

Director of Media and Community
Relations

SUFFOLK CITY COUNCIL
MEETING OF OCTOBER 21, 2015



WORK SESSION

Begins at 4:30 p.m.

REGULAR SESSION

Begins at 7:00 p.m.

**SUFFOLK CITY COUNCIL
WORK SESSION
October 21, 2015
4:30 p.m.
City Council Chamber**

1. Proposed Ground Water Withdrawal Reduction Incentive Program
2. Suffolk Executive Airport Quarterly Report
- 3.* Appointments
- 4.* Acquisition of Real Property
 - Part of Tax Map and Parcel Number 20*6
 - Tax Map and Parcel Number 6*11

* Proposed Items for Closed Session

AGENDA: October 21, 2015, Work Session

ITEM: Proposed Ground Water Withdrawal Reduction Incentive Program

The Department of Environmental Quality (DEQ) has advised the eleven (11) largest ground water withdrawal permit holders within the eastern ground water protection area, inclusive of the Western Tidewater Water Authority (WTWA) of DEQ's intent to reduce their existing permitted ground water withdrawal capacities by over 50%. DEQ's anticipated action is in response to declining aquifer levels and modeled future impacts of increased pumpage from the ground water aquifers. To assist with minimizing immediate impacts to the permit holders and to ensure future water planning certainty, the WTWA legal counsel and technical committee have developed and discussed with DEQ a proposed withdrawal reduction incentive program. This program is anticipated to benefit all parties while providing long-term protection to the aquifers. The Director of Public Utilities will provide City Council a briefing on the Ground Water Withdrawal Reduction Incentive Program concept.

AGENDA: October 21, 2015, Work Session

ITEM: Suffolk Executive Airport Quarterly Report

Staff will present the activity of most recently completed quarter at the Suffolk Executive Airport.

SUFFOLK CITY COUNCIL AGENDA
October 21, 2015
7:00 p.m.
City Council Chamber

- 1. Call to Order**
- 2. Nonsectarian Invocation**
- 3. Approval of the Minutes**
- 4. Special Presentations**
- 5. Removal of Items from the Consent Agenda and Adoption of the Agenda**
- 6. Agenda Speakers**
- 7. Consent Agenda** – An ordinance to accept and appropriate a State Criminal Alien Assistance Program grant award from the U.S. Department of Justice
- 8. Consent Agenda** – An ordinance to accept and appropriate funds from the Virginia Department of Criminal Justice Services for the Suffolk Victim/Witness Assistance Program
- 9. Consent Agenda** – An ordinance to accept and appropriate grant funds from the Virginia Department of Agriculture and Consumer Services for the Virginia Cooperative Extension 2015 Plastic Pesticide Container Recycling Program
- 10. Consent Agenda** – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport
- 11. Consent Agenda** – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Technology Trust Fund
- 12. Consent Agenda** – An ordinance to accept and appropriate funds from the United States Department of Agriculture for the Summer Food Service Program
- 13. Public Hearing** – An ordinance to grant a Conditional Use Permit to establish an accessory dwelling unit, on property located at 117 Rockland Terrace, Zoning Map 27F, Parcel 200; C12-15
- 14. Ordinances**
- 15. Resolutions**

16. **Staff Reports**
17. **Motion** – A motion to schedule a City Council Retreat for November 5 - 6, 2015
18. **Motion** – A motion to schedule a Work Session for November 4, 2015, at 4:00 p.m., unless cancelled
19. **Non-Agenda Speakers**
20. **New Business**
21. **Announcements and Comments**
22. **Adjournment**

Work Session of the Suffolk City Council was held in was held in the City Council Chamber, 442 West Washington Street, on Wednesday, October 7, 2015, 5:00 p.m.

PRESENT

Council Members -

Linda T. Johnson, Mayor, presiding

Leroy Bennett, Vice Mayor

Michael D. Duman

Roger W. Fawcett

Donald Z. Goldberg

Timothy J. Johnson

Curtis R. Milteer, Sr.

Lue R. Ward, Jr. (arrived at 5:15 p.m.)

Patrick G. Roberts, Interim City Manager

Helivi L. Holland, City Attorney

Erika S. Dawley, City Clerk

ABSENT

None

CLOSED MEETING

City Clerk Dawley presented the Closed Meeting motion for City Council's consideration:

1. Pursuant to Virginia Code Section 2.2-3711(A)(7) and (A)(29) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; and the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of 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, specifically the Post 2018 Regional Waste Management Agreement.
2. Pursuant to Virginia Code Section 2.2-3711(A)(3), the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically Tax Map and Parcels 20*44 and 20*8A.

- 3. Pursuant to Virginia Code Section 2.2-3711(A)(7) and (A) (1), the consultation with legal counsel employed by a public body regarding specific legal matters requiring the legal advice of such counsel, and the discussion, consideration, or interviews of prospective candidates for appointment and the assignment, appointment, and performance of specific public officers or appointees of the City, specifically the appointments as shown on the attached list for vacancies or term expirations for Fine Arts Commission, Historic Landmarks Commission, Human Services Advisory Board, Library Advisory Board, Local Board of Building Code Appeals, Parks and Recreation Advisory Commission, Sister Cities Commission, Suffolk Clean Community Commission, Suffolk Clean Community Commission Keep Suffolk Beautiful Executive Board and Wetlands Board.
- 4. Discussion, consideration, or interviews of a prospective candidate for employment; appointment, performance, and salary of specific public officer, appointee, or employees of any public body, specifically the City Manager.

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved that City Council convene in a closed meeting for the above referenced purposes, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, and Milteer	7
NAYS:	None (Council Member Ward was not present.)	0

City Council convened in Closed Meeting at 5:10 p.m. The Closed Meeting concluded at 6:35 p.m.

Teste: _____
Erika S. Dawley, MMC, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, October 7, 2015, at 7:00 p.m.

PRESENT

Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett, Vice Mayor
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Patrick G. Roberts, Interim City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT

None

CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Johnson called the meeting to order. Council Member Milteer offered the Invocation and the Pledge of Allegiance to the Flag.

FREEDOM OF INFORMATION ACT CERTIFICATION

City Clerk Dawley presented a resolution certifying the Closed Meeting of October 7, 2015, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved to approve the resolution, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF OCTOBER 7, 2015, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED

APPROVAL OF THE MINUTES

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to approve the minutes from the September 16, 2015, Work Session and Regular Meeting, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

SPECIAL PRESENTATIONS

There were no items under this portion of the agenda.

REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA

Mayor Johnson asked if any members of City Council wished to remove any Consent Agenda items for separate action.

Hearing no requests for removal any of the items, Mayor Johnson advised that a motion was in order at this time to adopt the agenda as presented.

Council Member Goldberg, on a motion seconded by Council Member Fawcett, moved to adopt the agenda as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AGENDA SPEAKERS

There were no speakers under this portion of the agenda.

CONSENT AGENDA

City Clerk Dawley presented the following Consent Agenda items:

Consent Agenda Item #7 - An ordinance to accept and appropriate funds from Virginia Municipal League Insurance Programs for the City of Suffolk Risk Management Program

Consent Agenda Item #8 - An ordinance to accept and appropriate funds from the Virginia Department of Aviation in support of the Parallel Taxiway Project at the Suffolk Executive Airport

Consent Agenda Item #9 - An ordinance to accept and appropriate a Port Security Grant from the United States Department of Homeland Security for the Suffolk Police Department

Council Member Milteer requested a summary of Consent Agenda Item #8 - an ordinance to accept and appropriate funds from the Virginia Department of Aviation in support of the Parallel Taxiway Project at the Suffolk Executive Airport.

Council Member Fawcett called for summaries of Consent Agenda Items #7 and #9 - an ordinance to accept and appropriate funds from Virginia Municipal League Insurance Programs for the City of Suffolk Risk Management Program and an ordinance to accept and appropriate a Port Security Grant from the United States Department of Homeland Security for the Suffolk Police Department.

Referring to Consent Agenda Items #7, #8 and #9, Interim City Manager Roberts submitted a summation of the background information as printed in the official agenda.

Council Member Milteer, on a motion seconded by Council Member Duman, moved to approve the Consent Agenda, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

PUBLIC HEARINGS

There were no items under this portion of the agenda.

ORDINANCES

Ordinance – An ordinance authorizing the issuance and sale of revenue bonds by the City of Suffolk, Virginia, and establishing the terms, details, and provisions for the payment thereof

Utilizing a PowerPoint presentation, David Rose, Senior Vice President, Davenport and Company, the City’s financial advisors, offered a summation of the background information as printed in the official agenda.

Vice Mayor Bennett asked what effect, if any, the proposed ordinance would have on future water rates. Mr. Rose replied that the proposed ordinance could possibly slow the increase of rates in future years.

Referring to the presentation, Council Member Duman opined about the maturity dates. Mr. Rose explained that under the terms of the proposed ordinance, the maturity of the outstanding debt would not be extended, and the final maturity of the new money would be in 30 years.

Referring to the presentation, Council Member Duman called for information about the impact of the proposed ordinance on the City’s debt service out of the Utility Enterprise Fund. Mr. Rose advised that at this point, it is difficult to know the specific impact as the interest rate could change, but the anticipated impact is expected to be moderate.

Council Member Duman, on a motion seconded by Council Member Fawcett, moved to approve the ordinance, as presented, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF REVENUE BONDS BY THE CITY OF SUFFOLK, VIRGINIA, AND ESTABLISHING THE TERMS, DETAILS, AND PROVISIONS FOR THE PAYMENT THEREOF

RESOLUTIONS

There were no items under this portion of the agenda.

STAFF REPORTS

There were no items under this portion of the agenda.

