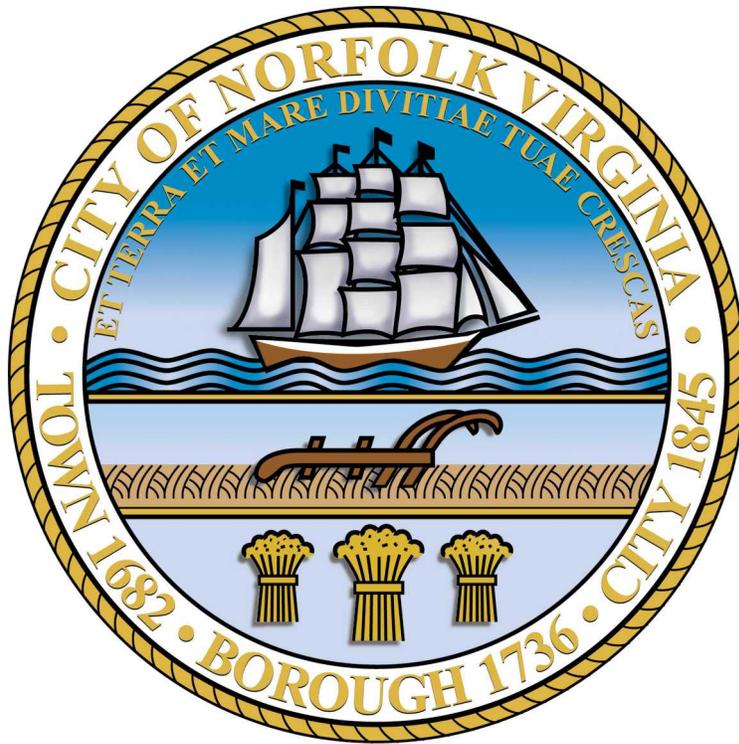

Ordinances



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51812rg

Form and Correctness Approval:

By Mary J.G. [Signature]
Office of the City Attorney

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund form which it is drawn and not appropriated for any other purpose.

NORFOLK, VIRGINIA

Contents Approved:

By Sabrina Joy Ross
DEPT. Budget and Grants Management

\$ 1,004,048,515 Various
Account
[Signature] 5/18/12
Director of Finance Date

ORDINANCE No. 44,695

R-24

AN ORDINANCE APPROPRIATING FUNDS FOR OPERATION OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013, AUTHORIZING SHORT-TERM EQUIPMENT FINANCING, AUTHORIZING A SUPPLEMENT FOR RETIREES, INCREASING CERTAIN FEES, PROVIDING FUNDS FOR A REAL ESTATE TAX EXEMPTION AND DEFERRAL AND REGULATING THE PAYMENT OF MONEY FROM THE CITY TREASURY.

- - -

WHEREAS, the City Manager submitted to the Council a proposed annual budget for the City for the fiscal year beginning July 1, 2012 and ending June 30, 2013, which has been amended by the Council, and it is necessary to make appropriations sufficient to fund said budget and to regulate the payment of money from the City treasury; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the amounts shown herein aggregating Seven Hundred Ninety Nine Million Seven Hundred Ninety Thousand Eight Hundred Nine Dollars (\$799,790,809.00) for the General Fund, Eighty One Million Seven Hundred Sixty One Thousand Dollars (\$81,761,000.00) for the Water Utility Fund, Twenty Seven Million Fifty Four Thousand Six Hundred Sixty Dollars (\$27,054,660.00) for the Wastewater Utility Fund, Fifteen Million One Hundred Ninety Thousand Two Hundred Dollars (\$15,190,200.00) for the Storm Water Utility Fund, Thirteen Million Six Hundred Fifty Eight

Thousand One Hundred Dollars (\$13,658,100.00) for the Internal Service Funds, Twenty Million Nine Hundred Fifty Two Thousand Four Hundred Dollars (\$20,952,400.00) for the Parking Facilities Fund, Two Million Two Hundred Thirteen Thousand Six Hundred Dollars (\$2,213,600.00) for the Cemetery Services Fund, Five Million Nine Hundred Sixty One Thousand (\$5,961,000.00) for the Emergency Operations Center Fund, One Million Four Hundred Ninety Seven Thousand Six Hundred Dollars (\$1,497,600.00) for the Golf Operations Fund, Twenty Five Million Nine Hundred Eighty Six Thousand Ninety Seven Dollars (\$25,986,097) for the Norfolk Community Services Board Fund, Five Million Five Hundred Twenty Four Thousand Two Hundred Dollars (\$5,524,200.00) for the Public Amenities Fund, Two Million Seven Hundred Fifty Four Thousand Eight Hundred Forty Nine Dollars (\$2,754,849.00) for the Tax Increment Financing Fund, One Million Seven Hundred Four Thousand Dollars (\$1,704,000.00) for the Towing and Storage Service Fund, or so much thereof as may be necessary, as set forth in the annual budget for the fiscal year July 1, 2012 - June 30, 2013, submitted by the City Manager and as amended by the Council and hereby adopted, are hereby appropriated, subject to the conditions hereinafter set forth in this ordinance, from the revenues of the City from all sources for the fiscal year July 1, 2012 - June 30, 2013, for the use of the several departments and funds established within the City Government, and for the purposes hereinafter set forth in said annual budget for the fiscal year July 1, 2012 - June 30, 2013 as follows:

