

Memorandum

Date: March 8, 2012

To: Mayor and City Council

Subject: Agenda Briefing - Regular City Council Meeting - ***Tuesday, March 13, 2012***



Following is a brief review and description of the various business items listed upon the agenda and set for discussion at the next regular meeting of City Council:

7. Commendations and Presentations:

- A. Discussed at last meeting; This item is for formal recognition of former Planning Commission Chairman Harry Hargis and his many contributions to the City. A copy of the proclamation is included in with the meeting packet.
- B. This item is for formal recognition of Russell Woodburn and Lisa Christie from the Recreation Department as February 2012 City Team of the Month by Mayor Davis. A copy of the formal recognition is included in with the meeting packet. The Mayor will be making a brief presentation of the award to Mr. Woodburn and Ms. Christie at the meeting.
- C. This item is for formal presentation of Council Proclamation and a donation in support of the CH After Prom Celebration by Mayor Davis.
- D. This item is for formal presentation of a Council Proclamation by Mayor Davis to designate April 2012 as "Child Abuse Prevention Month" in Colonial Heights.

8. Reading of Manner Addressing Council

9. Written Petitions/Communications:

- A. A written petition/communication from Mr. Stephen Mansell of 1563 Brunswick Road, Blackstone, Virginia requesting an opportunity to address the Council regarding congestion on Charles Dimmock Parkway has been received and placed on the agenda in conformity with the Rules of Council. All supporting information relative to this item received by the Clerk is included with the meeting packet.

10. Public Hearings:

- A. RESOLUTION NO. 12-6 – This item is for formal approval of an annual, routine Resolution adopting the City of Colonial Heights' Housing and Community Development Annual Action Plan and Budget for 2012-2013.

Adoption of this resolution is a procedural requirement for continued participation in the program and receipt of federal funds. A copy of a staff report providing additional background on this item is included in the meeting packet; staff will also be making a brief presentation at the meeting.

Budgetary Impact – Adoption of the budget that is the subject matter of this Resolution as proposed is bottom-line, "cost-neutral", as it is the formal appropriation of restricted funds; and will not adversely affect overall funding or costs to taxpayers.

10. Public Hearings (continued):

As noted on the agenda, the notice of public hearing for this agenda item was published in *The Progress-Index*. A copy of the proposed Resolution is also included in the meeting packet.

The staff recommends approval of this item as presented

11. Public Comments ("Hearing of Citizens Generally on Non-Agenda Issues"):

12. Consent Agenda ("Consideration of Uncontested Minutes, Ordinances, Resolutions, & Motions . . ."):

A. Copies of the minutes from our (1.) Council Retreat on 1/20-21/12, (2.) Special Meeting on 2/14/12, and (3.) Regular Meeting on 2/14/12 are included in the meeting packet for your review.

B. "Adoption of:"

➤ ORDINANCE NO. 12-FIN-4 - Discussed and approved at the last regular meeting; This item is for Second Reading and Final Adoption of an Ordinance to authorize an amendment to the FY11-12 Annual Budget to accommodate various funding adjustments as follows:

- The CH Police Department has received a grant from the Wal-Mart foundation in the total amount of \$2,000 to purchase DARE and crime prevention equipment.
- The CH Fire/EMS Department has received a VDEM-LEMPG Grant of \$5,000 to subsidize personnel costs for the city's Assistant Emergency Manager position.
- The CHFD has also requested the disbursement of \$5,160 in tuition payments received from EMT training students.
- The CHFD has also received a donation in the total amount of \$10,000 from Bruce and Connie Thornton to purchase capital equipment in general support of fire/EMS services.
- To approve a request by the Commonwealth's Attorney's Office to authorize expenditure of \$7,898 of forfeited asset funds.

Budgetary Impact - This amendment as proposed is bottom-line, "cost-neutral", as it is the formal appropriation of designated funds from the Commonwealth, restricted or donated funds; and will not adversely affect overall funding or costs to taxpayers.

A copy of the proposed Ordinance and supporting information is included in the meeting packet.

The staff recommends approval of this item as presented

13. New Business/Legislation ("Introduction and Consideration of Ordinances and Resolutions"):

➤ ORDINANCE NO. 12-FIN-5 - This item is for consideration of an Ordinance on First Reading to authorize an amendment to the FY11-12 Annual Budget appropriating \$10,000 in donated funds to the Library for equipment upgrades and reading programs.

Budgetary Impact - This amendment as proposed is bottom-line, "cost-neutral", as it is the formal appropriation of designated funds from the Commonwealth, restricted, grant, and/or donated funds; and will not adversely affect overall funding or costs to taxpayers.

A copy of the proposed Ordinance and supporting information is included in the meeting packet.

The staff recommends approval of this item as presented

13. New Business/Legislation (continued):

- ORDINANCE NO. 12-FIN-6 - This item is for consideration of an Ordinance on First Reading to formally amend the Capital Projects Fund Budget authorizing appropriations in the total amount of \$300,000 to Streets and Bridges in support of the Dupuy Avenue Modernization Project, and Lakeview Avenue Modernization Project; such funding being provided by the Commonwealth

Budgetary Impact - This Ordinance as proposed will formally authorize the expenditure of accumulated grant funds, set-aside city funds as previously approved by the Council, and funds provided by the Commonwealth. As such, this item is overall “net budget-neutral” and will not adversely affect overall funding or costs to taxpayers.

A copy of the proposed Ordinance and supporting information is included in the meeting packet.

The staff recommends approval of this item as presented

- RESOLUTION NO. 12-10 – Discussed at last work session; This item is for consideration of a Resolution responsive to the issue raised by Councilman Wood and discussed with Council relative to available funding for highway improvements within the city.

Budgetary Impact - None.

A copy of the proposed Resolution is included in the meeting packet.

The staff recommends approval of this item as presented

14. Unfinished Business . . . and Items Removed from Consent Agenda

- RESOLUTION NO. 12-5 – Discussed and tabled at last meeting; This item is for a required Public Hearing and consideration of a Resolution to formally approve a routine upgrade of certain parks and recreation fees.

*The issues/questions that were raised at our last meeting relative to this item have now been addressed. The staff will be making a brief presentation regarding same at the meeting.

Budgetary Impact – None

The staff recommends approval of this item as presented

15. Staff Reports (“Reports of Officers . . .”):

A. City Manager

1. ***Review of construction cost Guaranteed Maximum Price (GMP) for Courthouse Project Plan*** – Discussed at previous meetings; This item is for a presentation and discussion of the negotiated Guaranteed Maximum Price (GMP) for the new courthouse in conformity with the approved PPEA/CM Construction Contract.

Through the process previously reviewed with Council, the staff has now completed detailed negotiations with the designated contractor for the project (Kenbridge Construction) and has arrived at a mutually-agreeable GMP of \$15,999,000. This amount is within the project’s overall budget and is predicated upon constructing a building/project consistent with the previously-approved design.

This discussion is presumed to essentially be the final review of the overall project before construction begins. At the meeting, we will also be discussing the timeframe for project groundbreaking.

The staff will be provided a detailed review of all pertinent information regarding this issue and will be responding to any questions at the meeting..

2. ***Review on current-year tax revenue projections and update on FY12-13 Budget Development*** – This item is for report and general update on projected variable tax revenue (sales, food, and lodging taxes) for the current fiscal year; and an update on the budget development process for next year.
3. ***Update on new Solid Waste/ Recycling Collection services and programs*** – This item is for a general update on this item as described.

NOTE: As you may recall, final approval of our service agreement with CVWMA in this regard had previously been contemplated for this meeting. However, staff review of the final document and/or services that are the subject matter of said agreement is not yet complete.

This is not an indication of any concerns, however; just a matter of the appropriateness of a detailed review before proceeding. We fully expect and intend to proceed with the new program and services as approved by Council and expect the service agreement to be on the next meeting agenda.

4. ***Council Work Session – March 20*** – This item is for a review and general discussion of possible agenda items for Council's next Work session.
5. ***General Activity Report and/or Project Update*** - This item is for miscellaneous updates and comments by the staff; and general Q&A with the City Council relative to on-going projects and/or issues.

B. City Attorney

C. Director of Planning and Community Development

16. Consideration of Claims – None submitted for inclusion on the meeting agenda

Please feel free to contact me anytime prior to Tuesday's meeting if you have any questions or require additional information relative to any item on the agenda; or if you need an update on any item not listed on the agenda.



Thomas L. Mattis
City Manager

A RESOLUTION NO. 12-11

In memory of Harry B. Hargis, Jr.

WHEREAS, Harry B. Hargis, Jr., the son of Frances Cocke Hargis and Harry Burns Hargis, Sr., passed away on February 9, 2012, leaving behind his loving wife of 50 years, Dorothy "Hookie" Dobyns Hargis; two sons, Will and his wife, Kirsten, and Chuck and his wife, Gretchen; and nine grandchildren; and

WHEREAS, Mr. Hargis attended Roanoke College and served four years in the United States Marine Corps Reserves; and in 1999, after 31 years of service, retired as a Project Manager with the Virginia Department of Business Assistance; and

WHEREAS, Mr. Hargis will be remembered for his dedicated years of service to the City of Colonial Heights – as a member of the Planning Commission since 1993, serving as its Chairman since 2003; as a member of the Appomattox River Greenway Project Advisory Committee, Colonial Heights Historical Society, City Wetlands Board, Economic Development Authority, John Tyler Community College Board, and as a volunteer Sentinel with the Colonial Heights Police Department; and

WHEREAS, along with Mr. Hargis's public service, he also was a member of St. Michael's Episcopal Church, as well as serving as a member of the Boy Scouts of America, the Parent-Teacher Association at North Elementary School, and the Colonial Heights Swim and Yacht Club; and

WHEREAS, more importantly, Mr. Hargis will be remembered as a devoted family man, who enjoyed time spent with his children and grandchildren, playing golf, reading and traveling with his wife, Hookie; NOW, THEREFORE,

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

1. That Council expresses its heartfelt sympathy to the family of Harry B. Hargis, Jr., and on behalf of the City, its gratitude for his public service and commitment to the community.

2. That, in attestation of the high regard in which the memory of Harry B. Hargis, Jr. is held, this resolution is read into the minutes of this meeting and permanent record of the City of Colonial Heights, this 13th day of March, 2012; and the members unanimously affix their signatures.

/s/ C. Scott Davis, Mayor

/s/ Milton E. Freeland, Jr. Councilman

/s/ Elizabeth G. Luck, Vice Mayor

/s/ Kenneth B. Frenier, Councilman

/s/ W. Joe Green, Jr., Councilman

/s/ John T. Wood, Councilman

/s/ Diane H. Yates, Councilwoman

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:

City Attorney

FEBRUARY 2012 TEAM OF THE MONTH



TEAM: Russell Woodburn
Lisa Christie

NARRATIVE: The team of Russell Woodburn and Lisa Christie are nominated as Team of the Month due to their continued dedication to the operations of Violet Bank Museum. Both of these individuals offer a vast knowledge of history of Violet Bank and are extremely dedicated in their responsibilities; Mr. Woodburn as the Museum Curator and Mrs. Christie as a part-time employee.

This past year, along with their day-to-day responsibilities at the museum, the team was charged with making positive changes to the day-to-day operations and improving the public awareness of Violet Bank. They did so and more.

While continuing to draw patrons to Violet Bank with their annual Headquarters' Days, both were instrumental in increasing awareness of the museum by thinking outside the box and offering two new programs.

In October, Violet Bank Museum hosted its first "The Ghosts of Violet Bank's Past". Patrons participated in traditional Halloween activities, were frightened by costumed characters and listened to paranormal researchers discuss their findings of activity at Violet Bank. This free family event attracted approximately 350 visitors over a two hour period.

In December, Violet Bank Museum coincided their annual Candlelight and Miniature Tours with another first at the museum; "A Traditional Dickens' Christmas". Visitors were greeted by select characters such as Scrooge, Ghost of Jacob Marley, Bob Cratchet, Ghost of Christmas Past and other select costumed characters. Approximately 175 patrons were treated to traditional Christmas activities and refreshments, live period music, the showing of the 1951 "A Christmas Carol" and a visit from Father Christmas.

Both of these individuals along with the dedicated volunteers who administered these programs are truly an asset to the City of Colonial Heights and worthy of the recognition as Team of the Month.

IN SUPPORT OF THE AFTER PROM CELEBRATION 2012

WHEREAS, concern for the safety and well-being of Colonial Heights High School Seniors and other students during their annual prom activities is of utmost importance; and

WHEREAS, the After Prom Celebration 2012 is a school and community effort to encourage seniors and other students to be safe and refrain from attending parties where alcohol/drugs may be present while offering a substance-free alternative activity; and

WHEREAS, the After Prom Celebration was initiated by the local Colonial Heights CADRE (Commonwealth Alliance for Drug Rehabilitation and Education); and

WHEREAS, this project is highly valued and supported financially by the Colonial Heights High School Administration, parents, the Class of 2012, Students Against Drunk Driving, the student body of Colonial Heights High School, the business community, civic organizations, Virginia State Department of Education, Virginia Department of Alcoholic Beverage Control and the Colonial Heights School Board; and

WHEREAS, the continued success of the After Prom Celebration on May 19, 2012 from 12:00 a.m. until 5:00 a.m. is dependent upon the commitment from the parents, students and the community.

NOW, THEREFORE, I, C. Scott Davis, Mayor, on behalf of the Colonial Heights City Council, do hereby proclaim Council's support of After Prom Celebration 2012 and commend the After Prom Committee for their dedication to the youth of our City in this worthwhile effort.

Signed this 13th day of March, 2012.

C. Scott Davis, Mayor

Attest:

DeAnna D. Atkins, City Clerk



Colonial Heights High School

3600 Conduit Road

COLONIAL HEIGHTS, VIRGINIA 23834

(804) 524-3405

FAX 520-7222

Kristin K. Janssen
Principal

ASSISTANT PRINCIPALS

James D. Burnett
Thomas M. Pond, Jr.

After Prom Steering Committee:
Anna Ponder, Tori Colb – Co-Chairmen
Tanya Rosser, Sherri Zauner, Gina Rigby
Daphne Jolly, Karen Drumright, Lisa Mears
Holly Parrish, Christy Archiletti, Teresa Morgan
Derek & Beth Gaskin, Sherry Finch, Debbie Slaybaugh
Delores Gates, Kimra Vaughn, Lynne Norton, Mary Long

In 1989, the Colonial Heights High School senior class parents organized an After-Prom Committee. This activity provides an alcohol-free and drug-free night full of activities for our graduating seniors. This year's event for the Class of 2012 is scheduled for May 19, 2012 at Colonial Heights High School.

The After Prom Steering Committee wants to send a clear message to every student that we care about their safety. Educators, students, community leaders and parents are again working countless hours to provide a memorable and entertaining evening.

To continue this tradition now 23 years strong, the After Prom Steering Committee is seeking your support. Your generosity will provide an evening filled with prizes, contests, games and food for every senior attending. The Colonial Heights City Council and School Board support the After Prom Celebration, and we appreciate the generous support of the community. Most of all, the Class of 2012, and their parents are grateful to our community for help make this event safe, alcohol-free and drug-free, and full of memories to last a lifetime.

Can we count on your contribution this year? All donations are tax deductible.
Thank you for your support!

Sincerely,

Anna Ponder

Anna Ponder – Co-Chair

Tori Colb

Tori Colb – Co-Chair

P.S. Please make checks payable to: CHHS After-Prom Committee
Donations Committee
3600 Conduit Road
Colonial Heights, Virginia 23834

**DESIGNATING THE MONTH OF APRIL 2012 AS “CHILD ABUSE
PREVENTION MONTH” IN THE CITY OF COLONIAL HEIGHTS, VIRGINIA**

WHEREAS, child abuse is a tragic problem, and finding solutions depends on involvement among people throughout the community; and

WHEREAS, the effects of child abuse have significant negative impacts on our entire community; and

WHEREAS, children raised in safe and nurturing homes strengthen our City, and all citizens should be partners in helping to prevent child abuse and become more aware of its negative effects; and

WHEREAS, effective child abuse prevention programs succeed through partnerships that include social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community; and

WHEREAS, parents have the most critical influence on their children’s development and need community support and education in celebrating the joy and negotiating the challenges of parenting.

NOW, THEREFORE, I, C. Scott Davis, Mayor of the City of Colonial Heights, do hereby proclaim the month of April 2012 as “Child Abuse Prevention Month” in the City of Colonial Heights and encourage all citizens to help in this increasing challenge of protecting our community’s children.

Signed this 13th day of March, 2012.

C. Scott Davis, Mayor

Attest:

DeAnna D. Atkins, City Clerk



City of Colonial Heights

Attention:

Office of the City Clerk
Post Office Box 3401
Colonial Heights, VA 23834

Name: Mr. Stephen Mansell

Address: 1563 Brunswick Road
Blackstone, Va. 23824

Telephone Number: 434-298-7018

Please place me on the City Council Agenda for March 13, 2013
(date)

Purpose: Address Council regarding the congestion
and confusion on Charles Dimmock Parkway
between Best Buy and Walmart.

Please deliver this form to the City Clerk's Office or mail it to Office of the City Clerk, Post Office Box 3401, Colonial Heights, Virginia at least one week prior to the date of the Council Meeting in order to be placed on the agenda.



City of Colonial Heights

Attention:

Office of the City Clerk
Post Office Box 3401
Colonial Heights, VA 23834

Name: Ms. Lynn Evans

Address: 631-B Hamilton Avenue
Colonial Heights, VA

Telephone Number: _____

Please place me on the City Council Agenda for March 13, 2012.
(date)

Purpose: Address Council regarding the need for
regional transit for senior citizens.

Please deliver this form to the City Clerk's Office or mail it to Office of the City Clerk, Post Office Box 3401, Colonial Heights, Virginia at least one week prior to the date of the Council Meeting in order to be placed on the agenda.

A RESOLUTION NO. 12-6

Adopting the City of Colonial Heights' Housing and Community Development Annual Action Plan and Budget for 2012-2013.

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 2012-2013 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 2012-2013 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 2012-2013:

<u>Budget Category</u>	<u>Amount</u>
Emergency Home Repair Program	\$65,722.30
Administrative Costs	<u>\$ 3,461.70</u>
Total CDBG funds	<u>\$69,234.00</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 such 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:

City Attorney



City of Colonial Heights, Virginia CDBG 3rd Program Year Action Plan-2012-2013 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 2012 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 deficiencies in the Federal Budget, the City of Colonial Heights CDBG program experienced an 11 percent decrease in allocations. The 2012-2013 CDBG entitlement for the City of Colonial Heights is \$69,234. Of this total, ninety-five percent (95%) or \$65,772- of the total funds will be used by Project: Homes, a not-for-profit organization to distribute home repair grants to assist LMI homeowners with housing problems citywide. The remaining five percent (5%) or \$3,461 will be used by the city for program administration expenses.

PROGRAM PARTICIPATION PROCESS

This will be the third year the Emergency Home Repair program will be administered by Project: Homes (formerly 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 2012-2013 approximately five (5) 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 2012 HUD Income Limits (these will not be available until mid-May 2012) 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 2012-2013 CDBG Home Repair Grant Program application is attached (Appendix Y3B.) 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

DRAFT

- 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

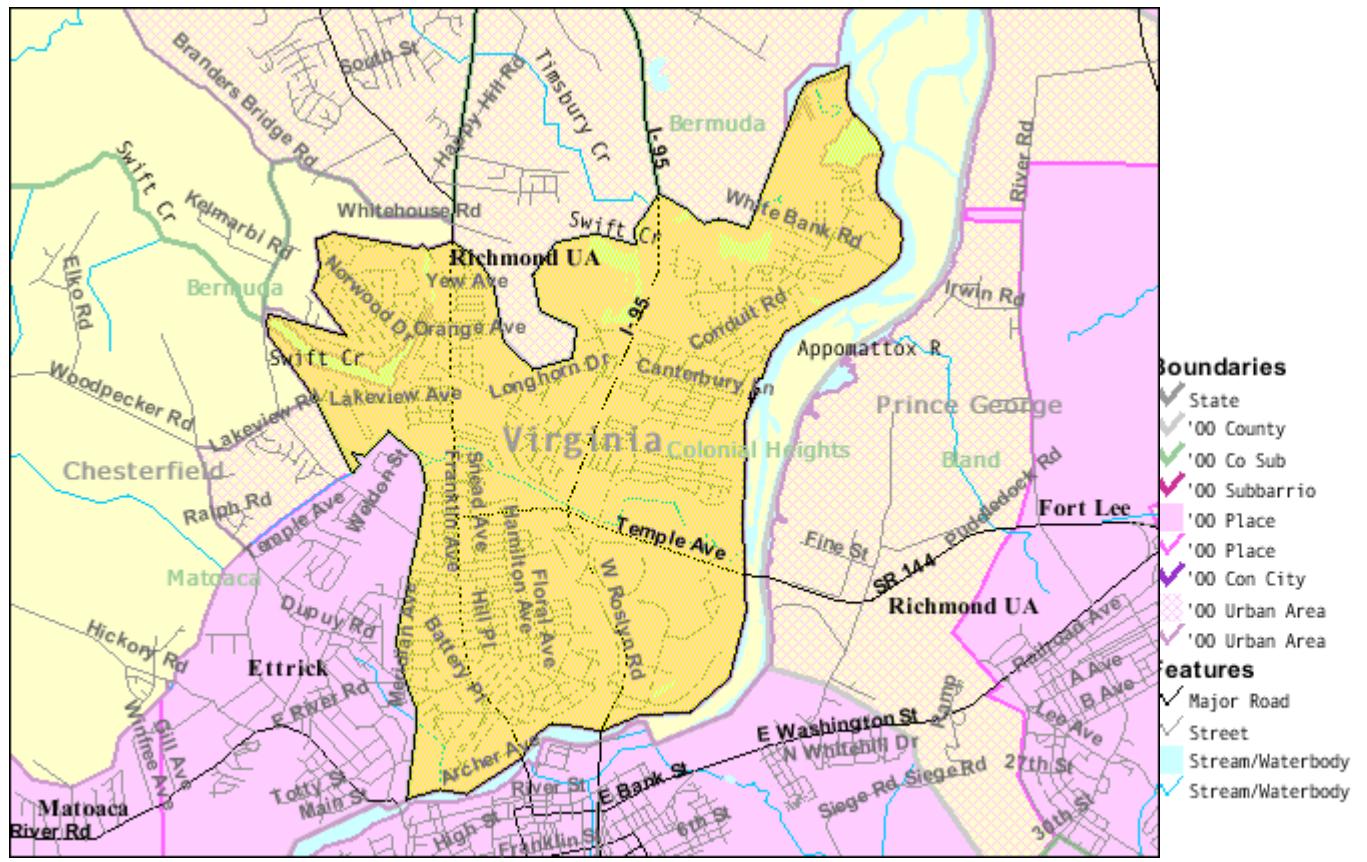
1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year.
2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for 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 2012-2013 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 deficiencies in the Federal Budget, the City of Colonial Heights CDBG program experienced an 11 percent decrease in allocations. The 2012-2013 CDBG entitlement for the City of Colonial Heights is \$69,234. Of this total, ninety-five percent (95%) or \$65,772- of the total funds will be used by Project: Homes, a not-for-profit organization to distribute home repair grants to assist LMI homeowners with housing problems citywide. The remaining five percent (5%) or \$3,461 will be used by the city for program administration expenses.



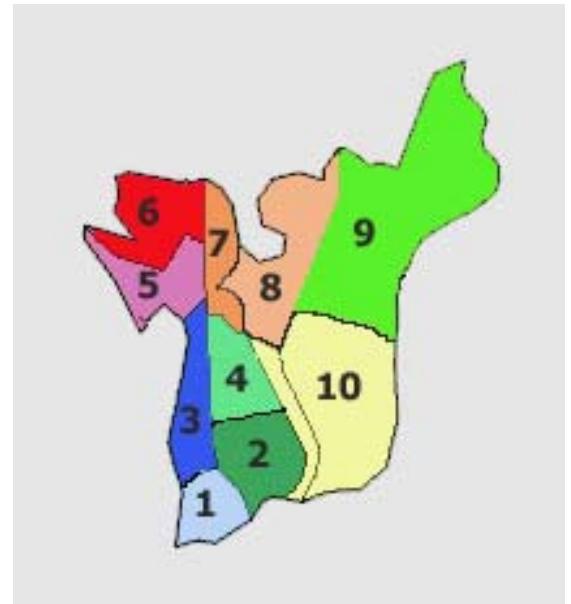
Source: US Census

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 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

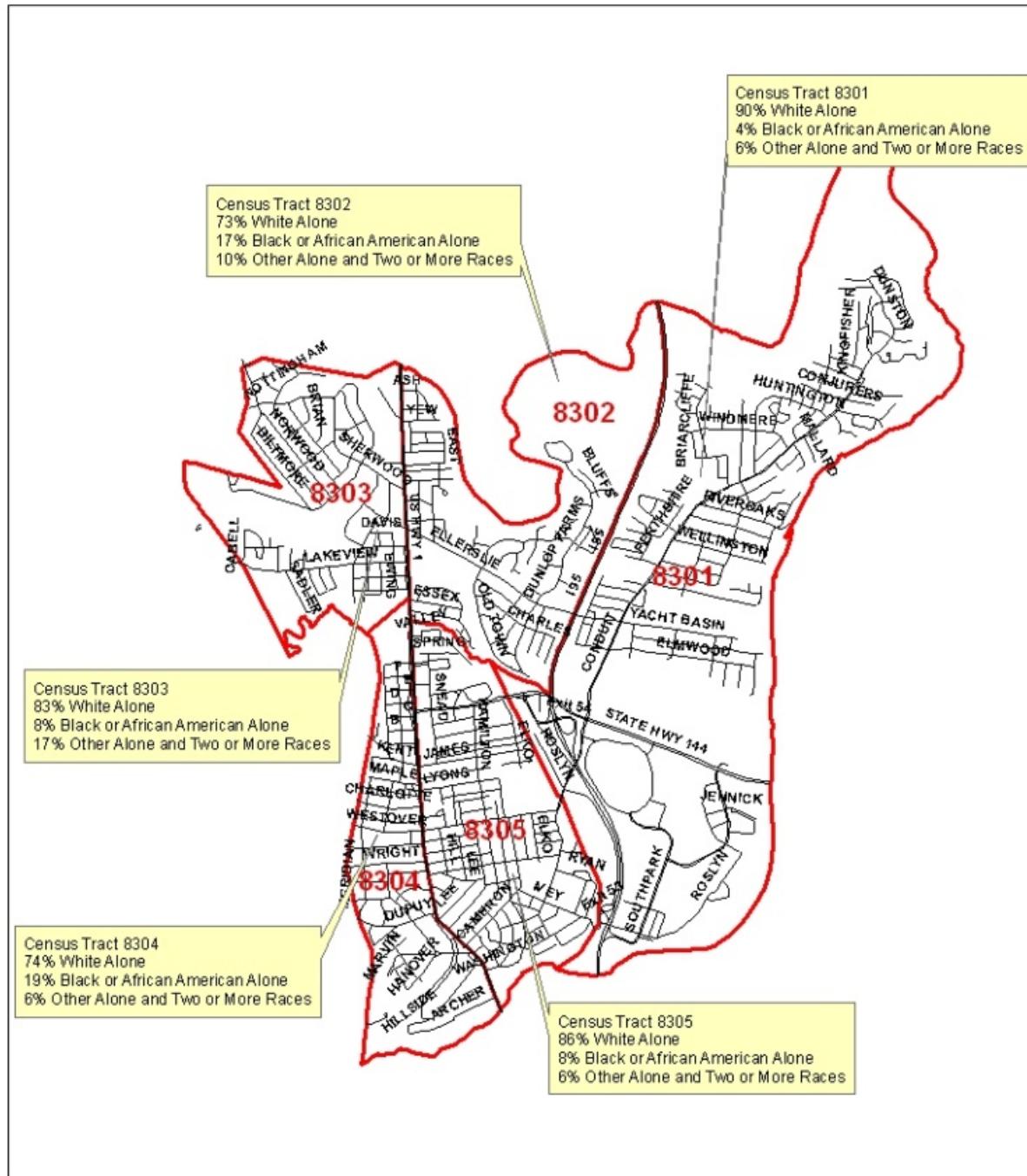
The Mount Pleasant-Southpark Neighborhood District combines the Mount Pleasant and Southpark areas. The areas are popularly referred to by both names. The Mount Pleasant-Southpark District is bounded on the north by Ellerslie Avenue, Yacht Basin Drive, and Old Town Creek, on the south and east by the 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.

