

8-11-92 Minutes

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., August 11, 1992.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Councilman Ronnie C. Rice; Councilman W. D. Tharp (arrived at 7:36 p.m.); and Vice Mayor James A. Vest.

Members absent: None.

Staff present: Assistant to the City Manager Barry W. Thompson; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Staff absent: City Manager Jack A. Gross.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on July 28, 1992, were approved as mailed.

Mr. Thompson, Assistant to the City Manager, reported that the Dixie Boys World Series that is currently being held at Liberty Lake Park has been a success. Councilman Rice spoke of the success of the World Series. Councilwoman Grahame thanked the Main Street organization for decorating the Armory. Mayor Shelton stated that the Deputy Commissioner for Dixie Boys indicated that this is the best attended World Series in the thirty-seven years the series has been held. The Mayor stated that he encouraged the City and County Recreation Directors to pursue an invitation and a bid for the Dixie Youth World Series to come to Bedford, hopefully within the next two to three years.

Mr. Thompson, Assistant to the City Manager, stated that a report has been received from Thompson & Litton, Inc., regarding the grouting work at the Stoney Creek Reservoir. Thompson & Litton report that the grouting has been successful. Mr. Thompson stated that it appears that the cost of the project will be approximately \$23,000, which is lower than the \$39,200 originally budgeted.

Councilman Tharp arrived at 7:36 p.m.

The Clerk of Council read aloud the following Public Hearing Notice:

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held at 7:30 p.m. on Tuesday, August 11, 1992, in the Council Hall of the Municipal Building, 215 East Main Street, for the purpose of receiving the views of citizens on a \$2.00 per month tax on local telephone service to implement an Enhanced 911 Emergency Telephone System in the City of Bedford.

Mayor Shelton opened the public hearing at 7:39 p.m.

Mr. Robert Rucker, Avenel Avenue, questioned the cost of such a 911 system.

Ms. Diana Bare, 805 Smith Street, spoke in favor of the Enhanced 911 Emergency Telephone System.

As there were no further comments, Mayor Shelton closed the public hearing at 7:52 p.m.

Mayor Shelton stated that as the ordinance levying a local tax for Enhanced 911 emergency telephone service was considered at the last regular Council meeting and has been properly posted according to the City Code, it would be order, if Council so chooses, to waive the reading of the ordinance.

Councilman Tharp moved that Council waive the reading of the ordinance levying a local tax for Enhanced 911 emergency telephone service. The motion was seconded by Councilman Rice, voted upon and carried unanimously.

Mr. Thompson stated that the ordinance is to be effective September 1, 1992, and sixty days are required after the adoption of the ordinance before any implementation of the surcharge could occur. The first charges would be levied on the telephone bills on November 1, 1992.

Councilman Otey moved that Council approve the ordinance levying a local tax for Enhanced 911 emergency telephone service. The motion was seconded by Councilman Rice, voted upon and carried unanimously by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Shelton	aye

The Ordinance follows as adopted:

ORDINANCE LEVYING A TAX ON PURCHASES OF LOCAL TELEPHONE  
SERVICE TO PAY AN ENHANCED 911 EMERGENCY TELEPHONE  
SYSTEM IN THE CITY OF BEDFORD, VIRGINIA, BY AMENDING  
THE LICENSE TAX CODE OF THE CITY OF BEDFORD BY ADDING  
SECTION 22-35 TO CHAPTER 22

WHEREAS, the Council of the City of Bedford finds: (1) that an Enhanced 911 system as defined in Section 22.35 (h) of this ordinance will be established by the City of Bedford; (2) that the telephone company has central office equipment which will permit such system to be established; and (3) that it is necessary to levy a tax on purchases of local telephone service to pay the capital, installation and recurring maintenance costs of this system; and

WHEREAS, Section 58.1-3813 of the 1950 Code of Virginia, as amended, authorizes a local tax for enhanced emergency telephone services; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA, as follows:

That Chapter 22 of The Code of the City of Bedford, Virginia, be amended by adding Section 22-35 of the License Tax Code levying a tax on purchases of local telephone service to pay an enhanced emergency telephone tax.

Section 22-35. Enhanced emergency telephone tax.

