



**CITY COUNCIL AGENDA
October 20, 2014**

6:00 p.m. – 7:00 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
(Boards and Commissions; Annual performance evaluation of the City Manager.)

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

AWARDS/RECOGNITIONS Food Day; Disability Employment Awareness Month; Love Your Melon Day
ANNOUNCEMENTS

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

Passed 5-0 (item k pulled)

- a. Minutes for October 6
- b. **APPROPRIATION:** Reprogramming of \$104,469.45, Appropriation and Allocation of \$750.00 & Future Allocations – Charlottesville Affordable Housing Fund (2nd of 2 readings)
- c. **APPROPRIATION:** 2014 Edward Byrne Memorial Justice Assistance Grant – \$27,050 (2nd of 2 readings)
- d. **APPROPRIATION:** FAMIS Case Transfer from State to City of Charlottesville – \$29,051.94 (1st of 2 readings)
- e. **APPROPRIATION:** Additional State Funds to Provide Respite Care to Families Receiving Foster Care Prevention Services – \$7,104 (1st of 2 readings)
- f. **APPROPRIATION:** Charlottesville Area Transit Fund Supplemental Appropriation for F.Y.2015 of Operations & Capital Funding – \$719,604 (1st of 2 readings)
- g. **RESOLUTION:** VDOT Transportation Alternatives Program Grant Application - \$ 450,000 (1st of 1 reading)
- h. **RESOLUTION:** Sidewalk Waiver Request for 1107 Elliott Ave. (1st of 1 reading)
- i. **RESOLUTION:** Energize! Charlottesville and the \$5M GU Energy Prize Competition (1st of 1 reading)
- j. **RESOLUTION:** Acquisition of ~2.438 Acres of Land for Parks/Greenbelt Trails (1st of 1 reading)
- k. **RESOLUTION:** Approval of Housing Policy 1 – Objectives for Use of Charlottesville Affordable Housing Fund and Criteria/Priorities for Award of Funds (1st of 1 reading) **passed 5-0**
pulled
- l. **ORDINANCE:** Abandonment of Sanitary Sewer Easements – Rock Creek Road (2nd of 2 readings)
- m. **ORDINANCE:** Changes to Neighborhood Development Services Fee Schedule (2nd of 2 readings)

2. RESOLUTION* City Council Policies & Procedures (1st of 1 reading) **vote deferred**

3. RESOLUTION* City & Thomas Jefferson Planning District Commission (TJPDC) Legislative Packages (1st of 1 reading) **passed 5-0 for City & TJPDC**

4. REPORT* Franklin Street **passed 5-0 for Option 1**

5. RESOLUTION* Adaptive Signal Project Update (1st of 1 reading) **passed 4-0 for \$52,000 (Galvin recused)**

6. REPORT PLACE Design Task Force Annual Report

7. REPORT Civic Engagement Update

8. REPORT ONLY Solarize Charlottesville Campaign Update Report
(no verbal presentation)

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

**APPROPRIATION
REPROGRAMMING & ALLOCATION OF FUNDS
CHARLOTTESVILLE AFFORDABLE HOUSING FUND ACCOUNT**

WHEREAS, Council has previously approved the appropriation of certain sums to specific projects from the Charlottesville Affordable Housing Fund (CAHF); and

WHEREAS, these funds have not been spent and need to be reprogrammed, and therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that prior appropriations made to the following projects are hereby re-programmed / re-appropriated into the CAHF.

Program Year	Description of Funds	Reprogram for General CAHF Use
08-09	AHIP Rehabilitation / Handicap Accessibility	\$904.16
08-09	PHA Foreclosure Prevention	\$480.08
10-11	Elliott Avenue Site Work	\$23,116.25
11-12	CALM – Planning Grant for 991 5 th Street S.W.	\$1,697.75
13-14	Virginia Supportive Housing – Housing Vouchers for the Crossings at 4 th & Preston	\$72,879.00
13-14	CHRA Administration - Housing Vouchers for the Crossings at 4 th & Preston	\$5,392.21
	TOTAL	\$104,469.45

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, Virginia that the anonymous private donation of \$750.00 is appropriated and allocated to the CAHF.

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, Virginia that revenue from future contributions/donations and/or loan repayments should automatically be appropriated into the CAHF (CP-084) and shall not be deemed to expire until further action by City Council.

APPROPRIATION.

**2014 Edward Byrne Memorial Justice Assistance Grant (J.A.G.)
Grant # 2014-DJ-BX-0921.
\$27,050.**

WHEREAS, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance 2014 Edward Byrne Memorial Justice Assistance Grant (J.A.G.) in the amount of \$27,050 to be used for approved law enforcement equipment.

WHEREAS, the grant award covers the period from period October 1, 2013 through September 30, 2017

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$27,050, received from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, is hereby appropriated in the following manner:

<u>Revenue</u>			
\$ 27,050	Fund: 211	I/O: 1900233	G/L: 431110 Federal Grants
<u>Expenditure</u>			
\$ 27,050	Fund: 211	IO: 1900233	G/L: 520990 Other Supplies

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$27,050 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

RESOLUTION.
Transportation Alternatives Project Endorsement.

Whereas, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation to establish a Transportation Alternatives project in the City of Charlottesville.

Now, Therefore, Be It Resolved, that the City of Charlottesville requests the Commonwealth Transportation Board to establish a project for the improvement of the final portion of the 250 bypass commuter trail.

Be It Further Resolved, that the City of Charlottesville hereby agrees to provide a minimum 20 percent matching contribution for this project.

Be It Further Resolved, that the City of Charlottesville hereby agrees to enter into a project administration agreement with the Virginia Department of Transportation and provide the necessary oversight to ensure the project is developed in accordance with all state and federal requirements for design, right of way acquisition, and construction of a federally funded transportation project.

Be It Further Resolved, that the City of Charlottesville will be responsible for maintenance and operating costs of any facility constructed with Transportation Alternatives Program funds unless other arrangements have been made with the Department.

Be It Further Resolved, that if the City of Charlottesville subsequently elects to cancel this project the City of Charlottesville hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. The City of Charlottesville also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

RESOLUTION
Approving a Sidewalk Waiver Request
1107 Elliott Avenue

WHEREAS, application has been made for a waiver of the sidewalk requirement set forth within City Code Section 34-1124(b), in relation to proposed development of 1107 Elliott Avenue, where a single family house is planned for construction on an unimproved lot; and

WHEREAS, City staff has submitted to Council comments and recommendations regarding the sidewalk waiver request, and Council has reviewed the staff recommendations and the information and materials submitted with the application; now, therefore,

BE IT RESOLVED by the Council for the city of Charlottesville, Virginia that the sidewalk waiver request for 1107 Elliott Avenue is hereby approved, upon a finding that the following circumstances create an unusual situation:

1. There is currently an existing sidewalk on the other side of Elliott Avenue, and no sidewalks have been constructed on developed lots on the block where 1107 Elliott Avenue is located; and
2. The traffic volume along this portion of Elliott Avenue, between Monticello Avenue and Monticello Road, is likely to be lower than other sections of Elliott Avenue; and
3. Approximately 15' of City right of way space is available between the road edge and the property line so waiving the sidewalk requirement would not preclude construction of a sidewalk in the future.

