



CITY COUNCIL AGENDA
March 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) **TENTATIVE**

TYPE OF ITEM

SUBJECT

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

AWARDS/RECOGNITIONS Poison Prevention 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 February 16 and 26

b. **APPROPRIATION:** \$100,000 – Schools Contribution to Small Capital Improvements Program
(2nd of 2 readings)

c. **APPROPRIATION:** \$370,900 – Safe Routes to School Grant (2nd of 2 readings)

d. **APPROPRIATION:** \$50,000 – Roy's Place Subdivision Improvements (2nd of 2 readings)

e. **APPROPRIATION:** \$45,730 - Domestic Violence Coordinator Grant (1st of 2 readings)

f. **RESOLUTION:** Authorizing Application for State Grant Funds for Park and Greenbelt Trail
Purposes (1st of 1 reading)

g. **RESOLUTION:** Supporting Funding Application for Buckingham Branch Railroad Company to
VDRPT (1st of 1 reading)

h. **ORDINANCE** Granting Underground Utility Easement to UVA across University Avenue to
to serve Madison Hall (2nd of 2 readings)

i. **ORDINANCE:** Closing Portion of Oak Street (2nd of 2 readings)

j. **ORDINANCE:** Quitclaim Gas Easement in Montgomery Ridge Subdivision (Albemarle County)
to VDOT (1st of 2 readings)

k. **ORDINANCE:** Reducing Speed Limit to 15 MPH in Certain School Zones (1st of 2 readings)

2. PUBLIC HEARING Annual Tax Rate

3. PUBLIC HEARING City Manager's Proposed FY 2011 Budget

4. PUBLIC HEARING Temporary Relocation of Jefferson Precinct to 1119 5th Street Extended
ORDINANCE* (Municipal Arts Building) (1st of 2 readings)

5. REPORT Google Broadband

6. REPORT* City Manager Executive Search Process

OTHER BUSINESS
MATTERS BY THE PUBLIC
ADJOURNMENT

*ACTION NEEDED (appropriations require 2 readings; ordinances require 2 readings; resolutions require 1 reading)
Reasonable accommodations will be provided for persons with disabilities if requested.

APPROPRIATION
Roy's Place Improvements
\$50,000

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$50,000 is hereby appropriated in the following manner:

Revenues - \$50,000

Fund: 425

Project: P-00485

G/L Account: 451999

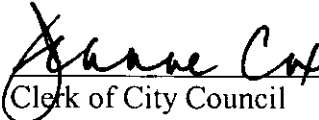
Expenditures - \$50,000

Fund: 425

Project: P-00485

G/L Account: 530670

Approved by Council
March 15, 2010


Clerk of City Council

APPROPRIATION

Safe Routes to School

\$370,900

WHEREAS, the City of Charlottesville has been awarded federal Safe Routes to School grant funding through the Virginia Department of Transportation; and

WHEREAS, the grant award will be used for pedestrian and bicycle improvements at and around Buford Middle School and Venable Elementary School;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$370,900, to be reimbursed from the Virginia Department of Transportation via the Safe Routes to School program, is hereby appropriated in the following manner:

Revenue – \$370,900

Fund: 425

WBS: P-00547

G/L Account: 430120

Expenditures - \$370,900

Fund: 425

WBS: P-00547

G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$370,900 from the Virginia Department of Transportation via the Safe Routes to School program.

Approved by Council
March 15, 2010


Clerk of City Council

APPROPRIATION
Transfer from General Fund to Schools Small Capital Projects Fund
\$100,000

WHEREAS, per an agreement between Charlottesville City Schools and the City of Charlottesville, \$157,016.11 was returned from City funding for schools on June 30, 2009, \$100,000 of which is dedicated to the School's Small Capital Projects.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$100,000 is hereby appropriated from the unappropriated balance of the General Fund in the following manner:

General Fund Transfer - \$100,000

Fund: 105 Cost Center: 9803030000 G/L Account: 561424

School Small Capital Projects Transfer from General Fund and Expenditure:

Revenues - \$100,000

Fund: 424 Cost Center: 9900000000 G/L Account: 498010

Expenditure - \$100,000

Fund: 424 WBS: SH-003 G/L Account: 599999

Approved by Council
March 15, 2010


Clerk of City Council

**AN ORDINANCE
CLOSING, VACATING, AND DISCONTINUING
THAT PORTION OF OAK STREET, AN UNACCEPTED RIGHT OF WAY,
BETWEEN 6TH STREET AND 6½ STREET, S.W.
ADJACENT TO PARCELS 97 AND 185
ON CITY REAL ESTATE TAX MAP 29.**

WHEREAS, Louis Baron, the owner of the property at 316 6½ Street, S.W., has initiated a petition seeking to close that portion of Oak Street, an unaccepted right-of-way running from 6th Street to 6½ Street, S.W., adjoining Parcels 97 and 185 on City Tax Map 29; and

WHEREAS, the Street which is the subject of this petition was created, circa 1888, by a subdivision plat recorded in the Albemarle County land records at Deed Book 90, page 52, and subsequently annexed into the City; however, the City has never formally accepted the 20-foot right-of-way by establishing any public street in this location; and

