



Design Public Hearing

## **Interstate 95 Temple Avenue Interchange Colonial Heights**

Tuesday, June 28, 2011, 5 - 7 p.m.  
Colonial Heights City Hall  
201 James Avenue  
Colonial Heights, VA 23834

### **Public Meeting**

**Welcome to the Virginia Department of Transportation's (VDOT) design public hearing on proposed plans to realign the off ramp at the I-95/ Temple Avenue (Route 144) interchange in Colonial Heights.**

This public hearing is being held to provide an opportunity for individuals or organizations to give VDOT comments and/or suggestions on the proposed project. VDOT strives to ensure that all members of the community have the opportunity to participate in public decisions on transportation projects and programs affecting them.

### **Civil Rights**

Representatives from VDOT are present to discuss the project and answer your questions. It is the responsibility of VDOT to ensure that all members of the community are afforded the opportunity to participate in public decisions on transportation systems and projects affecting them. VDOT ensures nondiscrimination in all programs and activities in accordance with Title VI of the Civil Rights Act of 1964.

## **Project Overview**



**Anticipated cost – \$6.5 million**

**Purpose –** Improve safety by eliminating the yield condition and increasing the capacity at the Temple Avenue intersection.

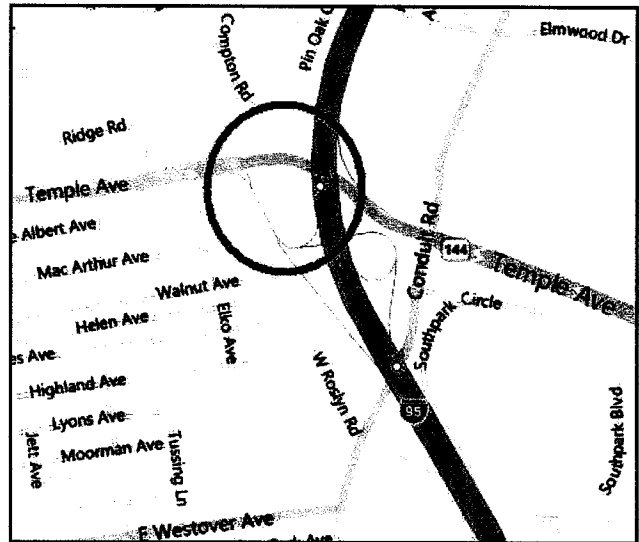
**Location –** At the I-95/ Temple Avenue interchange

**Anticipated start –** Spring 2013

**Anticipated completion –** Fall 2013

## PROJECT DESCRIPTION

The proposed project will realign the southbound and northbound I-95 off ramps to eliminate the existing yield condition. Additional right and left turn lanes will also be constructed at the intersection of the I-95 ramps and Temple Avenue. The existing crossover on Temple Avenue that is located east of the intersection will be closed to increase driver safety.



### Environmental Review

VDOT's Richmond District Environmental Section reviewed the social, economic and environmental impacts of the project on the local community and surrounding area. The project was coordinated with the appropriate federal, state and local officials.

This project is federally funded and meets the criteria for a Programmatic Categorical Exclusion pursuant to CE Category 23 CFR 771.117:c03.

### Right of Way

As the design is finalized, VDOT will determine the exact right of way and easements that are needed to accommodate the construction. Property owners will be notified of the exact location of the right of way and easements required during the right of way acquisition process, prior to construction.

Information about right of way purchase is discussed in VDOT's brochure, "Right of Way and Utilities: a Guide for Property Owners and Tenants."

### Get Involved

Comments can also be submitted in writing to [Richmondinfo@vdot.virginia.gov](mailto:Richmondinfo@vdot.virginia.gov). Information must be postmarked, emailed or delivered to VDOT within 10 business days of today's

meeting (July 8, 2011) in order to be included in the public information meeting record.

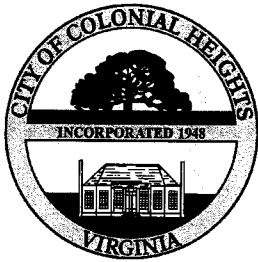
### Contact Information

**Primary Contact:**  
Ian Millikan, P.E.

Preliminary  
Engineering  
Project Manager

VDOT  
2430 Pine Forest Drive  
Colonial Heights, VA  
23834

804-786-6929



# CITY OF COLONIAL HEIGHTS

## FIRE, EMS AND EMERGENCY MANAGEMENT

A.G. Moore, Jr.  
Fire Chief

Public Safety Building  
100-B Highland Avenue • P.O. Box 3401  
Colonial Heights, Virginia 23834

David A. Salot  
Deputy Chief

RECEIVED

MAY 24 2011

### MEMORANDUM

**To:** Thomas L. Mattis, City Manager  
**From:** A. G. Moore, Jr, Chief of Fire & EMS  
**Date:** May 25, 2011  
**Subject:** Outbound Notification System

City Manager's Office

The City received two (2) bids in response to RFP #SP 11-042902-984; to review the City's Outbound Emergency Notification System as it relates to meeting City Council's goals for 2011. The bids received were from Emergency Communications Network (Code Red), and Blackboard Connect who is the City's current vendor.

The two (2) major goals established for the system were:

- To automatically send out National Weather Service weather warnings as soon as they are received. This will alleviate this task from the Telecommunicators, as it creates an apparent delay.
- To allow the end user i.e.; citizens, to "opt in" or "opt out" of any and/or all of the weather warnings.

The Outbound Notification Committee met on Monday May 23<sup>rd</sup> and reviewed presentations by both respondents. Code Red met all of the objectives set forth by City Council and have quoted an annual cost of \$9,625 which is \$7,250 less than our current vendor's quote.

It is the committee's recommendation to engage Code Red and initiate contract negotiations.

If you have any questions, please advise.

AGM/lis

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Special Meeting of City Council**  
**April 26, 2011**

**1. Call to Order.**

The Special Meeting of City Council was called to order by Mayor Davis at 6:00 P.M.

**2. Roll Call.**

**Present:** Councilman Milton E. Freeland, Jr.  
Councilman Kenneth B. Frenier  
Councilman W. Joe Green, Jr.  
Vice Mayor Elizabeth G. Luck  
Councilwoman Diane H. Yates  
Mayor C. Scott Davis

**Absent:** Councilman John T. Wood (Arrived at 6:02 P.M.)

**Also Present:** Mr. Thomas L. Mattis, City Manager  
Mr. Hugh P. Fisher, III, City Attorney  
Mr. William E. Johnson, Director of Finance

Mrs. Jennifer N. Carpenter, Director of Human Resources  
Mr. Jeffrey W. Faries, Chief of Police  
Mr. Craig R. Skalak, Director of Recreation and Parks  
Mr. Bruce N. Hansen, Library Director  
Mr. William E. Henley, Director of Public Works/Engineering  
Mr. A. G. Moore, Jr., Chief of Fire and EMS  
Ms. Karen K. Saunders, Information Technology Administrator  
Mr. George W. Schanzenbacher, Director of Planning  
Mrs. Marjorie DeDanko, Commissioner of Revenue  
Ms. Joy Moore, Treasurer

Mayor Davis moved Item 3.A., to follow the Public Hearing, and Item 3.B.2, Review and Discussion of Preliminary Plan and/or Initial Building Schematic for the New City of Colonial Heights Courthouse, to the beginning of the agenda.

**3. Special Meeting for the purpose of holding a work session for the following purpose:**

**B. Holding a work session for the following purposes:**

**2. Review and Discussion of Preliminary Plan and/or Initial Building Schematic for the New City of Colonial Heights Courthouse**

Mr. Green read a Declaration of Personal Interest with regard to his residential location near the Courthouse property, which was filed with the Clerk.

Mr. Wood read a Declaration of Personal Interest with regard to his residential location near the former church property, which was filed with the Clerk.

Mr. Mattis stated the Courthouse Project Oversight – Building Committee's recommendation will be presented to Council and approval will be needed to move forward with the project.

Mr. Jay Moore with Moseley Architects presented the conceptual plan for the Courthouse.

Mayor Davis stated Judge Gill has stated the square footage planned for the Courthouse will be what is needed to take them into the future.

In response to a question from Mrs. Yates, Mr. Moore stated there will be access to the Circuit Court Clerk's office space from the rear of the building.

In response to a question from Mr. Frenier, Mayor Davis stated Judge Gill has reviewed the conceptual plan and has made a presentation to the Circuit Court Judges of the 12<sup>th</sup> Judicial Circuit and there are no concerns with the plan.

In response to a question from Mr. Green, Mayor Davis stated that the Project Land Use Planning Commission will be meeting to discuss the layout on the property for the building. He further stated that no matter how the building is positioned on the property, there will be the same amount of parking spaces.

In response to question from Mr. Wood, Mr. Moore stated that the public entry area and the lobby will project towards the front of the building.

There was a brief discussion regarding the handicap access and the handicap parking which will be available.

Mr. Henley stated the timing of this presentation is critical because Council's input on the conceptual plan is necessary to wrap up proposals which are being submitted.

Mr. Moore stated an additional room to be utilized for jury assembly will be located on the second floor and take some of the square footage away from the unfinished space which will be available.

In response to a question from Mr. Green, Mr. Moore stated the space on the second floor which is open to the first floor below is needed to achieve LEED certification.

Mrs. Yates stated that she had toured the Dinwiddie Courthouse after it was built and when staff was asked if there was anything they could change, they stated the Sheriff's deputies did not have the ability to lock down the building if needed.

Sheriff Wilson stated that the ability to lock down the building has been discussed and the deputies will have control of the building.

Mayor Davis stated this building will be similar, as far as technology goes, to the Isle of Wight Courthouse which was built in December 2010.

In response to a question from Mr. Freeland, Mr. Moore stated the building will be approximately 57,000 square feet, with the second floor being approximately 27,000 square feet.

In response to a question from Mr. Freeland, Mr. Henley stated the current Courthouse building is less than 30,000 square feet.

In response to questions from Mr. Wood, Mr. Moore stated to add a third floor to the plans for the Courthouse, the construction cost would add an additional \$3 to \$4 million to the total construction cost for the building.

There was a brief discussion about the possibility of having three floors in the Courthouse to be prepared for future growth and the height restrictions for the City.

Mr. Mattis stated the Courthouse building will have space to be used for future growth.

In response to a question from Mr. Wood, Mr. Moore stated there would be a law library available to the public located in the Commonwealth's Attorney's office.

Mr. Wood stated the law library should be easily accessible by the public.

Ms. Bryna Wood with Moseley Architects presented information regarding LEED certification and the process that must be gone through to achieve the certification. She stated the LEED certification is more costly but LEED certified buildings do pay for themselves through energy and water savings.

There was a brief discussion regarding building the Courthouse using a LEED design but not getting the certification.

In response to a question from Mr. Mattis, Mr. Moore stated to build a LEED certified building the cost is 1 to 2 percent more than a traditional building.

Mr. Henley stated it is staff's recommendation to build the Courthouse LEED certified.

In response to a question from Mr. Green, Mr. Henley stated if the building is built green, but LEED certification is not pursued, the steps to insure the building is built to the specifications which will save the City money are not taken.

Mr. Wood stated the cost savings can be achieved for this building without the LEED certification and he believes this is just another agency to make money by telling the public sector the building is LEED certified. He further stated he will not vote for the LEED certification because the money does not need to be spent.

It was the CONSENSUS of Council that the City pursue LEED certification for the Courthouse building at 231 Chesterfield Avenue.

**Vote:** 5-2  
**Yes:** Freeland, Jr.  
Frenier  
Luck  
Yates  
Davis  
**No:** Green, Jr.  
Wood  
**Abstained:** None  
**Absent:** None

Mr. Wood stated the new Courthouse building has no provisions for a law library with computer monitors for public access to eliminate the need to go to the Clerk's office to obtain information. He further stated the building does not have enough storage space in the Courthouse for documents that need to be kept and for those reasons he will not support the schematic plan.

It was the **CONSENSUS** of Council to approve the schematic drawing for the Courthouse building at 231 Chesterfield Avenue, as presented.

**Vote:** 6-1  
**Yes:** Freeland, Jr.  
Frenier  
Green, Jr.  
Luck  
Yates  
Davis  
**No:** Wood  
**Abstained:** None  
**Absent:** None

**B. Holding a work session for the following purposes:**

- 1. Review and Discussion of the City Manager's Recommended Budget for Fiscal Year 2011-12**

Mr. Mattis provided information on the proposed purchase of an SUV for the Recreation and Parks Department.

Mr. Wood expressed appreciation to Mr. Mattis for the information provided on the purchase of an SUV.

**PUBLIC HEARING – 7:00 P.M.**

- C. Holding a Public Hearing on the City Manager's Recommended Budget for Fiscal Year 2010-2011.**

**1. Reading by City Attorney of Manner of Addressing Council.**

The City Attorney read the Manner of Addressing Council.

**2. Disclosure of Personal Interests by Council members pursuant to the State and Local Government Conflict of Interests Act.**

Mrs. Luck read a Declaration of Personal Interest as it pertained to the budget with specific regard to her employment with the School Board, which she filed with the Clerk.

Mr. Frenier read a Declaration of Personal Interest as it pertained to the budget with specific regard to his part-time employment with the Fire/EMS Department and the employment of his spouse by the City, which he filed with the Clerk.

Mrs. Yates read a Declaration of Personal Interest as it pertained to the budget with specific regard to her being a retiree of the School Board and as the spouse of a retiree and member of the School Board, which she filed with the Clerk.

**3. Public Hearing as advertised in *The Progress-Index* on April 17, 2011.**

Mr. Bill Humphries, 124 Watercrest Port, representing the Colonial Heights Food Pantry, provided information on the number of citizens who have been served by the pantry.

Mayor Davis expressed appreciation to Mr. Humphries for the Colonial Heights Food Pantry. He stated Council has appropriated \$6,000 for FY2011-12 for the food pantry.

Ms. Jean Garriss, Feedmore Agency, expressed appreciation to Council for their support. She provided information on the number of meals which has been served by the agency and the cost associated with those meals.

Mayor Davis expressed appreciation to Ms. Garriss and Feedmore Agency for the service provided to the residents of Colonial Heights.

In response to a question from Mr. Wood, Mr. Mattis stated there is technology available to assist with collecting data on the amount of water and sewer used by residents to eliminate an employee going to each house, but there is a cost component associated with it. He further stated that utilizing the technology which is available could eliminate jobs.

Mr. Freeland stated the costs associated with the technology to gather information on usage of water and sewer is decreasing.

**AN ORDINANCE NO. 11-FIN-6 (First Reading).** Adopting the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the objects and purposes stated herein.



A motion for adoption of Ordinance No. 11-FIN-6 was made by Mr. Frenier and seconded by Mrs. Yates.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

AN ORDINANCE NO. 11-FIN-7 (First Reading). Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012; and approving such budget.

A motion for adoption of Ordinance No. 11-FIN-7 was made by Mayor Davis and seconded by Mr. Freeland.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

AN ORDINANCE NO. 11-FIN-8 (First Reading). Adopting the Recreation Activity Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the principal purposes stated.

A motion for adoption of Ordinance No. 11-FIN-8 was made by Mayor Davis and seconded by Mrs. Luck.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

AN ORDINANCE NO. 11-FIN-9 (First Reading). Adopting the Solid Waste Management Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the principal purposes stated.

A motion for adoption of Ordinance No. 11-FIN-9 was made by Mr. Freeland and seconded by Mrs. Yates.

There was no response to the Mayor's request for comments from the public.

In response to a question from Mayor Davis, Mr. Johnson stated that Ordinance No. 11-FIN-9 includes a 25 cent increase per month in fees for the collection of refuse.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

**AN ORDINANCE NO. 11-FIN-10 (First Reading).** Adopting the Storm Water Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the operating expenses stated.

A motion for adoption of Ordinance No. 11-FIN-10 was made by Mr. Green and seconded by Mrs. Yates.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-FIN-11 (First Reading).** Adopting the Water Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the operating expenses stated.

A motion for adoption of Ordinance No. 11-FIN-11 was made by Mrs. Luck and seconded by Mrs. Yates.

Mayor Davis provided a brief explanation of Ordinance No. 11-FIN-11.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-FIN-12 (First Reading).** Adopting the Sewer Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the operating expenses stated.

A motion for adoption of Ordinance No. 11-FIN-12 was made by Mayor Davis and seconded by Mr. Frenier.

Mayor Davis provided an explanation of Ordinance No. 11-FIN-12.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-3 (First Reading).** Reaffirming Ordinance No. 10-8, which provided for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.10 for the tax year commencing January 1, 2011, and ending December 31, 2011; and providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.10 for the tax year commencing January 1, 2012, and ending December 31, 2012, for general municipal purposes.

A motion for adoption of Ordinance No. 11-3 was made by Mrs. Yates and seconded by Mr. Green.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis

No: None  
Abstained: None  
Absent: None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-4 (First Reading).** Providing for a tax levy on all tangible personal property not either exempt from taxation or otherwise taxed, for the tax year ending December 31, 2011; and for the tax year commencing January 1, 2012, and ending December 31, 2012; for general municipal purposes.

A motion for adoption of Ordinance No. 11-4 was made by Mrs. Luck and seconded by Mrs. Yates.

There was no response to the Mayor's request for comments from the public or the Council.

Vote: 7-0  
Yes: Freeland, Jr.  
Frenier  
Green, Jr.  
Luck  
Wood  
Yates  
Davis  
No: None  
Abstained: None  
Absent: None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-5 (First Reading).** Providing for a tax levy on motor vehicles owned by members of a volunteer rescue squad or volunteer fire department, and persons appointed to serve as auxiliary police officers for the tax year ending December 31, 2011; and for the tax year commencing January 1, 2012, and ending December 31, 2012, for general municipal purposes.

A motion for adoption of Ordinance No. 11-5 was made by Mrs. Luck and seconded by Mr. Freeland.

There was no response to the Mayor's request for comments from the public or the Council.

Vote: 7-0  
Yes: Freeland, Jr.  
Frenier  
Green, Jr.  
Luck

	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-6 (First Reading).** Reaffirming Ordinance No. 10-11, which provided for a personal property levy of one dollar (\$1.00) on each motor vehicle which is specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2011, and ending December 31, 2011; and providing for such levy on motor vehicles which are specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2012, and ending December 31, 2012, for general municipal purposes.

A motion for adoption of Ordinance No. 11-6 was made by Mrs. Luck and seconded by Mayor Davis.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr.
	Frenier
	Green, Jr.
	Luck
	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-7 (First Reading).** Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia ("Personal Property Tax Relief") on all qualifying vehicles under the Chapter.

A motion for adoption of Ordinance No. 11-7 was made by Mr. Freeland and seconded by Yates.

There was no response to the Mayor's request for comments from the public or the Council.

<b><u>Vote:</u></b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>
	<b>Davis</b>
<b>No:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-8 (First Reading). Providing for a tax levy on machinery and tools, tangible personal property used in a research and development business, certain energy generating equipment, personal property used in manufacturing, testing or operating satellites, and motor vehicles, trailers and semitrailers with a gross weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, for the tax year ending December 31, 2011; and for the tax year commencing January 1, 2012, and ending December 31, 2012; for general municipal purposes.**

**A motion for adoption of Ordinance No. 11-8 was made by Mayor Davis and seconded by Mrs. Yates.**

**There was no response to the Mayor's request for comments from the public or the Council.**

<b><u>Vote:</u></b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>
	<b>Davis</b>
<b>No:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-9 (First Reading). To amend and reordain § 238-8 of Chapter 238, Sewers and Sewage Disposal, of the Colonial Heights City Code, to increase charges for sewer service.**

# MAY 2011 EMPLOYEE OF THE MONTH



**NAME:** Gayle R. Braswell

**POSITION:** Telecommunicator

## **EMPLOYMENT**

**HISTORY:** Mrs. Braswell was hired in September, 1987 as a Dispatcher in the Police Department.

**NARRATIVE:** Telecommunicator Gayle Braswell has been employed as a dispatcher from September 1987 through December 1991, and after working in the Commissioner's Office for several years, she returned to the Communication's Center in 2003 where she is currently employed.

Gayle is a motivated employee who is truly an asset to the Communication's Center. She comes to work with no complaints and a great attitude. She's dedicated to her profession and is appreciated by all public safety employees and to the citizens she serves.

In addition to her regular duties, in January 1989 Gayle established the City's Keepsafe Program. This program provides a peace of mind for the City's senior citizen population living alone. The Telecommunicators call members daily at the time they specify. If they do not receive an answer, they dispatch a police unit to check on their welfare.

Telecommunicator Gayle Braswell has been the driving force for this program. Gayle has used her off time to recruit Keepsafe members at civic and church events, and as a result has recently added five new members. She also frequently contacts the media to promote the program and its benefits. Her devotion to the elderly members of the Keepsafe Program is invaluable.

Recently Gayle initiated and organized the first Keepsafe Meet & Greet reception. She contacted each member of the program and invited them along with their family sponsors to finally put "a face" with the voice they hear each day.



On May 13<sup>th</sup> Keepsafe members attended the reception held at the Public Safety Building. Each member had a chance to meet the Telecommunicator they talk to, but have never seen. Members were provided with refreshments and site tours while socializing with City officials and representatives. Each member received a gift bag full of helpful items. After the event, Gayle delivered a framed group photo taken during the event and also delivered goody bags to the Keepsafe Members who could not attend.

It is with great pleasure that I present Telecommunicator Gayle Braswell as Employee of the Month for her devotion to the City's Keepsafe Program, and the positive impact she has made on our elderly citizens.

A motion for adoption of Ordinance No. 11-9 was made by Mrs. Luck and seconded by Mrs. Yates.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

**AN ORDINANCE NO. 11-10 (First Reading).** To amend and reordain § 244-13 of Chapter 244, Solid Waste, of the Colonial Heights City Code, to increase the fees the City charges residential and commercial establishments for solid waste collection and disposal or recycling.

A motion for adoption of Ordinance No. 11-10 was made by Mrs. Yates and seconded by Mr. Freeland.

There was no response to the Mayor's request for comments from the public or the Council.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

**AN ORDINANCE NO. 11-11 (First Reading). To amend and reordain § 277-9 of Chapter 277, Water, of the Colonial Heights City Code, to increase charges for water service.**

**A motion for adoption of Ordinance No. 11-11 was made by Mr. Frenier and seconded by Mr. Freeland.**

**There was no response to the Mayor's request for comments from the public or the Council.**

<b><u>Vote:</u></b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>
	<b>Davis</b>
<b>No:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

**Motion UNANIMOUS PASS.**

**Mayor Davis expressed appreciation to Mr. Mattis and staff for the budget presented. He stated this budget covers health insurance costs and provides for a raise for the employees.**

**B. Holding a work session for the following purposes:**

**2. Proposed Changes to the Massage Clinic Ordinance – The Honorable C. Scott Davis**

**Mayor Davis provided an explanation for the proposed change to the Massage Clinic Ordinance. He stated the proposed changes to the Ordinance will be on the May 10, 2011 agenda.**

**Council recessed at 8:16 P.M. for a five minute break.**

**Council reconvened at 8:21 P.M.**

**Mr. Freeland left at 8:23 P.M.**

**3. Draft Zoning Ordinance – Mr. George W. Schanzenbacher, Director of Planning.**

Mr. Schanzenbacher reviewed the proposed changes to fees for violations and corrected the amount to \$10. He stated the zoning ordinance will include a time limit for staff to review completed applications for site plans to be 30 days.

Mayor Davis stated the City Attorney provided Council with some research in relation to tattoo parlors and how other localities regulate them.

Mr. Fisher stated he attempted to make the ordinance consistent with what Council desired.

There was a brief discussion regarding the ordinance in relation to tattoo parlors and the requirements to obtain the business license.

Mayor Davis stated the proposed ordinance on tattoo parlors is better than what the City currently has.

There was a brief discussion regarding the minimum square footage requirement for multifamily dwellings.

Mayor Davis provided an explanation of the proposed composition of the Board of Architectural Review.

Mr. Wood expressed concerns relative to the concept of architecture districts.

It was a general consensus of Council to include language in the zoning ordinance pertaining to the new composition of the Board of Architecture Review.

Mr. Fisher stated the zoning ordinance will be on the June agenda for public hearing.

Mayor Davis stated he would like for the City Manager to continue to work with staff, in developing plan of development provisions in the zoning ordinance that specify that final, rather than preliminary site plans be presented to the Planning Commission for approval.

A. Holding a closed meeting pursuant to the Code of Virginia in accordance with the following provision:

- Section 2.2-3711.A.7. To consult with legal counsel and be briefed by staff members pertaining to actual litigation – specifically, the current court case of Wawa, Inc., Temple Avenue Associates, LLC, and The Lamar Co., LLC v. The City of Colonial Heights and The Planning Commission of the City of Colonial Heights - where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

The Clerk announced the purpose of the meeting.

A motion to go into closed session was made by Mrs. Yates, seconded by Mrs. Luck, and carried unanimously on voice vote at 8:59 P.M.

Voice Vote – come back into Open Session.

A motion to reconvene in open session was made by Mr. Frenier, seconded by Mrs. Yates, and carried unanimously on voice vote at 9:16 P.M.

The Council has been in a closed meeting pursuant to the Code of Virginia in accordance with the following provision:

- Section 2.2-3711.A.7. To consult with legal counsel and be briefed by staff members pertaining to actual litigation – specifically, the current court case of Wawa, Inc., Temple Avenue Associates, LLC, and The Lamar Co., LLC v. The City of Colonial Heights and The Planning Commission of the City of Colonial Heights - where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

Each member will now certify that to the best of the member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the act and identified in the motion pursuant to which the closed meeting was convened were heard, discussed or considered. Any members who do not intend to so certify shall state now, for the minutes, their reasons.

Roll Call. An affirmative vote shall constitute certification of compliance.

Vote:	7-0
Yes:	Frenier
	Green, Jr.
	Luck
	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr.

Motion UNANIMOUS PASS.

