization and have the opportunity to live "A Life Like Yours";

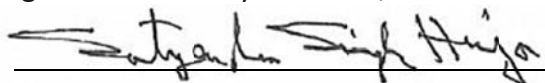
Whereas, this Agreement represents an historic moment for the Commonwealth, in that it would create a minimum of 4,170 new waivers over a period of ten years to enable individuals with ID/DD in state training centers and other institutions to transition to the community, as well as to prevent the institutionalization of individuals with ID/DD;

Whereas, the Agreement will also create a family support program to serve at least 1,000 people with ID/DD most at risk of institutionalization, will establish a full range of crisis services, and will provide employment supports and other services;

Whereas, the Agreement has significant accountability and oversight requirements focused on health and safety protections;

Therefore, the City Council for the City of Charlottesville hereby declares its support for the Settlement Agreement between the Commonwealth of Virginia and the Department of Justice and requests that the Court approve the Agreement.

Signed this 19<sup>th</sup> day of March, 2012:



Satyendra Singh Huja, Mayor

*To be submitted before April 6, 2012 to:*

*The Honorable John A. Gibney Jr.  
District Court Judge  
United States District Court, Eastern District of Va.  
Spottswood W. Robinson III and Robert R. Merhige, Jr., Federal Courthouse  
701 East Broad Street, Richmond, VA 23219*