Legislative	\$4,549,986
Executive	\$2,052,514
Department of Law	\$3,930,466
Constitutional Officers	\$5,532,679
Finance	\$2,997,612
Department of Human Resources	\$3,287,514
Courts and Court Support	\$9,464,359
Sheriff and Detention	\$37,870,608
Department of Public Health	\$4,025,735
Department of Human Services	\$47,955,440

Department of Public Works	\$42,000,527
Recreation/Parks & Open Space	\$17,438,390
Education	\$302,033,320
Department of Libraries	\$7,905,341
Elections	\$873,086
Department of Planning	\$7,165,972
Cultural Facilities, Arts, and Entertainment	\$6,354,130
Non-Departmental Appropriations	\$24,318,236
Outside Agencies	\$38,964,756
Department of Police	\$65,619,393
Department of Fire-Rescue	\$40,147,147
Virginia Zoological Park	\$4,159,200
Debt Service	\$78,098,397
Office of Budget and Grants Management	\$1,568,094
Economic Development	\$1,767,169
Communications and Public Relations	\$2,466,674
Office to End Homelessness	\$326,290
Department of Information Technology	\$10,892,475
General Services	\$20,482,889
National Maritime Center	\$5,542,410
Total Appropriations General Fund - Operating Budget	\$799,790,809

Water Utility Fund	\$81,761,000
Wastewater Utility Fund	\$27,054,660
Storm Water Utility Fund	\$15,190,200
Internal Service Funds	\$13,658,100
Parking Facilities Fund	\$20,952,400
Cemetery Services Fund	\$2,213,600
Emergency Operations Center Fund	\$5,961,000
Golf Operations Fund	\$1,497,600
Norfolk Community Services Board	\$25,986,097
Public Amenities Fund	\$5,524,200
Tax Increment Financing Fund	\$2,754,849
Towing and Storage Service Fund	\$1,704,000

Section 2:- That unless otherwise specified by Council, all taxes heretofore levied shall continue from year to year.

Section 3:- That the salaries and wages set forth in detail in said annual budget, including for the City Manager, as amended, and for offices and positions which are not embraced within said compensation plan are hereby authorized.

The positions, except where the number thereof is not under the control of the Council, set forth in said annual budget, as amended, shall be the maximum number of positions authorized for the various departments, division, bureaus and funds of the City during the fiscal year July 1, 2012 - June 30, 2013 and the number thereof shall not be changed during said fiscal year unless authorized by the Council or City Manager pursuant to the Charter of the City of Norfolk and the City Code.

Changes in personnel occurring during said fiscal year in classifications embraced within the City's compensation plans shall be administered by the City Manager in accordance with the regulations for the administration of the plans.

In the event any personnel authorized in the preceding year's annual budget and appropriations are notified of release due to a reduction in force, reorganizations or work force downsizing or the staffing and organization redesign effort, such positions are hereby authorized to continue in existence until such time as adopted procedures relating to reductions in force or work force downsizing, or the staffing and organizational redesign effort are completed and implemented in accordance with its terms and conditions. The City Manager is hereby authorized to continue all benefits and salaries throughout the period of employment from appropriated funds for the positions aforesaid, notwithstanding that said positions may or may not have been deleted in the departmental budget for the fiscal year July 1, 2012 - June 30, 2013.

The Council reserves the right to change at any time during said fiscal year the compensation, including pay supplements for constitutional officers, either before or after a change in basic salary is made by the State Compensation Board, and to abolish any office or position provided for in said annual budget, as amended, except such offices or positions as it may be prohibited by law from abolishing. The City Manager is authorized to make such rearrangements and reorganizations of positions and personnel services funds between the several departments, including funds named therein, as may best meet the uses and interests of the City.

No person shall acquire any vested interest in any supplement payable under this section beyond those actually paid.

Section 4:- That all payments from the appropriations provided for in this ordinance, including those from balances remaining on June 30, 2012, to the credit of appropriations for works, improvements or other objects which have not been completed or abandoned, except those works, improvements or other objects funded by Federal, State, or other organizational grants which are hereby encumbered, shall be made at such time as the City Manager may direct, unless otherwise specified by the Council. The City Manager is hereby authorized to apply for grants and awards during the fiscal year provided that adequate matching funds are in the budget; all such grants are subject to the appropriation of the Council once awarded.