Mayor Davis made a motion, seconded by Mr. Green, to authorize the City Attorney to execute any appropriate documents which settle and resolve the Circuit Court case of Wawa, Inc., Temple Avenue Associates, LLC, and The Lamar Co., LLC v. The City of Colonial Heights, Virginia and The Planning Commission of the City of Colonial Heights, Virginia. As a part of this motion, the City Attorney shall prepare a resolution for my signature memorializing this decision of City Council.

In response to a question of Mr. Wood, Mr. Fisher stated the motion does not include the payment of attorneys' fees.

<u>Vote:</u>	7-0
Yes:	Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	Freeland, Jr.

Motion UNANIMOUS PASS.

4. Adjournment of Special Meeting.

A motion to adjourn the Special Meeting was made by Mrs. Luck, seconded by Mr. Green, and carried unanimously on voice vote at 9:18 P.M.

APPROVED:

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C. Scott Davis, Mayor

ATTEST:

  
DeAnna D. Atkins, City Clerk

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Special Meeting of City Council**  
**May 10, 2011**

**1. Call to Order.**

**The Special Meeting of City Council was called to order by Mayor Davis at 6:45 P.M.**

**2. Roll Call.**

**Present:** Councilman Milton E. Freeland, Jr.  
Councilman Kenneth B. Frenier  
Councilman W. Joe Green, Jr.  
Vice Mayor Elizabeth G. Luck  
Councilman John T. Wood  
Councilwoman Diane H. Yates  
Mayor C. Scott Davis

**Absent:** None

**Also Present:** Mr. Thomas L. Mattis, City Manager  
Mr. Hugh P. Fisher, III, City Attorney  
Mr. William E. Johnson, Director of Finance

**3. Special Meeting for the purpose of:**

**A. Holding a closed meeting pursuant to the Code of Virginia in accordance with the following provision:**

- Section 2.2-3711.A.1 – to discuss and consider an appointment to the Advisory Board to Recreation and Parks.

**The Clerk announced the purpose of the meeting.**

**A motion to go into closed session was made by Mr. Frenier, seconded by Mrs. Yates, and carried unanimously on voice vote at 6:46 P.M.**

**Voice Vote – come back into Open Session.**

**A motion to reconvene in open session was made by Mrs. Luck, seconded by Mrs. Yates, and carried unanimously on voice vote at 7:00 P.M.**

**The Council has been in a closed meeting pursuant to the Code of Virginia in accordance with the following provision:**

- Section 2.2-3711.A.1 – to discuss and consider an appointment to the Advisory Board to Recreation and Parks.

4. Each member will now certify that to the best of the member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the act and identified in the motion pursuant to which the closed meeting was convened were heard, discussed or considered. Any members who do not intend to so certify shall state now, for the minutes, their reasons.
5. Roll Call. An affirmative vote shall constitute certification of compliance.

<b>Vote:</b>	7-0
<b>Yes:</b>	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
<b>No:</b>	None
<b>Abstained:</b>	None
<b>Absent:</b>	None

Motion UNANIMOUS PASS.

As a result of the closed meeting, a motion was made by Mayor Davis, seconded by Mrs. Luck, to make the following appointment:

Mr. Chris Spearman to the Advisory Board to Recreation and Parks.

6. Adjournment of Special Meeting.


A motion to adjourn the Special Meeting was made by Mr. Frenier, seconded by Mr. Green, and carried unanimously on voice vote at 7:01 P.M.

APPROVED:

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C. Scott Davis, Mayor

ATTEST:

  
DeAnna D. Atkins, City Clerk



**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Regular Meeting of City Council**  
**Tuesday, May 10, 2011**

**1. Call to Order.**

The Regular Meeting of City Council was called to order by Mayor Davis at 7:01 P.M.

**2. Roll Call.**

The following members of Council and Council's staff were present for roll call by the Clerk:

**Present:** Councilman Milton E. Freeland, Jr.  
Councilman Kenneth B. Frenier  
Councilman W. Joe Green, Jr.  
Vice Mayor Elizabeth G. Luck  
Councilman John T. Wood  
Councilwoman Diane H. Yates  
Mayor C. Scott Davis

**Absent:** None

**Also Present:** City Manager Thomas L. Mattis  
City Attorney Hugh P. Fisher, III

Mrs. Jennifer N. Carpenter, Director of Human Resources  
Mr. Jeffrey W. Faries, Chief of Police  
Mr. Craig R. Skalak, Director of Recreation and Parks  
Mr. William E. Henley, Director of Public Works/Engineering  
Mr. William E. Johnson, Director of Finance  
Mr. George W. Schanzenbacher, Director of Planning  
Ms. Karen K. Saunders, Information Technology Administrator

**3. Devotion.**

A devotional prayer was led by Councilman Green.

**4. Pledge of Allegiance.**

The Pledge of Allegiance was led by Councilman Green.

**5. Adoption of Agenda.**

A motion to adopt the agenda, as presented, was made by Mrs. Yates and seconded by Mrs. Luck.

<b>Vote:</b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>
	<b>Davis</b>
<b>No:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

**Motion UNANIMOUS PASS.**

**6. Commendations and Presentations.**

- A. Presentation of Employee of the Month Award for April 2011 to Mrs. Judi L. Whitt, Procurement Specialist.**

**Mayor Davis recognized Mrs. Whitt, read the commendation in its entirety, and presented her with a certificate and a small token of appreciation.**

**Mrs. Whitt expressed appreciation for the recognition.**

- B. Presentation of Proclamation Designating the Month of May 2011 as "Older Americans Month" in the City of Colonial Heights, Virginia – Mrs. Eileen Drake, Senior Citizens Center.**

**Mayor Davis recognized Mrs. Drake, read the proclamation in its entirety and presented her with a framed copy.**

**Mrs. Drake stated that she felt the quality of life in a community was recognized through the programs offered to their senior citizens and thanked Council for their support.**

- C. Presentation of Proclamation Designating the Month of May 2011 as "National Adolescent Pregnancy Prevention Month" in the City of Colonial Heights, Virginia – Mrs. Eileen M. Brown, Director of Youth and Human Services.**

**Mayor Davis recognized Mrs. Brown, read the proclamation in its entirety and presented her with a framed copy.**

**Mrs. Brown thanked Council for their continued support.**

- 7. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda.**

**A. Approval of Minutes:**

1. Special Meeting, April 12, 2011.
2. Regular Meeting, April 12, 2011.
3. Special Meeting, April 19, 2011.

**B. Adoption of:**

**AN ORDINANCE NO. 11-FIN-5 (Second Reading).** To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$58,055, of which \$50 of donated funds is to be appropriated to Judicial to be used for the "Ride for the Torch" event; \$56,000 of donated funds to be appropriated to Public Safety to be used to purchase equipment for the new heavy rescue truck; \$1,500 of donated funds to Parks and Recreation to purchase poles for the Civic Field and Shepherd Stadium; \$505 of Violet Bank Museum donations to purchase collector items; and \$17,624 to be transferred to Recreation and Parks to replace a mower.

**AN ORDINANCE NO. 11-FIN-13 (Second Reading).** To amend the Capital Projects Fund Budget to appropriate \$132,837 to Streets and Bridges to be used for the Signal Coordination – Temple/Sherwood project; such funds coming from a state grant.

**AN ORDINANCE NO. 11-FIN-14 (Second Reading).** To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate donated funds in the amount of \$447,162 to Judicial for Riverside Regional Jail expenses.

**FY2011-12 Annual Operating Budget**

**AN ORDINANCE NO. 11-FIN-6 (Second Reading).** Adopting the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the objects and purposes stated herein.

**AN ORDINANCE NO. 11-FIN-7 (Second Reading).** Appropriating and providing funds for financing the City of Colonial Heights Public School Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012; and approving such budget.

**AN ORDINANCE NO. 11-FIN-8 (Second Reading).** Adopting the Recreation Activity Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the principal purposes stated.

**AN ORDINANCE NO. 11-FIN-9 (Second Reading).** Adopting the Solid Waste Management Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the principal purposes stated.

**AN ORDINANCE NO. 11-FIN-10 (Second Reading).** Adopting the Storm Water Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the operating expenses stated.

**AN ORDINANCE NO. 11-FIN-11 (Second Reading).** Adopting the Water Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the operating expenses stated.

**AN ORDINANCE NO. 11-FIN-12 (Second Reading).** Adopting the Sewer Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, and appropriating the estimated revenues for the year for the operating expenses stated.

**AN ORDINANCE NO. 11-3 (Second Reading).** Reaffirming Ordinance No. 10-8, which provided for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.10 for the tax year commencing January 1, 2011, and ending December 31, 2011; and providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.10 for the tax year commencing January 1, 2012, and ending December 31, 2012, for general municipal purposes.

**AN ORDINANCE NO. 11-4 (Second Reading).** Providing for a tax levy on all tangible personal property not either exempt from taxation or otherwise taxed, for the tax year ending December 31, 2011; and for the tax year commencing January 1, 2012, and ending December 31, 2012; for general municipal purposes.

**AN ORDINANCE NO. 11-5 (Second Reading).** Providing for a tax levy on motor vehicles owned by members of a volunteer rescue squad or volunteer fire department, and persons appointed to serve as auxiliary police officers for the tax year ending December 31, 2011; and for the tax year commencing January 1, 2012, and ending December 31, 2012, for general municipal purposes.

**AN ORDINANCE NO. 11-6 (Second Reading).** Reaffirming Ordinance No. 10-11, which provided for a personal property levy of one dollar (\$1.00) on each motor vehicle which is specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2011, and ending December 31, 2011; and providing for such levy on motor vehicles which are specifically equipped to provide transportation for physically handicapped individuals for the tax year commencing January 1, 2012, and ending December 31, 2012, for general municipal purposes.

**AN ORDINANCE NO. 11-7 (Second Reading).** Establishing a tax rate pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia ("Personal Property Tax Relief") on all qualifying vehicles under the Chapter.

**AN ORDINANCE NO. 11-8 (Second Reading).** Providing for a tax levy on machinery and tools, tangible personal property used in a research and development business, certain energy generating equipment, personal property used in manufacturing, testing or operating satellites, and motor vehicles, trailers and semitrailers with a gross weight

of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, for the tax year ending December 31, 2011; and for the tax year commencing January 1, 2012, and ending December 31, 2012; for general municipal purposes.

**AN ORDINANCE NO. 11-9 (Second Reading).** To amend and reordain § 238-8 of Chapter 238, Sewers and Sewage Disposal, of the Colonial Heights City Code, to increase charges for sewer service.

**AN ORDINANCE NO. 11-10 (Second Reading).** To amend and reordain § 244-13 of Chapter 244, Solid Waste, of the Colonial Heights City Code, to increase the fees the City charges residential and commercial establishments for solid waste collection and disposal or recycling.

**AN ORDINANCE NO. 11-11 (Second Reading).** To amend and reordain § 277-9 of Chapter 277, Water, of the Colonial Heights City Code, to increase charges for water service.

Mrs. Luck read a Declaration of Personal Interest as it pertained to the budget with specific regard to her employment with the School Board, which she filed with the Clerk.

Mr. Frenier read a Declaration of Personal Interest as it pertained to the budget with specific regard to his part-time employment with the Fire/EMS Department and the employment of his spouse by the City, which he filed with the Clerk.

Mrs. Yates read a Declaration of Personal Interest as it pertained to the budget with specific regard to her being a retiree of the School Board and as the spouse of a retiree and member of the School Board, which she filed with the Clerk.

A motion for adoption of the Consent Agenda, as presented, was made by Mr. Frenier and seconded by Mrs. Yates.

<b>Vote:</b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>
	<b>Davis</b>
<b>No:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

**Motion UNANIMOUS PASS.**

**Mayor Davis recognized Mr. Mike Yates, representing the School Board.**

**8. Reading of Manner of Addressing Council.**

**The City Attorney read the Manner of Addressing Council.**

**9. Advertised Public Hearings.**

**There were no Public Hearings.**

**10. Written Petitions and Communications.**

**There were none.**

**11. Hearing of Citizens Generally on Non-Agenda Issues.**

**There were none.**

**12. Introduction and Consideration of Ordinances and Resolutions.**

**AN ORDINANCE NO. 11-FIN-15 (First Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$8,311, of which \$7,031 is to be appropriated to Judicial, such funds coming from asset forfeitures; and \$1,280 of donated funds to be appropriated to Public Safety to be used to purchase surveillance cameras and EMS supplies and equipment.**

**A motion for adoption of Ordinance No. 11-FIN-15 was made by Mr. Green and seconded by Mr. Freeland.**

**Mayor Davis provided a brief explanation of Ordinance No. 11-FIN-15.**

**In response to a question from Mr. Wood, Chief Faries stated the security cameras would be placed on the interior and exterior of the Animal Shelter.**

**In response to a question from Mr. Freeland, Chief Faries stated the security camera system would be web-based and able to be viewed at the Police Department.**

<b><u>Vote:</u></b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>
	<b>Davis</b>
<b>No:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Absent:</b>	<b>None</b>

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-12 (First Reading).** To amend Chapter 258, Taxation, of the Colonial Heights City Code by adding § 258-16.01, relating to real estate tax exemptions for disabled veterans.

A motion for adoption of Ordinance No. 11-12 was made by Mr. Green and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Ordinance No. 11-12.

In response to a question from Mrs. Yates, Mr. Fisher stated if the surviving spouse moves they would no longer be eligible for the tax relief.

Mr. Wood expressed concerns regarding the tendency on the part of public bodies to engage in legislation which places citizens in categories that receive different treatment. He stated in general he attempts to resist public policy which continues to segregate people into various classes for the purpose of different treatment, although he cannot imagine a group of citizens which deserves special consideration more than disabled veterans.

In response to questions from Mr. Wood, Mr. Fisher stated in order for a veteran to receive this tax exemption, they must be 100 percent disabled and the disability must be service related. He further stated the legislation passed by the General Assembly requires localities to grant the same exception to the surviving spouse as the veteran.

Mr. Wood expressed concerns regarding the exception being granted for the surviving spouse as well as the veteran.

In response to questions from Mr. Wood, Mr. Fisher stated if the veteran changed residences then they would be required to resubmit an updated certification from the Department of Veterans Affairs. He further stated this issue may be back before Council if implementation issues are run into with this legislation.

In response to a question from Mayor Davis, Mr. Fisher stated the City is adopting what the State has allowed the localities to adopt.

In response to a question from Mr. Frenier, Mr. Fisher stated there is no independent investigation from City staff and that the paperwork submitted from the Department of Veterans Affairs is utilized by staff.

<b><u>Vote:</u></b>	<b>7-0</b>
<b>Yes:</b>	<b>Freeland, Jr.</b>
	<b>Frenier</b>
	<b>Green, Jr.</b>
	<b>Luck</b>
	<b>Wood</b>
	<b>Yates</b>

	Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-13 (First Reading).** To amend and reordain § 193-1 of Chapter 193, Massage Clinics, of the Colonial Heights City Code, to revise the definition of massage clinic.

A motion for adoption of Ordinance No. 11-13 was made by Mayor Davis and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Ordinance No. 11-13.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr.
	Frenier
	Green, Jr.
	Luck
	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**AN ORDINANCE NO. 11-14 (First Reading).** To amend and reordain § 187-18 of Chapter 187, Licenses, of the Colonial Heights City Code, relating to the issuance of a business license for persons engaging in the business of tattooing or body piercing.

A motion for adoption of Ordinance No. 11-14 was made by Mr. Green and seconded by Mrs. Yates.

Mayor Davis provided a brief explanation of Ordinance No. 11-14.

There was a brief discussion regarding the term "coloration" and changing it to "re-coloration" in the Ordinance.

In response to a question from Mrs. Yates, Mr. Fisher stated if there are tattoo parlors currently operating in the City, they will be grandfathered.

Mr. Green withdrew his motion and Mrs. Yates withdrew her second for adoption of Ordinance No. 11-14.



A motion to amend Ordinance No. 11-14 was made by Mr. Wood and seconded by Mr. Freeland.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

A motion for adoption of Ordinance No. 11-14, as amended, was made by Mrs. Yates and seconded by Mr. Freeland.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck Wood Yates Davis
No:	None
Abstained:	None
Absent:	None

Motion UNANIMOUS PASS.

A RESOLUTION NO. 11-14. Amending the City's fiscal policy.

A motion for adoption of Resolution No. 11-14 was made by Mrs. Luck and seconded by Mr. Frenier.

Mr. Johnson provided a brief explanation of Resolution No. 11-14.

<u>Vote:</u>	7-0
Yes:	Freeland, Jr. Frenier Green, Jr. Luck

	Wood
	Yates
	Davis
No:	None
Abstained:	None
Absent:	None

**Motion UNANIMOUS PASS.**

**13. Unfinished Business, Contested Ordinances and Resolutions, and Items Removed from the Consent Agenda.**

**There were none.**

**14. Reports of Officers and Documents Related Thereto.**

**A. City Manager.**

**1. Review of the City Courthouse Preliminary Site Plan Recommendation from the Southern Gateway Land Use Planning Committee**

**Mr. Green read a Declaration of Personal Interest with regard to his residential location near the Courthouse property, which was filed with the Clerk.**

**Mr. Wood read a Declaration of Personal Interest with regard to his residential location near the former church property, which was filed with the Clerk.**

**Mr. Mattis provided a brief update on the Courthouse project as it moves forward. He stated the Southern Gateway Land Use Planning Committee met three times and also walked the property to get a better understanding of it.**

**Mr. Henley stated the Courthouse will be in the approximate location as the church and will be oriented towards the Boulevard. He further stated the parking will be located between the Courthouse and Battery Place with no access to Battery Place. He stated the rear of the building will be a completely secure area with parking for the judges within that secure area.**

**Mr. Mattis stated the front of the Courthouse will almost be directly across from the War Memorial.**

**Mr. Henley reviewed some of the proposed enhancements of the property will include short term parking, locating the electrical lines underground, and the ability to manage stormwater on site.**

**In response to a question from Mayor Davis, Mr. Henley stated there will be further work with the Committee, but this information is basically on the placement of the building on the property.**

In response to a question from Mayor Davis, Mr. Mattis stated there will be security cameras located throughout the parking lot which will be monitored by the Sheriff's Department.

Mayor Davis stated the Beautification Committee has requested some sort of clock be placed on the property with the Courthouse.

In response to a question from Mr. Wood, Mr. Henley stated the amount of parking planned for the Courthouse building will be sufficient for at least 10 years.

There was a brief discussion regarding the landscaping planned for the property.

Mr. Wood congratulated staff for the work they have put into the Courthouse property and it turning out to be very functional and a well thought out plan. He suggested placing a masonry fence across the rear of the property for security purposes and to lessen the impact of the building on surrounding properties.

Mrs. Luck stated the Committee will take into consideration Mr. Wood's suggestions.

There was a brief discussion regarding the cost of a masonry wall with landscaping for the property.

Mr. Freeland stated the masonry wall and the landscaping would be discussed in the next phase.

There was a brief discussion regarding the amount of parking spaces which will be available and the configuration of the parking spaces on the property.

A motion to approve the schematic site plan for the Courthouse building was made by Mayor Davis, seconded by Mr. Frenier, and carried unanimously on voice vote.

Mr. Mattis provided a brief explanation of the amount of unfinished space which will be available in the Courthouse for future growth.

Mr. Wood expressed appreciation for the work done to explain the amount of unfinished space in the Courthouse.

Mayor Davis stated the judges involved approve of the space in the Courthouse.

There was a brief discussion regarding the storage of documents in the Courthouse which cannot be destroyed.

Mr. Mattis stated the Committee will review the proposals for a design build team and make a recommendation to Council.

## **2. Schedule for Adoption of Zoning Ordinance**

Mr. Mattis reviewed the plan for adoption of the Zoning Ordinance.

Mayor Davis suggested canceling the May 17, 2011 Council meeting.

Mr. Fisher stated the plan for adoption will have to be revised slightly due to issues with the Chesapeake Bay Act.

Mayor Davis suggested moving discussion on the Chesapeake Bay Act to the June work session and hold the public hearing later to allow Council to have ample time to review the document.

3. General Activity Report and/or Project Update

B. City Attorney.

C. Director of Planning and Community Development.

1. Property Maintenance –Summary Report First Quarter 2011

Mr. Schanzenbacher reviewed the Property Maintenance Summary Report from the first quarter of 2011.

2. Actions, Regular Meeting of Planning Commission, May 4, 2011.

3. Minutes, Regular Meeting of Planning Commission, April 5, 2011.

15. Consideration of Claims.

There were none.

16. Adjournment.

A motion to adjourn the Regular Meeting was made by Mrs. Luck, seconded by Mrs. Yates and carried unanimously on voice vote at 9:15 P.M.

APPROVED:

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C. Scott Davis, Mayor

ATTEST:

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DeAnna D. Atkins, City Clerk

AN ORDINANCE NO. 11-FIN-15

To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$8,311, of which \$7,031 is to be appropriated to Judicial, such funds coming from asset forfeitures; and \$1,280 of donated funds to be appropriated to Public Safety to be used to purchase surveillance cameras and EMS supplies and equipment.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1, 2 and 3 of Ordinance No. 10-FIN-5, the General Fund Budget, be, and are hereby amended and reordained as follows:

1. That the budget designated the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, is hereby adopted; and that, subject to transfers by resolution pursuant to § 6.15 of the City Charter, funds hereby appropriated shall be used for the following purposes:

Legislative (City Council)	\$	139,965	
Administrative (City Manager)		286,065	
Legal (City Attorney)		209,571	
Tax Collections & Assessments		580,950	
Finance		5,988,018	
Information Technologies		179,669	
Board of Elections		131,784	
Judicial		<del>4,559,031</del>	4,566,062
Public Safety		<del>7,577,609</del>	7,578,889
Public Works		2,906,095	
Health and Social Services		695,825	
Parks and Recreation		1,296,995	
Cultural Enrichment		105,755	
Library		589,267	
Community Development		490,987	
Grant Programs		536,829	
Nondepartmental		603,961	
Debt Service		2,843,031	
Operating Transfers Out		18,611,172	

2. That the sum of ~~\$48,332,579~~ \$48,340,890 is appropriated for the fiscal year beginning July 1, 2010.

3. That the foregoing appropriation is based upon the following revenue estimates for the fiscal year beginning July 1, 2010:

General Property Taxes	\$21,388,966	
Other Local Taxes	13,789,050	
Licenses, Permits & Fees	3,319,134	
Fines and Forfeitures	692,474	
Use of Money & Property	295,000	
Intergovernmental Revenues	6,146,492	
Charges for Current Services	1,190,840	
Miscellaneous	<del>900,454</del>	901,734
Restricted Fund Balance – Police Assets	500	
Restricted Fund Balance – CDBG CDBG	84,122	

Restricted Fund Balance – Fire & EMS	11,400
Restricted Fund Balance – Police	33,043
Restricted Fund Balance – Dimmock Signal	60,000
Restricted Fund Balance – Library	7,200
Restricted Fund Balance – Commonwealth Attorney	7,031
Fund Balance	413,904
TOTAL	<del>\$48,332,579</del> 48,340,890

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

DeAnna D. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above ordinance was:

Adopted on its first reading on May 10, 2011

Ayes: 7 Nays: 0 Absent: 0 Abstain: 0

The Honorable Milton E. Freeland, Jr., Councilman: Aye

The Honorable Kenneth B. Frenier, Councilman: Aye

The Honorable W. Joe Green, Jr., Councilman: Aye

The Honorable Elizabeth G. Luck, Vice Mayor: Aye

The Honorable John T. Wood, Councilman: Aye

The Honorable Diane H. Yates, Councilwoman: Aye

The Honorable C. Scott Davis, Mayor: Aye

Adopted on its second reading on \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_

The Honorable John T. Wood, Councilman: \_\_\_\_\_

The Honorable Diane H. Yates, Councilwoman:

\_\_\_\_\_

The Honorable C. Scott Davis, Mayor:

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

  
City Attorney

AN ORDINANCE NO. 11-13

To amend and reordain § 193-1 of Chapter 193, Massage Clinics, of the Colonial Heights City Code, to revise the definition of massage clinic.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That §193-1 of Chapter 193, Massage Clinics, of the Colonial Heights City Code, be, and is hereby, amended and reordained as follows:

§ 193-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the following meanings:

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.

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MASSAGE CLINIC – A fixed place of business where a certified massage therapist gives a client a massage. A massage clinic shall either be freestanding or located within a health club, tanning salon, hotel or motel (but not in a guest room in a hotel or motel), beauty salon, barbershop, a *multi-tenant, commercial building* or an enclosed shopping mall.

.

.

.

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

  
City Clerk

\*\*\*\*\*

I certify that the above ordinance was:

Adopted on its first reading on May 10, 2011

Ayes: 7 Nays: 0 Absent: 0 Abstain: 0



The Honorable Milton E. Freeland, Jr., Councilman:

Aye

The Honorable Kenneth B. Frenier, Councilman:

Aye

The Honorable W. Joe Green, Jr., Councilman:

Aye

The Honorable Elizabeth G. Luck, Vice Mayor:

Aye

The Honorable John T. Wood, Councilman:

Aye

The Honorable Diane H. Yates, Councilwoman:

Aye

The Honorable C. Scott Davis, Mayor:

Aye

Adopted on its second reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_.

The Honorable Milton E. Freeland, Jr., Councilman:

\_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman:

\_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman:

\_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice Mayor:

\_\_\_\_\_.

The Honorable John T. Wood, Councilman:

\_\_\_\_\_.

The Honorable Diane H. Yates, Councilwoman:

\_\_\_\_\_.

