



**CITY COUNCIL AGENDA**  
**November 15, 2010**

**6:00 – 7:00 p.m.**

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

**TYPE OF ITEM**

**SUBJECT**

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

**AWARDS/RECOGNITIONS** Reentry Proclamation

**ANNOUNCEMENTS**

**MATTERS BY THE PUBLIC** Public comment will be permitted until 7:35 p.m. (limit of 3 minutes per speaker) and at the end of the meeting on any item, including items on the agenda, provided that a public hearing is not planned or has not previously been held on the matter. Persons are asked to sign up in advance of the start of the meeting.

**COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

- 1. CONSENT AGENDA\*** (Items removed from the consent agenda will be considered at the end of the regular agenda.)
  - a. Minutes of November 1
  - b. **APPROPRIATION:** \$7,250 – Westhaven Clinic Funding (2<sup>nd</sup> of 2 readings)
  - c. **APPROPRIATION:** \$1,430 – The Karen Roberts Memorial Fund for Girls (2<sup>nd</sup> of 2 readings)
  - d. **APPROPRIATION:** \$87,500 – Second Chance Act Grant (1<sup>st</sup> of 2 readings)
  - e. **APPROPRIATION:** \$10,000 – Donation from Dominion Virginia Power for the ecoREMOD Project (1<sup>st</sup> of 2 readings)
  - f. **RESOLUTION:** Charlottesville Civil War Sesquicentennial Committee (1<sup>st</sup> of 1 reading)
  - g. **RESOLUTION:** Neighborhood Matching Grant Program (1<sup>st</sup> of 1 reading)
  - h. **RESOLUTION:** Complete Streets Resolution (1<sup>st</sup> of 1 reading)
  - i. **ORDINANCE:** Petition to rezone property at 1006 Linden Ave (2<sup>nd</sup> of 2 readings)
  - j. **ORDINANCE:** Petition to rezone property at 110 Summit Street (2<sup>nd</sup> of 2 readings)
  - k. **ORDINANCE:** Abandonment of Stadium Rd. Sewer Easements (2<sup>nd</sup> of 2 readings)
- 2. PUBLIC HEARING / RESOLUTION** Omni Lease (1<sup>st</sup> of 1 reading)
- 3. PUBLIC HEARING / APPROPRIATION** Year End Adjustments – FY2010 and General Fund Balance Transfer (1<sup>st</sup> of 2 readings)
- 4. REPORT** Fiscal Year 2012 Budget Guidelines and Long Term Financial Forecast
- 5. REPORT** TMDL Update
- 6. REPORT / RESOLUTION** McIntire Road Extended Section 106 MOA (1<sup>st</sup> of 1 reading)
- 7. REPORT** City's Legislative Packet
- 8. REPORT** Thomas Jefferson Planning District Legislative Packet

**RESOLUTION**  
**WESTHAVEN CLINIC FUNDING**  
**\$7,250**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$7,250 is hereby paid from currently appropriated funds in the Council Priority Initiatives account in the General Fund:

Fund: 105

Cost Center: 1011001000

G/L Account: 540090

Approved by Council  
November 15, 2010

  
\_\_\_\_\_  
Clerk of Council

**APPROPRIATION**  
**The Karen Roberts Memorial Fund for Girls**  
**\$1,430**

**WHEREAS**, the City of Charlottesville, through the Department of Parks and Recreation for The First Tee of Charlottesville, has received contributions in the amount of \$1,430.00.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$1,430.00, is hereby appropriated in the following manner:

**Revenue - \$1,430.00**

Fund: 609

Internal Order: 1800021

G/L Account: 451020

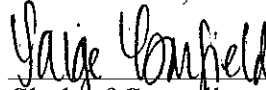
**Expenditures - \$1,430.00**

Fund: 609

Internal Order: 1800021

G/L Account: 599999

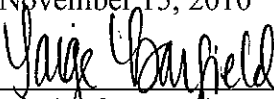
Approved by Council  
November 15, 2010

  
Clerk of Council

## RESOLUTION

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the Neighborhood Matching Grant Program, described in the attached Guidelines, is hereby approved, and shall become effective on November 16, 2010.