Section 5:- That within the several departments, funds and activities, there are hereby appropriated sufficient amounts to cover the operation of all Internal Service Funds, including the Storehouse and Fleet Management. Charges for services assessed against said departments, funds and activities by the Internal Service Funds shall be accumulated in the appropriate internal service fund and expended to

cover the operating costs of such funds as provided in the annual budget.

Section 6:- That the various amounts appropriated by this ordinance for the several groups, as set forth in said annual budget, as amended, are to be expended for the purposes designated by said groups, provided, however, that the City Manager or a designee may authorize the transfers between account groups within the same department, fund or activity of the City and a record of such transfers shall be maintained by the Director of Finance.

The City Manager or designee is authorized to transfer from any department, fund or activity which has an excess of funds appropriated for its use of the balance of the fiscal year to any department, activity or fund all or any part of such excess, or to cause such transfers to be made, a record of all such transfers shall be maintained by the Director of Finance.

Any unexpended balances in the amounts appropriated for the Department of Public Works Street Construction and Maintenance Projects, Tourism Infrastructure Repair, and the Norfolk Consortium at the close of business on June 30, 2012 shall not revert to the surplus of the general fund, but shall be carried forward on the books of the City Controller and be available for expenditure in the succeeding year.

The City Manager shall provide to the City Council a mid-year budget update. Such mid-year budget update shall report the projected revenues and expenditures estimates for the entire fiscal year, receipt of unbudgeted revenues and other major changes to the adopted budget.

There is hereby reserved in the General Fund Balance up to the amount of Forty Two Million Three Hundred Thirty Two Thousand Five Hundred Ninety One Dollars (\$42,332,591.00) for the Unassigned General Fund Balance Reserve.

There is hereby reserved in the General Fund Balance the amount of Three Million Dollars (\$3,000,000.00) for the Risk Management Reserve.

There is hereby reserved in the General Fund Balance the amount of Three Million Dollars (\$3,000,000.00) for the Economic Downturn and Leveling Reserve.

There is hereby reserved in the General Fund Balance up to the amount of Three Million Five Hundred Seventeen Thousand Nine Hundred Sixty One Dollars (\$3,517,961.00) in the revolving fund for Strategic Land Acquisitions to be expended for future land acquisitions. The City Manager is authorized to accept future deposits made to the Land Acquisition Fund during the fiscal year. Such deposits are hereby appropriated and authorized to be expended for future land acquisitions. Any unobligated appropriation in the Land Acquisition Fund at the close of the fiscal year ending on June 30, 2012, is hereby reserved for the Land Acquisition Fund to be expended for future land acquisitions.

There is hereby appropriated and authorized for expenditure the revenues from the flat tax of Two Dollars (\$2.00) per room for each night of lodging at any hotel, if and when received, by: (1) Visit Norfolk (Norfolk Convention and Visitor Bureau) for visitor promotion and advertising for conventions and tourism; and (2) the Norfolk Consortium. Visit Norfolk shall be allocated fifty percent (50%) of the revenues collected each month from the flat tax of Two Dollars (\$2.00) per room of each night of lodging at any hotel during the fiscal year and the remaining fifty percent (50%) of the revenues collected each month shall be allocated to the Norfolk Consortium.

There is hereby appropriated and authorized to be transferred One Million Three Hundred Thirty-Three Thousand Five Hundred Thirty-Three Dollars (\$1,333,533.00) of the Parking General Reserve Fund to the Rate Stabilization Fund. Furthermore, there is hereby appropriated and authorized to be expended from the Parking

Facilities Fund Rate Stabilization Fund One Million Eight Hundred Ten Thousand Two Hundred Thirty Six Dollars (\$1,810,236.00) for operations of the Parking Facilities Fund. Such deposits are hereby appropriated and authorized to be expended for operations of the Parking Facilities Fund.

There is hereby authorized, in accordance with guidelines established by the City Manager, the execution of warrants for the disbursement of any cash in banks credited to the City's Corporate Account to meet any properly authorized and approved payment chargeable to any account of the City.

Section 7:- That the Council hereby finds and determines that based on current conditions in the municipal bond market, it is in the City's best interest to issue short-term general obligation bonds or notes (the "Short-Term Equipment GOBs") to finance acquiring various items of personal property, including but not limited to computers, ambulances, fire trucks, refuse trucks and other vehicles (the "Equipment") appropriate and necessary for the efficient operation of the City. "Short-term" means a term to maturity of ten (10) years or less. The amount of any new Equipment to be acquired through the issuance of Short-Term Equipment GOBs shall not exceed Seven Million Three Hundred Thousand Dollars (\$7,300,000.00).