MOTIONS

Motion – A motion to initiate amendments to the Fairgrounds Revitalization Plan, a component to the 2035 Comprehensive Plan, and associated text of the Unified Development Ordinance

Vice Mayor Bennett, on motion seconded by Council Member Milteer, moved to initiate amendments to the Fairgrounds Revitalization Plan, a component to the 2035 Comprehensive Plan, and associated text of the Unified Development Ordinance, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

Motion – A motion to schedule a Work Session for October 21, 2015, at 4:00 p.m., unless cancelled

Council Member Goldberg, on motion seconded by Council Member Fawcett, moved to schedule a Work Session for October 21, 2015, at 4:00 p.m., unless cancelled, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

NON-AGENDA SPEAKERS

There were no speakers under this portion of the agenda.

NEW BUSINESS

Mayor Johnson presented the following resolution: a resolution appointing Patrick G. Roberts as the City Manager with the following terms: an annual salary of \$170,811.00; a severance of six months salary and benefits should the City Manager’s services be terminated for any reason other than for cause; \$12,000.00 in deferred compensation annually and \$700.00 per month in automobile allowance.

Referring to the proposed ordinance, Council Member Fawcett called for clarification of the car allowance amount. Mayor Johnson restated that the proposed car allowance would be \$700.00 per month.

Council Member Duman, on a motion seconded by Council Member Fawcett, moved to approved the resolution appointing Patrick G. Roberts as the City Manager under the aforementioned terms, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

A RESOLUTION APPOINTING PATRICK G. ROBERTS CITY MANAGER FOR THE CITY OF SUFFOLK

Council Member Duman, on a motion seconded by Council Member Fawcett, moved to have staff provide a presentation at the November 4, 2015, City Council meeting pertaining to zoning code requirements for non-commercial gardens on vacant lots and provide recommendations regarding their appropriateness, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

ANNOUNCEMENTS AND COMMENTS

Utilizing PowerPoint presentation, Media and Community Relations Manager Tim Kelley reported on the following: ribbon cutting for Goodwill; the naming of Tealan Hansen as the Finance Director; the upcoming Suffolk Police Department Badge Pinning Ceremony; the upcoming Suffolk Humane Society adopt-a-thons; the upcoming Suffolk Seaboard Coastline Trail Grand Dedication; the City’s severe weather tips and updates webpage; and the City’s operating hour for the Columbus Day holiday.

Council Member Johnson congratulated the Peanut Fest Queen Stasha Waterfield and members of the Queen’s Court.

Council Member Johnson advised he attended the Virginia Municipal League Newly Elected Official Conference.

Council Member Milteer reported he attended the Peanut Fest Queen’s Banquet.

Council Member Milteer opined about the bond ordinance approved earlier tonight and the City’s overall financial health.

Council Member Fawcett congratulated the Finance Director Hansen.

Council Member Fawcett reported he attended the Peanut Fest Queen's Banquet and the Virginia Municipal League Conference.

Council Member Fawcett acknowledged the new police officers who will be recognized at the upcoming Suffolk Police Department Badge Pinning.

Council Member Fawcett thanked the Parks and Recreation Department for the improvements at Sleepy Hole Park.

Council Member Fawcett opined about the Suffolk Seaboard Coastline Trail Grand Dedication; Shrimp Feast; and Peanut Fest.

Council Member Fawcett acknowledged the Public Works Department for addressing a citizen concern in Belle Harbour Woods.

Council Member Goldberg reported he attended the Virginia Municipal League Newly Elected Officials Conference.

Council Member Goldberg congratulated City Manager Roberts.

Council Member Goldberg encouraged residents to attend Peanut Fest.

Council Member Goldberg commended all City departments on their efforts during the recent storm.

Council Member Ward advised he attended the Peanut Feast Queen's Luncheon and the Virginia Municipal League Annual Conference.

Council Member Duman opined about cancellations of various events due to inclement weather.

Council Member Duman encouraged residents to attend Shrimp Feast.

Council Member Duman congratulated Finance Director Hansen and City Manager Roberts.

Vice Mayor Bennett congratulated Finance Director Hansen and City Manager Roberts.

Vice Mayor Bennett advised he attended the Virginia Municipal League Annual Conference.

Vice Mayor Bennett thanked Mr. Rose for his presentation.

Vice Mayor Bennett reported a drainage issue on Nansemond Parkway near Hargrove Landing and 84 Lumber.

Vice Mayor Bennett expressed his sympathy for those impacted by flooding in South Carolina.

Mayor Johnson congratulated Finance Director Hansen and Peanut Fest Queen Stasha Waterfield.

Mayor Johnson opined about the Suffolk Seaboard Coastline Trail; the Lake Meade Trail; and the Driver Days celebration.

Mayor Johnson thanked Mr. Rose for his presentation.

Mayor Johnson encouraged residents to attend Peanut Fest.

Mayor Johnson congratulated City Manager Roberts.

Council Member Duman, on a motion seconded by Vice Mayor Bennett, moved to adjourn, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

There being no further business to come before City Council, the regular meeting was adjourned at 7:43 p.m.

Teste: _____
Erika S. Dawley, MMC, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Special Presentations

**Removal of Items from the Consent
Agenda and Adoption of the Agenda**

Agenda Speakers

AGENDA: October 21, 2015, Regular Session

ITEM: Consent Agenda – An ordinance to accept and appropriate a State Criminal Alien Assistance Program grant award from the U.S. Department of Justice

The City has received a \$1,421 grant award from the U.S. Department of Justice State Criminal Alien Assistance Program in support of correctional officer salary costs incurred by the Western Tidewater Regional Jail for the incarceration of undocumented criminal aliens. This funding is provided by the City to the Western Tidewater Regional Jail.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund budget for Fiscal Year 2015-16.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund by \$1,421 for the above noted purpose and requires no local fund support.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Notification

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE A STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE

WHEREAS, the City has received funds from the U.S. Department of Justice State Criminal Alien Assistance Program in the amount of \$1,421 in support of the Western Tidewater Regional Jail; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund Budget for Fiscal Year 2015-16 to assist with correctional officer salary costs incurred by the Western Tidewater Regional Jail for the incarceration of undocumented criminal aliens.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$1,421 shall be reflected as budget in the following accounts in the Fiscal Year 2015-16 Consolidated Grants Fund Budget:

<u>Revenue</u>			
211-33200-1628_433010	USDOJCorectionlOffcrSalry;6/16		<u>\$1,421</u>

<u>Expenditure</u>			
211-33200-1628_53100	USDOJCorectionlOffcrSalry;6/16		
	Professional Services		<u>\$1,421</u>

2. The fund amount totaling \$1,421 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to form:


Helivi L. Holland, City Attorney



State Criminal Alien Assistance Program 2015-H0634 VA-AP

OMB Number 4321-0243
Expires 02/29/2004

[SCAAP Help](#) Grant Number: 2015-AP-BX-0598
Jurisdiction: City of Suffolk
[GMS Home](#) Vendor Number: 546001631
Award Amount: \$1,421

[Log Off](#)

Fiscal Year 2015 Payment Acceptance and Electronic Transfer of Funds

The Bureau of Justice Assistance (BJA) has completed its review of your facility, inmate, and correctional officer data related to the State Criminal Alien Assistance Program (SCAAP). The Bureau of Immigration and Customs Enforcement has vetted the inmate records, and an award amount has been calculated.

In accepting this award, you understand that BJA reserves the right to take appropriate administrative action, including intensive monitoring, repayment action, or adjustment to future payments, to resolve data discrepancies, errors, or audit findings related to any information reported in your application.

Applicants are now required to accept awards online within 45 calendar days of award notice, in accordance with the Office of Justice Programs (OJP) Financial Guide, Part II, Chapter 2, Acceptance Procedures requiring acceptance/drawdown of awards with 45 days of notice of award, and Part IV, Chapter 2, section 16.606, State Criminal Alien Assistance Program (SCAAP) requiring an "expeditious draw-down of payments."

Jurisdictions accepting SCAAP awards are not required to submit financial or progress reports to OJP. For FY 2009 SCAAP awards, the Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) requires that all SCAAP funds be used for correctional purposes only. Please see the use of funds list and certification below. With your acceptance (by clicking on the Accept button below) of SCAAP's terms, conditions, and award amount, OJP will initiate an electronic payment in that amount to your bank account of record, as verified through the on-line SCAAP registration process and in accordance with applicable E-Government rules and requirements.

All issues related to the electronic transfer of funds or the bank account of record must be referred to the OCFO Customer Service Center at 800-458-0786. Please allow 15 business days for the electronic payment process to be complete before contacting OCFO. Please have the grant number, amount, and vendor information (noted above) available when you call.

FY 2015 SCAAP Use of Funds List

- *Construction* —
Construction for inmate housing, inmate programs, prison industries in ADA compliance
- *Training/Education for offender* —
Specific trade employment skills
GED testing
Job Preparedness
- *Training for corrections officers to help manage offender population* —
Bi-lingual language skills
Less than lethal technology training
Diversity training

As the CEO or authorized designee of this jurisdiction, I understand the guidelines and requirements as associated with the previous statements and agree to abide by them in all matters involving the FY 2015 State Criminal Alien Assistance Program.

Accept Decline



State Criminal Alien Assistance Program 2015-H0634-VA-AP



OMB Number: 1121-0243
Expires: 02/29/2004

[SCAAP Help](#)

[GMS Home](#)

[Log Off](#)

Your award acceptance is being processed by OJP. Please allow at least 15 business days for this process to be completed and the awarded funds received by your bank account of record. Questions and problems with drawdown, bank account records or ACH forms should be referred to the OC Customer Service Center at 1-800-458-0786. Thank you.