Approved by Council  
November 15, 2010

  
\_\_\_\_\_  
Clerk of Council

# DRAFT

## Neighborhood Development Services City of Charlottesville

### Neighborhood Matching Grant Program Grant Guidelines

*For the grant cycle opening* \_\_\_\_\_  
*Pre-review deadline – all applications:* \_\_\_\_\_  
*Final Application deadline:* \_\_\_\_\_

#### What is the Neighborhood Matching Grant Program?

The purpose of the Neighborhood Matching Grant Program is to encourage City residents to collaboratively identify and actively participate in making improvements in their neighborhoods. Community involvement and building relationships are key components of the program and are encouraged by requiring that the project budget include a match amount equal to, or greater than, the grant request; coordination with and support of your neighborhood association; and documentation of neighbor support. Demonstrating responsible stewardship of our community assets while balancing our community's social and environmental values are additional components of any project proposal submitted.

#### Who is eligible to apply?

Proposals will only be accepted from groups of people living, working, or owning property within the neighborhood boundary in which the project is located. A neighborhood group may be an existing group whose membership is from a commonly recognized geographic area (e.g. neighborhood association, business association, or school site PTA) or a group formed to work together on a specific project. PTA organizations may be funded through contract with the parent school.

An applicant group must certify in its application that it is a non-for-profit group. Any statement found to be false prior to, during, or after commencement of a contract created pursuant to this program will be grounds for immediate cancellation of the contract and returned to the City of Charlottesville of all monies granted.

Previous award recipients and current projects receiving matching grant funding are not eligible for additional program funding until outstanding projects are complete. All outstanding projects must be completed at the time of the final application deadline to be considered.

#### What types of projects may be considered?

Projects types include, but are not limited to:

- Physical improvement projects that involve recreation or public safety facilities, natural resources features, landscape islands, public art and spaces, neighborhood signage, or community gardens. Projects that improve universal accessibility are also encouraged.
- Public school partnership projects that benefit school children and the immediate neighborhood.
- Neighborhood-based events and celebrations and related promotional materials.

- Capacity building initiatives that serve to create, diversify, or increase participation in a neighborhood-based organization or promote an understanding of issues important to neighborhood residents, including neighborhood association website(s).

Grant funds cannot be used to:

- Pay for an organization's operating expenses that are not directly related to the awarded project;
- Purchase land or buildings;
- Pay for expenditures of financial commitments made before the organization is under contract with the City of Charlottesville.

**Are there limitations or special requirements to know about?**

**All applicants must discuss their proposals with the manager of the Neighborhood Matching Grant Program before submitting an application (434-970-3182).**

Applications that fail to meet all established deadlines will not be accepted.

All applications are required to go through a "pre-review" prior to submitting a final application (*see pg. 5, What is Pre-review?*).

Grants **must** be endorsed by your neighborhood association. The following parameters have been established to clarify the involvement of neighborhood associations in the neighborhood matching grant application process:

- Grant applications will not be considered unless they have the endorsement of their neighborhood association. It is up to individual neighborhood associations to decide if the endorsement happens by a Board action or is considered at a general membership meeting.
- The endorsement must be documented by an officer of the association.
- The endorsement is a "go/no go" decision. The association will not rank multiple applications or recommend one application over another in their neighborhoods.
- While it is not the role of the association to dictate the particulars of a grant proposal, applicants may request additional assistance from the association in writing the grant, educating residents about the proposal, documenting and gathering pledges of support, serving as fiscal agent, etc.
- It is the applicant's responsibility to keep the association apprised of any significant changes to the proposal as it moves through the review process. A re-endorsement may be requested if a proposal has changed significantly as a result of the pre-review feedback.
- In areas without an active neighborhood association, applicants must work with Neighborhood Development Services staff to hold a public meeting to gauge resident support for their proposal.