The City of Colonial Heights defines areas of minority concentration as "Census Tracts within the jurisdiction that have a percentage of minority residents exceeding the percentage of minority residents within the jurisdiction by a statistically significant margin." Since the city does not have a high percentage of minorities overall, a margin of 5% or more is considered significant. Based on 2010 Census data, the areas with the highest concentrations of minorities are in Census Tracts 8302 and 8304. As seen in Table 1 and Map 1 below:

Table 1

	CT 8301	%	CT 8302	%	CT 8303	%	CT 8304	%	CT 8305	%	City Wide	%
Total	4811		3525		2485		2629		3961		17411	
White Alone	4342	90	2585	73	2054	83	1938	74	3407	86	14326	82
Black or African American Alone	171	4	583	17	211	8	510	19	308	8	1783	10
American Indian and Alaska Native Alone	18	0	5	0	8	0	14	1	23	1	68	0
Asian Alone	181	4	172	5	119	5	39	1	67	2	578	3
Native Hawaiian and Other Pacific Islander Alone	1	0	3	0	1	0	2	0	1	0	8	0
Some other Race Alone	31	1	99	3	34	1	36	1	58	1	258	1
two or more races	67	1	78	2	58	2	90	3	97	2	390	2
	469	10	940	27	431	17	691	26	554	14	3085	18

Map 1



 City of Colonial Heights
2010 Census
Minority Concentration

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; however, priority is given to applicants from the Violet Bank- Flora Hill and Shepherd Stadium districts.
3. As in the past years, in Program Year 2012, 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. A summary of this action plan will be posted on the City's web page no later than February 6, 2012.

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 Contiumum 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 Project: Homes (formerly ElderHomes) of Richmond all have significant experience in home rehab. Rebuilding Together of Petersburg and Project: Homes 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 3.

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.

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

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

Program Year 2012 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 WILL BE held to solicit citizen comments on March 13, 2012 in City Hall. This meeting WILL present 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 Y3D)

Neighborhood Participation Meeting

The devlopment of the Action Plan was discussed at a neighborhood meeting held on November 29, 2011 at the Colonial Heights Presbyteria Church. Staff discussed the previous year's accomplishments and discussed proposed program design. Staff also explained that allocation reductions would result in fewer households being served. There were no comments received at the meeting, just questions about the Ermergency Home Repair Program. Staff also discussed the public hearing and the public comment period. Attendees were told how they could sumbit comments to staff: they could deliver written comments to Ctiy hall in person or by mail, they could email comments to staff, could fax comments or call the program manager. Attendees were given the address to City Hall, a fax number, an email address, and phone number if they wished to make comments.

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

Public Hearing

Notifications for the public hearing on this action plan was published in The Progress Index on Sunday, February 5, 2012. Notification was made at least 30 days prior to the hearing Sunday, February 5, 2012. 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. A public hearing was held on June 14, 2011. No one from the public commented at the public hearing. The city council passed a resolution supporting the Action Plan. No comments were received during the public comment period.

3. Notifications for the public hearing on this action plan was published in The Progress Index on Sunday, February 5, 2012. Notification was made at least 30 days prior to the hearing Sunday, February 5, 2012. 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 Friday, February 3, 2012. 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.

A public hearing WILL BE held on March 13, 2012.

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. Project: Homes (formerly ElderHomes, Inc.) will handle the solicitation and procurement of contractor services. Project: Homes 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 Project: Homes. Project: Homes. 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. 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 2012 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 2012 CDBG Home Repair Grant Program application is attached (Appendix Y3B.)

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 Project: Homes. The verifications and other processes will be documented in each program participant's confidential file which will be kept, both at the Project: Homes 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 2012-13 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 2012-2013 home repairs. However, though not administered by the City of Colonial Heights, there are many federal, state and local

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

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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.

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

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.

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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

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.cdaaa.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?do cid=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.

The City of Colonial Heights CDBG 2011 Emergency Home Repair Program will be run in accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988) which states: "It is illegal to discriminate against any person because of race, religion, sex, handicap, familial status or national origin." The grant application package includes a Fair Housing notice.

The City continues to allocate all Community Development Block Grant funds towards the CDBG Home Repair Program. Priority is given to the elderly and the disabled. The Emergency Home Repair Program continues to make accessibility improvements a priority. To ensure those residents who are likely to have accessibility issues are reached, a copy of the Emergency Home Repair Program application is sent to those residents who receive tax exemption because they are elderly or disabled.

Along with the Department of Professional & Occupational Regulation Fair Housing Specialist and the Richmond HUD Office of Fair Housing and Equal Opportunity Richmond Virginia Field Office, the City designed a fair housing pamphlet. The City will distribute them to promote fair housing awareness activities during program year 2011.

The City will distribute fair housing flyers at public distribution sites such as the Colonial Heights Public Library, the Colonial Heights Health Department, the Colonial Heights Senior Center, and at various Colonial Heights City Offices. The flyers will

also be distributed to all Colonial Heights CDBG Home Repair Program applicants and contractors.

Additionally, in April 2012 (Fair Housing Month) the City of Colonial Heights is planning to partner with the Cities of Petersburg and Hopewell for a Fair Housing Seminar. Staff has had some discussion with Chesterfield County in joining the effort. Staff will mail out invitations to area contractors, insurance providers and realtors and rental property owners. Staff will invite representatives from each locality, HOME, the Richmond HUD office and the Department of Professional & Occupational Regulation Fair Housing Office to give presentations about fair housing laws and their significance.

FHEO stated “The Recipient did not address how fair housing will be used in the review process of the new zoning ordinance.

The new zoning ordinance for the City of Colonial Heights was adopted by City Council in August 2011. This is a complete rewrite of the ordinance and the impediment referenced to in the 2008 AI is no longer applicable because the regulation allowing elevators in some residential districts and no other district has been removed.

However, the draft ordinance was reviewed prior to adoption. Staff did considerable research to ensure the regulations in the Fair Housing Act as it pertains to zoning regulations were followed. Staff reviewed the draft document prior to its adoption to ensure it did not discriminated against persons based upon the race, sex, religion, national origin, color, disability, age or family status. This definition also pertains to persons with disabilities, including people recovering from addiction, people who have a non-traditional family as well as any regulation that may prevent minorities or low income residents from living in the city.

Staff reviewed the draft document to ensure it did not discriminated against persons recovering from drug and alcohol addiction, but not currently using a controlled substance. This required a thorough evaluation of the policies as it pertains to group housing for persons recovering from drug and alcohol addiction. This review included the process upon which any conditional or special use permits may be obtained.

The acts states that it is against the law for a definition of “family” to single out persons with disabilities or restricts their housing opportunities may violate the FHA. The City of Colonial Heights definition of family meets the requirements of the act and is as follows:

“One or more persons related by blood, marriage, or adoption, or under approved foster care, or a group of not more than four persons (including domestic help) living together as a single housekeeping unit.”

The draft document was reviewed to ensure policies related to density or design were set so high that the cost would not be prohibitively expensive, therefore putting disproportionate impacts on minorities.

Lastly, the draft ordinance was reviewed for any practices that discriminate in the sale or rental (or otherwise make unavailable) a dwelling to any buyer or renter because of a handicap. There is no language in the document to deter the sale or rent a property because of a handicap.

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 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 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.

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

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- 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 2010-2012 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.

* *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

HOMEBUY5 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

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 2012 Income Guidelines

Total number of people within household	Maximum household income allowed annually	Maximum household income allowed monthly
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	\$7,640	\$637

additional person	
Each additional person \$7,480	\$623
http://www.dhcd.virginia.gov/HomelessnessToHomeownership/PDFs/VIDA_Income_Limit_s.pdf	

The VIDA savings matching funds program is now available to Colonial Heights residents through Virginia Supportive Housing www.virginiasupportivehousing.org.

VIRGINIA DEPARTMENT OF BUSINESS ASSISTANCE

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.

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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

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 FY3009 is 0.

Project: 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.

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

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

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 1/25/12, from the Virginia Department of Taxation webpage,
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

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

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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 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	Y3A
2012-2013 CDBG Emergency Home Repair Application	Y3B
2012-2013 CDBG Program Design.....	Y3C
2012-2013 CDBG Citizen Participation Plan	Y3D
City of Colonial Heights Resolution	Y3E
Public Hearing notice	Y3F
Needs xls.	Y3G

Appendix Y3A

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	Type of Submission	
4/1/12		Application	Pre-application
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
Applicant Information			
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	
Employer Identification Number (EIN): N/A			
54-6001228 Program Year Start Date (07/01)			
Applicant Type: Specify Other Type if necessary:			
Local Government: City Specify Other Type			
U.S. Department of Housing and Urban Development			
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
Community Development Block Grant		14.218 Entitlement Grant	
CDBG Emergency Home Repair Program		City of Colonial Heights	
\$69,234	\$		
\$	\$		
\$	\$		
Other (Describe)			
Home Investment Partnerships Program		14.239 HOME	

Housing Opportunities for People with AIDS		14.241 HOPWA
Emergency Shelter Grants Program		14.231 ESG
Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?
4		Yes This application was made available to the state EO 12372 process for review on
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		X 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

Person to be contacted regarding this application

Sherry	Jamie	Maureen
Neighborhood Revitalization Planner	804-520-9382	804-524-8755
sherryj@colonial-heights.com	www.colonial-heights.com	Thomas L. Mattis, City Manager
Signature of Authorized Representative		Date Signed

Appendix Y3B

2012-2013 CDBG
Emergency Home
Repair Application



**CITY OF COLONIAL HEIGHTS
2012-13
CDBG EMERGENCY HOME REPAIR PROGRAM
GUIDELINES AND APPLICATION**

IMPORTANT

After all documents have been completed and returned to the office, Project: Homes (formerly ElderHomes Corporation) 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:

Rishonda Anthony
Project: Homes
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 of 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 after the work has been completed.
- 4) Although the program is available citywide, priority will be given to households in the Violet Bank-Flora Hill and Shepherd Stadium Districts, first time applicants, persons who are elderly or disabled, and to those needing repairs that threaten the safety or well-being of the household members.
- 5) 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	
2	
3	
4	
5	
6	
7	
8	

* FY 2012 HUD Income Limits (Richmond MSA) will not be available until May 2012

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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 years; however, part of the owner's obligation is forgiven each year they live on the property.

Repayment of the rehabilitation grant, or in the event there are relocation costs, 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. Mail the application to Project: Homes at that address below and provide a copy of all applicable requested documents. Priority will be given to households in the Violet Bank-Flora Hill and Shepherd Stadium Districts, first time applicants, persons who are elderly or disabled, and to those needing repairs that threaten the safety or well-being of the household members. Assistance is available for those needing help filling out the application.

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.

Please return applications and documentation to:

Project: Homes
88 Carnation Street
Richmond, VA 23225

PROJECT: HOMES
Emergency Home Repair Program
Application for Assistance

Date of Application: _____

Name: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: (Home) _____ (Work) _____ (Cell) _____

Contact person: _____ **Contact phone:** _____

Birth date: _____ **Social Security Number:** _____

Are you the homeowner: _____ Yes _____ No _____

Name Deed is in: _____

Number of Bedrooms: _____ **Number of Bathrooms:** _____

Are you legally disabled? YES NO

Are you over 62? YES NO

Sex: Male Female

Marital Status: Married Single Divorced Widowed

Race: African American White American Indian or
Alaskan Native Asian Hispanic/Latino Origin Other
 Multiracial/two or more races

Have you received service from Project: Homes (formerly ElderHomes) before?

Yes No

If yes, what Programs did you receive service from? _____ **Date** _____

Applicant source of income: _____

Weekly Bi-weekly Monthly **Gross Yearly (before taxes): \$** _____

Additional source of income: _____

Weekly Bi-weekly Monthly **Gross Yearly (before taxes): \$** _____

Additional source of income: _____

Weekly Bi-weekly Monthly **Gross Yearly (before taxes): \$** _____

Total Household Income (Include Co-applicant income from next page): \$ _____

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Housing Information (Please check the appropriate box)

1. Do you own your own home or have a life estate? YES NO
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 Homes tead exemption
3. Are your property taxes paid to date? YES NO N/A
Do you have homeowner's insurance? YES NO
4. Is there a mortgage or reverse mortgage outstanding on the property? Yes NO

Please list name, address, and policy number of insurance and Mortgage Company.

Insurance Co. _____ Policy Number: _____

Company mailing address: _____

Mortgage Company: _____

Monthly Mortgage payment: _____ Balance on Mortgage loan: _____

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

Name:	Date of Birth:	Relationship: Applicant

CO-APPLICANT INFORMATION

Co-applicant Name: _____

Phone: (H) _____ **(W)** _____

Birth date: _____

Homeowner: _____

Social Security Number: _____

Have you received service from Project: Homes (formerly ElderHomes) before? _____
Yes _____ No _____

If yes, what Programs did you receive service from?

When? _____

Legally Disabled:

Sex: Male Female

Over 62: Yes No

Race: African American White American Indian or Alaskan Native Asian
 Hispanic/Latino Origin Other Multiracial/two or more races

Co-Applicant source of income: _____

Weekly Bi-weekly Monthly **Gross Yearly (before taxes): \$** _____

Additional source of income: _____

Weekly Bi-weekly Monthly **Gross Yearly (before taxes): \$** _____

Additional source of income: _____

Weekly Bi-weekly Monthly **Gross Yearly (before taxes): \$** _____

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PLEASE READ CAREFULLY BEFORE SIGNING

Attention: It is a criminal offense under Section 1001 of title 18 of the code of the United States to make willful false statements or misrepresentation of any information provided in completion of this application.

I certify that the information provided is accurate to the best of my knowledge. Nothing requested has been omitted or misrepresented in this application. I understand that my eligibility for assistance from project: Homes 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

Signature of Co- Applicant

Date

Documentation of income – Attach Copies for file

- 1. Proof of household income- (social security benefit letter, paystubs, pension, statements, etc.)**
- 2. Copy of Driver's license or State ID**
- 3. Current Real Estate Tax Bill with receipt**
- 4. Recent bank account statement**
- 5. Declaration Page From Homeowners Insurance**

Eligibility Determined & Completed By:

Signature (project: 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:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____

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):

Owner (SEAL)

Co-Owner (SEAL)

Co-Owner (SEAL)

STATE OF VIRGINIA/City of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2011 by _____.

Owner

My commission expires: _____
DATE _____
NOTARY PUBLIC

Homeowner Certification for Access to the Property:

I certify that I will allow Project: Homes and Project: Homes Contractors access to my/our property in order to have my home rehabilitated.

Applicant Signature _____ Date _____

Co-Applicant Signature _____ Date _____

CONTRACT OF UNDERSTANDING

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

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

To help in program implementation, Project: Homes 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 Project: Homes 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

Date

Address

City, State, Zip Code

Co- Applicant Signature

Date

Appendix Y3C

2012-2013 CDBG
Program Design



CITY OF COLONIAL HEIGHTS HOME REPAIR PROGRAM

Colonial Heights, Virginia
2012-13 Program Year

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Attachments:

- 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

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 OPEATION

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 Project: Homes (formerly ElderHomes Corporation), 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.

Project: Homes Inc.

Project: Homes, 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. Project: Homes will also handle contractor bids or quotes and make recommendations for contract award. Contracts are awarded to the lowest responsive and responsible bidder.

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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 Project: Homes, 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	
2	
3	
4	
5	
6	
7	
8	

* FY 2013 HUD Income Limits (Richmond MSA) will not be available until 5/12

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.)

Priorty 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 Project: Homes. 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, 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 1st and will be taken 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 after the applications are ranked. 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

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

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Home 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

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rehabilitation 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 Y3D

2012-2013 CDBG Citizen Participation Plan

2012 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.

*****Required per 91.505

Appendix Y3E

Colonial Heights Resolution

A RESOLUTION NO. 12-6

Adopting the City of Colonial Heights' Housing and Community Development Annual Action Plan and Budget for 2012-2013.

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 2012-2013 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 2012-2013 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 2012-2013:

<u>Budget Category</u>	<u>Amount</u>
Emergency Home Repair Program	\$65,722.30
Administrative Costs	<u>\$ 3,461.70</u>
Total CDBG funds	<u>\$69,234.00</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 such 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:

City Attorney

Appendix Y3F

Public Hearing Notice

**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 \$69,234 in CDBG funds for the Program Year (PY) 2012-2013.

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	\$65,722.30
Program Administration	<u>\$3,461.70</u>
Total CDBG Budget	\$69,234.00

Citizen Participation Plan

A draft of the 2012-2013 Action Plan will be available for public review beginning February 13, 2012 at the following locations: City Clerk's 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. Anyone desiring more information about this matter should contact the Jamie Sherry at 201 James Avenue, Colonial Heights, VA 520-9382 email: sherryj@colonial-heights.com.

A public hearing will be held on Tuesday, March 13, 2012 at 7PM in Council Chambers of City Hall, 201 James Avenue, Colonial Heights, Virginia to consider the following:

- 1) Citizen comments on the 2012-2013 Action Plan
- 2) Approval of the 2012-2013 Action Plan.

If you wish to have your comments included with the Action Plan submittal to HUD, comments must be received by Friday, March 30, 2012.

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 Manager's Office 520-9265 at least six days in advance.

Displacement Statement

No displacement will be required by the activities to be undertaken with CDBG PY2012-2013 assistance.

Appendix Y3G

Needs.xls

CITY OF COLONIAL HEIGHTS, VIRGINIA
City Council Retreat
Friday, January 20, 2012, and Saturday, January 21, 2012

The City Council Retreat began on Friday, January 20, 2011, at 2:11 P.M. in the Captain Todd Meeting Room at Smithfield Station in Smithfield, Virginia.

The following members of City Council and Staff were present for the Friday session:

**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 (arrived at 5:06 P.M.)
The Honorable Diane H. Yates, Councilwoman
The Honorable C. Scott Davis, Mayor
Mr. Thomas L. Mattis, City Manager
Mr. Hugh P. Fisher, III, City Attorney
Ms. DeAnna D. Atkins, City Clerk
Mr. William E. Johnson, Director of Finance**

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

Mr. Frenier read a Declaration of Personal Interest with regard to his part-time employment with the Fire/EMS Department, which was filed with the Clerk.

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

There was a brief discussion regarding the biennial real estate assessment process and the reason for some assessments to increase while others decrease in the City.

In response to a question from Mr. Green, Mr. Johnson stated approximately 150 assessments increased Citywide.

Mr. Fisher explained how Fair Market Value is determined.

Review of Proposed 2012 Five-Year Capital Program - Operations

Mr. Mattis stated when the Courthouse and landfill properties are sold the funds could be utilized for the capital projects.

In response to a question from Mrs. Luck, Mr. Johnson stated that solid waste collection has been separated from the Enterprise Funds.

There was a brief discussion regarding the proposed 2012 Five-Year Capital Program – Operations; the policy on City employees driving City vehicles home when living outside of the City; scheduled street projects; replacement of vehicles in the City's fleet; Violet Bank Restoration/Improvement Plan; and the Shepherd Stadium Master Plan.

Council took a 20 minute recess beginning at 4:19 P.M.

There was a brief discussion regarding the proposed 2012 Five-Year Capital Program – Capital Facilities and how to prioritize and fund the projects, such as grants or donations from the public.

Council recessed at 6:09 P.M. for dinner and reconvened the meeting at 8:39 P.M.

There was a discussion regarding potential cost savings utilizing the new solid waste collection company and options available to the City for recycling.

The meeting adjourned at 9:42 P.M.

The Saturday, January 15, 2011, session began at 9:11 A.M. and was attended by the following:

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
Mr. Thomas L. Mattis, City Manager
Mr. Hugh P. Fisher, III, City Attorney
Ms. DeAnna D. Atkins, City Clerk
Mr. William E. Johnson, Director of Finance

Review of Regular Council Meeting Agenda/Order of Business

There was a brief discussion regarding the order of agenda items on Council's regular meeting agenda.

Potential Cost Savings - Operations

Mr. Frenier stated the City could save money by eliminating printers at everyone's desk and having a central printer. Also land lines could be eliminated for department heads, instead using cell phones.

There was a brief discussion regarding consolidating services throughout the City in an effort to make the City more efficient.

Line of Duty Act and Potential Impacts

Mr. Johnson provided an explanation of recent changes to the Line of Duty Act and the potential impacts to the City.

Review of Courthouse Financing and Bond Rating Agency Presentation

Mr. Johnson provided a brief overview of the presentation which will be made to the Bond Rating Agencies on behalf of the City.

Mowing and Ground Maintenance Operations

There was a brief discussion regarding the City's mowing and ground maintenance operations.

Update on City Hall Reception Area

There was a brief discussion regarding the progress of the City Hall reception area.

Economic Development

There was a brief discussion regarding possible economic development incentives the City could offer to bring more businesses into the City.

City Council Annual Goals

There was a brief review of the performance on the 2011 Annual Goals.

Mr. Mattis discussed the goals for the City, to include the following:

Courthouse Project

Land Use Planning – Working through the Southern Gateway Land Use Planning Committee to continue efforts to develop an effective long-term land use planning strategy for the city-owned property adjacent to the courthouse and neighboring properties.

Construction – Commence actual construction of project with a ground-breaking no later than May 1.

Site of Existing Courthouse – Initiate the process for the development of a plan for future use and/or sale of the existing courthouse property at 401 Temple Avenue.

Economic Development

Develop effective strategies for recruitment of appropriate and desired commercial projects to the City.

Assist the City Manager in defining the role of and the expectations for the City Retail Development Coordinator.

Continue efforts to support re-development and/or enhancement of the central business district through the Boulevard Revitalization Project.

Planning and Code Enforcement

Working through the Planning Commission, continue to effectively proceed with the review and updating of the City's Comprehensive Plan.

Complete overall review and assessment of city policies and procedures for the processing of proposed development plans, assuring an effective and timely review of such plans.

Increase enforcement of nuisance ordinances to assure proper maintenance & appearance of properties throughout the Cty, with special emphasis on absentee-owner properties.

Finance

Complete the development and formal adoption of a City of Colonial Heights Five-Year Capital Program.

Achieve the highest bond rating possible and complete financing of the Courthouse Project.

Adjourn

A motion for adjournment was made by Mr. Freeland, seconded by Mrs. Yates, and carried unanimously on voice vote at 12:45 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:

DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Special Meeting of City Council
Tuesday, February 14, 2012

1. Call to Order.

The Special Meeting of City Council was called to order by Mayor Davis at 6:01 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

3. Special Meeting for the purpose of:

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

- Section 2.2-3711.A.3, to discuss or consider the acquisition of real property for a public purpose – specifically, the acquisition of a parcel on Chesterfield Avenue for the Boulevard Modernization Project – where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and
- Section 2.2-3711.A.1, to discuss and consider appointments to the Senior Citizens Advisory Committee and the Board of Architectural Review; and
- Section 2.2-3711A.29, to discuss the award of a public contract with the Central Virginia Waste Management Authority for solid waste collection that involves the expenditure of public funds, and to discuss the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and
- Section 2.2-3711A.5, to discuss a prospective business or industry – namely, a retailer interested in locating on Temple Avenue – where no previous announcement has been made of the business’

or industry's interest in locating its facilities in the community; and

- Section 2.2-3711.A.1, to discuss and consider the performance of a City Officer – specifically, the evaluation of the City Attorney.

The Clerk announced the purpose of the meeting.

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

A motion to go into closed session was made by Mrs. Yates, seconded by Mrs. Luck, and carried unanimously on voice vote at 6:03 P.M.

4. 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 7:05 P.M.

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

- Section 2.2-3711.A.3, to discuss or consider the acquisition of real property for a public purpose – specifically, the acquisition of a parcel on Chesterfield Avenue for the Boulevard Modernization Project – where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and
- Section 2.2-3711.A.1, to discuss and consider appointments to the Senior Citizens Advisory Committee and the Board of Architectural Review; and
- Section 2.2-3711A.29, to discuss the award of a public contract with the Central Virginia Waste Management Authority for solid waste collection that involves the expenditure of public funds, and to discuss the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body; and
- Section 2.2-3711A.5, to discuss a prospective business or industry – namely, a retailer interested in locating on Temple Avenue – where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community; and
- Section 2.2-3711.A.1, to discuss and consider the performance of a City Officer – specifically, the evaluation of the City Attorney.

6. 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.
7. Roll Call. An affirmative vote shall constitute certification of compliance.

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

Motion UNANIMOUS PASS.

A motion to recess the closed session until after the Regular Meeting was made by Mr. Frenier, seconded by Mr. Green, and carried unanimously on voice vote at 7:05 P.M.

A motion to reconvene into the closed session was made by Mrs. Luck, seconded by Mrs. Yates, and carried unanimously on voice vote at 9:37 P.M.

A motion to reconvene in open session was made by Mrs. Luck, seconded by Mr. Wood, and carried unanimously on voice vote at 10:32 P.M.

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

Board of Architectural Review

Mrs. Mary Ann Hamilton (resident in a historic resource district); Ms. Betty Estes (City resident); and Mr. Mark S. Bridgman (City resident)

Senior Citizens Advisory Committee

Mrs. Paula M. Greene as the AARP Representative

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

**Luck
Wood
Yates
Davis**

No: None
Abstained: None
Absent: None

Motion UNANIMOUS PASS.

8. Adjournment of Special Meeting.

A motion to adjourn the Special Meeting was made by Mr. Frenier, seconded by Mr. Freeland, and carried unanimously on voice vote at 10:37 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:

DeAnna D. Atkins, City Clerk

CITY OF COLONIAL HEIGHTS, VIRGINIA
Regular Meeting of City Council
Tuesday, February 14, 2012

1. Call to Order.

The Regular Meeting of City Council was called to order by Mayor Davis at 7:07 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:

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. A. G. Moore, Jr., Chief of Fire and EMS
Mr. George W. Schanzenbacher, Director of Planning
Mr. William E. Henley, Director of Public Works/Engineering
Mr. Craig R. Skalak, Director of Recreation and Parks
Mrs. Marjorie DeDanko, Commissioner of Revenue
Mr. William Bray, Commonwealth's Attorney

3. Devotion.

A devotional prayer was led by Councilman Wood.

4. Pledge of Allegiance.

The Pledge of Allegiance was led by Councilman Wood.

5. Adoption of Agenda.

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

Mayor Davis recognized Mr. Mike Yates, who was in the audience representing the Colonial Heights School Board.

Mayor Davis welcomed Mr. Byron E. Haner, former City Manager, to the meeting.

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

Mr. Frenier read a Declaration of Personal Interest with regard to his part-time employment with the Fire/EMS Department, which was filed with the Clerk.