(a) There is hereby imposed and levied by the City upon every purchaser of local telephone service a tax in the amount of two dollars (\$2.00) per month per telephone line. This tax shall be paid by the purchaser to the seller of local telephone service for the use of the City to pay the initial capital, installation, and maintenance costs of its enhanced 911 system. When the initial capital, installation and maintenance costs have been fully recovered, such tax shall be reduced to the level necessary to offset recurring maintenance costs only. If such tax is to be changed, the City Treasurer shall notify the seller of the date on which the tax is to be changed under this section. This notification will be sent by certified mail to the registered agent of the seller sixty (60) days in advance of the date on which the tax is to be changed.

(b) It shall be the duty of every seller in acting as the tax collecting medium or agency for the City to collect from the purchaser for the use of the City the tax hereby imposed and levied at the time of collecting the purchasing price charged therefor and the taxes collected during each calendar month shall be reported by each seller to the Commissioner of the Revenue of the City on or before the last day of the calendar month thereafter, together with the name and address of any purchaser who has refused to pay his tax. Simultaneously therewith, the seller shall file a copy of such report with and remit to the Treasurer of the City the taxes so collected and reported. The required report shall be in the form prescribed by the Commissioner of the Revenue. The tax levied or imposed under this section with respect to the purchase of local telephone service shall be applicable to charges first appearing on bills rendered for service provided after the August, 1992, billing period.

(c) The City Treasurer shall be charged with the power and the duty of collecting the taxes levied and imposed hereunder and shall cause the same to be paid into the general treasury of the City.

(d) Each and every seller shall keep complete records showing all purchases in the City, which records shall show the price charged against each purchaser with respect to purchase, the date thereof, and the date of payment thereof, and the amount of tax imposed hereunder and such records shall be kept open for inspection by the duly authorized agents of the City at reasonable times and the duly authorized agents of the City shall have the right, power and authority to make transcripts thereof during such times as they may desire.

(e) In all cases where the seller collects the price of utility services periodically, the tax hereby imposed and levied may be computed on the aggregate amount of purchases during

such period, provided, that the amount of the tax to be collected shall be the nearest whole cent to the amount computed.

(f) The United States of America, the state and the political subdivisions, boards, commissions and authorities thereof, are hereby exempt from the payment of the tax imposed and levied by this ordinance.

(g) Any purchaser failing, refusing or neglecting to pay the tax hereby imposed or levied, and any seller violating the provisions hereof, and any officer, agent, or employee of any seller violating the provisions hereof, shall be guilty of a misdemeanor, and upon conviction therefore, shall be subject to a fine of not less than five dollars nor more than one hundred dollars. Such conviction shall not relieve any such person from the payment of the tax. Each failure, refusal, neglect or violation and each day's continuance thereof will constitute a separate offense.

(h) The following words and phrases when used in this section shall for the purposes of this section, have the following respective meanings, except where the context clearly indicates a different meaning.

(i) "Enhanced 911 system" means a telephone service which utilizes a computerized system to automatically route emergency telephone calls placed by dialing the digits "911" to the proper public safety answering point serving the jurisdiction from which the emergency telephone call was placed. An Enhanced 911 system includes selective routing of telephone calls, automatic telephone selective routing of telephone calls, automatic telephone number identification, and automatic location identification performed by computers and other ancillary control center communications equipment.

(ii) "Public safety answering point" means a communications facility operated on a twenty-four hour basis which first receives 911 calls from persons in a 911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

(iii) "Public safety agency" means a functional division of a public agency which provides fire-fighting, police, medical, or other emergency services or a private entity which provides such services on a voluntary basis.

(iv) "Local telephone service" shall mean switched local exchange access service.

(i) Whenever the tax levied by this ordinance is collected by the seller acting as a tax collecting medium or agency for the City in accordance with paragraph (b), such seller shall be allowed as compensation for the collection and remittance of this tax, three percentum (3%) of the amount of tax due and accounted for. The seller shall deduct this compensation from the payments made to the City Treasurer in accordance with paragraph (b).

(j) This tax shall not apply to any local telephone service where a periodic bill is not rendered.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect September 1, 1992.

The City School Board was in attendance for the quarterly meeting with City Council.

