
Ordinances



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Form and Correctness Approved:

BAP

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

By: 

Office of the City Attorney

Contents Approved:



By:

Budget and Strategic Planning

Michael Roggow

Michael Roggow, Director of Finance

NORFOLK, VIRGINIA

Ordinance No. 48751

AN ORDINANCE APPROPRIATING FUNDS FOR OPERATION OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, APPROPRIATING U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ENTITLEMENT GRANTS, APPROPRIATING ANNUAL REOCCURRING GRANTS, AND REGULATING THE PAYMENT OF MONEY FROM THE CITY TREASURY.

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WHEREAS, the City Manager submitted to the Council a proposed annual budget for the city for the fiscal year beginning July 1, 2022 and ending June 30, 2023, which has been amended by the Council, and it is necessary to make appropriations sufficient to fund said budget and to regulate the payment of money from the city treasury; now, therefore,

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

Section 1:- That the amounts shown herein aggregating One Billion Eight Million Three Hundred Fifty Five Thousand Six Hundred Twenty Four Dollars (\$1,008,355,624) for the General Fund, One Hundred Three Million One Hundred Ninety Nine Thousand Four Hundred Fifty Six Dollars (\$103,199,456) for the Water Utility Fund, Thirty Six Million Four Thousand Six

Hundred Twenty Six Dollars (\$36,400,626) for the Wastewater Utility Fund, Twenty Two Million Six Hundred Ninety Thousand One Hundred Seventy Seven Dollars (\$22,690,177) for the Parking Facilities Fund, Twenty Two Million Eight Hundred Sixty One Thousand Five Hundred Eighty Four Dollars (\$22,861,584) for the Storm Water Utility Fund, One Hundred Five Million Seven Hundred Thousand Five Hundred Thirty Eight Dollars (\$105,700,538) for the Norfolk Healthcare Consortium Fund, Eleven Million Six Hundred Seventy Three Thousand Five Hundred Sixty Five Dollars (\$11,673,565,) for the Fleet Management Fund, Two Million Twenty Two Thousand One Hundred Twenty Seven Dollars (\$2,022,127) for the Cemetery Services Fund, Six Million Three Hundred Ten Thousand Three Hundred Sixty Five Dollars (\$6,310,365) for the Emergency Preparedness and Response Fund, Fifteen Thousand Dollars (\$15,000) for the Golf Operations Fund, Twenty Four Million Nine Hundred Eighty Seven Thousand Four Hundred Thirty Nine Dollars (\$24,987,439) for the Waste Management Fund, Eight Million Six Hundred Thirty Nine Thousand Two Hundred Sixteen Dollars (\$8,639,216) for the Public Amenities Fund, Seven Million Two Hundred Thousand Seven Hundred Dollars (\$7,200,700) for the Tax Increment Financing Fund, One Million Seven Hundred Fifty Three Thousand Seven Hundred Forty Seven Dollars (\$1,753,747) for the Towing and Recovery Operations Fund, or so much thereof as may be necessary, as set forth in the annual budget for the fiscal year July 1, 2022 - June 30, 2023, submitted by the City Manager and as amended by the Council and hereby adopted, are hereby appropriated, subject to the conditions hereinafter set forth in this ordinance, from the revenues of the city from all sources for the fiscal year July 1, 2022 - June 30, 2023, for the use of the several departments and funds established within the City Government, and for the purposes hereinafter set forth in said annual budget for the fiscal year July 1, 2022 - June 30, 2023 as follows:

Legislative	\$5,765,596
Executive	\$14,642,550
Department Of Law	\$5,509,385
Constitutional Officers	\$58,356,436
Judicial	\$1,446,826
Elections	\$1,031,721
Department Of Information Technology	\$20,010,250

Department Of Finance	\$7,495,935
Department Of General Services	\$28,474,152
Department Of Human Resources	\$4,255,590
Department Of City Planning	\$6,479,106
Department Of Neighborhood Services	\$5,145,703
Department Of Economic Development	\$2,945,437
Norfolk Public Libraries	\$9,765,433
Department Of Cultural Facilities, Arts And Entertainment	\$6,553,328
Virginia Zoological Park	\$4,566,764
Nauticus	\$4,253,414
Slover Library	\$2,657,176
Department Of Parks And Recreation	\$18,010,193
Central and Outside Agency Appropriations	\$76,153,863
Norfolk Community Services Board	\$29,346,599
Department Of Public Health	\$3,243,521
Department Of Human Services	\$51,986,403
Department Of Police	\$80,254,980
Department Of Fire - Rescue	\$53,197,406
Department Of Public Works	\$22,366,099
Department Of Transit	\$11,564,407
Debt Service	\$87,696,721
Norfolk Public Schools	\$385,180,630
Total Appropriations General Fund – Operating Budget	\$1,008,355,624

Water Utility Fund	\$103,199,456
Wastewater Utility Fund	\$36,004,626
Parking Facilities Fund	\$22,690,177
Storm Water Utility Fund	\$22,861,584
Norfolk Healthcare Consortium Funds	\$105,700,538
Fleet Management Fund	\$11,673,565
Cemetery Services Fund	\$2,022,127
Emergency Preparedness And Response Fund	\$6,310,365
Golf Operations Fund	\$15,000
Waste Management Fund	\$24,987,439
Public Amenities Fund	\$8,639,216
Tax Increment Financing Fund	\$7,200,700

Towing and Recovery Operations Fund	\$1,753,474
Total Operating Funds	\$1,361,414,164

Section 2:- That unless otherwise specified by Council, all taxes and fees heretofore levied shall continue from year to year including but not limited to the increase provided in Virginia Code Section 58.1-3321 which increase the council deems to be necessary.

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

The positions, except where the number thereof is not under the control of the Council, set forth in said annual budget, as amended, shall be the maximum number of positions authorized for the various departments, divisions, bureaus and funds of the city during the fiscal year July 1, 2022 - June 30, 2023 and the number may be changed during said fiscal year as authorized by the Council or City Manager.