RESOLUTION TO SUPPORT THE *Energize!Charlottesville* PLAN PROPOSAL FOR THE GEORGETOWN UNIVERSITY ENERGY PRIZE COMPETITION

WHEREAS, city residents, commercial entities, and organizations spend over \$50 million annually on energy utility bills with approximately half coming from the residential sector; and

WHEREAS, a significant portion of household expenses are spent on energy annually, the residential sector saw the largest increase in energy use from 2000-2011 within our community profile, the cost of energy is expected to increase, and Dominion Virginia Power predicts a growing and substantial power gap that must be met by increasing supply or flattening demand increases; and

WHEREAS, the City seeks to support its residents and neighborhoods, to encourage ongoing occupancy and rehabilitation of its existing and aging residential building stock, and to increase the affordability of housing in the City; and

WHEREAS, the City of Charlottesville has committed to promoting energy efficiency, conservation, and renewable energy programs community-wide and within its own organization; and

WHEREAS, addressing energy efficiency and climate change will support a cleaner environment, a more prosperous economy, increased comfort and health in homes, and a higher quality of life; and

WHEREAS, goals in Chapters 4, 5, and 7 of the 2013 Comprehensive Plan support effective and innovative energy management, increased energy performance of buildings and sites, and pursuit of cleaner sources of electrical energy in both the community and City buildings and operations; and

WHEREAS, the City of Charlottesville supported the Local Climate Action Planning Process (LCAPP) and accepted the LCAPP Report's recommendations, Five-Part Framework, and Action Strategies; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Charlottesville supports the *Energize!Charlottesville* plan proposal for the Georgetown University Energy Prize competition to produce a community energy plan and demonstrate measurable reductions in residential and municipal energy use.

RESOLUTION
APPROVING A PURCHASE OF LAND ADJACENT TO
MEADOW CREEK VALLEY PARK
FROM BROOKMILL HOMEOWNERS' ASSOCIATION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Attorney is hereby authorized on behalf of the City, to proceed to closing in accordance with the terms and conditions set forth within the Land Purchase Agreement attached as Attachment A to this Resolution, and to accept a deed of conveyance on behalf of the City.

Attachment A

**AGREEMENT
FOR THE PURCHASE OF LAND**

THIS AGREEMENT is made as of the 11th day of August, 2014 between **BROOKMILL HOMEOWNERS ASSOCIATION** (hereinafter referred to as "Seller"), and the **CITY OF CHARLOTTEVILLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (hereinafter "Purchaser," or "City") whose address is P.O. Box 911, Charlottesville, Virginia 22902.

WITNESSETH:

WHEREAS, Seller is the fee simple owner of the following described real estate (hereinafter, the "Property"), to wit:

All those certain tracts or parcels of land, with improvements thereon and appurtenances thereto pertaining, lying in the County of Albemarle, designed as Special Lot X1 and Special Lot X2, consisting of approximately 1.846 acres and .598 acres respectively, more or less, and more particularly shown on the attached plat made by Draper Aden Associates, dated June 25, 2013 and revised April 7, 2014 (the "Plat"), being a part of the property acquired by Brookmill, a Condominium, by corrected amendment to declaration of condominium dated August 15, 1990, identified on plats recorded in the land records of the County of Albemarle in Deed Book 1115, Pages 136 through 138; and

WHEREAS, Seller agrees to sell and the City agrees to buy the above-described Property;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, Seller and Purchaser do hereby set forth their agreement as follows:

I. PURCHASE PRICE

The Purchase Price of the Property is Forty thousand dollars (\$40,000), the balance of which shall be paid to Seller at Closing by City check, or wired funds, after deduction of the following:

- A. Real estate taxes which have accrued and/or are due and owing to the County of Albemarle up to and through the date of Closing, including, without limitation, any deferred taxes, penalties and interests;
- B. Payments which have accrued and/or are due and owing to any third party, in amounts necessary to obtain full satisfaction and release of the lien of any deed(s) of trust and any other liens attached to the Property;
- C. Payment of the recordation taxes applicable to grantors, in the amounts necessary for recordation of the Deed of Conveyance in the land records of the Circuit Court for the County of Albemarle.

II. TITLE

At Closing, Seller shall convey to the City good and marketable fee simple title to the Property, by deed of general warranty with English Covenants of title, free of all liens, tenancies, defects and

encumbrances, except as otherwise indicated herein, and subject only to such restrictions and easements as shall then be of record which do not affect the use of the property for the City's intended purposes or render title to the Property unmarketable.

III. TERMS AND CONDITIONS

- A. Conditions Precedent to Closing. The City's obligation to proceed to Closing under this Agreement is expressly conditioned and made contingent upon all of the following conditions being met prior to the date of Closing:
- 1) City's receipt of the results, satisfactory to it in its sole discretion, of a title examination of the Property, to be performed by City at its own expense; and
 - 2) City's receipt of confirmation from the title insurance company that the Property will be insurable; and
 - 3) City's receipt of the results, satisfactory to it in its sole discretion, of: (a) an environmental review by City staff, and, if desired by the City, a Phase I Environmental Assessment and Report (Phase I Report) for the Property, conducted and prepared by an environmental engineering and inspection company selected by City at City's expense, and (b) such other investigations, assessments, studies, tests, surveys and reports as may be reasonably required by the City or recommended within in the Phase I Report. If desired by the City, the Phase I report may including testing for any underground or aboveground storage tanks located on the Property;

The City and its employees, agents and contractors shall have the right to enter upon the Property for the purpose of conducting the investigations, assessments, studies, tests and surveys specified herein; provided, however, that no such activity undertaken by the City, its employees, agents or contractors shall change the character or topography of the Property, except for minor changes (e.g. the pulling of soil samples; disturbance of vegetation resulting from the driving of motor vehicles over the surface of the Property, etc.). The City shall hold the Seller harmless against any loss or liability to person or property, resulting from the City's entry on the Property and the conduct of such entry.

In the event the results of the City's investigations, assessments, studies, tests, surveys or reports, or any of them, are unsatisfactory to the City, the City may terminate this Agreement by written notice given to the Seller.

- 4) Following Seller's signature of this Purchase Agreement, the Agreement must be submitted by the Purchaser to the Charlottesville City Council for approval and authorization of a City official to execute the Agreement. If City Council does not approve the Agreement, then each of the parties' obligations set forth within this Agreement shall be null and void and each party shall be relieved of any and all obligations to perform under this Agreement.
- 5) The Purchaser's Attorney shall prepare the Deed, in accordance with Section II, above, and shall transmit the deed to the Seller's Attorney at least ten (10) days prior to Closing, for review and approval.

B. Additional Terms and Conditions

- 1) Seller shall be responsible for payment of any and all real estate taxes accrued and/or due on the Property up to and through the date of Closing. Prior to Closing, Seller shall pay all deferred taxes, penalties and interest, outstanding liens, and similar charges, if any, which are owed or outstanding with respect to the Property as of the date of Closing. In the event the Property, or any portion thereof, is taxed under special land use assessment, and this sale results in the disqualification of the Property from eligibility, then the Seller shall pay, when assessed, whether at or after Closing, any rollback taxes assessed.
- 2) Seller shall deliver to the City an affidavit on a form acceptable to the City, signed by Seller, that no labor or materials have been furnished to the Property within the statutory period for the filing of mechanics' or materialmen's liens against the Property, or, if labor or materials have been furnished during the statutory period, that the costs thereof have been paid. Seller shall also deliver to the City certificates confirming release and satisfaction of all outstanding liens, judgments, and other financial encumbrances of the Property.
- 3) Seller shall be responsible for preparing and obtaining: the certificate for non-foreign status and state residency, and the applicable IRS Form 1099, all required affidavits and certificates of satisfaction, and for payment of Seller's attorney fee(s).