Projects may involve private property but must provide a clear public benefit. Private property eligible for a grant includes common areas or cul-de-sac centers owned by a homeowners' association. It does NOT include property owned by an individual. Documentation must be provided that confirms property owner support of the proposal and their agreement and methodology to permanently maintain public access to the site.

## How are projects selected?

Proposed projects will be scored and ranked on how they meet the following criteria:

- **Tangible Neighborhood Benefits (40 points)**
  - The project produces an observable, physical improvement to the neighborhood or a measurable change in the sense of local community or identity.
  - The project provides a continuing benefit into the future.
  - The project reflects a special or unique need of the neighborhood in which it is proposed or as identified in existing neighborhood-based plans or neighborhood surveys.
  
- **Neighborhood and Community Involvement (35 points)**
  - The project involves and fosters collaboration between neighbors and other neighborhood groups, community organizations and government agencies.
  - The project demonstrates broad neighborhood support through implementing as many of the following:
    - Write an article about the project for your neighborhood association newsletter, website or for distribution on a listserv.
    - Discuss your project at a neighborhood association meeting and other community forums.
    - For site specific projects, circulate a petition that includes adjacent residents (renters, owners and businesses) and/or post a notice of the proposal onsite with information on how to provide feedback and get involved.
    - Obtains letters of support from neighborhood and/or community organizations.
  - The project contributes to the goal of more evenly distributing grant awards throughout the community.
  
- **Project Readiness (15 points)**
  - The application is complete and consistent with grant guidelines.
  - The project is clearly defined and feasible.
  - For physical improvements, including landscaping, ongoing and long-term maintenance is adequately addressed.
  - The project budget is based on documented and verifiable costs and specifications.
  - The project will be managed by capable operational and fiscal managers.
  - The proposed project is compatible with plans, policies and practices of local jurisdictions.
  - For projects not confined to City property, permission has been secured for use of the site from the property owner(s).
  - The matching portion of the grant, including the availability of volunteers and donated materials, is well documented and credible.
  
- **Sustainability Values (10 points)**
  - Project contributes to environmental health or our ability to effectively address climate change.
  - Project will have a positive effect on the local economy and minimizes costs to the community, now and over the long term.
  - Project supports responsible stewardship of public resources.

- Project contributes to social equity by meeting basic needs, benefiting vulnerable populations, promoting community safety and cultural awareness, or building community relationships and neighborhood cohesion.
- **Bonus Points (up to 5 additional points)**
  - For every 10% that the match exceeds the grant request, one bonus point will be added.

Members of a citizen committee will rate how well each project meets the listed criteria. The committee serves in an advisory capacity and makes a recommendation to City Council as to which projects should be funded. The advisory committee has the discretion to recommend full or partial funding for any or all of the project applications submitted.

Scores are averaged across the committee with projects selected primarily in rank order. However, the committee is not required to allocate any or all of the grant money for a cycle if it determines that some or all of the proposals require further consideration and refinement.

No more than half of the grant funds available in a cycle will be used to fund neighborhood-based events or celebrations.

### **What is Pre-Review?**

All applications are required to go through a “pre-review” prior to submitting a final application. **Pre-review deadline is \_\_\_\_\_**. Applicants that fail to meet the pre-review deadline will not have their projects considered for funding. Feedback will be provided by \_\_\_\_\_ regarding your project’s consistency with existing policies, plans, standards and work practices. The response to staff comments must be included in your final application as an attachment. Applicants must address deficiencies identified by staff in their final applications. Inability to adequately address staff concerns may result in a project not being recommended for funding.