If you need to correct, update or reprint your ACH information please click on the ACH link below.

[ACH Online Form](#)

Fiscal Year 2015 SCAAP Use of Funds:

Overtime costs required by negotiated contract or regulation such as union agreements and required post staffing minimums
Performance based bonuses
Salaries for corrections officers

AGENDA: October 21, 2015, Regular Session

ITEM: Consent Agenda – An ordinance to accept and appropriate funds from the Virginia Department of Criminal Justice Services for the Suffolk Victim/Witness Assistance Program

The City has received \$230,320 in funding from the Virginia Department of Criminal Justice Services in support of the Suffolk Victim/Witness Assistance Program which provides comprehensive information and direct services to crime victims and witnesses in accordance with the Crime Victim and Witness Rights Act and other applicable victim rights laws. The Suffolk Victim/Witness Assistance Program is managed by the Office of the Commonwealth's Attorney.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund budget for Fiscal Year 2015-16.

BUDGET IMPACT:

Adoption of the ordinance will increase the FY 2015-16 Consolidated Grants Fund budget by \$230,320 and requires \$42,285 in local fund support which is provided for in the adopted FY 2015-16 Consolidated Grants Fund budget.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Letter

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK VICTIM/WITNESS ASSISTANCE PROGRAM

WHEREAS, the City has received funds in the amount of \$230,320 from the Virginia Department of Criminal Justice Services in support of the Suffolk Victim/Witness Assistance Program; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund budget for Fiscal Year 2015-16 to assist with continued funding of local victim/witness services in the City of Suffolk.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$230,320 shall be reflected as budget in the following accounts in the Fiscal Year 2015-16 Consolidated Grants Fund budget:

<u>Revenue</u>		
211-21910-1605_433010	VictimWitness FDOJ VW15; 6-16	\$172,740
211-21910-1605_424040	VictimWitness SDCJS VW15; 6-16	<u>57,580</u>
		<u>\$230,320</u>
<u>Expenditure</u>		
	VictimWitness FDOJ VW15; 6-16	
	VictimWitness SDCJS VW15; 6-16	
211-21910-1605_51100	Salary and Wages	\$172,814
211-21910-1605_52100	FICA	12,706
211-21910-1605_52210	VRS	19,275
211-21910-1605_52400	Group Life	1,877
211-21910-1605_54500	Risk Management	<u>23,648</u>
		<u>\$230,320</u>

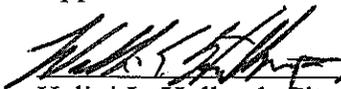
2. The fund amount totaling \$230,320 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:


Helivi L. Holland, City Attorney



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Francine C. Ecker
Director

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 386-8732

July 16, 2015

Mr. Patrick Roberts
Interim City Manager
City of Suffolk
P. O. Box 1858
Suffolk, VA 23439

Title: Victim Witness Program

Dear Mr. Roberts:

I am pleased to advise you that grant number 16-V8580VW15 for the above-referenced grant program has been approved for a total of \$172,740.00 in Federal Funds and \$57,580.00 in State Special Funds for a total award of \$230,320.00.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Janice Waddy, Grants Administrator, at the Department of Criminal Justice Services (DCJS). Please review the conditions carefully; as some require action on your part before we will disburse grant funds.

Also, enclosed are the Post Award Instructions and Reporting Requirements. Please refer to and read this information carefully as it contains details on processing financial and progress reports, as well as requesting awarded funds. ***Remember all financial and progress reports, budget amendment requests and request for funds must be processed through our online Grants Management Information System (GMIS).***

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Michelle Miles at (804) 225-1846.

Sincerely,

A handwritten signature in black ink, appearing to read 'Francine C. Ecker'.

Francine C. Ecker
Director

Enclosures

cc: Ms. Diane Bryant, Director, V/W Program
Mr. Anthony P. Diggs, Accounting Mgr.
Ms. Michelle Miles, DCJS Monitor

Criminal Justice Service Board • Committee on Training • Advisory Committee on Juvenile Justice
Advisory Committee to Court Appointed Special Advocate and Children's Justice Act Programs
Private Security Services Advisory Board • Criminal Justice Information Systems Committee

www.dcjs.virginia.gov

Department of Criminal Justice Services

1100 Bank Street, 12th Floor, Richmond, VA 23219

Statement of Grant Award/Acceptance

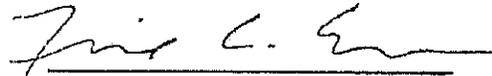
Subgrantee: Suffolk City		Date: July 20, 2015	
Grant Period:		Grant Number:	
From: 07/01/2015	Through: 06/30/2016	16-V8580VW15	

Project Director	Project Administrator	Finance Officer
Ms. Diane Bryant Director, V/W Program City of Suffolk 150 N. Main Street Suffolk, VA 23434 Phone: (757) 514-4373 Email: dbryant@suffolkva.us	Mr. Patrick Roberts Interim City Manager City of Suffolk P. O. Box 1858 Suffolk, VA 23439 Phone: (757) 514-4012 Email: CityManager@suffolkva.us	Mr. Anthony P. Diggs Accounting Manager City of Suffolk P. O. Box 1858 Suffolk, VA 23439 Phone: (757) 514-7512 Email: apdiggs@suffolkva.us

Grant Award Budget

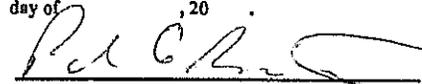
Budget Categories	DCJS Funds			Local	TOTALS
	Federal	General	Special		
Travel	\$0	\$0	\$0	\$0	\$0
Supplies/Other	\$0	\$0	\$0	\$0	\$0
Personnel	\$172,740	\$0	\$57,580	\$0	\$230,320
Indirect Cost	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0
Consultant	\$0	\$0	\$0	\$0	\$0
Totals	\$172,740	\$0	\$57,580	\$0	\$230,320

This grant is subject to all rules, regulations, and criteria included in the grant guidelines and the special conditions attached thereto.



Francine C. Ecker, Director

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this _____ day of _____, 20_____.

Signature: 
 Title: INTERIM CITY MANAGER

AGENDA: October 21, 2015 Regular Session

ITEM: Consent Agenda – An ordinance to accept and appropriate grant funds from the Virginia Department of Agriculture and Consumer Services for the Virginia Cooperative Extension 2015 Plastic Pesticide Container Recycling Program

The City has received \$1,875 in funding from the Virginia Department of Agriculture and Consumer Services to assist the Virginia Cooperative Extension with the 2015 Plastic Pesticide Container Recycling Program. The funding will be used for material and safety equipment costs related to the Plastic Pesticide Container Collection Site.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund for Fiscal Year 2015-2016.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund by \$1,875 for the above noted purpose and requires no local fund support.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Letter

ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR THE VIRGINIA COOPERATIVE EXTENSION 2015 PLASTIC PESTICIDE CONTAINER RECYCLING PROGRAM

WHEREAS, the City has received funds in the amount of \$1,875 from Virginia Department of Agriculture and Consumer Services for the 2015 Virginia Cooperative Extension Plastic Pesticide Container Recycling Program; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund budget for the Fiscal Year 2015-2016 to assist with the purchase of materials and safety equipment related to the Plastic Pesticide Container Collection Site.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$1,875 shall be reflected as budget in the following accounts in the Fiscal Year 2015-2016 Consolidated Grants Fund budget:

<u>Revenue</u>		
211-83500-1654_424040	VDACSRecyclePrgm;12/15	<u>\$1,875</u>
 <u>Expenditure</u>		
211-83500-1654_58200	VDACSRecyclePrgm;12/15 Capital Outlay	<u>\$1,875</u>

2. The fund amount totaling \$1,875 is hereby appropriated for use as referenced in this ordinance, and the budget approved by Ordinance Number 15-O-036 as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____

Erika S. Dawley, City Clerk

Approved as to Form:

 Deputy City Attorney
Helivi L. Holland, City Attorney

MEMORANDUM OF AGREEMENT
between
VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
and
THE CITY OF SUFFOLK

VDACS Contract #: 301-15-113

PURPOSE:

This Agreement establishes the roles and responsibilities of the Virginia Department of Agriculture and Consumer Services (VDACS) and the City of Suffolk in conducting the annual Plastic Pesticide Container Recycling Program. The Virginia Plastic Pesticide Container Recycling Program assists agricultural producers, pesticide dealers and pest control firms to recycle properly rinsed plastic pesticide containers.

CONTRACT PERIOD: January 1, 2015 through December 31, 2015.

RENEWAL OF CONTRACT: This contract may be renewed by VDACS upon written agreement of both parties for four (4) successive one year periods, under the terms of the current contract.

VDACS RESPONSIBILITIES:

1. **Administer the statewide Program.** VDACS shall administer and provide oversight of the statewide Program by:
 1. establishing guidelines for statewide Program;
 2. approving local government programs;
 3. scheduling the granulation of containers; and,
 4. monitoring each local program to ensure their adherence to established guidelines.

2. **Reimburse the City of Suffolk up to the amount of \$ 1,875 to support the costs of the Program.** VDACS shall reimburse the City of Suffolk for actual local program expenses for the administration of the Plastic Pesticide Container Recycling Program incurred during the contract period (January 1 – December 31) up to \$1,875. All expenses must be directly related to the Plastic Pesticide Container Recycling Program and may include: construction, rental, and material costs related to the establishment of a collection site; salaries, wages, and fringe benefits for container inspection and administration of the Program; travel expenses (travel expenses not to exceed allowable State rates in effect at the time travel occurred), safety equipment purchases, incentives and training materials related to the Program. Reimbursement shall be made upon receipt of an activity report and expense reimbursement request, including receipts, for the contract period (January 1 – December 31).

