



CITY COUNCIL AGENDA
December 15, 2014

5:00 p.m. – 7:00 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code
Second Floor Conference Room
(Interviews and consideration of candidates for City boards and commissions)

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

Council Chambers

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

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

1. **CONSENT AGENDA*** (Items removed from consent agenda will be considered at the end of the regular agenda.)
 - a. Minutes for December 1
 - b. **APPROPRIATION:** Year End Adjustments – FY2014 and General Fund Balance Transfer (2nd of 2 readings)
 - c. **APPROPRIATION:** Reimbursement from the Thomas Jefferson Planning District Commission for Transportation Enhancement Grant Loan - \$300,000 (2nd of 2 readings)
 - d. **APPROPRIATION:** Community Development Block Grant Funds for VIEW (Virginia Initiative for Employment not Welfare) Career Training - \$16,500 (2nd of 2 readings)
 - e. **APPROPRIATION:** BAMA Works Foundation and LeRoi H. Moore Fund Sponsorship for Parks and Recreation Special Events- \$12,659.04 (2nd of 2 readings)
 - f. **APPROPRIATION:** Medicaid/FAMIS Renewal Application Processing Appropriation - \$12,690 (2nd of 2 readings)
 - g. **APPROPRIATION:** Virginia Department of Health Special Nutrition Program Child and Adult Care Food Program - \$32,000 (1st of 2 readings)
 - h. **ORDINANCE:** Procurement Code Amendments (2nd of 2 readings)
2. **REPORT** State of the City Address
3. **RESOLUTION*** Funds Transfer from Capital Improvement Program Contingency for Downtown and University Avenue Lighting Survey- \$97,366.50 (1st of 1 reading)
4. **RESOLUTION*** Funding for Streets That Work – \$100,000 (1st of 1 reading)
5. **REPORT*** General District Courts Update (1st of 1 reading)
6. **RESOLUTION*** Establishing a Shared Law Enforcement Training Facility (City, UVA, Albemarle Co.) (1st of 1 reading)
7. **REPORT** RSWA Annual Report

OTHER BUSINESS (NLC Update; Regional Long Range Transportation Plan)

MATTERS BY THE PUBLIC
COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

*ACTION NEEDED

FY 2014 Year End Appropriation

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the actions hereinafter set forth are herein authorized with respect to the accounts of the City listed herein, for the fiscal year ended June 30, 2014. The memo to Council dated December 1, 2014 is hereby made part of this appropriation.

I. General Fund (105).

(a) Departmental Appropriations.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year:

1101001000. Circuit Court.	\$ 40,176.
3101002000. Police – JADE.	\$ 1,154.
2213001000. Education and Training.	\$ 50,000.
1631001000. Bank Franchise Refund Reserve.	\$ 281,746.
1631001000. State Flex Cut Reserve.	\$ 292,148.
9713002000. Blue Ridge Juvenile Detention Center.	\$ 65,000.
1900217. Neighborhood Development Services.	\$ 9,562.
2213001000. Employee Benefits.	\$ 700,000.
1800036. Parks & Recreation Facility Rentals.	\$ 1,000.
1800038. City Market Donations.	\$ 2,300.

Total Section 1 (a). \$1,443,086.

(b) Additional Transfers and Appropriations.

9803030000. Transfer to Social Services.	\$ 267,984.
9803030000. Transfer to E.C.C. Telephone Upgrade Project.	\$ 24,776.
9803030000. Transfer to Tax Billing System Project.	\$ 49,000.
9803030000. Transfer to Street Paving Project.	\$ 500,000.
9803030000. Transfer to Capital Projects Fund.	\$ 972,595.

Total Section 1 (b). \$ 1,814,355.

II. Capital Projects Fund (426).

- The sum of \$49,000 received as a transfer from the General Fund shall be appropriated into the Tax Billing System Project account P-00719.
- The sum of \$24,776 received as a transfer from the General Fund shall be appropriated into the E.C.C. Telephone Upgrade project account P-00762.
- The sum of \$289,516 received as a transfer from the Risk Management Fund as an insurance reimbursement for the replacement of the building located at 207 1st Street, South which was damaged by fire on December 15, 2013.

III. Facilities Repair Fund (107).

- The sum of \$245,123 shall be carried over and reserved in the Facilities Repair Fund, for the purpose of funding future court repairs or record conversion (P-00099).