Unless the city's compensation plan provides otherwise, changes in personnel occurring during said fiscal year in classifications embraced within the city's compensation plans shall be administered by the City Manager in accordance with the regulations for the administration of the plans.

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

in a department budget for the fiscal year July 1, 2022 - June 30, 2023.

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

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

Section 4:- That all payments from the appropriations provided for in this ordinance, including those from balances remaining on June 30, 2022, to the credit of appropriations for works, improvements or other objects which have not been completed or abandoned, except those works, improvements or other objects funded by Federal, State, or other organizational grants which are hereby encumbered, shall be made at such time as the City Manager may direct, unless otherwise specified by the Council. The City Manager is hereby authorized to apply for grants and awards during the fiscal year.

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

Any unexpended balances in the amounts appropriated for the Healthcare Fund at the close of business on June 30, 2022, shall not revert to the surplus of the Healthcare Fund, but shall be carried

forward on the books of the Director of Finance and be available for expenditure in the succeeding year.

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

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

Any unexpended balances in the amounts appropriated for the Department of Public Works and Department of Transit for Street Construction and Maintenance Projects, Public Amenities Fund, Tourism Infrastructure Repair, Downtown Service District (sometimes referred to as the Downtown Improvement District), and the Norfolk Consortium at the close of business on June 30, 2022 shall not revert to the surplus of the General Fund, but shall be carried forward on the books of the Director of Finance and be available for expenditure in the succeeding year.

There are hereby appropriated the revenues from the fiscal year 2015 Five cent (\$0.05) cigarette tax increase and the fiscal year 2017 Five cent (\$0.05) cigarette tax increase for development initiatives. The City Manager is hereby authorized to expend \$653,160 of the revenues for debt service on the former J.C. Penney's building and the related acquisition of Military Circle Mall and \$27,840 of the revenues for previously authorized economic development incentive grants through the Economic Development Authority. The City Manager is hereby authorized to reserve the balance of the revenues supported by the cigarette tax increases for the purpose of business retention, feasibility analysis, debt service, and other economic development activities subject to Council authorization for expenditure. Any unspent funds at the end of the

fiscal year will be transferred to the Norfolk Economic Development Authority and will not become a part of the General Fund Balance. The aforementioned unspent funds will be expended for the purpose of business retention, feasibility analysis, debt service, and other economic development activities.

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

There is hereby reserved in the General Fund Balance up to the amount of Sixty Six Million Eighty Five Thousand Three Hundred Thirty Seven Dollars (\$66,085,337) for the Unassigned General Fund Balance Reserve.

There is hereby reserved in the General Fund Balance the amount of Eight Million Dollars (\$8,000,00) for the Risk Management Reserve.

There is hereby reserved in the General Fund Balance the amount of Five Million Dollars (\$5,000,000) for the Economic Downturn and Leveling Reserve.

There is hereby reserved in the General Fund Balance the amount of Two Million Dollars (\$2,000,000) for the Inclusive Development Opportunity Fund.

There is hereby reserved in the General Fund Balance up to the amount of Five Million Five Hundred Sixty Seven Thousand Five Hundred Eleven Dollars (\$5,567,511) in the revolving fund for strategic land acquisitions to be expended for future land acquisitions. Unless otherwise appropriated, the proceeds of future land sales shall be deposited in the Land Acquisition Fund during the fiscal year. Such deposits are hereby appropriated for future land acquisitions. Any unobligated appropriation in the Land Acquisition/Revolving Fund for the purchase of property and related transactional costs that have not been finalized at the close of the fiscal year ending on June 30, 2022, is hereby reserved for the Land Acquisition/Revolving Fund and shall be carried forward on the books of the Director of Finance and appropriated and available for expenditure in the

succeeding year for the aforementioned purchase of property and related transactional costs.

There is hereby appropriated and authorized for expenditure the revenues, if and when received, from the fiscal year 2006 flat tax increase of one dollar (\$1.00) per room for each night of lodging at any hotel to the Norfolk Convention and Visitors Bureau (Visit Norfolk) for visitor promotion and advertising for conventions and tourism and from the fiscal year 2012 flat tax increase of one dollar (\$1.00) per room for each night of lodging at any hotel to the Norfolk Consortium.

There is hereby appropriated and authorized for expenditure for the Parking Facilities Fund up to Three Million Dollars (\$3,000,000) from the Parking Facilities Rate Stabilization Fund.

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

Unless otherwise specified by any other provision of local, state or federal law, operating funds appropriated to Norfolk Public Schools that have not been expended or contractually obligated at the end of the fiscal year are deemed local dollars and shall revert to the city for re-appropriation by City Council.

There are hereby appropriated and authorized for expenditure the revenues from the fiscal year 2014 Two cent (\$0.02) real estate tax increase for the School Construction, Technology and Infrastructure Program. The City Manager is hereby authorized to expend and reserve the School Construction, Technology and Infrastructure Program supported by the Two cent (\$0.02) real estate tax increase to support the needs of Norfolk Public Schools. For the purposes of policy governing the allocation of local revenue to Norfolk Public Schools, this revenue is defined as a dedicated local tax, therefore, excluded from the revenue-sharing formula calculation. Any unexpended balances in the amounts appropriated shall not revert to the surplus of the General Fund, but solely be dedicated to the School Construction, Technology and Infrastructure Program and

shall be carried forward on the books of the Director of Finance and appropriated and available for expenditure in the succeeding year.

There is hereby appropriated an amount equal to One-cent (\$0.01) of the real estate tax to support the city's resilience initiatives. For the purposes of policy governing the allocation of local revenue to Norfolk Public Schools, this revenue is defined as a dedicated local tax, therefore, excluded from the revenue-sharing formula calculation. Any unexpended balances in the amounts appropriated shall not revert to the surplus of the General Fund, but solely be dedicated to the Resilience Program and shall be carried forward on the books of the City Controller and appropriated and available for expenditure in the succeeding year.