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

6. Commendations and Presentations.

A. Presentation of Employee of the Month Award for January 2012 to Mr. Linwood Harris, Jr., Street Foreman.

Mayor Davis recognized Mr. Harris, read the commendation in its entirety and presented him with a certificate and a small token of appreciation from the City.

Mr. Harris expressed appreciation to Council for the recognition.

B. Presentation of Donation to Fire and EMS Department from Bruce and Connie Thornton

Mrs. Thornton presented a donation in the amount of \$10,000 to the Fire and EMS Department for use in the upgrade of the Emergency Operations Center.

Mayor Davis presented Mrs. Thornton with a small token of appreciation and expressed appreciation for all Mr. and Mrs. Thornton have done for the Fire and EMS Department over the years.

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

A. Approval of Minutes:

1. Special Meeting, January 10, 2012.
2. Regular Meeting, January 10, 2012.

B. Adoption of:

AN ORDINANCE NO. 12-FIN-1 (Second Reading). To amend the Capital Projects Fund Budget to appropriate \$21,425,000 to General Government to be used for the Courts Building Construction; such funds coming from a bond sale and local matching funds.

AN ORDINANCE NO. 12-FIN-2 (Second Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$2,825, of which \$2,500 of forfeited asset funds is to be used to purchase a memorial tribute for a police officer killed in the line of duty; and \$325 of donated funds to be used by the Fire/EMS Department to purchase security equipment for the Public Safety Building.

AN ORDINANCE NO. 12-FIN-3 (Second Reading). To amend the Capital Projects Fund Budget to appropriate \$395,742, of which \$218,525 is to be appropriated to General Government to purchase an ambulance, such funds coming from a State grant and local reserves; and \$177,217 to be appropriated to Streets and Bridges for construction of a turn lane at Dimmock Parkway and Southpark Boulevard, such funds coming from the Commonwealth.

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

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

Motion UNANIMOUS PASS.

8. Reading of Manner of Addressing Council.

The City Attorney read the Manner of Addressing Council.

9. Advertised Public Hearings.

A. Public Hearing as advertised in *The Progress-Index* on Saturday, January 28, 2012, and Saturday, February 4, 2012.

AN ORDINANCE NO. 12-1 (Second Reading). To amend and reordain § 258-42.2 of Chapter 258, Taxation, of the Colonial Heights City Code, so as to raise from five to six percent the amount paid for meals purchased from any food establishment in the City.

A motion for adoption of Ordinance No. 12-1 was made by Mrs. Luck and seconded by Mrs. Yates.

Mayor Davis provided a brief explanation of Ordinance No. 12-1 and the history of the City's need for a new Courthouse. He stated the old Courthouse does not meet the standards in the Virginia Guidelines for Courthouses and the City is mandated to provide an adequate Courthouse. He further stated it is more cost effective for the City to build a new Courthouse then to renovate the old Courthouse. He stated the increases in the meals and the real estate taxes are necessary due to a potential lawsuit from the judges to have a new Courthouse built. He further stated he has been working with the head Circuit Court judge to negotiate and build a Courthouse which meets the needs of the court system. He stated the building which is planned to be built will last the courts, in regards to space, for approximately 50 years. He further stated localities in Virginia are only allowed to levy certain taxes and the City needed to look at which taxes were sustainable to maintain their bond ratings. He stated the majority of the real estate assessments in the City will decrease with this biennial assessment. He further stated the meals and real estate taxes are being increased for the purpose of building the new Courthouse. He stated Council has approved a 20-year bond for the construction of the Courthouse and the higher number of years for the bond issue means a higher interest rate. He further stated the three bond rating agencies maintained the existing rating of the City, which demonstrates the City's fiscal responsibility. He stated he is not for increasing taxes and the majority of Council feel the same way, but due to the Courthouse project, it is necessary.

There was no response to Mayor Davis' request for comment from the public.

Vote:

6-1

Yes:

Frenier

Green, Jr.

Luck

Wood

Yates

Davis

No:

Freeland, Jr.

Abstained:

None

Absent:

None

Motion PASSED.

Mr. Mattis stated staff has worked with the Commissioner of Revenue to identify all the businesses in the City which will be affected by the change in the meals tax and information packets have been prepared to send to those businesses. He further stated Ordinance No. 12-1 goes into effect immediately but staff is requesting a target date of March 1, 2012 for all of the businesses.

In response to a question from Mrs. Luck, Mayor Davis stated only prepared food from the grocery store will be affected by the meals tax, not the actual groceries.

Mr. Green stated the one percent increase on the meals tax generates revenue from non-residents, not only the residents of the City.

Mayor Davis stated the one percent increase on the meals tax will generate approximately \$900,000 per year, and the four cent increase on the real estate tax will generate approximately \$600,000 per year.

B. Public Hearing as advertised in *The Progress-Index* on Saturday, January 28, 2012, and Saturday, February 4, 2012.

AN ORDINANCE NO. 12-2 (Second Reading). Providing for a levy on all real estate located in the City not exempt from taxation to be fixed at \$1.14 for the two tax years beginning January 1, 2012, and ending December 31, 2013, for general municipal purposes; and to repeal Section 2 of Ordinance No. 11-13.

A motion for adoption of Ordinance No. 12-22 was made by Mr. Green and seconded by Mr. Freeland.

Mayor Davis provided a brief explanation of Ordinance No. 12-2.

There was no response to Mayor Davis' request for comment from the public.

Mr. Green stated the assessment values on properties in the City has decreased, so raising the real estate tax four cents will end up being a net savings to the majority of residents. He further stated the revenue from increasing the taxes has been earmarked for the repayment of the monthly premium on the bond for the Courthouse.

Mr. Freeland stated he received several phone calls regarding the increasing of the tax rate and most citizens were not pleased with it but understood the necessity of it.

In response to questions from Mr. Wood, Mr. Johnson stated if the City took the term of the bond out to 30 years, the City could potentially be spending an additional \$7.5 million on interest. He further stated although the monthly premium would be less, in the long run it would be an additional cost to the City. He stated the City does have the option to pay off the debt from the bond early after 10 years.

Mr. Wood stated he was under the impression that if the City has an asset such as the Courthouse, which will last longer than 20 years, then it should be financed over a longer period of time to reduce the monthly payment and not require such an increase in

the real estate tax rate. He further stated based on market conditions and the interest rates, the longer term bond would cost the City more money.

Mr. Frenier commended staff for the informational brochure which was sent out to the residents of the City.

Mr. Mattis stated staff is well into the final details of the financing for the project and all of the numbers included in the report are an accurate reflection of the financing costs. He further stated staff will brief Council at a work session on the final outcome of the bond.

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

Motion UNANIMOUS PASS.

C. Public Hearing as advertised in *The Progress-Index* on Sunday, February 5, 2012.

A RESOLUTION NO. 12-2. Amending the City Supervisory Substitution Policy.

A motion for adoption of Resolution No. 12-2 was made by Mr. Green and seconded by Mrs. Yates.

Mayor Davis provided a brief explanation of Resolution No. 12-2. He stated he is not in agreement with not having a specific threshold on the amount of time of when a director can authorize a substitute in a supervisory position.

Mr. Mattis stated the supervisor will request the increase in pay, but it has to be approved by the Human Resources Director and the City Manager. He further stated to warrant the increase in pay, the employee will have to be doing more work more than just a couple days.

Mr. Green stated Resolution No. 12-2 allows flexibility for management to address different circumstances for approval. He further stated if Council defines the time limit too much it will have to be brought to Council repeatedly for approval.

Mr. Fisher stated the policy specifically states it cannot be triggered merely upon a supervisor taking compensatory or annual leave.

There was no response to Mayor Davis' request for comment from the public.

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

Motion UNANIMOUS PASS.

D. Public Hearing as advertised in *The Progress-Index* on Saturday, February 4, 2012.

A RESOLUTION NO. 12-5. To amend the “Schedule of Parks and Recreation Fees and Policy Relating to Youth Activities.”

A motion for adoption of Resolution No. 12-5 was made by Mr. Green and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Resolution No. 12-5.

Mr. Skalak stated Resolution No. 12-5 has been reviewed and approved by the Recreation Advisory Board. He further stated it serves to clean up the City Code which was last changed in 2008. He provided a brief explanation on the proposed changes.

Mayor Davis stated if a child has a parent that lives in the City and a parent that lives in another locality, the child could choose to play sports in the City due to one parent paying taxes to the City.

Mr. Skalak stated staff would require proof of residency from the said parent. He further stated the late fee for youth sports would be reduced from \$20 to \$10 and the maximum amount to be paid per family for registration fees would be deleted. He stated payment plans can be offered to the citizens for the fees.

Mayor Davis stated he has had some inquiries from citizens regarding the residency requirement and he agrees with the change.

Mr. Skalak stated it is the right policy to have in place.

Mayor Davis stated staff has done a tremendous job cleaning up the policy. He expressed concerns regarding no definition on what classifies a non-exempt organization under the fee section of the policy.

Mr. Skalak stated there is no clarification on non-exempt organizations in the current code and the waiver for the fees has always been at the discretion of the Director of Recreation and Parks.

Mrs. Luck commended the Recreation and Parks Department on the wonderful activity guide which is also available online.

Mr. Skalak recognized staff for their hard work on the activity guide along with Matt Spruill who does a tremendous job on it.

In response to a question from Mrs. Yates, Mr. Skalak stated rental of the Community Room in the Community Building includes the kitchen area.

Mr. Wood expressed concerns regarding opening the use of the City's recreation leagues to non-residents and the possibility of the Recreation and Parks Department becoming overwhelmed.

In response to questions from Mr. Wood, Mr. Skalak stated the logistics for transporting children from surrounding localities will be a deterrent for having a large number of children signing up with the change in the policy regarding residency requirements. He further stated having additional participants in the recreation league sports would be a benefit for the children of Colonial Heights.

Mr. Freeland stated allowing children with taxpaying parents to participate in recreational sports in the City is an excellent idea and will allow more participation which will be beneficial for everybody.

Mr. Green stated the City has older sports facilities but they are extremely well maintained and the Recreation Department does a masterful job of utilizing available space for practice space for the children participating. He further stated the City's facilities are older and non-compliant to the needed playing size to attract outside use, which would prohibit overcrowding of the facilities.

There was no response to Mayor Davis' request for comment from the public.

There was a brief discussion regarding addressing Mayor Davis' concerns or approving Resolution No. 12-5 as written.

Mr. Green rescinded his motion to adopt Resolution No. 12-5, Mrs. Luck rescinded her second.

Resolution No. 12-5 will be brought back at a later date.

10. Written Petitions and Communications.

- A. Request for permission to house additional dogs for foster purposes – Mrs. Tracey Elmore, 1108 Canterbury Lane.**

Mayor Davis provided a brief explanation of Mrs. Elmore's request and the findings of the City.

A motion was made by Mayor Davis and seconded by Mr. Green to approve a waiver to allow Mrs. Elmore to keep up to seven companion animals at her residence.

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

Motion UNANIMOUS PASS.

B. Mr. Jameson Collins, 101 Clearfield Circle – Address Council regarding personal property exemptions.

Mr. Collins was not present.

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

Mayor Davis recommended Council recognize the service of Mr. Harry Hargis, Jr. He stated Mr. Hargis that the service he provided to the City deserves recognition. He further stated Mr. Hargis' family has requested contributions be made to the trail system that the City has been working on.

Mr. Wood agreed the service Mr. Hargis has performed for the City should be recognized. He suggested coordinating with Mr. Hargis' family so they will be able to attend when the commendation is delivered.

There was a brief discussion regarding placing a memorial bench along the trail in Mr. Hargis' name.

12. Introduction and Consideration of Ordinances and Resolutions.

A RESOLUTION NO. 12-3. Approving a revised Memorandum of Understanding between the City of Colonial Heights and the Colonial Heights School Board regarding the sharing of local revenue.

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

A motion for adoption of Resolution No. 12-3 was made by Mr. Green and seconded by Mr. Frenier.

Mayor Davis provided a brief explanation of Resolution No. 12-3. He stated the current agreement with the School Board has worked tremendously well since it was enacted. He further stated the School System receives 50.73% of the top six revenue sources of the City. He stated there is a small snag in that because two of the top six revenue sources has been approved for increases and the City needs all of that revenue to pay for

the Courthouse. He further stated Council and the School Board have met on this issue and have decided to do the following provision: Notwithstanding the above provisions, the 1% increase in the food and beverage tax (5% to 6%) and the 4 cent real estate tax increase (\$1.10 to \$1.14 per \$100 of assessed value) approved by City Council on second reading on February 14, 2012, shall be dedicated to the City solely to pay the 2012 General Obligation Bonds issued to finance the needed land acquisition and construction of the new Courthouse on Chesterfield Avenue. Provided, however, that any revenues raised by the 1% food and beverage tax increase and the 4% real estate tax increase that exceed such bond payment requirements shall be divided by the School Board and the City pursuant to the specified 50.73%/49.27% formula; and the School Board shall use its share for any operating or capital expenditures it deems appropriate. He summarized the provision by stating if the City begin to make more than what is needed to finance the Courthouse then at that point in time that excess funding will also be shared with the School Board as the current taxes are shared.

<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. 12-4. Amending Section 8, Order of Business, of the City Council Rules of Procedure.

A motion for adoption of Resolution No. 12-4 was made by Mrs. Luck and seconded by Mr. Frenier.

Mayor Davis provided a brief explanation of Resolution No. 12-4 and provided details of how the agenda layout will change.

In response to a question from Mr. Wood, Mayor Davis stated the “Written Petitions and Communications” will be placed above “Public Hearings” and “Hearing of Citizens Generally on Non-Agenda Items” will remain after “Public Hearings”. He further stated the reason for the change is those citizens which have taken the time to be placed on the agenda should not have to stay for the entire meeting.

Mr. Wood stated Council is placing issues of concern of the entire community subordinate to something which only concerns a few citizens and he disagrees with that.

Mayor Davis stated this change will allow citizens who sign up to be placed on the agenda to leave earlier in the meeting.

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

Motion PASS.

A RESOLUTION NO. 12-7. Approving and adopting the November 2011 Richmond-Crater Multi-Regional Hazard Mitigation Plan.

A motion for adoption of Resolution No. 12-7 was made by Mr. Green and seconded by Mrs. Yates.

Chief Moore provided a brief explanation of Resolution No. 12-7.

In response to a question from Mayor Davis, Chief Moore stated the Richmond-Crater Multi-Regional Hazard Mitigation Plan allows the City to utilize resources from other localities during a hazard situation if they are not being utilized.

<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. 12-FIN-4. (First Reading). To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$30,058, of which \$2,000 in grant funds is to be appropriated to the Police Department for D.A.R.E. and crime prevention materials; \$20,160 is to be appropriated to the Fire & EMS Department, \$5,000 coming from a grant to be used to subsidize the salary for the Assistant Emergency Manager, \$5,160 in received tuition payments to be used to replace training equipment and to sustain classes, and \$10,000 of donated funds to be used to

renovate the Public Safety Emergency Operations Center; and \$7,898 to be appropriated to the Office of the Commonwealth Attorney, such funds coming from forfeited assets.

A motion for adoption of Ordinance No. 12-FIN-4 was made by Mr. Green and seconded by Mrs. Luck.

Mayor Davis provided a brief explanation of Ordinance No. 12-FIN-4.

In response to a question from Mr. Wood, Mr. Bray stated the funding will be utilized by the Commonwealth Attorney's office for equipment, training or temporary personnel.

In response to a question from Mr. Wood, Chief Moore stated the grant for the Assistant Emergency Manager will subsidize that position's salary. He further stated the City has received grants for that position in the past and anticipate continuing to receive those grants.

<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 was none.

14. Reports of Officers and Documents Related Thereto.

A. City Manager.

1. Review of Boulevard Ornamental Street Lighting Plan.

Mr. Henley stated the map provided to Council illustrates staff's plan for implementing the new ornamental light standard along the Boulevard. He further stated the City has a couple projects in the pipeline which will change the streetscape along the Boulevard. He stated the Boulevard Revitalization Committee approves the Boulevard Ornamental Street Lighting Plan. He further stated the new ornamental lights provide a taller, sturdier pole which will support larger banners and will reduce the number of poles

along the Boulevard. He stated the Plan will keep the old lighting standard at the north and south ends of the Boulevard, but recommends new standards from A Avenue to approximately Lafayette Avenue.

Mayor Davis provided a summary of the history of the ornamental light discussion. He stated the Boulevard Revitalization Committee and the Beautification Committee believe the new standard would be positive for the Boulevard. He further stated it is up to Council as to whether or not to continue with the Boulevard Ornamental Street Lighting Plan or to continue with the old type poles.

In response to a question from Mayor Davis, Mr. Mattis stated staff is working on whether or not the overhead lighting along the Boulevard can be removed.

Mr. Green stated he had suggested turning the light fixtures at the top of the new style poles, not the entire pole.

Mr. Mattis stated that the light fixtures cannot be turned without adversely affecting the poles and the banner mountings.

Mr. Henley stated the poles can be rotated to change the light fixtures; however the arms to hold the banners are drilled into the poles and the banners would have to be attached in a different manner.

In response to a question from Mr. Freeland, Mr. Henley stated the arms the light fixtures sit on are permanently attached to the pole.

In response to a question from Mr. Frenier, Mr. Henley stated along the section of the Boulevard in front of CVS, those poles would be removed and placed in the City's inventory to replace damaged poles. He further stated the City would not pay for the new street lights because they would either be paid for a capital improvement project or when redevelopment happens.

In response to a question from Mayor Davis, Mr. Henley stated the curb and gutter in the area of CVS would be replaced with the Boulevard Modernization Project and the lights will be included.

In response to a question from Mr. Frenier, Mr. Henley stated it is not possible to meet the lighting standards for the Boulevard with only the ornamental lighting. He further stated there will have to be supplementary lighting on the Boulevard; however, staff is trying to lessen the amount of overhead lighting with the improvement projects.

Mr. Henley stated the lighting at the south end of the Boulevard was an extension of the project in Petersburg into the City. He further stated the new light poles will have more energy efficient lamps which will save the City money on power.

Mayor Davis stated it is important when Council forms groups or committees to ask for their input, that Council listens to what they have to say.

Mr. Mattis stated it is his personal goal to see more of the overhead lights removed from the Boulevard and staff will be working towards that goal.

Mr. Henley stated staff would recommend the new lighting standard be extended from A Avenue to Lafayette Avenue. He further stated the City will replace the lights in front of the War Memorial for uniformity.

Mayor Davis stated he is in agreement with the recommendation since to change the orientation of the light fixtures would require a major change.

Mr. Henley stated the City will also have black traffic lights to compliment the fixtures on the Boulevard.

2. Review of Traffic Signage at Temple Avenue/I-95 Intersection.

Mr. Mattis stated staff has reviewed the traffic signage at the Temple Avenue/I-95 intersection at the request of Councilman Frenier. He provided details on the expense to repair or replace the sign and stated staff concluded it was not justified to replace the sign due to the expense.

In response to a question from Mr. Frenier, Mr. Mattis stated the original estimate to repair the sign was \$600 to \$1,000 but staff has provided an updated estimate of \$2,000.

Mr. Frenier stated he first inquired about the lighted sign in July 2009. He provided details of an accident in which he responded to at the intersection in August 2010. He stated there are non-illuminated signs at the intersection along with traffic lights and the intersection is very dark at night due to the absence of street lights. He further stated once a vehicle gets into the intersection to make the turn onto I-95 the car is perpendicular in the intersection and the signs are not illuminated. He stated the drivers pay no attention that the green arrow has gone away so they do not yield to the oncoming traffic. He further stated most of the at fault vehicles are non-residents and most residents travel through the intersection ready to stop, as they know people are not going to yield. He stated his question about the whole matter was what happened to the illuminated sign and if the City still had it, was it broken and what was the cost to repair. He further stated Mr. Mattis stated the sign was still here and needed repairs at a cost of \$600 to \$1,000. He stated he was looking to have the sign repaired and reinstalled. He further stated the accidents that occur at this intersection tend to be violent in nature. He stated putting the sign back up to provide a reminder to motorists is no different than putting out the “Click It or Ticket” or “You Drink, You Drive, You Lose” signs. He further stated Henrico County is currently testing the same sign at four intersections to see if it reduces accidents.

Mayor Davis stated the Temple Avenue/I-95 interchange will be changed once the project is funded.

Mr. Frenier stated the funding for that project will not be available until 2015 or later.

Mr. Henley stated the lighted sign is not required by any Federal or State standard and it is difficult to gather data to support the sign actually having a material affect on reducing crash frequency. He stated the sign was very unreliable and that is why the sign was removed. He further stated if Council wishes, staff will re-install the sign. He stated staff has an updated estimate for a LED light which will use less power and last longer.

Mrs. Luck made a motion, seconded by Mr. Wood, to place a LED lighted sign at the intersection of Temple Avenue and I-95.

In response to a question from Mrs. Yates, Mr. Henley stated the LED sign could be placed at another intersection in the City once the Temple Avenue/I-95 interchange project is complete.

Mrs. Yates stated she feels \$2,000 is a small price to pay to possibly save a life.

In response to a question from Mr. Green, Mr. Henley stated there are four “Yield on Green” signs on the approach to the intersection at Temple Avenue.

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

Motion UNANIMOUS PASS.

3. Council Work Session – February 23, 2012.

Mr. Mattis reminded Council of the next work session which is scheduled for Thursday, February 23, 2012, at 6:00 P.M.

Mr. Frenier stated he will be unable to attend the work session due to being out of town.

In response to a question from Mr. Green, Mr. Henley stated he will look into possibly having the I-95 sign moved from beside Temple Avenue to on the traffic signal to notify drivers to get in the appropriate lane.

4. General Activity Report and/or Project Update.

B. City Attorney.

There was no report.

C. Director of Planning and Community Development.

There was no report.

Mrs. Yates commended staff on the appearance of the directional signs which have been placed throughout the City. She stated they are a wonderful addition to the City.

15. Consideration of Claims.

There were none.

16. Adjournment.

A motion to adjourn the Regular Meeting was made by Mr. Green, seconded by Mr. Frenier and carried unanimously on voice vote at 9:27 P.M.

APPROVED:

C. Scott Davis, Mayor

ATTEST:

DeAnna D. Atkins, City Clerk

AN ORDINANCE NO. 12-FIN-4

To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$30,058, of which \$2,000 in grant funds is to be appropriated to the Police Department for D.A.R.E. and crime prevention materials; \$20,160 is to be appropriated to the Fire & EMS Department, \$5,000 coming from a grant to be used to subsidize the salary for the Assistant Emergency Manager, \$5,160 in received tuition payments to be used to replace training equipment and to sustain classes, and \$10,000 of donated funds to be used to renovate the Public Safety Emergency Operations Center; and \$7,898 to be appropriated to the Office of the Commonwealth Attorney, such funds coming from forfeited assets.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1 and 2 of Ordinance No. 11-FIN-6, 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, 2011, and ending June 30, 2012, 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)	\$ 142,210
Administrative (City Manager)	309,143
Legal (City Attorney)	219,869
Tax Collections	435,102
Finance	6,094,244
Information Technologies	225,492
Board of Elections	129,110
Judicial	4,407,980 4,415,878
Public Safety	7,857,974 7,880,134
Public Works	3,079,899
Health and Social Services	707,559
Parks and Recreation	1,454,578
Cultural Enrichment	97,265
Library	603,463
Community Development	473,381
Human Services	366,320
Nondepartmental	500,919
Debt Service	2,843,192
Operating Transfers Out	<u>19,043,934</u>
TOTAL	\$48,991,634 49,021,692

2. That the foregoing appropriation is based upon the following revenue estimates for the fiscal year beginning July 1, 2011:

General Property Taxes	\$21,283,149
Other Local Taxes	14,996,861
Licenses, Permits & Fees	3,368,705
Fines and Forfeitures	693,000
Use of Money & Property	158,000
Intergovernmental Revenues	6,317,651 6,322,651
Charges for Current Services	1,227,954
Miscellaneous	318,337 330,337
Restricted Fund Balance – After School Program	400
Restricted Fund Balance – Violet Bank	11,500
Restricted Fund Balance – Asset Forfeiture	12,341 20,239
Restricted Fund Balance – Police	1,175
Restricted Fund Balance – Fire	21,483 26,643

Restricted Fund Balance – Senior Citizen Transportation	20,000
Restricted Fund Balance – Library	12,000
Fund Balance	549,078
TOTAL	\$48,991,634 49,021,692

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 _____.

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:

City Attorney

Ordinance/Resolution Recap Worksheet
 February 2012 Meeting

GENERAL FUND

	Police Wal-Mart Grant	Fire/EMS LEMPG Grant	Fire/EMS Tuition Payments	Fire/EMS Donation - EOC	Commonwealth Attorney Forfeited Assets	Total
<u>REVENUE:</u>						
Intergovernmental		\$5,000				\$5,000
Miscellaneous	2,000			10,000		12,000
Reserve - Fire			5,160			5,160
Reserve - Comm. Attn. Forfeited Assets					7,898	7,898
Total	\$2,000	\$5,000	\$5,160	\$10,000	\$7,898	\$30,058
<u>EXPENDITURES:</u>						
Judicial					7,898	\$7,898
Public Safety	2,000	5,000	5,160	10,000		22,160
Total	\$2,000	\$5,000	\$5,160	\$10,000	\$7,898	\$30,058

January 23, 2012

Mr. Thomas L. Mattis, City Manager
201 James Avenue
Colonial Heights, VA 23834

RE: WALMART GRANT 2011

Dear Tom:

The Colonial Heights Police Department has been awarded a grant in the amount of **\$2,000.00** from the ***Walmart Foundation***. Our department intends to direct the funds toward the purchase of D.A.R.E. and crime prevention materials in accordance with grant criteria. On January 17, 2012, we deposited these funds into the **City's Account #10-4812 (City's General Donations Account)**.

We would appreciate your placing this item on the next City Council agenda so that it may be reviewed at that time. Once the grant is approved by Council after two readings, we would ask that the funds be transferred into the Police Department's **Grant Funds Account #1401-5263**, making it available for spending.

Many thanks for your attention to this matter.

Sincerely,

Colonel Jeffrey W. Faries
Chief of Police

JWF:bbh

Cc: Mr. William Johnson, Director of Finance
Ms. Kathy Sparks, Assistant Director of Finance
Capt. Wayne T. Newsome, Law Enforcement Services Division Commander
Capt. W. Keith Early, Patrol Division Commander
Sgt. Robert L. Ruxer, Law Enforcement Services Division
Ms. Joy Moore, City Treasurer



CITY OF COLONIAL HEIGHTS

FIRE, EMS AND EMERGENCY MANAGEMENT

A.G. Moore, Jr.
Fire Chief

David A. Salot
Deputy Chief

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

Memorandum

To: Thomas L. Mattis, City Manager

From: A. G. Moore, Jr., Chief of Fire & EMS

Subject: City Council Agenda

Date: January 24, 2012

Please have the following items placed on the February 2012 City Council agenda:

Amend the FY 2011-2012 Fire and EMS operating budget to reflect an increase of \$20,160.

Explanation of said funds is as follows:

- \$5,000 received from the Virginia Department of Emergency Management LEMPG Grant. This grant will be placed in the Emergency Management budget to be used to subsidize the salary for the Assistant Emergency Manager. (Award letter attached).
- \$5,160 received in tuition payments from EMT-Intermediate students for a department sponsored course. These funds were restricted from FY 2010-2011 due to the end of the fiscal year. Monies will be placed in the training account and used to replace training equipment and to sustain classes.
- \$10,000 donation received from citizen's Bruce and Connie Thornton. This contribution will be placed in the capital outlay, other equipment budget and used to renovate the Public Safety Emergency Operations Center. (A concept photo is attached).