3. **Provide educational materials for use by the City of Suffolk for distribution to participants.** VDACS shall provide, upon request, educational materials (slide series, videotapes, pamphlets,

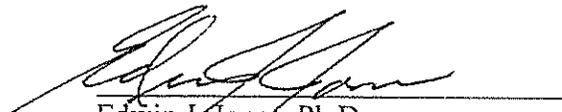
31st of the following year.

3. **Execute documentation transferring container ownership to granulator.** The City of Suffolk shall execute and sign the documentation transferring ownership of the containers to the recycling contractor.
4. **Educate agricultural producers about proper pesticide container rinsing procedures and the Recycling Program.** The City of Suffolk, through Virginia Polytechnic Institute and State University through its Virginia Cooperative Extension (VCE), shall promote the value of recycling plastic pesticide containers to the agricultural community. VCE shall educate agricultural producers about proper pesticide container rinsing procedures and the Recycling Program through the distribution of educational materials and presentations at growers' meetings.
5. **Distribute jet-rinse nozzles to participating agricultural producers.** To promote the recycling program and encourage participation, the City of Suffolk, through VCE, shall distribute VDACS-supplied jet-rinse nozzles to agricultural producers, pesticide dealers and pest control firms agreeing to participate in the Program.

This Memorandum of Agreement has been reviewed and is recommended for approval:

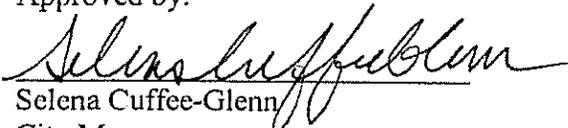

Liza J. Fleeson
Program Manager
Virginia Department of Agriculture
and Consumer Services

February 20, 2015
DATE

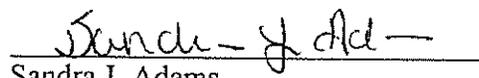

Edwin J. Jones, Ph.D.
Director
Virginia Cooperative Extension

May 8, 2015
DATE

Approved by:


Selena Cuffee-Glenn
City Manager
City of Suffolk

3/17/15
DATE


Sandra J. Adams
Commissioner
Virginia Department of Agriculture
and Consumer Services

June 1, 2015
DATE

AGENDA: October 21, 2015, Regular Session

ITEM: Consent Agenda – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

The City received \$7,200 in funding from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport for Fiscal Year 2015-2016. The funding will be used to for spill prevention control and countermeasure plan update.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Aviation Facilities Fund for Fiscal Year 2015-16.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Aviation Facilities Fund budget by \$7,200 for the above noted purpose and requires \$1,800 in local fund support which is provided for in the FY 2015-16 Aviation Facilities Fund budget.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Grant Agreement

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF AVIATION FOR THE SUFFOLK EXECUTIVE AIRPORT

WHEREAS, the City received funds in the amount of \$7,200 from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport; and,

WHEREAS, the funds received need to be accepted and appropriated to the Aviation Facilities Fund budget for Fiscal Year 2015-16 to support spill prevention control and countermeasure plan update.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$7,200 shall be reflected as budget in the following accounts in the Fiscal Year 2015-16 Aviation Facilities Fund budget:

<u>Revenue</u>		
220_424140.110	Categorical Aid-State Airport Maintenance Funds	<u>\$7,200</u>
 <u>Expenditure</u>		
220-150000_53300.110	Maintenance Service – State	<u>\$7,200</u>

2. The fund amount totaling \$7,200 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____

Erika S. Dawley, City Clerk

Approved as to Form:


Deputy City Attorney
Helivi L. Holland, City Attorney



COMMONWEALTH of VIRGINIA

Randall P Burdette
Director

Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

V/TDD • (804) 236-3624
FAX • (804) 236-3635

September 3, 2015

Mr. Kent Marshall, Manager
Suffolk Executive Airport
1200 Gene Bolton Drive
Suffolk, VA 23434

Re: Suffolk Executive Airport; Project #CS0050-36

Dear Mr. Marshall:

Please find enclosed three originals of the Grant Offer for the project referenced above. This offer, once accepted, becomes your Grant Agreement with the Commonwealth of Virginia, Department of Aviation.

This Agreement must be executed on behalf of the sponsor by an official authorized to take such action, and the sponsor's attorney must execute the certificate on page 2. This offer must be accepted and certified by **November 8, 2015** or may otherwise be withdrawn.

The amount of this grant has been determined by the costs associated with a fixed scope of work. As such, no changes in the scope of work should be undertaken without first obtaining the approval of the Department of Aviation.

After acceptance of the offer, please return two originals to this office and keep one for your files. Should there be questions, you have only to call upon us.

Sincerely,

A handwritten signature in cursive script that reads "Susan H. Simmers".

Susan H. Simmers, Senior Aviation Planner
Planning and Environmental Section
Airport Services Division

/pas
Enclosures





Commonwealth of Virginia
Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

Grant Agreement

Part I - Offer

Project Number: **CS0050-36**
Date of Approval: **August 21, 2015**
Date of Offer: **September 3, 2015**
Date of Offer Expiration: **November 8, 2015**

WHEREAS, by executing a *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* (hereinafter referred to as the "Master Agreement"), effective on October 21, 2010, the **City of Suffolk** (hereinafter referred to as the "Sponsor") agreed to the terms and conditions for accepting state aviation funding from the Commonwealth of Virginia (hereinafter referred to as the "Commonwealth"); and

WHEREAS, the Sponsor has submitted a request for a grant of state funds to assist in the development of **Suffolk Executive Airport** (hereinafter referred to as the "Airport") together with the appropriate supporting documentation; and

WHEREAS, the Commonwealth acting by and through the Virginia Aviation Board (hereinafter referred to as the "Board") and/or the Department of Aviation (hereinafter referred to as the "Department"), has approved a project for development of the Airport which consists of the following (hereafter referred to as the "Project"):

Spill Prevention Control and Countermeasure Plan Update

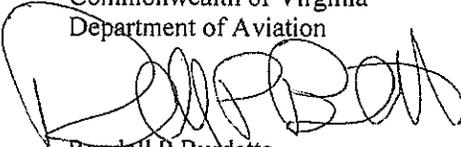
NOW, THEREFORE, pursuant to the authority granted to the Department by §5.1-2.2 of the *Code of Virginia* (1950), as amended, and in consideration of: (a) the authority granted to the Sponsor to operate and maintain the Airport, (b) the Sponsor's adoption and ratification of the assurances provided in the Master Agreement, and (c) the benefits to accrue to the Commonwealth and the public from the accomplishment of this Project, the Department offers to pay, as the Commonwealth's share, **eighty (80)** percent of all eligible Project costs.

This offer is made on and subject to the following terms and conditions:

1. The Master Agreement is incorporated by reference herein, and this offer is subject to the terms and conditions of said Master Agreement.
2. The maximum obligation of the Commonwealth payable under this Grant Agreement shall not exceed **\$7,200.00**.
3. If the Federal Aviation Administration (hereinafter referred to as the "FAA") will be participating in the funding of this Project, the Sponsor has, at the time of the execution of this Grant Agreement, a commitment from FAA for federal funds in the amount of \$ **NA**.
4. This Grant Payment Term will expire on **March 31, 2017**.
5. The Grant Obligation Term is **20 years**.

Grant Agreement, Project Number CS0050-36

The Sponsor's acceptance of this Grant Offer with its terms and conditions shall be evidenced by execution of this Grant Offer by, or on behalf of, the Sponsor, as hereinafter provided, and said Grant Offer and acceptance shall comprise a Grant Agreement for the distribution of funds by the Department as authorized under §5.1-2.2 Code of Virginia (1950), as amended. This Grant Agreement shall become effective upon the Sponsor's acceptance and shall remain in full force as provided herein.

Commonwealth of Virginia
Department of Aviation

Randall P. Burdette
Executive Director
Date SEP - 3 2015

Part II - Acceptance

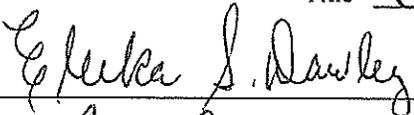
The **City of Suffolk** does hereby accept and agree all the terms, conditions and assurances contained in this Grant Agreement.

Executed this 23rd day of September, 20 15

City of Suffolk

By 

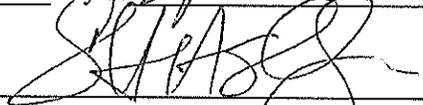
Title City manager

Attest 
Title CITY CLERK

Certification of Sponsor's Attorney

I, SOLOMON H. ASHBY JR, acting as Attorney for the Sponsor do hereby certify that I have examined the foregoing Grant Agreement and find that the Sponsor has been duly authorized and is fully capable under the laws of the Commonwealth of Virginia of fulfilling all obligations under this Grant Agreement and that this Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms and conditions thereof.