IV. Utility Funds – Gas (631).

- \$79,300 shall be appropriated into the Gas Fund (2713001000) to be used to pay Federal Pipeline and Hazardous Materials Safety Administration fines.

V. Grants Fund (209).

The sum of \$8,692 shall be appropriated for the following grant programs in fund 209:

190010.	State Fire Grant.	\$8,692.
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VI. Social Services Fund (212).

The sum of \$1,539 represents unspent funds received in FY13 as a donation from Martha Jefferson Hospital to fund the rental of ten Personal Emergency Response Systems (P.E.R.S.) for qualified residents of Public Housing in the Crescent Halls or Westhaven communities. These remaining funds are to be used to extend the program for one additional year.

VII. Human Services Fund (213).

The sum of \$15,416 represents unspent BankOn program funds received from non-city sources and shall be carried over and expended in the Human Services fund for BankOn program expenses in F.Y. 14.

VIII. Risk Management Fund (711).

The sum of \$289,516 represents the amount received as an insurance reimbursement for the city owned property located at 207 1st Street, South that was damaged by fire earlier this year. These funds are hereby transferred and appropriated into account P-00840 in the Capital Projects fund to be used to replace the building.

APPROPRIATION.
Reimbursement from the Thomas Jefferson Planning District Commission for
Transportation Enhancement Grant Loan.
\$300,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$300,000, received as a loan repayment from the Thomas Jefferson Planning District Commission be appropriated in the following manner:

Revenues - \$300,000

Fund: 426 WBS: CP-080 G/L Account: 451160

Expenditures - \$300,000

Fund: 426 WBS: CP-080 G/L Account: 599999

APPROPRIATION.

**Community Development Block Grant Funds for VIEW (Virginia Initiative for Employment not Welfare) Career Training.
\$16,500.**

WHEREAS, The City of Charlottesville has received a Community Development Block Grant and a portion of the funding, \$16,500, has been designated for VIEW participant career training.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$16,500 is hereby appropriated in the following manner:

Revenue – \$16,500

Fund: 212 Cost Center: 3333002000 G/L Account: 451022

Expenditures - \$16,500

Fund: 212 Cost Center: 3333002000 G/L Account: 540060

APPROPRIATION.
Special Events Sponsorships.
\$12,659.04.

WHEREAS, the City of Charlottesville, through the Parks & Recreation Department, has received sponsorship funds in the amount of \$12,659.04 from BAMA Works and the Leroi H. Moore Fund for the Sunday Sundowns events,

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

Revenue

\$12,659.04	Fund: 105	Cost Center: 2000121	G/L Account: 451020
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Expenditures

\$2,572.00	Fund: 105	Cost Center: 3631001000	G/L Account: 510030
\$1,920.00	Fund: 105	Cost Center: 2000121	G/L Account: 510030
\$8,167.04	Fund: 105	Cost Center: 2000121	G/L Account: 520600

BE IT FURTHER RESOLVED, that future payments and contributions from BAMA Works and the LeRoi H. Moore Fund will be hereby considered as a continuing appropriation and immediately available for the Parks & Recreation Department to fund community special events, or other activities otherwise directed by the donor.

APPROPRIATION.
Medicaid/F.A.M.I.S. Overdue Application Processing.
\$12,690.

WHEREAS, The Charlottesville Department of Social Services has received funding in the amount of \$12,690 to be used for processing Medicaid and F.A.M.I.S. (Family Access to Medical Insurance Security) renewal applications.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$12,690 is hereby appropriated in the following manner:

Revenue – \$12,690

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

Expenditures - \$12,690

Fund: 212 Cost Center: 3301005000 G/L Account: 510060

AN ORDINANCE
AMENDING AND REORDAINING CHAPTER 22 (CITY PROCUREMENT OF GOODS
AND SERVICES FROM NON-GOVERNMENTAL SOURCES) OF THE
CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED.

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Sections 22-1, 22-4, 22-5, 22-6 and 22-32 of Chapter 22 of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained, as follows:

CHAPTER 22. CITY PROCUREMENT OF GOODS AND SERVICES
FROM NON-GOVERNMENTAL SOURCES

ARTICLE I. In General

Sec. 22-1. Findings; purpose.

