



**CITY COUNCIL AGENDA**  
**February 16, 2010**

**6:30 – 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** 40<sup>th</sup> Anniversary of Va. Scenic River Program

**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 January 19

b. **APPROPRIATION:** \$11,500 – Piedmont Housing Alliance Loan Payoff (2<sup>nd</sup> of 2 readings)

c. **APPROPRIATION:** \$38,063 – Youth Internship Program Grant (2<sup>nd</sup> of 2 readings)

d. **APPROPRIATION:** \$60,000 – Cherry Hill Subdivision Sidewalks Contribution (1<sup>st</sup> of 2 readings)

e. **APPROPRIATION:** \$1,380 – Public Access TV Registration Fees (1<sup>st</sup> of 2 readings)

~~f. **RESOLUTION:** Authorize Purchase of Land on 4<sup>th</sup> St., NW from Region Ten (1<sup>st</sup> of 1 reading)~~

g. **RESOLUTION:** Accept Extension of Raymond Road into City System (1<sup>st</sup> of 1 reading)

h. **RESOLUTION:** Appointment of Acting City Manager (1<sup>st</sup> of 1 reading)

i. **ORDINANCE:** Zoning Text Amendment re: Veterinary Clinics and Kennels in Highway Mixed Use District (2<sup>nd</sup> of 2 readings)

j. **ORDINANCE:** Option for Family Health Care Coverage for City Retirees (1<sup>st</sup> of 2 readings)

k. **ORDINANCE:** Conservation Easement to the Nature Conservancy across City –owned Lands near Brandywine Drive and through Greenbrier Park (2<sup>nd</sup> of 2 readings)

**2. BID OPENING** Accept Bids for Lease of 4<sup>th</sup> Street NW Land for Single Room Occupancy Facility

**3. PUBLIC HEARING ORDINANCE\*** Lease of City-owned Land at 401 4<sup>th</sup> Street NW for Single Room Occupancy Facility (1<sup>st</sup> of 2 readings)

**4. REPORT** Belmont Issues

**5. REPORT** Neighborhood Advocacy

**6. REPORT** RFP for Raising Existing Lower Ragged Mountain Dam

**7. ORDINANCE\*** Noise Ordinance Amendments (1<sup>st</sup> of 2 readings)

**8. RESOLUTION\*** Opposing Reduction in State Funding for Charlottesville Public Schools (1<sup>st</sup> of 1 reading)

**APPROPRIATION**

Piedmont Workforce Network American Recovery and Reinvestment Act Youth Employment Program - \$38,063

**WHEREAS**, Community Attention has been awarded \$38,063 from the Piedmont Workforce Network American Recovery and Reinvestment Act Youth Employment Program; and

**WHEREAS**, the funds will be used to operate a six week internship program for youth ages 18 – 24, who are out of school and meet the eligibility requirements. The grant award covers the period from January 4, 2010 through March 31, 2010.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$38,063, is hereby appropriated in the following manner:

**Revenue – \$38,063**

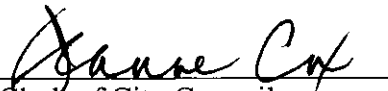
\$38,063      Fund: 213                      I/O: 1900141                      G/L Account: 430125

**Expenditures - \$38,063**

\$16,134      Fund: 213                      I/O: 1900141                      G/L Account: 519999  
\$21,929      Fund: 213                      I/O: 1900141                      G/L Account: 599999

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$38,063 from the Piedmont Workforce Network.

