



**CITY COUNCIL AGENDA**  
**April 7, 2014**

**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 (Page property acquisition, Kenwood sale, recycling services)*

**CALL TO ORDER 7:00 p.m.**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

*Council Chambers*

**AWARDS/RECOGNITIONS ANNOUNCEMENTS**

Local Government Education Week; "Charlottesville Sparkles"; Child Abuse Prevention month; Piedmont Housing Alliance Proclamation; Planning Awards

**MATTERS BY THE PUBLIC**

Public comment will be permitted for the first 12 speakers who 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 RESPONSE TO MATTERS BY THE PUBLIC**

**1. CONSENT AGENDA\***

Passed 5-0 (letter e. pulled)

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

a. Minutes for March 17

b. APPROPRIATION:

Special Events Sponsorships - \$10,869 (2<sup>nd</sup> of 2 readings) **passed**

c. APPROPRIATION:

Department of Social Services Appropriation for Salary Alignment and Office Space Furnishings - \$211,490 (2<sup>nd</sup> of 2 readings) **passed**

d. APPROPRIATION:

Appropriation of Escrowed bond funds from the Landmark Hotel - \$111,006.39 and Transfer of \$102,506.39 (2<sup>nd</sup> of 2 readings) **passed**

e. APPROPRIATION:

CDBG & HOME Funds for FY 2014-2015 Appropriations and Reprogramming (1<sup>st</sup> of 2 readings) **Huja pulled for discussion; reading carried.**

f. APPROPRIATION:

Greenstone on 5th Corporation Sponsorship Agreement - \$84,194 (1<sup>st</sup> of 2 readings) **carried**

g. APPROPRIATION:

Domestic Violence Services Coordinator Grant – \$44,836 (1<sup>st</sup> of 2 readings) **carried**

h. RESOLUTION:

Loan Extension Request for The Lewis & Clark Exploratory Center of Virginia, Inc. - \$130,000 (1<sup>st</sup> of 1 reading) **passed**

i. RESOLUTION:

City Manager's Contract (1<sup>st</sup> of 1 reading) **passed**

j. RESOLUTION:

C.A.T. Proposal to Submit Grant Application for F.Y. 2015 Funding (1<sup>st</sup> of 1 reading) **passed**

k. RESOLUTION:

Fund Transfer from Capital Improvement Program Contingency – Improvements to Nelson/Northwood/2<sup>nd</sup> Street Intersection and McIntire Road – \$90,000 (1<sup>st</sup> of 1 reading) **passed**

l. ORDINANCE:

Minimum Attendance Requirements for CRHA (2<sup>nd</sup> of 2 readings) **passed**

**2. PUBLIC HEARING**

City Council's Proposed FY 2015 Budget

**3. PUBLIC HEARING / ORDINANCE\***

Amendment to City Code – Cigarette Tax Ordinance Change (1<sup>st</sup> of 2 readings) **carried**

**4. ORDINANCE\* / APPROPRIATION\***

Tax Levy Ordinance (1<sup>st</sup> of 2 readings) **carried**

F.Y. 2015 Budget Appropriation (1<sup>st</sup> of 2 readings) **carried**

**5. RESOLUTION\***

Cost Allocation Agreement for Rivanna Water and Sewer Authority Wastewater Projects (1<sup>st</sup> of 1 reading) **passed 3-2 (Fenwick, Smith voted no)**

**6. RESOLUTION\***

RSWA Support Agreements (1<sup>st</sup> of 1 reading) **passed**

**7. REPORT**

C.A.T. (Charlottesville Area Transit) Update **(moved to #4 on agenda)**

**OTHER BUSINESS**  
**MATTERS BY THE PUBLIC**

\*ACTION NEEDED

**APPROPRIATION**  
**Special Events Sponsorships**  
**\$10,869**

**WHEREAS**, the City of Charlottesville, through the Parks & Recreation Department, has received sponsorship funds in the amount of \$10,869 for the Sunday Sundowns and the Downtown Safe Halloween Festival special events

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

**Revenue**

\$2,803	Fund: 105	Cost Center: 3661001000	G/L Account: 434230
\$8,066	Fund: 105	Cost Center: 1800006	G/L Account: 451020

**Expenditures**

\$1,080	Fund: 105	Cost Center: 3631004000	G/L Account: 510030
\$1,843	Fund: 105	Cost Center: 3651001000	G/L Account: 510040
\$2,947	Fund: 105	Cost Center: 3651001000	G/L Account: 520600
\$1,078	Fund: 105	Cost Center: 3661001000	G/L Account: 510030
\$3,921	Fund: 105	Cost Center: 3661001000	G/L Account: 520600

**APPROPRIATION.**  
**Appropriation for Salary Alignment and Office Space Furnishings.**  
**\$211,490.**

**WHEREAS**, The Charlottesville Department of Social Services has received additional funding in the amount of \$211,490 due to a change in the methodology for reporting federal pass-through expenditures.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$211,490 is hereby appropriated in the following manner:

**Revenue – \$211,490**

Fund: 212                      Cost Center: 9900000000                      G/L Account: 430080