The Honorable C. Scott Davis, Mayor:

\_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Approved as to form:

Hugh P. Dwyer, III  
City Attorney

AN ORDINANCE NO. 11-14

(As Amended)

Amendments in [ ] – May 10, 2011

To amend and reordain § 187-18 of Chapter 187, Licenses, of the Colonial Heights City Code, relating to the issuance of a business license for persons engaging in the business of tattooing or body piercing.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That § 187-18 of Chapter 187, Licenses, of the Colonial Heights City Code, be, and is hereby, amended and reordained as follows:

§ 187-18. *Tattooing and Body Piercing.*

No business license shall be issued hereunder to any person *to be a tattoo operator, engage in the practice or business of tattooing as a tattoo artist, or engage in the practice or business of body piercing*, unless and until there is presented to the assessing official a license from the Board for Barbers and Cosmetology permitting the person to engage in tattooing or body piercing. *Any tattoo artist or tattoo operator shall also be a member in good standing of the Alliance of Professional Tattooists, Inc. (APT) and shall provide the assessing official with proof of such membership. As used in this chapter, the following words shall have the following meanings:*

*"Body piercing" means the creating of an opening in an individual's body, other than an individual's ear, to insert jewelry or another decoration.*

*"Tattoo artist" means any person who actually performs the work of tattooing.*

*"Tattoo operator" means any person who controls, operates, conducts, or manages any tattoo studio, whether actually performing the work of tattooing or not.*

*"Tattooing" means the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent ~~coloration~~ re-coloration] of the skin, including permanent makeup or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.*

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

---

Mayor

Attest:

DeAnna D. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above ordinance was:

Adopted on its first reading on May 10, 2011

Ayes: 7 Nays: 0 Absent: 0 Abstain: 0

The Honorable Milton E. Freeland, Jr., Councilman: Aye

The Honorable Kenneth B. Frenier, Councilman: Aye

The Honorable W. Joe Green, Jr., Councilman: Aye

The Honorable Elizabeth G. Luck, Vice Mayor: Aye

The Honorable John T. Wood, Councilman: Aye

The Honorable Diane H. Yates, Councilwoman: Aye

The Honorable C. Scott Davis, Mayor: Aye

Adopted on its second reading on \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_

The Honorable John T. Wood, Councilman: \_\_\_\_\_

The Honorable Diane H. Yates, Councilwoman: \_\_\_\_\_

The Honorable C. Scott Davis, Mayor: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

Hugh P. Johnston III  
City Attorney

A RESOLUTION NO. 11-16

Adopting the City of Colonial Heights' Housing and Community Development Annual Action Plan and Budget for 2011-2012.

WHEREAS, the City of Colonial Heights, Virginia, an entitlement city under the U. S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, is required to prepare a Yearly Action Plan for Housing and Community Development in order to receive this federal funding, a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the City of Colonial Heights has conducted a public hearing on the 2011-2012 Annual Action Plan to receive input from citizens on the needs of the community and to explain the City's proposed uses for the CDBG program funds and, in accordance with federal regulations governing the development of consolidated plans, all comments have been included in the final draft of the Plan along with responses to these comments; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That City Council hereby adopts the City of Colonial Heights Housing and Community Development Annual Action Plan and Budget for 2011-2012 listed below prepared by the City Planning and Community Development Department staff for submission to HUD as an application for Community Development Block Grant entitlement program funds for FY 2011-12:

<u>Budget Category</u>	<u>Amount</u>
Emergency Home Repair Program	\$74,479.00
Administrative Costs	<u>3,920.00</u>
Total CDBG funds	<u>\$78,399.00</u>

2. That Thomas L. Mattis, City Manager, be, and is hereby, designated the agent on behalf of the City of Colonial Heights to execute said Action Plan, and the Clerk is hereby directed to attest to such signature and affix the official seal thereto.

3. That Thomas L. Mattis, as the designated agent for the City of Colonial Heights be, and is hereby, authorized to approve amendments to said Action Plan as may be required by HUD.

4. That this resolution shall be in full force and effect upon its passage.

Approved:

\_\_\_\_\_  
Mayor

Attest:

DeAnna D. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above resolution was:

Adopted on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

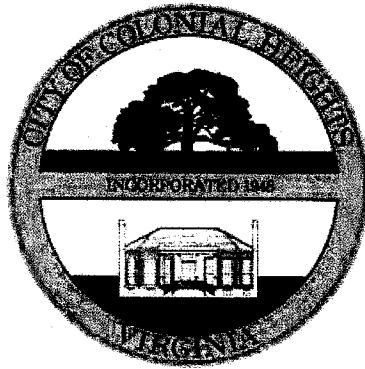
The Honorable Diane H. Yates, Councilwoman: \_\_\_\_\_.

The Honorable C. Scott Davis, Mayor: \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Approved as to form:

Hugh P. Foster III  
City Attorney



**COMMUNITY DEVELOPEMENT BLOCK GRANT  
2011-2012**

**DRAFT  
SECOND PROGRAM YEAR  
ACTION PLAN**

**CITY OF COLONIAL HEIGHTS, VIRGINIA**

**City of Colonial Heights  
Department of Planning and Community Development  
201 James Avenue  
Colonial Heights, VA 23834**

**May 8, 2011**

# City of Colonial Heights, Virginia CDBG 2nd Program Year Action Plan- 2011-2012 DRAFT

Annual Action Plan includes the SF 424 and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations. The Executive Summary narratives are optional.

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## Executive Summary

### OVERVIEW

In the continuing belief that the future availability of affordable, safe, and sanitary housing relies on preserving and maintaining the City's older housing stock, CDBG funds for Program Year 2011 will be directed towards an emergency home repair program for LMI homeowners in throughout the City of Colonial Heights. Priority shall be given to the elderly and disabled.

Due to the uncertainty in the Federal Budget, the exact amount of entitlement funds the City will receive is not known. However, our local HUD office has stated that the expected 2011-2012 CDBG entitlement for the City of Colonial Heights is \$78,399. Of this total, ninety-five percent (95%) or \$74,479 of the total funds will be used by ElderHomes, a not-for-profit organization to distribute home repair grants to assist LMI homeowners with housing problems citywide. The remaining five percent (5%) or \$3,9120 will be used by the city for program administration expenses.

### PROGRAM PARTICIPATION PROCESS

This will be the second year the Emergency Home Repair program will be administered by ElderHomes, Inc, a not-for-profit organization instead of Department of Planning and Community Development running the day to day operation of the program. In 2011-2012, approximately 6 households with housing problems will be served. All of which incomes will be at or below 80% of the MFI and who own and reside in single family homes within the city limits. Grants will be distributed based on income eligibility that is identified by FY 2011 HUD Income Limits (these will not be available until mid May 2011) and need. All things being equal, priority will be given to the elderly and the disabled. Withstanding extraordinary circumstances, grants will be capped at \$8,000.

Recipients must complete a home repair grant application. Assistance with the application is provided as needed. A draft copy of the 2011-2012 CDBG Home Repair Grant Program application is attached (Appendix Y2B.) The need for the home repair and the completed work will be verified by the City of Colonial Heights Building Inspectors and/or by the CDBG Program Manager.



## **ELIGIBLE & INELIGIBLE ACTIVITIES**

Eligible activities under this program are physical improvements, adaptations or modifications which are not of a cosmetic nature and are required to remove possible health and safety hazards, including barriers to habitability. Qualifying activities include repairs or replacement of mechanical, electrical, plumbing and structural systems which show obvious signs of deterioration (or require emergency repair or replacement); lead hazard evaluation and reduction (See Environmental Compliance below); and modifications made to increase safety and independence to the residences of elderly or physically handicapped persons such as wheelchair ramps, railings, tub cuts, accessible kitchen cabinets, and grab bars needed by physically disabled or elderly persons.

### **Emergency Repairs Which May Qualify For a Grant:**

- Structural repairs to the roof, ceiling, walls, floors, stairs, railing, banisters, etc., where hazards exist
- Roof repair or replacement
- Plumbing repairs
- Repair/replacement of heating and/or cooling systems
- Electrical repairs where hazards exist or are necessary to install heating system
- Accessibility improvements needed by physically disabled or elderly persons such as wheelchair ramps, hand railings, grab bars, kitchen and bathroom adaptations, or doorway widening
- Lead hazard evaluation and reduction

Funds made available under the CDBG Home Repair Program may not be used to make purely cosmetic repairs or physical improvements. Repairs to storage sheds, outbuildings, garages or any structure not attached to the living unit and costs associated with any necessary pre-work clearing or clean-up activities are also not eligible for CDBG assistance.

## **ENVIRONMENTAL COMPLIANCE**

The City of Colonial Heights has a large inventory of houses with historic integrity. All activities will comply with Section 106 of the National Historic Preservation Act.

Lead-based paint testing will be required for all pre 1978 homes participating in the CDBG Home Repair Program if paint surfaces will be disturbed and there are children under the age of six years in the household. If not previously tested, children under the age of six years will be encouraged to be tested for elevated lead blood levels.

## Narrative Responses

### General Questions

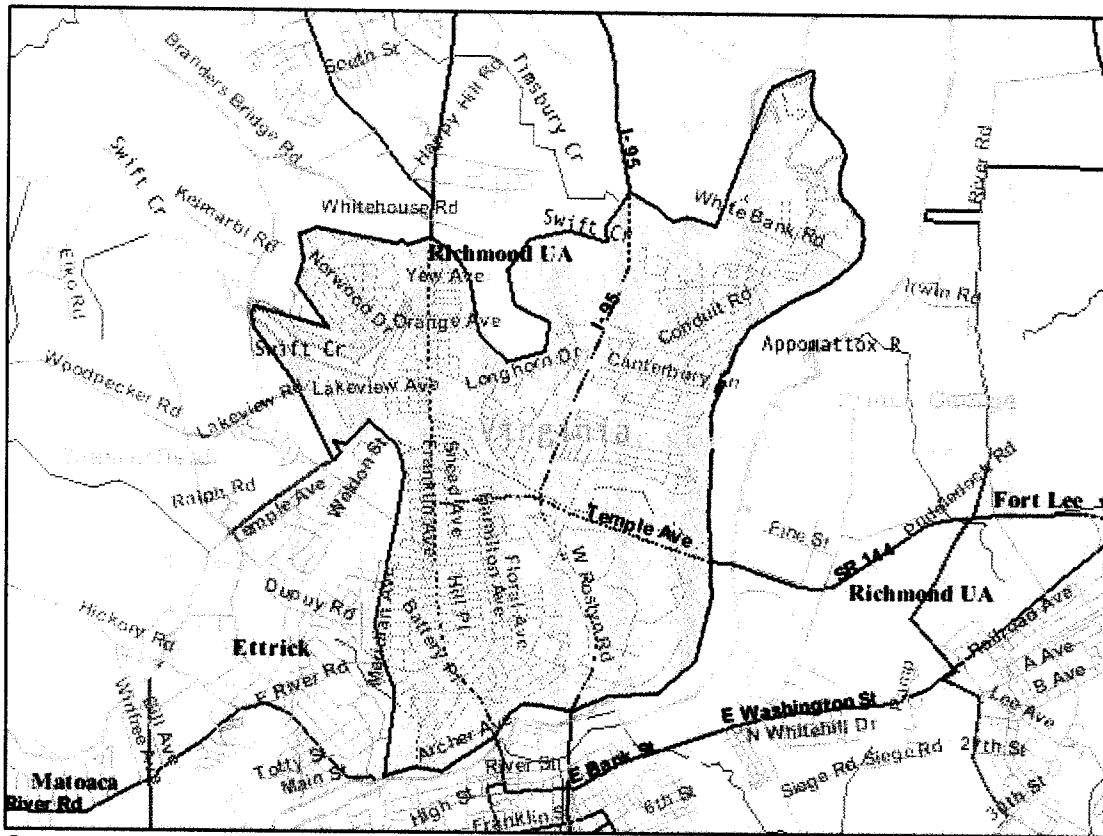
1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year.
2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a) (1)) during the next year and the rationale for assigning the priorities.
3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

### **Action Plan General Questions response:**

1. The City of Colonial Heights is located in southeastern Virginia, 20 miles south of Richmond, Virginia's state capital, and 120 miles south of the nation's capital. The City of Petersburg lies directly across the Appomattox River. The City is bordered to the south by Petersburg, to the east by the Appomattox River, and by Chesterfield County to the north. Colonial Heights has a land area of 8.15 square miles or 5,216 acres. This area is divided into 10 planning districts.

The 2011-2012 Program Assistance will continue to target extremely low to moderate income homeowners citywide. Over 70% of the 2011-2010 funds will be used to assist extremely low-moderate income emergency needs.

Due to the uncertainty in the Federal Budget, the exact amount of entitlement funds the City will receive is not known. However, our local HUD office has stated that the expected 2011-2012 CDBG entitlement for the City of Colonial Heights is \$78,399. Of this total, ninety-five percent (95%) or \$74,4798 of the total funds will be used by ElderHomes, a not-for-profit organization to distribute home repair grants to assist LMI homeowners with housing problems citywide. The remaining five percent (5%) or \$3,920 will be used by the city for program administration expenses.



Source: US Census

#### PLANNING DISTRICT MAP

The City of Colonial Heights has ten official planning districts:

- 1) Oak Hill
- 2) Violet Bank-Flora Hill
- 3) Shepherd Stadium
- 4) Westover-Snead
- 5) Lakeview
- 6) Sherwood Hills
- 7) Toll House
- 8) Ellerslie
- 9) Fort Clifton
- 10) Mount Pleasant-Southpark

Borders often approximately follow US Census Tracts.

The following excerpts from the neighborhood strategies plan give an overview of the City by planning districts.

#### **Oak Hill District**

The Oak Hill Neighborhood District takes its name from Oak Hill, the most popular name for this area. The area is also widely known as Archer's Hill. Oak Hill is also the name of a private residence (built c. 1825) on Carroll Avenue which is on the National Register of Historic Places. The Oak Hill District is bounded on the north by Dupuy and Bradsher Avenues, on the south by the Appomattox River, on the west by the Chesterfield County Line, and on the east by the Boulevard. The bordering properties with a Bradsher Avenue or Boulevard address are included in this district. Dupuy Avenue addresses in the 100 and 200 blocks are also included.

#### **Violet Bank-Flora Hill District**

The Violet Bank-Flora Hill Neighborhood District takes its name from the Violet Bank Museum (built c. 1800) and the Flora Hill Neighborhood. The Violet Bank Museum is on the National Register of Historic Places. The areas are popularly known by both names. The Violet Bank-Flora Hill District is bounded on the north by Westover Avenue, on the south by the Appomattox River, on the west by the Boulevard, and on the east by the Seaboard Coastline Right of Way. Properties with a Westover Avenue or Boulevard address are not included in this district. City Assessment records show that this area was almost fully developed from 1911 to 1940. Approximately 60% of the City's pre 1940 houses are located here.

#### **Shepherd Stadium District**

The Shepherd Stadium Neighborhood District takes its name from the much beloved nearby Shepherd Stadium. The Shepherd Stadium Neighborhood District is bounded on the north by the CSXT Railroad Right of Way, on the south by Bradsher and Dupuy Avenues, on the west by the Chesterfield County Line, and on the east by the Boulevard. Boulevard addresses are included in this district. Properties on Dupuy Avenue, East of Bradsher Avenue are not included. Bradsher Avenue is also not included in this district. City Assessment records show that most of this area was developed from 1914 to 1960.

#### **Westover-Snead District**

The Westover-Snead Neighborhood District does not have a popularly identifiable name. Residents usually refer to their own individual streets and subdivision names. The name Westover-Snead references Westover Avenue, the district's southern boundary and Snead Avenue which runs north to south, parallel to the Boulevard from James Avenue to Spring Drive. The Westover-Snead Neighborhood District is bounded on the north by Old Town Creek, on the south by East Westover Avenue, on the west by the Boulevard, and on the east by the Seaboard Coastline Right of Way. Properties with East Westover Avenue addresses are included in this district, and properties with Boulevard addresses are not included. City Assessment records show that the majority of this area was developed from 1940 to 1970.

#### **Lakeview Neighborhood District**

The Lakeview Neighborhood District takes its name from Lakeview Avenue which runs across it from east to west. The neighborhood is popularly known as Lakeview. The Lakeview Neighborhood District is bounded on the north by Swift Creek Lake and Sherwood Drive, on the south by the CSXT Railroad Right of Way, on the west by the Chesterfield County Line, and on the east by the Boulevard. Boulevard addresses are included in this district. Sherwood Drive addresses are not included. City Assessment records show that most of this area was developed between 1950 and 1960. The southeastern section of this

district also experienced new residential single-family development (Cedar Trace Subdivision) from 2000 to 2004.

#### **Sherwood Hills Neighborhood District**

The Sherwood Hills Neighborhood District takes its name from the subdivision which makes up most of the area. It is popularly called Sherwood Hills. The Sherwood Hills District is bounded on the north by the Chesterfield County Line, on the south by Swift Creek Lake and Sherwood Drive, on the west by the Chesterfield County Line, and on the east by Swift Creek and the Boulevard. Boulevard addresses are included in this district. Sherwood Drive addresses are also included. City Assessment records show that the majority of this area was developed in the 1960's.

#### **Toll House Neighborhood District**

The Toll House Neighborhood District does not have a popularly identifiable name. Residents usually refer to their own individual streets. The name Toll House references a toll gate which once stood on the Boulevard when the road was a turnpike. The Toll House Neighborhood District is bounded on the north by Swift Creek, on the south by Old Town Creek, on the west by the Boulevard, and on the east by Swift Creek and the CSXT Rail Road Right of Way. Properties with a Boulevard address are not included. Various apartment and multi-family dwellings are located between Ellerslie Avenue and the Boulevard. These account for the lower than average homeownership rate. Assessment records show that the majority of the residential properties were built in the 1960's.

#### **Ellerslie Neighborhood District**

The Ellerslie Neighborhood District is comprised of the Dunlop Farms area and the neighborhood directly to the south of it. The neighborhoods are divided by Ellerslie Avenue. The Ellerslie mansion (built c. 1856,) which is located within Dunlop Farms, is on the National Register of Historic Places. Dunlop Farms, a PUD, is always called Dunlop Farms. The neighborhood to the south is usually referenced by street names or by its subdivision name, Old Town. The Ellerslie Neighborhood District is bounded on the north by Swift Creek, on the south by Old Town Creek, on the east by Interstate 95, and on the west by the CSXT Rail Road Right of Way. City Assessment records show that the northern part of this district (Dunlop Farms PUD) was developed from 1982-2003. The southern portion was developed in sections from 1956 to 1983. The northernmost section (the last large undeveloped area in the City) is slated for development.

#### **Fort Clifton Neighborhood District**

The Fort Clifton Neighborhood District does not have a popularly identifiable name. Residents usually refer to their own individual streets and subdivision names. The name Fort Clifton references the Fort Clifton Archeological Site (c.1850) which is on the National Register of Historic Places. The Fort Clifton Neighborhood District is bounded on the north by Swift Creek, on the south by Ellerslie Avenue and Yacht Basin Drive, on the east by the Appomattox River, and on the west by Interstate 95. Yacht Basin Drive addresses are included in this district. City Assessment records show that with a couple of exceptions, the oldest homes date from 1960. The area is still being developed.

### Mount Pleasant-Southpark Neighborhood District

The Mount Pleasant-Southpark Neighborhood District combines the Mount Pleasant and Southpark areas. The areas are popularly referred to by both names. The Mount Pleasant-Southpark District is bounded on the north by Eilerslie Avenue, Yacht Basin Drive, and Old Town Creek, on the south and east by the Appomattox River, and on the west by Interstate 95 and the Seaboard Rail Road Line. Yacht Basin Drive addresses are not included in this district. City Assessment records show that residential development in this area took from 1960 to 2003. TAZ 2000 Census data indicates that this area contains a small zone (TAZ 145) that is 100% owner occupied and has the lowest median income in the City. The same area has a very high percentage (61.8%) of residents over the age of 65.

District	Pop	% Pop	# HH	Owner Occupied	Poverty	Median HH Income	65+	25-64	Vacant	Workers (16+)	Disabled Workers
OH	640	3.8%	225	68.60	1.6%	\$51,530	13.3	55.0	3.8		
	264	15.7	1,12	72.30	10.7	\$29,375 to	16.6	%	%	300	%
VB	5	%	0	%	%	\$41,980	%	51.4	5.2	1050	21.0
	198	11.7		58.10		\$32,410 to	14.0	%	%		%
SS	0	%	835	%	9.0%	\$71,250	%	50.7	5.6	755	20.5
	132					\$24,165 to	23.1	%	%		%
WS	0	7.8%	625	68.0%	2.9%	\$49,375	%	43.5	6.7	525	15.6
	119					\$32,000 to		%	%		%
LV	5	7.1%	555	36.9%	7.9%	\$36,540	8.7%	50.5	4.2	585	10.9
	134					\$61,500 to	31.6	%	%		%
SH	5	8.0%	595	91.6%	7.0%	\$63,375	%	50.2	4.2	585	21.4
	122					\$35,700 to	14.8	%	%		%
TH	0	7.2%	550	41.8%	7.3%	\$36,485	%	50.7	6.0	620	21.0
	186	11.0				\$32,900 to	27.3	%	%		%
EL	5	%	720	62.5%	4.2%	\$40,850	%	43.4	4.7	735	7.5%
	404	23.9	1,53			\$58,440 to	15.3	%	%		
FC	5	%	5	93.8%	2.0%	\$98,200	%	54.6	1.9	1805	9.1%
						\$23,960 to	28.6	%	%		%
MP	640	3.8%	250	84.0%	5.6%	\$58,070	%	45.3	1.8	185	18.9
								%	%		%

2. As the city ages most of the districts are experiencing significant concentrations of factors of concern such as older housing, deteriorating infrastructure, lower income residents, and maintenance and building code violations. The previous consolidated plan only targeted the Violet Bank- Flora Hill and Shepherd Stadium districts, but the unmet demand for services throughout all districts prompted the expansion of CDBG to consider applications citywide for those persons in need, consistent with the guidelines established for the program.

3. As in the past years, in Program Year 2011, assistance with filling out the applications will be provided to all who request it. House visits will be made when there are mobility constraints or the applicant lacks transportation. All things being equal, when awarding the grants, priority will continue to be given to the elderly and the disabled.

Notice of the availability of funds for this program will be given through the local newspapers, city website, and posted at City Hall, the Senior Citizen Center, and the Colonial Heights Public Library. In addition, citizens who live in the participating neighborhoods and are receiving a real estate tax exemption will be individually notified. The Commissioner of the Revenue's Real Estate Tax Exemption Program is based on age and/or disability status, income and assets. This revised action plan will be posted on the City's web page no later than May 8, 2011.

Colonial Heights does not have a significant non-English speaking population. However, interpreters are available within the community and encouraged when needed. Program assistance will be directed towards citywide homeowner occupied housing.

A potential obstacle to meeting underserved needs is that some of the people who are in need may be intimidated by the bureaucratic process and uncomfortable with the necessary detailed financial disclosures.

### **Managing the Process**

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.
2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.
3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

### **Action Plan Managing the Process response:**

1. The City of Colonial Heights through the Department of Planning and Community Development is the lead agency responsible for the administration of the CDBG Home Repair Program. This department is in an advantageous position to carry out the CDBG Emergency Home Repair Program as zoning, building code violations and building permits and inspections are all processed through this department. The City of Colonial Heights Department of Planning and Community Development consist of two Planners, three Building Inspectors, and one part-time Code Enforcement Officer.

2. In preparing this report, the Planning Department sought and received information and/or feedback from both public and private agencies, such as the Virginia Employment Commission, the Colonial Heights Chamber of Commerce, the Virginia Department of Health, Colonial Heights/Chesterfield Department of Social Services, Housing Opportunities Made Equal, United Way Services, Southside Continuum of Care, Crater Regional Planning District Commission, Crater District Agency on Aging, District 19 CSB, ElderHomes Corp., Virginia Housing and Development Authority, Rebuilding together Petersburg, Meals on Wheels, local LITC participant property management staff, CARES of Petersburg, The Salvation Army Men's Shelter in Petersburg, The Petersburg Red Cross Office, Colonial Heights Senior Citizen Center, the Colonial Heights Department on Youth and Human Services, various other City of Colonial Heights Departments, and numerous citizens.

There continues to be widespread community support for the CDBG program. The decision to use the CDBG entitlement funds for this program flows from the priority to revitalize areas in the City which are experiencing the greatest economic and physical improvement needs. The plan is similar to the previous consolidated plan program but services homeowners citywide.

3. There is a regional network of housing assistance providers consisting of public and not-for profit agencies already in place. The Crater District Area Agency on Aging, Rebuilding Together of Petersburg, and ElderHomes of Richmond all have significant experience in home rehab. Rebuilding Together of Petersburg and ElderHomes now has a Tri Cities Offices and can provide emergency home repair and handicap modifications to low to moderate income Colonial Heights citizens. Collaboration with these groups have resulted in leveraging CDBG dollars to provide more services to households eligible for both programs.

No accessibility needs and emergency home repair referrals were received from local church groups, regional agencies such as the District 19 CSB and the Colonial Heights/Chesterfield Department of Social Services. In Program Years 1 through 5 the City of Colonial Heights Commissioner of the Revenue provided the Planning Department with a list of elderly and/or disabled homeowners who were eligible for tax relief based on age and/or disability status and income, and assets. Grant applications were sent to all of the tax relief participants who have not yet received the grant. The Planning Department received a very good response from these households. This process will be repeated again in Year 2.

As in the past, we will continue to solicit help from the Health Department and Lead Safe Virginia with blood lead testing and other lead and health information as needed.

### **Citizen Participation\***

1. Provide a summary of the citizen participation process.
2. Provide a summary of citizen comments or views on the plan.
3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

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\* \*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.



4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

**Program Year 2011 Action Plan Citizen Participation response:**

1. In accordance with HUD requirements under federal regulation 24 CFR 91.105, the City of Colonial Heights must adopt a Citizen Participation Plan (CPP) that sets forth the City's policies and procedures for citizen participation under the five-year Consolidated Plan and subsequent Action Plans. The CPP will apply to all City departments involved in the Consolidated Plan development, selection and administrative processes. Following is the City's CPP for the 2010-2011 - 2013/2014 Five Year Consolidated Plan which was coordinated by the Department of Planning and Community Development.

**ENCOURAGEMENT OF CITIZEN PARTICIPATION**

Citizen participation is an essential component of community planning. In addition to informally welcoming input in the initial development of the Consolidated Plan and throughout the process, a public meeting was held to solicit citizen comments on April 2010 in City Hall. This meeting presented the citizen's with an overview of the CDBG Entitlement Program, the Consolidate plan process and the City's CDBG project ideas. Colonial Heights does not have a significant non-English speaking population. Interpreters are available within the community and encouraged when needed.