It is strongly recommended that applicants discuss their projects with appropriate City staff before submitting for pre-review to gain an understanding of staff expectations and Division requirements. Please contact the following staff with questions:

- **Traffic Calming:** Donovan Branche, 434-970-3182 or [branche@charlottesville.org](mailto:branche@charlottesville.org)
- **Projects involving streets and intersections:** Jeanie Alexander, 434-970-3182 or [alexanderj@charlottesville.org](mailto:alexanderj@charlottesville.org)
- **Parks:** Brian Daly, 434-970-3260 or [dalyb@charlotteville.org](mailto:dalyb@charlotteville.org)

If you are unsure of whom to contact, call Neighborhood Development Services at 434-970-3182

### **Key steps in developing a successful project.**

**Develop a competitive project concept:** Focus on an idea that builds community and is consistent with the grant criteria. Model projects bring neighbors together, require collaboration and address a clear need. Review the grant guidelines to see if your project is a good fit.

**Discuss your project concept early with appropriate City staff:** You must discuss your project with the manager of the Neighborhood Matching Grant Program to apply for funds.



It is also prudent to contact the appropriate City Department that will be involved in the review and/or permitting of your project prior to submitting any materials.

**Coordinate with your neighborhood association:** A neighborhood association endorsement for your project is required. Some associations meet infrequently and it may take some time to arrange to present your proposal. Applicants are strongly encouraged to initiate contact early in the application process. Contact Ric Barrick at 970-3129 if you are unsure of whom to contact.

**Obtain additional neighborhood support:** It is expected that applicants pursue a variety of means to educate residents about their project. Your application must show you have a broad base of support for the project (see Community Involvement in "How are Projects Selected?" On page 3).

**Get approval for the site:**

If your project involves property that your organizer or applicant group does not own you will need to get written approval from the owner. For private property, the owner(s) of the parcel must approve the project. For projects on school grounds documentation is required from the District and school principal.

**Determine resource needs:** What will it cost to complete your project? Be thorough and make sure to include typical costs, such as equipment and supplies, services, volunteers, etc. as well as applicable permit fees and insurance costs. Will you handle project accounting or do you need to identify a fiscal agent? (see Fiscal Agents, pg. 7).

**Research permit requirements:** Applicants are responsible for investigating permit requirements and associated fees. Related costs and time frames should be reflected in the project budget and schedule. Contact Neighborhood Development Services (NDS), 434-970-3182 to clarify the permit needs of your project. NDS is open 8:00 a.m. to 5:00 p.m. Monday – Friday and located at 610 East Market Street.

**Insurance:** Depending on the nature of the project, you may be required to obtain liability insurance. If your project will involve the use of a contractor, the City of Charlottesville will require proof of liability insurance from the contractor. The cost of insurance must be reflected in your project budget.

**Develop a budget and project schedule.** Project budgets should be as comprehensive and accurate as possible.

- Get cost estimates for budget items from more than one reliable source. Purchases over \$2500 require four documented quotations (*see Purchasing Requirements, pg. 7*).
- Construction projects must include a 15% cash contingency fund.
- Documentation of professional qualifications must be provided to justify professional rates.
- Projects involving City parks may be required to include a maintenance endowment in their budgets.
- Include permit and insurance costs, if applicable

Projects schedules should be realistic, reflect the schedule constraints of potential service providers or contractors and designed to be completed by \_\_\_\_\_.

Determine and document the match. Identify all possible match resources (cash, donated resources, professional services or volunteer time) and make sure to follow the match requirements.

**Call with questions or guidance:** \_\_\_\_\_, Neighborhood Development Services is available to answer questions and offer assistance with the process. \_\_\_\_\_ may be reached at 434-970-3182 or \_\_\_\_\_.

### **What are the match requirements?**

Requested grant funds must be matched by at least the same amount of cash donations, donated materials and supplies, professional services or volunteer labor. Documentation of the match is one way of indicating broad support for the project.