The purpose of this chapter is to supplement the provisions of the Virginia Public Procurement Act (Code of Virginia, § ~~2.2-4300~~~~41-35~~ et seq., as amended), by enunciating the city's policies pertaining to governmental procurement from nongovernmental sources, to encourage competition among vendors and contractors, to provide for the fair and equitable treatment of all persons involved in public purchasing by the city, to maximize the purchasing value of public funds in procurement so that high quality goods and services may be obtained at the lowest possible price, and to increase public confidence in procurement practices by providing safeguards for maintaining a procurement system of quality and integrity.

...

Sec. 22-4. Methods of procurement authorized.

(a) All city contracts with nongovernmental contractors for the purchase or lease of goods, or for the purchase of services (including construction services) or insurance, shall be awarded after competitive sealed bidding or competitive negotiation, unless otherwise authorized by the Virginia Public Procurement Act or this chapter.

(b) Goods, non-professional services, and insurance shall be procured by competitive sealed bidding.

(1) Upon a written determination, made in advance by the purchasing manager, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, goods, services, or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination.

(2) Upon a written determination, made in advance by the purchasing manager, that competitive negotiation is either not practicable or not fiscally advantageous,

insurance may be procured through a licensed agent or broker. The licensed agent or broker shall be selected in the manner provided for the procurement of things other than professional services using a competitive negotiations process.

(c) Construction services shall be procured by competitive sealed bidding. However, upon a written determination, made in advance by the purchasing manager, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, the following construction services may be procured by competitive negotiation:

~~(1) Contracts for the construction, alteration, repair, renovation or demolition of buildings, when such contract is not expected to cost more than one million dollars (\$1,000,000.00), or~~

~~(2)(1) Contracts for the construction of public streets and any draining, dredging, excavation, grading or similar work upon real property-, or~~

~~(2) For design-build and construction management contracts as provided in § 2.2-4308 of the Code of Virginia.~~

The purchasing manager's determination shall document the basis for his determination.

(d) Upon a written determination, made in advance by the purchasing manager, that there is only one (1) source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation. The writing shall document the basis for this determination. The purchasing manager shall issue a written notice stating that only one (1) source was determined to be practicably available, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted [on the City's website](#). [In addition, the notice may be posted](#) in a designated public area or published in a newspaper of general circulation on the day the city awards or announces its decision to award the contract, whichever occurs first. ~~Public notice may also be published on the city's website.~~

(e) In case of emergency, a contract may be awarded without competitive sealed bidding or competitive negotiation; however, such procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be prepared by the procurement manager and included in the contract file. The purchasing manager shall issue a written notice stating that the contract is being awarded on an emergency basis, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted [on the City's website](#). [In addition, the notice may be posted](#) in a designated public area or published in a newspaper of general circulation on the day the city awards or announces its decision to award the contract, whichever occurs first, or as soon thereafter as is practicable. ~~Public notice may also be published on the city's website.~~

(f) The purchasing manager may establish written procedures, approved by the city manager, for single- or term-contracts for goods, services and professional services, if the aggregate or the sum of all amounts to be paid to the contractor during performance is not expected to exceed ~~thirty-fifty~~ thousand dollars (\$~~350,000.00~~) ("small purchase procedures"). Such small purchase procedures shall provide for competition wherever practicable.

(g) Upon a determination made in advance by the purchasing manager and set forth in writing that the purchase of goods, products or commodities from a public auction sale is in the best interests of the public, such items may be purchased at the auction, including online public auctions. The writing shall document the basis for this determination. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates, shall not be made by online public auctions.

(h) The purchase of goods or nonprofessional services, but not construction or professional services, may be made by reverse auctioning. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates, shall not be made by reverse auctioning.

(i) The city may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with one (1) or more other public bodies, or public agencies or institutions or localities of the several states, of the Commonwealth of Virginia, of the United States or its territories, the District of Columbia, or the U.S. General Services Administration, for the purpose of combining requirements to increase efficiency or reduce administrative expenses in any acquisition of goods and services. ~~Except for contracts for professional services, a~~ public body may purchase from another public body's contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies, ~~except for:~~

- (1) Contracts for architectural or engineering services; or
- (2) Construction in excess of \$200,000 by a local public body from the contract of another local public body that is more than a straight line distance of 75 miles from the territorial limits of the local public body procuring the construction. The installation of artificial turf or other athletic surfaces shall not be subject to the limitations prescribed in this subsection. Nothing in this subsection shall be construed to prohibit sole source or emergency procurements awarded pursuant to subsections (d) and (e) of this section.