The City will encourage citizen participation in any future ammendments to the Consolidated Plan, the Consolidated Annual Performance and Evaluation Report (CAPER), the CPP and any amendments to it. A neighborhood participation meeting will be convened each year prior to the development of the next year's Annual Action Plan to review and comment on program performance and direction. The City will notify neighborhood residents and invite input by appropriate communication means. (Appendix Y2D)

2. After the public hearing and prior to HUD submission, citizen comments will be reported on in this section of the plan.

3. Notifications for the public hearing on this action plan was published in The Progress Index on Sunday, May 8, 2011. Notification was made at least 30 days prior to the hearing to be held on June 14, 2011. Public hearing notifications and draft plans were also posted throughout City Hall, on the City website, and in the Colonial Heights Public Library. A summary of the Action Plan Draft was posted on the City website on May 9, 2011. Citizens wishing to provide input were asked to contact the CDBG program coordinator with their comments within a 30 day public comment period.

For the public hearing, special accommodations for handicapped individuals are made available through the City Manager's Office. The City Hall entrance doors are equipped with automatic doors to improve handicap accessibility.

4. This section will be completed after the public hearing and prior to HUD submission.

**Institutional Structure**

1. Describe actions that will take place during the next year to develop institutional structure.

### **Action Plan Institutional Structure response:**

1. ElderHomes, Inc. will handle the solicitation and procurement of contractor services. ElderHomes will pay contractors to perform repairs. Upon inspection of the repairs, the Department of Community Development and Planning in conjunction with The City's Department of Finance will pay ElderHomes, Inc. ElderHomes, Inc. has a history of working with a pool of dependable contractors who will be participating in the program and they are encouraged to solicit wider participation.

### **Monitoring**

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

### **Action Plan monitoring response:**

1. One-time home repair grants will continue to be distributed based on need. All recipients must complete a grant application which describes the eligible activities and conditions. The application includes a Fair Housing notice and delineates recipient eligibility based on 2011 HUD determined income limits by household size Proof of ownership, IRS documents and/or evidence of other proof of income, banking information, and proof of paid property taxes or exemption, and homeowner's insurance will continue to be required. A copy of the 2011 CDBG Home Repair Grant Program application is attached (Appendix Y2B.)

The types of activities eligible under this program are physical improvements, adaptations or modifications which are not of a cosmetic nature and are required to remove possible health and safety hazards such as: repair or replacement of mechanical, electrical, plumbing and structural systems which show obvious signs of deterioration (or require repair or replacement); lead hazard evaluation and reduction if necessary (See Environmental Compliance Section).

Accessibility improvements or modifications to the residences of elderly or physically handicapped persons such as wheelchair ramps, railings, tub cuts, accessible kitchen cabinets, and grab bars also eligible activities under this program.

Funds made available under the CDBG Home Repair Program may not be used to make purely cosmetic repairs or physical improvements. Repairs to storage sheds, outbuildings, garages or any structure not attached to the living unit are also not eligible for assistance.

The need for proposed repairs and the inspection of the completed work will be verified by the CDBG Program Manager and the City of Colonial Heights Building Official or a designated Building Inspector. The Building Official and Building Inspectors adhere to the Uniform Statewide Building Code. Price quotes will be verified and approved by the ElderHomes, Inc. The verifications and other processes will be documented in each program participant's confidential file which will be kept, both at the ElderHomes Inc. office and in the Department of Planning & Community Development office at 201 James Ave.

All repairs will comply with Section 106 of the National Historic Preservation Act to help preserve the character defining features of the participating properties.

## **Lead-based Paint**

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families.

### **Action Plan Lead-based Paint response:**

1. As of this writing, the Virginia Department of Health has no local data on lead contamination by neighborhoods or geographical areas within the City. There is also no listing of properties which have undergone lead paint abatement in the City.

Lead paint screening is done by both the School Department and the Colonial Heights branch of the Virginia Department of Health. Colonial Heights is not considered a high risk locality for lead paint. However, given the high number of pre 1978 housing units in the target areas, any home repair involving painted surfaces will take the possibility of lead paint into consideration. Lead-based paint testing and/or a lead paint risk assessment as well as safe work practices will be performed for all pre 1978 homes participating in the CDBG Home Repair Program if above de minimis paint surfaces will be disturbed by the work performed under the program.\*

If not previously tested, the program will encourage all household children under the age of six years to be tested for elevated blood lead levels.

Any work that causes lead disturbance shall be in compliance with all federal regulations including: HUD's Lead Safe Housing Rule (LSHR) and EPA's Renovation, Repair and Painting Rule (RRP) and will be properly documented in accordance with federal regulations of these programs.

All records shall be kept in accordance to all Federal, state and local government requirements and each file shall include a completed copy of the following forms: *The Lead-Safe Housing Rule Checklist for General Compliance Documentation* (Attachment A) and *Lead-Safe Housing Rule -Applicability Form* (Attachment B). Each file shall also contain a completed *Lead-Based Paint Compliance Sheet* (Attachment C).

\*De minimis exception to safe work practices:

§ 35.1350 (d) De minimis levels. Safe work practices are not required when maintenance or hazard reduction activities do not disturb painted surfaces that total more than:

- (1) 20 square feet (2 square meters) on exterior surfaces;
- (2) 2 square feet (0.2 square meters) in any one interior room or space; or
- (3) 10 percent of the total surface area on an interior or exterior type of component with a small surface area. Examples include window sills, baseboards, and trim.

## Housing

### **Specific Housing objectives\*\***

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

### **Action Plan Specific Objectives response:**

1. Improving property maintenance and home rehabilitation continues to be a City priority. The Housing component of the City's Comprehensive Plan, Objectives 7 & 9 state:

#7 Promote the rehabilitation of older single family housing units in need of repair.

#9 Promote neighborhood revitalization efforts to stabilize older residential areas prior to their serious decline.

Addressing deteriorating building conditions due to lack of owner funds with the help of CDBG funds is mentioned in Strategy 1.1.6 in the City's Neighborhood Report adopted by City Council. Strategy 1.1.6 reads in part "Prepare required five-year HUD Consolidated Plan and yearly Action Plan to receive the yearly Community Development Block Grant entitlement funds the City has been forfeiting. HUD's mission to provide safe housing is in sync with our need to address deteriorating building conditions due to lack of owner funds."

2. The 2010-11 Community Development Block Grant will be used to address the home repair needs identified in the plan. No other federal or State funds are to be directly used in carrying out Program Year 2011-2012 home repairs. However, though not administered by the City of Colonial Heights, there are many federal, state and local resources that aid in the provision of housing to low income households in the City. Following is a partial list.

### **SECTION 8**

There are no Section 8 or public housing complexes in the City of Colonial Heights. However, there are Section 8 vouchers being used in the City. Their use is geographically well-distributed throughout the City and consists of both single family homes and apartments. There is no particular concentration of voucher holders by race, ethnicity, elderliness or disability in any area.

The City does not directly provide rental assistance. This is done through the Chesterfield/Colonial Heights Department of Social Services. The Chesterfield Department of Social Services recently noted that the waiting list for the vouchers has been frozen and that there are currently over 100 people on their list. Vouchers transferred from other localities and out of state has been an issue which has kept the waiting list stagnant. They foresee no change in the status of the current vouchers.

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\* \*\*Please also refer to the Housing Needs Table in the Needs.xls workbook.\*

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Chesterfield/Colonial Heights  
Department of Social Services  
9501 Lucy Corr Circle  
The Wagner Building  
Chesterfield, VA 23832  
Phone: (804) 748-1100  
Fax: (804) 717-6294

### **LOW-INCOME HOUSING TAX CREDITS**

The five newest apartment complexes in the City all participate in the Low Income Housing Tax Credit (LIHTC) Program. Their program agreement stipulates that 40% of the apartments be set aside for residents with an income at or below 60% of the City's median income. To date, most if not all of the 525 LIHTC apartment units have been set aside for tenants at or below 60% of the City's median income. One hundred and seventy six (176) of these 526 LIHTC apartment units are not reflected in the Census 2000 data as they were built after the year 2000. The addition of these units should significantly increase the ratio of affordable housing opportunities for lower income households. All of these complexes are handicap accessible. One is a designated senior apartment complex with 88 dwelling units.

### **GRANTING FREEDOM PROGRAM**

The Granting Freedom program pays for modifications to make living spaces more accessible for servicemen and women who sustained injury during service in a combat theatre of operations. The funds can be used to widen doorways, add ramps, install grab bars in bathrooms, or to make other modifications that facilitate mobility and safety. The program has over \$1 million available to pay for modifications to houses and apartments. Granting Freedom operates on a first-come, first-served basis.

For additional information and grant applications visit:

[http://www.vhda.com/vhda\\_com/apps/DocumentLibrary/document\\_load.asp?docid=937](http://www.vhda.com/vhda_com/apps/DocumentLibrary/document_load.asp?docid=937)

### **LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LEAP)**

LEAP provides funds to reduce the heating and cooling costs for low-income families and improve homes energy efficiency. This program also provides direct funding to help with heating and cooling utility bills through the Energy Assistance Program at the Department of Social Services.

Virginia Department of Housing & Community Development (VHCD)

The Jackson Center

501 North Second Street

Richmond, Virginia 23219-1321

Telephone: (804) 371-7000

[http://www.eere.energy.gov/weatherization/cfm/index.cfm/state\\_abbr=va](http://www.eere.energy.gov/weatherization/cfm/index.cfm/state_abbr=va)

### **MEALS ON WHEELS**

The Meals on Wheels program provides meals to seniors, people with disabilities, and disadvantaged populations." They provide low-cost, nutritionally sound meals to homebound adults regardless of their ability to pay. Breakfast, lunch and sandwiches are delivered during the once per day delivery. Lunch is usually a hot meal. Most foods are pre-prepared so that they can just be heated in a microwave for a couple of minutes if necessary. A microwave grant is available to those who do not have one. Meals are delivered in advance for holidays on which they are closed.

## **NUTRITION AND WEATHERIZATION ASSISTANCE**

Basic weatherization assistance needs for very low income residents will continue to be met by the Crater District Area Agency on Aging Weatherization Program. This program serves the population based on income (below 140% poverty level), not age. The Crater District Area Agency on Aging also provides accessibility grants, a nutrition program and services such as light house keeping help for those in need of assistance.

Crater District Area Agency on Aging  
23 Seyler Drive  
Petersburg, VA 23805-9243  
Phone: 804-732-7020 Fax: 804-732-7232  
E-mail: gmason@cdaaa.org  
Web site: <http://www.cdadaa.org>

## **VHDA ACCESSIBILITY GRANTS**

The Virginia Housing Development Authority (VHDA), in association with the Virginia Department of Housing and Community Development (DHCD), The Fannie Mae Foundation and the Christopher Reeves Paralysis Foundation has \$50,000 in grant funds available to help pay for accessibility modification work for rental units. Funds can be used for any work needed to make the unit accessible for a disabled individual. The funds are available on a first come/first served basis, up to \$1,500 per dwelling unit. In order to qualify, the resident's income must be at or below 80% of the area median income. A copy of the application is available at:  
[http://www.vhda.com/vhda\\_com/apps/DocumentLibrary/document\\_load.asp?docid=2449](http://www.vhda.com/vhda_com/apps/DocumentLibrary/document_load.asp?docid=2449)

## **Needs of Public Housing**

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.
2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

### **Action Plan Public Housing Strategy response:**

There is no public housing in the City of Colonial Heights.

## **Barriers to Affordable Housing**

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

### **Action Plan Barriers to Affordable Housing response:**

1. A common barrier to affordable housing is a lack of information. The Department of Planning and Community Development will screen the Home Repair Applications to see if

the applicants are also eligible for the real estate tax exemption for persons who are disabled or over the age of 65 and are not taking advantage of this program. The Commissioner of the Revenue's Office provides a real estate tax exemption for owner-occupied properties owned by persons 65 years or older or who are permanently and totally disabled. To qualify for the exemption, the household income must not exceed \$40,000 and assets (excluding value of home and land up to one acre) must not exceed \$80,000. The income-based tax exemptions range from 10% to 100%. The maximum yearly tax exemption is \$1,600.

The City will continue to promote the Assessor's Rehabilitation Tax Program which allows partial exemption from real estate taxes (tax relief) for qualifying rehabilitated or renovated structures. For those properties which qualify, the initial increases in real estate taxes resulting from rehabilitation or renovation will be excused for ten years.

### **HOME/ American Dream Down payment Initiative (ADDI)**

1. Describe other forms of investment not described in § 92.205(b).
2. If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.
3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:
  - a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
  - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
  - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
  - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.
  - e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
  - f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.
4. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:
  - a. Describe the planned use of the ADDI funds.
  - b. Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.

- c. Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.

**Action Plan HOME/ADDI response:**

Colonial Heights does not receive HOME funds.

**HOMELESS**

**Specific Homeless Prevention Elements\***

1. Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.
2. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.
3. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.
4. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.
5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

**Action Plan Special Needs response:**

**SUMMARY OF HOMELESS NEEDS**

There had not been A Point-In-Time Count in the city of Colonial Heights since January 25, 2008. It was conducted by members of the Southside Continuum of Care including the City's Neighborhood Revitalization Planner. At that time, no homeless unsheltered individuals were identified as being from Colonial Heights.

The following 2011 data were collected in the Petersburg Continuum of Care's winter point-in-time count of individuals and families experiencing homelessness in the Richmond region. The statistics below represent the 65 adults experiencing homelessness who completed the point-in-time survey.

- 79.4% of adults are males, and 20.6% are females. Most homeless persons are single, never married adults (70.8%), and 29.2% of people experiencing homelessness are or have been in

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\* \*Please also refer to the Homeless Needs Table in the Needs.xls workbook.



families, including those who are married, as well as those who are separated, widowed, or divorced.

- 9.2% of homeless persons have children living with them.
- A majority of persons report that they are African-American (65.6%), followed by White (32.8%).
- The average age for adults is 45.9 years.
- 58.3% have just a high school education or GED. 25.0% attended some college, and 5.0% have a college degree.
- 15.4% are veterans.
- The majority (56.0%) served some time in jail and/or prison. Out of all individuals surveyed (including those who have not served time in jail and/or prison), 32.0% reported serving time in jail, 8.0% reported serving time in prison, and 16.0% indicated that they had served time in both jail and prison.
- 10.9% have experienced domestic violence in their lifetime. Of those experiencing domestic violence, 50.0% had experienced it in the past year.
- 29.2% report having a problem with alcohol sometime in their lifetime. Of those reporting a problem with alcohol, 64.3% are currently in recovery.
- 28.3% report having a problem with substance abuse sometime in their lifetime. Of those reporting a problem, 53.8% are currently in recovery.
- 22.9% report having a mental health problem sometime in their lifetime. Of these, 81.8% are currently being treated and 54.5% are taking medication for mental health problems.
- 41.5% report having a long-term disability. Of those reporting a long-term disability, 46.2% indicated that their disability was drug or alcohol abuse, 33.3% indicated that their disability was a mental illness, and 55.6% indicated that their disability was physical. (Note that respondents could select multiple disability types.)
- 30.6% are employed. Of those who are employed, 91.7% work part-time, and 8.3% do day labor or temp work.
- The median length of time respondents have lived in the Greater Petersburg area is 4.6 years.
- Most reported having their last housing in Petersburg (48.0%) or Hopewell (10.0%) or other cities/counties in Virginia (40.0%)
- In the past three years, most homeless persons have been homeless once (52.3%) or twice (21.5%); 26.2% have been homeless three or more times during this time period.
- The median length of time people have been homeless is 135 days.

The City of Colonial heights has 3 members of the Southside CoC: representatives from the Planning Department, the Office on Youth and the Department of Social Services. This group is made up of community leaders and volunteers. Members are selected by their position in the community, their personal interests, and their interest in working to alleviate homelessness in our area. Members are informed of the purpose of this group which is to identify and set goals and strategic plans, create working policy for the workgroup, assess workgroup objectives, and research and review community needs.

Estimates of at risk population are not available for this jurisdiction.

## **Emergency Shelter Grants (ESG)**

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

### **Action Plan ESG response:**

The City of Colonial Heights does not receive Emergency Shelter Grants.

## **COMMUNITY DEVELOPMENT**

### **Community Development\***

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.
2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

\*Note: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

### **Action Plan Community Development response:**

1. The City has not identified any unmet priority non-housing community development needs that are eligible for CDBG assistance based on the 51% low to moderate income requirement. As in previous Program Years, all CDBG Program Year 2010-2011 funds are to be allocated to the CDBG Home Repair Program and program administration.
2. N/A

### **Antipoverty Strategy**

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

### **Action Plan Antipoverty Strategy response:**

1. The City does not directly provide services that reduce the number of poverty level families. However, as noted earlier, the following economic development, workforce, and individual development programs are available to the citizens of the City of Colonial Heights.

### **CAPITAL SOURCE**

Capital Source, formerly the Virginia Community Development Loan Fund (VCDLF) provides a variety of capacity building workshops, business development classes, and technical assistance to small businesses in the Richmond, Virginia region. Capital Source is a Community Development Financial Institution (CDFI) and authorized by the United States Small Business Administration (SBA) as a micro loan intermediary.

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\* \*Please also refer to the Community Development Table in the Needs.xls workbook.

Capital Source  
2317 Westwood Avenue  
Suite 204  
Richmond, VA 23230  
Tel (804) 340-1988  
Fax (804) 340-2836  
<http://www.vcdlf.org/>

#### **CRATER DEVELOPMENT COMPANY**

Crater Development Company is a private non-profit corporation that is the business loan affiliate of Crater PDC. The purpose of CDC's loan programs are to stimulate the growth and expansion of small businesses in the area by creating additional jobs, increasing the local tax base, and expanding business ownership opportunities. CDC has two loan programs to assist small businesses: the Crater Revolving Loan Fund (RLF) and the Small Business Assistance (SBA) 504 Loan Program.

RLF caters to fixed asset and/or working capital projects. Projects range from \$50,000 to \$500,000 or more. The SBA 504 Program provides fixed asset financing for projects ranging from \$120,000 to \$5,000,000 or more.

Crater Development Company (CDC)  
1964 Wakefield St  
PO Box 1808  
Petersburg, VA 23805  
Phone: (804) 861-1668

#### **HOMEBUYS FIRST TIME HOMEOWNERSHIP PROGRAM**

This program helps low income individuals with the following:

- One-on-one counseling sessions to rebuild credit, manage monthly finances, eliminate debt & build savings
- Down payment assistance for home purchase
- Virginia Individual Development Account
- Financial literacy workshops

Virginia Supportive Housing  
P.O. Box 430  
Petersburg, VA 23804  
Phone (804) 722-0490  
[vshdhanson@hotmail.com](mailto:vshdhanson@hotmail.com)

#### **VHDA HOMEOWNERSHIP CLASSES**

For most people, the greatest financial asset they possess is their home. Homeownership, while instilling neighborhood pride and investment in a community, is also a one of the primary means of wealth-building. The City's Neighborhood Revitalization Planner coordinates class registration for the Virginia Housing Development Authority's Colonial Heights Homeownership Education Classes. An average of 11-12 potential homebuyers are served a month. The classes are held one Saturday a month at the Colonial Heights Public Library in partnership with two VHDA certified homeownership trainers from BB&T and Long and Foster Real Estate, Inc. VHDA provides a variety of advantageous loan types especially suited for first-time homebuyers. Participants receive a certificate upon completion of the day-long class. Completion of these classes is required for most VHDA loans.

**VIDA**

The Virginia Individual Development Accounts (VIDA) Program is a savings program that helps eligible individuals gain financial literacy skills and build assets. For every dollar the participant saves in a designated account, VIDA will match it with two dollars. The combined savings can be used to purchase a home, start a business or go to school (postsecondary education). Matching funds are limited to \$4,000 per participant with a maximum of two participants per household. The VIDA accounts are available on a first come, first served basis for all eligible Virginia residents. In order to be eligible, individuals must be a U.S. citizen or legal alien residing within Virginia, have a dependent child under the age of 18 living in the household, be employed, meet certain income requirements based on household size, and be accepted into the program.

## **VIDA 2011 Income Guidelines**

<b>Total number of people within household</b>	<b>Maximum household income allowed annually</b>	<b>Maximum household income allowed monthly</b>
1	\$21,780	\$1,815
2	\$29,420	\$2,452
3	\$37,060	\$3,088
4	\$44,700	\$3,725
5	\$52,340	\$4,362
6	\$59,980	\$4,998
7	\$67,620	\$5,635
8	\$75,260	\$6,272
9 or more: add this amount to annual income for each additional person	\$7,640	\$637

Each additional person \$7,480

\$623

[http://www.dhcd.virginia.gov/HomelessnessToHomeownership/PDFs/VIDA\\_Income\\_Limits.pdf](http://www.dhcd.virginia.gov/HomelessnessToHomeownership/PDFs/VIDA_Income_Limits.pdf)

The VIDA savings matching funds program is now available to Colonial Heights residents through Virginia Supportive Housing [www.virginiassupportivehousing.org](http://www.virginiassupportivehousing.org)

### **VIRGINIA DEPARTMENT OF BUSINESS ASSISTANCE**

Provides management, technical, and other assistance to existing and potential small and medium sized businesses throughout the Commonwealth of Virginia.

Virginia Department of Business Assistance  
707 E. Main Street, Suite 300  
Richmond, VA 23219  
(804)371-8200  
<http://www.dba.state.va.us/>

### **VIRGINIA EMPLOYMENT COMMISSION (VEC)**

The Virginia Employment Commission's one-stop career centers are known as Virginia Workforce Centers. They have resource assistance rooms where computers, job listings, and fax and telephone use is available to job seekers. Workforce Investment Act training programs are also offered to qualifying adults based on income and to dislocated workers. TANF recipients automatically qualify. Upon registering in one office, participants may use services at both locations. Workforce Investment Area XV offices serve the Crater Region, including the City of Colonial Heights.

VIRGINIA WORKFORCE CENTER - Petersburg  
114 North Union Street  
Petersburg, VA 23803  
Phone: 804.862.6155  
Toll Free 1.866.270.9183  
Hours: Monday - Friday from 8:00 am - 4:30 pm.

VIRGINIA WORKFORCE CENTER - Tri-Cities  
5240 Oaklawn Boulevard  
Hopewell, VA 23860  
Phone: 804.541.6548  
Toll Free 1.866.270.9184  
Hours: Monday - Friday from 8:00 am - 4:30 pm.

## **Non-homeless Special Needs Housing (91.220 (c) and (e))\***

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

### **Action Plan Specific Objectives response:**

1. Non-homeless special needs housing is provided regionally or locally through private housing providers. All things being equal, the CDBG Home Repair Program will continue to give priority to the elderly and the disabled. Numbers for unmet non-homeless special needs housing are not available.
2. Accessibility and other non-homeless special housing needs are currently being met primarily by the Crater District Area Agency on Aging. Program participation is based on income level (140% poverty) and not age. Their programs include weatherization and accessibility grants. In addition to weatherization and accessibility services, the Crater District Area Agency on Aging also provides services such as light house keeping help for those in need of assistance. Citizens applying for the 2011-12 emergency home repair grants will also be referred to the Crater District Area Agency on Aging as needed. The number of City of Colonial Heights residents assisted in FY2009 is 0.

Elder Homes of Richmond now has a Tri Cities Office located in Petersburg and can provide emergency home repair and handicap modifications low to moderate income Colonial Heights citizens.

The Colonial Heights Department of Youth and Human Services, in cooperation with the Planning Department, have used their Community Service youth and youth volunteers to help those who through physical incapacity were unable to do certain small maintenance and household chores. The Youth and Human Services Office has expressed a desire and a willingness to continue with these efforts in the coming fiscal year.

Virginia Tax Credits are available for qualifying accessibility improvements as delineated on the Virginia Department of Taxation webpage as follows:

### **HOME ACCESSIBILITY FEATURES FOR THE DISABLED CREDIT**

You may qualify to claim this credit if you install, or hire someone to install, one or more accessibility features in an existing home to make it accessible to disabled individuals, provided such features are not otherwise required by law.

Accessibility features that qualify for the credit include:

- A no-step entrance allowing access into the residence
- Interior passage doors providing a thirty-two inch wide clear opening
- Reinforcements in bathroom walls and installations of grab bars around the toilet, tub, and shower
- Light switches and outlets placed in accessible locations

---

\* \*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

Universal design features or those accessibility or adaptability features prescribed in the Virginia Uniform Statewide Building Code.

The credit is equal to 25% of the total cost of such features, or \$500, whichever is less. The allowable credit may not exceed your tax liability. Unused credits may be carried forward for five years.

You must apply for and receive certification for the credit before claiming it on your tax return. File Form HAC (Home Accessibility Credit) with the Department of Taxation, Tax Credit Unit, P. O. Box 715, Richmond, VA 23218-0715. Applications must be received by March 15 of the year following the year in which the work was completed.

The total amount of tax credits that can be approved by the Department of Taxation for any taxable year is limited to \$1.0 million. If the total credits requested exceed this amount, the Department will prorate the amount of each credit.

Complete Schedule CR, Part XX, to claim the credit.

Reference: Virginia Code 58.1 - 339.7.

Retrieved 4/18/11, from the Virginia Department of Taxation webpage,  
[http://www.dmas.virginia.gov/downloads/pdfs/ltc-envrnmntl\\_modif\\_guide.pdf](http://www.dmas.virginia.gov/downloads/pdfs/ltc-envrnmntl_modif_guide.pdf)

## **Housing Opportunities for People with AIDS\***

1. Provide a Brief description of the organization, the area of service, the name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.
2. Report on the actions taken during the year that addressed the special needs of persons who are not homeless but require supportive housing, and assistance for persons who are homeless.
3. Evaluate the progress in meeting its specific objective of providing affordable housing, including a comparison of actual outputs and outcomes to proposed goals and progress made on the other planned actions indicated in the strategic and action plans. The evaluation can address any related program adjustments or future plans.
4. Report on the accomplishments under the annual HOPWA output goals for the number of households assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. Include any assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.
5. Report on the use of committed leveraging from other public and private resources that helped to address needs identified in the plan.
6. Provide an analysis of the extent to which HOPWA funds were distributed among different categories of housing needs consistent with the geographic distribution plans identified in its approved Consolidated Plan.
7. Describe any barriers (including non-regulatory) encountered, actions in response to

---

\* \*Please also refer to the HOPWA Table in the Needs.xls workbook.

barriers, and recommendations for program improvement.