Seller shall also be responsible for payment of all recordation taxes applicable to grantors ("Grantor's Tax") as necessary for recordation of the deed of conveyance in the land records of Albemarle County. Except as otherwise agreed herein, all other expenses of or relating to this Agreement and the transactions set forth herein, including, without limitation, title examination costs, environmental investigations and assessments, insurance premiums, recording costs, shall be borne by the City.

- 4) All risk of loss or damage to the Property by fire, windstorm, casualty or other cause is assumed by the Seller until Closing. From the date of Seller's signature of this Agreement Seller shall not commit, or suffer any other person or entity to commit, any waste or damage to the Property or any appurtenances thereto. From the date of Seller's signature of this Agreement, Seller shall not permit the manufacture, use, storage or disposal of any hazardous wastes and/or toxic substances in or upon the Property or any portion thereof, including any adjoining waterways and drainage ditches.
- 5) This Agreement may not be assigned by either Seller or the City, without the advance written consent of the other.
- 6) This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia, without giving effect to any conflict of laws principles thereof.
- 7) Upon signature by Seller, and subsequent signature by a City representative duly authorized by City Council following approval of this Agreement, this Agreement shall be and become binding upon the parties hereto and their respective heirs, personal representatives, successors and assigns.

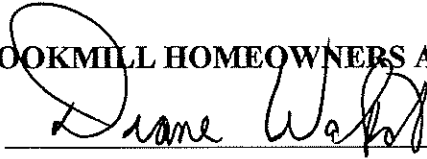
- 8) This Agreement contains the final agreement between the parties hereto, and they shall not be bound by any terms, conditions, oral statements, warranties or representations not contained herein.

IV. CLOSING

- (a) Closing will take place in the Office of the City Attorney in City Hall (605 E. Main Street, Charlottesville, Virginia) within thirty (30) days of the date on which the City's authorized representative signs this Agreement, or as soon thereafter as all of the conditions precedent listed in Section III (A) of this agreement have been met to the satisfaction of the City.
- (b) Seller shall deliver possession of the Property to the City at Closing, free and clear of all tenants, leases, and licenses.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives:

BROOKMILL HOMEOWNERS ASSOCIATION, Seller

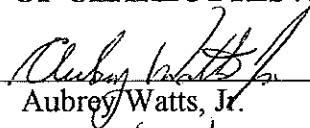
By: 

Title: President

Date: Aug 11, 2014

Brookmill Homeowners Association

CITY OF CHARLOTTESVILLE, VIRGINIA, Purchaser

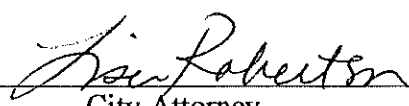
By: 
Aubrey Watts, Jr.

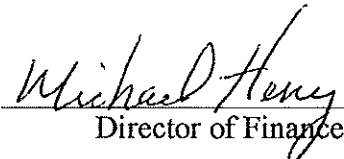
Title: Chief Operating / Financial Officer

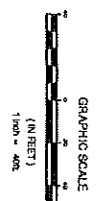
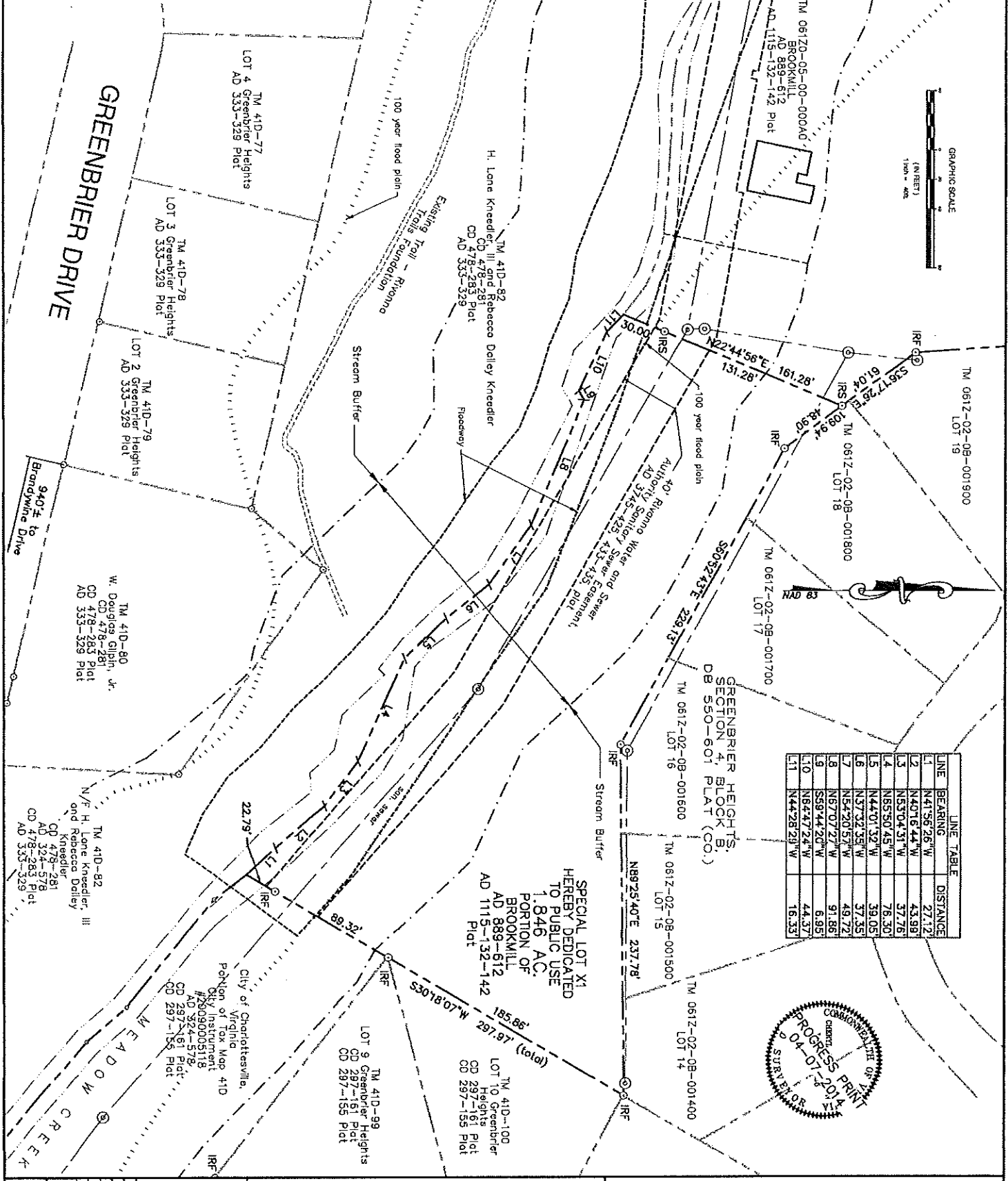
Date: 8/20/14

Approved as to Form:

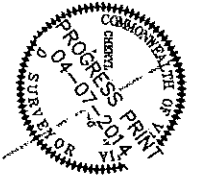
Funds are Available:


City Attorney

 8/15/14
Director of Finance



LINE	BEARING	DISTANCE
1	N41°56'26" W	27.12'
2	N40°16'44" W	43.99'
3	N63°04'51" W	37.76'
4	N85°50'45" W	76.30'
5	N44°01'52" W	39.05'
6	N57°32'55" W	37.35'
7	N54°20'57" W	49.72'
8	N67°07'27" W	91.66'
9	S59°44'20" W	6.95'
10	N64°47'24" W	44.37'
11	N44°28'29" W	16.33'



REVISIONS	DATE	BY	DESCRIPTION

DESIGNED BY: GJS
 DRAWN BY: GJS
 CHECKED BY: MND
 SCALE: 1" = 40'
 DATE: JUNE 23, 2013
 PROJECT NUMBER: C09241C-03
 2 OF 3

DIVISION OF SPECIAL LOTS X1 & X2
BROOKMILL CONDOMINIUM
 RIO MAGESTERIAL DISTRICT, ALBEMARLE COUNTY, VIRGINIA

Draper Aden Associates
 Engineering • Surveying • Environmental Services
 Charlottesville, VA
 700 Harris Street, Suite E
 Charlottesville, VA 22903
 434-295-0700 Fax: 434-295-2105
 www.daa.com

Blacksburg, VA
 Richmond, VA
 Hampton Roads, VA

City of Charlottesville, Virginia
 Tax Map 41B-2-563
 Inset 20 410-516 Plat

TM 081W-02-00-002A0
 PERSI-COLA BOTTLING CO. AD
 AD 1134-538 Plat

NAD 83

TM 081W-02-00-002A9
 JAZZ LIMITED PARTNERSHIP
 AD 1134-538 Plat

TM 081W-02-00-002A1
 N/F SENIOR CENTER, INC.
 AD 1034-1

TM 061Z-05-00-001A0
 N/F REPUBLIC HOMES, INC.
 AD 882-629
 AD 889-625 Plat

TM 061Z0-05-00-000A0
 BROOKMILL
 AD 889-612
 AD 1113-132-142 Plat

SPECIAL LOT X2
 HEREBY DEDICATED TO PUBLIC USE
 PORTION OF BROOKMILL
 0.598 AC.
 AD 889-612
 AD 1113-132-142 Plat

Albemarle County Service Authority
 Sewer Easement,
 recorded deed or easement when found.

MILLPARK DRIVE
 50' R/W

300'± to
 Greengrier Drive

Stream Buffer

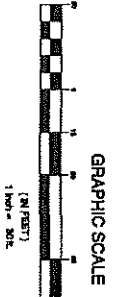
Stream Buffer

100 year flood plain

100 year flood plain



GREENBRIER DRIVE
 60' R/W PLAT
 AD 867-32 PLAT



LINE	BEARING	DISTANCE
L12	S04°16'55"W	52.48'
L13	S02°30'53"W	75.40'
L14	S09°12'54"W	35.97'
L15	S02°49'33"W	17.70'
L16	S04°42'12"W	45.61'
L17	S06°55'20"W	26.99'
L18	S09°01'58"W	15.28'
L19	S21°56'12"E	16.63'
L20	S03°55'42"E	16.47'
L21	S13°02'25"W	26.72'
L22	S05°09'26"W	38.30'
L23	S01°39'59"E	28.47'

DIVISION OF SPECIAL LOTS X1 & X2
BROOKMILL CONDOMINIUM
 RIO MAGESTERIAL DISTRICT, ALBEMARLE COUNTY, VIRGINIA

DATE: 04/07/2014
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1" = 20'
 DATE: JUNE 25, 2013
 PROJECT NUMBER: C09241C-03

REVISIONS

3 OF 3

Draper Aden Associates
 Engineering • Surveying • Environmental Services

Charlottesville, VA
 700 Harts Street, Suite E
 Charlottesville, VA 22903
 434-295-0700 Fax: 434-295-2105
 www.daa.com

Blacksburg, VA
 Richmond, VA
 Hampton Roads, VA

RESOLUTION
HOUSING POLICY 1 – OBJECTIVES FOR USE OF
CHARLOTTESVILLE AFFORDABLE HOUSING FUND (CAHF)
AND CRITERIA / PRIORITIES FOR AWARD OF FUNDS

WHEREAS, Housing Policy 1 entitled “Objectives for Use of Charlottesville Affordable Housing Fund (CAHF) and Criteria / Priorities for Award of Funds” was previously adopted by City Council on November 3, 2008; and

WHEREAS, said policy has been updated to provide direction in the use and award of funding from the Charlottesville Affordable Housing Fund,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the attached Housing Policy 1 is hereby adopted and immediately effective.

City of Charlottesville
Objectives for Use of Charlottesville Affordable Housing Fund (CAHF)
and Criteria/Priorities for Award of Funds
Housing Policy 1 – as recommended by HAC on 9/17/14

General Information

There are three housing policies that comprise the recommendations of the Housing Advisory Committee (HAC). Policy 1, written to address appropriate usage of the Charlottesville Affordable Housing Fund (CAHF), was originally adopted by City Council on November 3, 2008, with a focus on the following topics: 1) funding categories, 2) target populations, 3) criteria for review of applications, and 4) affordability definition. The revised policy, as contained herein, has refined the text to include: 1) general information; 2) consideration of other City efforts; 3) definitions of all pertinent terms, 4) guidelines for use of CAHF; 5) accountability and tracking; and 6) how to apply for CAHF and potential use of funds.

Policy 2 involves “Incentives the City can provide to Encourage Development with Affordable Housing Units” and Policy 3 covers “Criteria for Awarding Multi-Family Incentive Funds/Strategic Investment Funds Revolving Loan Fund. Both policies were adopted at the same time as Policy 1, but neither is included herein as these are separate documents.

More than five years have passed since the policy was first adopted and the national and local housing markets have undergone significant changes during this time. Accordingly, the HAC has identified an update of this housing policy as essential to ensuring that City housing policies are current and relevant to help inform CAHF funding decisions.

The City of Charlottesville currently utilizes the annual Capital Improvement Program (CIP) budget process to fund its affordable housing efforts through the CAHF. This process is initiated on an annual basis through the submittal of a request from the City’s Housing Development Specialist (Neighborhood Development Services) to the Budget Office. The amount of the annual request is based on the funding recommendations contained in Table 8 of the report entitled “City of Charlottesville 2025 Goals for Affordable Housing” (2025 Housing Goal - as adopted on February 1, 2010).

In addition to CIP funds, the City also has an Affordable Dwelling Unit ordinance (codified at City Code §34-12) that provides for payments in lieu of providing actual affordable units when rezoning or special use permits of a specified level of density are required. While the City would prefer that developers provide actual units either on or off site, the State enabling legislation for this ordinance is written such that it is unlikely that units will be built, because the CAHF contribution level is generally less expensive and does not require a 30 year compliance period after funds are provided.

Lastly, the final source of CAHF funds is voluntary contributions made through proffers. As the frequency and amounts are highly unpredictable, there is no way to quantify the impact of proffered contributions; however, this is also a source of funds for the CAHF.

This policy is applicable to all funds appropriated into the CAHF, regardless of their source (unless otherwise specified herein or by directive from City Council).

Consideration of Other City Efforts

City Council Vision for Housing: Quality Housing Opportunities for All - Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit oriented housing at employment and cultural centers. We have revitalized public housing neighborhoods that include a mixture of income and housing types with enhanced community amenities. Our housing stock is connected with recreation facilities, parks, trails, and services.