If you need additional information, please advise.

AGM/ls
Attachments
cc: William E. Johnson, Director of Finance
Hugh P. "Chip" Fisher, City Attorney



COMMONWEALTH of VIRGINIA

Department of Emergency Management

MICHAEL M. CLINE
State Coordinator

JACK E. KING
Chief Deputy Coordinator

BRETT A. BURDICK
Deputy Coordinator

10501 Trade Court
Richmond, Virginia 23236-3713
(804) 897-6500
(TDD) 674-2417
FAX (804) 897-6506

October 26, 2011

Mr. Thomas L. Mattis
City Manager
City of Colonial Heights
100-B Highland Avenue
Colonial Heights, VA 23834

Dear Mr. Mattis:

I am pleased to inform you that the Virginia Department of Emergency Management Grants Office has approved the application for funding under the FY 2011 Local Emergency Management Performance Grant in the amount of \$5,000.00. The City of Colonial Heights will use grant funding to support Local Emergency Management.

Enclosed you will find the Grant Award and Special Conditions documents. Please return this executed Grant Agreement and Special Conditions within thirty days from the receipt of this letter. This award is *subject* to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement, and the award will be subject to termination for cause or other administrative action as appropriate.

The Commonwealth will send grant funds to a sub-grantee on a reimbursement basis for allowable expenditures. To accomplish this, use the "Request for Funds" form. This form can be found at <http://www.vaemergency.gov>. You are required to attach invoices and proof of payment that reflect the spending plan you submitted with your application package. Any changes to the budget will require preapproval by the VDEM Grants Office.

The end of the program period is June 30, 2012, for obligation purposes and September 30, 2012, to complete expenditures and finalize the close out reporting process. During this program period, all subgrantees are required to submit quarterly progress reports. This form can be found at <http://www.vaemergency.gov/em/grants>.

Mr. Mattis
Page 2
October 26, 2011

If you have questions regarding this award, please contact Amy Wright, Grant Specialist, at (804) 897-9769. Congratulations, and we look forward to working with you.

Sincerely,



Michael M. Cline

MMC/aw

c: Honorable Terrie L. Suit, Secretary of Veterans Affairs and Homeland Security
Mr. David Salot, Deputy Emergency Management Coordinator

3704 Conduit Road
Colonial Heights, VA 23834-2630
January 19, 2012

A. G. Moore, Jr., Chief of Fire and EMS
David A. Salot, Deputy Chief
City of Colonial Heights
100 B Highland Avenue
P. O. Box 3401
Colonial Heights, VA 23834

We are enclosing a check for \$10,000 to be applied only to the upgrade of the current Emergency Operations Center (EOC) technology as stated in the proposal on December 12, 2011.

This is to cover the proposed budget of \$8,500 with an additional \$1,500 for outside assistance as needed.

We feel this is essential for the safety and well being of our citizens in Colonial Heights, no matter what the emergency.

Thank you for addressing the need and going forth with the proposal.

Sincerely,

Bruce W. Thornton
BRUCE W. THORNTON

Connie T. Thornton
CONNIE T. THORNTON

City of Colonial Heights OFFICE OF THE TREASURER		9455
MISCELLANEOUS RECEIPT		
RECEIVED OF	<u>Cornelia Thornton</u>	\$ 10,000.00
FOR	Ten thousand and ⁰⁰ / ₁₀₀ 2012	DOLLARS
FUND	<u>General</u>	CLASSIFICATION <u>10-4812</u>
Jan 20 2012		JOY W. MOORE, Treasurer
BY <u>J. H. Moore</u>		



CITY OF COLONIAL HEIGHTS

FIRE, EMS AND EMERGENCY MANAGEMENT

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

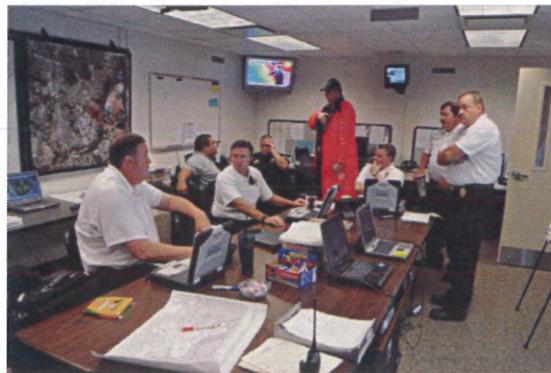
A. G. Moore, Jr.
Fire Chief
David A. Salot
Deputy Chief

Colonial Heights Fire, EMS, and Emergency Management is proposing to upgrade the current Emergency Operations Center (EOC) technology in order to more effectively manage large scale emergencies, maintain daily situational awareness of potential emergency threats to the City, allow for expanded video conference call participation with state agencies, and to provide improved secondary training room capability.

Local emergencies can range from tornados, hurricanes, power/utility disruptions, mass casualty medical incidents, or large scale fire or police incidents. Colonial Heights is also within the 50 mile intake area for 2 nuclear plants. In recent weeks it has been demonstrated that we are not immune to earthquakes. Local emergencies can and have occurred at any time without warning. Our Emergency Management Division coordinates all departments within the city during potential or actual emergencies. They continue to plan and exercise our teams between those emergencies. Their goal is to mitigate, prepare for, respond to, and recover from all hazards that could confront our community.

Our EOC technology has become outdated. Currently we have several independent computers that are well beyond their usable life. Two (2) computers that were dedicated to weather monitoring will no longer support the needed software to access weather conditions and forecasts. During Hurricane Irene, outside computers had to be brought into the EOC to access much of our needed information

During an EOC activation it is imperative that team members be able to share and document information quickly and accurately. Multiple information sources need to be simultaneously monitored by several team members in order to effectively meet this goal. Most EOCs meet this goal by providing multiple large monitors that the entire team can view simultaneously. This "bank" of monitors are often mounted together to make a large information sharing wall. During our management of Hurricane Irene we had multiple projectors set up to display information on a single screen to attempt to complete this task (see pictures below). Also note the flipcharts being used for documentation. What you do not see in these pictures are how we had to "rig" the system by bringing in projectors and propping them up on plastic bins on the floor. Laptops were taken from outside sources to be connected to these projectors. Multiple extension cords were strung across the floor to power the makeshift display board. Luckily this was a "forecasted" event allowing time to set up the EOC more than 24 hours before the storm impacted. Many disasters are not forecasted therefore there is no time to "rig" the setup of an information system.



Emergency Operations Center in operation during "Irene"

Proposed upgrades

Rearrange the EOC workspace to allow for a matrix of six (6) 42" displays on the east wall. These displays will be connected to a several video sources including two (2) new computer systems with multiple display capability, existing satellite television, existing outdoor security cameras, and the existing EOC roof mounted weather station. The new computer will be used to monitor multiple data sources including the computer aided dispatch system (CAD), Virginia Power electrical outages, National Weather Service (NWS), Televent lightning monitoring, and Virginia State WEB EOC.



Before upgrade



proposed

We also propose purchasing one (1) standard computer to be used to operate both the city wide ID card/security access system as well as operate the existing ceiling mounted projector located in the EOC.

An advantageous option would be to add an 8x8 video matrix switch to the above system. The addition of this switch would give the capability of routing any video signal from its source to any monitor in the room. The switch could also be used to route any video signal from the EOC into the training room located across the hall. This would be very useful if operation of the EOC required overflow space due to a large scale event.

The entire project would be installed by our in house staff in the Fire, EMS & Emergency Management Department.

Proposed budget

<u>Item</u>	<u>Qty</u>	<u>Est. each</u>	<u>Est. total</u>
42" HD monitor	6	\$500	\$3,000
Standard computer	1	\$800	\$800
Multi-Video Computer	2	\$1,500	\$3,000
Various cables/parts	lot	\$200	\$200

Total: \$7,000

Advantageous option (not required for basic operation)

8x8 video matrix switch	1	\$1,500	\$1,500
Installation and contingencies		\$1,500	\$1,500

Total: \$3,000

COMMONWEALTH'S ATTORNEY CITY OF COLONIAL HEIGHTS

Commonwealth's Attorney

William B. Bray

Deputy Commonwealth's Attorney

A. Gray Collins, III

Assistant Commonwealth's Attorneys

Elizabeth L. Fields

Adam J. Lantz

Sante J. Piracci

**401 Temple Avenue
Colonial Heights, Virginia 23834-9001**
Phone #: (804) 520-9293
Fax #: (804) 520-9229

Administrative Staff

Kristin L. Daniel

Tina A. Goode

Michele Zimmerman

Victim/Witness Program

Laure A. Hahn, Director

RECEIVED

February 1, 2012

FEB 02 2012

City Manager's Office

Mr. Thomas L. Mattis
City Manager
201 James Avenue
Colonial Heights, Virginia 23834

Re: Appropriation of Asset Forfeiture Funds for Department 1355

Dear Mr. Mattis:

This letter is to request that an item be added to the agenda for the city council meeting that is currently scheduled for February 14, 2012. I would like to ask permission from the council at this meeting to release the asset forfeiture funds into the Commonwealth Attorney account.

Please let me know if you have any further questions. Thank you for your attention to this matter.

Sincerely,



William B. Bray
Commonwealth's Attorney

WBB:kld

Cc: DeAnna Atkins, Clerk of Council

AN ORDINANCE NO. 12-FIN-5

To amend the General Fund Budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to appropriate \$10,000 in donated funds to the Library to be used to upgrade equipment and for reading programs.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 1 and 2 of Ordinance No. 11-FIN-6, 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, 2011, and ending June 30, 2012, 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)	\$ 142,210
Administrative (City Manager)	309,143
Legal (City Attorney)	219,869
Tax Collections	435,102
Finance	6,094,244
Information Technologies	225,492
Board of Elections	129,110
Judicial	4,407,980
Public Safety	7,860,799
Public Works	3,079,899
Health and Social Services	707,559
Parks and Recreation	1,454,578
Cultural Enrichment	97,265
Library	603,463
Community Development	473,381
Human Services	366,320
Nondepartmental	500,919
Debt Service	2,843,192
Operating Transfers Out	19,043,934
TOTAL	\$48,994,459 49,004,459

2. That the foregoing appropriation is based upon the following revenue estimates for the fiscal year beginning July 1, 2011:

General Property Taxes	\$21,283,149
Other Local Taxes	14,996,861
Licenses, Permits & Fees	3,368,705
Fines and Forfeitures	693,000
Use of Money & Property	158,000
Intergovernmental Revenues	6,317,651
Charges for Current Services	1,227,954
Miscellaneous	318,662
Restricted Fund Balance – After School Program	400
Restricted Fund Balance – Violet Bank	11,500
Restricted Fund Balance – Asset Forfeiture	14,841
Restricted Fund Balance – Police	1,175
Restricted Fund Balance – Fire	21,483
Restricted Fund Balance – Senior Citizen	
Transportation	20,000
Restricted Fund Balance – Library	12,000
Fund Balance	22,000
TOTAL	\$49,078
	\$48,994,459 49,004,459

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 _____.

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:

City Attorney



CITY OF COLONIAL HEIGHTS

COLONIAL HEIGHTS PUBLIC LIBRARY

Bruce Hansen
Library Director

1000 Yacht Basin Drive
Colonial Heights, VA 23834

February 16, 2012

TO: Tom Mattis, City Manager
FROM: Bruce Hansen, Library Director
SUBJECT: Library Donations

This is to request that City Council approve at their March meeting the transfer of \$10,000 from the Library's donation account (Acct. 1701-3209) to the Library's operational budget for the following expenses:

- \$2,000 for unexpected telephone system repair
- \$4,000 for the Library's annual and summer reading program
- \$4,000 for replacement of four public computer center computers

Thank you for your consideration and effort toward this request.

AN ORDINANCE NO. 12-FIN-6

To amend the Capital Projects Fund Budget to appropriate \$300,000 to Streets and Bridges; \$150,000 for the Dupuy Avenue Modernization Project, and \$150,000 for the Lakeview Avenue Modernization Project; such funds coming from the Commonwealth.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Sections 2 and 3 of Ordinance No. 11-FIN-2, the Capital Projects Fund Budget, be, and are hereby, amended and reordained as follows:

2. That there shall be appropriated from the resources and revenues available to the City of Colonial Heights (City) in its Capital Projects Fund, until such appropriations are amended by the City Council or the subject projects are completed or abandoned, the following sums for the purposes stated:

GENERAL GOVERNMENT

Beautification Committee/Tourism	\$ 18,830
Courts Building Construction/A & E	23,015,000
Boulevard Redevelopment	29,237
Fire Apparatus	900,000
Ambulance	<u>218,525</u>
SUBTOTAL	\$24,181,592

RECREATIONAL FACILITIES

Facilities Masterplan/Improvements	57,238
Appomattox River Greenway Trail	<u>859,900</u>
SUBTOTAL	\$ 917,138

STREETS AND BRIDGES

Highway Construction Fund (Local Share)	\$ 12,561
Redevelopment Project	53,292
Bruce Avenue Drainage	261,503
Boulevard Widening – North End	439
Boulevard Enhancement Project	275,000
Dupuy Boulevard Intersection	5,376,898
Signal Coordination –	
Temple/Sherwood	463,837
Safe Routes to School	314,948
Traffic Signal – Dimmock Parkway	255,000
ARRA Funding – Southpark Paving	686,070
Dimmock/Southpark Boulevard Turn Lane	177,217
<i>Dupuy Avenue Modernization Project</i>	150,000
<i>Lakeview Avenue Modernization Project</i>	<u>150,000</u>
SUBTOTAL	\$ 7,876,765
	8,176,765

TRANSFERS

Transfer to School CIP Program	\$ 813,024
SUBTOTAL	<u>\$ 813,024</u>
 TOTAL	\$33,788,519
	<u>34,088,519</u>

3. That the foregoing appropriations are to be made from resources and revenues available for these projects, and anticipated as follows:

REVENUES

Grant Funds	\$ 959,554
	1,259,554
Future Bond Issues:	
General Fund	23,165,000
Future Capital Lease	0
Restricted Fund Balance—Fire Apparatus	146,025
General Fund	<u>125,000</u>
SUBTOTAL	\$24,395,579
	24,695,579

CONTINUING APPROPRIATED PROJECTS

General Fund	\$ 9,392,940
SUBTOTAL	<u>\$ 9,392,940</u>
 TOTAL	 \$33,788,519
	<u>34,088.519</u>

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 _____.

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:

City Attorney



CITY OF COLONIAL HEIGHTS

DEPARTMENT OF PUBLIC WORKS

William E. Henley, P.E.
Director/City Engineer

City Hall · 201 James Avenue · P.O. Box 3401
Colonial Heights, Virginia 23834

MEMORANDUM

TO: Thomas L. Mattis, City Manager *WE Chuck Hen*

FROM: William (Chuck) E. Henley, P. E., Director of Public Works/City Engineer

SUBJECT: Request for Appropriation of Funds and Establishment of Expenditure Accounts
Modernization of Lakeview and Dupuy Avenues

DATE: March 6, 2012

As you know, the City has entered into two standard project administration agreements with the Virginia Department of Transportation (VDOT) providing federal aid for two street modernization projects:

1. Lakeview Avenue from The Boulevard to Brijidan Lane; and
2. Dupuy Avenue from Battery Place to the westerly city limits.

The respective agreements provide for 100% project funding in the estimated amounts of \$3,468,869 and \$3,700,000. **The City's funding match is 0%.** Both projects are funded with Regional Surface Transportation Program (80% RSTP) and RSTP matching funds (20%) allocated by the Tri-Cities Metropolitan Planning Organization and VDOT.

The City has entered into respective professional services agreements with Bowman Consulting and Lochner, Inc. both of Richmond to begin developing the projects. The actual costs of eligible work up to the maximum amount of the standard agreements will be reimbursed by VDOT from the federal and state funds made available.

The Department of Public Works requests Council's appropriation of funds and the Department of Finance's establishment of project expenditure accounts. The Department submits this request pursuant to § 6.19. Certification of Funds., prior to incurring costs and making payments authorized by the professional services agreements.

A RESOLUTION NO. 12-10

Relating to the allocation of grant funding from the Virginia National Defense Industrial Authority to the Crater Planning District Commission to assist with Fort Lee BRAC expansion transportation improvement projects.

WHEREAS, the Crater Planning District Commission has advised that the grant funding from the Virginia National Defense Industrial Authority has been utilized to complete four transportation improvement projects along the Temple Avenue Corridor to enhance access to the military installation at Fort Lee; and

WHEREAS, the four projects to improve the Temple Avenue Corridor have now been completed under budget resulting in a savings of approximately \$2 million of unutilized funds; and

WHEREAS, the Temple Avenue Corridor continues to be a major access route to Fort Lee, and with the upcoming construction and realignment of the I-95/Temple Avenue Interchange Project, it would be greatly beneficial for the Tri-Cities Region to allocate the aforesaid remaining \$2 million to fund a portion of this Project; NOW, THEREFORE,

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

1. That City Council hereby requests the support of the Honorable M. Kirkland Cox and the Honorable Stephen H. Martin in the allocation of the aforesaid unutilized \$2 million for the construction and realignment of the I-95/Temple Avenue Interchange Project to further enhance the Temple Avenue Corridor as a major regional thoroughfare.

2. That the Clerk send a certified copy of this resolution to Delegate Cox and Senator Martin.

3. 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:

City Attorney

A RESOLUTION NO. 12-12

Authorizing the City Manager or his designee to execute a Standard Contract for Services with Tetra Tech EM Inc. for environmental services.

WHEREAS, the City has entered into a Consent Order with the Virginia Department of Environmental Quality to remediate certain conditions at its former landfill; and

WHEREAS, the City needs the assistance of an environmental consultant in complying with the Consent Order and eventually having the Consent Order dissolved; and

WHEREAS, the City periodically needs a consultant to perform environmental services at sites other than the former landfill; and

WHEREAS, the City issued a Request for Proposals (RFP) to provide environmental services, and the City Manager has determined that the proposal Tetra Tech EM Inc. submitted is the most responsive to the RFP; NOW, THEREFORE,

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

1. That the City Manager or his designee is authorized to execute the attached City of Colonial Heights Standard Contract for Services with Tetra Tech EM Inc. to provide environmental services at the former landfill and other "on-call" environmental services.

2. That this resolution shall be effective upon approval.

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:

City Attorney

**CITY OF COLONIAL HEIGHTS
STANDARD CONTRACT FOR SERVICES**

This Contract is entered into this _____ day of _____, 2012, by and between the City Council of Colonial Heights, Virginia, or its authorized agents, and the Consultant identified below, for services identified herein, on the following terms and conditions.

1. Definitions.

(a) As used in this Contract, the term “City” shall mean the City Council of Colonial Heights, Virginia, or the using department identified below and authorized by the Purchasing Regulations or other law to enter contracts.

(b) As used in this Contract, the term “Consultant” shall mean:

**Tetra Tech EM Inc.
4101 Cox Road
Suite 120
Glen Allen, VA 23060**

2. Provision of Services.

(a) The Consultant hereby agrees to provide the following services to the City:

“ON-CALL” SERVICES FOR ENVIRONMENTAL SERVICES

Services shall include:

1. Geological investigations: characterizations and interpretations of subsurface conditions; hydrogeology and water observations.
2. Environmental studies: Phase I, II, and III environmental assessments and all appropriate inquiries, recognized environmental conditions, remediation analysis and design, air, soil and water quality studies.
3. Underground Storage Tanks (UST) and Aboveground Storage Tanks (AST): oversight of the removal and disposal of ASTs/USTs, analysis and recommendations for remediation of contaminated soils should any be encountered. Provide all documentation and reporting to VADEQ consistent with current regulations

4. Landfill Compliance: groundwater and gas monitoring services per existing consent order/post closure care plan for closed, unpermitted landfill within city limits; preparation of semi annual and annual reports per Virginia Department of Environmental Quality requirements; recommendations for remediation and consulting to terminate monitoring requirements of Post closure care plan.
5. Hazardous Material Removal: provide consulting and recommendations for any hazardous material spills, or materials that may be discovered during activities including but not limited to building renovations, demolition, landfill compliance work, or new construction.
6. Provide wetland delineation, water quality assessments, stream restoration and NEPA documentation per individual task order request.
 - (b) The time, manner and place for performance of such services shall be:

As set forth in individual task order/purchase order

3. Time and Essence.

Time shall be of the essence in this Contract, except where it is herein specifically provided to the contrary.

4. City Obligations.

(a) In return for the services identified above, the City shall pay the Consultant the following amounts:

As set forth in individual task order/purchase order

5. Termination for Convenience of the City.

(a) The parties agree that the City may terminate this Contract, or any work or delivery required hereunder, from time to time either in whole or in part, whenever the City Manager or the Purchasing Agent of Colonial Heights determines that such termination is in the best interest of the City.

(b) Termination, in whole or in part, shall be effected by delivery of a Notice of Termination signed by the City Manager or the Purchasing Agent, mailed or delivered to the Consultant and specifically setting forth the effective date of termination.

(c) Upon receipt of such Notice, the Consultant shall:

(i) cease any further deliveries or work due under this Contract, on the date, and to the extent, which may be specified in the Notice;

(ii) place no further orders with any subConsultants except as may be necessary to perform that portion of this Contract not subject to the Notice;

(iii) terminate all subcontracts except those made with respect to contract performance not subject to the Notice;

(iv) settle all outstanding liabilities and claims which may arise out of such termination, with the ratification of the City Purchasing Agent; and

(v) use its best efforts to mitigate any damages which may be sustained by him as a consequence of termination under this clause.

(d) After complying with the provisions of subparagraph (c), above, the Consultant shall submit a termination claim, in no event later than six months after the effective date of their termination, unless one or more extensions of three months each are granted by the Purchasing Agent.

(e) The Purchasing Agent, with the approval of the City's signatory to this Contract, shall pay from the using department's budget reasonable costs of termination, including a reasonable amount for profit on supplies or services delivered or completed. In no event shall this amount be greater than the original contract price, reduced by any payments made prior to Notice of Termination, and further reduced by the price of the supplies not delivered, or the service not provided. This Contract shall be amended accordingly, and the Consultant shall be paid the agreed amount.

(f) In the event that the parties cannot agree on the whole amount to be paid to the Consultant by reason of termination under this clause, the Purchasing Agent shall pay to the Consultant the amounts determined as follows, without duplicating any amounts which may have already been paid under the preceding paragraph of this clause:

(i) with respect to all Contract performance prior to the effective date of Notice of Termination, the total of:

(A) cost of work performed or supplies delivered;

(B) the cost of settling and paying any reasonable claims as provided in paragraph 6 (c) (iv), above;

(C) a sum as profit on (A) determined by the Purchasing Agent to be fair and reasonable.

(ii) the total sum to be paid under (i) above shall not exceed the contract price, as reduced by the amount of payments otherwise made, and as further reduced by the contract price of work or supplies not terminated.

(g) In the event that the Consultant is not satisfied with any payments which the Purchasing Agent shall determine to be due under this clause, the Consultant may appeal any claim to the City Council in accordance with Paragraph 14 of this contract concerning Disputes.

(h) The Consultant shall include similar provisions in any subcontract, and shall specifically include a requirement that subConsultants make all reasonable efforts to mitigate damages which may be suffered. Failure to include such provision shall bar the Consultant from any recovery from the City whatsoever of loss or damage sustained by a subConsultant as a consequence of termination for convenience.

6. Termination for Default

Either party may terminate this Contract, without further obligation, for the default of the other party or its agents or employees with respect to any agreement or provision contained herein.

7. Examination of Records.

(a) The Consultant agrees that the City, or any duly authorized representative, shall, until the expiration of three (3) years after final payment hereunder, have access to and the right to examine and copy any directly pertinent books, documents, papers and records of the Consultant involving transactions related to this Contract.

(b) The Consultant further agrees to include in any subcontract for more than \$10,000 entered into as a result of this Contract, a provision to the effect that the subConsultant agrees that the City or any duly authorized representative shall, until the expiration of three (3) years after final payment under the subcontract, have access to and the right to examine and copy any pertinent books, documents, papers and records of such Consultant involved in transactions related to such subcontract, or this Contract. The term subcontract as used herein shall exclude subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public.

(c) The period of access provided in subparagraphs (a) and (b) above for records, books, documents and papers which may relate to any arbitration, litigation, or the settlement of claims arising out of the performance of this contract or any subcontract shall continue until any appeals, arbitration, litigation, or claims shall have been finally disposed of.

8. Termination for Non-Appropriation of Funds.

(a) If funds are not appropriated for any succeeding fiscal year subsequent to the one in which this Contract is entered into, for the purposes of this Contract, then the City may terminate this Contract upon thirty (30) days prior written

notice to the Consultant. Should termination be accomplished in accordance with this Section, the City shall be liable only for payments due through the date of termination.

(b) The City agrees that should it terminate in accordance with this Section, it shall not obtain services which are substantially equal to or similar to those for which this Contract was entered into. This provision shall survive any termination of the Contract.

9. Insurance.

The Consultant shall maintain insurance, in an amount and a form set forth herein, to insure against the risks which are identified herein. The insurance required hereby shall be: **pursuant to attached certificate of insurance.** The Consultant shall provide a Certificate of Insurance, naming the City as additionally insured.

10. Assignability of Contract.

Neither this Contract, nor any part hereof, may be assigned by the Consultant to any other party without the express written permission of the City Manager.

11. Modifications or Changes to this Contract.

(a) Change Orders. The Purchasing Agent, with the concurrence of the City's signatory to this Contract, shall without notice to any sureties, have the authority to order changes in this Contract which affect the cost or time of performance. Such changes shall be ordered in writing specifically as a change order. Such orders shall be limited to reasonable changes in the services to be performed or the time of performance; provided that no Consultant shall be excused from performance under the then changed Contract by failure to agree to such changes, and it is the express purpose of this provision to permit unilateral changes in the Contract subject to the conditions and limitations herein.

(b) The Consultant need not perform any work described in any change order unless it has received a certification from the City that there are funds budgeted and appropriated sufficient to cover the cost of such changes.

(c) The Consultant shall make a demand for payment for changed work within thirty (30) days of receipt of a change order, unless such time period is extended in writing, or unless the Purchasing Agent required submission of a cost proposal prior to the initiation of any changed work or supplies. Later notification shall not bar the honoring of such claim or demand unless the City is prejudiced by such delay.

(d) No claim for changes ordered hereunder shall be considered if made after final payment in accordance with the Contract.

12. Warranties.

13. Additional Bond Security.

If any surety upon any bond furnished in connection with this Contract becomes unacceptable to the City, the Consultant shall promptly furnish such additional security as may be required from time to time to protect the interest of the City and a person supplying labor and materials in the prosecution of work contemplated by this Contract.

14. Disputes.

Contractual claims, whether for money or other relief, shall be submitted in writing no later than 60 days after final payment to the Consultant. However, written notice of the Consultant's intention to file a claim shall be given at the time of the occurrence or the beginning of the work upon which the claim will be based. Contractual claims shall be addressed to the Purchasing Agent and shall clearly designate the correspondence as a contractual claim, the contract to which it is referring, and the basis for the claim. The City Manager or his designee shall respond in writing to the Consultant with his final decision within 90 days of the claim's submission. The written decision of the City Manager or his designee shall be final and conclusive unless the Consultant appeals within six months of the date of the decision by instituting legal action as specified in §2.2-4364 of the Code of Virginia.

15. Nondiscrimination.

During the performance of this contract, the Consultant agrees as follows:

(a) The Consultant will not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Consultant. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

(b) Consultant shall state in all solicitations or advertisements for employees placed by or on behalf of the Consultant that the Consultant is an equal opportunity employer.