(j) No contract for the construction of any building or for an addition to or improvement of an existing building by the city or any of its agencies, boards or departments for which state funds of not more than ~~thirty-fifty~~ thousand dollars (\$~~350,000.00~~) in the aggregate or for the sum of all phases of a contract or project either by appropriation, grant-in-aid or loan, are

used or are to be used for all or part of the cost of construction, shall be let except after competitive sealed bidding or competitive negotiation.

(k) Upon a determination made in advance by the purchasing manager and set forth in writing that neither competitive sealed bidding nor competitive negotiations would be practicable or fiscally advantageous to the city, the city in its capacity as a utility operator may purchase services through or participate in contracts awarded by one (1) or more utility operators that are not public bodies for utility marking services as required by the Underground Utility Damage Prevention Act (§ 56-265.14 et seq. of the Code of Virginia), provided that the purchasing manager certifies in writing that the contract has been awarded based on competitive principles.

Sec. 22-5. Exemption for certain transactions.

The provisions of this chapter shall not apply to:

- (1) Contracts for the acquisition of motor vehicles for sale or transfer to temporary assistance to needy families (TANF) recipients.
- (2) Contracts for goods or personal services for direct use by recipients of the following programs, if the procurement is made for an individual recipient: public assistance and social services programs, as defined in § 63.2-100 of the Virginia Code, or the Virginia Juvenile Community Crime Control Act (§ 16.1-309.2 et seq. of the Virginia Code). Contracts for the bulk procurement of goods or services for the use of such recipients are not exempt from the requirement of competitive procurement.
- (3) A procurement transaction that involves the expenditure of federal assistance or contract funds, the receipt of which is conditioned upon compliance with mandatory requirements in federal laws or regulations not in conformance with the provisions of this chapter. Under these circumstances the city may comply with such federal requirements, notwithstanding the provisions of this chapter, upon the written determination of the city manager that acceptance of the grant or contract funds under the applicable conditions is in the public interest. Such determination shall state the specific provision of this chapter in conflict with the conditions of the grant or contract.
- (4) Contracts for the purchase of goods or services that are produced or performed by persons, or in schools or workshops, under the supervision of the Virginia Department for the Blind and Vision Impaired, ~~nonprofit sheltered workshops, or other nonprofit organizations~~employment services organizations that offer transitional or supported employment services serving ~~the handicapped individuals~~with disabilities.
- (5) Contracts for the purchase of legal services, expert witnesses or other services associated with litigation or regulatory proceedings;

- (6) The Charlottesville Economic Development Authority may enter into contracts without competition with respect to any item of cost of "authority facilities" or "facilities" as defined within § 15.2-4902 of the Virginia Code.
- (7) Contracts for insurance or electric utility services purchased through an association of which the city is a member, if the association was formed and is maintained for the purpose of promoting the interest and welfare of and developing close relationships with similar public bodies, provided such association has procured the insurance or electric utility services by use of competitive principles and provided that the city's purchasing manager has made a written determination in advance, after reasonable notice to the public, that competitive sealed bidding and competitive negotiation are not fiscally advantageous to the public. The written determination shall document the basis for this determination.
- (8) Contracts for police services, when the chief of police certifies in writing to the purchasing manager that such services are needed for undercover police operations.
- (9) Contracts extending the time for performance of existing contracts, to allow completion of any work undertaken but not completed during the original term of the contract.
- (10) Contracts for essential election materials and services.
- (11) Contracts, and modifications of existing contracts, with the Columbia Gas Transmission Corporation, its successors or assigns, ~~for the purchase of natural gas at prices established by federal regulation,~~ for the transportation of gas purchased from others, or for natural gas storage services; and contracts with sources other than Columbia Gas Transmission Corporation for such portions of the city's natural gas requirements as may be so obtained under existing applicable federal regulations; and contracts with Columbia Gas Transmission Corporation or other pipelines for the transportation of gas supplies. Contracts exempt from competitive procurement pursuant to this subsection shall be subject to the following:
 - a. No contract for the purchase of natural gas from sources other than Columbia Gas Transmission Corporation shall be valid unless the director of public works (or designee) certifies to the purchasing manager that the price for such gas, including applicable transportation charges, is the lowest of no fewer than three (3) telephone price quotations or a single quote based on a published index price (such as NYMEX) obtained by the gas division before entering into such contract.
 - b. The gas division shall maintain a list of all responsible bidders able to deliver natural gas supplies to the Columbia Gas system for transportation to the city, who have requested to be contacted when the city is proposing

to enter into contracts for purchases of its gas supply. The bidders to be called for quotations on any single contract shall be chosen at random from the names on such list; provided, however, that any current supplier may be asked for a new price quotation for a renewal of an existing contract.