Dated at SUFFOLK, Virginia this 22nd day of September, 20 15

By 

Title ASSISTANT CITY ATTORNEY

AGENDA: October 21, 2015, Regular Session

ITEM: Consent Agenda - An ordinance to accept and appropriate funds from the Commonwealth of Virginia Technology Trust Fund

The City has received \$29,497 in FY16 Technology Trust Funds from the Commonwealth of Virginia Compensation Board to be used by the Clerk of the Circuit Court for expenses related to the Secure Remote Access hosting fees and system/services contracts.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the General Fund budget for Fiscal Year 2015-16.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the General Fund by \$29,497 for the above noted purpose and requires no local fund support.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Letter

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE COMMONWEALTH OF VIRGINIA TECHNOLOGY TRUST FUND

WHEREAS, the City has received funds in the amount of \$29,497 from the Commonwealth of Virginia Compensation Board Technology Trust Fund for use by the Clerk of the Circuit Court for expenses related to Secure Remote Access hosting fees and system/services contracts; and,

WHEREAS, the funds received need to be accepted and appropriated to the General Fund budget for Fiscal Year 2015-16 to assist with expenses related to Secure Remote Access hosting fees and system/services contracts.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$29,497 shall be reflected as budget in the following accounts in the Fiscal Year 2015-2016 General Fund budget:

<u>Revenue</u>		
100_423070.06	Technology Trust Funds	<u>\$29,497</u>
<u>Expenditure</u>		
100-21710_58110	Capital Outlay	<u>\$29,497</u>

2. The fund amount totaling \$29,497 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to form:


Helivi L. Holland, City Attorney



CLERK'S OFFICE
CIRCUIT COURT OF THE CITY OF SUFFOLK

Godwin Courts Building
150 North Main Street
Suffolk, Virginia 23434-4552



CLERK
W. RANDOLPH CARTER, JR.

CHIEF DEPUTY CLERK
CYNTHIA E. ROBERTSON

MAIN NUMBER (757) 514-7800
FAX (757) 538-3204
JURY DUTY INFO (757) 514-7832

October 6, 2015

City of Suffolk
Budget Office
442 West Washington Street
Suffolk, VA 23434

Attached is documentation from the Compensation Board approving funding for our office from the FY16 Technology Trust Fund (TTF) Services Request. The total approved funding is \$29,497. We are requesting an Ordinance to accept and appropriate \$29,497 and assign it to general ledger account 100-21710-58110.

It is the intent of this office to use these funds for the SRA Hosting Fees and Systems/Services Contracts.

Should you have any questions, please feel free to call.

Sincerely



W. Randolph Carter, Jr.
Clerk of Suffolk Circuit Court

FIPS	Locality	\$4 Available Funding	\$4 Fund Budget Category							\$4 SUBTOTAL Purpose Code L (Land Records)	\$4 SUBTOTAL Purpose Code M (Not Land Records)	TOTAL \$4 APPROVED
			Maintenance		Equipment: Hardware & Software	Redaction of Social Security Numbers	Backscan/Conversion of Images/Indices	Other Consulting, Training, Technical Warranties				
			Records System (Purpose Codes L and M)	Secure Remote Access								
195	Wise/Norton	-	-	-	-	-	-	-	-	-	-	
197	Wythe	-	-	-	-	-	-	-	-	-	-	
199	York/Poquoson	151,647	8,175	-	6,200	4,645	66,780	12,350	82,000	16,150	98,150	
510	Alexandria	57,627	-	-	-	-	-	57,616	-	57,616	57,616	
520	Bristol	-	-	-	-	-	-	-	-	-	-	
530	Buena Vista	-	-	-	-	-	-	-	-	-	-	
540	Charlottesville	3,097	-	3,097	-	-	-	-	3,097	-	3,097	
550	Chesapeake	149,746	41,348	14,300	19,800	4,965	69,333	-	60,613	89,133	149,746	
570	Colonial Heights	-	-	-	-	-	-	-	-	-	-	
590	Danville	-	-	-	-	-	-	-	-	-	-	
630	Fredericksburg	-	-	-	-	-	-	-	-	-	-	
650	Hampton	23,080	-	-	12,040	-	11,040	-	5,040	18,040	23,080	
670	Hopewell	-	-	-	-	-	-	-	-	-	-	
680	Lynchburg	2,848	-	-	-	2,848	-	-	2,848	-	2,848	
690	Martinsville	-	-	-	-	-	-	-	-	-	-	
700	Newport News	349,705	67,701	11,100	2,600	-	-	-	78,090	3,311	81,401	
710	Norfolk	41,527	-	-	-	-	41,527	-	41,527	-	41,527	
730	Petersburg	-	-	-	-	-	-	-	-	-	-	
740	Portsmouth	7,295	995	6,300	-	-	-	-	7,295	-	7,295	
750	Radford	-	-	-	-	-	-	-	-	-	-	
760	Richmond	614,683	30,000	23,100	101,450	14,766	15,750	3,360	82,332	106,094	188,426	
770	Roanoke	85,114	-	-	-	-	85,114	-	85,114	-	85,114	
775	Salem	-	-	-	-	-	-	-	-	-	-	
790	Staunton	19,720	10,400	3,900	-	1,532	-	-	15,584	248	15,832	
800	Suffolk	29,497	11,497	18,000	-	-	-	-	29,497	-	29,497	

FIPS	Locality	\$4 Available Funding	\$1 Fund Budget Category						TOTAL \$1 Fund NOT Approved		
			Maintenance		TOTAL \$1 Fund Approved	Maintenance Balance Records/SRA (Purpose Code L)	Equipment: Hardware & Software	Reduction of Social Security Numbers		Backlog/ Conversion of Inaged Indices	Other Not Approved from N
			Records System (Purpose Code L)	Secure Remote Access							
760	Richmond	614,683	-	-	-	-	-	-	-	-	-
770	Roanoke	85,114	-	-	-	-	-	10,000	-	-	10,000
775	Salem	-	8,400	2,400	10,800	-	-	-	1,688	-	1,688
790	Staunton	19,720	-	-	-	-	-	-	-	-	-
800	Suffolk	29,497	-	-	-	42,503	-	-	-	-	42,503
810	Virginia Beach	239,741	-	-	-	-	-	-	-	-	-
820	Waynesboro	-	11,200	3,900	15,100	-	-	17,500	5,668	-	23,168
840	Winchester	-	9,320	3,900	13,220	-	-	-	2,216	-	2,216
	Total \$1 Fund Requests	5,196,230	905,920	253,998	1,159,918	368,527	246,024	108,936	360,824	4,944	1,089,255

OTHER MATTERS

NEW BUSINESS:

REGULAR DOCKET

LOCALITY	OFFICER	REQUEST	TOTAL COST	COMPENSATION BOARD ACTION
1. FY17-18 BUDGET DEVELOPMENT PROCESS	COMPENSATION BOARD	Staff provides update of budget development process and biennial budget decision package submissions to DPB.	N/A	Noted

AGENDA: October 21, 2015, Regular Session

ITEM: Consent Agenda – An ordinance to accept and appropriate funds from the United States Department of Agriculture for the Summer Food Service Program

The City has received \$105,650.06 in grant funding from the United States Department of Agriculture in support of the Summer Food Service Program. The program, which is administered by the Department of Parks and Recreation, provides breakfasts and lunches to children at qualified sites during the summer.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund budget for Fiscal Year 2015-16.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund by \$105,650.06 for the above noted purpose and does not require local fund support.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Letter

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE SUMMER FOOD SERVICE PROGRAM

WHEREAS, the City has received funds in the amount of \$105,650.06 from the United States Department of Agriculture in support of the Summer Food Service Program at 14 sites throughout the City; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund budget for Fiscal Year 2015-16 to assist with the reimbursement of funds for the Summer Food Service Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$105,650.06 shall be reflected as budget in the following accounts in the Fiscal Year 2015-16 Consolidated Grants Fund budget:

Revenue

211-71350-1629_433060 SumrFeedProg USDA#59047;6/16 \$105,650.06

Expenditure

211-71350-1629_56002 SumrFeedProg USDA#59047;6/16
Food Supplies \$105,650.06

2. The fund amount totaling \$105,650.06 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

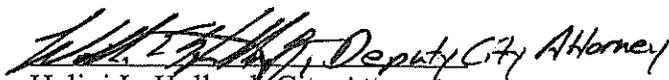
3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____

Erika S. Dawley, City Clerk

Approved as to Form:


Helivi L. Holland, City Attorney



COMMONWEALTH of VIRGINIA
Department of Health

Marissa J. Levine, MD, MPH, FAAFP
State Health Commissioner

PO BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

Date: June 3, 2015
Subject: Notice of Fiscal Year 2015 SFSP Application Approval
RE: Agreement Number# 59047
To: Summer Food Service Program Administrator
From: Conchetta Yonaitis, Special Nutrition Programs Manager

VDH is pleased to advise that your organization's sponsor application for participation in the 2015 Summer Food Service Program (SFSP) has been approved.

Please note that two copies of this Notice of Fiscal Year 2015 SFSP Application Approval are enclosed. Please sign and date both forms. Return one form to VDH and retain the other form in the sponsor's records.

Please scan and email the Approval Letter to sfsp@vdh.virginia.gov or, if mailing:

Virginia Department of Health
Division of Community Nutrition
Attn: Supervisor
109 Governor Street
9th Floor
Richmond, VA 23219

The Agreement Number, which is 5 digits and appears on program documents, should be referred to in all future correspondence and communications with this office. The Agreement Number is also the user ID for the Special Nutrition Programs (SNP) claims processing system.

VDH is providing the following items for sponsor files, information and use:

1. **Site Summary Report:**

- Please review to ensure that the report lists all approved sites and their approved meals and meal service times.
- Please ensure that the average daily participation (ADP) and the maximum daily participation (CAP) agree with the information that was reported by the sponsor on the Site Information Sheets.
- The sponsor has the ability to run the site report from the SNP system by selecting "Site Summary" from the Application dropdown menu.

2. **Sponsor Application:**

- This is a printout of the sponsor application for 2015 based on the information that was submitted. The sponsor should review the 2015 Sponsor Application to ensure that the information is accurate.