8. Please describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.
9. Please note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.

**Action Plan HOPWA response:** The City does not receive HOPWA funds.

### **Specific HOPWA Objectives**

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

**Specific HOPWA Objectives response:** The City does not receive HOPWA funds.

**Other Narrative:** Include any Action Plan information that was not covered by a narrative in any other section. N/A

### **Appendices**

Form 424 .....	Y2A
2011-2012 CDBG Emergency Home Repair Application .....	Y2B
2011-2012 CDBG Program Design.....	Y2C
2011-2012 CDBG Citizen Participation Plan .....	Y2D
City of Colonial Heights Resolution .....	Y2E
Public Hearing notice .....	Y2F
Needs xls. ....	Y2G



# Appendix Y2A

## Form 424

# SF 424

The SF 424 is part of the CPMP Annual Action Plan. SF 424 form fields are included in this document. Grantee information is linked from the 1CPMP.xls document of the CPMP tool.

## SF 424

Complete the fillable fields (blue cells) in the table below. The other items are pre-filled with values from the Grantee Information Worksheet.

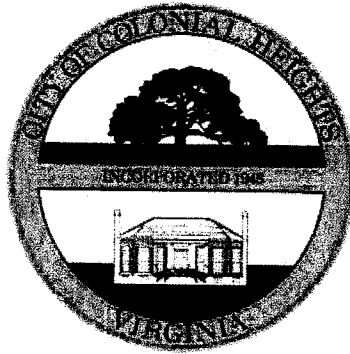
Date Submitted	01-004-3883	<b>Type of Submission</b>	
June 15, 2011		<b>Application</b>	<b>Pre-application</b>
Date Received by HUD	54-6001228	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Construction
		<input type="checkbox"/> Non Construction	<input type="checkbox"/> Non Construction
<b>Applicant Information</b>			
Colonial Heights		VA510384 COLONIAL HEIGHTS	
201 James Avenue		010043883	
Post Office Box 3401		City of Colonial Heights	
Colonial Heights	Virginia	Planning and Community Development	
23834	Country U.S.A.	0	
<b>Employer Identification Number (EIN):</b>		N/A	
54-6001228		Program Year Start Date (07/01)	
<b>Applicant Type:</b>		<b>Specify Other Type if necessary:</b>	
Local Government: City		Specify Other Type	
<b>Program Funding</b>		<b>U.S. Department of Housing and Urban Development</b>	
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
<b>Community Development Block Grant</b>		14.218 Entitlement Grant	
CDBG Emergency Home Repair Program		City of Colonial Heights	
\$78,398	\$		
\$		\$	
\$		\$	
		Other (Describe)	
\$94,234			
<b>Home Investment Partnerships Program</b>		14.239 HOME	

<b>Housing Opportunities for People with AIDS</b>		14.241 HOPWA	
<b>Emergency Shelter Grants Program</b>		14.231 ESG	
<b>Congressional Districts of:</b>		<b>Is application subject to review by state Executive Order 12372 Process?</b>	
4	4	<input checked="" type="checkbox"/> Yes	This application was made available to the state EO 12372 process for review on 5/8/2011
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input type="checkbox"/> No	Program is not covered by EO 12372
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	Program has not been selected by the state for review

<b>Person to be contacted regarding this application</b>		
Maureen	J	Sherry
Neighborhood revitalization Planner	804-520-9382	804-524-8755
thomass@colonial-heights.com	www.colonial-heights.com	George Schanzenbacher
Signature of Authorized Representative		Date Signed

# **Appendix Y2B**

## **CDBG Emergency Home Repair Application**



**CITY OF COLONIAL HEIGHTS  
2011-12  
CDBG EMERGENCY HOME REPAIR PROGRAM  
GUIDELINES AND APPLICATION**

**IMPORTANT**

**After all documents have been completed and returned to the office, ElderHomes will begin the review process of your application. Please do not take this application apart; if application is returned and pages are missing your application will not be processed!!**

**Please address inquiries to:**

**Judy Puryear  
ElderHomes Corporation  
88 Carnation Street  
Richmond, VA 23225  
Phone: (804) 233-2827 Ext. 244/Fax: (804) 230-0778**

**Jamie Sherry  
City of Colonial Heights Planning Department  
201 James Avenue  
Colonial Heights, VA 23834  
Phone: (804) 520-9382/Fax: (804) 524-8755  
Email:sherryj@Colonial-Heights.com**

This program is run in accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988). "It is illegal to discriminate against any person because of race, religion, sex, handicap, familial status, or national origin."

## City of Colonial Heights CDBG Home Repair Program Guidelines

This program is made possible by the federal Community Development Block Grant Program. A grant of up to \$8,000 is available per owner-occupied home to assist with specific home repairs or activities that eliminate conditions detrimental to the safety and health of the residents.

### Eligibility

Eligible activities or repairs include but are not limited to the following:

- Unsafe electrical, heating or plumbing systems
- Faulty roofs
- Faulty porches and steps that present a safety risk
- Lead-based paint testing

Ineligible activities consist of any unnecessary physical improvements, any repairs of a cosmetic nature, repairs to sheds, and repairs to garages or any structure not attached to the living unit.

In order to be considered for this grant:

- 1) The house must be a single-family, owner occupied dwelling located within the City of Colonial Heights.
- 2) The applicant must be the owner of the home, must live in the home (as a primary, permanent residence), and be able to provide proof of home ownership, active home insurance, and paid property taxes, proof tax exemption or proof of payment on bill. The owner could, however, provide proof of control of the property if he or she has made payments of property taxes and insurance for a period of three (3) years immediately preceding application submission. Life estate rights are an acceptable form of ownership.
- 3) Homeowners who have received this grant in the past may reapply for assistance after 5 years work has been completed. Priority will be given to first time applicants.
- 4) Homeowners must be at or below 80% of the area median income. Income and assets will be verified before a home repair contract is issued. The total household income based on the number of people living in the home, cannot exceed the following:

Number of Persons in Household	Maximum Income*
1	\$41,800
2	\$47,800
3	\$53,750
4	\$59,700
5	\$64,500
6	\$69,300
7	\$74,050
8	\$78,850

\* FY 2011 HUD Income Limits (Richmond MSA) effective 5/14/11

**Repayment Clause**

To prevent owners from simply selling the property and profiting from the CDBG-funded improvements, the owners must repay the program if they sell the property within five years. Part of the owner's obligation is forgiven each year they live on the property.

Repayment of the rehabilitation grant or relocation shall be based on a twenty percent (20%) reduction of the amount to be repaid per year, according to the following schedule:

0 - 12 months: 100% repayment  
after one (1) year: 80% repayment  
after two (2) years: 60% repayment  
after three (3) years: 40% repayment  
after four (4) years: 20% repayment  
after five (5) years: 0% repayment

If the property is inherited by a blood relative who is also eligible under the program guidelines or sold to an eligible person under the guidelines, repayment may be deferred. If the owner dies during the five year period of the grant and the heir(s) sell the dwelling, then repayment will follow the same schedule as if the owner were alive and selling the dwelling.

**Preconstruction Requirements**

Debris removal is a pre-construction requirement to program participation. Property owners will be required to clear the exterior and interior property site of all identified trash, debris, inoperable vehicles and derelict structures prior to receiving program assistance. If the owner is elderly or handicapped and cannot physically clear the property or arrange for the removal of the debris, an attempt will be made to obtain the assistance to the homeowner.

If you are within the income guidelines, are in need of the eligible repairs, and would like to be considered for assistance, you **MUST** reply to all the questions in the Emergency Home Repair Program Application for Assistance, mail the application to ElderHomes at that address below, and provide a copy of all applicable requested documents. Priority will be given to the elderly and the disabled.

Due to HUD regulations, you **MUST** provide all documentation requested with your application, or you will not be eligible for any funding. Persons whose applications are denied have 15 days from receipt of the letter to appeal the decision and will be notified of this in the letter.

Please return applications and documentation to:

ElderHomes Corporation  
88 Carnation Street  
Richmond, VA 23225

DRAFT

ELDERHOMES CORPORATION  
Emergency Home Repair Program  
Application for Assistance

Name: \_\_\_\_\_

Phone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

Address: \_\_\_\_\_

Contact phone: \_\_\_\_\_

Birth date: \_\_\_\_\_

Date of  
Application: \_\_\_\_\_

Homeowner: \_\_\_\_\_

Name Deed is in: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Zip: \_\_\_\_\_

Social Security No: \_\_\_\_\_

Have you received service from ElderHomes before? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what Programs did you receive service from?

When? \_\_\_\_\_

Disability: \_\_\_\_\_

Number of Bedrooms: \_\_\_\_\_

Sex: \_\_\_\_\_ Male \_\_\_\_\_ Female

Age: \_\_\_\_\_

Marital Status: \_\_\_\_\_ Married \_\_\_\_\_ Single \_\_\_\_\_ Divorced \_\_\_\_\_ Widowed

Race: \_\_\_\_\_ Afro American \_\_\_\_\_ White \_\_\_\_\_ Other

Number in Household \_\_\_\_\_ Adults \_\_\_\_\_ Children \_\_\_\_\_

Applicant sources of income:

Salary: \_\_\_\_\_ Weekly \_\_\_\_\_ Bi-weekly \_\_\_\_\_ Monthly \_\_\_\_\_

Gross Yearly: \_\_\_\_\_



**Housing Information** (Please circle the appropriate answer below)

1. Do you own your own home or have a life estate?    YES                      NO  
**Include a copy of the deed or other proof of ownership.**
2. If disabled or over the age of 65 do you have a homestead (real estate tax) exemption?  
YES, I have a homestead exemption                      NO, I do NOT have a homestead exemption
3. Are your property taxes paid to date?    YES                      NO                      N/A  
**If not exempt from property taxes, please include a copy of receipt of paid property taxes.**
4. Do you have homeowner's insurance?                      YES                      NO

**Please list name, address, and policy number of insurance company.**

Insurance Co. \_\_\_\_\_ policy # \_\_\_\_\_

Company mailing address \_\_\_\_\_

**Please list all members in household: (Use the back of the application if necessary for additional space)**

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relationship: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I certify that the information provided is accurate to the best of my knowledge. I understand that my eligibility for assistance from ElderHomes depends on verification of income.**

**Attached is proof of income for each member of the household receiving income (i.e. payroll, Social Security and/or pensions).**

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Date**

**Documentation of income – Attach Copies for file**

1. Proof of household income- 2010(social security benefit letter, paystubs, pension, statements, etc.)
2. Current Real Estate Tax Bill with receipt- (2010)
3. Recent bank account statement
4. Declaration Page From Homeowners Insurance

**Eligibility Determined & Completed By:**

\_\_\_\_\_  
**Signature (Elder Homes Intake Officer)**

## HOUSEHOLD INFORMATION

Conditions that may be recognized as serious health and safety standards include: leaking roof, rotten/broken floors, steps and porches in need of repair and failure of plumbing, electrical or heating systems.

Some requested repairs may not fall within the guidelines of the Emergency Home Repair Program.

The Rehabilitation Specialist will assess the repairs and get a final approval from administration to proceed with the work order.

**DESCRIBE THE REPAIRS YOU ARE REQUESTING:**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**Ownership Declaration**

I, \_\_\_\_\_, Do hereby attest and affirm that I am the  
homeowner of record for the residence located at

\_\_\_\_\_,  
\_\_\_\_\_, Virginia,  
\_\_\_\_\_.

WITNESS the following signature (s):

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ Owner

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ Co-Owner

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ Co-Owner

STATE OF VIRGINIA/City of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of

\_\_\_\_\_, 2011 by \_\_\_\_\_  
Owner

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE NOTARY PUBLIC

Homeowner Certification For Access To The Property:

I certify that I will allow ElderHomes and ElderHomes Contractors access to my property  
in order to have my home rehabilitated.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## CONTRACT OF UNDERSTANDING

---

I understand that the contractor recommended by ElderHomes Emergency Home Repair Program is to be contracted and held responsible for his/her work according to our agreement.

I understand that ElderHomes is only administering this Program. By so doing, ElderHomes does not assume any liability or make any warranties concerning the quality of work performed.

To help in program implementation, ElderHomes has a Rehabilitation Specialist to assure maximum satisfaction between applicant and contractor. I agree to work with the Rehab Specialist and the Contractor to get the greatest benefit from the program.

I understand that ElderHomes does not have any liabilities under this Program.

I hereby affirm that I have read and agree to my responsibilities in the "Emergency Home Repair Program".

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

**FINAL FIELD INSPECTION**

---

**PROJECT / CLIENT**

---

---

1. Have all items in the **scope of work** been completed? \_\_\_\_\_
2. Have all items of work authorized by **Change Orders** been completed? \_\_\_\_\_
3. What is the overall "**workmanship**" Good \_\_\_\_\_; Adequate \_\_\_\_\_; Poor \_\_\_\_\_
4. Did the **homeowner** offer any complaints? \_\_\_\_\_
5. Was owner given option to do an interview **without** Contractor being present? \_\_\_\_\_

**INSPECTOR'S  
COMMENTS:**

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## EMERGENCY HOME REPAIR PROGRAM

## Inspection Report

Client Name: \_\_\_\_\_ Project No. \_\_\_\_\_  
Address \_\_\_\_\_

Address \_\_\_\_\_ Project No. \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Description of work needed: \_\_\_\_\_ Cost Estimate: \_\_\_\_\_

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.**Estimates Requested From:**

■ ■

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**FINAL INSPECTION PACKAGE**

\_\_\_\_\_  
**Project/Client** \_\_\_\_\_ **EHC Project No.** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Phone#:** \_\_\_\_\_  
**Contractor Name:** \_\_\_\_\_

<b>Item Description:</b>	<b>In Package:</b>	<b>Returned to Office:</b>
Final Field Inspection Checklist	X	
Scope of Work Dated	X	
Client Response	X	

**Inspector Name:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

## CLIENT RESPONSE FORM

## CLIENT

I agree that the work specified and authorized has been completed on my home to the best of my knowledge. In my estimation, the quality of work completed on my home was:

1. Excellent \_\_\_\_\_
2. Good \_\_\_\_\_
3. Fair \_\_\_\_\_
4. Unsatisfactory \_\_\_\_\_

Comments:

---

---

---

In my estimation, the conduct of the ElderHomes personnel who visited my home was:

1. Excellent \_\_\_\_\_
2. Good \_\_\_\_\_
3. Fair \_\_\_\_\_
4. Unsatisfactory \_\_\_\_\_

Comments:

---

---

---

In my estimation, the conduct of the subcontractors who visited my home was:

1. Excellent \_\_\_\_\_
2. Good \_\_\_\_\_
3. Fair \_\_\_\_\_
4. Unsatisfactory \_\_\_\_\_

Comments:

---

---

---

Did you, in your estimation, receive all necessary instructions and/or explanations about the improvements to your home and how to maintain those improvements?

Yes \_\_\_\_\_ No \_\_\_\_\_

I am satisfied with work completed on my home and agree EHC may release the contractor's payment.

CLIENT SIGNATURE: \_\_\_\_\_

DATE \_\_\_\_\_

Additional

comments: \_\_\_\_\_

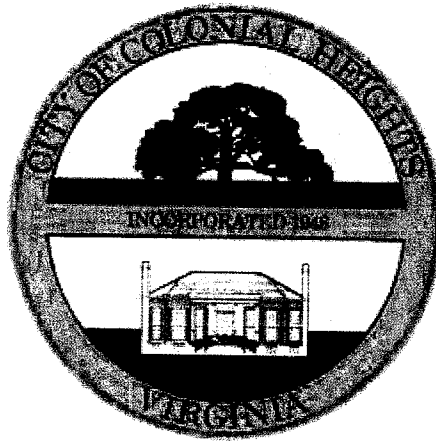
Inspector

Signature/Date: \_\_\_\_\_



# **Appendix Y2C**

## **CDBG Program Design**



# CITY OF COLONIAL HEIGHTS HOME REPAIR PROGRAM

Colonial Heights, Virginia  
2011-12 Program Year

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- A. Project Areas Map
- B. 24 CFR Part 5 Annual Income Inclusions
- C. 24 CFR Part 5 Annual Income Exclusions
- D. Programmatic Agreement with ACHP & DHR
- E. CDBG Home Repair Grant Application

DRAFT

## **SECTION 1: PROGRAM ADMINISTRATION**

---

### **PROGRAM OBJECTIVE**

The City of Colonial Heights Home Repair Program will provide home repair assistance to qualified residents, who are not financially able to resolve housing deficiencies which may render their homes unsafe.

It is hoped that this program will also help preserve the significant architectural heritage of Violet Bank-Flora Hill and Shepherd Stadium and serve as an impetus for additional home improvement and community investment.

### **PROGRAM GUIDELINES**

Grants will be distributed based on eligibility, program distribution formulas and extent of need. All recipients must complete a home repair grant application. The application delineates eligible activities and conditions and includes a Fair Housing notice. Proof of ownership, proof of paid property taxes, exemption or to be making regular payments on the bill, IRS documents and/or evidence of other proof of income, banking information, and homeowner's insurance will be required. The verifications and other processes will be documented in each program participant's file and form part of the application package. Every applicant will be treated with fairness and consistency. The adopted program standards will apply equally to each program applicant. Homeowners who have received this grant in the past may reapply for assistance after 5 years work has been completed.

### **PROGRAM OPERATION**

The Home Repair Program will be implemented as follows:

#### **Project Manager**

The Neighborhood Revitalization Planner, with the City of Colonial Heights Planning and Community Development, serves as the CDBG Project Manager and is responsible for all aspects of the project including the overall implementation and management of the program. The Project Manager works with ElderHomes, a not-for-profit organization to runs the day-to-day operation of the program along with the City's Procurement Specialists and Building Inspectors to ensure the quality and cost control of the rehabilitation construction projects.

#### **ElderHomes Inc.**

ElderHomes, Inc., a not-for-profit organization hired by the City of Colonial Heights to run the day-to-day operation of the program, is responsible for work write-ups, cost estimates, bid packages maintaining project budgets, budget revisions, CDBG file maintenance, submitting reports as needed, labor compliance, application intake and verification, compliance reviews, and closeout of individual projects. They will coordinate all necessary City code inspections and certifications. ElderHomes will also handle contractor bids or quotes and make recommendations for contract award. Contracts are awarded to the lowest responsive and responsible bidder.

## DRAFT

### Building Inspectors

The need for repair and completed work will be verified by the City of Colonial Heights Building Inspectors. The Building Inspectors adhere to the Uniform Statewide Building Code. Once work is completed, the building inspectors will certify that relevant code violations, where present have been alleviated.

### Director of Planning and Community Development

The Director of Planning and Community Development is responsible for the pay request approvals and any change order approvals. Should grievances arise, the homeowner and/or contractor should contact the Director of Planning & Community Development.

### Procurement Specialist

The City of Colonial Heights Procurement Specialist will pay ElderHomes, Inc. once the process stated above is completed.

## **SECTION 2: ELIGIBILITY CRITERIA**

---

### **ELIGIBLE AREAS**

Although program assistance is available city-wide, the program targets two target areas: the Violet Bank-Flora Hill and Shepherd Stadium Planning Districts in the City of Colonial Heights, Virginia (see *Attachment A*).

Applicants within the targeted area are given priority when to apply for financial assistance for the Home Repair Program.

### **ELIGIBILITY FOR ASSISTANCE**

The eligibility of an applicant shall be determined on the basis of the household's income. The grant applicant must own and occupy (a life estate is also acceptable) the property. In order to receive assistance the dwelling must be a year round residential unit. The program will not benefit moderate-income persons to the exclusion of low-income persons. Priority is given to owner-occupied single-family housing units occupied by low to moderate income seniors or persons with disabilities. Priority is also given if the property is in either the Violet Bank-Flora Hill or Shepherd Stadium Planning Districts.

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**A. INCOME ELIGIBILITY**

An applicant must meet the following HUD income definition:

1. The gross household income for the current year cannot exceed 80 percent of the area median income by household size as issued annually by the U.S. Department of Housing and Urban Development (HUD), as listed below:

Number of Persons in Household	Maximum Income*
1	\$41,800
2	\$47,800
3	\$53,750
4	\$59,700
5	\$64,500
6	\$69,300
7	\$74,050
8	\$78,850

\* FY 2011 HUD Income Limits (Richmond MSA)

*NOTE: Maximum Income limits will be revised annually as income levels are released by HUD.*

Family sizes in excess of 8 persons are calculated by adding 8% of the four-person income limit for each additional family member. That is, a 9-person limit should be 140% of the 4-person limit; the 10-person limit should be 148%.

For the purpose of this program, gross household income is defined as all income from any source to any person residing in the applicant property. Income from wages, salaries, tips, alimony, investment income and interest, retirement, social security, SSL veteran's administration, public assistance such as unemployment compensation, welfare, aid-to-dependent children, and other sources of public assistance is included in total annual income.

Exclusions include income of children under 18 years of age, foster care payments, medical reimbursements, live in aid, scholarships, hostile fire pay, training payments, disabled PASS, and gifts.

2. Financial assets including (but not limited to) checking and savings accounts, will be verified. The HUD passbook rate (.51%) will be applied to the total financial assets for interest added to the household's total income. This total adjusted income will then be weighed against the HUD Income limits for eligibility.
3. In addition to the HUD income limits other factors that may be considered include: income tax status (dependants), employment status (full or part-time), disability status, and other employment and related considerations.

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### **B. ELIGIBLE PROGRAM ACTIVITIES**

Eligible activities under this program are physical improvements, adaptations or modifications which are not of a cosmetic nature and are required to remove health and safety hazards including barriers to habitability. Qualifying activities include repairs or replacement of mechanical, electrical, plumbing and structural systems which show obvious signs of deterioration (or require repair or replacement) and modifications to the residence for the physically handicapped.

#### **Repairs Which May Qualify For a Grant:**

- Structural repairs to the roof, ceiling, walls, floors, stairs, railing, banisters, etc., where hazards exist
- Roof repair or replacement
- Plumbing repairs
- Repair/replacement of heating and/or cooling systems
- Electrical repairs where hazards exist or are necessary to install heating system
- Accessibility improvements needed by physically disabled or elderly persons such as wheelchair ramps, hand railings, grab bars, kitchen and bathroom adaptations, or doorway widening
- Lead hazard evaluation and reduction (See Lead Based Paint Section below.)

Priority may be given to an applicant if determined that an applicant has an emergency situation requiring priority. For example, properties found to be lacking a working heating system will receive priority ranking.

### **C. INELIGIBLE PROGRAM ACTIVITIES**

Funds made available under the CDBG Home Repair Program may not be used to make purely cosmetic repairs or physical improvements. Repairs to storage sheds, outbuildings, garages or any structure not attached to the living unit are also not eligible for assistance.

Properties defined as "Unsuitable for Rehabilitation" are defined as substandard units in such poor condition that it is not structurally or financially feasible to repair within the program. Unsuitable for rehabilitation is further defined as a residential structure which has major structural conditions due to inadequate original construction or has failing foundation, floor, wall, ceiling, roof and exterior systems.

### **D. OWNERSHIP ELIGIBILITY**

The Home Repair Program is available to single-family owner-occupied structures. The applicant legally owns the property (or has a life estate) and maintains it as his/her principal residence. Owner-occupants are required to maintain sufficient insurance coverage to replace or repair the unit should there be a fire or other disaster. Eligibility will be verified by the Program Manager prior to the completion of a work write-up.



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The applicant must establish clear title to the property. Ideally, the owner will provide a copy of the deed or mortgage. Life estate rights are an acceptable form of ownership. Ownership is also easily verified via the City records. If title issues arise after the household has been ranked or if the beneficiary is otherwise not ready to proceed promptly, Program Manager may proceed to the next "repair ready" property owner on the list and return to the higher ranked beneficiary when he or she is ready.

### **FINANCIAL ASSISTANCE AVAILABLE**

A grant of up to \$8,000 is available per owner-occupied home to assist with specific home repairs or activities that eliminate conditions detrimental to the safety and health of the residents.

No grant funds will be provided for partial correction, for non-eligible improvements or to the owner in cash as reimbursement for the repair work completed (or to the owner directly for labor or materials purchased by the homeowner). If the bid for the approved emergency repair is more than the funds provided by the grant, the homeowner must provide the additional funding for the remediation of the hazard. A certified check for the necessary additional funding must be made out to the City of Colonial Heights prior to the signing of the construction contract. If additional funding (beyond the bid price) cannot be provided by the homeowner, the grant offer may be rescinded and the grant will be offered to the next homeowner in need. Homeowners who have received this grant in the past may reapply for assistance after 5 years work has been completed.

### **TEMPORARY RELOCATION ASSISTANCE**

HUD discourages the displacement of low-income households in the CDBG-funded projects. The intent of this program is to repair existing LMH properties that contribute to the City's affordable, safe and sanitary housing stock. The home repair program also aims to help homeowners age in place by making modifications that comply with ADA standards when possible.

This program's scope and size (up to \$8,000 home repair grant per household) also minimizes the possibility and/or length of displacement of low-income households as major life disrupting activities are not probable.

The applicants are screened during the initial intake process projects to identify the need for relocation assistance. The homeowner applicants are also surveyed upon before the construction agreements are signed to determine their need for off-site temporary relocation assistance when the work to be done requires that the household evacuate the premises due to hazardous or unsafe conditions due to prolonged lack of heating, electric, water, hazardous structural conditions, or other conditions created by the home repair activity.