There is hereby appropriated and authorized for expenditure the revenue from the One and nine-tenths (\$0.019) cent real estate tax for the St. Paul's People First and Redevelopment Program. For the purposes of policy governing the allocation of local revenue to Norfolk Public Schools, this revenue is defined as a dedicated local tax, therefore, excluded from the revenue-sharing formula calculation. Any unexpended balances in the amounts appropriated shall not revert to the surplus of the General Fund, but solely be dedicated to the St. Paul's People First and Redevelopment Program and shall be carried forward on the books of the City Controller and appropriated and available for expenditure in the succeeding year.

There is hereby appropriated and authorized for expenditure for Norfolk Public Schools operating support, if and when received, the 29.55 percent of the local gaming tax revenue and 29.55 percent of the non-dedicated local revenue generated from the temporary casino, when it opens, that is associated with the HeadWaters Resort & Casino project. Non-dedicated local revenue sources are defined in the Local Revenue Allocation Policy, Resolution No 1,710 (effective May 22, 2018) as "Non-Dedicated Local Tax Revenue."

Section 7:- That the FY 2023 Annual Plan, (Consolidated Plan Fiscal Years 2023-2027) for the Community Development Block Grant Program, HOME Investment Partnership Program and Emergency Solutions Grant Program attached hereto, having been reviewed and

found to be in the best interests of the city, is hereby approved.

Section 8:- That, if and when made available from the U.S. Department of Housing and Urban Development (HUD), the sum of up to Four Million Five Hundred Fifty Four Thousand, Four Hundred Fifty Four Dollars (\$4,554,454) is hereby appropriated and authorized for expenditure for the Community Development Block Grant Program (2022-2023) from the Community Development Block Grant and when such funds are realized as Program Income and earnings from the Revolving Loan Fund.

Section 9:- That the sum of up to Thirty Five Thousand Dollars (\$35,000) is hereby appropriated and authorized for expenditure for the Community Development Block Grant Program (2022-2023), if and when received from the Community Development Block Grant Local Accounts.

Section 10:- That, if and when made available from the U.S. Department of Housing and Urban Development (HUD), the sum of up to One Million Four Hundred Fifty Seven Thousand Six Hundred Twelve Dollars (\$1,457,612) is hereby appropriated and authorized for expenditure for the HOME Investment Partnership Program (2022-2023) from the HOME Investment Partnership Program Grant and when such funds are realized as Program Income.

Section 11:- That, if and when made available from the U.S. Department of Housing and Urban Development (HUD), the sum of up to Three Hundred Eighty Four Thousand Six Hundred Thirty Seven Dollars (\$384,637) is hereby appropriated and authorized for expenditure for the Emergency Solutions Program (2022-2023) from the Emergency Solutions Grant.

Section 12:- That the City Manager is designated as the certifying officer and authorized representative of the City of Norfolk and shall provide the assurance required by the provisions of the Housing and Community Development Act of 1974, as amended, and the regulations adopted pursuant to such Act.

Section 13:- That the City Manager is further authorized and directed to give to the U.S. Department of Housing and Urban Development (HUD) and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, documents and other materials

which are related to the grant funds and is further authorized and directed to do all things necessary and proper to apply for, accept, receive and modify current and prior year grant funds to carry out the program.

Section 14:- That the reoccurring grants listed below, having been reviewed and found to be in the best interest of the city, are hereby accepted, appropriated and authorized for expenditure if and when received.

(a) That, if and when made available from the Supreme Court of Virginia, the sum of up to Two Hundred Forty Thousand Dollars (\$240,000) is hereby appropriated and authorized for expenditure for the Adult Drug Court Program from Adult Drug Treatment Court grant.

(1) That a local cash match of up to Seventy Eight Thousand Five Hundred Dollars (\$78,500) in appropriated funds and up to Thirty Thousand Dollars (\$30,000) in program fees are hereby authorized to be expended for the Adult Drug Court Program from the Circuit Court Judges General Fund Account.

(b) That, if and when made available from Supreme Court of Virginia, the sum of up to Fifty Thousand Dollars (\$50,000) is hereby appropriated and authorized for expenditure for the Vivitrol Program from the Vivitrol grant.

(c) That, if and when made available from U.S. Department of Health and Human Services, the sum of up to Six Million Two Hundred Forty Five Thousand Dollars (\$6,245,000) is hereby appropriated and authorized for expenditure for the Ryan White HIV/AIDS Program - Part A HIV Emergency Relief from the Ryan White HIV/AIDS grant.

(d) That, if and when made available from the Virginia Department of Criminal Justice Services, the sum of up to One Million Two Hundred Eighty One Thousand Eight Hundred Fifty Five Dollars (\$1,281,855) is hereby appropriated and authorized for expenditure for the Norfolk Criminal Justice Services (NCJS) Agency from the Comprehensive Community Corrections Act grant.

(1) That a local cash match of up to Eighty Eight Thousand Nine Hundred Thirty Two Dollars (\$88,932) in appropriated funds is

hereby authorized to be expended for the Norfolk Criminal Justice Services (NCJS) Agency from the City Manager General Fund Account.

(e) That if and when made available from Commonwealth of Virginia Compensation Board, the sum of up to Two Hundred Forty Seven Thousand Dollars (\$247,000) is hereby appropriated and authorized for expenditure for the Technology Program from the Virginia Technology Trust Fund.

(f) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Forty Five Thousand Dollars (\$45,000) is hereby appropriated and authorized for expenditure for the Virginia Sexual and Domestic Violence Victims Fund Paralegal from the Virginia Sexual and Domestic Violence Victims Fund.

(g) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Eighty Seven Thousand Dollars (\$87,000) is hereby appropriated and authorized for expenditure for the Prosecution Program from the Violence Against Women Act VSTOP Grant Program.

(1) That a local cash match of up to Twenty Nine Thousand Dollars (\$29,000) in appropriated funds is hereby authorized to be expended for the Prosecution Program from the Commonwealth's Attorney General Fund Account.

(h) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Two Hundred Fifty Three Thousand Dollars (\$253,000) is hereby appropriated and authorized for expenditure for the Victim Services Program from the Victims of Crime Act Grant Program.

(1) That a local cash match of up to Sixty Four Thousand Dollars (\$64,000) in appropriated funds is hereby authorized to be expended from the Commonwealth's Attorney General Fund Account.