Ms. Janice Martinez, Chairman of the City School Board, brought forth several items from the School Board for Council's consideration, which included:

1. The provision of a gymnasium for the Middle School.

Discussion ensued. Members of Council indicated that the City is unable to finance a new gymnasium at this time.

2. Appointment of a committee to review the school contract. Mayor Shelton suggested that the School Board utilize resources from the City staff and make recommendations to Council concerning the contract.

3. The establishment of after school programs.

4. Request that a Council member be appointed to serve as a liaison between Council and the City School Board. Mayor Shelton will make an appointment by the next regular meeting.

The Mayor asked the City School Board to make a report to Council by the November 10th Council meeting concerning: the middle school gymnasium; analysis of the school contract and specific needs. Mayor Shelton stated that Council could then consider the report at the Council retreat being held on November 14th.

Mr. Thompson stated that during the April 14, 1992, Council meeting, Council approved Change Order No. 1 for the Wastewater Treatment Plant Upgrade Project in the amount of \$269,267. Mr. Thompson indicated that in reviewing the project and the project contingency, it was determined that it would only be necessary to increase the City's loan through the Virginia Revolving Loan Authority by \$215,158. Mr. Thompson stated that in order to finance these additional funds through the Virginia Revolving Loan Fund of the Virginia Resources Authority, it will be necessary to pass a resolution for the issuance and sale of a bond and the authorization of an amendment to the financing agreement. The funds were again obtained at zero percent interest.

Councilman Brookshier moved that Council waive the reading of the resolution. The motion was seconded by Councilman Tharp, voted upon and carried unanimously.

On motion by Councilwoman Grahame, seconded by Councilman Otey, voted upon and carried unanimously by a roll call vote, Council adopted the resolution providing for the issuance and sale of a \$215,158 Taxable Water and Sewer Revenue Bond and authorized an amendment to the financing agreement. Roll call vote follows:

Councilwoman Grahame	aye
Councilman Otey	aye
Councilman Rice	aye
Councilman Tharp	aye

Vice Mayor Vest	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The resolution follows as adopted:

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE  
OF A \$215,158 TAXABLE WATER AND SEWER REVENUE BOND,  
SERIES OF 1992, OF THE CITY OF BEDFORD, VIRGINIA,  
HERETOFORE AUTHORIZED, AND PROVIDING FOR THE FORM,  
DETAILS AND PAYMENT THEREOF

WHEREAS, by an ordinance adopted August 14, 1990, after a public hearing held on July 10, 1990, the Council of the City of Bedford, Virginia (the "City"), authorized the issuance of water and sewer revenue bonds of the City in the maximum amount of \$4,000,000 to provide funds, together with other available funds, to finance improvements to the City's sewer system, including, but not limited to improvements to its sewage treatment plant and inflow and infiltration rehabilitation work (the "Project"); and

WHEREAS, the City issued and sold \$3,775,514 of such bonds to the Virginia Water Facilities Revolving Fund (the "Fund"), which is administered by Virginia Resources Authority ("VRA"), on January 24, 1991; and

WHEREAS, it is determined to be necessary and expedient for the City to issue its water and sewer revenue bonds in the amount of \$215,158 to provide additional funds for completion of the Project; and

WHEREAS, the City has applied to the Fund for the purchase of the City's \$215,158 water and sewer revenue bond, and the Fund, acting by and through VRA, has agreed to such purchase;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

1. **Issuance and Sale of Bond.** Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the City Charter and the Public Finance Act of 1991, the Council provides for the issuance and sale to the Fund of a \$215,158 water and sewer revenue bond (the "Bond") of the City as a Parity Bond, as defined in the Financing Agreement, as hereinafter defined, to provide funds, together with other available funds, to pay the costs of completing the Project and issuing the Bond.

2. **Authorization of Amendment to Financing Agreement.** The draft submitted to this meeting of an Amendment to Financing Agreement between the Fund, acting by and

through VRA, and the City to be dated as of September 1, 1992 (the "Amendment"), amending a Financing Agreement between the Fund, acting by and through VRA, and the City dated as of January 1, 1991 (the "1991 Agreement," together with the Amendment, the "Financing Agreement"), providing for the issuance of the Bond to the Fund, is approved. The Mayor or Vice Mayor of the City is authorized to execute the Amendment in substantially such form, with such completions, omissions, insertions and changes not inconsistent with this resolution as may be approved by the Mayor or Vice Mayor, whose approval shall be evidenced conclusively by the execution and delivery thereof. The issuance and sale of the Bond to the Fund shall be upon the terms and conditions of Section 10.6 of the 1991 Agreement and the Amendment. All capitalized terms used but not defined herein shall have the same meaning as set forth in the Financing Agreement.