Temporary relocation assistance is limited to the provision of temporary lodgings at a local hotel and at a cost approved by the Planning Department for a period of up to 7 days.

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### REPAYMENT CLAUSE

To prevent owners from simply selling the property and profiting from the CDBG-funded improvements, the owners must repay the program if they sell the property within five (5) years. Part of the owner's obligation is forgiven each year they live on the property.

Repayment of the rehabilitation grant or relocation shall be based on a twenty percent (20%) reduction of the amount to be repaid per year, according to the following schedule:

0 - 12 months:	100% repayment
after one (1) year:	80% repayment
after two (2) years:	60% repayment
after three (3) years:	40% repayment
after four (4) years:	20% repayment
after five (5) years:	0% repayment

If the property is inherited by a blood relative who is also eligible under the program guidelines or sold to an eligible person under the guidelines, repayment may be deferred. If the owner dies during the five year period of the grant and the heir(s) sell the dwelling, then repayment will follow the same schedule as if the owner were alive and selling the dwelling.

### ENVIRONMENTAL COMPLIANCE PROCEDURES

The City has completed an Environmental Review of the project activity. There were no circumstances requiring compliance in the following areas: Air Quality, Floodplain Management, Wetlands Protection, Coastal Zones, Sole Source Aquifers, Endangered Species, Wild and Scenic Rivers, Farmland Protection, Noise, Hazardous Facilities, Airport or Environmental Justice. A copy of the Environmental Review Record is available for viewing at the Department of Planning and Community Development Office at 201 James Avenue, Colonial Heights.

#### A. Lead Paint

To date, the Virginia Department of Health has no local data on lead contamination by neighborhoods or geographical areas within the City. There is also no listing of properties which have undergone lead paint abatement in the City. In houses constructed prior to 1978 there will be a presumption of lead.

Lead paint screening is done by both the School Department and the Colonial Heights branch of the Virginia Department of Health. Colonial Heights is not considered a high risk locality for lead paint. However, given the high number of pre 1978 housing units in the target areas, any home repair involving painted surfaces should take the possibility of lead paint into consideration. Lead-based paint testing will be required for all pre 1978 homes participating in the CDBG Home Repair Program if significant paint surfaces will be disturbed and there are children under the age of six years in the household.

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### **B. Historic Preservation**

Each project will comply with Section 106 of the National Historic Preservation Act in order to help preserve the character defining features of the participating properties.

### **ESTABLISHING PROGRAM GUIDELINES**

Fundamental decisions regarding the Home Repair Program and administration rest with the Department of Planning and Community Development. The Director of Planning and Community Development and the Program Manager will review the program design and make necessary revisions during the course of implementation.

Basic guidelines of the program are outlined below:

- Project related non-construction costs (e.g. administration) will be limited to 30 percent of the total allocation. Inspection and specification writing are considered non-construction costs.
- The program will not benefit moderate-income persons to the exclusion of low-income persons.
- The program will not prioritize beneficiaries in such a manner as to discriminate against minority, elderly, large families and female-headed households.
- The program will execute a home repair contract for all units, which include work specifications, dollar amount of contract, itemized bid from contractors for work specified by the City of Colonial Heights Building Inspectors, lead-based paint disclaimers, and federal contract inserts concerning Equal Opportunity.

### **A. Solicitation of Applications**

Grant Application forms may be obtained in the Department of Planning & Community Development, or directly from ElderHomes. They are also available online at <http://www.colonial-heights.com/Planning>. Hard copies are mailed upon request. Access to submit applications is afforded to all persons regardless of age, disability, or income. Home assistance with completing the application is provided upon request to elderly or disabled residents who have mobility or transportation barriers. Although the City does not have a significant spanish-speaking population, but interpreters will be provided if needed.

An applicant's rights under the Privacy Protection Act of 1976 will be protected. The Privacy Protection Act governs the collection, use and dissemination of personal information concerning individuals by State and local governmental agencies. Personnel records maintained by State and local agencies clearly constitute "personal information," the dissemination of which is subject to the provisions of the Privacy Protection Act of 1976, §2.1-379(2).

### **B. Application Period**

Applications will be taken beginning June 1<sup>st</sup> and will be taken on an on-going basis as long as funds are available. Applicants will be notified by letter as to their application status within 30

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days of receipt of their application. Persons whose applications are denied have 15 days from receipt of the letter to appeal the decision and will be notified of this in the letter.

### **PROPERTY REHABILITATION STANDARDS**

All units receiving the Home Repair Grant are restricted to the correction of deficiencies as determined by the State Building Code. Any prime contractor using subcontractors must ensure all employees on the job site adhere to Lead Safe Work Practices where applicable.

All properties receiving assistance will be inspected prior to program assistance by the City of Colonial Heights Building Official or a designated Building Inspector in adherence to the program standards. The applicant will be contacted by the Rehabilitation Specialist an initial inspection will be performed prior to the development of bid packages. Cosmetic improvements such as paint will only be applied in connection with correcting deficiencies.

Contractor's must adhere to the International Building Code and any additional project specifications and applicable standards as noted in the bid packages including the Secretary of the Interior's Standards for the Treatment of Historic Properties (see Programmatic Agreement) where applicable.

Accessibility improvements are also permitted under the program and must adhere to the International Building Code where applicable.

### **SECTION 3: CONTRACTING PROCEDURES**

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General contractors are solicited to participate in the Home Repair Program. Efforts are made to solicit participation of local, female-owned and minority businesses.

#### **A. Contractor's Qualifications**

Contractors will be required to complete a prequalification form requesting information regarding experience and references to determine their qualifications and eligibility to perform rehabilitation work. Contractors must be Commonwealth of Virginia Class A or B registered. Minimum liability insurance requirements shall be met as proscribed by the City of Colonial Heights Department of Finance. Contractors will also be required to demonstrate creditworthiness. No contract will be awarded to a contractor until he/she has met all qualification criteria.

Failure to perform under and comply with the terms of the construction contract will be documented and the Department and the Director of Planning and Community Development can decide to bar a contractor from future bidding based on staff recommendation and/or public complaint. Correspondence to the contractor will be sent by certified mail detailing the problems and the specific reasons for this action.

#### **B. Pre-Bid Activities**

When possible the Home Repair projects will be grouped together in phases for bidding purposes in the most effective manner to ensure timely implementation of the program.

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### **C. Bidding**

Unless the services are of such a unique and specialized nature that precludes the obtaining of bids or competitive quotes, all work and materials will be procured through competitive bidding. Bid packages will be provided to all contractors which will include detailed bidding procedures for contractors to follow in preparing and submitting their bids, and project specifications.

In the event no acceptable bid is received for a particular house, through negotiation, a noncompetitive contract with the lowest responsible bidder may be awarded.

### **D. Construction Contract**

The Property Owner and the Contractor will enter into a construction contract, which includes an agreement, general conditions, and federal contract conditions. All local and state licenses and permits will be required for each job. Local building permit fees will be waived by the Building Inspections Department for all CDBG related work. All work must be completed within forty (40) days of the contract date. Extensions of this time period are subject to the Rehabilitation Specialist approval and shall be for causes beyond the contractor's control such as inclement weather or material availability.

Change orders will be initiated only by the Rehabilitation Specialist for work that was not foreseen prior to construction (conditions obscured by walls, floors, etc.). Change orders will not be executed without signed authorization and agreement of the specified work and cost by the Rehabilitation Specialist.

## **SECTION 4: CONSTRUCTION PROCESS**

### **A. Preconstruction Conference**

After bids have been received and a contract has been awarded to the lowest responsive and responsible bidder, the Rehabilitation Specialist and the Program Manager will arrange a walk-through of the property with the owner and the contractor to insure that all work to be done is understood between the parties, that pertinent questions are answered, that the schedule of work is acceptable to all parties, and to discuss any disruption of utilities, removal of debris by the homeowner or tenant, and clean-up responsibilities. Homeowner preference in colors and styles shall be clarified and documented. Disagreements about the work to be performed shall be resolved by the Program Manager.

Debris removal is a pre construction requirement to participate in the Home Repair Program. Property owners will be required to clear the exterior and interior property site of all identified trash, debris, inoperable vehicles and derelict structures prior to receiving program assistance. If the owner is elderly or handicapped and cannot physically clear the property or arrange for the removal of the debris, an attempt will be made to obtain the assistance of the Office of Youth Services' Service Learning Program. Dept. of HUD restrictions prohibit the use of CDBG funds for this purpose. Therefore, pre-work clearance cannot be added to the Home

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Repair work write-up nor included as part of the contractors' bid package.

### **B. Inspections**

The Program Manager will make periodic inspections, at a minimum once a week. At the conclusion of the home repair, the Program Manager shall perform a final inspection to make sure that construction activities are satisfactorily completed and in compliance with the construction contract. Any work items not completed to the Program Manager's satisfaction shall be enumerated on a punch list and delivered to the contractor. Once the contractor has completed the items on the punch list, another inspection shall be performed to assure completion.

### **C. Payment**

Payment will be made when the work specified in the contract is completed and approved by the Homeowner and Rehabilitation Specialist. Final payment will be requested at the completion of the job and final inspection approval. Payments to contractors will be made within forty five (45) days of approved invoice. Release of the final payment will not be made until it has been verified that the work has been inspected and approved by the City of Colonial Heights Office of Building Inspections if an inspection is required under State code.

### **D. Client Grievance Procedure Policy**

Any client that has a grievance should begin by contacting the Director of Planning and Community Development, whose responsibility will be to resolve this concern as quickly as possible.

### **E. Resolution of Disputes**

All claims or disputes between the Owners and Contractor arising out of or related to the work shall be decided by arbitration in accordance with the construction industry arbitration rules of the American Arbitration Association then obtaining, unless the parties mutually agree otherwise. The Owner and Contractor shall submit all disputes or claims, regardless of the extent of the work's progress, to the American Arbitration Association/Better Business Bureau unless the parties mutually agree otherwise. Notice of the demand for arbitration shall be filed in writing with the other party to this Agreement, and shall be made within a reasonable time after the dispute has arisen. The award rendered by the arbitration shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof. If the arbitrator's award is in a sum that is less than that which was offered in settlement by the Contractor, the arbitrator may award costs and attorney's fees in favor of the Contractor. If the award of the arbitrator is in a sum greater than that which was offered in settlement by the Owner, the arbitrator may award costs and attorney's fees in favor of the Owner.

### **F. Lead-Based Paint (LBP)**

Lead-based paint may be found in properties constructed prior to 1978 and any owner and tenant of such properties will be appropriately notified of this potential health hazard, especially for children under the age of seven (7). Action will be taken during the rehabilitation

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process to comply with the federal lead-based paint regulation found in 24 CFR Part 35.

## **SECTION 5: PROGRAM DESIGN AMENDMENTS**

During the implementation of the Home Repair Program, it may be necessary to make minor changes and refinements as the program proceeds. Examples of these administrative decisions would be annual updates of the Section 8 Income Guidelines and interpretation of eligible income adjustments. If a major alteration to the program design is deemed necessary to better achieve the intent of the program, the staff will provide the proposed changes to the City Manager for consideration and adoption. Items constituting a major change in the program would include modification of the types of assistance to be provided or the eligibility criteria for assistance.

# **Appendix Y2D**

## **Citizen Participation Plan**



## **2011 Citizen Participation Plan (CPP) and Consultation City of Colonial Heights, Virginia**

The City of Colonial Heights is required to adopt a Citizen Participation Plan (CPP) that sets forth the City's policies and procedures for citizen participation. These policies and procedures are as follows:

### **Encouragement of Citizen Participation:**

The CPP must provide for and encourage citizens to participate in the development of the City's Consolidated Plan (Con Plan), the Action Plan, any substantial amendments to the Consolidated Plan, and a performance reports for each program year.

The City's CPP is designed to encourage participation by low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods. The City encourages the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

### **Citizen Comments on the Citizen Participation Plan and Amendments:**

The City will provide citizens with a reasonable opportunity to comment on the original CPP and on substantial amendments. The City will make the CPP public. The City will make the CPP available in a format accessible to persons with disabilities, upon request.

### **Development of the Consolidated Plan:**

The following minimum requirements will apply for the development of the City's Con Plan:

- Before the City adopts a Con Plan, it will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the City expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income.
- The City will minimize displacement of persons and will assist any persons displaced if necessary. In the event that displacement is necessary, the city will make information available through public notice. Additional information will be available at the offices of the Department of Planning and Community Development

- The City will publish its proposed Con Plan in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. Citizens will have an opportunity to review and comment on the proposed Con Plan and will be given a reasonable opportunity for examination of the Con Plan. A summary of the proposed Con Plan will be published on the City Website. Copies of the proposed Con Plan will be available at The Colonial Heights Library, the office of the Clerk of Council, and the Planning Office and Senior Center. The summary and public notices will describe the contents and purpose of the Con Plan, and will include a list of the locations where copies of the entire proposed Con Plan may be examined. A reasonable number of free copies of the plan will be provided upon request.

### **Consultation:**

When preparing the Con Plan, the City will consult with other public and private agencies that provide assisted housing, health services, and social services including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons.

When preparing the portion of its Con Plan concerning lead-based paint hazards, the City will consult with State or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

When preparing the description of priority non-housing community development needs, the City will notify adjacent units of general local government, to the extent practicable including local government agencies with metropolitan-wide planning responsibilities where they exist, particularly for problems and solutions that go beyond the city's jurisdictional boundaries.

### **Public Hearings**

The City will conduct at least two public hearings per year to obtain citizens' views and to respond to proposals and questions. These hearings will be conducted at a minimum of two (2) different stages of the program year. Together, these hearings will address housing and community development needs, the development of proposed activities, and the review of program performance. At least one of these hearings will be held before the proposed con plan is published for comment.

Adequate advance notice will be given to citizens of each hearing. Sufficient information will be published about the subject of the hearing to permit informed comment. Notices will be posted in City Hall, the public Library, the Senior Center

Public hearings will be held at times and locations convenient to potential and actual beneficiaries and with accommodations for persons with disabilities. The needs of

Non-English speaking residents will be met where a significant number of non-English speaking residents can be reasonably expected to participate.

A period of not less than 30 days will be given to receive comments from citizens on the Con Plan. The City will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final Con Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Con Plan.

### **Substantial Amendments:**

Following are the criteria that the City will use for determining what changes in the City's planned or actual activities constitute a substantial amendment to the Con Plan. The City will amend its Con Plan whenever it makes one of the following decisions:

- Makes a change in its allocation priorities or the method of distribution of CDBG funds
- Carries out an activity using funds from any program covered by the Con Plan (including program income) not previously described in the Action Plan
- Changes the purpose, scope, location or beneficiaries of an activity
- Changes in the use of CDBG funds from one eligible activity another

**Citizens will be provided with reasonable notice (a published notice) and an opportunity to comment (not less than 30 days) on substantial amendments.** The City will consider any comments or views of citizens received in writing, or orally at public hearings, if any, **in preparing the substantial amendment to the Con Plan.** A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the substantial amendment of the Con Plan.

### **Performance Reports:**

Citizens will be provided with reasonable notice and an opportunity to comment on the City's Consolidated Annual Performance and Evaluation Report (CAPER). Reasonable notice and an opportunity to comment will be given (not less than 15 days) to receive comments on the CAPER prior to the City's submission to HUD. Any comments or views of citizens received in writing, or orally at public hearings will be considered in preparing the CAPER. A summary of these comments or views shall be attached to the CAPER.

**Meetings:**

Citizens will be provided with reasonable and timely access to local meetings. The Con Plan, substantial amendments, and the CAPER will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request.

**Access to Records:**

Citizens, public agencies, and other interested parties will be provided with reasonable and timely access to information and records relating to the City's Con Plan and the City's use of CDBG assistance under the programs covered by this part during the preceding five years.

**Technical Assistance:**

Technical assistance will be provided to groups that are representative of persons of low-and moderate-income who request such assistance in developing proposals for funding assistance under any of the programs covered by the Con Plan with the level and type of assistance determined by the City. Technical assistance provided does not indicate that funds will be provided to such groups.

**Complaints:**

The City's procedures to address complaints from citizens related to the Con Plan, amendments, and the CAPER area as follows:

- The City will provide a timely (within 15 working days of receipt), substantive written response to every written citizen complaint.

**Use of Citizen Participation Plan and Responsibility:**

The City will follow its current CPP until amended. The requirement for citizen participation does not restrict the responsibility or authority of the City for the development and execution of its Con Plan.

# **Appendix Y2E**

## **City of Colonial Heights Resolution**

A RESOLUTION NO. 11-16

Adopting the City of Colonial Heights' Housing and Community Development Annual Action Plan and Budget for 2011-2012.

WHEREAS, the City of Colonial Heights, Virginia, an entitlement city under the U. S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, is required to prepare a Yearly Action Plan for Housing and Community Development in order to receive this federal funding, a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the City of Colonial Heights has conducted a public hearing on the 2011-2012 Annual Action Plan to receive input from citizens on the needs of the community and to explain the City's proposed uses for the CDBG program funds and, in accordance with federal regulations governing the development of consolidated plans, all comments have been included in the final draft of the Plan along with responses to these comments; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That City Council hereby adopts the City of Colonial Heights Housing and Community Development Annual Action Plan and Budget for 2011-2012 listed below prepared by the City Planning and Community Development Department staff for submission to HUD as an application for Community Development Block Grant entitlement program funds for FY 2011-12:

<u>Budget Category</u>	<u>Amount</u>
Emergency Home Repair Program	\$74,479.00
Administrative Costs	<u>3,920.00</u>
Total CDBG funds	<u>\$78,399.00</u>

2. That Thomas L. Mattis, City Manager, be, and is hereby, designated the agent on behalf of the City of Colonial Heights to execute said Action Plan, and the Clerk is hereby directed to attest to such signature and affix the official seal thereto.

3. That Thomas L. Mattis, as the designated agent for the City of Colonial Heights be, and is hereby, authorized to approve amendments to said Action Plan as may be required by HUD.

4. That this resolution shall be in full force and effect upon its passage.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

\*\*\*\*\*

I certify that the above resolution was:

Adopted on \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_

The Honorable John T. Wood, Councilman: \_\_\_\_\_

The Honorable Diane H. Yates, Councilwoman: \_\_\_\_\_

The Honorable C. Scott Davis, Mayor: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

Hugh L. Foster, III  
City Attorney

# **Appendix Y2F**

## **Public Hearing Notice**



THE PROGRESS - INDEX  
ORDER CONFIRMATION  
(CONTINUED)

Salesperson: GRANDISON DEVIN

Printed at 05/05/11 14:45 by dgran

Acct#: 144756

Ad#: 80587658 Status: N

**PUBLIC HEARING/CITIZEN  
COMMENT NOTICE  
CITY OF COLONIAL  
HEIGHTS, VIRGINIA**

**COMMUNITY  
DEVELOPMENT BLOCK  
GRANT PROGRAM**

The City of Colonial Heights, Virginia is required by the U.S. Department of Housing and Community Development (HUD) to prepare a yearly Annual Action Plan, and solicit citizen views on the proposed Community Development Block Grant (CDBG) program activities contained in this document. The City will receive \$78,398 in CDBG funds for the Program Year (PY) 2011-2012.

The proposed CDBG activities will help sustain safe and affordable housing by addressing deteriorating building conditions due to lack of owner funds for very low to moderate income residents in the City of Colonial Heights.

**Proposed Use of CDBG Funds**

Emergency Home  
Repair Program

**\$74,478.10**

Program Administration

**\$3,919.90**

Total CDBG Budget

**\$78,398.00**

**Citizen Participation Plan**

A draft of the 2011-2012 Action Plan will be available for public review beginning May 9, 2011 at the following locations: City Clerks Office & Department of Planning and Community Development, City Hall, 201 James Avenue; Senior Citizen Center, 157 Roanoke Ave; and the City of Colonial Heights Public Library, 1000 Yacht Basin Drive. A summary of the Plan will be posted on the City website [www.colonial-heights.com](http://www.colonial-heights.com). Anyone desiring more information about this matter should contact the Director of Planning and Community Development at 201 James Avenue, Colonial Heights, VA 520-9275 email: [schanzenbacherg@colonial-heights.com](mailto:schanzenbacherg@colonial-heights.com)

A public hearing will be held on Tuesday, June 14, 2011 at 7PM in Council Chambers of City Hall, 201 James Avenue, Colonial Heights, Virginia to consider the following:  
Citizen comments on the 2011-2012 Action Plan  
Approval of the 2011-2012 Action Plan.

All persons affected or interested are invited to be present at the public hearing at the time and place stated above, when an opportunity will be given for them to be heard.

Any interested party whose participation in this meeting would require reasonable handicap accommodation should contact the City Managers Office 520-9285 at least six days in advance.

**Displacement Statement**

No displacement will be required by the activities to be undertaken with CDBG PY2011-2012 assistance.

# Appendix Y2G

## Needs xls.



**DISTRICT 19 COMMUNITY SERVICES BOARD**  
**MENTAL HEALTH, MENTAL RETARDATION and SUBSTANCE ABUSE SERVICES**

**RECEIVED**

100 Bank Street - Suite 7 • Petersburg, Virginia 23803

(804) 862-8054 - Fax: (804) 863-1665

[jhubbard@d19csb.com](mailto:jhubbard@d19csb.com)

[gtravis@d19csb.com](mailto:gtravis@d19csb.com)

**Joseph E. Hubbard, C.P.A.**

*Executive Director*

JUN 06 2011

**Virginia P. Travis**

*Director of Operations*

**City Manager's Office**

June 3, 2011

Dr. Joseph O. Cox, Jr.  
Superintendent  
Colonial Heights Public Schools  
512 Boulevard  
Colonial Heights, VA 23834

Dear Dr. Cox:

Today, I wish to inform you of a new role for District 19 Community Services Board and the other Community Services Boards around the state created by action taken during the last session of the Virginia General Assembly. In the legislative Budget just accepted by Governor McDonnell, Item 297, 0000, directs the Department of Medical Assistance Services (DMAS) to implement on July 1, 2011, up to five regional pilots for assessment of eligibility and need for all youth who are referred to the Medicaid covered services of: Intensive In-Home (H2012 and H 0031), Therapeutic Day Treatment (H0035 and H0032 U7 or HA), Mental Health Support (H0046 and H0032 U8) and Residential Services (H2022 Level A and H2020 Level B). This language replaced the House of Delegates language which would have directed all assessments to be conducted through CSA and mandated a match for the Medicaid services outlined in the previous sentence. It is our understanding that, seeing valid reasons why CSA should not be given this directive and yet desirous of retaining a level of public entity oversight, the General Assembly stipulated that Community Services Boards (CSB's) should be given this direction.

Representatives of CSB's have already begun to develop, in concert with staff of Department of Medical Assistance Services (DMAS), procedures that will address prompt responsiveness to requests for these assessments, independence of the assessment from the service provider, customer choice in service provision, options in the event of a denial for access to one or more of the Medicaid services, and plans

**- PARTICIPATING MEMBERS -**

**Colonial Heights**  
(804) 520-7210

**Dinwiddie**  
(804) 469-3746

**Emporia/Greenville**  
(434) 634-5181

**Hopewell/Prince George**  
(804) 541-8660

**Petersburg**  
(804) 363-8800

**Surry**  
(757) 204-0000

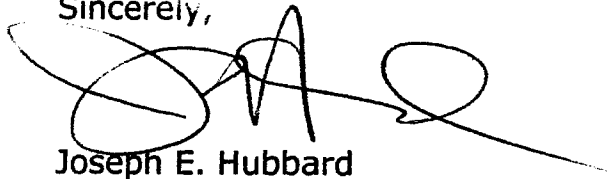
**Sussex**  
(800) 221-2222

to ensure that this new process is consistent on a State-wide basis in accord with the directions of the state Medicaid agency.

In 2010 over 37,000 children and adolescents were served in the five Medicaid services that are now subject to an independent evaluation/assessment. The challenge for CSB's is daunting, yet manageable. The reason for this correspondence is that it is inevitable that some families and providers will question the role of the CSB or any entity, for that matter, in conducting an independent assessment prior to service provision. As the CSB/BHA responsible for comprehensive behavioral health services for our localities, and according to the directive from the General Assembly detailed in the Budget Bill, I want to assure you that we will make every effort to successfully address this new responsibility.

If you have questions or comments about this new endeavor, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "J. Hubbard", with a large, stylized "H" and a long horizontal stroke extending to the right.

Joseph E. Hubbard

Pc: Mr. Thomas L. Mattis  
Ms. Sherri Diven  
Ms. Diana Barnes



Chesapeake Bay  
Local Government Advisory Committee - Virginia Representatives

RECEIVED

June 1, 2011

JUN 06 2011

REPRESENTATIVES

Mr. Thomas Mattis  
City Manager, City of Colonial Heights  
P.O Box 3401  
Colonial Heights VA, 23834-9001

City Manager's Office

TANGIER ISLAND

James Eskridge

Dear Mr. Mattis:

FAIRFAX COUNTY

Penelope A. Gross

The members of the Virginia Delegation to the Chesapeake Bay Local Advisory Committee (LGAC) are writing to you today to make sure that you, and your local jurisdiction, have every opportunity to fully participate in the process of setting policy and finding reasonable and cost effective solutions to meet the EPA mandated pollution reduction goals for the Chesapeake Bay and its tributaries.

YORK COUNTY

Sheila S. Noll

As Virginia's local Government Advisory Committee representatives, we know that we cannot achieve our goal of a clean Chesapeake Bay without the help of every member of local government within the Chesapeake Bay Watershed. The rigorous pollutant reduction goals will require all sources of nitrogen, phosphorus, and sediment to do their fair share to make reasonable reductions. A healthy Chesapeake Bay relies on a bottoms up locally based implementation effort with broad based grassroots participation. We encourage you to partner with Virginia and your local Planning District Commission to analyze the pollutant loadings attributed to your local government and to develop a feasible and cost effective strategy to reduce those loadings.