Comprehensive Plan: The current City of Charlottesville Comprehensive Plan (as adopted on August 13, 2013) provides the legal basis for all land use and policy decisions related to housing in the City. The goals and objectives included in the Comprehensive Plan must therefore be taken into consideration with any and all CAHF decisions, realizing that each project will differ and that competing values will have to analyzed on a case by case basis.

2025 Housing Goal Report: According to the subject report, the City has adopted the following as its goal for supported affordable housing in the City:

“Increase the ratio of supported affordable units to 15% of total housing units by 2025.”

The 2025 report states that CAHF dollars should be leveraged to the maximum extent feasible. Table 8 of the 2025 Housing Goal (which establishes yearly funding levels necessary to reach the 2025 goal) is based on the assumption that the City will contribute 8.4% of the funds needed to preserve or create supported affordable housing, while the remaining 91.6% will be provided by other sources.

Definitions¹

Affordable and/or Affordable Housing²: Housing for occupant(s) at or below 80% of **Area Median Income** who are paying no more than 30 percent of income for Gross Housing Costs, including utilities.³ Income calculations should be based on 24 CFR Part 5, unless otherwise required by another funder.

Applicant: An organization seeking financial assistance from the Charlottesville Affordable Housing Fund.

Area Median Income (AMI): Median family income limits as adjusted by the U.S. Department of Housing and Urban Development (HUD) annually by family size.

Asset-Based Community Development: A methodology that seeks to identify and use the strengths within communities as a means for sustainable development (i.e., development that meets the needs of the present without compromising the ability of future generations to meet their own needs).

Beneficiary: Persons, households or families who benefit from funding received by a **Recipient**.

Comparable Substitution: Housing unit committed as a **Supported Affordable Unit** in lieu of another **Supported Affordable Unit** lost due to any event resulting in a loss of **Supported Affordable Unit** status.

Gross Housing Costs: For renters, the sum of contract rent and utility costs. For homeowners, the sum of mortgage, utilities, home insurance (including flood if required), private mortgage insurance, property taxes, and home owner association dues.

Levels of Affordability: Tiers of Affordable Housing defined in terms of **AMI**. Families earning: between 120 and 80 percent AMI are considered “moderate-income”; between 80 and 50 percent AMI, “low-income”; between 50 and 30 percent AMI, “very low-income” and below 30 percent AMI, “extremely low-income.”

People-Based Financial Supports: Funds provided to **Recipients** for use by income qualified beneficiaries that allow them to secure a Supported Affordable Unit (e.g., Housing Choice Vouchers or down payment/mortgage assistance).

¹ Words and terms included within the definitions section are capitalized throughout this document for ease of reference. Within the definitions section, defined words/terms are also bolded.

² The City of Charlottesville has a variety of programs (other than CAHF) that support affordable and Supported Affordable Unit efforts; however, affordable and/or Supported Affordable Unit are defined specifically within each program based on the target Level of Affordability.

³ In the case of rental units and compliance with Code of VA 58.1-3295, properties financed with 26 USC §42, 26 USC §142(d) 24 CFR §983, 24 CFR §236, 24 CFR §241(f), 24 CFR§221(d)(3) or any successors thereof meet the local definition of affordable rental as noted herein.

Project-Based Financial Supports: Funds provided to **Recipients** that produce or rehabilitate a **Supported Affordable Unit** at a specific location to achieve **Levels of Affordability** (e.g., Low Income Housing Tax Credit projects, Project Based Vouchers and land trusts).

Project-Based Legal Supports: Legal controls that limit the income of **Beneficiaries**, the amount of rent charged, or resale price of a home (e.g., deed restrictions, regulatory compliance/affordability period, liens, or other).

Recipient: An organization receiving financial assistance from the Charlottesville Affordable Housing Fund.⁴

Residency: Having a physical presence in the City of Charlottesville, with the intent to remain in the City either temporarily or permanently. Qualification is not based on a length of stay or time requirement.⁵

Special Needs Population: Person(s) with a physical or mental impairment that substantially limits one or more major life activities, to include elderly, abused/battered spouses and/or children, children aging out of foster care, homeless persons, and chronic homeless persons.

Supported Affordable Unit (SAU): Housing unit that achieves one or more **Levels of Affordability** using various sources of public funding and mechanisms including, but not limited to: HUD, VHDA, the City of Charlottesville, Housing Choice Vouchers (Section 8), and/or deed restrictions. **SAUs** can be rental properties or owner-occupied dwellings. **Levels of Affordability** can be achieved through multiple mechanisms, such as **People-Based Financial Supports, Project-Based Financial Supports** and **Project-Based Legal Supports**, which can be combined.

Guidelines for Use of CAHF

The City's intent for CAHF funding is to: (1) create incentives and opportunities to provide new Supported Affordable Units⁶ that would not otherwise exist and (2) to preserve existing Affordable Housing and to help maintain affordable units at a risk of being lost without the provision of such funds. To this end, the City realizes that flexibility is important. The following shall inform the use of limited funding, with respect to both preferences for awarding and general requirements for use of CAHF.

- Preference is for projects that either preserve or provide additional Supported Affordable Units toward the City's 2025 Housing Goal.
- Applicants must clearly achieve one or more goals/objectives of the current Comprehensive Plan (or future updated versions).
- Additional consideration will be given to projects that support the City Council Vision for Housing and achieve objectives/goals of the Strategic Action Team (SAT) Growing Opportunities Report, the Strategic Investment Area (SIA) Report, or various Small Area Plans /other reports as developed by or on behalf of the City of Charlottesville.
- To the maximum extent feasible, CAHF should be paired with other City programs to maximize financial viability of projects. Current programs include: reduced water/sewer connection fee; tax exemptions for housing improvements; free paint program; special tax rate for certain energy efficient buildings; and Design for Life C'ville.

⁴ A Recipient could be a direct Beneficiary in some cases if funding is provided directly. This will only be allowed when provided by the Code of Virginia and incorporated into the City of Charlottesville Code of Ordinances.

⁵ Residency definition is based on program requirements for SNAP (i.e., Supplemental Nutritional Assistance Program, a.k.a. food stamps).

⁶ New supported affordable refers to either physically new or newly supported affordable (existing) units.

- Efficient use of resources must be considered relative to the amount of CAHF provided. Leverage as provided by the Applicant and CAHF cost per Supported Affordable Unit will be taken into consideration. Priority will be given to those programs / projects that leverage the most funds and require the least subsidy.
- Funding can be used for mixed income Project-Based Financial Supports and People-Based Financial Supports ⁷; however, strong preference is for applications that benefit the lowest level of AMI, as defined herein to include extremely low income (30% AMI or less) and very low income (between 50 and 30 percent AMI), and low income (up to 60 percent AMI).
- In order to realize the City's vision of offering housing that is affordable and attainable for people of all income levels, preference is for approaches that address the Levels of Affordability that are in the shortest supply based on the demonstrated need. To the maximum extent feasible, the City should have housing stock sufficient to meet the needs of people across the income spectrum.
- Applicants are encouraged to provide opportunities for meaningful neighborhood participation and use Asset-Based Community Development strategies.
- Applicants must demonstrate their own financial viability as well as the financial feasibility of the project.
- Each project will be evaluated with respect to its readiness to proceed based on status of site control, zoning, financial commitments, construction drawings, and other commonly used indicators, with preference given to those projects most likely to commence in a timely manner or to those projects where CAHF funding will expedite the process.
- Funding requests will be evaluated with respect to the leverage the CAHF investment creates, and/or any proposed legal mechanisms requiring compliance and/or repayments that will be used to achieve continuing Levels of Affordability.
- Project-Based approaches will conform to the City policy for energy efficiency and incorporation of Universal Design features, as adopted on April 21, 2008 (updated on April 21, 2014).
- Funding can only be provided to non-profit organizations which have been designated as such by the U.S. Internal Revenue Service or to the Charlottesville Redevelopment and Housing Authority (CRHA). Only exceptions explicitly allowed by Code of Virginia and incorporated into the City of Charlottesville Code of Ordinances will be otherwise allowed.
- Recipients must be in compliance with all federal, state, and local laws/regulations.
- Beneficiaries of funds should primarily be City residents and/or be employed in the City.⁸ Recipients will be required to track and report on previous Residency to ensure compliance.
- CAHF assistance must be used to support projects located within the City limits of Charlottesville, unless approved by City Council.
- Funding will be primarily reserved for access to or the creation, preservation, and development of Supported Affordable Units.