(c) Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient compliance with this provision. Consultant shall include the provisions of the foregoing subparagraphs (a), (b), and (c) in every subcontract or purchase order of over \$10,000 so that the provisions will be binding upon each subConsultant or vendor.

16. Drug Free Workplace.

During the performance of this contract, the Consultant agrees to (i) provide a drug-free workplace for the Consultant's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession or use of a controlled substance or marijuana is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements placed by or on behalf of the Consultant that the Consultant maintains a drug-free workplace; and (iv) include the provisions of the above clauses in every contract or purchase order over \$10,000, so that the provisions will be binding upon each subConsultant or vendor. "Drug-free workplace" means a site for the performance of work done in connection with this contract and at which employees are subject to the prohibitions in (ii) above.

17. Interest.

Unless otherwise provided under the terms of this contract, interest shall accrue at the rate of one percent per month on all amounts the City owes to the Consultant.

18. Payments to SubConsultants.

The Consultant agrees to take one of the following actions within seven (7) days after receipt of payment from the City for work performed by a subConsultant under the Contract:

a. Pay the sub-consultant the proportionate share of the total payment received from the City attributable to the work performed by the sub-consultant under the Contract; or

b. Notify the City and the sub-consultant, in writing, of his intention to withhold all or a part of the payment with the reasons for nonpayment.

The consultant agrees to pay interest to the sub contractor on all amounts owed by the consultant that remain unpaid after seven days following receipt by the consultant of payment from the City for work performed by the sub-consultant under the contract, except for amounts withheld und subsection 1 (b)

The consultant agrees to include language in its sub-contracts and with lower-tier sub-consultants which states that unless otherwise provided under the terms of the contract, interest shall accrue at the rate of one percent per month.

19. Social Security or Employer Identification Number.

Prior to any payment being made by the City under the Contract, the Consultant shall provide the City his or her social security number (if an individual) or the federal employer identification number (if a proprietorship, partnership or corporation).

20. Payment and Performance Bonds (Construction Contracts Only).

The City shall have the right to require the Consultant to furnish bonds covering faithful performance of the Contract and payment of obligations arising thereunder as stipulated in bidding requirements or specifically required in the Contract Documents on the date of execution of the Contract. The Consultant shall provide a Performance Bond and a Payment Bond (AIA Document A312) each for one hundred percent (100%) of the Contract including all adjustments as authorized by change order. Bond premiums for the initial Contract shall be paid by the Consultant. Any subsequent bond premium costs shall be as authorized by change order.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the contract, the Consultant shall promptly furnish a copy of the bonds or shall permit a copy to be made.

21. Worker's Compensation (Construction Contracts Only).

No Consultant shall perform any work on a construction contract unless he (i) has obtained, and continues to maintain for the duration of the work, worker's compensation coverage required pursuant to Chapter 8 (§65.2-800 et seq.) of Title 65.2 of the Code of Virginia and (ii) provides prior to the award of contract, on a form furnished by the City, evidence of such coverage.

22. Additional Terms and Conditions.

City Proposal # 11-120203-999, which states scope of services desired, is made a part of this contract.

23. Integration Clause.

This Contract shall constitute the whole agreement between the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this contract shall supersede all previous communications, representations, or agreements, written or verbal, between the parties hereto.

24. Legal Status

All individuals performing work pursuant to this contract must be U.S. citizens or possess documents that allow them to be employed and work in the United States.

25. Faith-Based Provisions.

The City does not discriminate against faith-based organizations. For the purpose of this section, “faith-based organization” means a religious organization that is or applies to be a Consultant to provide goods and services for programs funded by the block grant provided pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

26. City Ownership of Contract Product.

Drawings, specifications and other documents, including those in electronic form, prepared by the Consultant are Instruments of Service. The Consultant shall be deemed the author and owner of the instruments until such time as payment is made therefore, at which time the City shall become the owner of the Instruments of Service. The Owner, upon completion or termination of this Contract, shall have full and exclusive rights to use the Instruments of Service in any manner not inconsistent with state law. The Consultant shall not use the Instruments of Service on any other work or release information about the Instruments of Service without the express written consent of the City.

City Representative

Date

Title

Consultant or Duly Authorized Representative

Date

Title

Tetra Tech EM Inc.

Fee Schedule

Effective March 1, 2012 (valid through December 31, 2012)

For City of Colonial Heights, VA

Annual On Call Contract for Environmental Services

Labor Categories	Hourly Rates
Project Manager	\$125
Senior Engineer/Senior Geologist/Senior Scientist	\$120
Task Manager	\$115
Project Geologist/Scientist	\$105
Project Engineer	\$100
Scientist II/Geologist II/Engineer II	\$88
Staff Scientist/Geologist/Engineer Designer	\$78
CAD/Environmental Technician	\$70
Administrative Assistant	\$60
Other Direct Costs (ODCs)	
Copies (up to 11 x 17) \$0.20 ea	Large Format Copies/Prints
Color Copies (8.5"x11") \$0.99 ea	24 x 36 Black & White \$1.20 ea
Color Copies (8.5"x14") \$1.27 ea	24 x 36 Color \$12.00 ea
Copies (11"x17") \$1.98 ea	24 x 36 Color Photo \$18.00 ea
Vellum (any size) \$6.00 ea	30 x 42 Black & White \$1.75 ea
Mylar (any size) \$12.00 ea	30 x 42 Color \$17.50 ea
Fax - Local/Incoming \$0.40 page	30 x 42 Color Photo \$26.25 ea
Fax - Long Distance \$0.50 page	36 x 48 Black & White \$2.40 ea
Vehicle Mileage \$0.56 mile	36 x 48 Color \$24.00 ea
	36 x 48 Color Photo \$36.00 ea

Notes:

1. The Labor Categories/Hourly Rates shown above are anticipated to be used for this contract. Specific task orders will likely require other Labor Categories which will be included in future pricing proposals for review and approval by the City of Colonial Heights, VA.
2. ODCs not listed above will be invoiced at actual cost.
3. Vehicle mileage will be invoiced at current IRS standard mileage rate when incurred which will change in accordance with IRS directives.

CITY OF COLONIAL HEIGHTS
DEPARTMENT OF PUBLIC WORKS

WORK ORDER

Job Des. or
Contract ID. No.: _____ FHWA No.: _____ Work Order No.: _____

City Project No.: _____

Original Contract Value \$ _____ Total of Other Work Orders \$ _____

NOTE: If additional space is needed, use an additional sheet(s) and label as Attachment by Number and Heading Name.

I. LOCATION AND DESCRIPTION OF PROPOSED WORK:

II. ENGINEER'S EXPLANATION OF NECESSITY FOR PROPOSED WORK:

III. FUNDING SOURCE/CHARGE _____

IV. A TIME EXTENSION OF _____ (use O if no change) **ADDITIONAL CALENDAR DAYS** IS GIVEN FOR THIS WORK or

NEW FIXED COMPLETION DATE OF _____ (use N/A if no change) IS ESTABLISHED FOR THIS CONTRACT

V. ESTIMATE OF PROPOSED WORK:

ITEM CODE	SPEC. NO.	ITEM DESCRIPTION	(QUANTITY)	UNIT	UNIT PRICE	INCREASE	DECREASE
NET Increase/Decrease:							
NET TOTAL							

I/WE hereby agree to perform and/or nonperform as indicated, the work described herein and at the unit prices set forth and that such work shall be performed in accordance with the contract provisions and specifications and/or other provisions incorporated herein. Further I/WE hereby agree that the quantities set forth herein will be subject to adjustment and, unless otherwise stated, the unit prices set forth herein will be applicable to the adjusted quantities.

Contractor _____ BY _____
(Firm's Name) (Officer of the Firm) Date _____

RECOMMENDED FOR APPROVAL:

CONSTRUCTION INSPECTOR DATE

APPROVED:

PROJECT MANAGER DATE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS DATE

APPROVED:

CITY OF COLONIAL HEIGHTS
DEPARTMENT OF PUBLIC WORKS

WORK ORDER

Job Des. or
Contract ID. No.: _____ FHWA No.: _____ Work Order No.: _____

City Project No.: _____

Original Contract Value \$ _____ Total of Other Work Orders \$ _____

NOTE: If additional space is needed, use an additional sheet(s) and label as Attachment by Number and Heading Name.

I. LOCATION AND DESCRIPTION OF PROPOSED WORK:

II. ENGINEER'S EXPLANATION OF NECESSITY FOR PROPOSED WORK:

III. FUNDING SOURCE/CHARGE _____

IV. A TIME EXTENSION OF _____ (use O if no change) **ADDITIONAL CALENDAR DAYS** IS GIVEN FOR THIS WORK or

NEW FIXED COMPLETION DATE OF _____ (use N/A if no change) IS ESTABLISHED FOR THIS CONTRACT

V. ESTIMATE OF PROPOSED WORK:

ITEM CODE	SPEC. NO.	ITEM DESCRIPTION	(QUANTITY)	UNIT	UNIT PRICE	INCREASE	DECREASE
NET Increase/Decrease:							
NET TOTAL							

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Contractor _____ BY _____
(Firm's Name) (Officer of the Firm) Date _____

RECOMMENDED FOR APPROVAL:

CONSTRUCTION INSPECTOR DATE

APPROVED:

PROJECT MANAGER DATE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS DATE

APPROVED:

CITY OF COLONIAL HEIGHTS
DEPARTMENT OF PUBLIC WORKS

WORK ORDER

Job Des. or
Contract ID. No.: _____ FHWA No.: _____ Work Order No.: _____

City Project No.: _____

Original Contract Value \$ _____ Total of Other Work Orders \$ _____

NOTE: If additional space is needed, use an additional sheet(s) and label as Attachment by Number and Heading Name.

I. LOCATION AND DESCRIPTION OF PROPOSED WORK:

II. ENGINEER'S EXPLANATION OF NECESSITY FOR PROPOSED WORK:

III. FUNDING SOURCE/CHARGE _____

IV. A TIME EXTENSION OF _____ (use O if no change) **ADDITIONAL CALENDAR DAYS** IS GIVEN FOR THIS WORK or

NEW FIXED COMPLETION DATE OF _____ (use N/A if no change) IS ESTABLISHED FOR THIS CONTRACT

V. ESTIMATE OF PROPOSED WORK:

ITEM CODE	SPEC. NO.	ITEM DESCRIPTION	(QUANTITY)	UNIT	UNIT PRICE	INCREASE	DECREASE
NET Increase/Decrease:							
NET TOTAL							

I/WE hereby agree to perform and/or nonperform as indicated, the work described herein and at the unit prices set forth and that such work shall be performed in accordance with the contract provisions and specifications and/or other provisions incorporated herein. Further I/WE hereby agree that the quantities set forth herein will be subject to adjustment and, unless otherwise stated, the unit prices set forth herein will be applicable to the adjusted quantities.

Contractor _____ BY _____
(Firm's Name) (Officer of the Firm) Date _____

RECOMMENDED FOR APPROVAL:

CONSTRUCTION INSPECTOR DATE

APPROVED: _____ **APPROVED:** _____

PROJECT MANAGER DATE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS DATE

A RESOLUTION NO. 12-13

Authorizing the City Manager to execute an amendment to the Interim PPEA Agreement/CM Construction Contract with Kenbridge Construction Company, Inc., providing for a Guaranteed Maximum Price of \$15,999,000.

WHEREAS, pursuant to the authority granted in Resolution No. 11-39, the City Manager executed an interim agreement with Kenbridge Construction Company, Inc., ("Kenbridge") to provide pre-construction services for the new Courthouse at 231 Chesterfield Avenue; and

WHEREAS, the interim agreement provided authority for the City to execute an amendment to the interim agreement that specifies a Guaranteed Maximum Price ("GMP") to construct the Courthouse; and

WHEREAS, the City Manager and Kenbridge have agreed upon a GMP of \$15,999,000, as specified in the attached GMP Amendment to City of Colonial Heights Interim PPEA Agreement/CM Construction Contract, which Amendment shall be considered a part of this Resolution; and

WHEREAS, the City Manager desires to obtain Council's consent to execute the GMP Amendment; NOW, THEREFORE,

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

1. That the City Manager is authorized to execute the attached GMP Amendment to City of Colonial Heights Interim PPEA Agreement/CM Construction Contract, which provides for a GMP of \$15,999,000 to construct the Courthouse; subject to the City Attorney's approval; and
2. That this resolution 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:

City Attorney



GMP AMENDMENT

To

CITY OF COLONIAL HEIGHTS INTERIM PPEA AGREEMENT CM CONSTRUCTION CONTRACT (Construction Manager "At Risk")

THIS AMENDMENT IS BETWEEN:

AGENCY: City of Colonial Heights

And

**CONSTRUCTION MANAGER
"AT RISK" ("the CM "):** Kenbridge Construction Company, Inc.
1101 5th Avenue, P. O. Box 480
Kenbridge, VA 23944

The Project is: CM Services for New Courts Facility

Date of Original CM Contract: December 6, 2011

Date of this Amendment: March 14, 2012

The Agency and the CM hereby amend the Contract as set forth below. Capitalized terms used but not defined herein shall have the meanings given in the Contract Documents. Except as amended hereby, the CM Contract remains in full force and effect.

1. GMP - The parties agree that the GMP for the Project is: \$ 15,999,000; Fifteen Million Nine-Hundred Ninety-Nine Thousand Dollars, consisting of the Pre-construction Costs, the Cost of the Construction Work (COCW) (stated as a dollar lump sum amount), the CM Fee (stated as a fixed dollar lump sum amount), costs for General Conditions, and an estimated Contingency amount, as follows:

Pre-construction Costs	\$	529,000.00
Cost of Construction Work (COCW)	\$	13,500,000.00
CM (Fixed Fee):	\$	405,000.00

CM General Conditions Costs	\$ 1,065,000.00
CM Contingency (Not in COCW)	<u>\$ 500,000.00</u>
GMP (Total of above categories):	<u>\$ 15,999,000.00</u>

The COCW includes the risks allocated to the CM and costs incurred by the CM in the construction of the Project.

2. Basis of GMP - The GMP is based on the GMP Supporting Documents attached hereto under Exhibit "X". Payment for Risk/Contingency items, not allocated to the CM as part of the Cost of the Work, shall be managed exclusively by the Agency, in accordance with the Risk Management Plan included in Attachment "F."

3. Plans and Specifications - The Plans and Specifications for the Project are as listed in Attachment "A." The CM shall perform Construction Phase Services in accordance with the Plans and Specifications and the other Contract Documents.

4. Contract Completion Date and Liquidated Damages - Notwithstanding any provision in the GMP Supporting Documents to the contrary, the required date for completion of all Contract Work and Liquidated Damages for late completion are:

4.1 Substantial Completion of the Work: Not later than September 20, 2013

(Complete all Work to be done under this Amendment, except for plant establishment and punch list items.)

The Work is defined to be substantially complete when the facility can be occupied by the Agency and used for its intended purpose despite the need for contractor's corrections of minor deficiencies. The point in time in which the facility can be occupied shall be established by the date of the issuance of the certificate of occupancy for the facility.)

4.2 Final Completion of the Work: 30 Calendar Days after Substantial Completion of the Work

(Complete all Work to be done, except plant establishment)

4.3 Liquidated Damages:

- A. \$2,500 per day and each fraction thereof for each day required to achieve Substantial Completion beyond the Contract Completion Date (including applicable time extensions).
- B. \$5,000 per day and each fraction thereof for each day required to achieve Final Completion beyond the Contract Completion Date (including applicable time extensions).

5. Bonds - The CM shall obtain new Payment and Performance Bonds, or increase the amount of the Performance and Payment Bonds previously provided in connection with this CM Contract, as required by Section 8 of the **General Conditions of the CM Contract**, so that each new

bond, or with respect to increases in existing bonds, the sum of the amount of each existing bond and the increase in the amount of each such existing bond, shall equal or exceed the GMP, prior to supplying any labor or materials for prosecution of the Work under this GMP Amendment.

6. Reserved

7. Reserved

THIS AMENDMENT is executed in two (2) original copies of which one (1) is to be delivered to the CM, and the other to the Agency.

CM:

Name of Firm: Kenbridge Construction Company, Inc.

Address:

CM's Federal Tax I.D. #:

Contractor's Board Registration No.:

Signature of Authorized Representative of CM

Title:

Date:

If Proposer is a joint venture or a partnership, each joint venture member or partner of the Proposer shall sign, and by doing so is signing on behalf of and is therefore binding both itself and the Proposer, and each joint venture member or partner and Proposer shall be jointly and severally liable under this CM Contract.

AGENCY:

City of Colonial Heights

Signature of Agency's Authorized Representative

Title: City Manager

GMP Amendment to Interim PPEA Agreement

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY

City Attorney

Date: _____

Exhibit “X” – GMP Supporting Documents

Attachment A

A/E Drawings and Specifications, pages 1 through 4,
(list of identifying documents with dates).

Insert after this page.

**LIST OF DRAWINGS (60% CONSTRUCTION DOCUMENTS)
(EARLY WORKS PACKAGE #1: highlighted)**

(ALL DRAWINGS ARE DATED FEB 17, 2012, UNLESS NOTED OTHERWISE)

PROJECT INFORMATION

CS COVER SHEET

LIFE SAFETY

LS1.0	CODE SUMMARY
LS1.1	CODE SUMMARY
LS2.1	FIRST FLOOR LIFE SAFETY PLAN AND INFORMATION
LS2.2	SECOND FLOOR LIFE SAFETY PLAN AND INFORMATION

CIVIL (see Civil Drawings in Separate set) (ALL CIVIL DRAWINGS ARE DATED 'REVISED' FEB 10, 2012)

C1	TITLE SHEET
C2	CIP SITE DATA, NOTES AND QUANTITIES SHEET
C3	STANDARD DETAILS
C3A	ELECTRICAL DETAILS
C4	STANDARD UTILITY NOTES AND DETAILS
C5	EROSION AND SEDIMENT CONTROL NOTES AND DETAILS
C6	EROSION AND SDIMENT CONTROL PLAN
C7	SWM/BMP NOTES, DETAILS AND CALCULATIONS
C8	DEMOLITION PLAN
C9	SITE PLAN
C9A	PLAZA LAYOUT SHEET
C10	PARKING LOT JOINTING PLAN
C11	UTILITIES PLAN
C12	UTILITY PROFILES
C13	GRADING AND DRAINAGE PLAN
C13A	ROOF DRAIN CONNECITONS
C14	STORM SEWER CALCULATIONS
C15	STORM SEWER PROFILES
C16	DRAINAGE AREAS

ARCHITECTURAL

A0.1.0	GENERAL INFORMATION
A0.2.1	WALL / ROOF ASSEMBLIES, INTERIOR PARTITION TYPES
A0.3	ARCHITECTURAL MOULDING PROFILES AND DETAILS
A1.1	ARCHITECTURAL SITE PLAN
A2.1.1	FIRST FLOOR PLAN
A2.1.2	SECOND FLOOR PLAN
A3.0.1	FINISH SCHEDULE
A3.0.2	FIRST FLOOR - FLOOR PATTERN PLAN
A3.0.3	SECOND FLOOR - FLOOR PATTERN PLAN

A3.1.1	DOOR SCHEDULE AND DOOR AND WINDOW TYPES
A4.1.1	BUILDING ELEVATIONS
A4.1.2	BUILDING ELEVATIONS
A4.1.3	BUILDING ELEVATIONS
A5.0.1	OVERALL BUILDING SECTIONS
A5.0.2	OVERALL BUILDING SECTIONS
A5.1.1	WALL SECTIONS
A5.1.2	WALL SECTIONS
A5.1.3	WALL SECTIONS
A5.1.4	WALL SECTIONS
A6.1.1	ENLARGED STAIR DETAILS
A6.1.2	ENLARGED STAIR DETAILS
A6.1.3	ENLARGED STAIR DETAILS
A6.1.4	ENLARGED STAIR DETAILS
A7.1.1	ENLARGED PLANS
A7.1.2	INTERIOR ELEVATIONS
A7.1.3	ENLARGED PLANS & INTERIOR ELEVATIONS
A7.1.4	ENLARGED PLANS & INTERIOR ELEVATIONS
A7.1.5	ENLARGED PLANS & INTERIOR ELEVATIONS
A7.1.6	ENLARGED PLANS & INTERIOR ELEVATIONS
A7.1.7	ENLARGED PLANS
A7.1.8	ENLARGED PLANS
A7.1.9	INTERIOR ELEVATIONS
A8.1.1	CASEWORK ELEVATIONS
A8.1.2	COURTROOM CASEWORK
A8.1.3	COURTROOM CASEWORK
A8.1.4	COURTROOM CASEWORK
A8.1.5	COURTROOM CASEWORK
A9.1	REFLECTED CEILING PLAN
A9.2	REFLECTED CEILING PLAN
A10.1	ROOF PLAN
A10.2	CUPOLA PLANS
A10.3	ROOF DETAILS
A10.4	ROOF DETAILS

FURNITURE (Not In Contract – For Reference Only)

FE2.1	FIRST FLOOR FURNISHINGS PLAN
FE2.2	SECOND FLOOR FURNISHINGS PLAN

DETENTION

D2.1	FIRST FLOOR DETENTION PLAN
D2.2	SECOND FLOOR - DETENTION PLAN
D3.1	ENLARGED DETENTION EQUIPMENT PLANS
D3.2	DETENTION DOOR & FRAME DETAILS
D3.3	DETENTION EQUIPMENT DETAILS
D3.4	DETENTION EQUIPMENT DETAILS

SECURITY

DS0.1	DETENTION/SECURITY - GENERAL INFORMATION
DS1.0	DETENTION/SECURITY - SITE PLAN
DS2.1	DETENTION/SECURITY - FIRST FLOOR SECURITY PLAN
DS2.2	DETENTION/SECURITY - SECOND FLOOR SECURITY PLAN
DS3.1	DETENTION/SECURITY - HOLDING AREAS – ENLARGED
DS3.2	DETENTION/SECURITY - SECURITY EQUIPMENT & ONE-LINE DIAGRAMS

STRUCTURAL

S0.1.1	GENERAL STRUCTURAL NOTES
S0.1.2	GENERAL STRUCTURAL NOTES
S1.1.1	FOUNDATION PLAN
S1.2.1	SECOND FLOOR FRAMING PLAN
S1.3.1	ROOF FRAMING PLAN
S1.3.2	TRUSS FRAMING PLAN
S1.3.3	CUPOLA FRAMING PLAN
S2.1.1	TYPICAL FOUNDATION SECTIONS AND DETAILS
S2.1.2	TYPICAL FOUNDATION SECTIONS AND DETAILS
S2.1.3	FOUNDATION SECTIONS
S2.2.1	TYPICAL FLOOR FRAMING SECTIONS AND DETAILS
S2.2.2	TYPICAL FLOOR FRAMING SECTIONS AND DETAILS
S2.2.3	FLOOR FRAMING SECTIONS
S2.3.1	TYPICAL ROOF SECTIONS AND DETAILS
S4.1.1	TYPICAL LIGHT GAGE STEEL CONSTRUCTION DETAILS
S5.1.1	LINTELS

PLUMBING

P0.1	PLUMBING LEGEND, NOTES, SYMBOLS, SCHEDULES & DETAILS
P0.2	PLUMBING & FIRE PROTECTION DETAILS
P1.1	PLUMBING FIRST FLOOR PLAN
P1.2	PLUMBING SECOND FLOOR PLAN
P1.3	PLUMBING ROOF PLAN
P2.1	PLUMBING ENLARGED PARTIAL FLOOR PLANS

MECHANICAL

M0.1	MECHANICAL LEGEND, SYMBOLS & EQUIPMENT NOTES
M1.1	MECHANICAL FIRST FLOOR PLAN - DUCTWORK
M1.2	MECHANICAL SECOND FLOOR PLAN - DUCTWORK
M1.3	MECHANICAL ROOF PLAN
M2.1	MECHANICAL FIRST FLOOR PLAN - PIPING
M2.2	MECHANICAL SECOND FLOOR PLAN - PIPING
M2.3	MECHANICAL ENLARGED FLOOR PLANS & DETAILS
M3.1	MECHANICAL DETAILS

ELECTRICAL

E0.1	ELECTRICAL SYMBOL LIST & SCHEDULES
E0.2	ELECTRICAL LIGHT FIXTURE SCHEDULE
E2.1	ELECTRICAL FIRST FLOOR PLAN – LIGHTING
E2.2	ELECTRICAL SECOND FLOOR PLAN – LIGHTING

- E3.1 ELECTRICAL FIRST FLOOR PLAN - POWER
- E3.2 ELECTRICAL SECOND FLOOR PLAN - POWER
- E4.1 ELECTRICAL ROOF PLAN
- E4.2 ELECTRICAL COURTROOM PLANS - POWER
- E4.3 ELECTRICAL ENLARGED PARTIAL PLANS - POWER
- E5.1 ELECTRICAL DETAILS
- E5.2 ELECTRICAL DETAILS
- E6.1 ELECTRICAL POWER RISER DIAGRAM

SUPPLEMENTAL ELECTRICAL DRAWINGS (BY MOSELEY, DATED FEB 03, 2012)

- E1.0 ELECTRICAL SITE LIGHTING PLAN
- E1.1 PHOTOMETRIC SITE PLAN

Project Specifications

Bid and Contract Documents, Early Works Package #1, prepared
by Enteros Design, Inc. dated February 17, 2012

Special Provisions for Civil/Site Work, prepared by the City of Colonial Heights,
dated March 6, 2012

Attachment B

GMP Items, pages 1 through 4, dated March 6, 2012, including Items and Unit Prices; Lump Sum Items; Allowance or Provisional Sum Items, if any; and Risk/Contingency Items, if any.

Insert after this page.

