



ORDINANCE #O-__-__

An Ordinance to Amend and Reordain Article XIII of Chapter 2 (Administration) of the Charlottesville City Code, 1990, as Amended, Relating to Community Planning and Development Grant Programs

WHEREAS the City of Charlottesville (“City”) values the participation of all members of our community in the shared work of governance; and

WHEREAS the City of Charlottesville engages as a ‘participating jurisdiction’ (“PJ”) in the Community Development Block Grant (“CDBG”) & HOME Investment Partnerships (“HOME”) programs administered by the U.S. Department of Housing and Urban Development (“HUD”) and is, in that role, the periodic recipient of federal funds to support eligible community development, affordable housing and planning activities as identified by HUD’s Office of Community Planning & Development (“CPD”); and

WHEREAS the City recognizes a robust Citizen Participation Plan (“CPP”) as a guiding framework that fosters and encourages citizens to participate in the development and review of strategic plans that drive our community development activities, with a special emphasis on those populations that are at the heart of this work; and

WHEREAS the CPP currently in effect was last updated in 2016 and any update(s) to this plan provide(s) the city with a valuable opportunity to reaffirm its shared commitment to this work and its commitment to fostering broad and representative citizen engagement,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that Article XIII, Chapter 2, of the City of Charlottesville Municipal Code is hereby amended and reenacted to read as follows:

ARTICLE XIII. COMMUNITY PLANNING AND DEVELOPMENT GRANT PROGRAMS

Charlottesville, Virginia, Code of Ordinances

Chapter 2 – Administration

ARTICLE XIII. - COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING

Chapter 2 - ADMINISTRATION

Sec. 2-416. - Purpose and applicability of article.

- (a) This Article sets forth planning and decision-making procedures to guide the city's engagement as a 'participating jurisdiction' ("PJ") in the Community Development Block Grant ("CDBG") and HOME Investment Partnerships ("HOME") programs administered by the U.S. Department of Housing & Urban Development ("HUD") under the federal Housing and Community Development Act of 1974, as amended, and the federal HOME Investment Partnerships Act of 1991, as amended.
- (b) CDBG funds should be used primarily to benefit persons of low and moderate income and to meet the national objectives, as defined by the United States Department of Housing and Urban Development (HUD). The funds may be spent for any activities permitted by the Housing and Community Development Act of 1974, as amended, and applicable federal regulations. HOME funds should be used to strengthen public-private partnerships to provide more affordable housing, as defined by HUD. The funds may be spent for any activities permitted by the HOME Investment Partnerships Act of 1991, as amended, and applicable federal regulations.
- (c) HUD's Office of Community Planning & Development ("CPD") establishes that CDBG and HOME funds are to be used primarily to support eligible community development, planning and affordable housing activities, as defined by HUD, that are designed to benefit low- and moderate-income ("LMI") persons and to address one or more of HUD's core national objectives.
- (d) The processes established by this article shall apply only to funds specifically allocated by HUD for the CDBG and HOME programs and/or to other funds specifically allocated by City Council to support these programs, such as funds that may be appropriated by Council from the Charlottesville Affordable Housing Fund ("CAHF") to satisfy HUD's local match' requirements for the HOME program.

Sec. 2-417. Community Development Block Grant Program.

- (a) The City of Charlottesville is proud to partner with HUD to provide valuable financial and other programmatic supports to a wide array of community-benefit organizations that nurture healthy and vibrant communities. Through the CDBG program, the City of Charlottesville provides valuable financial and other programmatic supports to a wide range of local partners that enable them to design and implement programs that foster vibrant and healthy communities through activities related to economic development, commercial and residential revitalization, and/or job creation, all in support of a shared vision of Charlottesville as a place where everyone thrives.
- (b) CDBG funds shall be spent to support eligible community development and planning activities as permitted under the Housing and Community Development Act of 1974, as amended, and applicable federal regulations, and applicable federal regulations, in line with priorities established by City Council during open public hearings.

Sec. 2-418. HOME Investment Partnerships Program.

- (a) The City of Charlottesville is proud to partner with HUD and the Thomas Jefferson Planning District Commission (“TJPDC”) to provide valuable financial and other programmatic supports to a wide array of community-benefit organizations that help nurture healthy and vibrant communities, with a special emphasis on affordable housing activities designed to support high-quality housing and living environments as well as to increase the availability of high-quality homeownership and rental opportunities for income-qualified city residents. Through HOME, the city partners with a wide array of local community-benefit organizations to design and implement programs that develop and/or rehabilitate affordable homeownership and rental opportunities throughout the city. In addition, through a regional partnership known as the Thomas Jefferson HOME Consortium (“TJHC”), the city works closely with TJPDC and the staff of five neighboring counties: Albemarle, Fluvanna, Greene, Louisa and Nelson, to support a strong regional approach to the national housing crisis.
- (b) HOME funds shall be used to strengthen public-private partnerships focused on affordable housing activities (“AH”) to strengthen housing stability for LMI residents and the local supply of affordable housing opportunities, as defined by HUD. The funds may

be spent to support eligible affordable housing activities as permitted by the HOME Investment Partnerships Act of 1991, as amended, and applicable federal regulations.

Sec. 2-419. Citizen Participation Plan.

- (a) The City of Charlottesville and the Thomas Jefferson Planning District Commission value the participation of all members of our community in the shared work of governance, including the work of the city's CDBG and HOME programs. We are motivated in this work by the belief that widespread public engagement in the development, evaluation, and execution of these plans and projects is an essential element of ensuring they deliver deep and meaningful beneficial benefits for our community.
- (b) The City of Charlottesville will develop and implement a Citizen Participation Plan ("CPP") as an inclusive framework for promoting meaningful public engagement and community-wide dialogue that will inform community development and affordable housing priorities and guide the use of funding received from HUD for the CDBG and HOME programs.