No Short-Term Equipment GOBs may be issued before the Council provides authorization therefor following notice and a public hearing held under Section 15.1-2606 of the Public Finance Act of 1991.

That if prior to issuing Short-Term Equipment GOBs to finance all or any portion of the Equipment, the City Manager, in consultation with the Director of Finance, determines that it is advisable to finance the acquisition in an alternative manner, the City Manager, without further approval of Council as to documentation or otherwise (unless otherwise required by law), is hereby authorized to execute and deliver on behalf of the City non-general obligation bonds, notes,

term loan agreements, a master equipment lease agreement or other similar financing agreement (the "Alternative Short-Term Equipment Financing"), to execute and deliver such instruments, agreements, documents or certificates and to do and perform such things and acts, as the City Manager shall deem necessary or appropriate to carry out the transactions relating to the Alternative Short-Term Equipment Financing authorized by this ordinance, including to solicit and accept proposals to provide Alternative Short-Term Equipment Financing that the City Manager determines to be in the City's best interest and all of the foregoing, previously done or performed by such officers or agents of the City are hereby in all respects approved, ratified and confirmed.

Should the City Manager determine that it is in the City's best interest to enter into Alternative Short-Term Equipment Financing, the Alternative Short-Term Equipment Financing shall bear interest at a rate not exceeding Six and a Half Percent (6.5 percent), shall have a final term to maturity not in excess of ten (10) years and shall not exceed Seven Million Three Hundred Thousand Dollars (\$7,300,000.00). The obligation of the City to make payments under any Alternative Short-Term Equipment Financing is subject to appropriation each year by the Council and nothing in this ordinance or the Alternative Short-Term Equipment financing shall constitute a debt or pledge of the faith and credit of the City.

The payment of FY 2013 debt service on prior Short-Term Equipment GOBs and any FY 2013 Alternative Short-Term Equipment Financing is part of the Debt Service Appropriation of Seventy Eight Million Ninety Eight Thousand Three Hundred Ninety Seven Dollars (\$78,098,397.00) for FY 2013.

This ordinance represents a declaration of "official intent" under Treasury Regulations Section 1.150-2.

Section 8:- That Section 37-81 of the Norfolk City Code, 1979, is hereby amended and reordained to add subsection (8) to address and authorize a supplement to retirees to read as follows:

Sec. 37-81. Post-retirement supplements.

In addition to the pension otherwise payable under this chapter, post-retirement supplements shall be payable as stated below:

(8) Beginning on July 1, 2012, an additional supplement of two percent (2.0%) shall be payable by the system to those retirees and their beneficiaries who are receiving city retirement payments as of June 30, 2011. The additional supplement shall be calculated by multiplying two percent (2.0%) by the recipient's total benefit (base pension plus previous supplements plus monthly adjustment). The right to receive this additional supplement shall hereby vest in the eligible recipients and their beneficiaries. Notwithstanding any provision to the contrary, the additional supplement shall be subject to the same terms and conditions as for the payment of the pension.

Section 9:- That Section 23-4 of the Norfolk City Code, 1979, is hereby amended and reordained to address the fee to borrow electronic books and online electronic media from the library to read as follows:

Section 23-4. Fee to borrow electronic books and other online electronic media.

The fee to borrow electronic books and other online electronic media shall be Thirty Five Dollars (\$35.00) per year, except for registered borrowers who reside, work or are business owners in the city.

Section 10:- That subsection (a) of Section 41.1-23 of the Norfolk City Code, 1979, is hereby amended and reordained to change certain stormwater management fees to read as follows:

Section 41.1-23 Stormwater management fees.

(a) The following stormwater management fees are hereby authorized:

Type of Account	Daily Rate	Effective Date
Residential Accounts	\$0.323	July 1, 2012
Nonresidential Accounts	\$0.233 per 2,000 square foot of impervious area	July 1, 2012

For residential accounts that are active as of July 1, 2012, the rate will be adjusted on July 1, 2012, so that the rate will be \$0.323 per day. For nonresidential accounts, the rate will increase on July 1, 2012 to \$0.233 per day per two thousand (2000) square feet of impervious surface. Rates will be calculated by rounding to the nearest two thousand (2,000) square feet of impervious area with a minimum bill based on two thousand (2,000) square feet.

Section 11:- That there is hereby a set-aside from General Fund revenues of up to Six Million Dollars (\$6,000,000.00) to be the estimated amount by which revenue is reduced for the purpose of providing real estate tax exemptions and deferrals for the elderly and disabled under Chapter 24, Article IV, Division 2 of the Norfolk City Code, 1979, and real estate tax exemptions for disabled veterans pursuant to Code of Virginia § 58.1-3219.5.

The City Manager or designee shall administer this program.