COLONIAL HEIGHTS COURTHOUSE
COST OF CONSTRUCTION WORK

DIV	DESCRIPTION	COST
2	Existing Conditions	By Owner
3	Concrete	352,000
	Architectural Precast Concrete	200,000
4	Masonry	940,000
	Masonry Reinforcing	20,000
5	Steel	1,100,000
	Miscellaneous Steel	10,000
	Light Guage Steel Trusses	180,000
6	Rough Carpentry	104,000
	Interior Architectural Woodwork	300,000
	PVC Exterior Trim	526,000
7	Waterproofing	5,000
	Fireproofing	56,500
	Firestopping	10,000
	Caulking	25,000
	Spray Foam Insulation Air Barrier	72,000
	Roof	400,000
	Finial	5,000
	Miscellaneous Metal Flashings	5,000
8	Doors, Frames and Hardware Materials	346,500
	Doors, Frames and Hardware Labor	50,000
	Aluminum Storefront and Glazing	100,000
	Skylights	50,000
	Windows	290,000
	Overhead Doors	30,000
	Louvers and Vents	20,000
	Access Panels	5,000
9	Metal Framing and Drywall	900,000
	Ceramic Tile	180,000
	Acoustical and Security Ceilings	170,000
	Resilient Floor and Carpet	150,000
	Resinous Flooring	15,000
	Painting and Wallcovering	160,000
	Fabric Wall Systems	20,000
10	Toilet Partitions	16,000
	Toilet Accessories	40,000
	Signage	30,000
	Fire Protection Specialties	2,000
	Flagpoles	12,000
	Miscellaneous Specialties	40,000
11	Detention Equipment and Accessories	165,000
12	Window Treatments	16,000
	Floor Mats	20,000

COST OF CONSTRUCTION WORK, cont'd

Fixed Seating	30,000
14 Elevators	290,000
21 Fire Suppression System	165,000
22 / 23 Plumbing and HVAC	1,500,000
26 Electrical	1,150,000
Site Lighting	150,000
27 / 28 Electronic Security Sys	781,000
Fire Alarm	78,000
Courtroom Sound, PA, and AV Sys	393,000
Communications	225,000
Video Arraignment and Video A/V	inc above
31-33 Site / Utilities / Asphalt / Conc	1,300,000
Pavers	55,000
Irrigation	55,000
Landscaping	80,000
Fencing / Slide Gates / Dumpster	70,000
Sod / Seed / Maintenance	40,000
SUBTOTAL	13,500,000

General Conditions Estimate								
Project	Colonial Heights Courthouse							
Bid Date								
Estimated Duration	17 Months		73 Weeks		510 Days			
Square Footage	57,000							
CODE	DESCRIPTION	QUANTITY	UOM	LABOR	MATERIAL		SUBCONTRACTOR	
				\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT
10101	Project Manager @ 35%	25	WKS	2160	\$ 54,000	\$ -		
10102	Superintendent	73	WKS	2000	\$ 146,000	\$ -		
10103	Assistant Superintendent	60	WKS	1000	\$ 60,000	\$ -		
10104	Project Executive @ 15%	11	WKS	2,500	\$ 27,500	\$ -		
10105	Housing & Subsistence		WKS	\$ -	\$ -	\$ -		
	<i>Travel Expenses</i>		WKS	\$ -	\$ -	\$ -		
	<i>Hotel Expenses</i>		WKS	\$ -	\$ -	\$ -		
	<i>Food Allowance</i>		WKS	\$ -	\$ -	\$ -		
10106	Scheduling	1	LS	\$ -		\$ 20,000		
10107	Plans/Specs		SETS	\$ -		\$ -		
	<i>Full Size Copies</i>	10	SETS	\$ -		500 \$ 5,000		
	<i>1/2 Size Sets</i>	3	SETS	\$ -		400 \$ 1,200		
	<i>Electronic Copies</i>	1	EA	\$ -		500 \$ 500		
10108	Job Signage		EA	\$ -		\$ -		
	<i>Project Sign</i>	1	EA	200	\$ 200	1000 \$ 1,000		
	<i>Temporary Signs</i>		EA	\$ -		\$ -		
10109	Storage Trailers		EA	\$ -		\$ -		
	<i>Delivery & Setup</i>	1	LS	500	\$ 500	2000 \$ 2,000		
	<i>Rental</i>	17	MO	\$ -		100 \$ 1,700		
10110	Project Office		EA	\$ -		\$ -		
	<i>Delivery & Setup</i>	2	LS	500	\$ 1,000	1000 \$ 2,000		
	<i>Rental</i>	17	MO	\$ -		400 \$ 6,800		
	<i>Steps</i>	17	MO	\$ -		100 \$ 1,700		
	<i>Permit for trailer</i>		LS	\$ -		\$ -		
	<i>Relocation or Removal</i>	2	LS	\$ -		1000 \$ 2,000		
10111	Project Office Equipment	1	LS	\$ -		1200 \$ 1,200		
	<i>Electronics</i>	1	LS	\$ -		1500 \$ 1,500		
	<i>Maintenance of electronics</i>	1	LS	\$ -		500 \$ 500		
10112	Misc. Project Office Supp.	17	MO	\$ -		200 \$ 3,400		
	<i>Water Cooler/Ice/Coffee</i>	17	MO	\$ -		100 \$ 1,700		
10113	Field Communications	17	MO	\$ -		\$ -		
	<i>Office Phone/Fax Lines</i>	17	MO	\$ -		300 \$ 5,100		
	<i>Cell Phone</i>	17	MO	\$ -		200 \$ 3,400		
	<i>Internet Service</i>	17	MO	\$ -		200 \$ 3,400		
	<i>Handheld Radios</i>	1	LS	\$ -		\$ 500		
10114	Photographs		LS	\$ -		\$ -		
	<i>Field Camera</i>		LS	\$ -		\$ -		
	<i>Professional Photography</i>	1	LS	\$ -		750 \$ 750		
	<i>Web cam</i>	17	MO	\$ -		\$ -		
10115	Site Engineering & Layout	1	LS	2000	\$ 2,000	2000 \$ 2,000	2200 \$ 2,200	
10116	Roads and Temp. Sitework		LS	\$ -		\$ -		
	<i>Temporary Roads</i>		LS	\$ -		\$ -		
	<i>Construction Parking</i>	1	LS	2000	\$ 2,000	2000 \$ 2,000		
	<i>Construction Lay-Down</i>	1	LS	2000	\$ 2,000	3000 \$ 3,000		
	<i>Lawn Maintenance</i>	12	MO	300	\$ 3,600	\$ -		
10117	Temporary Electricity		LS	\$ -		\$ -		
	<i>Connection Fee</i>	1	LS	\$ -		3000 \$ 3,000		
	<i>Monthly Usage Charges</i>	17	MO	\$ -		2,000 \$ 34,000		
	<i>Temporary Lighting</i>	57000	SF	\$ -		\$ -		
	<i>Generators</i>		LS	\$ -		\$ -		
	<i>Permanent Connection Fee</i>		LS	\$ -		\$ -		
10118	Temporary Water	1	LS	1000	\$ 1,000	\$ -	1,500	
10119	Temporary Toilets	17	MO	\$ -		400 \$ 6,800		
10120	Temporary Fences/Walls		LS	\$ -		\$ -		
	<i>Interior Barricades</i>		LS	\$ -		\$ -		
	<i>Exterior Walkways</i>		LS	\$ -		\$ -		
	<i>Temporary Fence</i>	2500	LF	\$ -		6 \$ 15,000		
10121	Misc. Temporary Services	17	MO	\$ -		\$ -		
	<i>Temporary Heat Equipment</i>	1	LS	\$ -		\$ -	3,000	
	<i>Temporary Heat Fuel/Elec.</i>	5	MO	\$ -		600 \$ 3,000		
	<i>Temporary Cooling</i>	3	MO	\$ -		1,000 \$ 2,000		
	<i>Temporary Filters</i>		LS	\$ -		\$ -	3,000	
	<i>Dewatering</i>		LS	\$ -		\$ -	3,000	
10122	Temporary Labor	73	WKS	\$ -		\$ -		
10123	Truck Time		HRS	\$ -		\$ -		
10124	Small Tools	17	MO	\$ -		500 \$ 8,500		
10125	Scaffolding		LS	\$ -		\$ -		
10126	Oxygen & Acetylene Tanks		MO	\$ -		\$ -		
10127	Crane/Hoist		MO	\$ -		\$ -		

	<i>Hoist Setup & Delivery</i>	LS	\$ -	\$ -		
	<i>Hoist Rental</i>	MO	\$ -	\$ -		
	<i>Hoist Operator</i>	WKS	\$ -	\$ -		
	<i>Temporary Elevator Setup</i>	LS	\$ -	\$ -		
	<i>Temporary Elevator Rental</i>	MO	\$ -	\$ -		
	<i>Temp. Elevator Operator</i>	WKS	\$ -	\$ -		
10128	Equipment Rental	MO	\$ -	\$ -		
	<i>Skid Steer</i>	15 MO	\$ -	1100	\$ 16,500	
	<i>Forklift</i>	10 MO	\$ -	1100	\$ 11,000	
	<i>Lifts(2)</i>	9 MO	\$ -	\$ -		
	<i>UTV</i>	MO	\$ -	\$ -		
	<i>Dump Truck</i>	MO	\$ -	\$ -		
	<i>Operator</i>	WKS		\$ -		
10129	Superintendents' Trucks	17 MO	\$ -	650	\$ 11,050	
10130	Equip. Repairs & Maint.	17 MO	\$ -	300	\$ 5,100	
10131	Gas & Oil	GAL	\$ -	\$ -		
	<i>Superintendent's Truck</i>	7300 GAL	\$ -	4	\$ 29,200	
	<i>On-Site Tanks</i>	GAL	\$ -	\$ -		
	<i>Equipment</i>	500 GAL	\$ -	4	\$ 2,000	
10132	Protection	1 LS	2000	\$ 2,000	3000	\$ 3,000
10133	Security	5500 HRS	\$ -	\$ -		
10134	Safety	1 LS	10,000	\$ 10,000	2000	\$ 2,000
10135	Quality Control	73 WKS	\$ -	\$ -		
10136	General Cleaning	73 WKS	400	\$ 29,200	\$ -	
	<i>Dumpster Fees</i>	100 PULLS	\$ -	370	\$ 37,000	
	<i>Trash Chute</i>	MO	\$ -	\$ -		
10137	Final Cleaning	57000 SF	\$ -	\$ -		0.4 \$ 22,800
10138	Punchlist	4 WKS	2000	\$ 8,000	1000	\$ 4,000
10139	Legal Expenses	LS	\$ -	\$ -		
10140	Civil Design	LS	\$ -	\$ -		
10141	Construction Administration	LS	\$ -	\$ -		180,000
10142	Environmental Protection	1 LS	1000	\$ 1,000	1000	\$ 1,000
10143	LEED	1 LS	\$ -	\$ -		55,000
10144	Testing & Ind. Inspections	1 LS	\$ -	\$ -		
10145	Permits	LS	\$ -	\$ -		
	<i>Building Permit</i>	1 LS	\$ -	\$ -		
	<i>DCR (SWPPP)</i>	1 LS	\$ -	\$ -		
	<i>VDOT Permit/Bond</i>	1 LS	\$ -	\$ -		
10146	Licenses	1 LS	\$ -	\$ -		24,000
10147	Fees	LS	\$ -	\$ -		
10148	Bonds	1 LS	\$ -	\$ -		90,000
10149	Insurance	1 LS	\$ -	\$ -		64,000
10150	Insurance Claims	LS	\$ -	\$ -		
10151	Contingency Allowance	LS	\$ -	\$ -		
10152	Other	OTHER	\$ -	\$ -		
10153	Contract Allowances	LS	\$ -	\$ -		
15001	Purchase Order Allowances	LS	\$ -	\$ -		
19999	Change Orders	OTHER	\$ -	\$ -		
	TOTALS		\$ 350,000	\$ 690,000	\$ 25,000	

Attachment C

Assumptions and Clarifications

Insert after this page.

KENBRIDGE CONSTRUCTION COMPANY
ATTACHMENT C
COLONIAL HEIGHTS NEW COURTHOUSE FACILITY
ASSUMPTIONS AND CLARIFICATIONS

The following is a list of Assumptions and Clarifications used in preparing the GMP Amendment:

1. Plans and specs developed to date will not change drastically from the 60% plans submitted to the owner, due to modifications required by the Owner or Authorities Having Jurisdiction.
2. Division 2 – Existing Conditions work is by the Owner / under separate contract
3. Geotechnical and Special Inspections are by the Owner and not included in the GMP
4. Kenbridge has included the cost for Fundamental Commissioning. However, the added cost to achieve Enhanced Commissioning is not included in the GMP as the USGBC requires it be outside the CM's contract in order to achieve the LEED points.
5. No permit fees are included in the GMP. It is our understanding that fees are waived on this project.
6. No utility connection fees are included in the GMP.
7. The Owner is coordinating with Dominion Power to get power to a transformer located on the Site Electrical Plans
8. The Owner is procuring the DCR Stormwater Management permits.

Attachment D

Baseline Construction Schedule, pages 1A, 2A and 3A, dated
March 7, 2012.

Insert after this page.

Project: CHC - EarlyWorks
 Contractor: Kenbridge Construction Co.

Run Date 07MAR12
 Data Date: 20FEB12

Start Date: 20FEB12
 Finish Date: 20SEP13

Act ID	Activity Description	Orig Dur	Rem Dur	% Comp	Early Start	Early Finish	Target Start	Target Finish	Total Float	
ACTIVITY SCHEDULE										
ACTIVITY SCHEDULE										
5	Start Early Works	0	0	0	20FEB12 *		20FEB12		56d	
10	Sitework Package and Concrete Package Ready	7	7	0	20FEB12 *	27FEB12	20FEB12	27FEB12	56d	
15	Execute GMP	0	0	0	14MAR12 *		14MAR12		40d	
20	Bid Sitework and Concrete Packages	14	14	0	14MAR12	28MAR12	14MAR12	28MAR12	40d	
80	Bid Structural Steel Package	14	14	0	26MAR12 *	09APR12	26MAR12	09APR12	54d	
30	Evaluate Site and Concrete Bids	7	7	0	28MAR12	04APR12	28MAR12	04APR12	40d	
40	Award Site and Concrete Packages	7	7	0	04APR12	11APR12	04APR12	11APR12	40d	
90	Award Structural Steel Package	7	7	0	09APR12	16APR12	09APR12	16APR12	54d	
50	Submittals and Permits for Site	19	19	0	11APR12	30APR12	11APR12	30APR12	40d	
100	Submittals for Structural Steel	28	28	0	16APR12	14MAY12	16APR12	14MAY12	54d	
60	Sitework (focusing on building pad)	42	42	0	30APR12	11JUN12	30APR12	11JUN12	40d	
110	Approval of Structural Steel Drawings	14	14	0	14MAY12	28MAY12	14MAY12	28MAY12	54d	
120	Scrub Steel Drawings and Fabricate	28	28	0	28MAY12	25JUN12	28MAY12	25JUN12	54d	
70	Concrete Footings	28	28	0	11JUN12	09JUL12	11JUN12	09JUL12	40d	
140	Bid Remaining Work Packages	14	14	0	30JUN12 *	14JUL12	30JUN12	14JUL12	7d	
130	Structural Steel Erection	28	28	0	09JUL12	06AUG12	09JUL12	06AUG12	40d	
150	Evaluate Plumbing/Mechanical/Electrical	7	7	0	14JUL12	21JUL12	14JUL12	21JUL12	7d	
160	Award Plumbing/Mechanical/Electrical	7	7	0	21JUL12	28JUL12	21JUL12	28JUL12	7d	
170	Submittals for Plumbing/Mechanical/Electrical	28	28	0	28JUL12	25AUG12	28JUL12	25AUG12	7d	
230	Roofing	70	70	0	06AUG12	15OCT12	06AUG12	15OCT12	168d	
180	Underground RI at Ground Floor	28	28	0	25AUG12	22SEP12	25AUG12	22SEP12	7d	
190	Concrete Slab at Ground Floor	42	42	0	08SEP12	20OCT12	08SEP12	20OCT12	7d	

Project: CHC - EarlyWorks
 Contractor: Kenbridge Construction Co.

Run Date 07MAR12
 Data Date: 20FEB12

Start Date: 20FEB12
 Finish Date: 20SEP13

Act ID	Activity Description	Orig Dur	Rem Dur	% Comp	Early Start	Early Finish	Target Start	Target Finish	Total Float	
200	Concrete Slab at 2nd Level	35	35	0	20OCT12	24NOV12	20OCT12	24NOV12	100d	
210	Exterior Studs & Sheathing 1st Fl	56	56	0	20OCT12	15DEC12	20OCT12	15DEC12	7d	
430	CMU at 1st Fl	56	56	0	20OCT12	15DEC12	20OCT12	15DEC12	51d	
470	HVAC RI	140	140	0	20OCT12	10MAR13	20OCT12	10MAR13	23d	
480	Electrical RI	140	140	0	20OCT12	10MAR13	20OCT12	10MAR13	23d	
490	Plumbing RI	140	140	0	20OCT12	10MAR13	20OCT12	10MAR13	23d	
220	Exterior Studs and Sheathing 2nd Fl	35	35	0	15DEC12	20JAN13	15DEC12	20JAN13	16d	
250	Brick Veneer	100	100	0	15DEC12	26MAR13	15DEC12	26MAR13	7d	
440	CMU at 2nd Fl	56	56	0	15DEC12	10FEB13	15DEC12	10FEB13	51d	
450	Interior Metal Studs 1st Fl	28	28	0	15DEC12	13JAN13	15DEC12	13JAN13	51d	
460	Interior Metal Studs 2nd Fl	28	28	0	13JAN13	10FEB13	13JAN13	10FEB13	51d	
260	Windows and Doors	56	56	0	20JAN13	17MAR13	20JAN13	17MAR13	16d	
240	Start and Check HVAC	0	0	0	01APR13 *		01APR13		1d	
270	Security RI	84	84	0	01APR13	24JUN13	01APR13	24JUN13	5d	
300	Drywall at 1st Fl	28	28	0	01APR13	29APR13	01APR13	29APR13	1d	
310	Drywall @ 2nd Fl	28	28	0	29APR13	27MAY13	29APR13	27MAY13	1d	
320	Paint at 1st Fl	28	28	0	29APR13	27MAY13	29APR13	27MAY13	1d	
380	Millwork	84	84	0	29APR13	22JUL13	29APR13	22JUL13	6d	
330	Paint at 2nd Fl	28	28	0	27MAY13	24JUN13	27MAY13	24JUN13	1d	
340	Ceilings at 1st	28	28	0	27MAY13	24JUN13	27MAY13	24JUN13	1d	
280	Security Finishes	84	84	0	24JUN13	16SEP13	24JUN13	16SEP13	5d	
350	Ceilings at 2nd	33	33	0	24JUN13	27JUL13	24JUN13	27JUL13	1d	
370	Casework	35	35	0	24JUN13	29JUL13	24JUN13	29JUL13	34d	

Project: CHC - EarlyW orks
Contractor: Kenbridge Construction Co.

Run Date 07MAR12
Data Date: 20FEB12

Start Date: 20FEB12
Finish Date: 20SEP13

	Act ID	Activity Description	Orig Dur	Rem Dur	% Comp	Early Start	Early Finish	Target Start	Target Finish	Total Float	
	400	HVAC Finsihes	68	68	0	24JUN13	31AUG13	24JUN13	31AUG13	1d	
	410	Electrical Flnishes	68	68	0	24JUN13	31AUG13	24JUN13	31AUG13	1d	
	420	Plumbing Finishes	68	68	0	24JUN13	31AUG13	24JUN13	31AUG13	1d	
	360	Flooring	35	35	0	27JUL13	31AUG13	27JUL13	31AUG13	1d	
	390	GC Punch	20	20	0	31AUG13	20SEP13	31AUG13	20SEP13	1d	
	290	Substantial Completion	0	0	0		20SEP13		20SEP13	1d	

Attachment E

Supplementary (or Special) Conditions, pages _____,
dated _____.

RESERVED

Attachment F

Supporting Documents
used as basis for pricing for:

- a) Sustainable Practices, Pages 1 through 10
Construction Waste Management and
Debris Recycling; Pages 1 through 4.
- b) Subcontracting Plan, Page 1 of 1;
- c) Conduct of Construction, Page 1 of 1;
- d) Material Sourcing, See Section 2.3 of 018113
- e) Quality Control, Pages 1 through 9;
- f) Worker and Public Safety, Page 1 of 1;
- g) Site Specific Work Plans, Page 1 of 1; and
- h) Risk Management, Page 1 of 1

ATTACHMENTS

F(a) and F(d)

Sustainable Practices, Construction Waste Management and Debris Recycling, and Material Sourcing (see 2.3 of Section 018113)

SECTION 018113 – SUSTAINABLE DESIGN REQUIREMENTS - LEED

PART 1 - GENERAL

1.1 SUMMARY

- A. This project is designed to achieve all Prerequisites and no less than 50 points under the US Green Building Council's LEED® 2009 for New Construction and Major Renovations (LEED-NC 2009) Rating System for at least a LEED Silver-level Rating. Throughout this section, the term LEED is used in place of LEED-NC 2009.
 - 1. Certain LEED prerequisites and credits needed to obtain LEED certification are dependent on material selections. Compliance with LEED prerequisites and credits is a basis of evaluation substitution requests.
 - 2. Additional LEED prerequisites and credits needed to obtain indicated LEED certification are dependent on Architect's design and other aspects of the Project that are not part of the Work of Contract.
- B. Refer to LEED Scorecard accompanying this Section for LEED Prerequisites and Credits pursued for project. This scorecard is a draft and for reference only. The final scorecard listing required credits will be provided with 100% construction documents.
- C. Contractor is responsible for all requirements of LEED that are contained throughout these Specifications.
- D. Contractor is not responsible for the application for LEED certification.

1.2 RELATED WORK SPECIFIED ELSEWHERE

- A. Division 01 Section "Construction Waste Management and Disposal" for detailed LEED requirements to be incorporated into construction process.
- B. Division 01 Section "Indoor Air Quality Requirements" for detailed LEED requirements to be incorporated into construction process.
- C. Division 01 Section "General Commissioning Requirements" for detailed commissioning requirements.
- D. Divisions 03-10, 31-32 Sections for LEED requirements specific to Work of each of those Sections. These requirements may or may not include references to LEED.

1.3 REFERENCES

- A. ASHRAE Standard 52.2-1999: Method of Testing General Ventilation Air Cleaning Devices for Removal Efficiency by Particle Size.

- B. ASTM C1371-04 – Standard Test method for Determination of Emittance of Materials Near Room Temperature Using Portable Emissometers.
- C. ASTM C1549-04 – Standard Test Method for Determination of Solar Reflectance Near Ambient Temperature Using a Portable Solar Reflectometer.
- D. ASTM E408-71(1996)e1 – Standard Test Methods for Total Normal Emittance of Surfaces Using Inspection-Meter Techniques.
- E. ASTM E903-96 – Standard Test Method for Solar Absorptance, Reflectance and Transmittance of Materials Using Integrating Spheres.
- F. ASTM E1918-97 – Standard Test Method for Measuring Solar Reflectance of Horizontal and Low-Sloped Surfaces in the Field.
- G. ASTM E1980-01 – Standard Practice for Calculating Solar Reflectance index of Horizontal and Low-Sloped Opaque Surfaces.
- H. ASTM E1527-05, Phase I Environmental Site Assessment.
- I. ASTM E1903-97, Phase II Environmental Site Assessment, effective 2002.
- J. Carpet and Rug Institute (CRI) "Green Label" IAQ Testing Program for Carpet Cushion.
- K. Carpet and Rug Institute (CRI) "Green Label Plus" IAQ Testing Program for Carpet.
- L. Energy Policy Act (EPAct) 1992 and amendments.
- M. Energy Policy Act (EPAct) 2005 (August 2005).
- N. EPA "Compendium of Methods for the Determination of Air Pollutants in Indoor Air," PB90200288.
- O. EPA 2003 Construction General Permit provisions complying with Phase I and Phase II of the National Pollutant Discharge Elimination System (NPDES) program.
- P. EPA Office of Research and Development, Technical Approaches to Characterizing and Cleaning Up Brownfield Sites. Public Law 107-118, H.R. 2869, Small Business Liability Relief and Brownfield Revitalization Act.
- Q. EPA Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices (Chapter 3).
- R. Forest Stewardship Council (FSC) Guidelines.

- S. Greenguard Environmental Institute - GREENGUARD Children and Schools Certification Program
- T. Green Seal (GC) Standard GC-03 "Anti-Corrosive Paints."
- U. Green Seal (GS) Standard GS-11 "Paints."
- V. Green Seal (GS) Standard GS-36 "Commercial Adhesives."
- W. Green Seal (GS) Standard GS-37 "Industrial and Institutional Cleaners."
- X. International Association of Plumbing and Mechanical Officials Publication (IAPMO) / ANSI Uniform Plumbing Code 2006 (UPC 1-2006) Section 4020, Water Conserving Fixtures and Fittings.
- Y. International Code Council, International Plumbing Code 2006, Section 604, Design of Building Water Distribution System.
- Z. International Standard ISO 14021-1999 – Environmental Labels and Declarations – Self-Declared Environmental Claims (Type II Environmental Labeling).
- AA. Resilient Floor Covering Institute (RFCI) - FloorScore Program.
- BB. Scientific Certification Systems (SCS) "Indoor Advantage Gold": wall coverings, systems furniture, casework and insulation (non-flooring products).
- CC. Sheet Metal and Air Conditioning-General Contractors National Association (SMACNA) IAQ Guidelines for Occupied Buildings Under Construction, Chapter 3, November 2007.
- DD. South Coast Air Quality Management District (SCAQMD) Rule #1113: "Architectural Coatings."
- EE. South Coast Air Quality Management District (SCAQMD) Rule #1168: "Adhesive and Sealant Applications."
- FF. USGBC (US Green Building Council) LEED Green Building Rating System:
 - 1. LEED Reference Guide for Green Building Design and Construction: For the Design, Construction and Major Renovations of Commercial and Institutional Buildings Including Core & Shell and K-12 School Projects, 2009 Edition, with all current addenda.

1.4 DEFINITIONS

- A. BROWNFIELD: Expansion, redevelopment, or reuse of real property, which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant (Public Law 107-118, H.R. 2869, Small Business Liability Relief and Brownfield Revitalization Act).

- B. CERTIFIED WOOD: Wood grown in sustainably managed forest certified by an FSC-accredited certification agency. FSC-Certified wood products must have Chain of Custody from forest to manufacturer.
- C. CHAIN-OF-CUSTODY: Tracking procedure documenting the status of wood products from the forest to the ultimate consumer. Used to verify compliance with Forest Stewardship Council (FSC) guidelines.
- D. COMPOSITE WOOD: Products such as particleboard, medium density fiberboard (MDF), plywood, wheatboard, strawboard, panel substrates, and door cores that are a composite of wood or plant material pressed and adhered together by synthetic resin or binder.
- E. CONSTRUCTION WASTE: Solid wastes typically including building materials, packaging, trash, debris, and rubble resulting from construction, remodeling, repair and demolition.
- F. EMISSIVITY (infrared emittance): Indication of ability of a material to shed infrared radiation.
- G. GBCI: Green Building Certification Institute provides third-party project certification and professional credentials recognizing excellence in green building performance and practice in support of the USGBC.
- H. LEED: Stands for Leadership in Energy and Environmental Design, a voluntary green building rating system created and managed by the US Green Building Council (USGBC).
- I. LEED ONLINE: GBCI project management tool where Projects are registered, tracked, and submitted to GBCI for Project Certification. Information, resources, and support are made available to registered Projects. Project team members can upload information to credit forms, submit Credit Interpretation Requests, manage key project details, and view and respond to reviewer comments.
- J. MATERIAL COST: The dollar value of materials being provided to the site, after any contractor mark-ups, separate from equipment or labor costs
- K. MERV (Minimum Efficiency Reporting Value): Standard method for comparing the efficiency of an air filter, as defined in ASHRAE 52.1-1999. Scale ranges from 1 to 16, with 16 being the most efficient at removing particles from air.
- L. NON-TOXIC: Neither immediately poisonous to humans, nor poisonous after a long period of exposure.
- M. POST-CONSUMER RECYCLED CONTENT: Waste material generated by households or by commercial industrial and institutional facilities in their role as end-users of the product, which can no longer be used for its intended purpose. Recycled content is defined in accordance with ISO Standard 14021.