(i) That, if and when made available from the Virginia Department of Criminal Justice Services, the sum of up to One Hundred Eighty-Nine Thousand

Two Hundred Seventeen (\$189,217) is hereby appropriated and authorized for expenditure for the Victims of Crime Act Victims Services Grant Program restoration funding.

(j) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Seven Hundred Thirty Thousand Dollars (\$730,000) is hereby appropriated and authorized for expenditure for the Victim Services Program from the Victim Witness Assistance Grant Program.

(k) That, if and when made available from Virginia Commission for the Arts, the sum of up to Four Thousand Five Hundred Dollars (\$4,500) is hereby appropriated and authorized for expenditure for the Creative Communities Partnership program from the Creative Communities Partnership Grant.

(1) That a local cash match of up to Four Thousand Five Hundred Dollars (\$4,500) in appropriated funds is hereby authorized to be expended for the Creative Communities Partnership program from the Communications General Fund Account.

(l) That, if and when made available from COX Communications Hampton Roads, LLC, the sum of up to One Hundred Thousand Dollars (\$100,000) is hereby appropriated and authorized for expenditure for the Public Education Program from the Public Education Grants (PEG).

(m) That, if and when made available from Virginia Department of Emergency Management, the sum of up to One Million Nine Hundred Eighty Eight Thousand Four Hundred Fifty Four Dollars (\$1,988,454) is hereby appropriated and authorized for expenditure for the Flood Mitigation Assistance Program from the Flood Mitigation Assistance Grant.

(n) That, if and when made available from Virginia Department of Emergency Management, the sum of up to One Hundred Fourteen Thousand Dollars (\$114,000) is hereby appropriated and authorized for expenditure for the Local Emergency Management Program from the Local Emergency Management grant.

(1) That a local cash match of up to One Hundred Fourteen Thousand Dollars (\$114,000)

in appropriated funds is hereby authorized to be expended for the Local Emergency Management Program from the Emergency Preparedness and Response Fund Account.

(o) That, if and when made available from Commonwealth of Virginia - Virginia 9-1-1 Services Board, the sum of up to Three Thousand Dollars (\$3,000) is hereby appropriated and authorized for expenditure for the Public Safety Answering Point Program from the Virginia Information Technologies Agency - Public Safety Answering Point grant.

(p) That, if and when made available from the U.S. Department of Homeland Security, Federal Emergency Management Assistance, the sum of up to One Million One Hundred Eighty Two Thousand Dollars (\$1,182,000) is hereby appropriated and authorized for expenditure for the purchase of a fire rescue vehicle from the Assistance to Firefighters Grant.

(1) That a local cash match of up to One Hundred Eighteen Thousand Two Hundred Dollars (\$118,200) is hereby authorized to be expended for the purchase of a fire rescue vehicle.

(q) That, if and when made available from Virginia Department of Fire Programs, the sum of up to One Million Eighty Five Thousand Dollars (\$1,085,000) is hereby appropriated and authorized for expenditure for the Aid to Localities Program from the Virginia Department of Fire Programs - Aid to Localities Grant.

(r) That, if and when made available from Virginia Department of Health and the Department of Emergency Medical Services, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for the Emergency Medical Services program from the Four for Life - Emergency Medical Services Grant.

(s) That, if and when made available from Virginia Department of Health and the Department of Emergency Medical Services, the sum of up to Thirty Five Thousand Dollars (\$35,000) is hereby appropriated and authorized for expenditure for the Rescue Squad Assistance Fund.

(1) That a local cash match of up to Thirty Five Thousand (\$35,000) Dollars in appropriated funds is hereby authorized to be expended for the purchase of video laryngoscopes.

(t) That, if and when made available from Virginia Department of Emergency Management, the sum of up to Thirty Five Thousand Dollars (\$35,000) is hereby appropriated and authorized for expenditure for the Homeland Security Grant.

(u) That, if and when made available from The Leary Foundation, the sum of up to Twenty Five Thousand Two Hundred Dollars (\$25,200) is hereby appropriated and authorized for expenditure for the Leary Foundation Grant.

(v) That, if and when made available from Virginia Department of Fire Programs, the sum of up to Twenty Five Thousand Dollars (\$25,000) is hereby appropriated and authorized for expenditure for the Conference and Education Assistance Grant.

(w) That, if and when made available from Eastern Virginia Medical School, the sum of up to Eight Thousand Dollars (\$8,000) is hereby appropriated and authorized for expenditure for the Pulse Point Program.

(x) That, if and when made available from revenue from fines and fees for HAZMAT related incidents, the sum of One Hundred Thousand Dollars (\$100,000) is hereby appropriated and authorized for expenditure.

(y) That, if and when made available from the Commonwealth of Virginia Children's Services Act Program, the sum of up to Eight Million Six Hundred Forty Thousand Dollars (\$8,640,000) is hereby appropriated and authorized for expenditure for the Virginia Children's Services Act program from the Virginia Children's Services Act grant.

(1) That a local cash match of up to Three Million Three Hundred Sixty Thousand Dollars (\$3,360,000) in appropriated funds is hereby authorized to be expended for the Virginia Children's Services Act program from the Human Services General Fund Account.

(z) That, if and when made available from the Virginia Department of Juvenile Justice, the sum of up to Six Hundred Forty Thousand Dollars (\$640,000) is hereby appropriated and authorized for expenditure for the Virginia Juvenile Community Crime Control Act Program from the Virginia Juvenile Community Crime Control Act grant.

(1) That a local cash match of up to Six Hundred Forty Thousand Dollars (\$640,000) in appropriated funds is hereby authorized to be expended for the Virginia Juvenile Community Crime Control Act Program from the Human Services General Fund Account.

(aa) That, if and when made available from Schools and Libraries Division of the Universal Service Fund E-Rate Reimbursement Program, the sum of up to Eighty Thousand Dollars (\$80,000) is hereby appropriated and authorized for expenditure for the E-Rate Reimbursement Program from the E-Rate Reimbursement Program grant.