⁷ 100% AMI is defined as the current median family income for a family of four for the City of Charlottesville as adjusted by HUD. Percentage adjustments for family size are 70% for one person, 80% for two persons, 90% for three persons, 108% for five persons, 116% for six persons, 124% for seven person and 132% for eight persons. For each person in excess of eight, the four-person income limit should be multiplied by an additional eight percent (e.g., for 9 persons multiple by 140%). Income limits are rounded to the nearest \$50. This is consistent with the methodology used for calculation of HUD income limits.

⁸ Exceptions to preferences are 1) the homeless, 2) persons who lived in the City during the previous 2 years, and 3) conflicting funding requirements that have no Residency preferences.

- Since market forces and demographics are subject to change, CAHF assistance may also be used on a limited basis to explore and encourage new models that are intended to enable affordable and/or Supported Affordable Units in the City.

Accountability and Tracking

Assistance for Rental Housing and Housing Rehabilitation

The purpose of CAHF support for rental housing or housing rehabilitation is to increase the availability of Supported Affordable Unit rental options and also to allow qualified owners⁹ to make essential repairs to maintain existing Affordable Housing and expand the City’s base of Supported Affordable Units.

Accountability Measures

Project-Based: Projects should have a supported mechanism in place to ensure affordability. The affordability period will vary depending upon the amount of CAHF assistance provided and the type of project, as shown below.

TYPE OF PROJECT	CAHF ASSISTANCE ¹⁰	AFFORDABILITY PERIOD*
Housing Rehabilitation	<\$5,000 (per unit)	1 year
	\$5,001 - \$10,000	3 years
	\$10,001 - \$ 15,000	5 years
	\$15,001 - \$25,000	10 years
	\$25,001 - \$40,000	15 years
	\$40,001 - \$55,000	20 years
	\$55,001 - \$70,000	25 years
	\$70,001 and over	30 years
Rental Housing*		
	New Construction of Rental Housing	20 years
	Rehabilitation / Refinancing of Rental Housing	15 years

* Period of Affordability is further subject to Federal and/or other funding requirements. If the period required by other funding is shorter than required by CAHF or if foreclosure or other provisions exclude the use of an affordability period, then CAHF will subordinate accordingly. It will be the responsibility of the Recipient to request subordination. If the period is longer than required by CAHF, then the longer term will be used.
 **Rental Housing affordability periods are consistent with the HUD HOME program guidelines.

Affordability Period: The CAHF Recipient (or current owner should the property sell) of Project-Based Financial Supports for rental housing will be responsible for ensuring the affordability of assisted projects during the required affordability period, as shown in the above table. The affordability period may be reduced by the City for a rental housing project that will significantly increase the number of Supported Affordable Units. In no event shall the affordability period be less than 10 years. Should affordability be lost during this

⁹ Qualified owners can refer to either an owner occupied unit where the household meets specified income limits or to owners of rental units where assistance is provided for the benefit of income qualified tenants.

¹⁰ CAHF assistance amounts will be revisited to ensure reasonableness. Housing rehabilitation amounts will be reviewed and updated every 5 years. Changes shall be indexed to annual percentage changes in the Consumer Price Index for Housing in the South Urban Region as published by the Bureau of Labor Statistics, using the month/year of adoption of this policy as a start date. Rental Housing figures will be revised based on changes to the HOME regulations as promulgated by HUD.

period, the Recipient or current owner will be responsible for repayment of funds. . The amount of repayment will be reduced for each year of compliance. The annual reduction will be equal to the amount of assistance divided by the number of years in the affordability period (e.g., \$300,000/20 = \$15,000). For CAHF assistance of \$300,000 for a new construction of rental housing project that remains supported affordable for 10 years, the amount of repayment would be \$150,000. Alternatively, the Owner and/or Recipient may commit comparable other units to be SAUs for the remainder of the term (i.e., Comparable Substitution).

People-Based: The CAHF Recipient of People-Based Financial Supports shall only use funds for income qualified Beneficiaries, as determined and agreed to by the City .

CAHF Tracking Measures¹¹

Project-Based: Within 30 days of receiving a certificate of occupancy for the project, the Recipient shall submit to the City an initial report which indicates the address of each Supported Affordable Unit within the project. On June 30 of every year thereafter during the applicable affordability period, the Recipient (or current owner should the property sell) will submit an annual report that indicates the address of all Supported Affordable Units, including those designated as a Comparable Substitution.

People-Based: The CAHF Recipient of People-Based Financial Supports for rentals shall report to the City on an annual basis the addresses of Supported Affordable Units occupied by Beneficiaries who received CAHF support (or support through recycling of CAHF funds).

Assistance for Homeownership

The purpose and intent of CAHF support for projects including supported affordable homeownership is to create opportunities to help bolster the inventory of Supported Affordable Units and/or help low-income residents earn equity.

In reviewing applications for CAHF funds to assist with homeownership, the City will consider, among other factors:

- Applicant's demonstrated history of providing Affordable Housing and/or Supported Affordable units
- Applicant's plan for continuing to provide additional Affordable Housing and Supported Affordable Units in the future
- Any mechanisms for maintaining affordability periods of the unit over time
- Any mechanisms for helping families earn savings through mortgage payments and appreciated value
- Any mechanisms for sharing appreciation upon resale with the non-profit agency
- Any mechanisms for sharing appreciation upon resale with the City
- Any mechanisms for recycling funds back into future Supported Affordable Units via reinvestment, return of funds to the CAHF or to another affordable housing fund (as agreed to by the City)
- Other creative mechanisms that help promote equity earning among low-income homeowners and/or leverage funding for future low-income housing opportunities

Accountability Measures

Project-Based: Funds received by the Recipient upon the sale of a designated Supported Affordable Unit shall be used by the Recipient to create access to additional Supported Affordable Units according to the Recipient's Form 990 or shall be returned to the City as part of an appreciation-sharing agreement, unless otherwise authorized by the City. The Recipient shall notify the City following the sale of a designated

¹¹ There is no specified reporting format; therefore, any report providing the requested information may be used as long as the Supported Affordable Units are identified by address.

Supported Affordable Unit and shall designate the fund into which the proceeds (or portion thereof) have been placed.