Section 12:- That the provisions of this ordinance are hereby declared to be severable. If any part, section provision, sentence, clause or phrase, or the application thereof to any person or circumstance, is adjudged to be unconstitutional or invalid for any reason, the remainder of the ordinance shall remain in full force and effect and its validity shall not be impaired, it being the legislative intent now

hereby declared that the ordinance would have been adopted even if such invalid matter had not been included or if such invalid application had not been made.

Section 13:- That this ordinance shall be in effect from and after July 1, 2012.

Adopted by Council May 22, 2012
Effective July 1, 2012

TRUE COPY
TESTE:

R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY: _____
DEPUTY CITY CLERK

Form and Correctness Approval:

RAP

By *Nathan Sawa*
Office of the City Attorney

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund form which it is drawn and not appropriated for any other purpose.

Contents Approved:

NORFOLK, VIRGINIA

By *Sabrina Joy Hoag*

DEPT. Budget and Grants Management

\$ 93,580,300 Various
Account
Sherrill Toller 5/17/12
Director of Finance Date

ORDINANCE No. 44,696

R-25

AN ORDINANCE APPROVING THE CAPITAL IMPROVEMENT PLAN BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013; APPROPRIATING \$93,580,300 FOR CERTAIN PROJECTS APPROVED THEREIN; AUTHORIZING AN ISSUE OF BONDS IN THE AMOUNT OF \$84,042,444; AUTHORIZING THE EXPENDITURE OF \$4,874,866 IN CASH, OF WHICH \$1,000,000 IS APPROPRIATED FROM THE PUBLIC AMENITIES FUND AND \$330,000 IS APPROPRIATED FROM THE PARKING FACILITIES FUND'S MACARTHUR CENTER NEW GARAGE RESERVE FUND; AND THE REAPPROPRIATION OF \$4,662,990 OF PREVIOUSLY AUTHORIZED, BUT UNISSUED, BONDS.

- - -

WHEREAS, the City Manager submitted to the City Council a Capital Improvement Plan Budget for the City for the fiscal year beginning July 1, 2012 and ending on June 30, 2013; and

WHEREAS, it is necessary to appropriate sufficient funds to cover the approved capital projects set forth in the Capital Improvement Plan Budget and to authorize said projects; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the capital projects set forth below in the Capital Improvement Plan for the fiscal year beginning on July 1, 2012 and ending on June 30, 2013, submitted by the City Manager under date of April 24, 2012, are hereby approved and the amounts herein set

forth aggregating \$93,580,300, or so much thereof as may be necessary, as set forth in the Capital Improvement Plan Budget for the fiscal year July 1, 2012 to June 30, 2013, are hereby appropriated for the purposes hereinafter set out in the following subparagraph:

A. Capital Improvement Projects

General Capital

1	Improve Citywide Conduit Network	85,000
2	Relocate Bus Transfer Station	4,000,000
3	Repair and Maintain Bridges - Minor	400,000
4	Repair and Replace Bridges - Major	1,000,000
5	Resurface Parking Lots	100,000
6	Improve Citywide Boat Ramps	445,000
7	Develop Multi-modal Transfer Station at Harbor Park	750,000
8	Improve Downtown Corridor Streetscaping	300,000
9	Improve Cultural Facilities (PA)	250,000
10	Renovate Scope Restrooms and Concessions (PA)	750,000
11	Maintain USS Wisconsin BB-64	500,000
12	Fund Chrysler Museum Capital Campaign Match	1,000,000
13	Address Street Flooding Citywide	1,500,000
14	Improve Citywide Dredging and Waterways	300,000
15	Improve Roof Repair and Moisture Protection	400,000
16	Mitigate Lamberts Point Landfill Erosion	2,500,000
17	Mitigate Tidal Flooding	200,000
18	Fund Beach Stabilization and Erosion	1,100,000
19	Improve HVAC Systems Citywide	200,000
20	Support Governor's School for the Arts	320,000
21	Address School Major Maintenance	3,000,000
22	Support Career Technical Education	500,000
23	Establish Slover Library	10,586,100
24	Improve Existing Library Branches	200,000
25	Improve Neighborhood Streets-Major	400,000
26	Improve Street Lights	100,000
27	Repair Neigh. Sts/Sidewalks/Walkways	850,000
28	Implement Broad Creek Neighborhood Plan	1,500,000
29	Implement Southside Neighborhood Plan	1,500,000
30	Implement Wards Corner Neighborhood Plan	2,000,000
31	Support Fairmount Pk/Laf. Blvd. Neigh. Plan	1,000,000
32	Fund ADA Master Plan for City Facilities	150,000
33	Fund Neighborhood Conservation / Redevelopment	4,000,000
34	Implement RPOS Master Plan	500,000
35	Improve Community and Neighborhood Parks	550,000