(bb) That, if and when made available from Hampton Roads Community Foundation, the sum of up to Eighteen Thousand Five Hundred Dollars (\$18,500) is hereby appropriated and authorized for expenditure for the Hampton Roads Community Foundation Grant.

(cc) That, if and when made available from Norfolk Public Library Foundation, the sum of up to Ten Thousand Dollars (\$10,000) is hereby appropriated and authorized for expenditure for the Sargeant Memorial Collection and Maker Studio Programs.

(dd) That, if and when made available from Friends of Norfolk Public Library, the sum of up to Five Thousand Dollars (\$5,000) is hereby appropriated and authorized for expenditure for various programs.

(ee) That, if and when made available from Friends of Norfolk Public Library, the sum of up to Twenty Five Thousand Dollars (\$25,000) is hereby appropriate and authorized for expenditure for the Summer Reading Program.

(ff) That, if and when made available from Virginia Department of Behavioral Health and

Developmental Services, the sum of up to Three Hundred Ten Thousand Dollars (\$310,000) is hereby appropriated and authorized for expenditure for the Crisis Stabilization Program.

(gg) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, through the Hampton Newport News Community Services Board (HNNCSB), the sum of up to One Hundred Thousand Dollars (\$100,000) is hereby appropriated and authorized for expenditure for the Norfolk Community Services Board to provide Emergency Services from the Emergency Services Grant Program.

(hh) That, if and when made available from Virginia Department of Social Services, the sum of up to Two Hundred Forty Four Thousand Dollars (\$244,000) is hereby appropriated and authorized for expenditure for the Flexible Employment Supports Team for TANF Participants program from the Flexible Employment Supports Team for TANF Participants grant.

(1) That a local cash match of up to Eighty One Thousand Five Hundred Dollars (\$81,500) in appropriated funds is hereby authorized to be expended for the Flexible Employment Supports Team for TANF Participants program from the Norfolk Community Services Board General Fund Account.

(ii) That, if and when made available from Virginia Department of Social Services, the sum of up to Four Hundred Eleven Thousand Dollars (\$411,000) is hereby appropriated and authorized for expenditure for the Flexible Employment Supports Team for TANF Participants program from the TANF Participants grant.

(1) That a local cash match of up to Forty One Thousand One Hundred Dollars (\$41,100) in appropriated funds is hereby authorized to be expended for the Flexible Employment Supports Team for TANF Participants program from the Norfolk Community Services Board General Fund Account.

(jj) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby

appropriated and authorized for expenditure for the Forensic Program of Assertive Community Treatment from the Forensic Program of Assertive Community Treatment grant.

(kk) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, allocated by Chesapeake Integrated Behavioral Health Care, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for the Norfolk Community Services Board to provide forensic discharge planner services to Hampton Roads Regional Jail.

(ll) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Six Hundred Twenty Thousand Dollars (\$620,000) is hereby appropriated and authorized for expenditure for the Outpatient Services Program from the Mental Health System Transformation Excellence and Performance in Virginia grant.

(mm) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Eighty Three Thousand Dollars (\$283,000) is hereby appropriated and authorized for expenditure for the Primary Care Program from the Mental Health System Transformation Excellence and Performance in Virginia grant.

(nn) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Seventy Thousand Dollars (\$270,000) is hereby appropriated and authorized for expenditure for the Same Day Access Program from the Mental Health System Transformation Excellence and Performance in Virginia grant.

(oo) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Hundred Forty Five Thousand Dollars (\$145,000) is hereby appropriated and authorized for expenditure for the Peer Recovery Center Program from the Mental Health System Transformation Excellence and Performance in Virginia grant.

(pp) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Eighty Five Thousand Dollars (\$85,000) is hereby appropriated and authorized for expenditure for the Veteran's Services Program from the Mental Health System Transformation Excellence and Performance in Virginia grant.

(qq) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Hundred Thirty One Thousand Dollars (\$131,000) is hereby appropriated and authorized for expenditure for the Peer Recovery Center from the Peer Recovery Center grant.

(rr) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Million Six Hundred Ten Thousand Dollars (\$2,610,000) is hereby appropriated and authorized for expenditure for the Permanent Supportive Housing program from the Permanent Supportive Housing grant.

(ss) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Five Hundred Seventy Thousand Dollars (\$570,000) is hereby appropriated and authorized for expenditure for the Pharmacy and Medication Support Program from the Pharmacy and Medication Support grant.

(tt) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, through the Health Planning Region Planning V, the sum of up to Twenty Five Thousand Dollars (\$25,000) is hereby appropriated and authorized for expenditure for the Norfolk Community Services Board to provide psychiatry services for children and adolescents.

(uu) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for

the Substance Use Disorder Prevention Program from the Substance Use Disorder Prevention grant.

(vv) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Four Hundred Forty Three Thousand Dollars (\$443,000) is hereby appropriated and authorized for expenditure for the Substance Use Disorder Recovery Program from the Substance Use Disorder Recovery grant.

(ww) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Hundred Thousand Dollars (\$100,000) is hereby appropriated and authorized for expenditure for the Substance Use Disorder Treatment Program from the Substance Use Disorder Treatment grant.

(xx) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Hundred Thirty Thousand Dollars (\$130,000) is hereby appropriated and authorized for expenditure for the Medication Assisted Treatment for Opioid Use Disorder Program from the Virginia State General Fund.

(yy) That, if and when made available from U.S. Department of Justice, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for the Edward Byrne Memorial Justice Assistance Grant Program from the Edward Byrne Memorial Justice Assistance grant.

(zz) That, if and when made available from Virginia Department of Motor Vehicles, the sum of up to Forty Two Thousand Dollars (\$42,000) is hereby appropriated and authorized for expenditure for the Alcohol Program from the DMV Selective Enforcement grant.

(1) That a local cash match of up to Twenty One Thousand Dollars (\$21,000) in appropriated funds is hereby authorized to be expended for the Alcohol Enforcement Program from the Police General Fund Account.

(aaa) That, if and when made available from Department of Motor Vehicles, the sum of up to

Nine Thousand Dollars (\$9,000) is hereby appropriated and authorized for expenditure for the Occupancy Protection Program from the DMV Selective Enforcement grant.