3. **Monthly Online Claim for Reimbursement Information**

- Guidance on utilizing the Special Nutrition Programs (SNP) computer system is provided as an enclosure. **The password to access the computer system shall be distributed in a subsequent correspondence.**
- Sponsors that receive SFSP advance funds should file separate claims for reimbursement and should not combine claim months for any month with 10 or less operating days, per the State agency's request.
- Sponsors should submit meal counts by site to the State agency for the 2015 SFSP. VDH created a reporting tool for sponsors through SurveyMonkey. The information pertaining to the reporting procedures using the SurveyMonkey tool will be distributed in a separate correspondence.

4. **With regard to the operation and administration of the SFSP, VDH reminds sponsors of the following:**

- The sponsor is required to maintain all SFSP records. All SFSP records should be available to VDH at anytime during the summer. The sponsor is required to maintain all invoices, receipts, mileage logs, and delivery logs (if applicable) and other cost documentation for VDH review. Sponsors must keep those records for 3 years after the end of the summer.
- The sponsor is required to operate a non-profit food service. Any SFSP funds received in excess of the SFSP reimbursement can only be used for the SFSP, Child and Adult Care Food Program (CACFP), National School Lunch Program (NSLP), and the School Breakfast Program (SBP). **VDH requires documentation of the excess funds and documentation of how the funds will be used. VDH must approve the use of excess funds in writing PRIOR to the sponsor's use of those funds.**
- VDH may use the information provided in the sponsor application, including the Federal Employer Identification Numbers (FEIN), to collect and report on delinquent debt arising out of

the sponsor's relationship with the Federal Government; and may disclose this information to other Federal agencies, as well as private collection agencies, for purposes of claims collection actions including, but not limited to, administrative offset, salary offset, tax refund offset and referral to the Department of Justice for litigation or the Commonwealth's Office of the Attorney General for collection.

- The sponsor is required to operate in accordance with the signed Agreement. The sponsor must notify this office IN ADVANCE of any changes in program operations, such as additions of new feeding sites, additions of meals, changes in the times of meals, and increases in authorized daily participation levels.
- Please submit all changes by email to SFSP@vdh.virginia.gov. **Please allow at least 48 hours for State agency approval of changes or additions.** The changes, if approved, will be made effective the date of the approval. The sponsor may not claim any additional meals until after VDH issues written confirmation.
- The sponsor must submit an initial *Claim for Reimbursement* **WITHIN 60 DAYS** following the last day of the month covered by the claim. SFSP regulations state that "No payment shall be made for claims submitted later than 60 days after the month unless an exception is granted by VDH." An exception may be granted 1 time every 36 months.
- The sponsor must notify the State agency **in advance** when planning to take meals off site on day trips or field trips. Please submit the enclosed field trip notification form by email to sfsp@vdh.virginia.gov.
- Site personnel must ensure supervision of all children at the site while they are eating meals. Only meals actually *served* to children on site are eligible for reimbursement.
- The Summer Food Service Regulations (7 CFR 225) are located at the following website address: <http://www.fns.usda.gov/sites/default/files/CFR225.pdf>
- The Summer Food Service Guidebooks are located at the following website address: <http://www.fns.usda.gov/sfsp/handbooks>

VDH looks forward to continuing the partnerships and collaboration among Virginia's finest organizations in order to achieve a successful Summer Food Service Program! Should you have any further questions, please feel free to contact the SFSP staff at (804) 864-7800 or via email at SFSP@vdh.virginia.gov (Email correspondence is preferred, thank you.)

Sponsor Signature

Date

Sponsor Print Name and Title

Organization Name

Enclosures:

Signed Sponsor Agreement; Sponsor Application; Site Summary Report; Field Trip Form; Site Change Form; Online; Claim Filing Guide; Claim form- 3 copies; Menu (if correction); Offer vs. Serve (if applicable); Advance information (if requested; Camp Report- 1 for each camp session (for sponsors with camp sites); Policy Statement (if applicable)

Copy to: Sponsor File

Allowable Meals | 6

Program Operating and Administrative Costs		
10. Operating Costs		
a. Food		
b. Labor		
c. Other		
		YTD
11. Total Operating Costs		
Operating Earnings	\$28,835.91	\$95,816.76
Operating Payment		\$95,816.76
12. Total Administrative Costs		
Administrative Earnings	\$2,837.96	\$9,833.30
Administrative Payment		\$9,833.30

\$105,650.06

13. All Non-VDH Income Received for Food Service

CERTIFY that to the best of my

14. Preparation Date	9/11/15
Date Received	9/11/2015
Signature of Authorized Representative	Tamara Brown
Title	Recreation Supervisor
Contact Telephone Number	757-514-7101

Back Submit Check Form PrintErrors

Entry Date	9/11/2015 3:58:00 PM
Approval Serial No.	460
Paylist Number	
Paylist Date	

Form SNP-143 (10-99)

AGENDA: October 21, 2015, Regular Session

ITEM: Public Hearing – An ordinance to grant a Conditional Use Permit to establish an accessory dwelling unit, on property located at 117 Rockland Terrace, Zoning Map 27F, Parcel 200; C12-15

Attached for your consideration is information pertaining to Conditional Use Permit Request, C12-15, Dorr Accessory Dwelling, submitted by Joy Dorr, applicant, on behalf of Michael and Joy Dorr, property owners, in accordance with Sections 31-306, 31-406 and 31-706 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish an accessory dwelling unit, on property located at 117 Rockland Terrace, Zoning Map 27F, Parcel 200. The affected area is further identified as being located in the Cypress Voting Borough, zoned RLM, Residential Low-Medium Density zoning district. The 2035 Comprehensive Plan designates this area as a part of the Central Growth Area, Suburban Use District.

The Planning Commission, at the meeting of September 15, 2015, voted 8 to 0 to approve a resolution recommending **approval** of this request with conditions.

ATTACHMENTS:

- Staff Report
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Site Plan/Elevation/Floor Plan

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request C12-15, to permit an accessory dwelling unit in accordance with Sections 31-306, 31-406, and 31-701 of the Unified Development Ordinance.

APPLICANT: Submitted by Joy Dorr, applicant, on behalf of Michael and Joy Dorr, property owners.

LOCATION: The affected property is located at 117 Rockland Terrace in the Woodlake Subdivision and is further identified as Zoning Map 27F, Parcel 200.

PRESENT ZONING: RLM, Residential Low-Medium Density District

EXISTING LAND USE: The 0.37 acre site that contains a single family home with a recently permitted detached one-story garage (currently under construction).

PROPOSED LAND USE: To convert 482 square-feet of the existing 729 square-foot detached garage into an accessory dwelling unit for the purpose of housing members of the immediate family.

SURROUNDING LAND USES:

North – Single-family home, (Woodlake Subdivision), zoned RLM

South – Single-family home, (Woodlake Subdivision), zoned RLM

East – Single-family home, (Woodlake Subdivision), zoned RLM

West – Single-family home, (Woodlake Subdivision), zoned RLM

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan designates this area as a part of the Central Growth Area, Suburban Use District.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as an Intensely Developed Area (IDA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

STAFF ANALYSIS

ISSUE

The applicant is requesting a conditional use permit for an accessory dwelling unit to utilize a detached one-story garage (currently under construction) for the purposes of housing members of the immediate family. The proposed living space within the accessory building is 482 square feet. The garage will tie into the dwelling's existing central sewer line.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained in order to establish an accessory dwelling unit within the RLM, Residential Low-Medium Density Zoning District.
2. Supplemental use standards are established in the UDO for detached accessory dwelling units as follows:

- a) *The detached accessory dwelling unit shall comply with the minimum yard and intensity of use regulations as set forth in Section 31-407 of this ordinance.*

The accessory dwelling unit complies with the required setbacks for the RLM district for accessory buildings located in the rear yard.

- b) *The apartment shall not contain a gross floor area greater than thirty-five (35%) percent of the total living area of the principle dwelling unit.*

The principle dwelling unit has a floor area of 2,273 square feet (Real Estate Assessor records). Based, on the floor area of the principle dwelling the maximum floor area of the accessory dwelling unit is 795.55 square feet. The proposed living space within the accessory dwelling unit is 482 square feet, which is less than the maximum allowable.

- c) *The detached accessory dwelling unit shall be connected to the primary structure's central sewer or septic system provided, however, that a separate septic system may be utilized where:*
 - a. *The lot contains not less than four (4) acres of land area; and*
 - b. *The detached accessory dwelling unit is separated from the principal structure by not less than one hundred (100) feet.*

This proposed accessory dwelling unit will connect to the primary dwelling's central sewer line. The lot is a total of 0.37 acres and the accessory dwelling unit is located approximately 20 feet away from the primary structure. The Department of Public Utilities has verified that the public sewer system can accommodate and treat the additional flows generated by the proposed accessory dwelling unit.

- d) *Only one (1) accessory dwelling unit shall be permitted per lot, unless the lot is at least ten (10) acres in which case two (2) accessory units may be permitted.*

The applicant is only proposing one accessory dwelling unit.

- e) *Required parking for the detached accessory dwelling unit shall be located on the property of the principal structure. One (1) additional off-street parking space shall be required in addition to that required for the principal dwelling unit. For lots of less than five (5) acres, the parking shall be located to the rear of the principle dwelling unit.*

There are four (4) existing off-street parking spaces in the driveway and two (2) garage spaces currently on the property which provides adequate parking for the existing dwelling and the proposed accessory dwelling unit.

f) The apartment shall not be offered to the general public for rental purposes.

The applicants have stated in their application that this dwelling unit will not be offered for rental to the general public.

g) The conditional use permit shall be reviewed for compliance by the Zoning Administrator on an annual basis.

The Zoning Administrator will review this site on an annual basis for compliance.