36	Improve Existing Community Centers	400,000
37	Acquire Former Shore Patrol Facility	1,100,000
38	Design and Construct Government Center Plaza	500,000
39	Improve Infrastructure and Acquire Property	1,100,000
40	Fund Preliminary Engineering	3,359,000
	Total General Capital	49,395,100
	Parking Facilities	
41	Enhance Parking System	500,000
42	Install Light Control in North and South Garages	330,000
43	Maintain Parking Facilities	1,000,000
44	Upgrade Scope Garage Ventilation System	330,000
45	Upgrade Street Parking Meters	340,000
	Total Parking Facilities	2,500,000
	Wastewater Utility	
46	Improve Wastewater Collection System	17,000,000
	Total Wastewater Utility	17,000,000
	Storm Water Utility	
47	Create Citywide Flooding Reserve	1,315,200
48	Improve Storm Water Quality	600,000
49	Improve Storm Water System	950,000
50	Improve Storm Water Waterfront Facilities	500,000
51	Reduce Neighborhood Flooding	1,450,000
52	Improve Halifax Lane Drainage	1,000,000
	Total Storm Water Utility	5,815,200
	Water Utility	
53	Improve Little Creek Dam	200,000
54	Rehabilitate Reservoirs System Wide	275,000
55	Replace Master Meters	120,000
56	Replace or Rehabilitate Water Pipelines	18,200,000
57	Replace Spillway on Lake Taylor Dam	75,000
	Total Water Utility	18,870,000
	Grand Total	93,580,300

Section 2:- That in order to provide the funds heretofore appropriated, cash in the aggregate principal sum of \$4,874,866 is authorized to be expended, of which \$2,109,666 is for General Capital Improvement Projects, \$330,000 is for Parking Facilities Projects, \$2,315,200 is for Storm Water Utility Fund Projects and \$120,000 is for Water Utility Fund Projects; previously approved, but unissued, bonds in the aggregate principal sum of \$4,622,990 are reappropriated, all of which are for General Capital Improvement Projects; and bonds of the

City of Norfolk in the aggregate principal sum of \$84,042,444 are hereby authorized to be issued from time to time in such form and with such terms as shall be established pursuant to future ordinances, of which \$42,622,444 is for General Capital Improvement Projects, \$2,170,000 is for Parking Facilities Projects, \$3,500,000 is for Storm Water Utility Fund Projects, \$17,000,000 is for Wastewater Utility Fund Projects and \$18,750,000 is for Water Utility Fund Projects. The appropriated and authorized Parking Facilities Project cash in the amount of Three Hundred Thousand Dollars (\$330,000) is to be expended from the Parking MacArthur Center New Garage Reserve Fund for reasonable and necessary capital repairs to the MacArthur Center North and South Parking Garages. Any unobligated portion of this \$330,000 appropriation at the end of the fiscal year ending on June 30, 2013 or at the completion of the FY 2013 project is hereby reserved for deposit to the Parking MacArthur Center New Garage Reserve Fund for future capital repairs to the MacArthur Center North and South Parking Garages.

Section 3:- That the Council reasonably expects to reimburse certain expenditures made from the General Capital Improvement Projects Fund, Parking Facilities Fund, Storm Water Utility Fund, Wastewater Utility Fund and Water Utility Fund to interim finance the above-described capital projects with the proceeds of the above described bonds to be issued by the City.

Section 4:- That this ordinance represents a declaration of "official intent" under Treasury Regulations Section 1.150-2(e).

Section 5:- That the expenditures to be reimbursed will be paid from the following funds, which funds have the following general functional purposes:

(a) General Capital Improvement Projects Fund. Used to account for the financial resources used to finance general capital improvement projects in the Capital Improvement Plan other than those financed by the City's enterprise funds or special revenue funds;

(b) Parking Facilities Fund. Used to account for the City's parking facility operations,

including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the parking facilities;

(c) Wastewater Utility Fund. Used to account for the City's wastewater utility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the wastewater utility;

(d) Storm Water Utility Fund. Used to account for the City's environmental storm water operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the storm water utility; and

(e) Water Utility Fund. Used to account for the City's water utility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the water utility.

Section 6:- That the appropriate officers or agents of the City are authorized and directed to file a certified copy of this ordinance with the Circuit Court of the City of Norfolk pursuant to Sections 15.2-2607 and 15.2-2627 of the Virginia Code.

Section 7:- That the City Manager, unless otherwise directed by City Council, is hereby authorized to do all things necessary to implement the projects set forth in the FY 2013 Capital Improvement Plan Budget.

Section 8:- The City Manager or a designee is authorized to transfer from any project which has an excess of funds appropriated for its use to any other project all or any part of such excess; a record of all such transfers shall be maintained by the Director of Finance.

Section 9:- The City Manager or designee is authorized to transfer funds from any project authorized with Public Art funds in the Capital

Improvement Plan to any other project or pool funds,
as needed, to implement any portion of the Plan.