- c. The terms of any contract entered into pursuant to this subsection shall be summarized in a notice to be posted by the purchasing manager in a location lawfully designated for display of public notice of a contract award, pursuant to the Virginia Public Procurement Act. Such notice shall identify the price being paid to the current contractor as well as the price quotations obtained from other prospective contractors.
- d. Nothing contained in this section shall be deemed to prohibit the city from refusing to contract for gas purchases from any source of supply reasonably believed to be unreliable during a proposed contract period due to potential adverse weather or other reasonably foreseeable operating conditions.

Sec. 22-6. Negotiation with the lowest responsible bidder.

Unless canceled or rejected, a responsive bid from the lowest responsible bidder in a competitive sealed bidding process shall be accepted as submitted, except that if the bid from the lowest responsible bidder exceeds available funds then the city may negotiate with the low bidder to obtain a contract price within available funds. If the city wishes to negotiate with the low bidder to obtain a contract price within available funds, negotiations shall be conducted in accordance with the following procedures:

- (1) The using department shall provide the purchasing manager with a written determination that the apparent low bid exceeds available funds. Such determination shall be confirmed in writing by the director of finance or his designee. The using department shall also provide the purchasing manager with a suggested reduction in scope ~~for the proposed purchase~~ or other suggested bid modification(s) to obtain a contract price within available funds.
- (2) The purchasing manager or designee shall advise the lowest responsible bidder in writing that the proposed purchase exceeds available funds. He shall further suggest a reduction in scope or other bid modification(s) for the proposed purchase and invite the lowest responsible bidder to amend its bid based upon the proposed reduction in scope or other bid modification(s).
- (3) Informal discussions shall be commenced with the low bidder, and repetitive informal discussions for the purposes of obtaining a contract within available funds shall be permissible.

- (4) The low bidder shall submit an addendum to its bid, which addendum shall include the change in scope for the proposed purchase, the reduction in price and the new contract value. If the addendum is acceptable to the city the city may award a contract within funds available to the lowest responsible bidder based upon the amended bid proposal.
- (5) If the city and the lowest responsible bidder cannot negotiate a contract within available funds, all bids shall be rejected.

ARTICLE II. Administration

Sec. 22-32. Powers and duties of purchasing manager.

- (a) The purchasing manager shall:
 - (1) Ensure that the city may obtain high quality goods and services at a reasonable cost.
 - (2) Oversee all of the city's procurement transactions, to ensure that all procurement procedures are conducted in a fair and impartial manner and in accordance with the requirements of this chapter and applicable state laws.
 - (3) Establish written procedures for approval by the city manager:
 - a. Governing the conduct of procurement transactions in accordance with the requirements of this chapter and applicable state law;
 - b. Providing a process by which comments concerning specifications or other provisions in invitations to bid or requests for proposals can be received and considered prior to the time set for receipt of bids or proposals or award of a contract;
 - c. Governing pre-qualification of prospective contractors for particular types of supplies, services, insurance, or construction, and for consideration of bids or proposals limited to such pre-qualified contractors;
 - d. Providing a process for debarment of prospective contractors from contracting with the city for particular types of supplies, services, insurance or construction, consistent with the provisions of section 22-7 of this chapter;
 - e. Providing for the conduct of small purchase procedures; and