**3. Bond Details.** The Bond shall be designated "Taxable Water and Sewer Revenue Bond, Series of 1992," shall not bear interest, shall be dated the date of its delivery to the Fund and shall be in the denomination of \$215,158. The Bond shall provide for the Fund to make principal advances from time to time in an aggregate amount not to exceed \$215,158 and to note such advances on the Bond as moneys are advanced by the Fund thereunder. An authorized representative of the Fund shall enter the amount and the date of each such principal advance on the Certificate of Principal Advances on the Bond when the proceeds of each such advance are delivered to the City.

**4. Repayment Provisions.** The Bond shall be payable in equal installments of \$5,516.87 on each November 1 and May 1, beginning November 1, 1992, with a final installment of \$5,516.94, without any portion of such installments being designated as interest, until the principal of the Bond is paid in full. If the aggregate amount of principal advances on the Bond shall be less than \$215,158, the final installment shall be in an amount less than \$5,516.94. If not sooner paid, all amounts due under the Bond shall be due and payable on November 1, 2011. The Bond shall be payable solely from Revenues and other sources which are pledged therefor herein and in the Financing Agreement, and nothing in the Financing Agreement, the Bond or in this resolution shall be deemed to create or constitute an indebtedness of or a pledge of the faith and credit of the Commonwealth of Virginia or of any county, city, town or other political subdivision of the Commonwealth including the City. In addition, the City shall pay a late payment charge as provided in the Financing Agreement if any payment is not received within 10 days of its due date, but only from legally available funds. All payments due on the Bond shall be payable as provided in the Financing Agreement in lawful money of the United States of America. Payments shall be made by check or draft mailed to the registered owner at its address as it appears on the registration books kept for that purpose by the City Treasurer, who is hereby appointed Registrar, on the 15th day of the month preceding the payment date, except that the final payment is payable upon presentation and surrender of the Bond at the office of the Registrar. The City intends that amounts constituting interest on the Bond will be includable in the gross income of the holder thereof for Federal income tax purposes.

**5. Prepayment Provisions.** The Bond shall be subject to prepayment as set forth in the financing Agreement.

**6. Execution and Form of Bond.** The Bond shall be signed by the Mayor or the Vice Mayor, shall be countersigned by the Clerk of the Council, and the City's seal shall be affixed thereon. The Bond shall be issued as a single, registered, typewritten Bond in substantially the form of Exhibit A attached hereto, with such changes not inconsistent with this resolution as may be approved by the officers signing the Bond, which approval shall be evidenced

conclusively by the execution and delivery of the Bond.

**7. Preparation of Printed Bonds.** Upon request of the registered owner and upon presentation of the Bond at the office of the Registrar, the City shall arrange to have prepared, executed and delivered in exchange as soon as practicable Bonds in printed form in an aggregate principal amount equal to the unpaid principal of the Bond in typewritten form, in denominations of \$5,000 and multiples thereof (except that one Bond for each payment date may be issued in an odd denomination of not less than \$5,000), of the same form and maturity and registered in such names as requested by the Fund or its duly authorized attorney or legal representative. The typewritten Bond surrendered in any such exchange shall be canceled.

**8. Pledge of Revenues.** Subject to the right of the City to apply the Revenues to the payment of the Operation and Maintenance Expense, the Revenues of the City's water and sewer systems (the "System") are pledged to the payment of the Bond. The lien on the Revenues securing the Bond shall be subordinate to the lien on such Revenues securing the City's \$1,300,000 Water and Sewer Bond (the "Prior Bond") and shall be on parity to the lien on the Revenues securing the City's \$3,775,514 Taxable Water and Sewer Revenue Bond, Series of 1991 (the "Parity Bond"). Additional bonds on a parity with the Bond and the Parity Bond may be issued under the terms of the Financing Agreement.