Sec. 2-420. – The CDBG/HOME Taskforce.

- (a) The CDBG/HOME Taskforce is hereby established to serve as an advisory committee tasked with reviewing applications for CDBG and/or HOME funding in the areas of housing, economic development, public facilities and infrastructure and public services to support activities that will make progress towards the goals and objectives established in the city's Consolidated Plan. The volunteer members of the taskforce then develop a slate of funding recommendations for consideration to City Council, consistent with federal regulations, HUD guidance and priorities for these programs as established by Council during open public hearings.
- (b) The CDBG/HOME Taskforce shall be composed of nine (9) members appointed by the city council, to include:
 - i. Five (5) members representing the city at-large, with the goal of having no more than one member being drawn a specific city neighborhood if sufficient applications are received by City Council
 - ii. Two (2) members representing nonprofit organizations engaged in Public Services activities, as defined at 24 CFR 570.201
 - iii. One (1) member currently serving on the city's Planning Commission

- iv. One (1) member currently serving on the Charlottesville City School Board
- (c) Going forward, seats previously named for specific neighborhoods shall be designated as 'At-Large' seats.
- (d) The terms of service for the members representing the Planning Commission and School Board shall be coextensive with the term of office to which such member has been elected or appointed.
- (e) All other members of the Task force first appointed shall serve respectively for terms of three (3) years. Vacancies that may arise shall be filled by appointment for the unexpired term only. Members may serve up to two (2) consecutive full terms.

Sec. 2-421. - Subcommittees.

- (a) When the City Council is considering proposed HUD-funded activities with a city- and/or neighborhood-wide benefit, Council may choose to appoint members to a Special Purpose ad hoc subcommittee, including but not limited to representatives of the CDBG/HOME Taskforce, the Planning Commission or other city board or commission, residents, businesspeople and property owners from the priority neighborhood as Council deems appropriate.

Sec. 2-422. - Annual processes.

In order to ensure the efficient and equitable administration of the city's CDBG and HOME programs, program staff will work to ensure that certain key processes occur on an annual basis, including :

- (1) City staff assigned to CDBG/HOME Taskforce will review Consolidated Plan goals and applicable regulations to formulate recommendations for annual funding priorities.
- (2) The city council shall conduct a public hearing to solicit the views of citizens on city wide community development and housing needs. The purpose of this public hearing shall be for council to receive citizens' comments on recommended priorities and program performance. The notice of the public hearing shall include an estimate of the amount of funds available for CDBG and HOME activities and the range of activities that may be undertaken, as well as how the public can access a copy of the most recent

consolidated annual performance evaluation report ("CAPER"). Public comments may be presented in writing or in person.

- (3) After receiving all comments, council shall establish priorities for the grant year, including such percentage allocations of funds to categories and to particular income eligible areas as it deems appropriate.
- (4) Program staff will issue a formal Notice of Funding Availability ("NOFA") and conduct an open and public Request for Proposals ("RFP") process.
- (5) The volunteer members of the CDBG/HOME Taskforce will evaluate requests for funding and formulate funding recommendations for consideration by the Commissioners of the Thomas Jefferson Planning District Commission and City Council at scheduled and noticed public hearings.
- (6) The CDBG/HOME task force shall provide funding recommendations to the planning commission and city council to ensure that proposed projects are consistent with the CDBG program requirements and national objectives and/or HOME program requirements, as applicable. Review will also include a determination of consistency with the city's comprehensive plan and affordable housing goal(s).
- (7) Program staff will coordinate public hearings and a public comment period for all CDBG and HOME items requiring City Council approval to receive public comments on the proposed Annual Action Plan, Consolidated Plan and CDBG/HOME performance evaluation ("CAPER"), as appropriate. Notwithstanding the foregoing, the CAPRR may be presented at a separate public hearing as required by the Code of Federal Regulations.
 - a. Public hearing shall provide opportunities for members of Council to receive citizens' comments on recommended priorities, funding recommendations and reviews of program performance.
 - b. The notice of the public hearings shall include estimates of funds anticipated to be made available by HUD to support eligible CDBG and HOME activities as well as how the public can request or access copies of important program documents.
 - c. Public comments may be presented in writing, via email and/or in person during public hearings (or virtually when available).

- (8) After considering public input and the recommendations of the members of the CDBG/HOME Taskforce, City Council will approve a slate of funded activities, appropriate funds to support these activities and authorize staff to implement such activities.
- (9) City Council may at times consider and approve certain special purpose funding recommendations received from program staff outside of the typical Annual Action Plan process, such as to meet HUD timeliness of expenditures requirements. Any such recommendations will follow all established public notice and public hearing requirements as established by HUD, Virginia law and/or this Article.
- (10) Once City Council has approved and funded a program, any reprogramming and budgetary changes will be done consistent with the Council-approved Citizen Participation Plan in effect at that time .

Sec. 2-423. - Procedures for public hearings, meetings and records.

- (a) Plans and/or amendments, as required under this Article, shall be advertised in the manner provided by Code of Virginia, § 15.2-2204, and in accordance with the adopted Citizen Participation Plan ("CPP").
- (b) All meetings conducted pursuant to this article and all records of the CDBG and HOME programs shall be subject to the provisions of the Virginia Freedom of Information Act ("FOIA").

Sec. 2-424. - Reserved.