



**CITY COUNCIL AGENDA
May 21, 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**

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 May 7
 - b. APPROPRIATION: March Primary Reimbursement - \$16,000 (1st of 2 readings)
 - c. RESOLUTION: Settlement of Litigation – 219 West Main St (Demolition Violation)
(1st of 1 reading)
 - d. RESOLUTION: Capital Improvement Program (CIP) Fund Accounts Cleanup - \$134,671.85
(1st of 1 reading)
 - e. RESOLUTION: Application Approval for Land and Water Conservation Grant – Hartman Mill Property
Acquisition – \$100,000 (1st of 1 reading)
 - f. RESOLUTION: Reallocation of Funds (Capital) – Market Street Garage Mall-Side Elevator Repair-
\$34,000 (1st of 1 reading) *corrected from May 7 consent agenda*
 - g. RESOLUTION: Amendment of City Manager Employment Agreement (1st of 1 reading)
 - h. ORDINANCE: Council Access to Employee Medical and Dental Plans (1st of 2 readings)
- 2. PUBLIC HEARING /
ORDINANCE*** Utility Rates (1st of 2 readings)
- 3. PUBLIC HEARING /
ORDINANCE*** Conservation / Open Space Easement on Jefferson Park Circle Land (1st of 2 readings)
- 4. PUBLIC HEARING /
ORDINANCE*** Land and Water Conservation Fund Application – Azalea Park Restrictive Covenant
(1st of 2 readings)
- 5. REPORT** Social Services Advisory Board Update
- 6. REPORT / ORDINANCE*** Design for Life Cville (1st of 2 readings)
- 7. REPORT /
APPROPRIATION*** Appropriation of Funds for HOME FY 2012-2013 - \$91,742 (2nd of 2 readings)
- 8. REPORT** Charlottesville Market District Feasibility RFP
- 9. REPORT** Bike/Pedestrian Plan
- 10. REPORT** Towing Advisory Board

**OTHER BUSINESS
MATTERS BY THE PUBLIC
*ACTION NEEDED**

**A RESOLUTION
APPROVING A SETTLEMENT OF
CIRCUIT COURT CASE NO. CL-10-000360-00**

WHEREAS, the City of Charlottesville has a pending action against the defendant Joe H. Gieck Trust in the Charlottesville Circuit Court, Case No. CL-10-000360-00, seeking damages based upon an unauthorized demolition of a historic structure; and

WHEREAS, based upon the facts and circumstances of the case, a reasonable settlement of the matter has been negotiated amongst the parties to the action, including a donation to the City in the amount of sixteen thousand dollars and issuance of a formal public apology and statement by the defendant; and

WHEREAS, it appears to be in the best interests of the City to settle and conclude this matter;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the settlement of the Circuit Court case referenced herein in exchange for a donation to the City in the amount of sixteen thousand dollars and issuance of a formal public apology and statement by the defendant is approved.

RESOLUTION
Capital Improvement Program (CIP) Fund Accounts Cleanup
\$134,671.85

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$134,671.85 from accounts listed below is hereby re-appropriated in the following manner:

Transfer From

\$90,975.00	Fund: 425	Project: P-00530	G/L Account: 599999
\$312.05	Fund: 425	Project: P-00515	G/L Account: 599999
\$2,481.35	Fund: 428	Project: 2000020	G/L Account: 599999
\$3,462.08	Fund: 427	Project: P-00533	G/L Account: 599999
\$16,004.11	Fund: 426	Project: P-00612	G/L Account: 561428
\$15,591.75	Fund: 429	Project: CT-001	G/L Account: 599999
\$5,845.51	Fund: 429	Project: P-00231	G/L Account: 599999