- N. POTABLE WATER: Water suitable for drinking and supplied from wells or municipal water systems.
- O. PRE-CONSUMER RECYCLED CONTENT: Material diverted from the waste stream during the manufacturing process. Excluded is reutilization of materials such as rework, regrind and scrap generated in a process and capable of being reclaimed within the same process that generated it. Recycled content is defined in accordance with ISO Standard 14021.
- P. RECYCLING: Collection, reprocessing, marketing and use of materials that were recovered or diverted from solid waste stream.
- Q. REGIONALLY EXTRACTED, HARVESTED, OR RECOVERED: Refers to location where material was extracted, harvested or recovered. For products containing multiple materials, each material must be calculated separately.
- R. REGIONALLY MANUFACTURED: Refers to location of final assembly of components into the building product furnished and installed by tradespeople.
- S. SALVAGE: Removal of existing materials or assemblies for re-installation or other use as directed by Owner.
- T. SEDIMENT: Soil and other debris that has been eroded and transported by storm or production run-off water.
- U. SOLAR REFLECTANCE INDEX: Measure of a material's ability to reject solar heat, as shown by a small temperature rise. It is calculated according to ASTM E1980 using material's Emittance and Reflectivity values. Standard black has an SRI of 0 and standard white has an SRI of 100.
- V. SUSTAINABLE DESIGN: Design which reduces negative effects on the environment using sound ecological, social, and economic methods, while considering the health and comfort of a building's occupants.
- W. SUSTAINABLE FORESTRY: The practice of managing forest resources to meet the long-term product needs of humans while maintaining the biodiversity of forested landscapes. The primary goal is to restore, enhance, and sustain a full range of forest values, both economic and ecological.
- X. TOXIC: Poisonous to humans, either immediately, or after a long period of exposure.
- Y. VENTILATION: The process of supplying and removing air to and from interior spaces by natural or mechanical means.
- Z. VOLATILE ORGANIC COMPOUNDS (VOC): Carbon compounds that participate in atmospheric photochemical reactions, (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides and carbonates, and ammonium carbonate). The compounds vaporize (become a gas) at normal room

temperatures. VOC content is calculated in grams per Liter (g/L) according to 40 CFR 59, Subpart D (EPA method 24).

AA. WASTE: Extra material or material that has reached end of its useful life in its intended use.

1.5 INFORMATIONAL SUBMITTALS

A. General: Within 30 days of notice to proceed on-site, submit the following based upon Scorecard indications of LEED Credits pursued and Contractor's approach to achievement of those credits. Provide submittals indicating the following:

1. Materials and Resources (MR) Credit 2: Waste Management Plan complying with Division 1 Section "Construction Waste Management and Disposal."
2. MR Credit 4: List of proposed materials with recycled content.
 - a. Provide a preliminary matrix, using LEED Online Form or spreadsheet verifying that credit requirements will be met based on identified materials containing recycled content.
 - b. Indicate post-consumer recycled and pre-consumer recycled content for each product having recycled content, its source, and estimated material cost.
3. MR Credit 5: List of proposed regionally manufactured and extracted, harvested, or recovered materials.
 - a. Provide a preliminary matrix, using LEED Online Form or spreadsheet, verifying that credit requirements will be met based on identified regionally manufactured and regionally extracted, harvested, or recovered materials.
 - b. Identify each regionally manufactured material, and each regionally extracted, harvest, or recovered materials, its source, and estimated material cost.
4. MR Credit 7: List of proposed certified wood products.
 - a. Provide a preliminary matrix, using LEED Online Form or spreadsheet, verifying that credit requirements will be met based on identified certified wood products.
 - b. Identify each FSC-certified wood product, its source, and estimated material cost.
5. IEQ Credit[s] 3.1 and 3.2: Construction Indoor Air Quality Management Plan complying with Division 01 Section "Indoor Air Quality Requirements."

1.6 PRODUCT DATA SUBMITTALS

A. General: Provide submittal information demonstrating LEED compliance as described herein.

1. Contractor is responsible for completion and transmittal of all construction-related documentation required for LEED Certification.

- B. Material Content Data: For each LEED related product submitted for Divisions 03-10, 31-32 provide the following:
 - 1. Information on salvaged, refurbished, reused materials.
 - 2. Location of product manufacture and location of harvest, extraction, recovery of its primary raw materials.
 - 3. Designation of percentages of post-consumer and pre-consumer recycled-content materials.
 - 4. FSC-certification of sustainably harvested wood materials.
 - a. Provide vendor invoice listing each wood product on a line-item basis, FSC products identified by line-item, and material cost.
 - b. Vendor Chain of Custody number must be shown on invoice.
- C. Low-Emitting Materials: Provide manufacturer information as described in Division 01 Section "Indoor Air Quality Requirements."

1.7 MONTHLY INFORMATIONAL SUBMITTALS

- A. With each Application for Payment, submit progress reports comparing actual purchasing and construction activities with LEED Implementation Plans. Provide for information only. Use LEED Online Form or spreadsheet, for the following LEED Credits sought for this Project:
 - 1. MR Credit 2 - Construction Waste Management and Disposal.
 - 2. MR Credit 4 - Recycled Content Materials.
 - 3. MR Credit 5 - Regional Materials.
 - 4. MR Credit 7 - Certified Wood Materials.
- B. With each Application for Payment, submit documentation verifying erosion and sedimentation control measures in compliance with the approved erosion and sedimentation plan in compliance with EPA Construction General Permit or local standards and codes, whichever is more stringent.
 - 1. Date-stamped photographs: Demonstrate measures taken, including any corrective action, to effectively implement the erosion and sedimentation control plan.
 - a. Provide at least three photos from at least three inspections equally spaced over the site work period.
 - 2. Monthly Inspections: Provide summary, sample log, checklist, inspection report, or similar document that demonstrates periodic inspection of the implemented measures.

1.8 CLOSEOUT SUBMITTALS

- A. General: At completion of construction and prior to contract closeout, submit the following documentation in electronic format.
- B. Final Documentation Package per requirements of Division 01 Section "Construction Waste Management and Disposal."

- C. Final Documentation Package for MR Credits 4, 5, and 7: Provide individual electronic folders for each credit containing:
 - 1. Legible electronic copies of relevant and required material product data for each product listed on LEED Online Form.
- D. Final Documentation Packages per requirements of Division 01 section "Indoor Air Quality Requirements."
- E. LEED Online: Final LEED Online Form and associated required documentation uploaded to LEED Online Project Database for each of the following:
 - 1. MR Credit 2, Construction Waste Management: As required in Division 01 Section "Construction Waste Management and Disposal."
 - 2. MR Credit 4, Recycled Content.
 - 3. MR Credit 5, Regional Materials.
 - 4. MR Credit 7, Certified Wood.
 - 5. IEQ Credits 3-5: As required in Division 01 Section "Indoor Air Quality Requirements."

1.9 PROJECT MEETINGS

- A. Status of LEED green building-related work to be on the agenda of all required regularly scheduled job-site meetings.

1.10 CONTRACTOR LEED COORDINATOR

- A. Designate one employee or consultant as the Contractor LEED Coordinator for this Project.
 - 1. Green Associate, LEED Accredited Professional with or without specialty, or have demonstrated experience on at least one LEED Certified project.
 - 2. Access to LEED Online at Project award and throughout project.
 - 3. Responsible for successful documentation of all credits stated to be Contractor responsibility.
 - 4. Provide proof of LEED project experience or LEED Accreditation of designated LEED Coordinator within 30 days of contract award.
 - 5. Present for all LEED meetings.

PART 2 - PRODUCTS**2.1 GENERAL**

- A. Where specifications require products to meet LEED criteria, these products will be counted toward the minimum total materials required to meet the related LEED MR Credit.
- B. Calculate material cost per LEED guidelines, excluding labor, installation equipment, mechanical, electrical and plumbing components and specialty items such as elevators.

2.2 RECYCLED-CONTENT MATERIALS

- A. Provide materials with recycled content such that the sum of post-consumer recycled content plus one-half of the pre-consumer content constitutes a minimum 20 percent of total materials cost per LEED guidelines for MR Credit 4.
- B. Exemplary performance of 30 percent may be pursued for an additional Innovation and Design Credit.

2.3 REGIONAL MATERIALS

- A. Provide minimum 20 percent of materials that are harvested, extracted, recovered and manufactured within a 500-mile radius of project site as calculated by material cost per LEED guidelines for MR Credit 5.
- B. Exemplary performance of 30 percent may be pursued for an Innovation and Design Credit.
- C. Refer to map below indicating 500-mile radius around Colonial Heights, VA for guidance:



2.4 CERTIFIED WOOD MATERIALS

- A. Provide new wood-based products such that 50 percent of permanently installed wood-based materials are certified as sustainably harvested in accordance with the Forest Stewardship Council (FSC) guidelines, in compliance with LEED MR Credit 7.

1. FSC Pure and FSC Mixed Credit are valued at 100 percent of product cost.
2. FSC Mixed (NN) percent are valued at indicated percentage of their cost.
3. FSC Recycled and FSC Recycled Credit do not contribute to this credit. These products qualify to contribute to MR Credit 4.

B. Where FSC wood is combined with non-FSC wood in an assembly, all non-FSC wood to meet the Controlled Wood criteria of the FSC. FSC wood in assemblies with non-Controlled Wood is not eligible for this credit.

PART 3 - EXECUTION (NOT USED)**END OF SECTION 018113**



Colonial Heights Courthouse

Kenbridge Construction

Sustainable Design

Consulting

Project Checklist

Water Efficiency				Energy & Atmosphere			
Possible Points: 10				Possible Points: 35			
2	2	3	3	Prereq 1 Credit 1 Credit 2 Credit 3	Water Use Reduction: 20% Reduction Water Efficient Landscaping Innovative Wastewater Technologies Water Use Reduction: 30% / 35% / 40%	Prereq 1 Prereq 2 Prereq 3 Credit 1 Credit 2 Credit 3 Credit 4 Credit 5	Fundamental Commissioning of Building Energy Systems Minimum Energy Performance Fundamental Refrigerant Management Optimize Energy Performance: 8% and up On-Site Renewable Energy: 1%-13% Enhanced Commissioning Enhanced Refrigerant Management Measurement & Verification Green Power
Y	Y	Y	N	Y	Y	Y	Y
2	2	2	2	4	4	4	4
2	2	2	2	4	4	4	4
2	1	1	1	2	2	2	2
6	9	4	16	19	7	2	3
Y	Y	Y	N	Prereq 1 Prereq 2 Prereq 3 Credit 1 Credit 2 Credit 3 Credit 4 Credit 5	Prereq 1 Prereq 2 Prereq 3 Credit 1 Credit 2 Credit 3 Credit 4 Credit 5	Prereq 1 Prereq 2 Prereq 3 Credit 1 Credit 2 Credit 3 Credit 4 Credit 5	Prereq 1 Prereq 2 Prereq 3 Credit 1 Credit 2 Credit 3 Credit 4 Credit 5

Colonial Heights Courthouse

Kenbridge Construction
1/12/12

SECTION 017419 – CONSTRUCTION WASTE MANAGEMENT AND DISPOSAL**PART 1 - GENERAL****1.1 SUMMARY**

- A. Reduce construction and demolition waste on job site and minimize waste sent to landfills through implementation of Construction Waste Management Plan as required by LEED® 2009 for New Construction and Major Renovations (LEED-NC 2009) Rating System for Materials and Resources (MR) Credit 2 and as outlined within this Section and in the Sections referenced herein. Throughout this section, the term LEED is used in place of LEED- NC 2009.
- B. Related sections: The following sections contain requirements that relate to this section:
 1. Division 01 Section "Sustainable Design Requirements-LEED" for LEED compliance and documentation requirements and definitions.
 2. Division 02 Sections referring to demolition.
- C. Divert a minimum of 75 percent from landfill by weight or volume of total non-hazardous project construction, demolition and site operations waste, excluding excavated soil and land-clearing waste.

1.2 REFERENCES

- A. LEED Reference Guide for Green Building Design and Construction: For the Design, Construction and Major Renovations of Commercial and Institutional Buildings Including Core & Shell and K-12 School Projects, 2009 Edition, with current addenda.
 1. MR Credit 2 "Construction Waste Management and Disposal."

1.3 WASTE MANAGEMENT PLAN SUBMITTALS

- A. Prior to any waste removal and within 30 days of Contract award, submit for approval a detailed Construction and Demolition Waste Management Plan in accordance with by LEED MR Credit 2 as outlined in this Section:
 1. Analysis of estimated job-site waste to be generated, including types and quantities of compostable, recyclable and salvageable materials.
 2. Description of means and methods to achieve 75 percent diversion requirement for compostable, recyclable, and salvageable materials, including those that may be donated to charitable organizations.
 3. Identification of recycling contractors and haulers proposed for use in the project and locations accepting construction waste materials or entities providing related services.
 4. Comingled sorting facilities: Provide end destination and intended use for all diverted materials. Provide statement that project specific diversion rates will be provided. Visual inspection is not an acceptable method of

inspection for purposes of documenting percentage of comingled waste diverted from landfill.

- a. Optional Compliance: Provide average annual recycling rate for the facility provided by the regulating local or state government authority.

1.4 MONTHLY INFORMATIONAL SUBMITTALS

- A. Submit Waste Management Progress Reports monthly, with each Application for Payment. Provide, for information only:
 1. Project title, name of party completing report, and dates of period covered by the report.
 2. Amount (by weight or volume) of Project waste material landfilled to date and identity of the landfill(s).
 3. LEED Online Form or spreadsheet including the amount (by weight or volume) of recycled and/or salvaged construction and demolition waste to date.
 4. Comingling sorting facilities: Provide summary of diversion rates, type of materials recycled and description of the end destination of the recycled materials.

1.5 CLOSEOUT SUBMITTALS

- A. Final Waste Management Documentation Package: Submit at completion of construction and prior to contract close-out, in electronic format for information only. Provide:
 1. All information required in Monthly Report Submittals.
 2. Legible copies of on-site logs, manifests, weight tickets, and receipts.
 3. Information listed above for Demolition Phase work performed under separate contract, as provided by Owner.
- B. LEED Online: Final LEED Online Form including total amount (by weight or volume) of diverted construction and demolition waste, and the total amount (by weight or volume) of landfilled waste and associated required documentation uploaded to LEED Online for MR Credit 2, Construction Waste Management.

PART 2 - PRODUCTS (NOT USED)

PART 3 - EXECUTION

3.1 WASTE MANAGEMENT PLAN IMPLEMENTATION, GENERAL

- A. Training and Coordination:
 1. Furnish copies of approved Waste Management Plan to all on-site supervisors, each subcontractor, Owner, and Architect.
 2. Instruction: Provide on-site instruction of appropriate separation, handling, and recycling, salvage, reuse, and return methods to be used by all entities at the appropriate stages of the Project.

3. Meetings: Include construction waste management on the agenda of all required regularly scheduled construction meetings.
- B. Facilities: Provide designated facilities for co-mingling or separation and storage of materials for recycling, salvage, reuse, return, and waste disposal, per approved Construction Waste Management Plan for use by all contractors and installers.
 1. Provide bi-lingual signage.
 2. Provide materials for barriers and enclosures that are nonhazardous, recyclable, or reusable to the maximum extent possible; reuse project construction waste materials if possible.
 3. Provide adequate space, convenient to subcontractors, for pick-up and delivery.
 4. Keep recycling and waste bin areas neat and clean to avoid contamination of materials.
- C. Records: Maintain onsite logs for each load of materials removed from site:
 1. Landfill Log: Include type of material, load (by weight or volume), recycling/hauling service, date accepted by landfill, and facility fee.
 2. Waste Diversion: Include type of material, load (by weight or volume), recycling/hauling service, date accepted by recycling service, or non-profit receiver and facility fee.
 3. Where comingling occurs prior to collection, track the amount of construction waste diverted from landfill based on the weight or volume of the removed co-mingled waste and provide the documentation of percentages of recycled from the sorting facility.
- D. Methods of waste disposal that are not acceptable for LEED credit achievement are:
 1. Burning or incinerating on or off project site.
 - a. Waste-to-energy cannot be utilized as a landfill diversion strategy. Only wood derived fuel can contribute to MRc2.
 2. Burying on project site, other than fill.
 3. Dumping or burying on other property, public or private, other than official landfill.
 4. Illegal dumping or burying.
- E. Recycling Procedures:
 1. Co-mingle or separate, store, protect, and handle at the site identified recyclable waste products in order to prevent contamination of materials and to maximize recyclability of identified materials. Arrange for timely pickups from the site or deliveries to recycling facility in order to prevent contamination of recyclable materials.
 2. Coordinate work of recycling, composting and salvaging waste haulers with other trades.
 3. Revenues, savings, rebates, tax credits, and other incentives received for recycling waste materials to accrue to Contractor.

- F. Reuse of materials On-Site: Set aside, sort, and protect separated products in preparation for reuse.
 - 1. Concrete, masonry and asphalt crushed and reused onsite contribute to MRc2 and do not contribute to MRc3. These materials are eligible to be applied to MRc5. See Division 1 Section "Sustainable Design Requirements-LEED" for MRc5 requirements.
- G. Alternative Daily Cover (ADC): Allowed as means of diversion.
- H. Hazardous Waste Handling: Separate, store and dispose of hazardous wastes separately and in accordance with local regulations. Do not handle, separate, store, salvage, or recycle hazardous materials with other materials.

END OF SECTION 017419

ATTACHMENT
F(b)
Subcontracting Plan

**KENBRIDGE CONSTRUCTION COMPANY
SUBCONTRACTING PLAN FOR
COLONIAL HEIGHTS NEW COURTHOUSE FACILITY**

Kenbridge Construction Company (KCC), as Construction Manager (CM) for the Colonial Heights New Courthouse Facility, will adhere to the following Subcontracting Plan.

1. A minimum of 70% of the Construction Phase Services will be subcontracted. KCC will endeavor to subcontract ALL of the work identified in CSI MasterSpec Format Divisions 3 through 33. However, KCC has the ability to self perform concrete, rough carpentry, installation of Division 8 doors, frames, hardware, louvers, and windows, installation of Div 10 – Specialties, installation of other miscellaneous items. If it is determined, through mutual agreement with the owner, that it is in the best interest of the project for KCC to self-perform any of these items, KCC is prepared to do so.
2. Subcontractors will be selected through the competitive negotiations process. KCC will solicit bids from subcontractors that have a proven track record of handling a project of this magnitude, and from local subcontractors. KCC will evaluate each bidder on his or her responsiveness, pricing, and capabilities to provide a best value selection. This selection would then be reviewed with the owner. All subcontractor bids will be shared with the owner as well.
3. KCC will comply with all sections of Article 9 – SUBCONTRACTS AND OTHER CONTRACTS of the CM Contract.

ATTACHMENT
F(c)
Conduct of Construction Plan

CONDUCT OF CONSTRUCTION PLAN

This plan specifies administrative and procedural requirements for the prescribed Code of Conduct while working on the premises.

The following rules shall apply at all times:

Owner's Representatives are on site to assist the Contractor (and his subcontractors) in coordination of the Work at the project. They shall be the only means of communication between the Contractor (and his subcontractors) and persons at the project, except in life threatening emergencies.

Minor first time violation of this relationship will result in a warning, or removal from the project. Repeated violations will result in removal from the project. Construction workers shall under no circumstances consult with City Staff regarding any issue of a construction nature, except as noted above.

Fraternization between construction workers and any non-construction personnel is strictly prohibited. Any contact deviating from normal courteous behavior will be considered reason for removal from the project.

If any non-construction personnel persists in disrupting the activities of construction work, the Owner's representative shall be notified immediately.

Use of vulgar, suggestive or abusive language is strictly prohibited in the presence of or within earshot of non-construction personnel.

Consumption of alcohol or alcohol containing beverages is strictly prohibited on this site.

Use and / or possession of any controlled substance or substances considered to be illegal are strictly prohibited on this site. Any violation will result in removal from the project, and violator shall be turned over to the proper authorities.

Use and / or possession of any firearms or weapons considered to be illegal are strictly prohibited on this site. Any violation will result in removal from the project, and violator shall be turned over to the proper authorities.

Cigarette smoking is permitted in designated areas only OUTSIDE of the building envelop.

The use of personal radios / stereos is not permitted.

Construction workers shall not use the restrooms throughout the facility.

Contractors shall park in designated areas only.

All construction materials and equipment shall be safely secured and stored when not in use.

Adequate temporary lighting shall be provided in all construction areas.

The Contractor shall provide suitable equipment for prompt and safe removal of all construction debris. Adequate ventilation must be maintained during welding or torch cutting procedures. In addition, spark screens shall be used and adequate fire extinguishing equipment shall be present. All standard safety procedures shall be observed.

Appropriate barricading, fencing and signage shall be used to clearly indicate areas of on-going construction, material storage, or any other condition that may create an unsafe environment for non-construction workers.

Work hours shall be limited to compliance with City Noise Ordinances.

ATTACHMENT
F(e)
Quality Control

SECTION 014000 - QUALITY REQUIREMENTS**PART 1 - GENERAL****1.1 SUMMARY**

- A. Section includes administrative and procedural requirements for quality assurance and quality control.
- B. Testing and inspecting services are required to verify compliance with requirements specified or indicated. These services do not relieve Contractor of responsibility for compliance with the Contract Document requirements.
 - 1. Specified tests, inspections, and related actions do not limit Contractor's other quality-assurance and -control procedures that facilitate compliance with the Contract Document requirements.
 - 2. Requirements for Contractor to provide quality-assurance and -control services required by Architect, Owner, or authorities having jurisdiction are not limited by provisions of this Section.
- C. Related Sections:
 - 1. Divisions 02 through 49 Sections for specific test and inspection requirements.

1.2 DEFINITIONS

- A. Quality-Assurance Services: Activities, actions, and procedures performed before and during execution of the Work to guard against defects and deficiencies and substantiate that proposed construction will comply with requirements.
- B. Quality-Control Services: Tests, inspections, procedures, and related actions during and after execution of the Work to evaluate that actual products incorporated into the Work and completed construction comply with requirements. Services do not include contract enforcement activities performed by Architect.
- C. Mockups: Full size physical assemblies that are constructed on-site. Mockups are constructed to verify selections made under sample submittals; to demonstrate aesthetic effects and, where indicated, qualities of materials and execution; to review coordination, testing, or operation; to show interface between dissimilar materials; and to demonstrate compliance with specified installation tolerances. Mockups are not Samples. Unless otherwise indicated, approved mockups establish the standard by which the Work will be judged.

1. Laboratory Mockups: Full-size, physical assemblies constructed at testing facility to verify performance characteristics.
- D. Preconstruction Testing: Tests and inspections performed specifically for the Project before products and materials are incorporated into the Work to verify performance or compliance with specified criteria.
- E. Product Testing: Tests and inspections that are performed by an NRTL, an NVLAP, or a testing agency qualified to conduct product testing and acceptable to authorities having jurisdiction, to establish product performance and compliance with specified requirements.
- F. Source Quality-Control Testing: Tests and inspections that are performed at the source, i.e., plant, mill, factory, or shop.
- G. Field Quality-Control Testing: Tests and inspections that are performed on-site for installation of the Work and for completed Work.
- H. Testing Agency: An entity engaged to perform specific tests, inspections, or both. Testing laboratory shall mean the same as testing agency.
- I. Installer/Applicator/Erector: Contractor or another entity engaged by Contractor as an employee, Subcontractor, or Sub-subcontractor, to perform a particular construction operation, including installation, erection, application, and similar operations.
 1. Use of trade-specific terminology in referring to a trade or entity does not require that certain construction activities be performed by accredited or unionized individuals, or that requirements specified apply exclusively to specific trade or trades.
- J. Experienced: When used with an entity or individual, "experienced" means having successfully completed a minimum of five previous projects similar in nature, size, and extent to this Project; being familiar with special requirements indicated; and having complied with requirements of authorities having jurisdiction.

1.3 CONFLICTING REQUIREMENTS

- A. Referenced Standards: If compliance with two or more standards is specified and the standards establish different or conflicting requirements for minimum quantities or quality levels, comply with the most stringent requirement. Refer conflicting requirements that are different, but apparently equal, to Architect for a decision before proceeding.
- B. Minimum Quantity or Quality Levels: The quantity or quality level shown or specified shall be the minimum provided or performed. The actual installation may comply exactly with the minimum quantity or quality specified, or it may

exceed the minimum within reasonable limits. To comply with these requirements, indicated numeric values are minimum or maximum, as appropriate, for the context of requirements. Refer uncertainties to Architect for a decision before proceeding.

1.4 INFORMATIONAL SUBMITTALS

- A. Contractor's Statement of Responsibility: When required by authorities having jurisdiction, submit copy of written statement of responsibility sent to authorities having jurisdiction before starting work on the following systems.
 - 1. Seismic-force resisting system, designated seismic system, or component listed in the designated seismic system quality assurance plan prepared by the Architect.
 - 2. Main wind-force resisting system or a wind-resisting component listed in the wind-force-resisting system quality assurance plan prepared by the Architect.
- B. Testing Agency Qualifications: For testing agencies specified in "Quality Assurance" Article to demonstrate their capabilities and experience. Include proof of qualifications in the form of a recent report on the inspection of the testing agency by a recognized authority.

1.5 REPORTS AND DOCUMENTS

- A. Test and Inspection Reports: Prepare and submit certified written reports specified in other Sections. Include the following:
 - 1. Date of issue.
 - 2. Project title and number.
 - 3. Name, address, and telephone number of testing agency.
 - 4. Dates and locations of samples and tests or inspections.
 - 5. Names of individuals making tests and inspections.
 - 6. Description of the Work and test and inspection method.
 - 7. Identification of product and Specification Section.
 - 8. Complete test or inspection data.
 - 9. Test and inspection results and an interpretation of test results.
 - 10. Record of temperature and weather conditions at time of sample taking and testing and inspecting.
 - 11. Comments or professional opinion on whether tested or inspected Work complies with the Contract Document requirements.
 - 12. Name and signature of laboratory inspector.
 - 13. Recommendations on retesting and reinspecting.
- B. Manufacturer's Field Reports: Prepare written information documenting tests and inspections specified in other Sections. Include the following:

1. Name, address, and telephone number of representative making report.
2. Statement on condition of substrates and their acceptability for installation of product.
3. Summary of installation procedures being followed, whether they comply with requirements and, if not, what corrective action was taken.
4. Results of operational and other tests and a statement of whether observed performance complies with requirements.
5. Other required items indicated in individual Specification Sections.

C. Permits, Licenses, and Certificates: For Owner's records, submit copies of permits, licenses, certifications, inspection reports, releases, jurisdictional settlements, notices, receipts for fee payments, judgments, correspondence, records, and similar documents, established for compliance with standards and regulations bearing on performance of the Work.

1.6 QUALITY ASSURANCE

- A. General: Qualifications paragraphs in this article establish the minimum qualification levels required; individual Specification Sections specify additional requirements.
- B. Manufacturer Qualifications: A firm experienced in manufacturing products or systems similar to those indicated for this Project and with a record of successful in-service performance, as well as sufficient production capacity to produce required units.
- C. Fabricator Qualifications: A firm experienced in producing products similar to those indicated for this Project and with a record of successful in-service performance, as well as sufficient production capacity to produce required units.
- D. Installer Qualifications: A firm or individual experienced in installing, erecting, or assembling work similar in material, design, and extent to that indicated for this Project, whose work has resulted in construction with a record of successful in-service performance.
- E. Professional Engineer Qualifications: A professional engineer who is legally qualified to practice in jurisdiction where Project is located and who is experienced in providing engineering services of the kind indicated. Engineering services are defined as those performed for installations of the system, assembly, or product that are similar to those indicated for this Project in material, design, and extent.
- F. Specialists: Certain Specification Sections require that specific construction activities shall be performed by entities who are recognized experts in those operations. Specialists shall satisfy qualification requirements indicated and shall be engaged for the activities indicated.

1. Requirements of authorities having jurisdiction shall supersede requirements for specialists.

G. Testing Agency Qualifications: An NRTL, an NVLAP, or an independent agency with the experience and capability to conduct testing and inspecting indicated, as documented according to ASTM E 329; and with additional qualifications specified in individual Sections; and where required by authorities having jurisdiction, that is acceptable to authorities.

1. NRTL: A nationally recognized testing laboratory according to 29 CFR 1910.7.
2. NVLAP: A testing agency accredited according to NIST's National Voluntary Laboratory Accreditation Program.

H. Manufacturer's Representative Qualifications: An authorized representative of manufacturer who is trained and approved by manufacturer to observe and inspect installation of manufacturer's products that are similar in material, design, and extent to those indicated for this Project.