- f. Providing a procedure for the consideration of claims submitted by a contractor pursuant to § 2.2-4363 of the Virginia Code.
- (4) Accept surplus property from city departments. The purchasing manager may transfer such property to other departments where appropriate and shall endeavor to sell the remainder. Sales of surplus property shall be on the basis of competitive bids whenever practicable.
 - (5) Establish programs, manuals and forms, as he deems necessary to facilitate and implement the provisions of this chapter and of any regulations approved by the city manager.
 - (6) Delegate authority to purchase specified goods, services, insurance or construction to other city officials, upon a determination set forth in writing that such delegation is necessary for the effective procurement of those items.
 - (7) Establish programs to facilitate the participation of small businesses and businesses owned by women and minorities in procurement transactions, which programs may include cooperation with the Virginia Department of Minority Business Enterprise, the Virginia Department of Transportation, the United States Small Business Administration, and other public or private agencies, and oversee any process of compliance and certification of any federal Disadvantaged Business Enterprise (DBE) requirements applicable to the city as a result of the receipt of federal grant funding.
 - (8) Ensure compliance with applicable provisions of the Fair Employment Contracting Act (§ 2.2-4200 et seq. of the Code of Virginia) and of the Information Technology Access Act (§ 2.2-3500 et seq. of the Code of Virginia) and other provisions of state law which may be applicable to specific procurement transactions of the city.
 - (9) Perform such other functions and duties as may be assigned to him by the city manager.
- (b) The purchasing manager may establish a written administrative procedure to govern the hearing of protests of a decision to award, or an award; appeals from refusals to allow withdrawal of a bid; appeals from disqualifications and determinations of non-responsibility; appeals from decisions on disputes arising during the performance of a contract; or any of these. Such administrative procedure shall be consistent with the requirements of § 2.2-4365 of the Code of Virginia, and shall be approved by the city manager and the city attorney.

Cross reference— Transfer of unclaimed property to purchasing agent or director of finance, Sec. 20-58; sale or transfer of unclaimed property to city department or agency, Sec 20-59; procedure for donating city property in excess of one hundred dollars, Sec. 2-98.

State law reference— Provisions relating to surplus property, Code of Virginia, §§ 2.2-1124, 15.2-951, and 15.2-953.

RESOLUTION

**Transfer of Funds from Capital Improvement Program Contingency for Lighting Survey for
Downtown and University Avenue
\$97,366.50**

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 - \$97,366.50

Fund: 426 Cost Center 1601001000 WBS: CP-080 G/L Account: 599999

Transfer To - \$97,366.50

Fund: 426 Cost Center 3901221000 WBS: SS-008 G/L Account: 599999

BE IT ALSO RESOLVED that funds received from UVA for reimbursement of expenses related to this project, will be hereby appropriated back into the Capital Improvement Program Contingency account CP-080.

BE IT ALSO RESOLVED that the scope of consultant work should include a city neighborhood and engagement component, inclusive of comments from past Town Hall and public events, and an implementation and maintenance plan; and

BE IT ALSO RESOLVED that final approval be contingent upon a signed letter of agreement from UVA agreeing to pay for the University study area.

Resolution

Be It Resolved By the City Council of the City of Charlottesville that the Code Audit and Streets That Work projects move forward by:

Using the draft Scope of Services (attached) to procure consulting services to assist these projects with funds up to \$95,000 to come from the Small Area Plan CIP account.

RESOLUTION

**Transfer of Funds from Capital Improvement Program Contingency for Co-location of
General District Courts Feasibility Study
\$7,435**

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 - \$7,435

Fund: 426 Cost Center 1601001000 WBS: CP-080 G/L Account: 599999

Transfer To - \$7,435

Fund: 426 Cost Center 1601001000 WBS: P-00844 G/L Account: 599999

RESOLUTION

WHEREAS, the City Council for the City of Charlottesville has determined that it is in the best interests of the City to enter into an agreement with the County of Albemarle and the University of Virginia, for the construction and operation of a law enforcement training facility, including an indoor firing range (“Facility”), and related improvements, for the parties’ mutual use and benefit; and

WHEREAS, the City, County and the University have each received funding from the Office of the Virginia Attorney General, to support the initial capital costs of establishing the Facility; and

WHEREAS, the City, County and the University have outlined the parameters for an agreement under which they will establish and operate the Facility, as set forth within a proposed Ground Lease and proposed Operating Agreement presented to Council for its review this same date; and

NOW, THEREFORE, BE IT RESOLVED THAT this Council does hereby authorize the City Manager, with the assistance of the City Attorney’s Office, to finalize a Lease and an Operating Agreement upon terms and conditions consistent with those set forth within the documents presented to Council on December 15, 2014; and

BE IT FURTHER RESOLVED THAT this Council does hereby authorize the City Manager to execute the final Lease and Operating Agreement on Council’s behalf.

RESOLUTION

**Transfer of Funds from Capital Improvement Program Contingency Account
for the Establishment of a Shared Law Enforcement Training Facility
\$351,225**

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 - \$351,225

Fund: 426 Cost Center 1601001000 WBS: CP-080 G/L Account: 599999

Transfer To - \$351,225

Fund: 426 Cost Center 3101001000 WBS: P-00715 G/L Account: 599999