

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. ~~This article sets forth planning and decision-making procedures for the community development block grant (CDBG) and HOME Investment Partnerships (HOME) programs, funded under the federal Housing and Community Development Act of 1974, 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. ~~The process established by this article shall apply only to funds specifically allocated for CDBG programs under the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnerships Act of 1991, as amended, or other funds specifically allocated for such purposes by city council.~~

Commented [AW1]:

https://library.municode.com/va/charlottesville/codes/code_of_ordinances/318538?nodeId=CO_C H2AD ARTXIIICODEBLGRPL_S2-417CODEBLGRHOTAFO

Commented [AW2]: Minor updates to clarify language and phrasing

Commented [AW3]: Language updated to include reference to CPD office for concision

Commented [AW4]: Minor update to clarify use of 'Other funds,' specifically drawn from the CAHF, and purpose (to satisfy local match requirement)

- (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.~~This process shall not apply to the allocation of any funds remaining from urban renewal activities in the Garrett Street or Vinegar Hill urban renewal projects.~~

Commented [AW5]: Removed reference to completed activities

Sec. 2-417. The 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.

Commented [AW6]: Double-check reference

Sec. 2-418. The 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.

Commented [AW7]: ++ Double-check reference

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. 2-417420. - CDBG/HOME TaskforceCommunity development block grant and HOME task force.

- (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 hearingsThe community development block grant/HOME task force is hereby established to make recommendations to the planning commission

Commented [AW8]: Name of taskforce shortened for cocision

Commented [AW9]: This section moved to §2-420 to introduce new sections clarifying the CDBG and HOME programs (§2-417 and §2-418, respectively) and the Citizen Participation Plan (§2-419), important pieces of this work that were not covered in detail in the 2016 ordinance but are included in the CPP

and city council for funding housing, community development, economic development, and public service needs based on the consolidated plan and the CDBG priorities as established by city council annually. The CDBG/HOME task force will work with city administration to evaluate CDBG and HOME programs to ensure consistency with the consolidated plan goals. Such recommendations and evaluations shall be forwarded in accordance with the procedures set forth in this article.

- (b) The ~~CDBG/HOME Taskforce~~ CDBG/HOME task force shall be composed of nine (9) members appointed by the city council, ~~to include. The members shall 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 from HUD's identified income-eligible areas of the city who are residents of city council designated priority neighborhoods~~
- ii. ~~Two (2) members~~ ~~One (1) member representing nonprofit organizations engaged in Public Services activities, representing public service programs as defined at 24 CFR 570.201~~
- iii. ~~One (1) member currently serving on the city's Planning Commission of the planning commission~~
- iv. ~~One (1) member representing public service programs as defined at 24 CFR 570.204~~
- v. ~~One (1) member currently serving on the Charlottesville City School Board of the 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 term for the one (1) member of the CDBG task force from the planning commission and the one (1) member of the school board shall be coextensive with the term of office to which such member has been elected or appointed, unless the city council, at the first regular meeting each year, appoints others to serve as their representatives.~~

- ~~(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~~

Commented [AW10]: Question: If these new seats are approved, what will happen to those members currently appointed to specific neighborhoods? Can they automatically convert to one of the five city residents seats or will there need to be specific action by Council?

Commented [AW11]: No change; language added to new §2-420, subsection (a), to clarify the role of the CDBG/HOME Taskforce and its members

Commented [AW12]: Maintained number of seats (5) available to citizens not covered under the other criteria; removed specific reference to priority neighborhoods as (a) this has in the past prevented interested residents from being to serve if the seat for their neighborhood was already filled and (b) city has moved to a more targeted, citywide approach

Commented [AW13]: Expanded to two representative from organizations engaged in public services activities; clarified language

Commented [AW14]: No change

Commented [AW15]: Expanded to two representative from organizations engaged in public services activities; clarified language

Commented [AW16]: No change

term only. Members may serve up to two (2) consecutive full terms. The remaining members of the task force first appointed shall serve respectively for terms of one (1) year, two (2) years, and three (3) years, divided equally or as nearly equal as possible between the membership. Subsequent appointments shall be for terms of three (3) years each. Vacancies shall be filled by appointment for the unexpired term only. Members may serve up to two (2) consecutive full terms.