It is hereby covenanted and agreed with the bondholder that so long as the Bond is outstanding and unpaid the City shall:

(a) fix and collect rates, fees and other charges for the use of and for services furnished or to be furnished by the System, and will from time to time revise such rates, fees and other charges in such manner that in each Fiscal Year the Net Revenues Available for Debt Service will equal at least 115% of the amount required to pay the principal due on the Bond, the Additional Payments and all other indebtedness of the City payable from the Revenues, including, without limitation, indebtedness under leases which are treated as capital leases under generally accepted accounting principals, payable from the Revenues and becoming due and payable in such Fiscal Year. If, for any reason, the Revenues are insufficient to satisfy the foregoing covenant, the City shall within 90 days adjust and increase its rates, fees and other charges or reduce the Operation and Maintenance Expense so that the Revenues satisfy such requirement; and

(b) apply the Revenues in each Fiscal Year first to pay the Operation and Maintenance Expense, second to pay principal of and interest, if any, on the Prior Bond and then third to the Parity Bond and the Bond and all other bonds hereafter issued on account of the System and secured by a pledge of the Revenues and becoming due and payable in such Fiscal Year.

**9. Registration and Transfer of Bond.** Upon surrender of the Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute and deliver in exchange a new Bond having an equal aggregate principal amount, of the same form and maturity and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the City's expense, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment and the exercise of all other rights and powers of the owner, except that

installments shall be paid to the person or entity shown as owner on the registration books on the 15th day of the month preceding each payment date.

**10. Mutilated, Lost or Destroyed Bond.** If the Bond has been mutilated, lost or destroyed, the City shall execute and deliver a new Bond of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Bond or in lieu of and in substitution for such lost or destroyed Bond; provided, however, that the City shall so execute and deliver only if the bondholder has paid the reasonable expenses and charges of the City in connection therewith and, in the case of a lost or destroyed Bond, (a) has filed with the City evidence satisfactory to the City Treasurer that such Bond was lost or destroyed and (b) has furnished to the City Treasurer satisfactory indemnity.

**11. Preparation and Delivery of Bond.** The Mayor or Vice Mayor and the Clerk of the Council are authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver it to the Fund as the purchaser thereof upon receipt of the first principal advance thereunder. The Mayor or Vice Mayor and the Clerk of the Council are further authorized and directed to agree to and comply with any and all further conditions and requirements of the Fund not inconsistent with this resolution in connection with its purchase of the Bond.

**12. Applicable Law.** The City elects that the Bond shall be issued pursuant to the Public Finance Act of 1991, Section 15.1-227.1 et seq. of the Code of Virginia of 1950, as amended, and the City Charter.

**13. Other Actions.** All other actions of City officials in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Bond are ratified, approved and confirmed. The City officials are authorized and directed to execute and deliver all certificates and other instruments considered necessary or desirable in connection with the issuance, sale and delivery of the Bond pursuant to this resolution and the Financing Agreement.

**14. Repeal of Conflicting Resolutions.** All resolutions, or parts thereof, in conflict herewith are hereby repealed.

**15. Effective Date.** This resolution shall take effect immediately.

Mr. Thompson stated that the City presently owns a parcel of land containing 0.775 acres which adjoins the property of MOOG USA, Inc. This parcel was retained by the City as a possible extension of Industrial Avenue for the Town and Country Subdivision; however, with the development of the Emerald Crest Subdivision between the Town and Country Subdivision and Industrial Avenue, there are now dedicated roads connecting Industrial Avenue and Coolbrook Road.

Mr. Thompson indicated that this parcel is subject to an easement of ingress and egress granted to MOOG USA, Inc., when the City conveyed the adjoining 5.190 acre parcel to that company in May 1991. Mr. Thompson stated that the MOOG company has agreed to develop the 0.775 acre parcel as part of its 5.190 acre site. Mr. Thompson indicated that it is in the best interests of the City to convey the 0.775 acre site to MOOG USA, Inc., thereby adding this surplus property owned by the City onto the tax rolls.

The Clerk of Council read aloud the following proposed ordinance:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PARCEL

OF 0.775 ACRES TO MOOG USA, INC.