People-Based: Funds received by the Recipient upon the sale of a designated unit shall be used by the Recipient to create access to additional Supported Affordable Units according to the Recipient's Form 990 or shall be returned to the City as part of an appreciation-sharing agreement, unless otherwise authorized by the City. The Recipient shall notify the City following the sale of a designated unit and shall designate the fund into which the proceeds (or portion thereof) have been placed.

CAHF Tracking Measures¹²

Project-Based: Within 30 days of closing on a Supported Affordable Unit that received Project-Based Financial Supports from CAHF, the Recipient will identify the unit as a Supported Affordable Unit in a notification submitted to the City that contains the address of the designated unit. On June 30 of every year thereafter, the Recipient shall submit a report that indicates the addresses of all Supported Affordable Units, including those that have secured Supported Affordable Unit status from the fund designated by the Recipient to receive proceeds from the sale of another Supported Affordable Unit(s) within the project or that are subject to Project-Based Legal Supports.

People-Based: Within 30 days of closing on a Supported Affordable Unit where the Beneficiary received People-Based Financial Supports from CAHF, the Recipient will identify the unit as a Supported Affordable Unit in a notification submitted to the City that contains the address of the designated unit. On June 30 of every year thereafter, the Recipient will submit a report that indicates the addresses of all Supported Affordable Units, including newly designated units that have secured Supported Affordable Unit status from the fund designated by the Recipient to receive proceeds from the sale of another Supported Affordable Unit(s).

How to Apply for CAHF & Potential Use of Funds¹³

Applications for CAHF will be accepted on a continual basis, with no set deadline. Applicants are strongly urged to communicate with City staff in advance to discuss their proposed project. If demand for funds exceeds available funds, then Applicants will be advised and preferences contained herein will help determine funding recommendations to City Council. The following is a list of potential uses for the CAHF; however, this list is not meant to be exclusive.

- Redevelopment of CRHA Properties
- Rental Housing
- Homeownership
- Down Payment & Closing Cost Assistance or Foreclosure Assistance
- Homeowner and/or Rental Rehabilitation
- Loan Program and/or Revolving Loan Fund
- Single Room Occupancy or Boarding House

¹² There is no specified reporting format; therefore, any report providing the requested information may be used as long as the Supported Affordable Units are identified by address.

¹³ All potential uses of funds are subject to the Code of Virginia and the City of Charlottesville Code of Ordinances.

- Energy Efficiency Upgrades
- Rental Subsidies
- Land Acquisition and Assembly in support of Supported Affordable Units and/or mixed income housing
- Land Development in support of Supported Affordable Units and/or mixed income housing
- Predevelopment Expenses when in support of a Supported Affordable Units project (e.g., feasibility analyses, market studies, A&E fees, environmental and/or geotechnical studies, relocation payments, appraisal costs, legal fees, permits, etc.)¹⁴
- Efforts involving the use of Low Income Housing Tax Credits, shared equity, community land trust and deed restrictions are encouraged to ensure long term affordability
- Initiatives that preserve and/or expand housing opportunities for the Special Needs Population.
- Preservation of existing Affordable Housing to provide Supported Affordable Units
- Other projects as allowable under Virginia Code.

Other Uses of CAHF Funds

- Funding exceptions are possible; however, use of funds for programmatic purposes should only be allowed when a determination has been made that 2025 housing goal progress is on track or ahead of schedule. Even in these instances, programmatic uses should be limited to one time expenses that are provided through ADU payments or proffers.
- Funding can be used for data collection to better understand housing issues/needs and to study Affordable Housing stock and Supported Affordable Unit issues as they relate to accomplishment of the 2025 housing goal. Funding should be limited to no more than 10% of the annual amount awarded to CAHF through the CIP process.
- Funding may also be used for administration purposes related to HAC meetings, educational purposes, public outreach, staff training, and other minor expenses related to furthering Supported Affordable Unit efforts. This amount should be limited to 1% of the annual amount appropriated to the CAHF.

¹⁴ A cost share of 50% will be required for predevelopment initiatives unless these are City directed/requested. Repayment of funds will not be required if a project is deemed infeasible as a result of predevelopment efforts; however, the Recipient will be required to share/disclose all findings with the City.

**AN ORDINANCE
AUTHORIZING THE ABANDONMENT OF
PORTIONS OF SANITARY SEWER EASEMENTS
GRANTED TO THE CITY IN THE ROCK CREEK ROAD NEIGHBORHOOD**

WHEREAS, in 1956, 1959, 1970 and 1980 the City acquired certain permanent easements for installation of sanitary sewer lines across multiple properties along Rock Creek Road and 5th Street, S.W., designated on City Real Estate Tax Map 22B as Parcels 302, 303, 336, 337, 338, 339, 340, 341 and 342 and on Tax Map 24 as Parcels 106, 107, 108, 112, 113, 114, 115, 116, 116.1, 117 and 120 (“Subject Properties”); and

WHEREAS, in 2011 the City undertook a major sanitary sewer project to replace portions of the existing sewer lines along Rock Creek Road, and acquired permanent easements for the new sewer lines; and

WHEREAS, several property owners have requested abandonment of those portions of the original permanent sewer easements which now serve no useful purpose; and

WHEREAS, the Director of Public Utilities has reviewed the request and determined that the City no longer has a need for certain portions of the above-described original easements; 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 portions of these easements; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute Quitclaim Deeds, in form approved by the City Attorney, to abandon portions of the original sanitary sewer easements across the Subject Properties acquired by the City that are now unnecessary for the maintenance and repair of the City sanitary sewer system.

Prepared by Charlottesville City Attorney's Office
S. Craig Brown, Esq. (VSB #19286)
Tax Map Parcel _____

This deed is exempt from state recordation taxes imposed by Virginia Code §58.1-802 pursuant to Virginia Code §58.1-811(C)(4).

THIS QUITCLAIM DEED made this _____ day of _____, 2014, from the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (hereinafter, the "CITY"), GRANTOR, to _____, GRANTEE, whose address is _____.

WITNESSETH:

WHEREAS, GRANTEE is the owner of certain real property in the City of Charlottesville, Virginia, designated on City Real Estate Tax Map ____ as Parcel ____ (the "Property"); and

WHEREAS, by Deed of Easement dated _____ from GRANTEE to the CITY, of record in the Charlottesville Circuit Court Clerk's Office as Instrument # _____, the CITY was conveyed a permanent easement and right of way (the "2011 Sewer Easement") for the construction and maintenance of sanitary sewer facilities across the Property; and

WHEREAS, the Sewer Easement replaced in part an existing sanitary sewer easement acquired by the City by instrument dated _____, and shown on the plat dated _____ attached to said instrument, the plat being of record in the Albemarle County Circuit Court Clerk's Office in Deed Book _____, Page _____ (the "Sewer Easement"), and GRANTEE has requested the City to Quitclaim and Release those portions of the Sewer Easement that are no longer necessary for access, maintenance, or repair of the new sanitary sewer facilities; and

WHEREAS, the CITY has agreed to Quitclaim certain portions of the Sewer Easement as requested by GRANTEE, after holding a public hearing, advertised in accordance with Virginia Code Sec. 15.2-1800(B), and adoption of an Ordinance by the Charlottesville City Council on _____, 2014.

WITNESSETH:

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00), receipt of which is hereby acknowledged, the CITY does hereby RELEASE and forever QUITCLAIM all its right, title and interest in and to certain portions of the Sewer Easement, as shown on the attached plat dated _____ by Draper Aden Associates, acquired by the CITY by recordation of the 19__ plat on the Albemarle County Circuit Court Clerk's Office in Deed Book ____, Page ____.