WHEREAS, there are no utility easements located in the subject Street; and

WHEREAS, owners along the Street proposed to be vacated have been duly notified; and

WHEREAS, following notice to the public pursuant to Va. Code Sec. 15.2-2006, a public hearing by the City Council was held on March 1, 2010, and comments from the City staff, and the public were made and heard; and

WHEREAS, after consideration of the factors set forth within the City's Street Closing Policy, adopted by Council on February 7, 2005, this Council finds and determines that the petitioners' request should be granted; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the subject Street is hereby closed, vacated and abandoned, the portion to be vacated being more particularly described as follows:

A twenty (20) foot platted street, designated as Oak Street, running approximately seventy-seven feet (77') from 6½ Street, S.W. to the eastern property line of Parcel 97 on 2010 City Real Estate Tax Map 29, adjoining Parcels 97 and 185 on said City Tax Map 60.

BE IT FURTHER ORDAINED that, unless an appeal from Council's enactment of this ordinance is made to the Charlottesville Circuit Court within sixty (60) days of the date of adoption, the Clerk of the Council shall send a copy of this ordinance with plat attached to the Clerk of the Circuit Court for recordation in the current street closing book.

Approved by Council
March 15, 2010


Clerk of City Council

**RESOLUTION ENDORSING THE
RAIL PRESERVATION APPLICATION OF
BUCKINGHAM BRANCH RAILROAD COMPANY**

WHEREAS, the Buckingham Branch Railroad desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance for the projects; and

WHEREAS, Buckingham Branch Railroad has identified projects that are estimated to cost **\$266,893.00** and

WHEREAS, the General Assembly, through enactment of the Rail Preservation Program, provides for funding for certain improvements and procurement of railways in the Commonwealth of Virginia; and

WHEREAS, the Buckingham Branch Railroad is an important element of the **City of Charlottesville's** transportation system; and

WHEREAS, the Buckingham Branch Railroad is instrumental in the economic development of the area, and provides relief to the highway system by transporting freight, and provides an alternate means of transportation of commodities; and

WHEREAS, the **City of Charlottesville** supports the project and the retention of the rail service; and

WHEREAS, the Commonwealth Transportation Board has established procedures for all allocation and distribution of the funds provided.

NOW, THEREFORE, BE IT RESOLVED, that the **City of Charlottesville** does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Buckingham Branch Railroad.

Date Adopted: March 15, 2010

Signed: Janne Cut

Title: Clerk of City Council

Land and Water Conservation Fund Authorizing Resolution

A resolution authorizing application(s) for federal funding assistance from the Land and Water Conservation Fund (LWCF) to the Virginia Department of Conservation & Recreation (DCR) as provided in the LWCF Act of 1965, as amended.

WHEREAS, under the provisions of LWCF, federal funding assistance is requested to aid in financing the cost of land acquisition and/or facility development; and

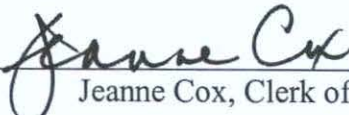
WHEREAS, the City of Charlottesville considers it in the best public interest to complete the land acquisition and/or development project described in the application;

NOW, THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to make formal application to DCR for funding assistance, and agrees to the following conditions if awarded the grant:

1. Any fund assistance received be used for implementation and completion of Parkland Acquisition within the specified timeframe;
2. The City Director of Finance hereby certifies that project funding is currently available and is committed for this project;
3. We are aware that the grant, if approved by the National Park Service, will be paid on a reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid to our vendors and evidence of such has been provided to DCR in the format required.
4. We acknowledge that any property acquired and/or developed with financial aid from the Land & Water Conservation Fund must be placed in use and be retained as a public outdoor recreation area in accordance with the provisions and requirements of the Land & Water Conservation Fund Act of 1965, as amended;
5. We acknowledge that we are responsible for compliance with the national Environmental Policy Act, Endangered Species Act, Historic Preservation Act and all applicable state and federal laws.
6. We acknowledge that appropriate opportunity for public comment has been provided on this application and evidence of such is a required for component approval.
7. This resolution becomes part of a formal application to the Virginia Department of Conservation & Recreation.

This resolution was adopted by Charlottesville City Council during the meeting held at City Hall in Charlottesville on March 15, 2010.

Approved by Council on March 15, 2010

Signed: 
Jeanne Cox, Clerk of Council

**AN ORDINANCE
AUTHORIZING THE GRANT OF A UTILITY EASEMENT
UNDER UNIVERSITY AVENUE TO
THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA**

WHEREAS, the Rector and Visitors of the University of Virginia desire an easement for repair and maintenance of underground utility facilities which are located partially within the University Avenue right-of-way in the City; and

WHEREAS, the City Engineer has reviewed and approved the request for the easement pursuant to the terms contained in the attached Deed of Easement; and,

WHEREAS, in accordance with Virginia Code section 15.2-1800, a public hearing was held before City Council to give the public an opportunity to comment on the grant of said easement; now, therefore

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Deed of Easement, in a form approved by the City Attorney, to grant the Rector and Visitors of the University of Virginia the easement shown on the attached plat made by Dewberry & Davis, LLC, dated January 28, 2009.

Approved 3/15/10

2010-10