I. Preconstruction Testing: Where testing agency is indicated to perform preconstruction testing for compliance with specified requirements for performance and test methods, comply with the following:

1. Contractor responsibilities include the following:
 - a. Provide test specimens representative of proposed products and construction.
 - b. Submit specimens in a timely manner with sufficient time for testing and analyzing results to prevent delaying the Work.
 - c. Build laboratory mockups at testing facility using personnel, products, and methods of construction indicated for the completed Work.
 - d. When testing is complete, remove test specimens, assemblies, mockups; do not reuse products on Project.
2. Testing Agency Responsibilities: Submit a certified written report of each test, inspection, and similar quality-assurance service to Architect, with copy to Contractor. Interpret tests and inspections and state in each report whether tested and inspected work complies with or deviates from the Contract Documents.

J. Mockups: Before installing portions of the Work requiring mockups, build mockups for each form of construction and finish required to comply with the following requirements, using materials indicated for the completed Work:

1. Build mockups in location and of size indicated or, if not indicated, as directed by Architect.
2. Notify Architect seven days in advance of dates and times when mockups will be constructed.
3. Demonstrate the proposed range of aesthetic effects and workmanship.

4. Obtain Architect's approval of mockups before starting work, fabrication, or construction.
 - a. Allow seven days for initial review and each re-review of each mockup.
5. Maintain mockups during construction in an undisturbed condition as a standard for judging the completed Work.
6. Demolish and remove mockups when directed, unless otherwise indicated.

1.7 QUALITY CONTROL

- A. Owner Responsibilities: Where quality-control services are indicated as Owner's responsibility, Owner will engage a qualified testing agency to perform these services.
 1. Owner will furnish Contractor with names, addresses, and telephone numbers of testing agencies engaged and a description of types of testing and inspecting they are engaged to perform.
 2. Costs for retesting and reinspecting construction that replaces or is necessitated by work that failed to comply with the Contract Documents will be charged to Contractor, and the Contract Sum will be adjusted by Change Order.
- B. Contractor Responsibilities: Tests and inspections not explicitly assigned to Owner are Contractor's responsibility. Perform additional quality-control activities required to verify that the Work complies with requirements, whether specified or not.
 1. Where services are indicated as Contractor's responsibility, engage a qualified testing agency to perform these quality-control services.
 - a. Contractor shall not employ same entity engaged by Owner, unless agreed to in writing by Owner.
 2. Notify testing agencies at least 24 hours in advance of time when Work that requires testing or inspecting will be performed.
 3. Where quality-control services are indicated as Contractor's responsibility, submit a certified written report, in duplicate, of each quality-control service.
 4. Testing and inspecting requested by Contractor and not required by the Contract Documents are Contractor's responsibility.
 5. Submit additional copies of each written report directly to authorities having jurisdiction, when they so direct.
- C. Manufacturer's Field Services: Where indicated, engage a manufacturer's representative to observe and inspect the Work. Manufacturer's

representative's services include examination of substrates and conditions, verification of materials, inspection of completed portions of the Work, and submittal of written reports.

- D. Retesting/Reinspecting: Regardless of whether original tests or inspections were Contractor's responsibility, provide quality-control services, including retesting and reinspecting, for construction that replaced Work that failed to comply with the Contract Documents.
- E. Testing Agency Responsibilities: Cooperate with Architect and Contractor in performance of duties. Provide qualified personnel to perform required tests and inspections.
 - 1. Notify Architect and Contractor promptly of irregularities or deficiencies observed in the Work during performance of its services.
 - 2. Determine the location from which test samples will be taken and in which in-situ tests are conducted.
 - 3. Conduct and interpret tests and inspections and state in each report whether tested and inspected work complies with or deviates from requirements.
 - 4. Submit a certified written report, in duplicate, of each test, inspection, and similar quality-control service through Contractor.
 - 5. Do not release, revoke, alter, or increase the Contract Document requirements or approve or accept any portion of the Work.
 - 6. Do not perform any duties of Contractor.
- F. Associated Services: Cooperate with agencies performing required tests, inspections, and similar quality-control services, and provide reasonable auxiliary services as requested. Notify agency sufficiently in advance of operations to permit assignment of personnel. Provide the following:
 - 1. Access to the Work.
 - 2. Incidental labor and facilities necessary to facilitate tests and inspections.
 - 3. Adequate quantities of representative samples of materials that require testing and inspecting. Assist agency in obtaining samples.
 - 4. Facilities for storage and field curing of test samples.
 - 5. Delivery of samples to testing agencies.
 - 6. Preliminary design mix proposed for use for material mixes that require control by testing agency.
 - 7. Security and protection for samples and for testing and inspecting equipment at Project site.
- G. Coordination: Coordinate sequence of activities to accommodate required quality-assurance and -control services with a minimum of delay and to avoid necessity of removing and replacing construction to accommodate testing and inspecting.

1. Schedule times for tests, inspections, obtaining samples, and similar activities.

1.8 SPECIAL TESTS AND INSPECTIONS

A. Special Tests and Inspections: Owner will engage a qualified special inspector to conduct special tests and inspections required by authorities having jurisdiction as the responsibility of Owner, as indicated in Statement of Special Inspections attached to this Section, and as follows:

1. Verifying that manufacturer maintains detailed fabrication and quality-control procedures and reviewing the completeness and adequacy of those procedures to perform the Work.
2. Notifying Architect and Contractor promptly of irregularities and deficiencies observed in the Work during performance of its services.
3. Submitting a certified written report of each test, inspection, and similar quality-control service to Architect with copy to Contractor and to authorities having jurisdiction.
4. Submitting a final report of special tests and inspections at Substantial Completion, which includes a list of unresolved deficiencies.
5. Interpreting tests and inspections and stating in each report whether tested and inspected work complies with or deviates from the Contract Documents.
6. Retesting and reinspecting corrected work.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION

3.1 REPAIR AND PROTECTION

A. General: On completion of testing, inspecting, sample taking, and similar services, repair damaged construction and restore substrates and finishes.

1. Provide materials and comply with installation requirements specified in other Specification Sections or matching existing substrates and finishes. Restore patched areas and extend restoration into adjoining areas with durable seams that are as invisible as possible. Comply with the Contract Document requirements for cutting and patching in Division 01 Section "Execution."

B. Protect construction exposed by or for quality-control service activities.

C. Repair and protection are Contractor's responsibility, regardless of the assignment of responsibility for quality-control services.

END OF SECTION 014000

ATTACHMENT
F(f)
Worker and Public Safety



Safety

Kenbridge Construction is totally committed to the safety of our construction sites, employees, and other site tradesmen, as well as the safety of all individuals in proximity to the site and its surrounding areas.

Kenbridge's safety program is maintained and enforced by John Mahaney, the Director of Safety. For each construction project, Kenbridge develops a detailed safety program based on the specific intricacies involved. Kenbridge utilizes its standard safety protocols to establish a specific worker and public safety program tailored to each project. Typical safety program features include:

- Weekly safety evaluation meetings between the project manager and the Director of Safety
- Job Safety Analysis prior to commencement
- Regular site inspections by the Director of Safety, both scheduled and random
- Requests for voluntary inspections from Insurance Risk Specialists and VOSH

Kenbridge Construction's formal Safety Policy Manual is available upon request. The information above is simply a brief summary of Kenbridge's dedication to construction safety.

KCC will strictly enforce all VOSH Regulations, and will require each sub to maintain full compliance at all times.

Public Safety is also a paramount concern of KCC. Our plan is to totally enclose the Courthouse site in temporary construction fencing, with "No Trespassing" and "Keep Out" signs. We will provide 2 entry points off of the Boulevard via double gates that will be locked at night. Construction Entrance signs will be posted on the Boulevard to warn traffic of the dangers ahead. We will comply fully with all VDOT sign regulations. Construction entrances will be maintained to minimize mud being transported off of the site on tires. Flagmen will be utilized as needed.

ATTACHMENT
F(g)
Site Specific Work Plans

KENBRIDGE CONSTRUCTION COMPANY
SITE SPECIFIC WORK PLANS
COLONIAL HEIGHTS NEW COURTHOUSE FACILITY

The current bidding plan is to put out early works packages for Sitework, Concrete, and Steel. Site Specific Work Plans for these packages are not yet complete, but will be made available through the City's Sharepoint Server.

The balance of the project will be bid upon 100% completion of the design documents in June of 2012. The Site Specific Work Plans for these plans will also be made available through the City's Sharepoint Server.

ATTACHMENT
F(h)
Risk Management

KENBRIDGE CONSTRUCTION COMPANY
RISK MANAGEMENT PLAN
COLONIAL HEIGHTS NEW COURTHOUSE FACILITY

A \$500,000 Contingency Allowance has been included in the GMP, but not included in the Cost of the Work. There are certain risks involved in the development of a GMP with only 60% complete plans. To alleviate escalation risk, Kenbridge's intent is to enter into firm price contracts with all subs and suppliers, making each entity responsible for their own risk with regard to escalation. The \$500,000 would be used by both Kenbridge (for issues involved in the final development of the plans, for scopes of work that may remain to be bid by subcontractors, and for minor design changes during the construction process) and by the owner (for making changes to the project that create additional cost to the contractor).

A RESOLUTION NO. 12-5

To amend the "Schedule of Parks and Recreation Fees and Policy Relating to Youth Activities."

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

1. That, pursuant to § 215-1 of the Colonial Heights City Code, the "Schedule of Parks and Recreation Fees and Policy Relating to Youth Activities" be, and is hereby, amended; a copy of the amended schedule being attached hereto and made a part hereof.

2. 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:

City Attorney

City of Colonial Heights
Schedule of Parks and Recreation Fees and Policy Relating to Youth Activities
July 8, 2008 ~~February 14, 2012~~ March 13, 2012

A. Facilities.

(1) For the reservation for their exclusive use and that of their invited guests, by any person or organization, of pavilion space at ~~White Bank Park~~ City parks:

(a) Per day:

[1] City residents: \$15.

[2] City businesses: \$15.

[3] Tax-exempt, nonprofit organizations in Colonial Heights: no charge.

(b) All others:

[1] ~~One half pavilion: \$25.~~

[2] ~~Whole pavilion [4] Non-city persons or organizations: \$50.~~

[3] ~~[5] Tax-exempt, nonprofit organizations outside of Colonial Heights: \$15.~~

(2) Any such person or organization shall agree in writing at the time of making such reservation that the space reserved shall be used exclusively for their personal or organizational purposes.

(3) Community ~~Building~~ Room.

(a) The fee for the Community ~~Building~~ Room shall be \$50 per day; provided, however, that after scheduling *the room* for department use, *it shall be available to rent to persons whose place of residence is within the City and organizations whose registered office or principal place of business is within the City shall be given scheduling preference over other persons or organizations.*

(b) Persons or organizations which use the Community ~~Building~~ Room for profit shall pay 10% of revenue or the fee above, whichever is greater.

(4) *Shepherd Stadium*

~~The fee for Shepherd Stadium shall be the greater of either: 10% of gate revenue; or \$100 per game on a weekday; or \$150 per game on weekends and holidays, plus \$100 for the use of lights. Organizations which are sponsored by or a part of the Colonial Heights Public Schools shall be exempt from the~~

imposition of ~~said fee~~ fees at Shepherd Stadium. The fee for non-exempt organizations shall be Other organizations shall pay the following fees:

- (a) *Game rate: \$50 per game.
- (b) *Tournament rental rate: \$150 per day.
- (c) Practice rental rate: Not available.
- (d) Light fee (if needed): \$20 per hour.
- (e) Additional staffing (site staffing, field preparation, etc.): \$25 per hour/per needed staff.

*Includes a one-time field preparation.

(5) Other Playfields.

~~The fee for other playfields shall be \$50 per weekday, or \$75 on weekends and holidays, which includes the use of lights per field. An additional fee of \$5 shall be charged each team playing in any tournament.~~

Organizations which are sponsored by or a part of the Colonial Heights Public Schools shall be exempt from the imposition of fees at other playfields. Other organizations shall pay the following fees:

- (a) *Game rate: \$30 per game.
- (b) *Tournament rental rate: \$75 per day.
- (c) Practice rental rate (no field preparation): \$5 per hour.
- (d) Light fee (if needed): \$10 per hour.
- (e) Additional staffing (site staffing, field preparation, etc.): \$25 per hour/per needed staff.

*Includes a one-time field preparation.

(6) Fees to use the Skate Park shall be as follows:

- (a) Minor (under age 18): \$1 per day.
- (b) Adult (age 18 and older): \$2 per day.
- (c) Annual Pass for a City Resident: \$20.
- (d) Annual Pass for a Non-City Resident: \$30.
- (e) Family Annual Pass (City Residents only): \$50 for 3 or more in family.

B. Activities.

(1) A child must be a City resident, *or have a parent who resides in the City, and eligible for enrollment in Colonial Heights schools* to participate in youth sports and non-sport youth activities, except as provided in Subsection B(7 5) herein. *Proof of residency may be required.*

(2) ~~Home school and private school attendees must supply two copies of current proof of residency, e.g., lease, water bill, home loan, City decal accepted as proof.~~

(3) (2) Any player moving outside the City limits prior to the first regular season game is ineligible to participate in youth sports.

(4) (3) Fees per child ~~for the following sports shall be as provided below, subject to a \$50 maximum per family for any such sport: for the following City budgeted youth sports shall be \$20: baseball, softball (girls), football, basketball, and cheerleading.~~

Sport	Fee
Baseball	\$20
Softball (girls')	\$20
Football	\$20
Basketball	\$20
Cheerleading	\$20

An additional late charge of \$20 \$10 for any sport shall be applied for any registration received two weeks after the deadline.

(5) ~~The fee shall vary according to the costs involved for individual events, to be established by the Director, in writing, and filed with the City Clerk.~~

(6) (4) Fees for other sports or events shall be set by the Director, ~~with the approval of the City Manager and filed with the City Clerk.~~

(7) (5) *Any Decisions concerning any unusual circumstances may be determined made on an individual basis by the Director of Parks and Recreation for any non-sport youth activity.*

C. Fee exemptions and other regulations.

(1) ~~Exemptions for the facilities provided in Subsection A(3) and (4) above: City organizations that sponsor recreational events open to the public without charge shall not have to pay a fee.~~

(a) ~~Local organizations when sponsoring recreational events open to the public without charge.~~

(b) (2) Any ~~nondepartment exempt~~ organization which uses the Community ~~Building~~ Room on a regular long-term basis shall pay, nonetheless, an annual fee of \$100 for monthly rentals (12 times a year); or \$150 for ~~bimonthly~~ biweekly rentals (13 to 24 times a year); or \$250 for more than twice a month.

(2) (3) Subletting of facilities shall not be allowed in any event.

(3) (4) ~~Any The Director may waive any activity fee may be waived, upon recommendation of the Director and written approval of the City Manager in each instance, for individuals reasonably found to be financially unable to pay said such fee. Moreover, for good cause, the Director may waive or reduce the applicable fee for any organization that sponsors an event or game at a City facility or playfield.~~

(5) *Additional fees and requirements may apply, especially for activities or events outside the standard group gathering, where additional City staffing or materials are required.*



CITY OF COLONIAL HEIGHTS

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

City Hall · 201 James Avenue · P.O. Box 3401
Colonial Heights, Virginia 23834

George W. Schanzenbacher,
A.I.C.P., Director

MEMORANDUM

To: Honorable Mayor and Members of City Council
Mr. Thomas L. Mattis, City Manager

From: George W. Schanzenbacher, Director

Date: March 7, 2012

Subject: Planning Commission Actions at March 6, 2012 meeting

At the March 6, 2012 meeting of the Commission the following actions were taken:

1.
 - Held Annual organizational meeting:
Elected Charles Townes Chairman and Milton Freeland Vice-Chairman
 - Passed resolution recognizing Harry Hargis
 - Approved Annual Report(enclosed)
 - Recommend that William Kollman be the Planning Commission representative on the Architectural Review Board
 - Reappointed James O'Connell to the Parks and Recreation Advisory Board
2. Approved minutes of the December 7, 2011 meeting (enclosed).
3. Held a public hearing on a Special Use permit request by KHJ Colonial, LLC-880 West Roslyn Road and recommended approval of the request for allowing a restaurant in the existing building and for a free standing interstate highway sign. Please see enclosed resolution.
4. Discussed Site Plan approval for Martin's Fueling Station- 2960 Boulevard. Tabled action on the plan subject to modifying the structures design so as to be compatible with the Boulevard Architectural Design Guidelines.
5. Heard staff presentation on proposed Comprehensive Plan Vision statement and endorsed it as written.

6. Heard staff presentation on proposed Appomattox River Development Corridor Plan and endorsed it as vision concept.

CITY OF COLONIAL HEIGHTS, VIRGINIA
Minutes of the Regular Meeting
of the Planning Commission
Wednesday, December 7, 2011

I. Call to Order

Chairman Hargis 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: Mr. Hargis
Mr. Hartson
Mr. Freeland
Mr. Kollman
Mr. O'Connell
Mrs. Hamilton

Absent: Mr. Townes

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, Jamie Sherry, Neighborhood Revitalization Planner and Assistant Director of Public Works Brian Copple.

III. Approval of Minutes of November 2011

The minutes were approved on a roll call vote with no changes. Mrs. Hamilton abstained.

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

There were no public hearings.

VII. Plans of Development/Subdivisions

PD-11-6- EVB Bank- 3012 Boulevard

Mr. Schanzenbacher stated that the plan of development was for the construction of a 5,740 square foot bank building on a 1.148 acre site, to be located on the west side of the Boulevard. The site was the former location of Boulevard Flowers. He stated three existing structures would be removed.

Joe James, Chief Operations Officer of EVB stated that the bank had a location in Colonial Heights since 2006. He stated that the existing site was small and posed some operational challenges. The new site would allow them to expand customer service.

The commission members stated they were pleased to see this type of development at this site and asked several questions in reference to access. It was stated that there would be no vehicle access to or from Lenoir Avenue. Access from the Boulevard would be right in and right out only. Access would also be permitted via Picket and Lakeview Avenues. Mr. Copple stated that all access issues had been worked out with the applicant.

Mr. Freeland asked if Cedar Lane had been vacated. Mr. Schanzenbacher said it had not been vacated.

Mr. Mattis asked Mr. James if he knew what was going to happen to the existing EVB Bank building. Mr. Janis stated that the bank was owned by a doctor who has office space at that location. He stated that once EVB left the site he believe the intention was to rent it to another tenant, but they did not know of any specific plans.

Mr. James stated that they expected that construction would begin in the first quarter of 2012. He stated that if they were not finished construction by early November, they would open in January 2013. They do not plan on opening the new location during the holiday season.

Mr. Mattis also stated that the project was in the Boulevard Overlay District which will provide added expectation for development. Mrs. Hamilton stated that she liked the building; however, she stated that she wished there were some more local, natural species proposed for the landscape plan. Mr. James said that security was a major part of the decision as to what plants were chosen.

Mr. Mattis asked that the bank hire local contractors, if possible, to construct the building.

PD-11-7- BB&T Bank- 2609 Boulevard

Mr. Schanzenbacher stated that the plan of development was for the construction of a 3,221 square foot bank building on a 1.35 acre site, to be located on the eastside of the Boulevard at Newcastle Drive. Their existing facility of 2,211 square feet would be demolished and replaced by a new building.

Chris Shust, from Balzer and Associates, thanked the commission and stated he was available for questions about the plan. The commission had some questions in reference to traffic on the site. Mr. Shust said that the location of the drive thru exit was adjusted and the size increased to meet VDOT standards. The commission also had some questions in reference to the operation of the building during construction. Mr. Shust stated that there would be a temporary building on the site to serve customers while the new building is being constructed. He also stated that the new building is a new prototype and will look like the new branch located in Henrico at the corner of Brook and

Parham Roads. He stated that they are hoping to have the facility open in November 2012 at the latest. He also stated that they will look at the local GC list for hiring.

VIII. Old Business

There was no old business.

IX. New Business - Update on the Comprehensive Plan – survey results and citizen planning committee meeting

Ms. Sherry presented a summary of the results of the Citizen Survey to the Commission. She stated that the Citizen Planning Committee had identified themes based on the results of the survey and the visioning meeting that was held in June. These themes will be used to form the vision and goals for the plan.

After much discussion, the Commission agreed that there were significant housing challenges that needed to be addressed in the plan. Ms. Sherry stated that the survey results would be posted to the City's website in the next couple of weeks. She also stated that the Citizen Planning Committee would be working on drafting a vision statement in January for Planning Commission consideration, hopefully in February.

X. Committee Reports

Chairman Hargis asked if there were any committee reports. There were no reports from the Commission members.

Following up on an earlier discussion in reverence to rehabilitating housing in the city, Mr. Fisher stated that the cost of rehabilitation was very expensive. He suggested that the city consider expanding on the tax abatement program to give homeowners an incentive to improve their property.

There were no other reports from staff.

XI. Adjournment

Meeting adjourned at 8:10 p.m.

Respectfully,



George W. Schanzenbacher
Director, Department of Planning and Community Development

APPROVAL:



Chairman



2011 ANNUAL REPORT

CITY OF COLONIAL HEIGHTS PLANNING COMMISSION

I. RESOLUTIONS ACTED ON BY THE PLANNING COMMISSION

ZONING ORDINANCE, SUBDIVISION REGULATIONS, SPECIAL USE PERMIT, ALLEY AND CITY PARCEL VACCTIONS RECOMMENDATIONS

RESOLUTION NO. 11-1 (PC) Rescinding certain conditions requested by the Planning Commission at its meeting of January 4, 2011 related to a preliminary plan of development for a Wawa; reapproving the plan of development without conditions; and authorizing the City Attorney to execute certain documents in the settlement and resolution of the Circuit Court case of Wawa, Inc., Temple Avenue Associates, LLC, and The Lamar Company, LLC v. City of Colonial Heights, Virginia and the Planning Commission of the City of Colonial Heights, Virginia.

RESOLUTION NO. 11-2 (PC) To recommend to City Council to 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.

RESOLUTION NO. 11-3 (PC) To recommend to City Council that the City Comprehensive Plan be changed to state that the location of the new Courthouse will be on Chesterfield Avenue and to approve the general location, character, and extent of the new Courthouse.

RESOLUTION NO. 11-4 (PC) To recommend to City Council that Chapter 286, Zoning, of the City Code, and the Zoning District Map, be amended by changing the zoning classification of certain property presently zoned RL Low Density Residential District to BB Boulevard Business District. Such property is located at 231 Chesterfield Avenue and consists of one parcel of 4.77 acres and one parcel of .65 acre.

II SUBDIVISION/RESUBDIVISION

- S-11-1 Subdivision Plat of Property of Roslyn Farm Corporation-10/11

III. PLANS OF DEVELOPMENT (SITE PLANS)

- PD-11-1 Texas Roadhouse-2600 Conduit Road-1/11
- PD-11-2 Old Town Creek Center-Phase 2-grading plan-8/11
- PD-11-3 City of Colonial Heights Courthouse-231 Chesterfield Ave-10/11
- PD-11-4 Colonial Heights Healthcare Center-access road & parking lot-10/11
- PD-09-5 WAWA North Riverview Commercial center-landscaping plan modifications-10/11
- PD-11-5 Staples Office/Service Building-1914 Snead Acve-11/11
- PD-11-6 EVB bank-3012 Boulevard-12/11
- PD-11-7 BB&T bank-2609 Boulevard-12/11

IV. MISCELLANEOUS

- Creation of Citizen Planning Committee and Selection of Members
- Appomattox River Corridor Development Plan

RESOLUTION NO. 12-2 (PC)

To recommend to City Council an ordinance to grant a special use permit to KHJ Colonial, LLC for property located at 880 West Roslyn Road; which property is presently zoned IN Industrial District, has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, and comprises 11.5 acres, to allow for the property to be partially used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and a free standing pole sign not exceeding 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 highway right-of-way.

WHEREAS, the Planning Commission has considered the attached ordinance, Exhibit A, relating to a proposed restaurant of not more than 2,000 square feet to be located in an existing Antique Tractor Museum Building at 880 West Roslyn Road and the construction at such address of a free standing pole sign, not to exceed 45 feet in height and 192 square feet in size, as depicted in Exhibit B; and

WHEREAS, the Planning Commission on March 6, 2012, held a public hearing on the special use permit request; and

WHEREAS, the Planning Commission has determined that the public necessity, convenience, general welfare, and good planning practice support the special uses requested for the area; and

WHEREAS, the Planning Commission finds that granting of the special use permit for the restaurant and free standing sign will not be detrimental to the safety, health, morals and general welfare of the community involved; will conform to the principles of good planning; will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; will not create hazards from fire, panic or other dangers; will not tend to overcrowding of land and cause an undue concentration of population; will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; and will not interfere with adequate light and air.

NOW, THEREFORE, BE IT RESOLVED BY THE COLONIAL HEIGHTS PLANNING COMMISSION:

That the Planning Commission recommends to City Council that the attached ordinance, Exhibit A, be approved and that a special use permit be issued to KHJ Colonial, LLC to allow for the property to be partially used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and a free standing pole sign not exceeding 45 feet in height and 192 square feet in size, that would be located within 500 feet of the Interstate 95 highway right-of-way.

Approved this 6th day of March, 2012.

APPROVED:

Chairman

ATTEST:

Secretary

AN ORDINANCE NO. 12-_____

To grant a special use permit to KHJ Colonial, LLC, for property located at 800 West Roslyn Road.

WHEREAS, the Planning Commission at its meeting on March 6, 2012, held a public hearing on the issuance of a special use permit to KHJ Colonial, LLC, for property located at 800 West Roslyn Road; which property is presently zoned IN Industrial District, has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, and comprises 11.5 acres, to allow for the property to be partially used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and a free standing sign not exceeding 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 highway right-of-way lines, as generally depicted on the attached drawing prepared by Superior Sign Productions and dated July 26, 2010 (the "Drawing"); and

WHEREAS, after due consideration, the Planning Commission recommended that City Council approve this ordinance and the special use permit; and

WHEREAS, pursuant to §17.11-1 of the Colonial Heights City Charter and Va. Code § 15.2-2204, City Council advertised a public hearing in *The Progress-Index* and held a public hearing at its Regular Meeting on April 10, 2012, to receive citizen comment on the issuance of a special use permit; and

WHEREAS, upon recommendation of the Planning Commission, the determination of City Council is that the public necessity, convenience, general welfare and good zoning practice require that this special use permit be granted; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Council finds, after investigation by the Colonial Heights' Planning

Commission, that issuance of a special use permit to KHJ Colonial, LLC, for property located at located at 800 West Roslyn Road, will not be detrimental to the safety, health, morals and general welfare of the community involved; will conform to the principles of good planning; will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; will not create hazards from fire, panic or other dangers; will not tend to overcrowding of land and cause an undue concentration of population; will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; and will not interfere with adequate light and air.

2. That KHJ Colonial, LLC, be and is hereby granted a special use permit for a 11.5 acre parcel of property located at 880 West Roslyn Road, which has parcel identification numbers 6805380004A, 68050000012C and 6805000012B, to allow the property to be partially used for a restaurant not to exceed 2,000 square feet, which would be located in the existing farm museum building; and a free standing pole sign, not to exceed 45 feet in height and 192 square feet in size, to be located within 500 feet of the Interstate 95 right-of-way lines, as generally depicted on the Drawing; which Drawing is hereby attached to and made a part of this Ordinance.

3. That this permit also shall be subject to review and revocation by Council, at Council's discretion, in the same manner and under the same conditions as required by law for the granting of such permits.

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