IN WITNESS WHEREOF, the City of Charlottesville has caused this deed to be executed by its Mayor, pursuant to an Ordinance adopted by City Council on _____, 2014.

WITNESS the following signatures and seals:

GRANTOR: **CITY OF CHARLOTTESVILLE, VIRGINIA**

By: _____
Satyendra Singh Huja, Mayor

APPROVED AS TO FORM:

S. Craig Brown, City Attorney
City of Charlottesville, Virginia

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

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 #: _____
My commission expires: _____

**AN ORDINANCE
 APPROVING AND ADOPTING A SCHEDULE OF FEES
 PURSUANT TO CITY CODE 34-10(a)
 APPLICABLE TO VARIOUS SERVICES AND FUNCTIONS ADMINISTERED BY THE
 CITY’S DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES,
 RELATED TO APPLICATIONS, PETITIONS, INSPECTIONS, PERMITS
 AND APPROVALS REQUIRED BY THE CITY’S ZONING ORDINANCE,
 SUBDIVISION ORDINANCE, AND BUILDING REGULATIONS.**

WHEREAS, §15.2-2241 and §15.2-2286 of the Code of Virginia (1950), as amended, provide for the collection of fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of zoning and subdivision ordinances and to the filing or processing of any appeal or amendment thereto; and

WHEREAS, the Code of the City of Charlottesville (1990), as amended, provides in various places for City Council’s approval from time to time of a schedule of fees associated with other types of applications, petitions, inspections, permits and approvals administered by the City’s Department of Neighborhood Development Services (“NDS”), pursuant to Va. Code §15.2-2241(A)(9), 15.2-2286(A)(6), §36-105(C)(7) and §36-105(D); and

WHEREAS, following advertisement of this change in accordance with the requirements of Virginia Code §15.2-107 this Council has held a public hearing on the proposed NDS fee schedule;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that the current NDS fee schedule, as supplemented by the attached chart, is hereby approved and adopted, and shall take effect upon the date of enactment.

Type of Fee	Proposed Fee (\$)	Current Fee	Additional Costs / Comments
BUILDING REGS (CHAPTER 5)			
Temporary Certificate of Occupancy			
Residential	\$50/unit per month	All \$400 per month	
Non-Residential	\$1/sq ft per month		
Landscaping Only	\$500 per month		
Single Family Res.	\$250 per unit		
ZONING (CHAPTER 34)			
Development Plan – No Preliminary			
Residential	\$1,800 + \$20 per lot	\$0	New Fee
Non-Residential	\$1,200 + \$20/sq ft		
Development Plan – Final with Preliminary			

Comments	\$750	\$750	
No Comments	\$500	\$450	
Development Plan – Mixed Use			
With Preliminary Plan	\$1,300 + \$20/unit + \$20/sf/100 sf	\$0	New Fee
No Preliminary Plan	\$1,800 + \$20 unit + \$20/sf/100 sf		
Development Plan Amendment	\$300	\$250	
Vacation of Recorded Plat	\$150	\$100	
Minor Subdivision Plat	\$250	\$0	New Fee
Boundary Line Adjustment (no new lots)	\$100	\$95	

RESOLUTION
STATING THE LEGISLATIVE POSITIONS OF THE COUNCIL OF THE CITY OF
CHARLOTTESVILLE RELATIVE TO MATTERS ANTICIPATED TO BE
CONSIDERED WITHIN THE 2015 SESSION OF THE VIRGINIA GENERAL
ASSEMBLY

BE IT RESOLVED, by the Council of the City of Charlottesville **THAT** the attached Legislative Position Statements are hereby adopted; and

BE IT FURTHER RESOLVED that we hereby request the Office of the City Attorney to transmit the approved Legislative Position Statements to the legislators who represent the citizens of Charlottesville, and also to monitor the 2015 General Assembly Session, and to advocate on behalf of the City's interests consistent with the attached Legislative Position Statements.

RESOLUTION

BE IT RESOLVED by the City Council of the City of Charlottesville that EPR be engaged through the on-call contract assigned to Line and Grade, per the attached Scope of Services to provide design services for the Adaptive Signal Project.

**Scope of Engineering Services
City of Charlottesville
Route 29 Adaptive Traffic Control System Inventory and Design
EPR**

This task order will be completed in accordance with the following scope of Services and the standard provisions of our contract with the City of Charlottesville.

BACKGROUND / UNDERSTANDING:

VDOT has initiated a project to install an adaptive traffic control system (InSync) on Route 29 within both the City and Albemarle County. This system will improve traffic flow on Route 29 in the City and County by enabling the two systems to communicate with one another using InSync technology and optimizing the signal operations.

Within the City limits the project will include the following 13 intersections:

- Ivy Road/University Avenue/Emmet Street
- Ivy Road/Rothery Road
- Ivy Road/Alderman Road/Copeley Road
- Massie Road/Emmet Street
- Arlington Boulevard/Emmet Street
- Arlington Boulevard/Milmont Street
- Wise Street/Emmet Street
- Barracks Road/Emmet Street
- Barracks Road/Milmont Street
- Morton Drive/250 Bypass Eastbound Ramp/Emmet Street
- Angus Road/250 Bypass Westbound Ramp/Emmet Street
- Hydraulic Road/Hillsdale Drive
- Hydraulic Road/250 Bypass.

In order to implement this system an inventory of each of the existing traffic signals' equipment is needed. Once inventoried, EPR will develop plans to upgrade the signals as needed to accommodate the adaptive traffic control system.

TASK DESCRIPTION:

Based on our previous discussions, it is our understanding that we will be performing the following tasks.

Task 1 – Inventory

First, EPR will gather existing plans and information for the intersections listed above including the signal system inventory conducted previously by EPR, information gathered by the City's Public Works staff, Hillsdale/Hydraulic signal plans, Barracks/Emmet plans developed by MMM, and Ivy/Emmet plans created by UVA. This information will serve as the basis for a field review of each intersection.

Task 2 – Signal Design

EPR staff will determine what changes are needed to the signals in order to accommodate the InSync adaptive traffic control system. Minimal format construction plans containing these changes will be created. Planimetric survey (i.e. horizontal information only) will not be gathered at this time. Rather, the need for survey will be evaluated individually for each intersection and a separate task order will be prepared for this work.

As part of the InSync analysis process, EPR will also recommend additional improvements to upgrade intersections independent of the adaptive project for the City’s consideration.

Task 3 – Cost Estimates

EPR will develop cost estimates for the needed improvements. Two estimates will be developed for each intersection. The first will include the minimum improvements needed to accommodate the InSync adaptive traffic control equipment. The second will include other improvements recommended to upgrade intersections as needed.

Task 4 – Meeting Attendance

EPR staff will meet with Rhythm Engineering (and VDOT, if necessary) to review the construction plans and ensure that all items needed to accommodate the InSync adaptive traffic control system are included. This meeting will occur at the City offices and in the field.

FEE AND SCHEDULE

EPR will provide the above summarized services at the hourly rates agreed upon within the standard provisions of our contract. The fee is \$52,000 for the signal modification designs (for the 13 intersections) and specifications.

Signed:

Accepted by:

William L. Wuensch, P.E.
Principal
EPR

Aubrey Watts
COO/CFO
City of Charlottesville