**Expenditures - \$211,490**

Fund: 212	Cost Center: 3301001000	G/L Account: 510010	Amount: \$3,598.40
Fund: 212	Cost Center: 3301002000	G/L Account: 510010	Amount: \$227.83
Fund: 212	Cost Center: 3301003000	G/L Account: 510010	Amount: \$1,764.99
Fund: 212	Cost Center: 3301004000	G/L Account: 510010	Amount: \$219.87
Fund: 212	Cost Center: 3301005000	G/L Account: 510010	Amount: \$3,808.89
Fund: 212	Cost Center: 3301007000	G/L Account: 510010	Amount: \$19.70
Fund: 212	Cost Center: 3301008000	G/L Account: 510010	Amount: \$37,761.12
Fund: 212	Cost Center: 3301009000	G/L Account: 510010	Amount: \$248.78
Fund: 212	Cost Center: 3301009000	G/L Account: 510010	Amount: \$1,662.16
Fund: 212	Cost Center: 3301013000	G/L Account: 510010	Amount: \$562.01
Fund: 212	Cost Center: 3343006000	G/L Account: 510030	Amount: \$22.22
Fund: 212	Cost Center: 3301001000	G/L Account: 599999	Amount: \$161,594.03

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Total: \$211,490

**APPROPRIATION/RESOLUTION**

**Appropriation of Escrowed bond funds from the Landmark Hotel - \$111,006.39  
Transfer \$102,506.39 to New Sidewalk Account**

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

**Appropriation:**

\$111,006.39	Fund 426	Funded Program CP-080 - WBS P-00684	GL Account: 451999
\$111,006.39	Fund 426	Funded Program CP-080 - WBS P-00684	GL Account: 599999

**Transfer From**

\$ 102,506.39	Fund: 426	Funded Program: CP-080 - WBS P-00684	G/L Account: 561426
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**Transfer To**

\$ 102,506.39	Fund: 427	WBS: P-00335	G/L Account: 498010
\$ 102,506.39	Fund: 427	WBS: P-00335	G/L Account: 599999

## **RESOLUTION**

### **Proposed Loan Extension for The Lewis & Clark Exploratory Center of Virginia, Inc.**

**BE IT RESOLVED** by the City Council of the City of Charlottesville that the due date for funds previously transferred from the City's Strategic Investment Fund to the Charlottesville Economic Development Authority (CEDA) for the purpose of a loan to The Lewis & Clark Exploratory Center of Virginia, Inc.; be extended to October 30, 2014.

**BE IT FURTHER RESOLVED** by the City Council of the City of Charlottesville that once the funds have been repaid to CEDA, \$130,000 will be returned to the City's Strategic Investment Fund.

**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, as amended, is hereby amended as follows:

- a) Increase the City Manager’s annual base salary by two percent (2%), effective July 1, 2013; and
- b) Effective July 1, 2014, and on each July 1 thereafter during the term of the Employment Agreement, increase the annual base salary by the same percentage as the general salary or cost of living increase approved by City Council for all general full time City employees, as part of the City’s annual operating budget.

**Resolution Authorizing the Application for  
State Aid to Public Transportation**

BE IT RESOLVED by the Charlottesville City Council that the Transit Manager is authorized, for and on behalf of the City of Charlottesville, hereafter referred to as the, **PUBLIC BODY**, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the, **DEPARTMENT**, for a grant of financial assistance in the amount of \$5,158,441 to defray the costs borne by the **PUBLIC BODY** for public transportation purposes and to accept from the **DEPARTMENT** grants in such amounts as may be awarded, and to authorize the Transit Manager to furnish to the **DEPARTMENT** such documents and other information as may be required for processing the grant request.

The Charlottesville City Council certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the **PUBLIC BODY** will provide funds in the amount of \$2,698,465 which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the **PUBLIC BODY** may be subject to audit by the **DEPARTMENT** and by the State Auditor of Public Accounts, and that funds granted to the **PUBLIC BODY** for defraying the expenses of the **PUBLIC BODY** shall be used only for such purposes as authorized in the Code of Virginia. The undersigned duly qualified and acting Clerk of Council of the **PUBLIC BODY** certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Charlottesville City Council held on the 7th day of April, 2014.

**RESOLUTION**

**Transfer of Funds from Capital Improvement Program Contingency –  
Improvements to Nelson/Northwood/2<sup>nd</sup> Street  
\$90,000**

**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**

\$90,000                  Fund: 426                  WBS: CP-080                  G/L Account: 599999

**Transfer To**

\$90,000                  Fund: 426                  WBS: SS-010/P-00697          G/L Account: 599999



**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 2-37 OF ARTICLE II  
OF CHAPTER 2 (ADMINISTRATION) OF THE  
CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,  
SETTING REQUIREMENTS FOR REMOVAL OF COMMISSIONERS.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 2-37 of Article II of Chapter 2 of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reordained, as follows:

**CHAPTER 2. ADMINISTRATION  
ARTICLE II. CITY COUNCIL  
Division 1. Generally**

**Sec. 2-37. Designation and appointment of board of commissioners of city redevelopment and housing authority.**

(a) Notwithstanding any provision of law to the contrary, the terms of all commissioners of the Charlottesville Redevelopment and Housing Authority shall terminate on July 31, 1999; and thereafter commissioners shall be appointed in accordance with the provisions of this section.

