



CITY COUNCIL AGENDA
February 22, 2011

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
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 7

- b. **APPROPRIATION:** \$7,500 – Family Finding Training (2nd of 2 readings)
- c. **APPROPRIATION:** \$3,177 – 2010 State Homeland Security Program Grant (1st of 2 readings)
- d. **APPROPRIATION:** \$18,362 – 2011 Juvenile Accountability Block Grant (JABG) (1st of 2 readings)
- e. **APPROPRIATION:** \$2,500 – Charlottesville Newsplex Scholarship Program (1st of 2 readings)
- f. **APPROPRIATION:** \$382,090 – Highway Safety Improvement Program (1st of 2 readings)
- g. **APPROPRIATION:** \$102,576 – Aid & Localities Fire Disbursement Fund (1st of 2 readings)
- h. **APPROPRIATION:** \$122,398 – U.S. Department of Housing and Urban Development Sustainable Communities Grant Funds (1st of 2 readings)
- i. **RESOLUTION:** Belmont Bridge Revenue Sharing Application (1st of 1 reading)
- j. **RESOLUTION:** Allocation of Capital Improvements Program Contingency (1st of 1 reading)
- k. **ORDINANCE:** FiberLight Agreement (1st of 2 readings)

**2. REPORT /
ORDINANCE***

Amendment of William Taylor Plaza PUD (1st of 2 readings)

**3. PUBLIC HEARING /
ORDINANCE &
RESOLUTION***

William Taylor Plaza Land Purchase and Sale Amendment for city property located at 521 and 529 Ridge Street (1st of 2 readings)

**4. PUBLIC HEARING /
ORDINANCE***

Amendment to Café Ordinance (1st of 2 readings)

5. REPORT*

Water Supply

6. REPORT/RESOLUTION*

Approval of Performance Agreement for 459 Locust Ave. (1st of 1 reading)

7. REPORT/RESOLUTION*

Hillsdale Design Approval (1st of 1 reading)

8. REPORT*

Belmont Bridge Sidewalk Repair

APPROPRIATION
Community Attention Family Finding Training
\$7,500

WHEREAS, the City of Charlottesville has been awarded \$7,500 from the Richard King Mellon Family Foundation,

WHEREAS, the funds will be used to provide Family Finding Training for Community Attention staff/families and the broader local foster care community. The grant award covers the period from January 1, 2011 through December 31st, 2011.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500 is hereby appropriated in the following manner:

Revenue – \$7,500

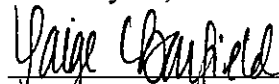
Fund: 213 Cost Center: 3413002000 G/L Account: 451020

Expenditures - \$7,500

Fund: 213 Cost Center: 3413002000 G/L Account: 530200

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$7,500 from the Richard King Mellon Family Foundation.

Approved by Council
February 22, 2011



Clerk of Council

RESOLUTION

At a regularly scheduled meeting of the Charlottesville City Council held on _____, on a motion by Mr. Brown, seconded by Ms. Szakos, the following resolution was adopted by a vote of 5 to 0:

WHEREAS, the Charlottesville City Council desires to submit an application for an allocation of funds of up to \$1 million through the Virginia Department of Transportation Fiscal Year 2011-2012 Revenue Sharing Program; and,

WHEREAS, \$1 million of these funds are requested to fund Belmont Bridge Replacement project, UPC 75878; now, therefore

BE IT RESOLVED that the Charlottesville City Council hereby supports this application for an allocation of \$1 million through the Virginia Department of Transportation Revenue Sharing Program; and

BE IT FURTHER RESOLVED that the Charlottesville City Council agrees to allocate \$1,000,000 in local matching funds to this project if the application is approved.

ADOPTED this 22nd day of February, 2011.



Paige Barfield, Clerk of Council

RESOLUTION

West Main Street Improvement Projects - \$350,000

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, that the \$350,000 will be transferred from the Capital Projects Contingency account to the West Main Streetscape account.

Transfer From

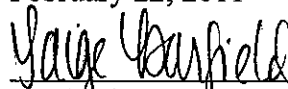
\$350,000 Fund: 425 WBS: CP-002 GL Account 561427

Transfer To

\$350,000 Fund: 427 WBS: P-000336 GL Account 498010

\$350,000 Fund: 427 WBS: P-000336 GL Account 599999

Approved by Council
February 22, 2011


Clerk of Council

**APPROVING RESOLUTION OF THE
CITY COUNCIL
OF THE CITY OF CHARLOTTESVILLE, VIRGINIA**

WHEREAS, the Economic Development Authority of the City of Charlottesville, Virginia (**the “Authority”**), a political subdivision of the Commonwealth of Virginia (**the “Commonwealth”**), was established to promote economic development in the City of Charlottesville, Virginia (**the “City”**), expand the City tax base and encourage more job opportunities for the citizens of the City by, among other things, promoting industry and developing trade in the City and encouraging and inducing nonprofit organizations and commercial enterprises to commit resources to locate or remain in the City; and

WHEREAS, the City Council of the City is empowered pursuant to Section 15.2-953 of the *Code of Virginia*, 1950, as amended (**the “Code”**), to make appropriations of public funds to the Authority for the purpose of promoting economic development in the City; and