WHEREAS, the City of Bedford, Virginia, is the owner of a certain parcel of land containing 0.775 acres which is located within the corporate limits of the City of Bedford and which adjoins the property of MOOG, USA, INC.; and

WHEREAS, the parcel of 0.775 acres was retained by the City of Bedford as a possible extension of Industrial Avenue toward the Town and Country Subdivision; and

WHEREAS, as a result of the development of the property in the Emerald Crest Subdivision between the Town and Country Subdivision and Industrial Avenue there now are dedicated roads connecting Industrial Avenue and Coolbrook Road in the Town and Country Subdivision; and

WHEREAS, the 0.775 acre tract is subject to an easement of ingress and egress granted to Moog, USA, Inc., when the City conveyed the adjoining 5.190 acre parcel to that Company in May 1991; and

WHEREAS, Moog USA, Inc., has agreed to develop said 0.775 acre parcel as part of its 5.190 acre site; and

WHEREAS, the City Council deems it to be in the best interests of the City to convey the 0.775 acre site to Moog, USA, Inc., thereby adding surplus property owned by the City onto the tax rolls;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

1. The City Council authorizes the conveyance to Moog, USA, Inc., of parcel "D-1" as described on a plat of survey entitled "Subdivision of 0.775 Acre from Parcel D, property of the City of Bedford" prepared by the City of Bedford, Virginia, Engineering Department, dated April 27, 1992, subject to the condition that said parcel shall become a part and parcel of the 5.190 acre parcel heretofore conveyed to Moog, USA, Inc., by the City of Bedford, Virginia, by Deed dated May 15, 1991, and shall be subject to the conditions set forth in that Deed.

2. The Mayor and the City Clerk are hereby authorized to execute such deeds and other documents, in form approved by the City Attorney, as may be necessary and proper to effect the conveyance of the said parcel.

Councilwoman Grahame moved that the ordinance authorizing the conveyance of the 0.775 acre parcel to MOOG USA, Inc., and authorizing the Mayor and City Clerk to execute the necessary deeds and other documents to effect the conveyance be adopted. The motion was seconded by Councilman Rice, voted upon and carried unanimously by the following roll call vote:

Councilman Otey	aye
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Mayor Shelton	aye

Mr. Thompson stated that Council had received a memorandum from Mr. Jimmy English, Director of Community and Economic Development, and a summary report of the proposed "Home" Grant Program being made available through the Virginia Department of Housing and Community Development. He stated that this program will benefit low-to-moderate income City residents who reside in substandard single-family owner-occupied properties. The City expects to apply for rehabilitation of 12 housing rehab and indoor plumbing eligible units, to be completed within 12 months. Applications must be submitted to the Department of Housing and Community Development by August 14, 1992.

Mr. Thompson indicated that it will be necessary for Council to adopt a resolution authorizing the Mayor to apply for and accept participation in this program. Mr. Thompson stated it will also be necessary to submit a Certifications/Assurances by Authorized Representative of the City document, certifying that Mr. English, as the Local Administrator, will oversee the use of funds received under this program and will assure that all requirements of the program are met.

Ms. Jenny Martin explained the program.

The Clerk of Council read aloud the following proposed resolution:

#### CITY COUNCIL RESOLUTION

**WHEREAS**, the Commonwealth of Virginia, Department of Housing and Community Development has issued a Request for Proposal for participation in the **INDOOR PLUMBING/REHABILITATION PROGRAM**, and

**WHEREAS**, assistance is needed to effectively and adequately address the rehabilitation of substandard homes of low-income persons to be served by the City of Bedford in the City of Bedford

**WHEREAS**, the City of Bedford agrees to provide the administration for the program to those in need in conformance with the regulations and guidelines of this State Program to include applicable Federal requirements under the **HOME** program, and

**WHEREAS**, Mayor G. Michael Shelton can act on behalf of the City of Bedford and will sign all necessary documents required to complete the proposal process, and

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council hereby authorizes Mayor G. Michael Shelton to apply for and accept participation in and enter into an Agreement with the Virginia Department of Housing and Community Development and undertake any and all actions and responsibilities in relation to such Agreement.

Councilman Rice moved that the resolution be adopted as read. The motion was seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote:

Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Mayor Shelton	aye

Mayor Shelton adjourned the meeting at 8:49 p.m.