(1) That a local cash match of up to Four Thousand Five Hundred Dollars (\$4,500) is hereby appropriated and authorized to be expended for the Occupancy Protection Program from the Police General Fund Account.

(bbb) That, if and when made available from Virginia Department of Motor Vehicles, the sum of up to Forty Eight Thousand Dollars (\$48,000) is hereby appropriated and authorized for expenditure for the Speed Enforcement Program from the DMV Selective Enforcement grant.

(1) That a local cash match of up to Twenty Four Thousand Dollars (\$24,000) in appropriated funds is hereby authorized to be expended for the Speed Enforcement Program from the Police General Fund Account.

(ccc) That, if and when made available from Federal Emergency Management Agency, the sum of up to One Hundred Thousand Dollars (\$100,000) is hereby appropriated and authorized for expenditure for the Port Security Grant.

(1) That a local cash match of up to Thirty Five Thousand Dollars (\$35,000) in appropriated funds is hereby authorized to be expended for the Port Security Grant from the Police General Fund Account.

(ddd) That, if and when made available from Virginia Department of Environmental Quality, the sum of up to Fifty Thousand Dollars (\$50,000) is hereby appropriated and authorized for expenditure for the Keep Norfolk Beautiful Program from the Litter Prevention and Recycling Program grant.

(eee) That, if and when made available from the Sheriff, funds generated from the 811 Market Place Program (Inmate Commissary Account), the sum of up to Three Hundred Thousand Dollars (\$300,000) is hereby appropriated and authorized for expenditure for 811 Market Place Program.

(fff) That, if and when made available from funds generated from the Sheriff's Inmate Commissary Account, the sum of up to Two Hundred

Fifteen Thousand Dollars (\$215,000) is hereby appropriated and authorized for expenditure for the Inmate Classification Specialist Program.

(ggg) That, if and when made available from funds generated from Sheriff's Community Corrections Program (Work Release, Inmate Work Force, and Electronic Monitoring), the sum of up to Five Hundred Eighty Six Thousand Dollars (\$586,000) is hereby appropriated and authorized for expenditure for the Sheriff's Community Correction Program.

(hhh) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Thirty Nine Thousand Dollars (\$39,000) is hereby appropriated and authorized for expenditure for the Addiction Recovery Program from the Addiction Recovery Grant Program.

(iii) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to One Hundred Fifty One Thousand Dollars (\$151,000) is hereby appropriate and authorized for expenditure for the Residential Substance Abuse Treatment Program.

(1) That a local cash match of up to Fifty One Thousand Dollars (\$51,000) in appropriated funds is hereby authorized to be expended for the Residential Substance Abuse Treatment Program.

(jjj) That, if and when made available from U.S. Department of Justice, the sum of up to Seventy Eight Thousand Dollars (\$78,000) is hereby appropriated and authorized for expenditure for the State Criminal Alien Assistance Program from the State Criminal Alien Assistance Program grant.

(kkk) That, if and when made available from U.S. Marshal Service, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for the U.S. Marshal Services Program.

(lll) That, if and when made available from the Virginia Department of Transportation State of Good Repair - Primary Extension Program, the sum of up to One Million Five Hundred Thousand Dollars

(\$1,500,000) is hereby appropriated and authorized for expenditure for the project.

Section 15:- That there is hereby set-aside from the General Fund revenues a sum sufficient, estimated at Five Million Three Hundred Thousand Dollars (\$5,300,000) to be the amount by which revenue is reduced for the purpose of providing real estate tax exemptions and deferrals for the elderly and disabled under Chapter 24, Article IV, Division 2 of the Norfolk City Code, 1979, real estate tax exemptions for disabled veterans pursuant to Code of Virginia, Section 58.1-3219.5, and real estate tax exemptions of the principal residences of surviving spouses of members of the armed forces of the United States killed in action, pursuant to Code of Virginia, Section 58.1-3219.9.

The Department of Human Services, as designated by the City Manager, shall administer this program.

Section 16:- There are hereby appropriated the revenues from the taxes imposed on the service district created by Council pursuant to Section 15.2-2400 of the Code of Virginia, 1950, as amended, known as the Downtown Service District (sometimes referred to as the Downtown Improvement District) in the estimated amount set out in a line item in the attachments incorporated into this ordinance, to be used by the Downtown Norfolk Council for the purposes set out in Section 24-212.1 of the Code of the City of Norfolk (1979), as amended, and in Section 15.2-2403 of the Code of Virginia, 1950, as amended.

Section 17:- That the provisions of this ordinance are hereby declared to be severable. If any part, section provision, sentence, clause or phrase, or the application thereof to any person or circumstance, is adjudged to be unconstitutional or invalid for any reason, the remainder of the ordinance shall remain in full force and effect and its validity shall not be impaired, it being the legislative intent now hereby declared that the ordinance would have been adopted even if such invalid matter had not been included or if such invalid application had not been made.

Section 18:- That this ordinance shall be in effect from and after July 1, 2022.

CERTIFICATION OF FUNDING

Account No.: VariousAmount: \$1,418,172,079.00

Adopted by Council May 10, 2022

Effective July 1, 2022

TRUE COPY

TESTE:

RICHARD ALLAN BULL

BY:

CHIEF DEPUTY CITY CLERK

By: 
Office of the City Attorney

By: 
DEPT. Budget and Strategic Planning

NORFOLK, VIRGINIA

R-3 ORDINANCE NO. 48,753

AN ORDINANCE APPROVING THE CAPITAL IMPROVEMENT PLAN BUDGET FOR FISCAL YEAR 2023 BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023; APPROPRIATING \$299,822,385 FOR CERTAIN PROJECTS APPROVED THEREIN; AUTHORIZING AN ISSUE OF BONDS IN THE AMOUNT OF \$131,592,126; REAPPROPRIATING PREVIOUSLY AUTHORIZED BUT UNISSUED BONDS IN THE AMOUNT of \$2,085,590; AND AUTHORIZING THE EXPENDITURE OF \$166,144,669 IN CASH.