3. The property is located at the intersection of Rockland Terrace and Cantor Street and is currently connected to City water and sewer service. The accessory dwelling unit will connect to the existing dwelling's sewer and water lines. The Department of Public Utilities has verified that the public sewer system can accommodate and treat the additional flows which will be generated by the accessory dwelling unit.
4. The primary dwelling fronts on Rockland Terrace. The accessory dwelling is currently located to the rear of the dwelling. This unit will not be utilized by the general public and will only be used by the property owners.
5. The applicants will be required to address any issues regarding occupancy of the dwelling unit pertaining to the Building Code with the Division of Community Development.
6. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a Conditional Use Permit by City Council when the right set of circumstances and conditions are found acceptable.

Conditional Use Permit Approval Criteria (31-306(c)) - As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council and only if the applicant demonstrates that:

a) The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.

The proposed use of an accessory dwelling unit is a listed conditional use in the RLM zoning district per the City's Unified Development Ordinance. Supplemental use standards are established in the UDO in section 31-703 and have been met by this application.

- b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

The proposed accessory dwelling unit will conform to the character of the neighborhood as required by the supplemental use standards that are established by the UDO. The lot has adequate size to accommodate one additional living unit. This accessory dwelling unit will only be used to house immediate family members and will not be allowed to be rented out to the general public. This use will not be adverse to persons living or working in or driving through the neighborhood.

- c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

The request for the accessory dwelling unit has been reviewed by the City's Traffic Engineer who expressed no concerns regarding parking or traffic for the proposed use and location.

- d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The proposed use is for an accessory dwelling unit and should not produce excess vibration, noise, odor, dust, smoke or gas. It is not anticipated that there will be any use attached with their activity which would impact the surrounding community.

- e) *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The property is located within an established residential neighborhood. The surrounding properties are located within a similar residential zoning district and contain single family homes. The use of the existing accessory structure as an accessory dwelling unit should not diminish or impair the property values within this neighborhood.

- f) *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

The proposed accessory dwelling should not impede the orderly development and improvement of the surrounding area. The existing neighborhood is fully developed

with single-family residential homes. The applicant is requesting to convert an existing accessory building to permit housing of family members. An accessory dwelling unit is required to be compliant with the supplemental use standards and may only be permitted by the issuance of a Conditional Use Permit.

- g) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

The use of an accessory dwelling unit should not be a detriment or endangerment to the public.

- h) The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*

The public interest and welfare should not be compromised by the proposed use of this accessory dwelling unit.

RECOMMENDATION

It is staff's opinion that the site in question is appropriate for the proposed use and given the size of the existing lot and the size of the dwelling unit, the use will not adversely impact the surrounding neighborhood. Therefore, staff recommends **approval** of Conditional Use Permit request C12-15 with the following conditions.

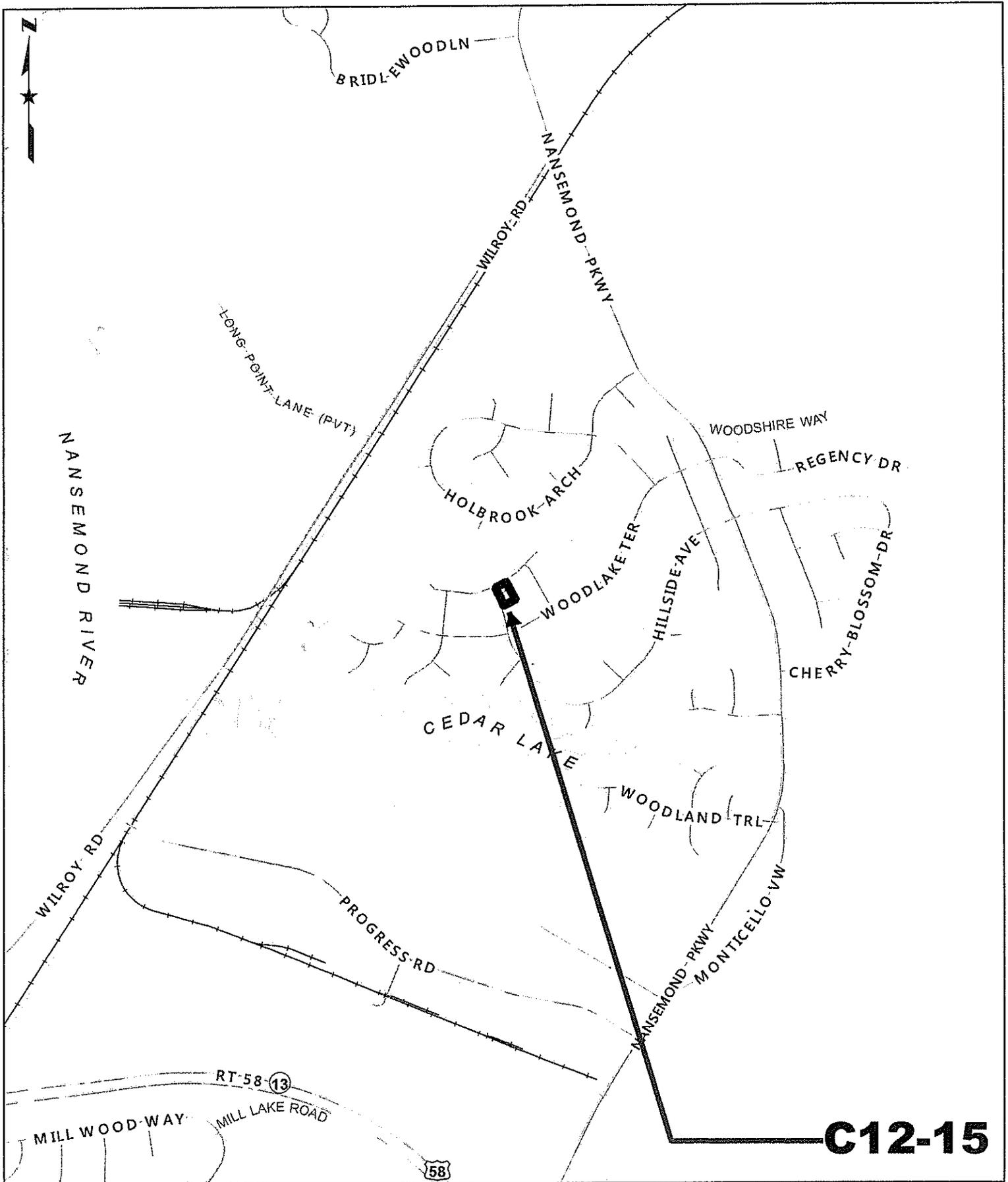
1. This permit grants the establishment of a detached accessory dwelling unit at 117 Rockland Terrace, Zoning Map 27F, Parcel 200, as defined in the Unified Development Ordinance, as shown on Exhibit B and Exhibit C.
2. The accessory dwelling unit is limited to a maximum square footage of 482 square-feet as shown in Exhibit C.
3. This conditional use permit shall be reviewed for compliance by the Zoning Administrator on an annual basis.
4. The accessory dwelling unit shall be connected to the primary structure's septic system, prior to the issuance of a Certificate of Occupancy.
5. The applicant will be required to address any issues regarding occupancy of the space pertaining to the Virginia Uniform Statewide Building Code with the Division of Community Development.

The Planning Commission, at the meeting of September 15, 2015, voted 8 to 0 to approve a resolution recommending **approval** of this request with conditions.

Attachments

- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Site Plan/Elevation/Floor Plan

General Location Map



C12-15

Joy H. Dorr
117 Rockland Terrace
Suffolk, Virginia 23434
757-539-9149
July 22, 2015

To whom it may concern:

The new structure at 117 Rockland Terrace will not be lived in while it is being prepared for use. A Conditional Use Permit has been applied for while the detached garage is in construction. While the first stage of construction is almost completed the final stages will not be for months. Although the structure is being built for work space and storage purposes, with preparedness for an In-law Suite, plans may change and that is the reason for the new permit. This structure is for family use and not for rentable income, which is prohibited by our HOA.


Joy H. Dorr

County/City of SUFFOLK
Commonwealth/State of Virginia
The foregoing instrument was acknowledged
before me this 22nd day of July,
2015, by
Joy H. Dorr
(name of person seeking acknowledgement)
Yulanda M. Mannur
Notary Public
My commission expires: 3-31-2018



ORDINANCE NUMBER _____

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH AN ACCESSORY DWELLING UNIT ON PROPERTY LOCATED AT 117 ROCKLAND TERRACE, ZONING MAP 27F, PARCEL 200; C12-15

WHEREAS, Joy Dorr, applicant, on behalf of Michael and Joy Dorr, property owners, has requested a conditional use permit to establish an accessory dwelling unit on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 27F, Parcel 200, which land is depicted on Exhibit "B"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Zoning/Land Use Map", and Exhibit "C", "Site Plan/Elevation/Floor Plan", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to permit an accessory dwelling unit is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of

property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of an accessory dwelling unit is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit is specifically for an accessory dwelling unit in compliance with Exhibit "C" (the "Site Plan/Elevation/Floor Plan"), and Sections 31-306, 31-406, and 31-701 of the Code of the City of Suffolk.

Conditions

1. This permit grants the establishment of a detached accessory dwelling unit at 117 Rockland Terrace, Zoning Map 27F, Parcel 200, as defined in the Unified Development Ordinance, as shown on Exhibit B and Exhibit C.
2. The accessory dwelling unit is limited to a maximum square footage of 482 square-feet as shown in Exhibit C.
3. This conditional use permit shall be reviewed for compliance by the Zoning Administrator on an annual basis.
4. The accessory dwelling unit shall be connected to the primary structure's septic system, prior to the issuance of a Certificate of Occupancy.
5. The applicant will be required to address any issues regarding occupancy of the space pertaining to the Virginia Uniform Statewide Building Code with the Division of Community Development.