WHEREAS, the Authority is empowered pursuant to Section 15.2-4901, *et seq.*, of the Code to, among other things, accept contributions, grants and other financial assistance from the City and make grants to any person, partnership, association, corporation, business, or governmental entity for the purposes of promoting economic development in the City; and

WHEREAS, the Authority, pursuant to that certain proposed Economic Development Performance Agreement (**the “Agreement”**), attached hereto as **Exhibit A**, is proposing to provide a certain financial incentive grant to the Developer (as defined in the Agreement) in order to encourage and induce the Developer to (i) invest a significant amount of money of not less than \$40,000,000 in certain real estate improvements (**“Improvements”**) to property (**the “Property”**) located in the City, (ii) create and maintain or cause to be created and maintained a minimum of 400 new jobs at businesses to be located on the Property at a minimum annual average salary of \$75,000 for jobs to be performed at businesses to be located on the Property and (iii) complete construction, renovation and equipping of the Improvements by no later than the Completion Date (as defined in the Agreement); and

WHEREAS, the Authority, while recognizing that the City Council of the City (**the “City Council”**) is not empowered under Virginia law to make any binding commitment beyond the current fiscal year of the City, has requested that the City Council annually appropriate monies to the Authority for the purpose of promoting economic development in the City by funding certain financial obligations of the Authority pursuant to and during the term of the Agreement; and

WHEREAS, there has been presented to this meeting a draft of the Agreement which sets forth the understanding and agreement between the Authority and the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:

1. The City Council finds and determines that the terms and conditions of the Agreement, including the provisions for the Grant, is consistent with the mission, goals and purposes of the Authority.

2. It is the current intention of the City Council to make sufficient annual appropriation of monies to the Authority for the purpose of promoting economic development in the City by funding certain financial obligations of the Authority pursuant to and during the term of the Agreement.

3. The City Manager or any other officer charged with the responsibility of preparing the City budget is hereby authorized and directed to include in the City budget for each fiscal year of the City during the term of the Agreement a request that the City Council appropriate sufficient monies to the Authority for the purpose of promoting economic development in the City and funding certain financial obligations of the Authority pursuant to the terms of the Agreement during such fiscal year.

4. The City Manager is hereby authorized to acknowledge the City's understanding of the Agreement and to execute such documents as he deems appropriate in relation to such Agreement.

5. All other acts of the City Manager, the Director of Economic Development or any other officer of the City relating to the purposes and intent of this resolution are hereby approved and ratified.

6. This resolution shall take effect immediately.

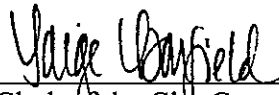
ADOPTED: February 22, 2011

CERTIFICATION OF ADOPTION OF RESOLUTION

I, the undersigned Clerk of the City Council of the City of Charlottesville, Virginia, hereby certify that the foregoing is a true, correct and complete copy of a Resolution duly adopted by a majority of the members of the City Council at an open meeting duly called and held on February 22, 2011 and that such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof. The following represent the votes taken at such meeting:

Member	Ayes	Nays	Abstentions
D. Norris	✓		
D. Brown	✓		
H. Edwards	✓		
S. Hija	✓		
K. Szakos	✓		

WITNESS my hand and the seal of the Authority, this 22 day of February, 2011.



Clerk of the City Council of the
City of Charlottesville, Virginia

[SEAL]

DESIGN PUBLIC HEARING APPROVAL RESOLUTION

WHEREAS, a Design Public Hearing was conducted on November 16, 2010 in the County of Albemarle (near Hillsdale Drive's alignment) by representatives of the City of Charlottesville after due and proper notice for the purpose of considering the proposed design of the Hillsdale Drive Extension Project under State project number U000-104-119, PE-101, RW-201, C-501 and Federal project number STP-5104 (151) in the City of Charlottesville and County of Albemarle, at which hearing renderings, plan sets, environmental documentation and other pertinent information were made available for public inspection in accordance with state and federal requirements; and

WHEREAS, all persons and parties in attendance were afforded full opportunity to participate in said public hearing; and

WHEREAS, representatives of the City of Charlottesville were present and participated in said hearing; and

WHEREAS, the Council had previously requested the Virginia Department of Transportation to program this project; and

WHEREAS, the Council considered all such matters; now, therefore,

BE IT RESOLVED that the Council of the City of Charlottesville hereby approves the major design features of the proposed project as presented at the Public Hearing with the following two adjustments based on public comment: 1) sharrows will be added to the plans to highlight the presence of bicyclists while encouraging them to better position themselves in the travel lane, and 2) removing the shared use path along the storm water management pond at the northern end of the termini and replacing it with on-road bike lanes to better transition bicyclists at the Greenbrier intersection; and

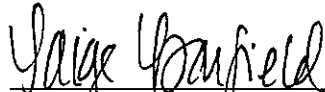
BE IT FURTHER RESOLVED, that the City of Charlottesville will acquire and/or furnish all right-of-way necessary for this project and certify same to the Virginia Department of Transportation and Federal Highway Administration at the appropriate time; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute, on behalf of the City of Charlottesville, all necessary agreements required in conjunction with acquiring such rights of way, as well as all other associated standard agreements for construction activities.

Adopted this 22nd day of February, 2011

City of Charlottesville, Virginia

ATTEST:



CLERK OF COUNCIL

BY: _____
MAYOR