Section 10:- That this ordinance shall be in
effect from and after July 1, 2012.

Adopted by Council May 22, 2012
Effective July 1, 2012

TRUE COPY
TESTE:

R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY: _____
DEPUTY CITY CLERK

5/11/12 sb
Form and Correctness Approval: *RAP*

By *Mary G. A.*
Office of the City Attorney

NORFOLK, VIRGINIA

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund form which it is drawn and not appropriated for any other purpose.

Contents Approved:

By *Sabrina J. Hogg*
DEPT. Office of Budget & Grants Management

\$ 8,782,379

Various

Account

Shirley Feltner
Director of Finance

5/16/12

Date

ORDINANCE No. 44,698

R-27

AN ORDINANCE APPROVING THE FY 2013 ANNUAL PLAN FOR THE CONSOLIDATED PLAN (FISCAL YEARS 2012 THROUGH 2016), APPROVING THE APPLICATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM, AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM FUNDS, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF \$3,887,210 IN CDBG GRANT FUNDS, \$275,000 IN CDBG PROGRAM INCOME RECEIVED FROM REVOLVING LOAN FUND, \$1,024,324 IN HOME GRANT FUNDS, \$15,495 IN HOME PROGRAM INCOME RECEIVED AS EARNINGS, \$408,550 IN ESG GRANT FUNDS, \$2,525,154 IN CDBG RE-PROGRAMMED FUNDS AND \$646,646 IN HOME RE-PROGRAMMED FUNDS AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO DO ALL THINGS NECESSARY TO RECEIVE THE FUNDS AND CARRY OUT THE PROGRAMS.

- - -

WHEREAS, under the provisions of the Housing and Community Development Act of 1974, as amended, financial assistance is provided to localities for undertaking and carrying out affordable housing and community development activities; and

WHEREAS, under the provisions of the Stewart B. McKinney-Vento Homeless Assistance Act of 1988, as amended, financial assistance is provided to localities for undertaking and carrying out homeless program activities; and

WHEREAS, City Council has reviewed and held public hearings on the proposed FY 2013 Annual Plan for the Consolidated Plan (Fiscal Years 2012 through 2016) in the City of Norfolk; and

WHEREAS, it is necessary that Council officially approve and endorse the FY 2013 Annual Plan, in order to comply with the provisions of the aforesaid Acts and the administrative regulations promulgated pursuant thereto; and

WHEREAS, Council is cognizant of the conditions and requirements which have been imposed by federal agencies with regard to the undertaking and carrying out of activities under the Housing and Community Development Act; and

WHEREAS, Council, on behalf of the City, possesses the legal authority to execute the proposed program under the provisions of the aforementioned legislation; and

WHEREAS, Council has approved the FY 2013 Annual Plan for the Consolidated Plan (Fiscal Years 2012 through 2016) and authorized the City Manager to submit the Annual Plan and Application to the United States Department of Housing and Urban Development; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the FY 2013 Annual Plan for the Consolidated Plan (Fiscal Years 2012-2016), for the Community Development Block Grant Program, having been reviewed by this Council and found to be in the best interests of this City, is hereby approved.

Section 2:- That the applications for the Community Development Block Grant (CDBG) Program, the Home Investment Partnership (HOME) Program, and the Emergency Solutions Grant (ESG) Program are hereby approved.

Section 3:- That the sum of Three Million Eight Hundred Eighty Seven Thousand Two Hundred Ten Dollars (\$3,887,210) is hereby appropriated and authorized for expenditure for the Community Development Block Grant Program (2012-2013) from the Community Development Block Grant, if and when such funds are made available from the Department of Housing and Urban Development.

Section 4:- That the sum of Two Hundred Seventy Five Thousand Dollars (\$275,000) is hereby appropriated and authorized for expenditure for the Community Development Program (2012-2013) if and when such funds are realized as earnings from the Revolving Loan Fund.

Section 5:- That the sum of One Million Twenty-Four Thousand Three Hundred Twenty Four Dollars (\$1,024,324) is hereby appropriated and authorized for expenditure for the HOME Investment Partnership Program (2012-2013) from the HOME Investment Partnerships Program Grant if and when such funds are made available from the Department of Housing and Urban Development.

Section 6:- That the sum of Fifteen Thousand Four Hundred Ninety Five Dollars (\$15,495) is hereby appropriated and authorized for expenditure from the HOME Investment Partnership Program (2012-2013) if and when such funds are realized as earnings from the operation of certain HOME Investment Partnership Projects.

Section 7:- That the sum of Four Hundred Eight Thousand Five Hundred Fifty Dollars (\$408,550) is hereby appropriated and authorized for expenditure for the Emergency Solutions Program (2012-2013) from the Emergency Solutions Grant Program, if and when such funds are made available from the Department of Housing and Urban Development.