(b) Effective July 31, 1999 there shall be seven (7) commissioners of the Charlottesville Redevelopment and Housing Authority appointed by city council. The board of commissioners shall include:

- (1) At least one (1) member of city council;
- (2) At least two (2) current residents of public housing.
- (3) The remaining members of the board of commissioners shall be appointed by city council from the public at-large.

(c) At their first meeting following the effective date of this section, the board of commissioners shall elect one of their members to serve as chair of the board.

(d) Any member of city council appointed to the board of commissioners shall serve a one (1) year term, and shall be eligible for reappointment for so long as such person is a member of city council. The remaining initial appointments to the board shall be equally divided, to the extent possible, between two (2) and three (3) year terms. After expiration of the initial terms all future appointments shall be for three (3) year terms, except for appointments of city council members. Eligibility for reappointment shall be governed by the provisions of City Code section 2-8.

(e) Commissioners of the Charlottesville Redevelopment and Housing Authority shall serve for their full term unless earlier terminated by city council or upon acceptance by city council of a commissioner's resignation. Commissioners may be removed by council for inefficiency, or neglect of duty, including failure to meet reasonable attendance requirements of the Charlottesville Redevelopment and Housing Authority, or for other misconduct in office. Notwithstanding the foregoing, a commissioner may be removed only after such commissioner is given a copy of the charges forming the basis of the removal and an opportunity to be heard in person or by representative prior to removal. At least ten (10) days in advance of the hearing before city council, a commissioner objecting to removal shall be given a copy of the charges which form the basis for the removal. In the event of removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk of council.

## **RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the Mayor is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Cost Allocation Agreement among the City of Charlottesville, Albemarle County Service Authority, and Rivanna Water and Sewer Authority for certain wastewater projects.

**AMENDMENT NO. 3 TO  
LOCAL GOVERNMENT SUPPORT AGREEMENT FOR RECYCLING PROGRAMS  
AMONG  
THE CITY OF CHARLOTTESVILLE  
THE COUNTY OF ALBEMARLE  
AND  
THE RIVANNA SOLID WASTE AUTHORITY**

This **Amendment No. 3** to the **Local Government Support Agreement for Recycling Programs** (this “Amendment”) is made this \_\_\_ day of \_\_\_\_\_, 2014 by and among the **City of Charlottesville, Virginia** (the “City”), the **County of Albemarle, Virginia** (the “County”) and the **Rivanna Solid Waste Authority** (the “Authority”, individually a “Party”, and together referred to as the “Parties”).

WHEREAS, the City, the County and the Authority entered into a certain Local Government Support Agreement for Recycling Programs dated August 23, 2011 (the “Original Agreement”) providing the terms of the City’s and County’s shared financial support and Authority’s operation of the Recycling Services; and

WHEREAS, the Original Agreement provided that such financial support and operations continue through the Authority’s fiscal year ending June 30, 2012, with the City and County retaining an exclusive option to extend the Original Agreement for two successive one-year periods by giving prior written notice to the Authority; and

WHEREAS, the City and County exercised their first option to extend the term of the Original Agreement through June 30, 2013, but the County elected not to exercise its second option to extend the term through June 30, 2014 and instead requested, with the concurrence of the City, an extension of the Original Agreement through December 31, 2013; and

WHEREAS, the City, the County and the Authority entered into Amendment No. 1 to the Original Agreement dated June 5, 2013 extending the term of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 2 to the Original Agreement dated October 23, 2013 extending the term of the Original Agreement through June 30, 2014 (the Original Agreement, as amended by Amendment No. 1 and Amendment No. 2, hereinafter, the “Agreement”); and,

WHEREAS, the County desires an additional extension of the term of the Agreement through June 30, 2015, and the City is agreeable to an extension for such period.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. **Amendment to Section 4.** Section 4 of the Agreement, entitled “Term of Agreement,” is amended and restated as follows:

4. **Term of Agreement**

This Agreement shall be effective upon execution and the financial participation requirements shall be retroactive to July 1, 2011 and shall continue through June 30, 2015.

2. **Miscellaneous.** Capitalized terms used herein shall have the meanings ascribed to them in the Agreement unless otherwise specifically defined herein. Except as expressly modified hereby, all other terms and conditions of the Agreement shall remain unchanged and shall continue in full force and effect. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates below.

CITY OF CHARLOTTESVILLE:

\_\_\_\_\_  
Maurice Jones  
City Manager

\_\_\_\_\_  
Date

COUNTY OF ALBEMARLE:

\_\_\_\_\_  
Thomas C. Foley  
County Executive

\_\_\_\_\_  
Date

RIVANNA SOLID WASTE AUTHORITY:

\_\_\_\_\_  
Thomas L. Frederick, Jr.  
Executive Director

\_\_\_\_\_  
Date

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