Transfer To

\$91,287.05	Fund: 425	Project: P-00169	G/L Account: 599999
\$2,481.35	Fund: 428	Project: P-00223	G/L Account: 599999
\$3,462.08	Fund: 427	Project: CP-083	G/L Account: 599999
\$16,004.11	Fund: 428	Project: P-00341	G/L Account: 498010
\$16,004.11	Fund: 428	Project: P-00341	G/L Account: 599999
\$21,437.26	Fund: 705	Cost Center: 2131002000	G/L Account: 498010
\$21,437.26	Fund: 705	Cost Center: 2131002000	G/L Account: 599999

RESOLUTION
APPLICATION TO LAND AND WATER CONSERVATION FUND
ACQUISITION OF HARTMAN MILL FOR PARKLAND
\$100,000

WHEREAS, the Virginia Department of Conservation and Recreation offers a Land and Water Conservation grant, and

WHEREAS, the owner of the land on which the old Hartman Mill stood has offered the entire property (approximately 20 acres) for sale to the City, and

WHEREAS, the City of Charlottesville supports extension of trails, preservation of open space and forest lands, stream valley protection, and interpretation of historical resources, and

WHEREAS, the Hartman Mill property offers all of the above and is a large parcel with long frontage on Moore's Creek, and

WHEREAS, the City land acquisition fund would be supplemented by this grant to help cover the purchase cost;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the City apply for Land and Water Conservation funding for the purposes of acquiring and protecting the property containing the old Hartman Mill for public outdoor recreational and park uses; and

BE IT FURTHER RRESOLVED that the property will be put under federal section 6(f) protection for public outdoor recreational use in perpetuity if acquired using Land and Water Conservation funds.

RESOLUTION
Market Street Parking Garage Mall Side Elevator Repairs
\$ 34,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$ 34,000 is hereby transferred from currently appropriated funds in the following manner:

Transfer From

Amount	Fund	Project	G/L Account
\$34,000	426	P-00595 – MSPG Concrete Repair	599999

Transfer To

Amount	Fund	Project	G/L Account
\$34,000	426	P-00709 – MSPG Mall Side Elevator Repair	599999

**A RESOLUTION
AMENDING AND APPROVING
THE CITY MANAGER'S EMPLOYMENT AGREEMENT**

BE IT RESOLVED BY THE Council for the City of Charlottesville, Virginia that Section 6 ("Salary") of the City Manager's Employment Agreement between the City of Charlottesville and City Manager Maurice Jones, dated December 7, 2010 and amended December 19, 2011, is hereby amended to increase the City Manager's annual base salary by two percent (2%), effective November 7, 2011. All other terms and conditions in the Employment Agreement, as amended, shall remain in full force and effect.

**A RESOLUTION
 APPROPRIATING FUNDS FOR
 THE CITY OF CHARLOTTESVILLE'S 2012-2013
 HOME FUNDS
 \$91,742**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of HOME Investment Partnership (HOME) funding for the 2012-2013 fiscal year;

WHEREAS, the region is receiving an estimated award of \$592,683 for year nineteen or fiscal year 12-13 in HOME funding of which the City will receive an estimated \$74,085 to be expended on affordable housing initiatives such as property acquisition and housing rehabilitation.

WHEREAS, it is a requirement of this grant that projects funded with HOME initiatives money be matched with local funding in varying degrees;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the local match for the above listed programs will be covered by the Charlottesville Housing Fund account CP-0084 in SAP system) in the estimated amount of \$17,657; the resolution for this appropriation will come forward after July 1, 2012. Program income from previous FYs amounts to \$0 available for FY 12-13. The total of the HUD money, program income, and the local match, \$91,742, will be distributed as shown below. Administrative funds for the year total \$3,457, which do not require a City match.

HOME Program Funds (Fiscal Year 12-13)	HOME FUNDING	% MATCH REQUIRED	LOCAL MATCH	TOTAL
Property Acquisition	\$ 70,628	25%	\$17,657	\$88,285
Administration & Planning	\$ 3,457			\$ 3,457
	\$74,085		\$17,657	\$91,742