Section 8:- That the sum of Two Million Five Hundred Twenty Five Thousand One Hundred Fifty Four Dollars (\$2,525,154) is hereby appropriated and authorized for expenditure for the Community Development Block Grant Program (2012-2013) if and when such re-programmed funds are made available from the remaining balances of certain identified Community Development Block Grant activities.

Section 9:- That the sum of Six Hundred Forty Six Thousand Six Hundred Forty Six Dollars (\$646,646) is hereby appropriated and authorized for expenditure for the HOME Investment Partnership Program (2012-2013) if and when such re-programmed funds are made available from the remaining balances of certain identified HOME Investment Partnership activities.

Section 10:- That the City Manager is designated as the certifying officer and authorized representative of the City of Norfolk and shall provide the assurance required by the provisions of the Housing and Community Development Act of 1974, as amended, and the regulations adopted pursuant to such Act.

Section 11:- That the City Manager is further authorized and directed to give to the Department of Housing and Urban Development and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, documents and other materials which are related to the grant funds.

Section 12:- That the City Manager is further authorized and directed to do all things necessary and proper to apply for, accept and receive the grant funds and to carry out the programs approved by this ordinance.

Section 13: - That this ordinance shall be in effect from and after July 1, 2012. All actions heretofore taken in pursuit of the activities authorized herein are hereby approved, ratified and confirmed.

Adopted by Council May 22, 2012
Effective July 1, 2012

TRUE COPY
TESTE:

R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY: _____
DEPUTY CITY CLERK

5712rg

Form and Correctness Approval:

By Mary L. G. [Signature]
Office of the City Attorney

NORFOLK, VIRGINIA

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund form which it is drawn and not appropriated for any other purpose.

Contents Approved:

By Sabrina J. Hogg
DEPT. Budget and Grants Management

\$ 50,352,098

Various

Account

[Signature]
Director of Finance

5/16/12

Date

ORDINANCE No. 44,697

R-26

AN ORDINANCE APPROPRIATING GRANT FUNDS TOTALING \$50,352,098.00 TO THE SCHOOL BOARD OF THE CITY OF NORFOLK FOR TITLE I PROGRAMS, OTHER SPECIAL PROGRAMS AND THE CHILD NUTRITION SERVICES PROGRAM AND AUTHORIZING THE EXPENDITURE OF THE FUNDS IN FISCAL YEAR 2013 FOR NORFOLK PUBLIC SCHOOLS.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That up to \$33,648,098.00 is hereby appropriated to the School Board, if and when received from a variety of sources, for the support of Title I and other special programs with the sources of the funds and the programs for which they are to be expended set forth in Exhibit A attached hereto.

Section 2:- That up to \$16,704,000.00 is hereby appropriated to the School Board, if and when received from federal and state sources and from student fees, for the support of the Child Nutrition Services Program with the sources of the funds and the programs for which they are to be expended set forth in Exhibit B attached hereto.

Section 3:- That the grant funds are hereby authorized for expenditure by the School Board in Fiscal Year 2013 for

Norfolk Public Schools and all actions taken by the School Board in anticipation of the adoption of this ordinance and are hereby approved, ratified and confirmed.

Section 4:- That this ordinance shall be in effect from and after July 1, 2012.

Adopted by Council May 22, 2012
Effective July 1, 2012

TRUE COPY
TESTE:

R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY: _____
DEPUTY CITY CLERK

FY 2013 School Grants

Use of Funds	Source of Funds	FY 2013 Amount
Compensatory Programs	Federal	19,530,202
Special Education	Federal	7,494,134
Career, Technical and Adult Education	Federal	1,163,771
Other Projects	Federal	1,340,907
Subtotal Federal Grants		29,529,014
Career, Technical and Adult Education	Commonwealth	117,548
State Operated Facilities	Commonwealth	3,053,732
Special Education	Commonwealth	197,946
Other Grants	Commonwealth	185,434
Subtotal Commonwealth Grants		3,554,660
Other Grants	Corporations and Foundations	215,424
Subtotal Corporate and Foundation Grants		215,424
Other Grants	Other sources	349,000
Subtotal Other Grants		349,000
Total Grant Funding		33,648,098

FY 2013 Child Nutrition Services

Revenues	FY 2013 Amount
Sales	2,664,000
Federal and State Food Program Reimbursements	13,025,000
Federal Commodities Donated	900,000
Interest Earnings	15,000
Other	100,000
Total Revenue for Child Nutrition Services	16,704,000

Expenditures	FY 2013 Amount
Cost of goods sold	8,321,000
Employee Compensation	7,123,500
Maintenance Costs	390,000
Supplies and Materials	125,000
Cafeteria and Other Equipment	513,000
Other Costs	231,500
Total Expenditures for Child Nutrition Services	16,704,000

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