Commented [AW17]: Terms of service for seats not assigned to Planning and Schools set at three years; language added to provide Council to approve service beyond two (2) terms as they see fit

(f)(e) _____. The members shall include One (1) additional citizen

Commented [AW18]: Note: §2-420(e) in the proposed 2026 update can be removed if the requirement for assigning members to specific neighborhoods is removed

Sec. 2-421418. - Subcommittees Community development block grant (CDBG)/HOME task force subcommittees.

Commented [AW19]: Removed

(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. Priority neighborhood subcommittee. When the city council determines that a portion of available CDBG funds will be used to assist an income eligible area, the council may appoint a priority neighborhood subcommittee, including but not limited to representatives of the CDBG task force, the planning commission and residents, business people and property owners from the priority neighborhood. The term of each priority neighborhood subcommittee shall be three (3) years, unless otherwise specified by the council, and each priority neighborhood subcommittee shall operate under such guidelines and perform such advisory functions as the council may direct at the time of appointment. Priority neighborhood subcommittee shall make recommendations to the CDBG/HOME task force for funding housing and community development needs based on the consolidated plan and work with the city to evaluate feasibility and to ensure consistency with programmatic regulations. The city council will designate an income eligible area for three (3) years with the authority to postpone or extend funding in the event of a compelling project or need.

(b) Economic development subcommittee. When the city council provides for a CDBG economic development set aside, the city staff who participate on the strategic action team (SAT) will serve as the economic development subcommittee. The SAT is an

interdisciplinary team of city staff who examine the city's workforce development efforts and assist with policy development focused on self-sufficiency for city residents. When the city council determines that a separate economic development subcommittee is needed, the city council shall appoint members with economic development expertise, including but not limited to local business owners, chamber of commerce, office of economic development and other major stakeholders. The subcommittee shall make recommendations to the CDBG/HOME task force for funding economic development projects based on the consolidated plan and work with city staff to evaluate feasibility and ensure consistency with programmatic regulations.

Sec. 2-422419. - 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 The following steps shall comprise the annual process for planning and programming the expenditure of CDBG and HOME funds:

- (1) City staff assigned to CDBG/HOME task Taskforce will review CDBG/HOME eConsolidated plan 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.

Commented [AW20]: Section moved to new §2-421 and updated to remove reference to specifics subcommittees, as these have not been active, seemingly for several years; language clarified to reserve right of City Council to assign members to specific subcommittees should they see fit

Commented [AW21]: Renamed as §2-422

Commented [AW22]: Steps clarified to more fully reflect the actual processes in place while adhering to HUD requirements

Commented [AW23]: Clarified that city staff does not participate in formulation of funding recommendations; staff is purely advisory as to process

(4)(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. After council establishes priorities for the grant year, city staff with the CDBG/HOME task force will develop a request for proposals, within the funding priorities established by council, to be advertised and distributed to interested parties and prior recipients of funds.

(5)(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. The city council and planning commission shall conduct a joint public hearing to receive public comments on the proposed annual Action plan of the consolidated Consolidated plan and CDBG/HOME performance evaluation ("CAPER"), as appropriate. Notwithstanding the foregoing, the CDBG/Home performance plan 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.
- (6)c. Public comments may be presented in writing, via email and/or in person during public hearings (or virtually when available).

(7)(8) Following 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. the public hearing and any additional meetings or hearings deemed by the city council to be necessary, the council shall make a final decision on the programs, projects and expenditures to be funded from the year's CDBG/HOME programs.

~~(8)~~(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. The city shall provide the task force and planning commission with the Consolidated Annual Performance Evaluation Report (CAPER) in conjunction with the city's submission to HUD. The CAPER and evaluation of program specific successes and challenges will be used in future CDBG/HOME recommendations to city council for projects and programs.

~~(9)~~(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. Once council has approved and funded a program, any reprogramming and budgetary changes will be done consistent with the citizen participation plan adopted by council.

Sec. 2-~~423~~420. - 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") 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.~~
- (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"). 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.~~

Commented [AW24]: No substantive change; minor language and reference clarifications

Commented [AW25]: No change

Sec. 2-~~424~~421. - Reserved.

Editor's note—Ord. of Dec. 15, 2003, repealed § 2-421, which pertained to expiration of article. See also the Code Comparative Table.

Secs. 2-392—2-415. - Reserved.