- - -

WHEREAS, on March 22, 2022, the City Manager submitted to the City Council a Capital Improvement Plan for the City for the fiscal year beginning July 1, 2022 and ending on June 30, 2023; and

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

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

Section 1:- That the capital projects set forth below in the Capital Improvement Plan for the fiscal year beginning on July 1, 2022 and ending on June 30, 2023, are hereby approved and the amounts totaling \$299,822,385, or so much thereof as may be necessary, are hereby appropriated for the purposes hereinafter set out:

A. General Capital Improvement Projects

<u>Number</u>	<u>Title</u>	<u>Approved Amount</u>
1	Renovate Booker T. Washington High School	\$40,000,000
2	Construct a Downtown Flood Wall	35,000,000
3	Address School Major Maintenance	18,692,185
4	Construct Maury High School	\$10,000,000
5	Maintain Municipal Facilities	8,640,000
6	Acquire Fleet Vehicles and Equipment	5,525,000
7	Convert Street Lights to LED	5,000,000
8	Transform Northside Park	5,000,000
9	Improve Street Infrastructure Citywide	4,500,000
10	Transform Barraud Park	4,500,000
11	Acquire Technology	4,125,000
12	Support Hunton YMCA Capital Campaign	4,000,000
13	Support Jail Improvements	3,250,000
14	Construct Public Boat Ramp on Pretty Lake	3,000,000
15	Improve 23 rd Street Streetscapes	3,000,000
16	Improve and Maintain the Zoo	3,000,000
17	Repair, Replace, and Maintain Bridges	3,000,000
18	Revitalize St. Paul's Community	3,000,000
19	Support CHKD Pediatric Mental Health Hospital	3,000,000
20	Acquire Hunton YMCA	2,000,000
21	Maintain Scope/Chrysler Hall Complex	2,000,000
22	Support Outdoor Athletic Field Lighting	2,000,000
23	Improve Harbor Park	1,700,000
24	Fund Chrysler Museum Capital Campaign	1,500,000
25	Improve Former Greenies Site	1,500,000
26	Improve Infrastructure and Acquire Property	1,500,000
27	Rehabilitate Shore Drive Bridge over Little Creek	1,500,000
28	Renovate Selden Market	1,500,000
29	Construct Wooden Fishing Pier at Granby Street Bridge	1,285,000
30	Support Repair of Scope Arena	1,250,000
31	Acquire School Buses	1,000,000
32	Construct Calvary Cemetery Mausoleum	1,000,000
33	Enhance Signals and Intersections	1,000,000
34	Improve the Nauticus Facility	1,000,000
35	Provide Gap Financing for Affordable Housing Initiatives	1,000,000
36	Support Blue/Greenway Amenities in St. Paul's Area	1,000,000
37	Maintain USS Wisconsin BB-64	960,000
38	Install Traffic Signals at Hampton Boulevard	930,000

and Jamestown Crescent	
39 Implement Complete Streets Initiative	750,000
40 Improve Community and Neighborhood Parks	750,000
41 Replace Bute Street Bulkhead	750,000
42 Improve Huntersville Park Site	700,000
43 Improve Neighborhood Streets	550,000
44 Implement Parks and Recreation Master Plan	500,000
45 Improve Cultural Facilities	500,000
46 Install ADA Ramps Citywide	500,000
47 Maintain Fire Stations	500,000
48 Renovate City Jail 8 th Floor for Medical Services	500,000
49 Support Major Demolitions	500,000
50 Support Virginia Zoo Capital Campaign	500,000
51 Upgrade Security at City Facilities	500,000
52 Demolish Springfield Ave Bridge	350,000
53 Implement Norfolk Green Fund	300,000
54 Improve Cemeteries Infrastructure	250,000
55 Support Citywide Public Art	250,000
56 Acquisition and Demolition of Blighted Properties in Willoughby	200,000
57 Improve Existing Community Centers	200,000
58 Invest in Housing Rehabilitation	200,000
59 Demolish Crown Point Pedestrian Bridge	150,000
60 Improve Citywide Dredging and Waterways	150,000
Total General Capital	201,407,185
<u>B. Parking Facilities</u>	
61 Construct East Bute Street Garage	15,000,000
Provide MacArthur Center Elevator	
62 Modernization	2,400,000
Provide Fountain Park Garage Structural	
63 Rehabilitation	2,200,000
64 Provide Scope Garage Structural	
Rehabilitation and Drainage Mitigation	2,200,000
65 Provide MacArthur Center Concrete Repairs and Waterproofing	1,000,000
Total Parking Facilities	22,800,000
<u>C. Storm Water Utility</u>	
Construct the Blue/Greenway in St. Paul's	
66 Area	6,000,000
67 Improve East Ocean View Drainage	2,700,000
68 Improve Overbrook/Coleman Place Drainage	2,000,000
Improve Storm Water Infrastructure in the	
69 Neon District	1,800,000
70 Implement Pond Retrofits Citywide	1,700,000
71 Improve Glenrock Drainage	1,600,000
72 Improve Glenwood Park Drainage	1,600,000

73	Create Citywide Flooding Reserve	1,315,200
74	Conduct Sliplining and Major Repairs to Existing Infrastructure	1,200,000
75	Upgrade the Monticello Avenue Pump Station	600,000
76	Implement Shoreline Restoration	550,000
77	Conduct Drainage Studies Citywide	500,000
78	Improve Selby Place Outfall Extension	500,000
79	Conduct Outfall Maintenance and Dredging	450,000
80	Improve Newport Avenue (Talbot Hall) Drainage	400,000
81	Implement the Green Infrastructure Plan	100,000
Total Storm Water Utility		23,015,200
<u>D. Wastewater Utility</u>		
82	Improve Wastewater Collection System	13,600,000
	Improve Wastewater Infrastructure in St. Paul's Area	1,900,000
83	Paul's Area	1,900,000
84	Improve Larchmont Wastewater Infrastructure	1,500,000
Total Wastewater Utility		17,000,000
<u>E. Water Utility</u>		
85	Replace Raw and Finished Water Transmission/Distribution	16,600,000
86	Upgrade Water Treatment Plants	13,400,000
87	Support Watershed Management	2,700,000
88	Upgrade Billing System	2,000,000
89	Replace Lake Smith Culvert	600,000
	Improve Water Infrastructure in St. Paul's Area	300,000
90	Area	300,000
Total Water Utility		35,600,000
Grand Total		299,822,385

Section 2:- The issuance of bonds of the City from time to time, in the total principal amount of \$131,592,126 is hereby authorized, of which \$64,092,126 is for General Capital Improvement Projects, \$22,800,000 is for Parking Projects, \$21,700,000 is for Storm Water Utility Projects, \$8,000,000 is for Wastewater Utility Projects, , and \$15,000,000 is for Water Utility Projects, in such form and with such terms as shall be established pursuant to future ordinances.