CITY OF CHESAPEAKE

Debbie S. Ritter

NORTHAMPTON COUNTY

Larry Traia

CITY OF VIRGINIA BEACH

Rosemary Wilson

The Chesapeake Bay Local Government Advisory Committee (LGAC), established in 1988, is a body of officials appointed by the Governors of Maryland, Pennsylvania, Virginia, and the Mayor of the District of Columbia to improve the role local government plays in Bay restoration efforts and develop strategies to broaden local government participation in the Chesapeake Bay Program. LGAC has actively supported local government participation in the Chesapeake Bay Program. Quarterly meetings of LGAC provide the forum for policy development and periodic adjustment to programming functions and organizational direction. Improving communication, supplying technical assistance to local governments, and providing a local government perspective on policy development within the greater Chesapeake Bay Program are the chief means by which LGAC works to enhance the participation of local governments in the Bay restoration effort.

Mr. Thomas Mattis

June 1, 2011

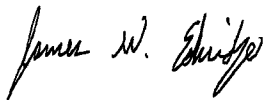
Page 2

As advisors to the Chesapeake Bay Executive Council, the members serve as a conduit for local governments to communicate concerns and potential solutions to EPA, the Mayor of the District of Columbia, the Governors of Virginia, Pennsylvania, and Maryland, and the Chairman of the Chesapeake Bay Commission. Your LGAC members are your advocates.

We will continue to raise issues deemed critical to local government. There must be clear expectations, consistent regulations, and committed funding during the continued development of restoration strategies for the Chesapeake Bay.

LGAC is currently preparing its annual "Report to the Chesapeake Bay Executive Council" that will be submitted in June. The report will lay out LGAC's key principles and concerns as well as outline its significant activities. The annual report will be made available to you as soon as it is finalized. The next LGAC quarterly meeting is scheduled for August 4-5, 2011 in Pennsylvania. Please contact any of the Virginia representatives if you have questions or concerns about the Chesapeake Bay Total Maximum Daily Load (TMDL) and Implementation Plan process. Please find attached a FAQ sheet developed by the Hampton Roads Planning District Commission (HRPDC) on the Chesapeake Bay TMDL.

Sincerely,



James Eskridge  
Tangier Island



Penelope A. Gross  
Fairfax County



Sheila S. Noll  
York County



Debbie S. Ritter  
City of Chesapeake



Larry Trala  
Northampton County

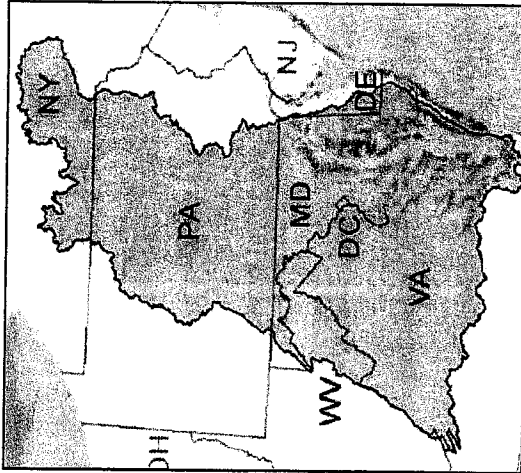


rosemary wilson  
City of Virginia Beach

Attachment

JMC/jcc

On December 29, 2010, the U.S. Environmental Protection Agency (EPA) established the Chesapeake Bay Total Maximum Daily Load (TMDL), a "pollution diet" to initiate actions to restore water quality in the Chesapeake Bay and the region's streams, creeks and rivers. This FAQ sheet is the compilation of information adapted from EPA, Virginia Department of Conservation and Recreation, and Chesapeake Bay Foundation websites.



#### SIGNIFICANT DATES

- 2011
  - EPA completes TMDL and model revisions
  - States submit Phase II Watershed Implementation Plans (WIPs) detailing actions proposed at a local scale.
- 2017
  - States submit Phase III WIPs.
- 2025
  - EPA modifies TMDL allocations
  - States complete implementation actions.

# CHESAPEAKE BAY TMDL FAQ SHEET

## TMDL Background

### Q. What is a TMDL?

A. The Clean Water Act (CWA) sets an environmental goal that all waters in the United States be "fishable" and "swimmable." It requires states to establish appropriate uses for their waters and adopt water quality standards that are protective of those uses. Every two years, states are required to develop a list of waterways that are impaired by pollutants and do not meet water quality standards. For those waterways identified on the 303(d) list of impaired waters, a TMDL must be developed. A TMDL is essentially a "pollution diet" that identifies the maximum amount of a pollutant the waterway can receive and still meet water quality standards.

### Q. Why was a TMDL developed for the Chesapeake Bay and its tidal tributaries?

A. Despite extensive restoration efforts during the last 25 years, the Bay TMDL was prompted by insufficient progress and continued poor water quality in the Chesapeake Bay and its tidal tributaries. The TMDL is required under the federal Clean Water Act and responds to consent decrees in Virginia and the District of Columbia from the late 1990s.

### Q. How large is the Chesapeake Bay? How big is the watershed that drains into it? How many people live within the watershed?

A. The Bay itself is about 200 miles long, home to more than 3,700 species of plants, fish and other animals. The Bay watershed totals about 64,000 square miles, stretching from Cooperstown, New York, to Hampton Roads. The Bay TMDL and its implementation plan will be enacted throughout the entire Chesapeake Bay watershed.

### Q. What is the Chesapeake Bay Program?

A. The Chesapeake Bay Program includes the signers of the original 1983 Chesapeake Bay Agreement—Maryland, Virginia, Pennsylvania, and the District of Columbia; EPA, representing the federal government; and the Chesapeake Bay Commission, representing Bay jurisdiction legislators. It also includes the U.S. Department of Agriculture and the headwater jurisdictions of Delaware, New York and West Virginia. The Program is led by the Chesapeake Executive Council, which includes the EPA Administrator, the governors of Maryland, Pennsylvania and Virginia, the mayor of the District of Columbia, and the chair of the Chesapeake Bay Commission. The Principals' Staff Committee, which includes the EPA Region 3 Administrator, state secretaries and others, serves as an advisory body to the Executive Council.

### Q. How long has the Bay TMDL process been underway?

A. Since 2000, the seven jurisdictions in the Chesapeake Bay watershed (Delaware, the District of Columbia, Maryland, New York, Pennsylvania, Virginia, and West Virginia), EPA, and the Chesapeake Bay Commission, have been planning for a Chesapeake Bay TMDL. During the October 2007 meeting of the Chesapeake Bay Program's Principals' Staff Committee, the Bay watershed jurisdictions agreed that EPA would establish the multi-state TMDL.

## Additional Information:

[http://www.dcr.virginia.gov/soil\\_and\\_water/baytmdl.shtml](http://www.dcr.virginia.gov/soil_and_water/baytmdl.shtml)  
<http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/index.html>  
<http://www.cbf.org>





## Water Quality

### Q. What water quality problems affect the Bay?

A. Nitrogen and phosphorus pollution are the most serious problems facing the Bay. Too much nitrogen and phosphorus cause algae blooms that block sunlight to underwater grasses. When the blooms decompose, they create "dead zones," where dissolved oxygen levels are too low to sustain fish and shellfish. Excess sediment also degrades water quality. Poor water quality results in the loss of habitat for aquatic species throughout the Bay and its tidal and free flowing rivers.

### Q. How do activities on the land impact Chesapeake Bay water quality?

A. At its healthiest in the early 1600s, the Chesapeake watershed was mainly comprised of forested buffers, wetlands, and resources lands (open space and farmland) that absorbed and filtered nutrients. As development occurred throughout the watershed, farms, factories, cities, and suburbs have replaced natural wetland filters and forested buffer areas, resulting in the increased flow of nutrients into waterways.

### Q. How are the TMDL pollution limits set?

A. EPA utilized a modeling tool called the Bay Watershed Model to determine nitrogen, phosphorus, and sediment load caps for each state and the District of Columbia. These pollution limits are expressed as allocations by "segment-shed" (sub-basins of major rivers) and by the larger river basins. Within each basin, allocations are identified for the following source sectors: wastewater, onsite/septic, agriculture, urban stormwater, and forest.

### Q. Will the Bay TMDL have benefits for waterways throughout the watershed?

A. The pollution controls employed to meet the TMDL will have significant benefits for water quality in the streams, creeks and rivers throughout the region, improving waterways that support local economies and livelihoods, provide for fishing, swimming, and boating opportunities, and often serve as sources of drinking water.

## Sources of Nitrogen, Phosphorus and Sediment:

- Agricultural operations
- Urban and suburban runoff (runoff from roadways, development, residential and commercial lawn fertilizers)
- Wastewater facilities
- Septic systems
- Air pollution (from vehicle exhaust, power plants)

## TMDL Implementation

### Q. How will the Bay TMDL be implemented? What is the relationship between the TMDL and the Watershed Implementation Plan (WIP)?

A. The accountability framework includes Watershed Implementation Plans (WIPs) developed by the states, two-year milestones identified in the WIPs, EPA's tracking and assessment of restoration progress and, as necessary, specific federal actions if jurisdictions do not meet their commitments.

### Q. What are the expected consequences if a segment or basin fails or exceeds an assigned loading level, or if two-year milestones are not met?

A. If state actions fall short, EPA is prepared to impose consequences to assure progress. For example,

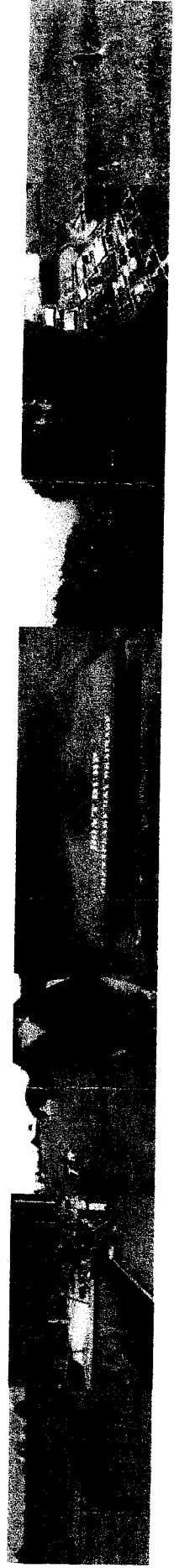
- Expand stormwater permit coverage to currently unregulated sources
- Object to stormwater permits and increase program oversight
- Require additional reductions of loadings from point sources

### Q. When does the TMDL anticipate the Bay will be restored?

A. All pollution control measures will be in place by 2025. While it will take years after 2025 for the Bay to fully heal, EPA expects some areas of the Bay will recover before others and there will be gradual improvement in water quality as controls are put in place around the watershed.

### Q. How will the TMDL implementation be funded?

A: Virginia has increased funding to support agricultural management practices. Wastewater and stormwater system upgrades will be funded primarily by ratepayers. Virginia's Water Quality Improvement Fund may provide loans to some systems. An expanded nutrient trading program may allow sectors to trade credits and reduce nutrient loads more cost effectively.



AN ORDINANCE NO. 11-FIN-16

To amend the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to appropriate \$250 of donated funds to the Sheriff's Office to be used towards the "Ride for the Torch" event.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1, 2 and 3 of Ordinance No. 10-FIN-5, the General Fund Budget, be, and are hereby amended and reordained as follows:

1. That the budget designated the General Fund Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, is hereby adopted; and that, subject to transfers by resolution pursuant to § 6.15 of the City Charter, funds hereby appropriated shall be used for the following purposes:

Legislative (City Council)	\$	139,965	
Administrative (City Manager)		286,065	
Legal (City Attorney)		209,571	
Tax Collections & Assessments		580,950	
Finance		5,988,018	
Information Technologies		179,669	
Board of Elections		131,784	
Judicial		<del>5,006,243</del>	5,006,493
Public Safety		7,633,609	
Public Works		2,906,095	
Health and Social Services		695,825	
Parks and Recreation		1,316,119	
Cultural Enrichment		106,260	
Library		589,267	
Community Development		490,987	
Grant Programs		536,829	
Nondepartmental		586,337	
Debt Service		2,843,031	
Operating Transfers Out		18,611,172	

2. That the sum of ~~\$48,837,796~~ \$48,838,046 is appropriated for the fiscal year beginning July 1, 2010.

3. That the foregoing appropriation is based upon the following revenue estimates for the fiscal year beginning July 1, 2010:

General Property Taxes	\$21,388,966	
Other Local Taxes	13,789,050	
Licenses, Permits & Fees	3,319,134	
Fines and Forfeitures	692,474	
Use of Money & Property	295,000	
Intergovernmental Revenues	6,146,492	
Charges for Current Services	1,190,840	
Miscellaneous	<del>4,405,166</del>	1,405,416
Restricted Fund Balance – Police Assets	500	
Restricted Fund Balance – CDBG CDBG	84,122	
Restricted Fund Balance – Fire & EMS	11,400	

Restricted Fund Balance – Police	33,043
Restricted Fund Balance – Dimmock Signal	60,000
Restricted Fund Balance – Library	7,200
Restricted Fund Balance – Violet Bank	505
Fund Balance	<u>413,904</u>
TOTAL	<u>\$48,837,796</u> 48,838,046

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

DeAnna D. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above ordinance was:

Adopted on its first reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_.

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Diane H. Yates, Councilwoman: \_\_\_\_\_.

The Honorable C. Scott Davis, Mayor: \_\_\_\_\_.

Adopted on its second reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_.

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Diane H. Yates, Councilwoman:

\_\_\_\_\_

The Honorable C. Scott Davis, Mayor:

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

*Hugh P. Foster III*  
City Attorney



# OFFICE OF THE SHERIFF

City of Colonial Heights

**RECEIVED**

401 Temple Avenue  
P.O. Box 3401

Colonial Heights, Virginia 23834

Email: [sheriff@colonial-heights.com](mailto:sheriff@colonial-heights.com)

**TODD B. WILSON**  
SHERIFF

MAY 18 2011



Bill  
DeAngelo  
Robin

Phone: 804 520-9352

Fax: 804 520-9248

## City Manager's Office

TO: Thomas L. Mattis  
City Manager

FROM: Sheriff Todd Wilson 

RR: Battlefield Park Body Shop Donation

DATE: May 16, 2011

The Sheriff's Office has received a donation from the Battlefield Park Body Shop in the amount of \$250.00. These funds have been deposited in the City Treasurer's Office, city account 10-4812.

Mr. Mattis, will you please have the following request placed on the next available city council docket:

1. City Council appropriate \$250.00 into Sheriff's account 1356-5242, fund deriving from a donation. This donation will be used on purchases for the Sheriff's Office annual "Ride for the Torch" event.

Your attention to this matter is greatly appreciated and should you require additional information to process this request, please do not hesitate to contact me,

AN ORDINANCE NO. 11-17

To amend the General Pay Plan Class and Salary Range so as to revise the job classification for Administrative Assistant.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That, pursuant to City Charter §§ 9.7 and 9.8, the job description and class specification for Administrative Assistant, attached as Exhibit A, is hereby approved and incorporated as part of this ordinance.

2. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

DeAnna W. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above ordinance was:

Adopted on its first reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_.

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Diane H. Yates, Councilwoman: \_\_\_\_\_.

The Honorable C. Scott Davis, Mayor: \_\_\_\_\_.

Adopted on its second reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_.

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Diane H. Yates, Councilwoman:

\_\_\_\_\_

The Honorable C. Scott Davis, Mayor:

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

Hugh P. Foster III  
City Attorney

**ADMINISTRATIVE ASSISTANT**  
**JOB DESCRIPTION**

**Position Factor Reference: Administrative Support**

**Position Title: Administrative Assistant**

**Reports To: Department Director**

**Overview: Provides administrative, operational, and clerical support to assigned department.**

**ESSENTIAL DUTIES**

- Develops, prepares, distributes, and files correspondence, reports, and other documents.
- Prepares, processes, and tracks requisitions for purchases and services.
- Tracks the departmental budget.
- Coordinates, schedules, and maintains calendars of meetings and events.
- Creates, maintains, and updates databases and other files.
- Ensures that all needed supplies, materials and other equipment are ordered and available.
- Addresses public inquiries.
- Other duties as required.

<b>NEW PAY GRADE: General – 13</b>
<b>FLSA DESIGNATION: Non-Exempt</b>



## **CLASS SPECIFICATION**

### **Education & Directly Applicable Experience**

High School diploma and seven to ten years directly related experience or

Two years of college or Associate's Degree and two to less than five years directly related experience or

A Bachelor's Degree and less than two years directly related experience.

### **Supervisory Controls**

The work is performed very independently; the supervisor makes assignments by defining objectives, priorities and deadlines, and assists the employee with unusual situations which do not have a precedent.

The employee plans and carries out the successive steps and handles problems and deviations in the work assignment in accordance with instructions, policies, previous training or accepted practices in the job.

### **Supervision Given**

This position does not supervise any other positions.

### **Guidelines**

Procedures for doing the work have been established and a number of specific guidelines are available. These guidelines may be in the form of laws, regulations, statutes, commonly accepted operational principles, user's manuals, or any other sources from which direction or assistance may be inferred. The employee uses judgment in locating and selecting the most appropriate guidelines, references and procedures for application and may make minor deviations to adapt the guidelines in specific cases or determine which of several established alternatives to use.

### **Complexity**

The work typically includes varied duties requiring many different and unrelated processes and methods. Decisions involve the assessment of unusual circumstances, variations in approach, and incomplete or conflicting data.

The work requires many decisions concerning such things as the interpretation of large amounts of data, planning of the work, or refining the methods and techniques to be used.

### **Scope and Effect**

The work product or service affects a wide range of organizational activities and/or the physical well-being of a number of persons.

### **Personal Contacts**

The majority of personal contacts are with individuals or groups from outside the organization in a moderately unstructured setting or involve attempts to enforce ordinances, regulations, or rules where conflict or diverse interpretations may result.

Administrative Assistant

**Purpose of Contacts**

The purpose is to plan, coordinate, or advise on work efforts or to resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes.

**Physical Demands**

The work is generally performed in an office environment. Typically, the employee may sit to do the work. However, there may be some walking, standing, stooping, carrying of light items such as papers, books, or small parts, or driving an automobile. No special physical demands are required to perform the work.

**Work Environment**

The work environment involves everyday risks or discomforts which require normal safety precautions. Use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals are minimally required.

A RESOLUTION NO. 11-18

In support of the submission of a Safe Routes to School Infrastructure Grant Application.

WHEREAS, the City of Colonial Heights supports the goals of the Safe Routes to School Program (SRTP) administered by the Virginia Department of Transportation, which enables and encourages children, including those with disabilities, to walk and bicycle to school; makes bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and facilitates the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That Council supports the Safe Routes to School Infrastructure application for sidewalk improvements at Colonial Heights Middle School, and hereby acknowledges that this is a locally-administered reimbursement project.

2. That, upon notice to the City of the approval of the award, Thomas B. Mattis, City Manager, be, and is hereby, authorized to enter into an agreement on behalf of the City with the Virginia Department of Transportation; subject to such agreement being approved as to form by the City Attorney.

3. That this resolution shall be in full force and effect upon its passage.

Approved:

\_\_\_\_\_  
Mayor

Attest:

DeAnna D. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above resolution was:

Adopted on \_\_\_\_\_

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_

The Honorable W. Joe Green, Jr., Councilman:

\_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice Mayor:

\_\_\_\_\_

The Honorable John T. Wood, Councilman:

\_\_\_\_\_

The Honorable Diane H. Yates, Councilwoman:

\_\_\_\_\_

The Honorable C. Scott Davis, Mayor:

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney

A RESOLUTION NO. 11-19

Authorizing the City Manager to execute a "Standard Project Administration Agreement" with the Virginia Department of Transportation for four projects as described in Appendices A-1, A-2, A-3 and A-4 of such agreement.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. That Thomas L. Mattis, City Manager, be, and is hereby, authorized to enter into, on behalf of the City, an Agreement with the Virginia Department of Transportation entitled "Standard Project Administrative Agreement," for the (a) installation of a left turn lane on Temple Avenue at the intersection of Dimmock Parkway (Project Number: 0144,106,132, P101, C501); (b) extension of the westbound right turn lane on Temple Avenue at the intersection of Conduit Road (Project Number: 0144-106,134, P101, C501); (c) minor widening along Dupuy Avenue from west of the City line to Chesterfield Avenue (Project Number: U000-106,139); and (d) improvements along Lakeview Avenue from Brijidan Lane to the Boulevard (Project Number: U000-106,140); a copy of which is attached to and made a part of this resolution; subject to approval by the City Attorney as to form.

2. That this resolution shall be in full force and effect upon its passage.

Approved:

\_\_\_\_\_  
Mayor

Attest:

Debra B. Atkins  
City Clerk

\*\*\*\*\*

I certify that the above resolution was:

Adopted on \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_

The Honorable John T. Wood, Councilman: \_\_\_\_\_

The Honorable Diane H. Yates, Councilwoman:

\_\_\_\_\_

The Honorable C. Scott Davis, Mayor:

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

*Hugh P. Foster, III*  
City Attorney



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF TRANSPORTATION**

RICHMOND DISTRICT  
2430 Pine Forest Drive  
COLONIAL HEIGHTS, VA 23834  
[www.VDOT.Virginia.gov](http://www.VDOT.Virginia.gov)

**Greg A. Whirley**  
COMMISSIONER

May 25, 2011

Mr. Harold Caples, PE  
Assistant Director of Public Works  
201 James Avenue  
P. O. Box 3401  
Colonial Heights VA 23834-9001

RE- Standard Project Administration Agreement  
UPC 97691, 98882, 101287, and 101288  
City of Colonial Heights

Dear Mr. Caples:

Enclosed are three originals of the agreement for the above project. Please have all three processed with the appropriate signatures and return all to me for VDOT processing. The date on the first page of each original will be inserted by VDOT.

In the middle of the page below where the authority signs, there is reference to the authority which allows the authority to sign this agreement, please provide three copies of this authority. An original of this agreement will be returned for your files.

Let me know if you have any concerns by calling 524-6400.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Benjamin", with a stylized flourish at the end.

Lamont L. Benjamin, PE  
Program Manager

Cc: Project File

**STANDARD PROJECT ADMINISTRATION AGREEMENT**  
**Federal-aid Projects**

Project Number	UPC	Local Government
0144-106-132, P101,C501	97691	City of Colonial Heights
0144-106-134, P101, C501	98882	City of Colonial Heights
U000-106-139,P101,R201 C501	101287	City of Colonial Heights
U000-106-140,P101,R201, C501	101288	City of Colonial Heights

THIS AGREEMENT made and executed in triplicate this \_\_\_\_ day of \_\_\_\_\_, 201\_, by and between the City of Colonial Heights, Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown is hereinafter referred to as the Project; and

WHEREAS, the funds shown in Appendix A have been allocated to finance each Project; and

WHEREAS, the LOCALITY is committed to the development and delivery of each Project described in Appendix A in an expeditious manner; and;

WHEREAS, both parties have concurred in the LOCALITY's administration of the phase(s) of work for the respective Project(s) listed in Appendix A in accordance with applicable federal, state, and local law and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the parties hereto agree as follows:

1. The LOCALITY shall:
  - a. Be responsible for all activities necessary to complete the noted phase(s) of each Project shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties. Each Project will be designed and constructed to meet or exceed current American Association of State Highway and Transportation Officials standards or supplementary standards approved by the DEPARTMENT
  - b. Meet all funding obligation and expenditure timeline requirements in accordance with all applicable federal and state laws and regulations, and Commonwealth Transportation Board and DEPARTMENT policies and as identified in Appendix A to this Agreement. Noncompliance with this requirement can result in



deallocation of the funding, rescinding of state funding match and/or termination of this Agreement

- c. Receive prior written authorization from the DEPARTMENT to proceed with preliminary engineering, right-of-way acquisition and utility relocation, and construction phases of each Project.
- d. Administer the project(s) in accordance with guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.
- e. Maintain accurate and complete records of each Project's development and documentation of all expenditures and make such information available for inspection or auditing by the DEPARTMENT. Records and documentation for items for which reimbursement will be requested shall be maintained for no less than three (3) years following acceptance of the final voucher on each Project.
- f. No more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of related vendor invoices paid by the LOCALITY and an up-to-date project summary and schedule tracking payment requests and adjustments. A request for reimbursement shall be made within 90 days after any eligible project expenses are incurred by the Locality. For federally funded projects and pursuant to the Code of Federal Regulations, Title 49, Section 18.43, violations of the provision may result in the imposition of sanctions including but not limited to possible denial or delay of payment of all or a part of the costs associated with the activity or action not in compliance.
- g. Reimburse the DEPARTMENT all Project expenses incurred by the DEPARTMENT if, due to action or inaction solely by the LOCALITY, federally funded Project expenditures incurred are not reimbursed by the Federal Highway Administration (FHWA), or reimbursements are required to be returned to the FHWA, or in the event the reimbursement provisions of Section 33.1-44 or Section 33.1-70.01 of the Code of Virginia, 1950, as amended, or other applicable provisions of federal, state, or local law or regulations require such reimbursement.
- h. On Projects that the LOCALITY is providing the required match to state or federal funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.

- i. Administer the Project in accordance with all applicable federal, state, or local laws and regulations. Failure to fulfill legal obligations associated with the project may result in forfeiture of federal or state-aid reimbursements
  - j. Provide certification by a LOCALITY official that all LOCALITY administered Project activities have been performed in accordance with all federal, state, and local laws and regulations. If the locality expends over \$500,000 annually in federal funding, such certification shall include a copy of the LOCALITY's single program audit in accordance with Office of Management and Budget Circular A-133.
  - k. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the project.
  - l. For Projects on facilities not maintained by the DEPARTMENT, provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT.
  - m. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Orders and the Code of Virginia relative to nondiscrimination.
2. The DEPARTMENT shall:
- a. Perform any actions and provide any decisions and approvals which are the responsibility of the DEPARTMENT, as required by federal and state laws and regulations or as otherwise agreed to, in writing, between the parties and provide necessary coordination with the FHWA as determined to be necessary by the DEPARTMENT.
  - b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 1.f., reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.
  - c. If appropriate, submit invoices to the LOCALITY for the LOCALITY's share of eligible project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a.