The following are match requirements:

- The total match must include an amount of cash, in-kind donations, or volunteer time that is equal to or greater than the grant amount requested.
- No more than half of the match may come from contributions outside the immediate neighborhood or other government agencies.
- The match may not include resources from other City departments.
- Volunteer labor or professional services contributed before the grant is awarded cannot be counted toward the match.
- All volunteer labor is valued at \$20.85 per hour based on the national value for volunteer time.
- Donated materials or supplies are valued at their retail price. Loaned equipment may also be included as part of the match and valued at the standard local rental fee.
- Cash donations may be secured with a written pledge signed by the donor, rather than collecting up front. If you have money in the bank to be used for the project, include a bank statement or a letter from the fiscal sponsor to document the funds. All cash donations must be received prior to contract execution and the expenditure of City funds.
- Professional services are valued at the reasonable and customary retail value of the product or service provided. Donors of professional services must provide the value of their contributions with documentation of professional qualifications.
- A Match Pledge Form provided with the application must be used to document volunteer labor and donated cash, materials, supplies or services. The form must be completely filled out, including donor signatures.

Undocumented portions of the match will not be included in the total project match

### **Financial Obligations and Procedures**

**Grant Agreements:** Successful applicants will enter into an agreement with the Department of Neighborhood Development Services that sets forth the terms and conditions of the grant. **Grant recipients will not be reimbursed for expenses incurred before an agreement is in place.**

Grant requests must be between \$250 and \$5,000. The value of the total project may exceed \$10,000.

Individual purchases in excess of \$2500 require a written request to a minimum of four vendors that includes specifications of the item or service to be purchased and date of request, and quotations from three vendors. This documentation must be included as an attachment in the final application.

Construction or installation projects are administered in one of two ways, based upon where the project will be located.

- For projects on **private property**, after the Applicant has secured all necessary approvals and/or permits, the City will reimburse the applicant for expenditures made in installments on a reimbursement basis upon receipt of documentation of expenses incurred by the applicant. For projects which will require maintenance once completed, adequate assurances of perpetual maintenance shall be included in the proposal and the contract (e.g. a homeowners' association will maintain the project).
- For projects on **City-owned property**, after the Applicant has secured all necessary approvals and/or permits, the City will manage the project, including the handling of procurement, and any cash match must be given to the City for disbursement. For projects which will require maintenance once completed, adequate assurance of perpetual maintenance shall be included in the proposal and the contract.

To avoid perceived conflicts of interests, applicants are discouraged from being both project lead/representative and primary paid consultants on projects.

**Fiscal Agents:** You will need a fiscal agent, which is someone who handles and accounts for money raised as well as the funds the City allocates or reimburses to your project. Someone in your group may act as the fiscal agent, or you may arrange for a nonprofit organization or business to act as the fiscal agent. Your fiscal agent may either charge the project for the service or donate time as an in-kind match. Typically, fiscal agents charge a fee of 3-10 percent of the money they handle. The expenses can be included in your budget

### How do I apply?

Application materials are available online \_\_\_\_\_ or at the following locations:

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Final applications are due by 5:00 p.m. Monday, \_\_\_\_\_. Grant awards will be announced as early as \_\_\_\_\_ but no later than \_\_\_\_\_. Completed materials should be submitted to: \_\_\_\_\_ Neighborhood Development Services, 610 East Market Street, Charlottesville, VA 22902

## **Resolution**

**WHEREAS**, “Complete Streets” are defined as roadways that enable safe and convenient access for all users, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation and seniors; and

**WHEREAS**, “Sustainable Complete Streets” are defined as Complete Streets with elements of design, construction and operation that also serve environmental sustainability; and

**WHEREAS**, streets that support and invite multiple uses, including safe, active and ample space for pedestrians, bicycles, and public transportation, are more conducive to the public life and efficient movement of people than streets designed primarily to move automobiles and trucks; and

**WHEREAS**, promoting pedestrian, bicycle and public transportation travel as an alternative to the automobile reduces negative environmental impacts, promotes healthy living, and is less costly to the commuter; and