Section 3: - Previously approved and appropriated but unissued bonds in the amount of \$2,085,590 are hereby reappropriated for General Capital Improvement Projects.

Section 4:- That the expenditure of the sum of \$166,144,669 in cash is hereby authorized to provide a portion of the funds appropriated. Of such sum, \$135,229,469, which is comprised of \$687,284 transferred from the General Fund, is for General Capital Improvement Projects; \$2,900,000 from Federal earmark; \$8,644,000 of FY 2021 Norfolk Public Schools Reversion Funds; \$8,138,185 of FY 2021 Norfolk Public Schools local revenue allocation policy true-up funds; \$40,000,000 of federal recovery funds previously appropriated for Norfolk Public schools and \$74,860,000 appropriated from the General Fund Balance, which is comprised of \$56,000,000 from State and Local Fiscal Recovery Funds (SLFRF); \$9,950,000 from anticipated FY 2022 General Fund Budget Savings; \$2,910,000 from anticipated FY 2022 Norfolk Public Schools reversion funds; \$6,000,000 from the SWIFT program; \$1,315,200 from the Storm Water Fund for Storm Water Utility Projects; \$9,000,000 from the Wastewater Utility Fund for Wastewater Utility Projects; and \$20,600,000 from the Water Utility Fund for Water Utility Projects.

Section 5:- That this ordinance represents a declaration of "official intent" under Treasury Regulations Section 1.150-2(e).

Section 6:- That the expenditures to be reimbursed will be paid from the following funds, which funds have the following general functional purposes:

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

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

(c) Parking Facilities Fund. Used to account for the City's parking facility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to parking facilities;

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

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

Section 7:- That the appropriate officers or agents of the City are authorized and directed to file a certified copy of this ordinance with the Circuit Court of the City of Norfolk pursuant to Sections 15.2-2607 and 15.2-2627 of the Code of Virginia, 1950, as amended.

Section 8:- That the City Manager, unless otherwise directed by City Council, is hereby authorized to do all things necessary to implement the projects set forth in the Fiscal Year 2023 Capital Improvement Plan Budget.

Section 9:- That the City Manager or his designee is authorized to close out or reappropriate unused Capital Improvement Plan funds in projects that have been completed. These funds may be reappropriated as sources in future year Capital Improvement Plans.

Section 10: - That the City Manager or his designee is authorized to change, subject to any applicable restriction of law or of any bonds or bond issue, the financing sources for the various capital projects included in this or previous ordinances to reflect effective utilization of the financing sources and actual collections and/or realized revenues. If the financing sources in support of capital projects decline, the City Manager or his designee is authorized to reduce, subject to any applicable restriction of law or of any bonds or bond issue, those appropriations to equal the changed financing source. The accounting records of the City will be maintained in a manner where the total of financing sources is equal to the total appropriations for each of the City's capital projects funds.

Section 11:- That the City Manager or his designee is authorized to transfer from any project that has an excess of funds appropriated for its use to any other project all or any part of such excess. A record of all such transfers shall be maintained by the Director of Finance.

Section 12:- That the City Manager or his designee is authorized to transfer funds from any project authorized with Public Art funds in the Capital Improvement Plan to any other project or pool funds, as needed, to implement any portion of the Capital Improvement Plan.

Section 13:- That, if the City Manager, in consultation with the Director of Finance, determines that it is advisable to finance the acquisition of Short-Term Equipment in an alternative manner, the City Manager, with the approval of Council, is hereby authorized to execute and deliver on behalf of the city non-general obligation bonds, notes, term loan agreements, a master equipment lease agreement or other similar financing agreement (the "Alternative Short-Term Equipment Financing"), to execute and deliver such instruments, agreements, documents or certificates and to do and perform such things and acts, as the City Manager shall deem necessary or appropriate to carry out the transactions relating to the Alternative Short-Term Equipment Financing authorized by this ordinance, including to solicit and accept proposals to provide Alternative Short-Term Equipment Financing that the City Manager determines to be in the city's best interest and all of the foregoing, previously done or performed by such officers or agents of the city, are hereby in all respects approved, ratified and confirmed.

Should the City Manager determine that it is in the city's best interest to enter into Alternative Short-Term Equipment Financing, the Alternative Short-Term Equipment Financing shall bear interest at a rate not exceeding Six and a Half Percent (6.5%), shall have a final term to maturity not in excess of ten (10) years and shall not exceed Ten Million Dollars (\$10,000,000). The obligation of the city to make payments under any Alternative Short-Term Equipment Financing is subject to appropriation each year by the Council and nothing in this ordinance or the Alternative Short-Term Equipment financing shall constitute a debt or pledge of the faith and credit of the city.

Section 14:- That this ordinance shall be in effect from and after **July 1, 2022**.

CERTIFICATION OF FUNDING

Account No.: Various

Amount: 299,822,385

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

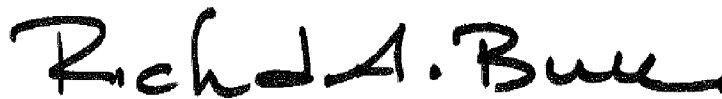


Christine Garczynski Director of Finance

Adopted by Council May 10, 2022
Effective July 1, 2022

TRUE COPY

TESTE:



RICHARD ALLAN BULL

BY:

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