Approved by Council  
February 16, 2010

  
Clerk of City Council

**RESOLUTION**  
**Appropriation - Page Street, LLC Loan Pay-Off**  
**\$11,500**

**BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$11,500 is hereby appropriated in the following manner:

**Revenues**

**Fund: 425**

**Project: P-00439**

**G/L Account: 451999**

**Expenditures**

**Fund: 425**

**Project: P-00439**

**G/L Account: 599999**

Approved by Council  
February 16, 2010

  
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Clerk of City Council

**A RESOLUTION  
OPPOSING A REDUCTION IN STATE FUNDING FOR THE  
CITY OF CHARLOTTESVILLE PUBLIC SCHOOLS,  
AS REQUESTED BY THE ALBEMARLE COUNTY BOARD OF SUPERVISORS**

**WHEREAS**, in 1982 the City of Charlottesville and the County of Albemarle, following approval by County voters in a referendum, entered into an Annexation and Revenue Sharing Agreement; and,

**WHEREAS**, a stated purpose of the Agreement was to avoid a City-initiated annexation of property in Albemarle County that would "threaten the spirit of cooperation now existing between the City and County governments, . . . would involve great expenditures of time and money, and . . . would introduce an element of uncertainty into the political and governmental processes of both jurisdictions"; and,

**WHEREAS**, had an Agreement not been executed the City would have annexed a substantial amount of property within Albemarle County, which would have been a continuing source of revenue for the City of Charlottesville in the form of real property, personal property and sales taxes, as well as other fees and licenses; and,

**WHEREAS**, since 1982 the City and the County have worked collaboratively and in good faith on numerous joint endeavors and services which have benefited the residents of both jurisdictions, including improvements in the areas of parks and recreation, transportation, public transit, fire services, public safety, public education and environmental protection; and,

**WHEREAS**, the City has continued, at great expense and while under increasing fiscal stress, to be the primary provider of important core urban services which have benefited not only the residents of the City and County but also citizens of the entire region; and,

**WHEREAS**, due to inadequate local funding the Albemarle County School Board has requested the County's Delegate to the General Assembly to introduce legislation that would reduce state funding to the City of Charlottesville Public School system in the amount of \$2,600,000.00; and,

**WHEREAS**, as requested a budget amendment has been introduced at the General Assembly which would eliminate \$2,600,000 of funding to City Schools, with no apparent regard for the educational needs of the children of Charlottesville; and,

**WHEREAS**, while localities across the Commonwealth, as well as individuals and organizations interested in ensuring a quality public education for all Virginia children, have joined forces to strongly oppose proposed cuts in state funding for education, the Albemarle County Board of Supervisors has recently expressed its support

and endorsement of the proposed reduction in such funding to the City of Charlottesville Public Schools; and,

**WHEREAS**, the loss of funding from the proposed budget amendment, if passed, is equivalent to approximately \$0.05 on the City's real property tax rate, and would either force an increase in local taxes and fees or a reduction in local public services, including a potential reduction in the number of public school teachers and an increase in class sizes in Charlottesville schools; and,

**WHEREAS**, the recent action of the Albemarle County Board of Supervisors is contrary to the spirit of cooperation underlying the 1982 Annexation and Revenue Sharing Agreement which has been embraced by both jurisdictions in the ensuing 28 years, and as with the threat of a City-initiated annexation in 1982, would "threaten the spirit of cooperation now existing between the City and County governments, . . . would involve great expenditures of time and money, and . . . would introduce an element of uncertainty into the political and governmental processes of both jurisdictions".

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville that the Council expresses its strong opposition to the proposed budget amendment that would reduce state funding to the City of Charlottesville School system, and requests that the Board of Supervisors of Albemarle County reconsider its support for the proposed budget amendment.

**BE IT FURTHER RESOLVED** that the Council reiterates its longstanding interest in a continuing dialogue with the Albemarle County Board of Supervisors regarding ways in which the two jurisdictions can jointly deliver public services in a more efficient and cost effective manner which, unlike the proposed budget amendment, would benefit the residents of both the City and the County.

The Clerk of Council is directed to send certified copies of this Resolution to the City's elected representatives in the General Assembly, and to the members of the Albemarle County Board of Supervisors.