- d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with federal and state laws and regulations.
  - e. Make available to the LOCALITY guidelines to assist the parties in carrying out responsibilities under this Agreement.
3. Appendix A identifies the funding sources for the project, phases of work to be administered by the LOCALITY, and additional project-specific requirements agreed to by the parties. There may be additional elements that, once identified, shall be addressed by the parties hereto in writing, which may require an amendment to this Agreement.
  4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to Section 33.1-94 of the Code of Virginia, 1950, as amended.
  5. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project is anticipated to exceed the allocation shown for such respective Project on Appendix A, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its costs exceed the allocated amount, however the DEPARTMENT and the LOCALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.
  6. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
  7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
  8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this of this

Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between the either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, receive a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

- 9 This Agreement may be terminated by either party upon 30 days advance written notice. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs 1.f, 1.g., and 2.b, subject to the limitations established in this Agreement and Appendix A. Upon termination, the DEPARTMENT shall retain ownership of plans, specifications, and right of way, unless all state and federal funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have ownership of the plans, specifications, and right of way, unless otherwise mutually agreed upon in writing.
10. Prior to any action pursuant to paragraphs 1.b or 1.g of this Agreement, the DEPARTMENT shall provide notice to the LOCALITY with a specific description of the breach of agreement provisions. Upon receipt of a notice of breach, the LOCALITY will be provided the opportunity to cure such breach or to provide a plan to cure to the satisfaction to the DEPARTMENT. If, within sixty (60) days after receipt of the written notice of breach, the LOCALITY has neither cured the breach, nor is diligently pursuing a cure of the breach to the satisfaction of the DEPARTMENT, then upon receipt by the LOCALITY of a written notice from the DEPARTMENT stating that the breach has neither been cured, nor is the LOCALITY diligently pursuing a cure, the DEPARTMENT may exercise any remedies it may have under this Agreement.

THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors, and assigns.

THIS AGREEMENT may be modified in writing by mutual agreement of both parties.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

\_\_\_\_\_ OF \_\_\_\_\_, VIRGINIA:

\_\_\_\_\_

\_\_\_\_\_  
Typed or printed name of signatory

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

**COMMONWEALTH OF VIRGINIA, DEPARTMENT OF  
TRANSPORTATION:**

\_\_\_\_\_  
Commonwealth Transportation Commissioner  
Commonwealth of Virginia  
Department of Transportation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

**Attachments**

Appendix A1 (UPC 97691)  
Appendix A2 (UPC 98882)  
Appendix A3 (UPC 101287)  
Appendix A4 (UPC 101288)

*Approved as to form:*  
*Hugh P. Fisher, III*  
*City Attorney*

**Appendix A-1****Project Number:**0144-106-132, P101, C501 (UPC 97691)**Locality:** City of Colonial Heights

Project Location ZIP+4: Intersection of Temple Avenue and Dimmock Parkway 23834-2970	Locality DUNS#: 010043883	Locality Address (include ZIP+4): Department of Public Works 201 James Avenue P. O. Box 3401 Colonial Heights VA 23834-9001
<b>Project Narrative</b>		
<b>Scope:</b> Installation of a left turn lane on Temple Ave		
<b>From:</b> East of the Intersection of Dimmock Parkway		
<b>To:</b> The intersection of Dimmock Parkway		
Locality Project Manager Contact Info: Harold Caples (804) 520-9334		
Department Project Coordinator Contact Info: Clayton Thomas (804) 524-6000		

Project Costs and Reimbursement				
Phase	Estimated Project Costs	Estimated Eligible Project Costs	Estimated Eligible VDOT Project Expenses	Estimated Reimbursement to Locality
Preliminary Engineering	\$100,000	\$100,000	\$5000	\$95,000
Right-of-Way & Utilities	0	0	0	0
Construction	\$400,000	\$400,000	\$5000	\$395,000
Total Estimated Cost	\$500,000	\$300,000	\$10,000	\$490,000

Total Maximum Reimbursement/Payment by Locality to VDOT	
Total Maximum Reimbursement by VDOT to Locality	\$500,000

Project Financing				
A	B	C	D	E
CMAQ (80%)	CMAQ Match (20%)			Aggregate Allocations (A+B+C+D)
\$400,000	\$100,000			\$500,000

Program and Project Specific Funding Requirements
<ul style="list-style-type: none"> <li>This project will be administered in accordance with the "Urban Construction Initiative Program Administration Guide."</li> <li>This project will be constructed and maintained in accordance with VDOT's Urban Manual</li> <li>This is a limited fund source project. Any amount exceeding the \$500,000 allocated to the project will be at 100% City cost.</li> <li>The municipality will continue to operate and maintain the facility as constructed. Should the design features of this project be altered by the Municipality subsequent to project completion, without the approval of the Department, the Municipality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.</li> <li>This project is funded with federal-aid Congestion Mitigation and Air Quality (CMAQ) funds. By Appropriations Act, these funds must be obligated within 24 months of CTB allocation and expended within 48 months of the obligation. <ul style="list-style-type: none"> <li>FY 11 - \$140,000 - Allocation by CTB July 1, 2010, Obligation Deadline June 30, 2012, Expenditure Deadline June 30, 2014</li> <li>FY 12 - \$360,000 - Allocation by CTB July 1, 2011, Obligation Deadline June 30, 2013, Expenditure Deadline June 30, 2015</li> </ul> </li> </ul>

This attachment is certified and made an official attachment to this document by the parties of this agreement

Authorized Locality Official and date

Authorized VDOT Official Recommendation and date

Typed or printed name of person signing

Typed or printed name of person signing

**Appendix A-2****Project Number:**0144-106-134, P101, C501 (UPC 98882)**Locality:** City of Colonial Heights

Project Location ZIP+4: Intersection of Temple Avenue and Conduit Road 23834-2970	Locality DUNS#: 010043883	Locality Address (include ZIP+4): Department of Public Works 201 James Avenue P. O. Box 3401 Colonial Heights VA 23834-9001
<b>Project Narrative</b>		
<b>Scope:</b> Extension of West bound Right Turn Lane on Temple Ave		
<b>From:</b> East of the Intersection of Conduit Road		
<b>To:</b> Intersection of Conduit Road		
Locality Project Manager Contact Info: Harold Caples (804) 520-9334 Department Project Coordinator Contact Info: Clayton Thomas (804) 524-6000		

Project Costs and Reimbursement				
Phase	Estimated Project Costs	Estimated Eligible Project Costs	Estimated Eligible VDOT Project Expenses	Estimated Reimbursement to Locality
Preliminary Engineering	\$65,000	\$65,000	\$5000	\$60,000
Right-of-Way & Utilities	0	0	0	0
Construction	\$385,000	\$385,000	\$5000	\$380,000
Total Estimated Cost	\$450,000	\$300,000	\$10,000	\$440,000

Total Maximum Reimbursement/Payment by Locality to VDOT	
Total Maximum Reimbursement by VDOT to Locality	\$450,000

Project Financing				
A	B	C	D	E
CMAQ (80%)	CMAQ Match (20%)			Aggregate Allocations (A+B+C+D)
\$360,000	\$90,000			\$450,000

Program and Project Specific Funding Requirements
<ul style="list-style-type: none"> <li>This project will be administered in accordance with the "Urban Construction Initiative Program Administration Guide."</li> <li>This project will be constructed and maintained in accordance with VDOT's Urban Manual</li> <li>This is a limited fund source project. Any amount exceeding the \$450,000 allocated to the project will be at 100% City cost.</li> <li>The municipality will continue to operate and maintain the facility as constructed. Should the design features of this project be altered by the Municipality subsequent to project completion, without the approval of the Department, the Municipality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.</li> <li>This project is funded with federal-aid Congestion Mitigation and Air Quality (CMAQ) funds. By Appropriations Act, these funds must be obligated within 24 months of CTB allocation and expended within 48 months of the obligation. <ul style="list-style-type: none"> <li>FY 12 - \$80,000 - Allocation by CTB July 1, 2011, Obligation Deadline June 30, 2013, Expenditure Deadline June 30, 2015</li> <li>FY 13- \$370,000- Allocation by CTB July 1, 2012, Obligation Deadline June 30 2014, Expenditure Deadline June 30, 2016</li> </ul> </li> </ul>

This attachment is certified and made an official attachment to this document by the parties of this agreement

\_\_\_\_\_  
Authorized Locality Official and date\_\_\_\_\_  
Authorized VDOT Official Recommendation and date\_\_\_\_\_  
Typed or printed name of person signing\_\_\_\_\_  
Typed or printed name of person signing

**Appendix A-3****Project Number: U000-106-139 (UPC 101287)****Locality: City of Colonial Heights**

Project Location ZIP+4: 110 Dupuy Avenue 23834-2970	Locality DUNS#: 010043883	Locality Address (include ZIP+4): Department of Public Works 201 James Avenue P. O. Box 3401 Colonial Heights VA 23834-9001
<b>Project Narrative</b>		
<b>Scope:</b> Minor Widening along Dupuy Avenue		
<b>From:</b> West of the City line		
<b>To:</b> Chesterfield Avenue		
Locality Project Manager Contact Info: Harold Caples (804) 520-9334		
Department Project Coordinator Contact Info: Clayton Thomas (804) 524-6000		

Project Costs and Reimbursement				
Phase	Estimated Project Costs	Estimated Eligible Project Costs	Estimated Eligible VDOT Project Expenses	Estimated Reimbursement to Locality
Preliminary Engineering	\$426,000	\$426,000	\$5000	\$421,000
Right-of-Way & Utilities	\$801,000	\$801,000	\$5000	\$796,000
Construction	\$2,550,000	\$2,550,000	\$15,000	\$2,535,000
Total Estimated Cost	\$3,777,000	\$3,777,000	\$10,000	\$3,752,000

Total Maximum Reimbursement/Payment by Locality to VDOT	
Total Maximum Reimbursement by VDOT to Locality	\$4,083,000

Project Financing				
A	B	C	D	E
CMAQ (80%)	CMAQ Match (20%)			Aggregate Allocations (A+B+C+D)
\$3,266,400	\$816,600			\$4,083,000

Program and Project Specific Funding Requirements	
<ul style="list-style-type: none"> <li>This project will be administered in accordance with the "Urban Construction Initiative Program Administration Guide."</li> <li>This project will be constructed and maintained in accordance with VDOT's Urban Manual</li> <li>This is a limited fund source project. Any amount exceeding the \$4,083,000 allocated to the project will be at 100% City cost.</li> <li>The municipality will continue to operate and maintain the facility as constructed. Should the design features of this project be altered by the Municipality subsequent to project completion, without the approval of the Department, the Municipality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.</li> <li>This project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. By Appropriations Act, these funds must be obligated within 12 months of CTB allocation and expended within 36 months of the obligation. <ul style="list-style-type: none"> <li>FY12 - \$1,364,000 – Allocation by CTB July 1, 2011, Obligation Deadline June 30, 2012, Expenditure Deadline June 30, 2014</li> <li>FY13 - \$1,719,000 – Allocation by CTB July 1, 2012, Obligation Deadline June 30, 2013, Expenditure Deadline June 30, 2015</li> <li>FY14 - \$1,000,000 – Allocation by CTB July 1, 2013, Obligation Deadline June 30, 2014, Expenditure Deadline June 30, 2016</li> </ul> </li> </ul>	

This attachment is certified and made an official attachment to this document by the parties of this agreement

Authorized Locality Official and date

Authorized VDOT Official Recommendation and date

Typed or printed name of person signing

Typed or printed name of person signing



**Appendix A-4****Project Number:** U000-106-140**(UPC 101288)****Locality:** City of Colonial Heights

Project Location ZIP+4: 200 Lakeview Avenue 23834-2970	Locality DUNS#: 010043883	Locality Address (include ZIP+4): Department of Public Works 201 James Avenue P. O. Box 3401 Colonial Heights VA 23834-9001
<b>Project Narrative</b>		
<b>Scope:</b> Improvements along Lakeview Avenue		
<b>From:</b> Brijidan Lane		
<b>To:</b> Boulevard Avenue		
Locality Project Manager Contact Info: Harold Caples (804) 520-9334		
Department Project Coordinator Contact Info: Clayton Thomas (804) 524-6000		

Project Costs and Reimbursement				
Phase	Estimated Project Costs	Estimated Eligible Project Costs	Estimated Eligible VDOT Project Expenses	Estimated Reimbursement to Locality
Preliminary Engineering	\$414,000	\$414,000	\$5000	\$409,000
Right-of-Way & Utilities	\$350,000	\$350,000	\$5000	\$345,000
Construction	\$2,500,000	\$2,500,000	\$15,000	\$2,485,000
Total Estimated Cost	\$3,264,000	\$3,264,000	\$5,000	\$3,239,000

Total Maximum Reimbursement/Payment by Locality to VDOT	
Total Maximum Reimbursement by VDOT to Locality	\$3,469,000

Project Financing				
A	B	C	D	E
CMAQ (80%)	CMAQ Match (20%)			Aggregate Allocations (A+B+C+D)
\$2,775,200	\$693,800			\$3,469,000

Program and Project Specific Funding Requirements
<ul style="list-style-type: none"> <li>This project will be administered in accordance with the "Urban Construction Initiative Program Administration Guide."</li> <li>This project will be constructed and maintained in accordance with VDOT's Urban Manual</li> <li>This is a limited fund source project. Any amount exceeding the \$3,469,000 allocated to the project will be at 100% City cost.</li> <li>The municipality will continue to operate and maintain the facility as constructed. Should the design features of this project be altered by the Municipality subsequent to project completion, without the approval of the Department, the Municipality inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the Department.</li> <li>This project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. By Appropriations Act, these funds must be obligated within 12 months of CTB allocation and expended within 36 months of the obligation. <ul style="list-style-type: none"> <li>FY12 - \$414,000 - Allocation by CTB July 1, 2011, Obligation Deadline June 30, 2012, Expenditure Deadline June 30, 2014</li> <li>FY13 - \$350,000 - Allocation by CTB July 1, 2012, Obligation Deadline June 30, 2013, Expenditure Deadline June 30, 2015</li> <li>FY14 - \$500,000 - Allocation by CTB July 1, 2013, Obligation Deadline June 30, 2014, Expenditure Deadline June 30, 2016</li> <li>FY15- \$2,205,000-Allocation by CTB July 1, 2014, Obligation Deadline June 30, 2015, Expenditure Deadline June 30, 2017</li> </ul> </li> </ul>

This attachment is certified and made an official attachment to this document by the parties of this agreement

Authorized Locality Official and date

Authorized VDOT Official Recommendation and date

Typed or printed name of person signing

Typed or printed name of person signing

AN ORDINANCE NO. 11-12

To amend Chapter 258, Taxation, of the Colonial Heights City Code by adding § 258-16.01, relating to real estate tax exemptions for disabled veterans.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Chapter 258, Taxation, of the Colonial Heights City Code be, and is hereby, amended and reordained by adding § 258-16.01, as follows:

*§ 258-16.01. Exemption from taxes on property of disabled veterans.*

*A tax exemption shall be granted from local real estate taxation on real estate owned by and occupied as the principal place of residence of any veteran, including the real property of husband and wife, as provided in § 58.1-3219.5 of the Code of Virginia (1950), who is 100 percent service-connected permanently and totally disabled. The surviving spouse of a veteran eligible for the exemption set forth herein shall also qualify for the exemption, so long as the death of the veteran occurs on or after January 1, 2011, the surviving spouse does not remarry, and the surviving spouse continues to occupy the real property as his or her principal place of residence.*

*The veteran or surviving spouse claiming such exemption pursuant to this section shall file with the Commissioner of the Revenue, on forms to be supplied by the City, an affidavit or written statement (i) setting forth the name of the disabled veteran and the name of the spouse, if any, also occupying the real property, (ii) indicating whether the real property is jointly owned by a husband and wife, and (iii) certifying that the real property is occupied as the veteran's principal place of residence. The veteran shall also provide documentation from the U. S. Department of Veterans Affairs or its successor agency indicating that the veteran has a 100 percent service-connected, permanent and total disability. The veteran shall be required to refile the information required by this section only if the veteran's principal place of residence changes. In the event of a surviving spouse of a veteran claiming the exemption, the surviving spouse shall also provide documentation that the veteran's death occurred on or after January 1, 2011.*

2. That this ordinance shall be in full force and effect upon its passage on second reading and shall apply to all tax years on or after January 1, 2011.

Approved:

\_\_\_\_\_  
Mayor

Attest:

  
City Clerk

\*\*\*\*\*

I certify that the above ordinance was:

Adopted on its first reading on May 10, 2011

Ayes: 7 Nays: 0 Absent: 0 Abstain: 0

The Honorable Milton E. Freeland, Jr., Councilman: Aye

The Honorable Kenneth B. Frenier, Councilman: Aye

The Honorable W. Joe Green, Jr., Councilman: Aye

The Honorable Elizabeth G. Luck, Vice Mayor: Aye

The Honorable John T. Wood, Councilman: Aye

The Honorable Diane H. Yates, Councilwoman: Aye

The Honorable C. Scott Davis, Mayor: Aye

Adopted on its second reading on \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_

The Honorable Milton E. Freeland, Jr., Councilman: \_\_\_\_\_

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_

The Honorable Elizabeth G. Luck, Vice Mayor: \_\_\_\_\_

The Honorable John T. Wood, Councilman: \_\_\_\_\_

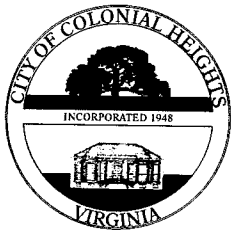
The Honorable Diane H. Yates, Councilwoman: \_\_\_\_\_

The Honorable C. Scott Davis, Mayor: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved as to form:

Hugh P. Foster, III  
City Attorney



# CITY OF COLONIAL HEIGHTS

P.O. Box 3401  
COLONIAL HEIGHTS, VA 23834-9001  
www.colonial-heights.com

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## Department of Planning and Community Development

### MEMORANDUM

To: Honorable Mayor and Members of City Council  
Mr. Thomas L. Mattis, City Manager

From: George W. Schanzenbacher, Director

Date: June 8, 2011

**Subject: Planning Commission Actions at June 7, 2011 meeting**

At the June 7, 2011 meeting of the Commission the following actions were taken:

1. Approved minutes of the May 7, 2001 meeting (enclosed).
2. Held a public hearing on proposed amendments to City codes related to implementation of Phase 111 of the Chesapeake Bay Act and unanimously approved the proposed ordinance. Please see attached resolution (The draft ordinance was previously distributed to City Council and will be reviewed at the June 14, 2011 Council meeting).
3. Heard a brief staff report on the Citizens Planning Committee orientation meeting on Monday May 9<sup>th</sup> and the Community visioning meeting held on Monday June 6<sup>th</sup>.
4. Heard a presentation by the City Manager on the Courthouse project, including a review of the building and site plans.
5. Cancelled the July 5<sup>th</sup> meeting on recommendation of the Planning Director.

RESOLUTION NO. 11-2 (PC)

To recommend to City Council an Ordinance to amend and reordain Chapter 286, Zoning; Chapter 250, Subdivision of Land; and Chapter 238, Sewers and Sewage Disposal, of the City Code by adding standards to implement Phase III of the Chesapeake Bay Preservation Act. The Ordinance modifies the City Code's Chesapeake Bay Preservation Act provisions that apply to zoning, plans of development, and subdivision plats.

WHEREAS, the Planning Commission advertised the proposed changes in *The Progress-Index* on May 24, 2001 and May 31, 2011, and held a public hearing on June 7, 2011; and

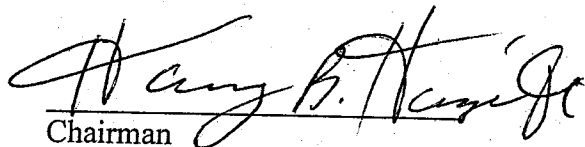
WHEREAS, the Planning Commission has determined that the public necessity, convenience, general welfare, and good zoning practice require that the Chesapeake Bay Preservation Act implementation provisions that apply to zoning, plans of development, and subdivision plats be recommended for approval;

NOW, THEREFORE, BE IT RESOLVED BY THE COLONIAL HEIGHTS PLANNING COMMISSION:

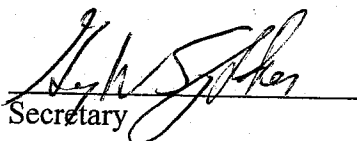
That the Planning Commission recommends to City Council an Ordinance to amend and reordain Chapter 286, Zoning; Chapter 250, Subdivision of Land; and Chapter 238, Sewers and Sewage Disposal, of the City Code by adding standards to implement Phase III of the Chesapeake Bay Preservation Act. The Ordinance modifies the City Code's Chesapeake Bay Preservation Act provisions that apply to zoning, plans of development, and subdivision plats.

Approved this 7th day of June 2011.

APPROVED:

  
Chairman

ATTEST:

  
Secretary

**CITY OF COLONIAL HEIGHTS, VIRGINIA**  
**Minutes of the Regular Meeting**  
**Of the Planning Commission**  
**Wednesday, May 4, 2011**

**I. Call to Order**

Mr. Townes, Vice Chairman, called the meeting to order at 7:00 p.m.

**II. Roll Call/Determination of Quorum**

Mr. Schanzenbacher, Director of Planning and Community Development, called the roll.

Present: Mrs. Hamilton  
Mr. Hartson  
Mr. Townes  
Mr. Freeland  
Mr. Kollman  
Mr. O'Connell

Absent: Mr. Hargis

Mr. Schanzenbacher stated there was a quorum.

**Also Present:** City Manager Thomas L. Mattis, City Attorney Hugh P. Fisher, III, Planning Director George W. Schanzenbacher and Jamie Sherry, Neighborhood Revitalization Planner.

**III. Approval of Minutes of April 2011**

There was no discussion. The minutes were approved on roll call vote.

**IV. Approval of Agenda**

There were no changes to the agenda.

**V. Hearing of Citizens Generally**

There were no citizens in the audience that wanted to be heard.

**VI. Public Hearings**

Mr. Townes stated that there were no public hearings on the agenda.

**VII. Plans of Development/Subdivisions**

There were no Plans of Development or Subdivision Plans on the agenda.

## **VIII. Old Business**

There was no old business to discuss.

## **IX. New Business**

### **Chesapeake Bay Phase III General Performance Criteria and Site Plan and Plat Amendments**

Mr. Schanzenbacher stated that the City received a grant from the state so the City was able to hire a consultant to look at how the City zoning, subdivision and site plan ordinances could be changed in order to be brought into compliance with the Chesapeake Bay Act. He stated that the timing was good because the new City zoning ordinance would be before City Council in the next month or so for consideration. The goal is to fold the Chesapeake Bay Act implementation recommendations into the new ordinance and for the City Council to hold a public hearing on the entire document in June or July. If the Commission was comfortable with the recommendations, they could hold a public hearing in June.

Mr. Schanzenbacher read aloud each of the recommendations. There was some discussion related to low impact development, runoff, and tree removal. The concern was how those would be determined. Mr. Mattis stated that policies would be put in place that would address these issues.

There was also some discussion related to making it a requirement to record floodplain and restrictions to a deed. Mr. Fisher stated that he would research this matter.

There were no concerns raised about holding a public hearing on the proposed changes at the June meeting.

### **Comprehensive Plan – Citywide Visioning Meeting – possible dates**

Ms. Sherry stated that City Council approved the list of Citizen Planning Committee members and that the Citizen Planning Committee would be having its orientation meeting on May 9, 2011. She stated that there were no additional applications received from the business community.

She stated that the Citywide Visioning Meeting would be held in early June in order to get maximum citizen participation prior to summer vacations. After some discussion on dates it was decided that this meeting would be held on Monday, June 6, 2011 from 6:30 to 8:30 p.m. Ms. Sherry stated that the Senior Center was available that evening and she would finalize the details the next day. She stated that the meeting would be advertised in the e-news and if the timing was right, possibly the City newsletter, the Focus, which would be sent to all addresses in the City. She stated that she would also be available to attend civic and community meetings to promote the meeting and that a press release would be sent to the Colonial Voice and *The Progress-Index*.

## **X. Committee Reports**

Vice Chairman Townes asked if there were any committee reports. There were no reports.

Mr. Mattis stated that he hopes to have the preliminary building and land use plans available for review at the next Planning Commission meeting.

Following Mr. Mattis's report, the Commission voted to hold a closed session pursuant to Virginia Code § 2.2-3711.A.7, in order to discuss the current court case of Wawa, Inc., Temple Avenue Associates, LLC and the Lamar Co., LLC v. The City of Colonial Heights and the Planning Commission of the City of Colonial Heights.

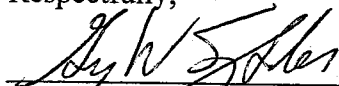
Upon completion of the closed session, the Commission voted unanimously to return to open session. The Commission also unanimously approved the certification on its meeting agenda.

After reading aloud Resolution No. 11-1 (PC), which rescinded certain conditions requested by the Planning Commission on January 4, 2011 related to a preliminary plan of development for Wawa, the Resolution was unanimously approved on a roll call vote.

## **XI. Adjournment**

Meeting adjourned at 7:15 p.m.

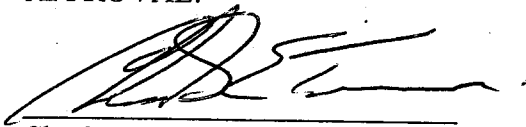
Respectfully,



George W. Schanzenbacher

Director, Department of Planning and Community Development

APPROVAL:



Charles E. Townes

Vice Chairman



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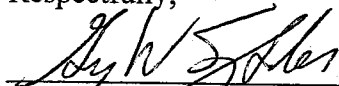
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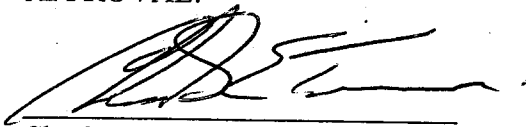
Respectfully,



George W. Schanzenbacher

Director, Department of Planning and Community Development

APPROVAL:



Charles E. Townes

Vice Chairman