Section 4. General Conditions.

- (a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to Joy Dorr, applicant, on behalf of Michael and Joy Dorr, property owners, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.
- (b) To the extent applicable, the requirements set forth in Section 31-306 of the Code

of the City of Suffolk, Virginia shall be met.

- (c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by Joy Dorr, applicant, on behalf of Michael and Joy Dorr, property owners, or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:


Helivi L. Holland, *Deputy City Attorney*
City Attorney

Exhibit A

RESOLUTION NO. 15-09-1

**CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT
C12-15
TO ESTABLISH AN ACCESSORY DWELLING UNIT ON PROPERTY LOCATED AT
117 ROCKLAND TERRACE, ZONING MAP 27F, PARCEL 200**

WHEREAS, Joy Dorr, applicant, on behalf of Michael and Joy Dorr, property owners, has requested the issuance of a conditional use permit for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to permit an accessory dwelling unit in accordance with Sections 31-306, 31-406, and 31-701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

- a. Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b. Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c. Will be no more injurious to property or improvements in the neighborhood, or
- d. Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

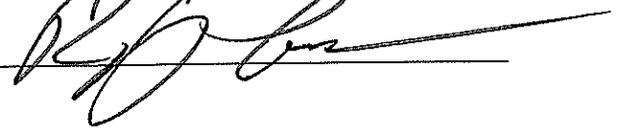
Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, C12-15, be:

- a. Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b. Denied, and that Council not adopt the proposed Ordinance.

X c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: 9/15/15

TESTE: 

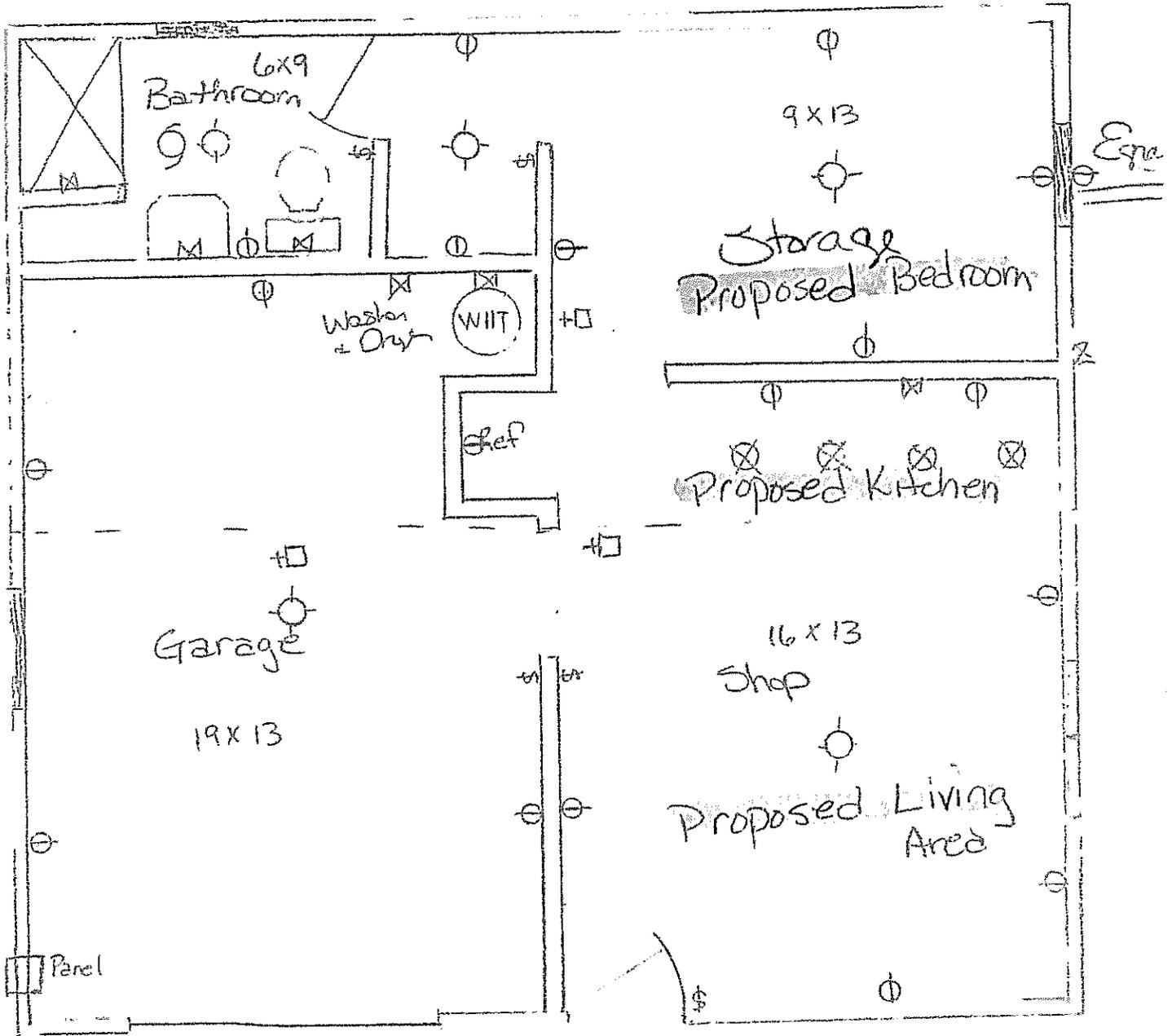
**CONDITIONAL USE PERMIT
C12-15**

CONDITIONS

1. This permit grants the establishment of a detached accessory dwelling unit at 117 Rockland Terrace, Zoning Map 27F, Parcel 200, as defined in the Unified Development Ordinance, as shown on Exhibit B and Exhibit C.
2. The accessory dwelling unit is limited to a maximum square footage of 482 square-feet as shown in Exhibit C.
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5. The applicant will be required to address any issues regarding occupancy of the space pertaining to the Virginia Uniform Statewide Building Code with the Division of Community Development.

Pull down to storage
stairs

EXHIBIT C

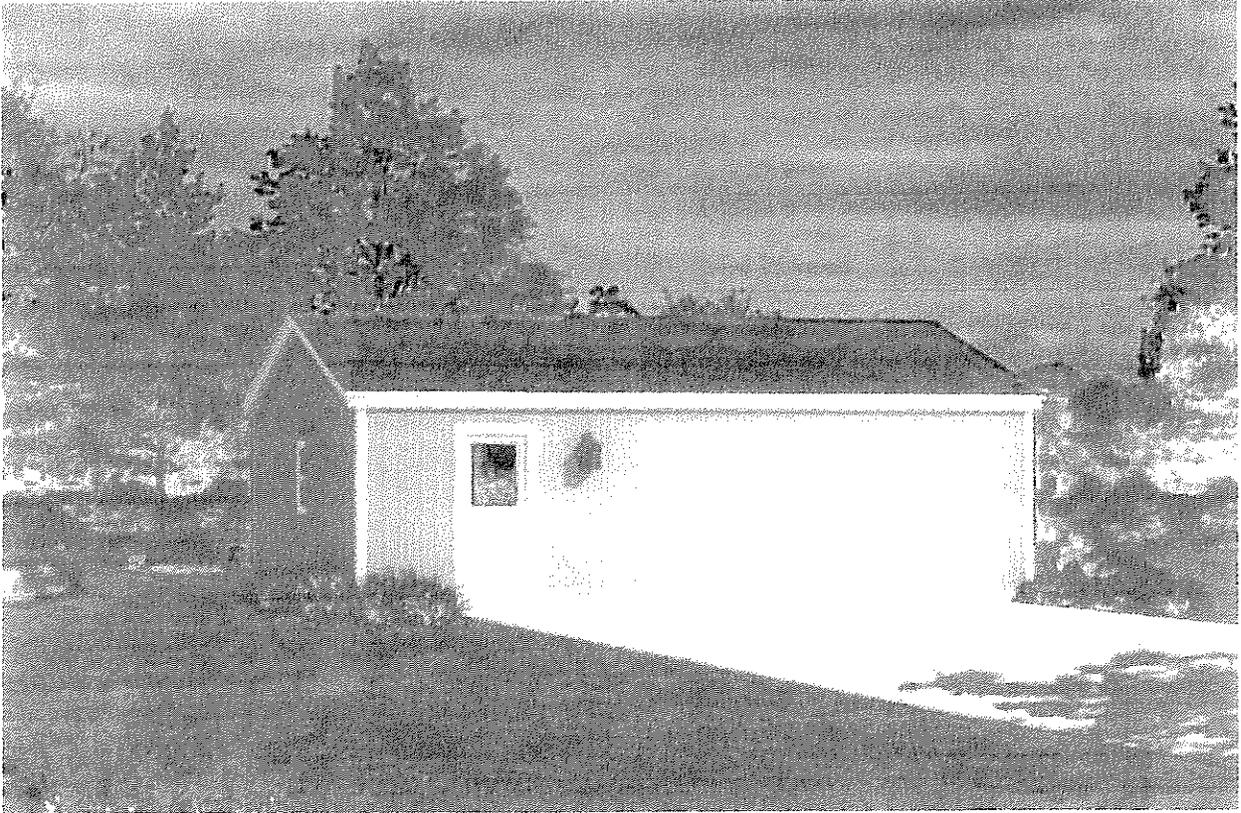


2375 main house
729

83125 is 35%

Joy Dorr
117 Rockland Terrace
757-539-9149
Unemployed

C12-15



Reversed

Ordinances

Resolutions

Staff Reports

**Motion to Schedule a City Council
Retreat for November 5 - 6, 2015**

Motion to Schedule a Work Session

Non-Agenda Speakers

New Business

Announcements and Comments