**WHEREAS**, the full integration of all modes of travel in the design of streets and highways will increase the capacity and efficiency of the road network, reduce traffic congestion by improving mobility options, limit greenhouse gas emissions, and improve the general quality of life; and

**WHEREAS**, many studies show that when roads are better designed for bicycling, walking and transit use, more people do so; and

**WHEREAS**, the design and construction of new roads and facilities should anticipate future demand for biking, walking, and other alternative transportation facilities and not preclude the provision of future improvements; and

**WHEREAS**, Complete Streets are supported by the Institute of Traffic Engineers, and American Planning Association, and many other transportation planning and public health professionals;

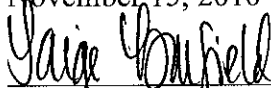
**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Charlottesville hereby establishes and adopts a sustainable Complete

Streets Policy whereby all street projects, including design, planning, reconstruction, rehabilitation, maintenance, or operations by the City of Charlottesville shall be designed and executed in a balanced, responsible and equitable way to accommodate and encourage travel by bicyclists, public transportation vehicles and their passengers, and pedestrians of all ages and abilities;

**BE IT FURTHER RESOLVED** that the City shall provide for the needs of drivers, public transportation vehicles and patrons, bicyclists, and pedestrians of all ages and abilities in all planning, programming, design, construction, reconstruction, retrofit, operations, and maintenance activities and products; and

**BE IT FURTHER RESOLVED**, that the City shall view all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in the City and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation system.

Approved by Council  
November 15, 2010

  
\_\_\_\_\_  
Clerk of Council

**AN ORDINANCE  
APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT  
1006 LINDEN AVENUE  
TO HIGHWAY CORRIDOR (HW)**

**WHEREAS**, Thomas Kavounas (“Applicant”), on behalf of Mac-Frazier, Inc., the Owner of property designated as 1006 Linden Avenue and identified on City Tax Map 61 as Parcel 51, submitted an application seeking a rezoning of such property from R-2 (Residential) to Highway Corridor (HW), hereinafter the “Proposed Rezoning”; and

**WHEREAS**, a joint public hearing on the Proposed Rezoning was held before the City Council and Planning Commission on October 12, 2010, following notice to the public and to adjacent property owners as required by law; and

**WHEREAS**, legal notice of the public hearing held on October 12, 2010 was advertised in accordance with Va. Code Sec. 15.2-2204; and

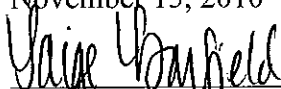
**WHEREAS**, on October 12, 2010, the Planning Commission voted to recommend approval of the Proposed Rezoning to the City Council on the basis of general welfare and good zoning practice; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice requires the Proposed Rezoning; that both the existing zoning classifications (R-2 Residential) and the proposed “HW” zoning classification are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

*Section 34-1. Zoning District Map.* Rezoning from R-2 Residential to Highway Corridor (HW), the property located at 1006 Linden Avenue, identified on City Tax Map 61 as Parcel 51, consisting of approximately 0.258 acres, or 11,250 square feet.

Approved by Council  
November 15, 2010

  
Clerk of Council

**AN ORDINANCE  
APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT  
110 SUMMIT STREET  
FROM R-2U (RESIDENTIAL – UNIVERSITY)  
TO B-2 (BUSINESS)**

**WHEREAS**, the City of Charlottesville, Virginia (“Applicant”), the Owner of property designated as 110 Summit Street, identified on City Tax Map 17A as Parcel 11, submitted an application seeking a rezoning of such property from R-2U (Residential-University) to B-2 (Business), hereinafter the “Proposed Rezoning”; and

**WHEREAS**, a joint public hearing on the Proposed Rezoning was held before the City Council and Planning Commission on October 12, 2010, following notice to the public and to adjacent property owners as required by law; and

**WHEREAS**, legal notice of the public hearing held on October 12, 2010 was advertised in accordance with Va. Code Sec. 15.2-2204; and