Approved by Council  
February 16, 2010

  
Clerk of City Council

**A RESOLUTION  
APPOINTING MAURICE JONES AS ACTING CITY MANAGER**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that Maurice Jones is hereby appointed as Acting City Manager, effective April 13, 2010 and continuing until a permanent City Manager is appointed and assumes office. The Acting City Manager is hereby authorized to take all actions and to assume all duties and responsibilities normally required of the City Manager for the City of Charlottesville.

Approved by Council  
February 16, 2010

  
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Clerk of City Council

**RESOLUTION  
ACCEPTING PORTION OF RAYMOND ROAD  
LOCATED IN BROOKWOOD SUBDIVISION  
INTO THE CITY STREET SYSTEM FOR MAINTENANCE**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the portion of Raymond Road located in the Brookwood Subdivision is hereby accepted into the City street system for maintenance. The subject roadway, shown on the attached plat made by Terra Engineering and Land Solutions, dated October 6, 2006, has been built to the specifications and standards required by the City-approved plan.

Approved by Council  
February 16, 2010

  
Clerk of City Council

**AN ORDINANCE  
TO AMEND AND REORDAIN SECTION 34-796 (Use Matrix)  
OF ARTICLE VI (MIXED-USE CORRIDOR DISTRICTS)  
OF CHAPTER 34 (ZONING) TO ADD ANIMAL BOARDING/GROOMING  
FACILITIES, KENNELS AND VETERINARY CLINICS  
WITH A SPECIAL USE PERMIT IN THE HIGHWAY (HW) CORRIDOR DISTRICT.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 34-796 of Article VI of Chapter 34 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

**Sec. 34-796. Use Matrix – Mixed use corridor districts.**

For the Highway Corridor zoning district, allow animal boarding/grooming facilities, kennels and veterinary clinics, without outside runs or pens, with a special use permit, by:

1. Placing an "S" in the row labeled "Without outside runs or pens" under the heading "Animal boarding/grooming/kennels:", located in the Non-residential: General and Misc. Commercial section, under the HW zoning district column, of the Use Matrix; and
2. Placing an "S" in the row labeled "Veterinary (without outside runs/pens)" under the heading "Clinics:", located in the Non-residential: General and Misc. Commercial section, under the HW zoning district column, of the Use Matrix.

Approved by Council  
February 16, 2010

  
Clerk of City Council



**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF A  
CONSERVATION EASEMENTS ACROSS CITY-OWNED LANDS  
NEAR BRANDYWINE DRIVE AND THROUGH GREENBRIER PARK  
TO THE NATURE CONSERVANCY.**

**WHEREAS**, The Nature Conservancy wishes to acquire a conservation easement across three (3) City-owned parcels of land (City Tax Map Parcels 41A-4, 41B-6 and 42B-85 – the “Property”), shown on the attached drawing, for stream restoration and general protection of natural resources; and

**WHEREAS**, in accordance with Virginia Code sections 15.2-1800 (B), a public hearing was held to give the public an opportunity to comment on the proposed conveyance of the City property as requested by The Nature Conservancy; and,

**WHEREAS**, by Resolution approved on November 16, 2009, this Council endorsed the concept of granting a permanent conservation easement to The Nature Conservancy across City-owned lands surrounding Meadow Creek; and

**WHEREAS**, the Department of Public Works and Department of Parks and Recreation have reviewed the proposed conveyance and have no objection thereto;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is authorized to execute a Deed of Gift of Conservation Easement, in form approved by the City Attorney, from the City to The Nature Conservancy across the above-described Property. The City Manager is hereby authorized to execute an Escrow Agreement with The Nature Conservancy and Southern Title Services, Inc. to allow the fully executed Deed of Gift of Conservation Easement to be held in escrow by Southern Title Services, Inc. in accordance with the terms of the Escrow Agreement. The City Attorney is hereby authorized to take whatever steps are necessary to effect the closing of said conveyance.

Approved by Council  
February 16, 2010

  
Clerk of City Council