**WHEREAS**, the Applicant submitted a Preliminary Proffer Statement dated April 20, 2010, as required by City Code Section 34-64(a), and presented the Preliminary Proffer Statement to the Planning Commission on October 12, 2010; and

**WHEREAS**, on October 12, 2010, the Planning Commission voted to recommend approval of the Proposed Rezoning to the City Council on the basis of general welfare and good zoning practice; and

**WHEREAS**, the Applicant submitted a Final Proffer Statement dated October 14, 2010, as required by City Code Section 34-64(c), and made a part of these proceedings; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice requires the Proposed Rezoning; that both the existing zoning classifications (R-2U Residential-University) and the proposed “B-2” zoning classification (subject to proffered development conditions) are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

*Section 34-1. Zoning District Map.* Rezoning from R-2U Residential-University to B-2 Business, subject to the proffered development conditions set forth within the Final Proffer Statement, the property located at 110 Summit Street, identified on City Tax Map 17A as Parcel 11, consisting of approximately 0.212 acres, or 9,249 square feet.

Approved by Council  
November 15, 2010

  
\_\_\_\_\_  
Clerk of Council

**AN ORDINANCE  
AUTHORIZING ABANDONMENT OF PERPETUAL EASEMENTS  
FOR UTILITY PURPOSES ACROSS PROPERTIES  
IN THE CHERRY HILL SUBDIVISION (RAINIER ROAD)**

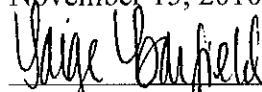
**WHEREAS**, the owners of properties designated as Parcels 2F, 2G, 2H, 2I, 2J, 2K, and 3 on City Tax Map 22A (all on Rainier Road), have requested abandonment of the perpetual sewer line easements granted to the City in 1940, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 103, page 68, said easements being shown on the attached plats made by Draper Aden Associates; 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 the subject easements; and

**WHEREAS**, the City Engineer and the staff of Public Utilities have reviewed the requests for abandonment and determined that the City no longer has a need for the above-described easements since the property owners have granted the City new easements, if necessary, for sanitary sewer lines; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute the Deeds of Abandonment of Easements, in form approved by the City Attorney, to abandon the above-described easements.

Approved by Council  
November 15, 2010

  
\_\_\_\_\_  
Clerk of Council

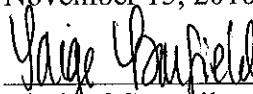


**RESOLUTION**  
**TO AUTHORIZE THE LEASE OF CITY PUBLIC RIGHT OF WAY**  
**TO OMNI CHARLOTTESVILLE HOTEL FOR SIDEWALK CAFÉ SPACE.**

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

Lease Agreement between the City of Charlottesville and Omni Charlottesville Virginia Corporation, for the lease of 502 square feet of public right of way on the Downtown Mall near 235 West Main Street for operation of the Terrace Café.

Approved by Council  
November 15, 2010

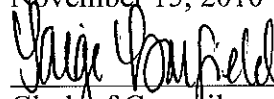
  
\_\_\_\_\_  
Clerk of Council

**RESOLUTION**

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

Memorandum of Agreement dated October 21, 2010, relative to the Section 106 Process for the McIntire Road Extended Project in the City of Charlottesville, Virginia.

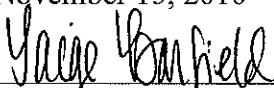
Approved by Council  
November 15, 2010

  
Clerk of Council

**A RESOLUTION  
APPROVING THE 2011 LEGISLATIVE PROGRAM FOR THE  
CITY OF CHARLOTTESVILLE**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the attached 2011 Legislative Program for the City of Charlottesville is hereby approved. The Clerk of Council is directed to forward a copy of the Program to the City's elected representatives in the General Assembly.

Approved by Council  
November 15, 2010

  
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Clerk of Council